



# **FIXED FEE PRICING FOR COMMERCIAL LAW**

# TABLE OF CONTENTS

## 1. Establishing a Business Structure

- 1.1 Sole Trader
- 1.2 Partnership
- 1.3 Company
- 1.4 Joint Venture
- 1.5 Not-for-Profit Organisation
- 1.6 Trusts

## 2. Franchising

- 2.1 Buying into a Franchise
- 2.2 Franchise related Lease Agreements

## 3. Purchasing or Sale of a Business

- 3.1 Purchasing a Business
- 3.2 Reviewing a Business Sale Agreement
- 3.3 Sale of Business
- 3.4 Negotiating Business Sale Agreement
- 3.5 Reviewing Contract for Sale of Business
- 3.6 Prepare Contract for Sale of business
- 3.7 Settlement of Business Sale or Purchase

## **4. Commercial and Retail leases**

- 4.1 Preparing a Commercial Lease
- 4.2 Preparing a Retail Lease Agreement
- 4.3 Disclosure Statements
- 4.4 Negotiating Lease Agreement
- 4.5 Licence Agreements
- 4.6 Assignment of Lease
- 4.7 Sub-lease

## **5. Contracts, Documents and Agreements: Drafting, Review and Negotiations**

- 5.1 Preparing a Fresh Contract or Agreement
- 5.2 Specific Contracts and Agreements
- 5.3 Document Review
- 5.4 Negotiating Terms and Conditions
- 5.5 Terminating a Contract or Agreement

## **6. Online Protection for Websites**

- 6.1 Online Website Package
- 6.2 Email Disclaimers
- 6.3 Privacy Policy
- 6.4 Terms and Conditions
- 6.5 Terms of Use for Visitors
- 6.6 Website Disclaimer

## **7. Intellectual Property**

7.1 Intellectual Property Search

7.2 Trademarks

7.3 Copyright

7.4 Business Name

## **8. Workplace Employment Law and Policies**

8.1 Prepare an Employment Contract

8.2 Reviewing an Existing Employment Contract

8.3 Prepare an Independent Contractor Agreement

8.4 Prepare Volunteer and Internship Contracts

8.5 Post-Employment Restraint Clauses

8.6 Prepare a Binding Workplace Policy

## **9. Banking & Finance**

9.1 Loan Agreements

9.2 Mortgage Registration

9.3 Advice on Mortgage Agreement

9.4 Reviewing a Guarantee

## **10. Bankruptcy & Insolvency**

10.1 Issuing Bankruptcy Notice

10.2 Creditors Petition

10.3 Negotiations

10.4 Prepare a Deed of Release

10.5 Preparation for Hearing

10.6 Hearing – One (1) Full Day

10.7 Briefing Counsel

# IMPORTANT DISCLAIMER

The fixed fee pricing contained in this document is only applicable to simple matters. In cases where the circumstances are complex, a fixed fee may be provided to meet your individualised case, but it may differ from the fees that are set out below.

At the outset of your matter, we will advise you of the scope of our fixed fee retainer, what costs are included and excluded in your matter and whether there may be any potential additional expenses that may be incurred. In the event that your matter becomes more complex than anticipated and additional work is required beyond the scope of our fixed fee retainer, we will provide you with a detailed cost update for your matter.

The fixed fee pricing set out below does not include the costs of any necessary disbursements. We will not incur any disbursements without first obtaining your permission. These costs will be payable as and when they fall due for payment. Disbursements that may be necessary in your matter include, but are not limited to, court filing fees, title searches, process server fees, registration fees and any external third-party reports such as medical or valuation reports.

If a barrister is required, or you wish to engage a barrister, the fixed prices set out below do not include the fees of that barrister or our costs for preparing a brief to that barrister. Barristers charge various fees dependent upon their skill, reputation and years of experience. We will ensure that you are fully informed of the costs involved in engaging a barrister before that expense is incurred and a Barrister formally engaged.

If you are unsure as to whether your matter is simple and eligible for the fixed fee amount, please feel free to contact us and we will be able to advise you accordingly.



# 1 ESTABLISHING A BUSINESS STRUCTURE



JB Solicitors will work with you to devise a business structure to meet your requirements. Our expert knowledge will be delivered to you with clarity in an efficient manner so that you stay informed without having to incur any unnecessary costs, especially with our Fixed Fee Pricing.

