

Rebecca Heath

Partner

Perth

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About Rebecca

Rebecca Heath is a disputes and regulatory partner in the Perth office. She represents clients in complex commercial, insolvency, white collar crime and regulatory litigation in Australian courts, as well as domestic and international arbitrations. Her practice includes general commercial and insolvency litigation, environmental and other regulatory and white collar crime advice, compliance, investigations, litigation and prosecutions.

Rebecca has more than a decade of experience and has acted for clients in a wide variety of industry sectors, including mining, energy and resources, real estate, hotels and commercial property, services, manufacturing, retail, technology, education, sports, entertainment, investment and government. She is an APAC lead of our Sports & Entertainment Group.

Rebecca is a qualified arbitrator (FCIArb) and sits as a member of the Legal Practice Board of Western Australia, as well as the WA Chapter of the Australian Institute of Administrative Law.

Experience

- Acting in Federal Court proceedings defending an oppression claim brought by a minority shareholder and allegations of estoppel, misleading and deceptive conduct and breach of a shareholders agreement.
- Acting for a shareholder in Federal Court proceedings seeking orders under s249G and s1319 of the Corporations Act 2001 in order to overcome a director deadlock.
- Acting in the Supreme Court of South Australia for a services company in a dispute regarding a share purchase agreement and related to the calculation of EBITDA and net assets.
- Acting for a website design company in Federal Court proceedings relating to performance of a website design contract.
- Acting for a secured creditor in proceedings against a subordinated creditor relating to the terms of an intercreditor deed and enforcement of the security to ensure clear title to assets following a disputed receiver sale, including responding to allegations about the adequacy of the receiver sale process.
- Acting in various debt recovery and statutory demand proceedings in the Supreme Court of WA.

- Advising and assisting in respect of Australian aspects associated with insolvency of an international group of companies.
- Acting in a SIAC international arbitration regarding oil reserves and various royalty, and other payments.
- Acting for mining and exploration companies in various proceedings in the Supreme Court of Western Australia and Supreme Court of New South Wales in relation to tenement purchase and tenement interest disputes.
- Advising in relation to a leases dispute including rent review disputes, exercise of option disputes, termination and relief against forfeiture issues, as well as allegations of misleading or deceptive conduct in respect of pre-lease statements.
- Acting in Supreme Court proceedings defending a claim to title through adverse possession and rights of use through easement of prescription.
- Acting in an arbitration of a dispute regarding a Hotel Management Agreement and allegations of misleading or deceptive conduct.
- Defending a manufacturer in the Magistrates Court of Western Australia against charges laid under the Environmental Protection Act, acting in subsequent civil proceedings to recover losses from the contractor involved, and in various environmental licence appeals and judicial review applications in relation to the premises.
- Advising on whistleblower protections, procedures and investigations.
- Assisting with investigations and recovery options in respect of suspected misconduct including acceptance of kickbacks and allegations of bribery in exchange for purchase of illegally tampered goods.
- Acting for various companies and directors defending prosecutions and other proceedings by ASIC and the ATO relating to financial non-compliances.
- Advising a sporting industry regulator on the scope of powers and compliance obligations under the applicable legislation.
- Acting for an entertainment industry client to protect against infringement of its intellectual property by a competitor, involving issues of passing off and misleading and deceptive conduct.
- Acting for a sporting industry body in a dispute regarding rights to an event and related contractual rights and obligations.
- Acting for the operator of a retirement village in Supreme Court of Western Australia proceedings for rectification of a memorial and termination of a retirement village scheme.
- Acting in the Supreme Court of the Northern Territory appealing stamp duty assessments made on an amalgamation of two Canadian companies under Canadian law.

Credentials

Education

- Chartered Institute of Arbitrators Diploma of International Arbitration, 2020
- The University of Western Australia, B.A., LL.B., (Hons), 2008

Courts

- High Court of Australia
- Supreme Court of Western Australia

Memberships & Affiliations

- Board member, Legal Practice Board of Western Australia (ARC and PD Committees).
- Fellow, Chartered Institute of Arbitrators.
- Committee member, Australian Institute of Administrative Law (WA Chapter).

Recognitions

- Named by *Doyle's Guide* as a Leading Administrative & Public Lawyer – Western Australia for 2023-2025
- Recognised in *Best Lawyers in Australia* (14th-19th editions) for Litigation
- Won the 2012 Legal People Future Star award from *Lawyers Weekly Women in Law Awards*

Expertise

Services

- Litigation
- Environmental, Safety & Health
- Government Investigations & White Collar

Industries

- Sports & Entertainment

About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.