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JHK LEGAL



RHONDA KING (BA , LLB, LLM (Commercial))

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Qualifications:

Bachelor of Arts (1980) University of Otago, New Zealand

Bachelor of Laws (1980) University of Otago, New Zealand

Master of Laws (Commercial) (2009) Queensland University of Technology, Australia

Significant Memberships and Directorships:

Currently:

Solicitor of the Supreme Court of Queensland

Barrister & Solicitor of the High Court of Australia

Barrister & Solicitor of the High Court of New Zealand

Barrister & Solicitor of the Supreme Court of South Australia

Barrister & Solicitor of the Supreme Court of Victoria

Special Counsel to JHK legal Australia Pty Ltd trading as JHK Legal

Director of Milyara Pty Ltd and Emerald Ridge Pty Ltd (personal investment corporations)

Previously:

(South Australia) member of:

Chiropractors Board of South Australia

Board of Directors of SAMCOR

(Queensland)

Founding member of IWIRC (Queensland Branch)

Member of Dental Technicians Board of Queensland

Member of Hockey Queensland Board

Member of the Board and joint company secretary for the Financial Basics Foundation

Company Secretary of Compass Hotel Group Limited and 14 subsidiaries

Member of the Board and company secretary for The Brisbane Lions Foundation

Legal Practitioner Director of McDonald Phillips Lawyers Pty Ltd

Member of the Board of Collection House Limited (ASX listed company) and member of Audit & Risk Management Committee

Company secretary of Collection House Limited and 26 subsidiaries

Personal

I attended Otago University in New Zealand to obtain my Bachelor of Arts and Bachelor of Laws degrees and my professional practice qualification in a five-year period. I moved to Australia shortly after qualifying and commenced work as set out below.

I completed my Master of Laws (Commercial) at QUT in 2009.

Work History

I commenced practice as a commercial solicitor with Johnson Deegan & Co. in Adelaide in 1981. I became a partner of Johnson Deegan & Co. in June 1984.

I became a partner of the largest firm in Adelaide at the time, being Finlaysons, in 1989 following a merger between Johnsons and Finlaysons. I was appointed head of the commercial property, planning, environment and private client department of that firm within 6 months of the merger. I

was also appointed as a member of the six partner committee that managed the operation of the firm. I resigned from Finlaysons to move to Queensland in late 1992.

Rick Jones and I commenced practice in the firm that became known as Jones King Lawyers, in Brisbane in June 1993. Prior to sale of the business, our firm expanded from an initial four people to approximately one hundred and thirty people with offices in Brisbane, Sydney, Melbourne, Adelaide, Perth and Darwin.

I changed direction in 2002 following the sale of Jones King Lawyers and although still consulting to law firms, I established a new business, King Litigation Funding Pty Ltd. This company is a finance company I have established that funds liquidators and trustees in bankruptcy in actions (including actions against company directors for insolvent trading) to recover funds for creditors of insolvent companies and bankrupts.

I was also appointed as company secretary (2003) and a director (2005) of Collection House Limited (a publicly listed company) and its subsidiaries. I was appointed to the Audit & Risk Management Committee of Collection House Limited on resigning as company secretary. I resigned from the Board roles in December 2006 to concentrate on my study. The study I completed during 2007 and 2008 was a Master of Laws at Queensland University of Technology. I have now commenced study at QUT for a doctorate.

During 2006 through to the end of 2008 I also participated as a board member for a number of charitable organisations resigning to establish the new law firms referred to below.

In January 2009 I established McDonald Phillips Lawyers Pty Ltd for the company shareholder, The ARMS Global Group Pty Ltd (a debt collection company). I continued on as Legal Practitioner Director of that firm, growing the firm to a size where it employed 18 people with offices in Brisbane and Melbourne, until resigning on 16 May 2011 to establish Jones Heard King lawyers Pty Ltd, which became JHK Legal Australia Pty Ltd trading as JHK Legal, together with Rick Jones and Patrick Hanrahan. JHK Legal commenced trading on 1 July 2011 and is growing rapidly with 55 employees and offices now established in Brisbane, Maroochydore, Melbourne, Sydney with a client base spanning Australia and New Zealand.

