

Technology & Telecommunications SA

ASHURST'S DIGITAL ECONOMY TRANSACTIONS TEAM

January 2022

About Ashurst:

Ashurst is a leading global law firm with a history spanning almost 200 years, and clear strategy for our future growth. Our in-depth understanding of our clients and commitment to providing exceptional standards of service have seen us become a trusted adviser to local and global corporates, financial institutions and governments in all areas of commercial law. To find out more please visit [here](#).

About us:

Our Digital Economy Transactions team has a standout reputation for providing knowledgeable, pragmatic and sophisticated advice for clients from a range of industry sectors including technology, financial services, telecommunications, government, energy and resources, and infrastructure.

We are ranked as 'Band One' by Chambers Asia-Pacific and a 'Tier One' by Asia Pacific Legal 500 in TMT.

We have extensive experience in advising companies on the full suite of technology and telecommunications matters including software and systems, internet legal issues, technology licensing, data, privacy, cloud computing, digital transformation and innovation, fintech, commercial contracts, procurements, complex projects and outsourcings, telecommunications, regulatory, and technology and telecommunications-related mergers, acquisitions and disposals.

We are well known for our responsiveness and our solution-driven strategic focus. This is demonstrated by our involvement in developing innovative, and cutting edge, IT and telecommunications projects of extremely high-value and considerable national significance with our clients, such as CBA, Westpac, nbn, Facebook, Rio Tinto, Commonwealth Government, Woolworths Group and Google.

The role:

Our Band One ranked Digital Economy Transactions Team is growing nationally and is looking for an experienced Senior Associate who is keen to join one of Australia's leading practices and work on the full range of technology, data and digital infrastructure matters.

The role will work closely with our six Partners nationally and will, when needed, have access to international matters with the broader DET team. Since the team take a national approach to managing workload this role can sit in Sydney, Melbourne, Brisbane or Canberra.

Ashurst combines the benefits of a leading DET practice with a supportive and collegiate environment. The firm is looking to make a long term investment in a strong Senior Associate who is similarly looking to make a long term career commitment to our firm. Ashurst has a proven track record in developing lawyers and the vacancy represents an outstanding opportunity for a team-player with strong technical skills and a commercial approach.

Main tasks

- Drafting and reviewing of legal documents and agreements
- Contributing to department know-how
- Advising clients and preparing formal legal opinions
- Leading negotiations with counterparts
- Matter completion and post-closing work
- Business development and networking activities

Description of Senior Associate Role

- You will act with integrity to provide incisive advice to clients, and to work collaboratively with your colleagues in doing so
- You will already have acquired technology, data & telecommunications experience and will be able to contribute to professional development and know-how and participate in training where appropriate
- You will take day to day responsibility for matters, with suitable direct client contact, and will proactively progress complex matters with appropriate partner support
- You will be able to demonstrate well developed verbal and written communication skills, and innovative drafting skills
- You will be confident and effective in negotiations with clients and counterparties
- You will be effective in communicating with clients in order to understand their needs and how best to meet them. You will also have the ability to assist clients in arriving at practical and cost effective solutions
- You will be effective in forming relationships with clients and you will impress them with the depth of your legal knowledge and commercial awareness
- You will understand the way our business, competitors and clients are developing and work with the business development team to use this information to develop business opportunities
- You will build and maintain a network of business contacts. In addition you will proactively identify opportunities to introduce your clients to other offices and practice areas, working intelligently with partners, other lawyers and the business development team to exploit opportunities
- You will have excellent attention to detail, identifying inconsistencies that indicate problems with quality of work or a misunderstanding of clients' needs
- You will gather information from a variety of sources to identify your own strengths and weaknesses
- You will be able to identify when a team member needs support and will be approachable for advice, giving constructive feedback

- You will help build team morale and motivate team members contributing to the creation of a positive work environment and assist with training and development
- You will undertake pro bono work

About you:

- 7-10 years' technology & telecommunications experience gained within a reputable law firm or in-house
- Excellent communication skills, both written and verbal
- Superior drafting ability
- A commercial approach and an ability to negotiate contracts
- Strong attention to detail with well-developed analytical skills
- Ability to be team-focused and also work independently
- Ability to supervise and nurture junior lawyers
- A proactive, positive and energetic approach with a commitment to providing excellent service and, a desire to interact with the market and build client relationships
- Candidates that have flexible work arrangements are encouraged to apply

Recent work:

- **Commonwealth Bank of Australia** - on a complex technology simplification project to migrate to cloud-based services and decommission old applications.
- **Facebook** - our team are currently advising on a number of subsea cabling projects, including the 2Africa project and others in the Asia-Pacific region and leading on a full range of subsea agreements including the negotiation of the supply agreements, consortium agreements, landing arrangements and terrestrial backhaul.
- **Major Banks, Financial Services Organisations and Fintechs** - advised progressively on legal issues arising on the implementation of systems, processes and procedures to provide services under the Consumer Data.
- **Social media companies** – on data protection issues concerning services and products. This has included advice on major data breaches, privacy investigations, compliance programs and contractual arrangements to address privacy issues. Also advised on the use of personal information in relation to artificial intelligence systems, use of data for analytics, data protection issues and IP rights, cloud computing, importation of devices, encryption export restrictions and the anti-encryption laws.