We will analyse your personal situation, understand your operating environment, and provide you with practical legal advice and guide you through the process ensuring that you stay aware of your responsibilities, obligations and liabilities.

## 1.1 Sole Trader

\$1,320.00 (\$1,200.00 + \$120.00 GST)

## 1.2 Partnership

\$1,210.00 - \$3,300.00 (\$1,200.00 + \$120.00 GST - \$3,000.00 + \$300.00 GST)

### 1.3 Company

\$1,320.00 (\$1,200.00 + \$120.00 GST)

### 1.4 Joint Venture

\$1,320.00 - \$3,300.00 (\$1,200.00 + \$120.00 GST - \$3,000.00 + \$300.00 GST)

### 1.5 Not-for-Profit Organisation

\$3,850.00 - \$7,700.00 (\$3,500.00 + \$350.00 GST - \$7,000.00 + \$700.00 GST)

### 1.6 Trusts

- **Discretionary Trust**

\$550.00 - \$2,200.00 (\$500.00 + \$50.00 GST - \$2,000.00 + \$200.00 GST)

- **Corporate Trust**

\$1,100.00 - \$2,750.00 (\$1,000.00 + \$100.00 GST - \$2,500.00 + \$250.00 GST)

- **Unit Trust**

\$1,100.00 - \$2,750.00 (\$1,000.00 + \$100.00 GST - \$2,500.00 + \$250.00 GST)



## 2 FRANCHISING



The commercial law team at JB Solicitors can provide top tier legal advice for all Franchises. From conducting due diligence checks such as verifying earnings information, to meticulously preparing and reviewing franchise agreements, we offer complete legal solutions to all Franchising matters – whether purchasing into a Franchise or drafting franchise related contracts such as lease agreements.

### **2.1 Buying into a Franchise**

\$2,750.00 - \$5,500.00 (\$2,500.00 + \$250.00 GST - \$5,000.00 + \$500.00 GST)

### **2.2 Franchise related Lease Agreements**

\$2,750.00 - \$3,300.00 (\$2,500.00 + \$250.00 GST - \$3,300.00 + \$300.00 GST) plus disbursements

# 3 PURCHASE AND SALE OF BUSINESS



JB Solicitors offers comprehensive support for all purchases or sales of businesses. We strive for excellence by providing unparalleled legal advice to overcome any challenges that may arise to achieve a successful transaction.

When purchasing a business, we will conduct all due diligence checks, review and negotiate the terms of the contract to ensure that it captures all assets that you are entitled to in the business sale. If selling a business, we will carefully prepare a contract of sale that encompasses only the relevant assets in the sale and protect what is rightfully yours.

### 3.1 Purchasing a Business

\$990.00 - \$6,050.00 (\$900.00 + \$90.00 GST - \$5,500.00 + \$550.00 GST)

### 3.2 Reviewing a Business Sale agreement

\$880.00 - \$2,750.00 (\$800.00 + \$80.00 GST - \$2,500.00 + \$250.00 GST)

### 3.3 Sale of Business

\$990.00 - \$6,050.00 (\$900.00 + \$90.00 GST - \$5,500.00 + \$550.00 GST)

### 3.4 Negotiating Business Sale Agreement

\$880.00 - \$1,650.00 (\$800.00 + \$80.00 GST - \$1,500.00 + \$150.00 GST)

### 3.5 Reviewing Contract for Sale of Business

\$1,320.00 - \$2,750.00 (\$1,200.00 + \$120.00 GST - \$2,500.00 + \$250.00 GST)

### 3.6 Prepare Contract for Sale of Business

\$1,320.00 - \$2,750.00 (\$1,200.00 + \$120.00 GST - \$2,500.00 + \$250.00 GST)

### 3.7 Settlement of Business Sale or Purchase

\$990.00 - \$6,050.00 (\$900.00 + \$90.00 GST - \$5,500.00 + \$550.00 GST)



#### **4.1 Preparing a Commercial Lease**

\$2,750.00 - \$3,300.00 (\$2,500.00 + \$250.00 GST - \$3,300.00 + \$300.00 GST) plus disbursements

