

ROBERT HOLLO SC

Sixth Floor Chambers
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- 1994:** Admitted as a Legal Practitioner, Supreme Court of New South Wales
- 1995:** Commenced practice at the New South Wales Bar
- 2011:** Appointed Senior Counsel
- Current:** Legal Services Council
Member, Admissions Committee
- NSW Bar Association
Member, Professional Conduct Committee
Member, Exam Working Party
Moderator, Bar Examinations

Areas of Practice

Banking, General and Life Insurance and Superannuation, Financial Services, Regulatory Actions and Investigations, Directors Duties, Class Actions, Corporate Insolvency, Equity, Professional Negligence, and Property.

Appears in High Court, Federal Court (trial and appellate), Supreme Court of NSW and Court of Appeal, interstate Supreme Courts and NCAT.

Selected Cases and Matters

Recent Insurance Scheme Restructuring and Transfers

Integrity Life Australia Limited, in the matter of Integrity Life Australia Limited [2025] FCA 92;
TAL Life Insurance Services Limited, in the matter of TAL Life Insurance Services Limited [2025] FCA 130;
Allianz Australia General Insurance Limited, in the matter of Allianz Australia General Insurance Limited [2023] FCA 994;
ALA Australia Limited, in the matter of ALA Australia Limited (No 2) [2023] FCA 1305;
OnePath General Insurance Pty Limited, in the matter of OnePath General Insurance Pty Limited [2023] FCA 1424;
Macquarie Life Limited, in the matter of Macquarie Life Limited [2022] FCA 1602;
Colonial Mutual Life Assurance Society Limited, in the matter of Colonial Mutual Life Assurance Society [2021] FCA 394 (for Commonwealth Bank of Australia);

Client: Applicant Insurers. Complex and large transfers of intergroup and intragroup portfolios.

Numerous other applications for transfers of the business of general and life insurers commencing from 2005.

Recent Regulatory Matters (Insurance, Banking and Financial Services)

ASIC v HCF Life Insurance Company Pty Limited [2024] FCA 1240;

ASIC v Macquarie Bank Limited [2024] FCA 416;

ASIC v Auto & General Insurance Limited [2024] FCA 272;

ASIC v PayPal Australia Pty Limited [2024] FCA 762;

Client: ASIC. Applications or prosecutions for civil penalties in insurance, banking and financial service industries in novel or contested areas of law.

Commercial Advice work

Industry sensitive and complex advice work in Banking and Insurance matters including for major banking and insurance groups, including Commonwealth Bank, TAL Life, Resolution Life, ClearView, Allianz Life and AIA Australia.

APRA Referred Investigation

Counsel assisting and advising investigation of large general insurer following referral by Royal Commission (2019-2021). Court Enforceable Undertakings and capital requirement imposed.

Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry

Clients: AMP Group of companies.

Commonwealth Bank of Australia v Kojic (2016) 249 FCR 421

Banking and Financial Services - Corporate knowledge/unconscionability

Client: Commonwealth Bank of Australia.

Appeal (Full Court) allowed.

ASIC v Storm Financial Limited & Ors

ASIC v Storm Financial Limited (in liq) (No 2) [2011] FCA 858;

ASIC v Storm Financial Limited (in liq) [2011] FCA 763;

ASIC v Storm Financial Limited (in liq) [2012] FCA 915;

ASIC v Storm Financial Limited (Receivers & Managers Appointed) (in liq) [2012] FCA 750;

ASIC v Storm Financial Limited (in liq) [2012] FCA 355.

Regulatory proceedings for declaratory and pecuniary relief re managed investment scheme.

Client: Commonwealth Bank of Australia.

Proceedings resolved at hearing.

Cassimatis v Commonwealth Bank of Australia/Mineral Resources Engineering v Commonwealth Bank of Australia

Financial Services - Claims for substantial damages for misleading and deceptive conduct/breach of contract/unconscionability

Cassimatis v Commonwealth Bank of Australia [2016] QSC 281;

MRES v Commonwealth Bank of Australia [2015] QSC 62; [2015] QSC 288; [2016] QSC 232.

Client: Commonwealth Bank of Australia.

Cassimatis proceedings dismissed.

Sherwood v Commonwealth Bank of Australia (Storm Class actions)

Sherwood v Commonwealth Bank of Australia (No 5) [2015] FCA 688;

Sherwood v Commonwealth Bank of Australia [2015] FCA 1403;

Sherwood v Commonwealth Bank of Australia (No 4) (2013) 308 ALR 45.

Banking and Financial Services

Client: Commonwealth Bank of Australia.
Proceedings settled after Court approvals.

Council of Law Society of New South Wales v DRE [2021] NSWCATOD 4
Professional Disciplinary.

Binetter v BCI Finances Pty Ltd (in liq)

Liquidation – Foreign evidence – Examinations abroad
Binetter v BCI Finances Pty Ltd (in liq) (2015) 235 FCR 410 (Full Court);
Binetter v BCI Finances Pty Ltd (in liq) [2015] FCA 679;
Binetter v BCI Finances Pty Ltd (in liq) [2016] HCA Trans 33.
Client: Liquidators of BCI Finances.
Successful at first instance on appeal and in the High Court.

Pharm-a-Care Laboratories Pty Ltd v Commonwealth of Australia (Pan Pharmaceuticals Class Action)

Pharm-a-Care Laboratories Pty Ltd v Commonwealth of Australia (No 3) [2010] FCA 361; (2010) 267 ALR 494;
Pharm-a-Care Laboratories Pty Ltd v Commonwealth of Australia (No 5) [2010] FCA 1204;
Pharm-a-Care Laboratories Pty Ltd v Commonwealth of Australia (No 6) [2011] FCA 277.
Clients: Comcover - Five officers of the Therapeutic Goods Administration.
Proceedings settled following several mediations.

James Hardie (Civil Penalty - Directors) litigation

ASIC v Macdonald (No 11) (2009) 230 FLR 1; 256 ALR 199; 71 ACSR 368 (Trial – liability);
ASIC v Macdonald (No 12) (2009) 259 ALR 116; 73 ACSR 638 (Trial – Penalty);
Morley v ASIC (2010) 247 FLR 140; 274 ALR 205; [2010] NSWCA 331 (Court of Appeal);
ASIC v Hellicar & Ors [2012] HCA 17; 86 ALJR 522; 286 ALR 501 (High Court);
Gillfillan & Ors v ASIC [2012] NSWCA 370; 92 ACSR 460 (Court of Appeal – Remittal).
Clients: Four non-executive directors.
Successful on appeal. Reversed in High Court.