



GREENWAY CHAMBERS

Edward Cox SC

[Barrister 2001 / Silk 2018]

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Practice

Edward Cox SC is an experienced trial and appellate advocate specialising in commercial equity, and shipping/transport law; together with property proceedings in the Federal Circuit and Family Court of Australia. He has appeared in a broad range of disputes from appeals, trials, inquiries and arbitrations. He also accepts appointments as a mediator and arbitrator in commercial disputes.

Edward regularly appears in the Federal Circuit and Family Court of Australia, the Federal Court of Australia, and Supreme Court of NSW. He has also appeared in the High Court of Australia, Court of Appeal in the Solomon Islands, and High Court in Vanuatu. He has prosecuted and defended environmental and other offences. He has a diverse experience includes acting as both counsel and arbitrator in commercial and sports arbitrations.

Since 2019 he has regularly appeared in family law disputes where there are complex property arrangements, transnational issues and on appeals. That includes disputes regarding discretionary trusts, claims against third party assets, cross border disputes, resulting trusts and estoppel claims.

Edward has appeared in shipping and transport disputes for more than 20 years. This included many of the leading maritime cases in Australia, including: Carmichael Rail Network Pty Ltd v BBC Chartering GMBH & Co KG [2024] HCA 4, Poralu Marine Australia Pty Ltd v MV Dijksgacjht [2023] FCAFC 147, The Ship "Sam Hawk" v Reiter Petroleum Inc [2016] FCAFC 26, Shagang Shipping Co Ltd v Ship "Bulk Peace" [2014] FCAFC 48, Korea Shipping Corp v Lord Energy SA [2018] FCAFC 201, Neptune Hospitality Pty Ltd v Ozmen Entertainment [2020] FCAFC 47, Tiger Yacht Management Ltd v Morris [2019] FCAFC 8, Guardian Offshore AU Pty Ltd v Saab Seaeeye Leopard 1702 Remotely Operate Vehicle [2020] FCA 273, Tritton Resources v Ever Rock Navigation SA [2019] FCA 276, Delaware North Marine Experience Pty Ltd v The Ship 'Eye Spy' [2017] FCA 708.

Areas of Expertise

Commercial law and equity

Family law

Shipping and Transport law

Qualifications

Bachelor of Science/Bachelor of Law (Macquarie) 1999

Master of Laws (Sydney) 2014

Specialisations

- Commercial law and equity
 - Family law
 - Shipping and Transport law
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Professional Recognition

Best Lawyers Australia 2024 Shipping and Transportation Law

Chambers and Partners Asia-Pacific 2018-2024, Shipping: The Bar 2024, Leading Shipping Law Silks

Doyles Guide 2018-2024, Leading Transport Law Senior Counsel, Australia - Preeminent Senior Counsel

Who's Who Legal, National Leader - Shipping - 2021-2023 - Recommended

Publications

The Building and Construction Law Journal and many other publications. In 2006, he completed the updating and editing of Halsbury's Laws of Australia, Building and Construction title.

- Design and Building Practitioners Act 2020 (NSW)
- The Building and Construction Industry Security of Payment Act: What to look for following the 2019 amendments
- The 2018 Amendments to the Security of Payment Act 1999
- Have Home Owners Warranty Insurers won a battle, but lost the war?
- Southern Han Breakfast Point Pty Ltd (in liq) v Lewence Construction Pty Ltd [2016] HCA 52
- Delay and Disruption - the Society of Construction Law Protocol

Tesseract International Pty Ltd v Pascale Construction Pty Ltd

South Australia Court of Appeal and High Court proceedings (leading Bill McManus), which concerned a question of law as to the application of State and Commonwealth statutory schemes for proportionate liability in commercial arbitration. The question was determined by the South Australian Court of Appeal in the negative ([2022] SASCA 107). Special leave was granted, and the matter heard by the High Court in November 2023. Judgment delivered on 7 August 2024, [2024] HCA 24. Led Bill McManus in the SA Court of Appeal and High Court.

The Owners Strata Plan 89074 v Ceerose Pty Ltd.

NSW Supreme Court and Court of Appeal proceedings concerning breach of statutory warranties under the Home Building Act 1989 (NSW) in respect of a large scale residential project and the defence of failure to mitigate.

One Central Park v Frasers & Watpac.

NSW Supreme Court and Court of Appeal proceedings concerning breach of statutory warranties under the Home Building Act 1989 (NSW) in respect of a large scale residential project and the defence of failure to mitigate.

Ceerose Pty Ltd v A-Civil Aust Pty Ltd

NSW Supreme Court and Court of Appeal proceedings concerning the interpretation and application of the Building and Construction Industry Security of Payment Act 1999 (NSW) and issues of jurisdictional error. Related proceedings (A-Civil v Ceerose [2023] NSWCA 144) concerned the risk of insolvency and the extent to which a respondent can seek production of documents in an endeavour to prove that a claimant is impecunious so as to seek a stay of any judgment under the Security of Payment Act pending final hearing of the substantive disputes.

Demex Pty Ltd v McNab Building Services Pty Ltd.

NSW Supreme Court and Court of Appeal proceedings concerning the interpretation and application of the Building and Construction Industry Security of Payment Act 1999 (NSW) and issues of jurisdictional error. Related proceedings (A-Civil v Ceerose [2023] NSWCA 144) concerned the risk of insolvency and the extent to which a respondent can seek production of documents in an endeavour to prove that a claimant is impecunious so as to seek a stay of any judgment under the Security of Payment Act pending final hearing of the substantive disputes.