#### **4.2 Preparing a Retail Lease Agreement**

\$2,750.00 - \$3,300.00 (\$2,500.00 + \$250.00 GST - \$3,300.00 + \$300.00 GST) plus disbursements

#### **4.3 Disclosure Statements**

\$550.00 (\$500.00 + \$50.00 GST)

#### **4.4 Negotiating Lease Agreement**

\$1,100.00 - \$1,980.00 (\$1,000.00 + \$100.00 GST - \$1,800.00 + \$180.00 GST) plus disbursements

#### **4.5 Licence Agreements**

\$1,650.00 - \$2,750.00 (\$1,500.00 + \$150.00 GST - \$2,500.00 + \$250.00 GST)

#### **4.6 Assignment of Lease**

\$2,750.00 - \$3,300.00 (\$2,500.00 + \$250.00 GST - \$3,300.00 + \$300.00 GST) plus disbursements

#### **4.7 Sub-lease**

\$2,750.00 - \$3,300.00 (\$2,500.00 + \$250.00 GST - \$3,300.00 + \$300.00 GST) plus disbursements

# 5 CONTRACTS, DOCUMENTS AND AGREEMENTS: DRAFTING, REVIEW AND NEGOTIATIONS



Contracts, documents and agreements are composed of a myriad of highly complex legal language. We have deep knowledge and understanding on all types of contracts, documents and agreements, therefore are readily able to draft, review or negotiate the terms and conditions to suit your requirements.

As highly experienced commercial lawyers, we will ensure that you understand the contents of the instrument and its potential impact, learn about your goals and operating environment, protect your rights through effective drafting techniques and conducting due diligence, and negotiate for fruitful outcomes. Our document review process is systematic, sophisticated and efficient, able to identify issues and errors amongst large volumes of information.

If you are unsure of what type of contract or agreement is relevant to you, JB Solicitors will gladly provide clarity on the arrangement most appropriate to you with a more accurate estimate for your circumstance.

## 5.1 Preparing a Fresh Contract or Agreement

\$770.00 - \$4,400.00 (\$700.00 + \$70.00 GST - \$4,000.00 + \$400.00 GST)

## 5.2 Specific Contracts and Agreement

### Non-disclosure Agreement

\$1,650.00 - \$2,750.00

(\$1,500.00 + \$150.00 GST –

\$2,500.00 + \$250.00 GST)

### Service Agreement (B2C or B2B)

\$1,650.00 + \$2,750.00

(\$1,500.00 + \$150.00 GST –

\$2,500.00 + \$250.00 GST)

### Share Buy Back Agreement

\$1,650.00 - \$4,400.00

(\$1,500.00 + \$150.00 GST –

\$4,000.00 + \$400.00 GST)

### Confidentiality Agreement

\$880.00 - \$1,650.00

(\$800.00 + \$80.00 GST –

\$1,500.00 + \$150.00 GST)

### Guarantee

\$1,210.00 - \$2,750.00

(\$1,100.00 + \$110.00 GST –

\$2,500.00 - \$250.00 GST)

### IP Assignment Agreement

\$1,210.00 - \$2,750.00

(\$1,100.00 + \$110.00 GST –

\$2,500.00 - \$250.00 GST)

### Share Sale Agreement

\$1,650.00 - \$4,400.00

(\$1,500.00 + \$150.00 GST –

\$4,000.00 + \$400.00 GST)

### Heads of Agreement or Contract

\$1,650.00 - \$4,400.00

(\$1,500.00 + \$150.00 GST –

\$4,000.00 + \$400.00 GST)

## Product Sales Agreement

\$1,650.00 - \$2,750.00

(\$1,500.00 + \$150.00 GST –  
\$2,500.00 + \$250.00 GST)

## Liability Waiver

\$880.00 - \$1,650.00

(\$800.00 + \$80.00 GST –  
\$1,500.00 + \$150.00 GST)

## Information Memorandum Disclaimer

\$1,650.00 - \$2,750.00

(\$1,500.00 + \$150.00 GST –  
\$2,500.00 + \$250.00 GST)

## End User Licence Agreement

\$1,650.00 - \$2,750.00

(\$1,500.00 + \$150.00 GST –  
\$2,500.00 + \$250.00 GST)

## Payment Schedules

\$1,650.00 - \$5,500.00

(\$1,500.00 + \$150.00 GST –  
\$5,000.00 + \$500.00 GST)