Areas of Legal Specialisation:

Corporate law, commercial law, debt collection, commercial litigation, insolvency and banking and finance.

Corporate:

A substantial portion of my legal work during the period 2000-2018 has revolved around providing advice to publicly listed companies on the provisions of the *Corporations Act 2001* and the ASX Listing Rules.

I am also experienced in prospectus documentation for capital raising from the public. In particular I have experience in the role of company secretary for listed companies and the compliance issues faced by listed companies in Australia.

I have substantial experience in restructuring of large private company groups and have advised generally on director's obligations, trusts and trustee powers. The restructurings have included establishment of new trusts, distributions of property in specie pursuant to trusts, land tax and stamp duty ramifications of transfers of assets between companies and trusts.

Insolvency:

I have extensive experience gained over a considerable period of time in insolvency law.

I have:

- provided advice to administrators, receivers and liquidators on their powers, rights and obligations under the *Corporations Act 2001* and trustees under the terms of the *Bankruptcy Act 1966*;
- provided advice to clients (both debtors and creditors) and insolvency practitioners and prepared all documentation in relation bankruptcy and winding up;
- prepared Deeds of Company Arrangement and ancillary documents;
- prepared commercial and property documents resulting from restructures or sales of assets by insolvency practitioners.
- advised clients in relation to financial restructuring and/or insolvency (personal and corporate) during periods of financial difficulty.

I also have advised and continue to advise many:

- debt collection companies on collection commercial litigation; and
- company credit managers on credit documentation, trading terms, Privacy Act requirements and all general commercial credit enquiries.

Banking and Finance:

I have acted for financiers since 1981 preparing documents and providing advice in the following areas; preparation of finance documentation, including factoring agreements, joint venture agreements with the financier; loan deeds and agreements, mortgages of shares, land and leases, bills of sale and charges; guarantees, indemnities and guarantee disputes; plant and equipment leases, deeds of priority and negative pledges; standard terms of conditions of credit; advice on the most appropriate method of response to the appointment of an Administrator, exercising rights under securities (whether by foreclosure, appointment of a Receiver of a company or of particular assets, appointment of a

Liquidator, entering into possession as mortgagee in possession, appointment of an informal "watching

brief" consultant and the signing of documents under power of attorney); review of trust documents, advice on the terms of trusts, deeds of variation of trusts and trustee warranties; establishment of cost

effective and efficient systems to prepare, process and settle volume funding transactions; advice on stamp duty implications in financial transactions.

Commercial:

I have prepared and advised on an extensive number of franchise agreements (including advice on compliance issues and acting for franchisors against defaulting franchisees), computer software, hardware and maintenance agreements, licence agreements, building and centre services agreements (and, in particular, acting for large state owned institution in the establishment of the standard contracts for services, maintenance, consultants, emergency procedures, air conditioning, lifts, fit out, major works contracts, minor works contracts, sub-contracts and a multitude of other services contracts), supply agreements, agency/licence/sub-contract agreements, asset management deeds, agency agreements, sale and purchase of business agreements, sale and purchase of share agreements, management agreements, consultancy agreements, service agreements, cartage agreements, partnership agreements, put and call options and various other contractual arrangements including a specialist expertise in the areas of joint ventures and the drafting and negotiation of shareholder/unitholder agreements. I have also acted for many not-for-profit entities in various commercial transactions.

General:

I have participated in giving seminar papers regularly. The papers I have presented include Guarantees; Fundraising for Not-for-Profit Groups; Section 60 of the Trade Practices Act; and Credit Management. I provided a chapter on the appointment of administrators under what was then the Corporations Law in the textbook entitled Corporate Insolvency Law. I was an annual guest lecturer for a number of years on both corporate governance and the insolvency provisions of the Corporations Act 2001 for the Applied Corporations Law Course run by the Chartered Institute of Company Secretaries.