Career advancement:

An established Associate Career Path Framework is in place clearly defining expectations and outlining opportunities for promotion.

Secondment opportunities:

Opportunities often arise for associates to spend time on secondment in house with a key client of the firm. From time to time, secondment opportunities also come up within other Ashurst offices in Europe, North America, Asia and Australia.



Background checks:

In order to comply with regulatory and client requirements, Ashurst will undertake appropriate vetting of staff. When applicants accept a job offer, Ashurst, alongside a specialist provider, will undertake professional verification and background checks. These checks are only undertaken with consent, and in accordance with our legal and regulatory obligations.

Partner Profiles:



Tim Brookes

Tim specialises in telecommunications, information technology and privacy and is one of Australia's leading telecommunications and information technology lawyers. Tim advises a number of leading technology suppliers and customers on complex technology and outsourcing contracts. He also advises extensively on privacy issues.

Tim's recent experience includes acting for nbn co limited on the National Broadband Network project. Tim advises Google, Facebook, Woolworths, Westpac, the Macquarie Group, Rio Tinto, Department of Foreign Affairs and Trade, NSW Government and others on numerous legal issues arising from the conduct of their businesses. Tim is recognised as a Leading Individual in *Chambers Australia 2021 TMT: Information Technology* and *TMT: Telecommunications Law*. In 2020, Tim was recognised by *Best Lawyers Australia* as a Lawyer of the Year in Privacy and Data Security Law. Tim has undertaken a number of significant technology and data protection matters and recently advised the Commonwealth Government's Department of the Treasury in relation to undertaking a comparison of the UK open banking regime with the Australian Consumer Data Right Rules.

Tim has developed a deep understanding of the commercial and regulatory frameworks in Australia's telecommunications industry. He is the strategic advisor to nbn advising on a number of confidential regulatory and strategic matters.



Emma Butler

Emma is a digital economy specialist who focuses on information technology, telecommunications, data, privacy and cyber security.

Emma has extensive experience advising clients on all aspects of technology-related transactions, including complex digital transformation projects, data sharing arrangements, strategic outsourcing, cloud services and the procurement and commercialisation of technology. Emma's recent work has focussed on her client's strategic implementation of cutting-edge technology including next generation cloud services, IoT solutions and artificial intelligence tools.

Emma also acts on M&A transactions, leading and managing business separation and transition project streams. Her practice also focusses heavily on data protection and the development of effective legal strategies to support the flow and use of information in the digital economy.



Rebecca Cope

Rebecca advises on telecommunications and technology, including artificial intelligence, data and privacy.

Within the telecommunications industry, Rebecca advises on large scale infrastructure projects including fibre rollout and sub-sea cable projects as well as network acquisitions, telecommunications regulation, spectrum licensing, service contracts (including wholesale supply contracts), colocation and network sharing.

Rebecca also advises on technology and data issues including technology contracting and outsourcing, licencing and technology development, product launches, data protection and privacy issues. Her clients include nbn, Woolworths, Google, Macquarie Group, Facebook., BAI Communications, Centennial Coal and CBA.

Rebecca has extensive experience with complex digital infrastructure transactions, which most recently include major nbn projects, network acquisitions and telecommunications regulatory issues within Australia, subsea cable and data centre projects based in Asia and, in collaboration with Ashurst's telecommunications infrastructure teams in Europe, on 2Africa, the largest subsea cable project ever undertaken as well as fibre and mobile network rollouts and acquisitions. She has also been involved in Centre of Critical Infrastructure's consultation processes in respect of the expansion Security of Critical Infrastructure Act.

Her insight is sought out by other practitioners within the firm, and by lawyers seeking guidance to navigate the intricacies of complex digital transactions.



Andrew Craig

Andrew advises corporates, private equity firms and financial institutions on a wide range of technology transactions including cross border M&A, carve-outs, business separation, outsourcing and commercial transactions for clients in sectors including TMT, pharma, financial services and large industrials.

