



CAPABILITY STATEMENT

DEBT RECOVERY



Bennett & Philp Lawyers is a member of Meritas, one of the world's largest alliances of prequalified independent law firms.

www.meritas.org

COMPLETE LEGAL SOLUTIONS

GET YOUR DEBTORS UNDER CONTROL

Managing debt recovery can be daunting for those who are not intimately familiar with how the process works.

Understanding the process and when to start acting on outstanding debt is critical, and this is where our experienced team can assist.

Our team has been providing comprehensive debt recovery solutions to businesses and creditors of all shapes and sizes for over 30 years.

Our collaborative and transparent approach has allowed us to help our clients collect large and high-volume debts successfully.

When you engage our team for your debt recovery, you get access to a proven and robust process which not only assists you in recovering your debt but also provides you with the tools and resources to manage it proactively, mitigating the risks of debt blowouts.

WESFARMERS' DEBT RECOVERY EXPERIENCE

- Debt recovery for various corporations including Kemp Mercantile Agency, Prushka fast food, and a subsidiary of BHP Limited and its associated finance company.
- Acting in recoveries of commission from commercial agents.
- Acted for Fair Work Ombudsman in recoveries of fines and orders.
- Acted for building societies and reverse mortgage suppliers on recovery of possession of property.
- Debt recoveries for the Australian Tax Office, including defended claims before the Supreme and District Courts
- Acted extensively in adjudications and payment claims in construction industry including applications for judgment and pursuing and defending application to void adjudication decisions.

At Bennett & Philp, our focus is not just on recovering debts. We assist business in understanding their credit management processes so they can manage their debt and credit needs.



1. BUSINESS REVIEW & DOCUMENT PREPARATION

Reactive debt and credit management can hamstring your business. Our Debt Recovery team takes a proactive approach with our clients to understand their business and their credit and debt management needs, and provide a range of services focused on designing documents that protect you and your business.

We can assist you in proactively managing your debt function by:

- Initial advice on existing documentation including contracts; policies and procedures (i.e. credit recovery manuals); and privacy documents etc.
- Preparing and reviewing credit agreements; terms and conditions; and guarantees.
- Preparation of demand documentation.

2. DEBT STRATEGY & MANAGEMENT

We will work with you to understand your business and to develop internal processes and procedures and tailored strategies aligned to your business objectives.

In this regard, we provide the following services that are immediately linked to our document preparation and educational service offerings.

- Providing expert legal advice to fix your cash flow problems.
- Develop precedents, processes and procedures on what you want to achieve and how to do it (i.e. credit recovery manuals).
- Fixed price quotes for legal costs.
- Access to our online client portal which allows you to manage and access your own debt recovery files and also remain updated on the status of your matter. This tool also allows you to give instructions to our team.

3. EDUCATION & UNDERSTANDING

Our team provides businesses with comprehensive on-site training on a range of topics. Our focus is on providing your accounts receivable team with the tools and knowledge to confidently manage the debt recovery processes in your business.

By building understanding within your business, you can mitigate the risks of bad debt and cash flow fluctuations. We can help by:

- Providing detailed credit recovery manuals with build in precedents and procedures and providing training in the same to your credit/receivables team.
- On-site training on how to carry out PPSR searches and how to lodge PPSR securities.
- Providing more awareness to recover debts by using guarantees and clauses to make you a secured creditor.
- On-site educational seminars for any employees involved in the selling or contract process (i.e. sales people or contract managers).

4. LEGAL PROCESSES & PROCEEDINGS

Even with the best documentation and informal debt recovery systems in your business, there will still be times when debts remain unpaid.

At that stage our experienced team are best placed to assist with more formal debt recovery processes in the most cost effective and efficient manner.

Engaging a trusted partner with experience in best practice debt recovery solutions will greatly increase the likelihood of recovery of such debts.

The services we provide include:

- Legal demand service, issuing solicitor's letters of demand within 24 hours of instruction.
- Issue of legal proceedings.
- Statutory demands.
- Lodgment of caveats to protect security interests.

