



Hutchinson  
Legal

Class  
Action

Property  
Ownership

Data  
Breaches

AUTUMN 2023

# Insight

## What is a class action?

A class action is a court proceeding issued against an individual or entity by a wronged set or class of persons. Class actions seek compensation for wrongdoing on behalf of the participants.

The persons taking part must have a common cause of action – for example, mesothelioma can affect a set of former and current employees of the same industry even if they have worked in different places. These employees might be candidates for a class action if they are able to prove that they all did the same kind of work or were exposed to the same kinds of deadly chemicals during their employment. This type of class action is governed by personal injury law.

A class action must have a minimum of seven members affected or wronged by the defendant. One member or a few members of the class could be the named as plaintiffs representing the entire class of affected plaintiffs, while the others would become 'group members' of the claiming party.

In Australia the law provides an option to 'opt in' or 'opt out' of a class action. If a person is subject to the same facts but opts out of the class action, they will not be eligible to share in any compensation which is recovered in the action.

To read the full article, please go to:  
<http://www.hutchinsonlegal.com.au/class-action/>

**If you belong to a group or if you know any group of persons who have been wronged, please contact our experienced litigation team on 9870 9870.**

"Autumn is a second spring when every leaf is a flower."

ALBERT CAMUS

### FAST FACTS

## 7,200kg

The weight of the world's largest chocolate Easter egg, made in Tosca, Italy in 2011.

## 21/03/23 08:25

The precise time the Autumn Equinox in the southern hemisphere will occur this year.

## 1873

The year of the first hollow chocolate Easter egg, made by Fry's in Bristol, UK.

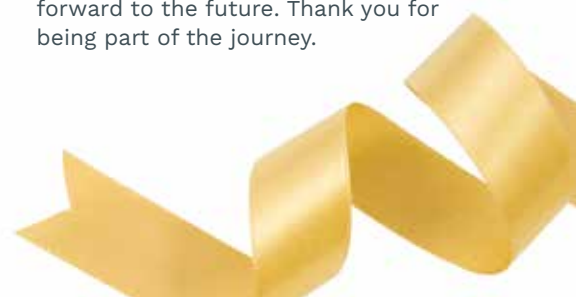
## Celebrating

# 70 years

It is 70 years since Henry Summerville Dixon set up his legal practice, H.S. Dixon, in early 1953. Henry worked tirelessly as a sole practitioner for almost half a century, faithfully serving the Ringwood community until a decision was made to sell his practice to Grant Hutchinson in 2001.



Since then, Hutchinson Legal has continued to grow, with new offices in both Doncaster and Dandenong, giving us the opportunity and privilege to extend the tradition of quality service and care to a larger community. We are thrilled to pause this year to reflect on our history and look forward to the future. Thank you for being part of the journey.



# Do you know how your property ownership is registered on title?

When buying property with one or more other people, there are options for how to be registered on title with them. These options include being registered as joint tenants or tenants in common.

Either option can significantly affect the way in which a property is left to your loved ones in your estate when you die.

## Joint Tenants

Being registered as joint tenants (also known as joint proprietors) means that you and the other person or people on title own the property "as one". This means that if either person registered as a joint tenant dies, the property will automatically belong to the other person (or people). Consequently, the property does not form part of the

deceased person's estate and cannot be gifted to somebody else. This is called a "Right of Survivorship".

## Tenants in Common

Alternatively, you may be registered as tenants in common with another person (or people). This means that each person is registered on title as owning a specific portion of the property (such as 50 percent) and that portion can be devised in a Will as if it was owned solely by one person.

You can read the full article on our website at <http://www.hutchinsonlegal.com.au/property-ownership/> and compare our article with one written by an Artificial Intelligence Bot at <http://www.hutchinsonlegal.com.au/property-ownership-AIBot/>



[www.hutchinsonlegal.com.au/property-ownership-AIBot/](http://www.hutchinsonlegal.com.au/property-ownership-AIBot/)

**If you wish to discuss this aspect of your estate plan, please contact our Wills and Estates team on (03) 9870 9870 to assist you with your property and estate planning matters.**

# Keeping data private in a technological world

Millions of Australians have recently been affected by data breaches, including the Optus and Medibank breaches in late 2022. Even if you were not a victim, it is likely that you know someone who was.

Individuals, small businesses, and large organisations are all at risk of data breaches which can affect anybody who provides personal data, and anyone who collects and stores it.

The Australian government is now working to penalise companies who fail to take adequate care of customer data.

## Keeping companies accountable

The *Privacy Legislation Amendment (Enforcement and Other Measures) Act 2022* ("the Act") was introduced in late 2022 to increase current maximum penalties for serious or repeated privacy breaches.

Maximum penalties can now reach the greater of \$50 million, three times the benefit of a contravention, or 30% of domestic turnover if a benefit cannot be calculated. The Act also provides broad power to the Commissioner to investigate breaches and keep the public informed.

## How to mitigate the risk of a data breach

Although it is difficult to minimise the risk of hacks and data breaches of organisations, there are steps you can take to mitigate the risk at an individual level.

Updating your passwords and not using passwords across multiple platforms is one way you can stay cybersafe.

**If you have been affected by a data breach please call our litigation team on 9870 9870.**



**YOU ARE INVITED TO OUR**

## Client FUNction

**MOVIE:** Till\* + Refreshments

**DATE:** Wednesday 5th April 2023

**VENUE:** Reading Cinema, Chirnside Park

**TIME:** 6pm for a 6.30pm film start

**RSVP:** 9870 9870 or [office@hutchinsonlegal.com.au](mailto:office@hutchinsonlegal.com.au)

*Places are limited – please reply early to avoid disappointment*

\*This movie is not suitable for children as it includes racism and violence. Please check trailer before booking.



**Hutchinson Legal**

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