Dual-qualified, Andrew has recently returned to Australia from the UK where he was a partner at Freshfields Bruckhaus Deringer for over 9 years. Before working at Freshfields, he was a corporate counsel in Australia at ninemsn and in private practice at another Australian law firm.

Andrew has advised on numerous high profile cross-border transactions where technology and data were core. Deal highlights include advising ANZ on the sale of ~1,300 offsite ATMs to Armaguard Technology Solutions; RELX on the set up of a new credit bureau in Brazil, Hutchison on its mobile network merger initiatives across Europe; and ABB's global carve out of its power grids business in 70+ countries.



Amanda Ludlow

Amanda has developed a pre-eminent practice which focuses on all aspects of technology and telecommunications law, including technology-led innovation. She is a noted expert on the legal and regulatory aspects of digital infrastructure including subsea cable and fibre networks. Amanda has advised key clients such as Facebook and the Commonwealth on major subsea cable projects in Asia, Africa and the South Pacific. Amanda also acted for nbn to negotiate the acquisition of Telstra's copper and HFC networks, and advised the Gold Coast on the rollout of its fibre network and Metropolitan Transit Authority on the deployment of telco infrastructure in the New York subway.

Amanda has a unique combination of public and private sector commercial experience and regularly advises Australian and State Governments and private sector clients on digital transformation projects, including complex procurements and large-scale outsourcing transactions. She is also one of the few experts in QITC framework utilised by the Queensland Government.

Amanda advises on all aspects of data regulation, including data protection and privacy, and has advised on large scale, cross-jurisdictional data breach notifications matters as part of Ashurst's global data protection team.

Amanda is recognised as a Leading Lawyer in Chambers Australia 2021 TMT: Information Technology and a Next Generation Partner in The Legal 500 2021 IT and Telecoms (Australia). In 2021 Amanda was recognised by Best Lawyers Australia as a Lawyer of the Year in Outsourcing Law.



Angela Summersby

Angela has specialised in Australian Government work for more than 20 years, having advised on many of the Commonwealth's most recognised projects. She is a respected commercial lawyer who specialises in technology matters, including Australian Government procurement, information, communications and technology contracts, software development and licensing, data protection and privacy, business process outsourcing projects, IP licensing, technology commercialisation and Defence infrastructure projects. Angela is sought after for her experience in data protection and privacy has undertaken over 20 privacy impact assessments on data migration and program transformation projects.

Angela is recognised as a Leading Individual in Chambers Australia 2021 Government Department and is recommended for her handling of technology-related commercial matters for public sector clients. Sources note her "sound reputation in the Commonwealth space," where she is admired for the depth of her ICT experience. In 2021 Angela was recognised by Best Lawyers Australia as a Lawyer of the Year in Outsourcing Law.

Angela is a principal author of the Australian Government's Guide to Limiting Supplier Liability in ICT Contracts with Australian Government Agencies' editions 1 and 2, published by the Department of Innovation, Industry, Science and Research.

CAREER EXPECTATIONS FRAMEWORK

Technical Excellence

Leads thinking in the law and the market and shares knowledge internally and externally with clients.

Clients

Demonstrates exceptional client care and helps the firm win, retain and cross-sell clients.



Practice Management

Assists in building a sustainable practice and maximises financial contribution to the firm.

People and team

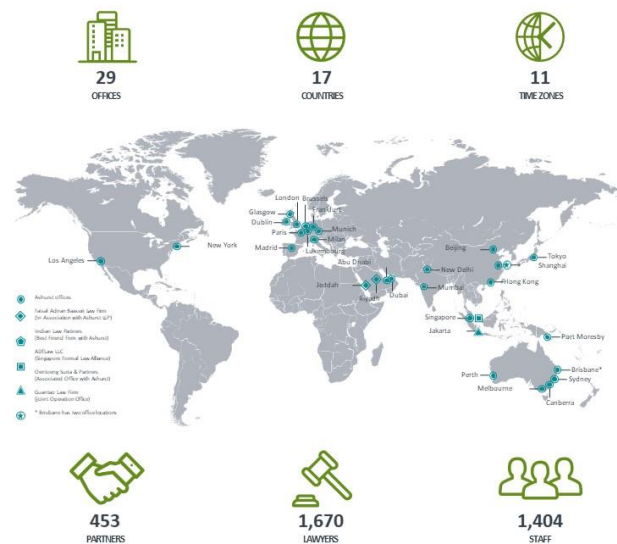
Works effectively with colleagues, encourages teamwork and contributes to the growth and development of our people

ASHURST VALUES

TO BE THE MOST
PROGRESSIVE
GLOBAL LAW FIRM



GLOBAL REACH



CLIENTS AND RECOGNITION



DIVERSITY, INCLUSION, PRO BONO & SUSTAINABILITY