## Software Licence Agreement

\$1,650.00 - \$2,750.00

(\$1,500.00 + \$150.00 GST –  
\$2,500.00 + \$250.00 GST)

## Licence and Distribution Agreement

\$1,650.00 - \$3,300.00

(\$1,500.00 + \$150.00 GST –  
\$3,000.00 + \$300.00 GST)

## App Development Agreement

\$1,650.00 - \$3,300.00

(\$1,500.00 + \$150.00 GST –  
\$3,000.00 + \$300.00 GST)

### 5.3 Document Review

\$550.00 - \$3,850.00 (\$500.00 + \$50.00 GST - \$3,500.00 + \$350.00 GST)

### 5.4 Negotiating Terms and Conditions

\$550.00 - \$3,850.00 (\$500.00 + \$50.00 GST - \$3,500.00 + \$350.00 GST)

This fixed fee Includes up to two (2) detailed letters of negotiations only. Any further negotiations will incur additional fees.

### 5.5 Terminating a Contract or Agreement

\$2,200.00 - \$4,400.00 (\$2,000.00 + \$200.00 GST - \$4,000.00 + \$400.00 GST)



# 6 ONLINE PROTECTION FOR WEBSITES



We cover the full spectrum of legal knowledge regarding online websites to protect your business. Our commercial team of lawyers understands that your website is accessible globally by numerous visitors, therefore we will strategise and implement the most effective terms, conditions, and policies to ensure compliance with website requirements, manage risks and reduce liabilities.

## 6.1 Online Website Package

A complete online website package to cover your website legal requirements, consisting of email disclaimers; privacy policy; terms and conditions; terms of use for visitors; and website disclaimer.

**\$6,600.00 - \$11,000.00**      **(\$6,000.00 + \$600.00 GST - \$10,000.00 + \$1,000.00 GST)**

## 6.2 Email Disclaimers

Apply a disclaimer to your email communications to ensure that you are guarded and are safe from various incidents, for instance, errors in the email or the email is delivered to the incorrect recipient.

**\$330.00 - \$550.00**      **(\$300.00 + \$30.00 GST - \$500.00 - \$50.00 GST)**

## 6.3 Privacy Policy

If your website collects any personal information, including email addresses, then it may be crucial that you have a privacy policy that complies with Australian Privacy Principles, for instance, what personal information is collected and how it will be used or safeguarded.

**\$1,650.00 - \$2,750.00 (\$1,500.00 + \$150.00 GST - \$2,500.00 + \$250.00 GST)**

## 6.4 Terms and Conditions

Any business selling goods or services online must comply with Australian Consumer Law, which includes having clear Terms and Conditions in relation to refunds, warranties, shipping and other various critical components of a business transaction.

**\$1,650.00 - \$2,750.00 (\$1,500.00 + \$150.00 GST - \$2,500.00 + \$250.00 GST)**

## 6.5 Terms of Use for Visitors

Terms of Use are key for protecting material on your website, as well as your intellectual property, by establishing rules on what users are authorised to do. Additionally, it will cover any material contributed by users as you may be liable for comments made by these users.

**\$1,650.00 - \$2,750.00 (\$1,500.00 + \$150.00 GST - \$2,500.00 + \$250.00 GST)**

## 6.6 Website Disclaimer

A disclaimer for your website is vital if you publish information or advice, reason being, you may be held accountable if a visitor relies incorrectly on the material.

**\$1,320.00 - \$2,750.00 (\$1,200.00 + \$120.00 GST - \$2,500.00 + \$250.00 GST)**

# 7 INTELLECTUAL PROPERTY



JB Solicitors forward thinking commercial team are leaders when it comes to all aspects of intellectual property. We understand how important your intellectual property is for differentiating your business in a competitive market that is already inundated daily with new technology. We strive to guide you through the process so that you achieve the optimum outcome and have exclusive commercial rights over your idea.

## 7.1 Intellectual Property Search

Conduct a comprehensive intellectual property search on existing patents, trademarks, designs, and plant breeder's rights to confirm if it has already been registered or whether it infringes on your or another owner's intellectual property.