5. ENFORCEMENT & RECOVERY

Our team is experienced in a number of enforcement and recovery methods and, in collaboration with you and your business, will advise on and utilise the right option to facilitate the best possible outcome. Our comprehensive service includes:

- Enforcement of security interest.
- Where applicable, obtaining judgments in legal proceedings.
- Enforcement hearings/oral examination of debtors.
- Enforcement warrants – including lodgment over property.
- Winding up companies and bankrupting individuals.
- Subcontractor's charges and payment claims under BIF.
- Adjudications.
- Securing adjudication decisions under Building Industry Fairness (Security of Payment) Act.
- QBCC Complaints.

OUR MERITAS AFFILIATION

Bennett & Philp Lawyers has been selected to be Queensland's representative firm for Meritas, the premier global alliance of independent law firms working collaboratively to provide businesses with solution-focused legal expertise.

As Meritas' nominated law firm for Queensland, Bennett & Philp has access to a global network of 182 law firms employing 7,644 lawyers across 246 markets in 90 countries, allowing us to support our clients' interests both nationally and internationally.

Our Meritas affiliation allows us to connect you with service providers, locally, nationally and globally if you service outside of Queensland and you can rest assured that you will receive access to uncompromising quality and commitment to service regardless of where your business takes you.

Our Australian and New Zealand partner firms are:



Adelaide
DMAW Lawyers



Sydney
Swaab



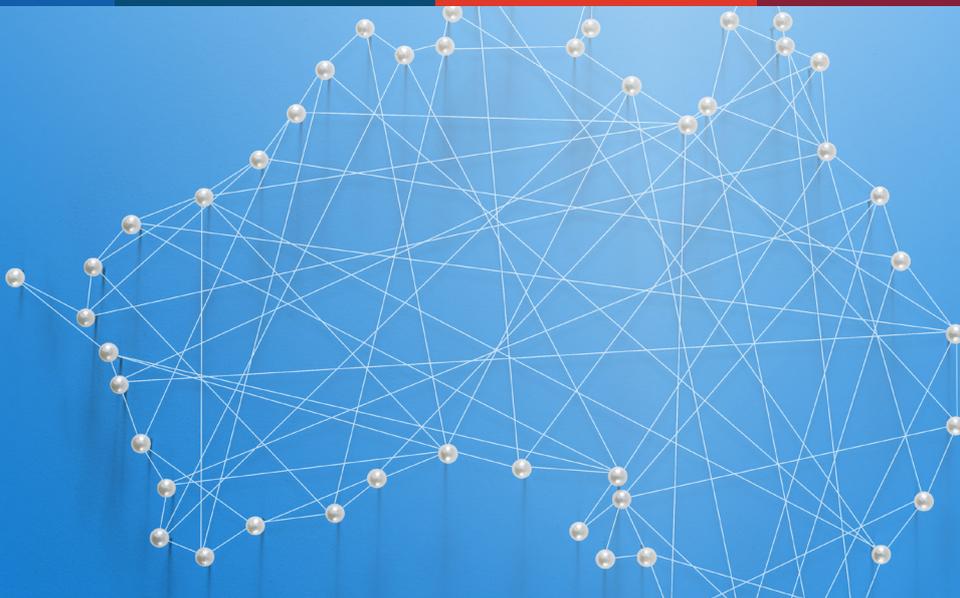
Melbourne
Madgwicks



Perth
Williams + Hughes Lawyers



Auckland
Martelli McKegg



ABOUT BENNETT & PHILP

Established in 1984, Bennett & Philp is a mid-tier law firm based in the heart of Brisbane offering end-to-end legal solutions for both business and individual clients. Our team offers a broad range of services to support both Australian and international clients across every stage of business and life.

AREAS OF PRACTICE

We provide personalised service across six core areas of specialisation:



Business Advisory
Services



Disputes &
Litigation



Intellectual
Property



Property & Real
Estate



Compensation
Law



Wills &
Estates

MEET OUR DEBT RECOVERY TEAM

With 15 Directors and over 70 team members across six different service areas, you can rest assured that our experienced team can give you the practical and solutions-oriented legal advice you need for any occasion.



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Contact us today and talk to us about how we can assist you in achieving your business goals and objectives. We can come and visit you, or you can meet us at our centrally located Brisbane CBD office.