**\$550.00 - \$1,650.00**     (**\$500.00 + \$50.00 GST - \$1,500.00 + \$150.00 GST**)

## 7.2 Trademarks

Registering your trademark protects your business branding, which distinguishes it from products and services provided from competitors. It is more than a logo and is your identity that you are safeguarding, therefore it is essential that an application is filed with thorough care.

### Trademark Registration

\$1,650.00 - \$2,750.00

(\$1,500.00 + \$150.00 GST –

\$2,500.00 + \$250.00 GST)

### Trademark Licensing Agreement

\$1,650.00 - \$2,750.00

(\$1,500.00 + \$150.00 GST –

\$2,500.00 + \$250.00 GST)

### Trademark Amendment

\$1,650.00 - \$2,750.00

(\$1,500.00 + \$150.00 GST –

\$2,500.00 + \$250.00 GST)

### Issue a Trademark Infringement Notice

\$1,650.00 - \$2,750.00

(\$1,500.00 + \$150.00 GST –

\$2,500.00 + \$250.00 GST)

### Transfer of Trademark

\$1,100.00 - \$3,850.00

(\$1,000.00 + \$100.00 GST –

\$3,500.00 + \$350.00 GST)

## 7.3 Copyright

Copyright provides legal protection for original forms of work that are composed in various forms including written, images, music and video. Registration is not required and exists from the moment that it is created. However, we can assist you with copyright infringement.

### Assessment of Infringement

\$1,650.00 - \$2,750.00 (\$1,500.00 + \$150.00 GST – \$2,500.00 + \$250.00 GST)

### Issuing a Copyright Notice

\$1,650.00 - \$2,750.00 (\$1,500.00 + \$150.00 GST – \$2,500.00 + \$250.00 GST)

### Licensing

\$1,650.00 - \$2,750.00 (\$1,500.00 + \$150.00 GST – \$2,500.00 + \$250.00 GST)

## 7.4 Business Name

It is important to register your desired business name whilst it is available and ensure that it does not infringe on another person's intellectual property.

### Registering Business Name

\$660.00 (\$600.00 + \$60.00 GST)

### Transferring Business Name

\$660.00 (\$600.00 + \$60.00 GST)

### Cancelling Business Name

\$660.00 (\$600.00 + \$60.00 GST)



## **8 WORKPLACE EMPLOYMENT LAW AND POLICIES**

JB Solicitors leading team of lawyers will work diligently to provide you with legal solutions addressing workplace and employment concerns. We offer a range of services in relation to this area of law and can advise on any potential issues that may arise based on your current workplace arrangement.

### **8.1 Prepare an Employment Contract**

\$1,650.00 - \$2,750.00 (\$1,500.00 + \$150.00 GST – \$2,500.00 + \$250.00 GST)

### **8.2 Reviewing an Employment Existing Contract**

\$550.00 - \$880.00 (\$500.00 + \$50.00 GST – \$800.00 + \$80.00 GST)

### **8.3 Prepare an Independent Contractor Agreement**

\$1,650.00 - \$2,750.00 (\$1,500.00 + \$150.00 GST – \$2,500.00 + \$250.00 GST)

### **8.4 Prepare Volunteer and Internship Contracts**

\$1,650.00 - \$2,750.00 (\$1,500.00 + \$150.00 GST – \$2,500.00 + \$250.00 GST)

### **8.5 Post-Employment Restraint Clauses**

\$1,650.00 - \$2,750.00 (\$1,500.00 + \$150.00 GST – \$2,500.00 + \$250.00 GST)

### **8.6 Prepare a Binding Workplace Policy**

Workplace policies may include social media use, language in the workplace, smoking, use of email and internet and many more.

\$1,650.00 - \$2,750.00 (\$1,500.00 - \$150.00 GST – \$2,500.00 + \$250.00 GST)



# 9 BANKING AND FINANCE



The banking and finance industry can be difficult to understand, however our team is well versed not only in the laws and regulations, but can also visualise the perspectives of a borrower and lender therefore we are able to assist you no matter your position.

## 9.1 Loan Agreements

\$1,500.00 - \$2,500.00 (\$1,500.00 + \$150.00 GST – \$2,500.00 + \$250.00 GST)

## 9.2 Mortgage Registration

\$2,200.00 - \$3,300.00 (\$2,000.00 + \$200.00 GST – \$3,000.00 + \$300.00)

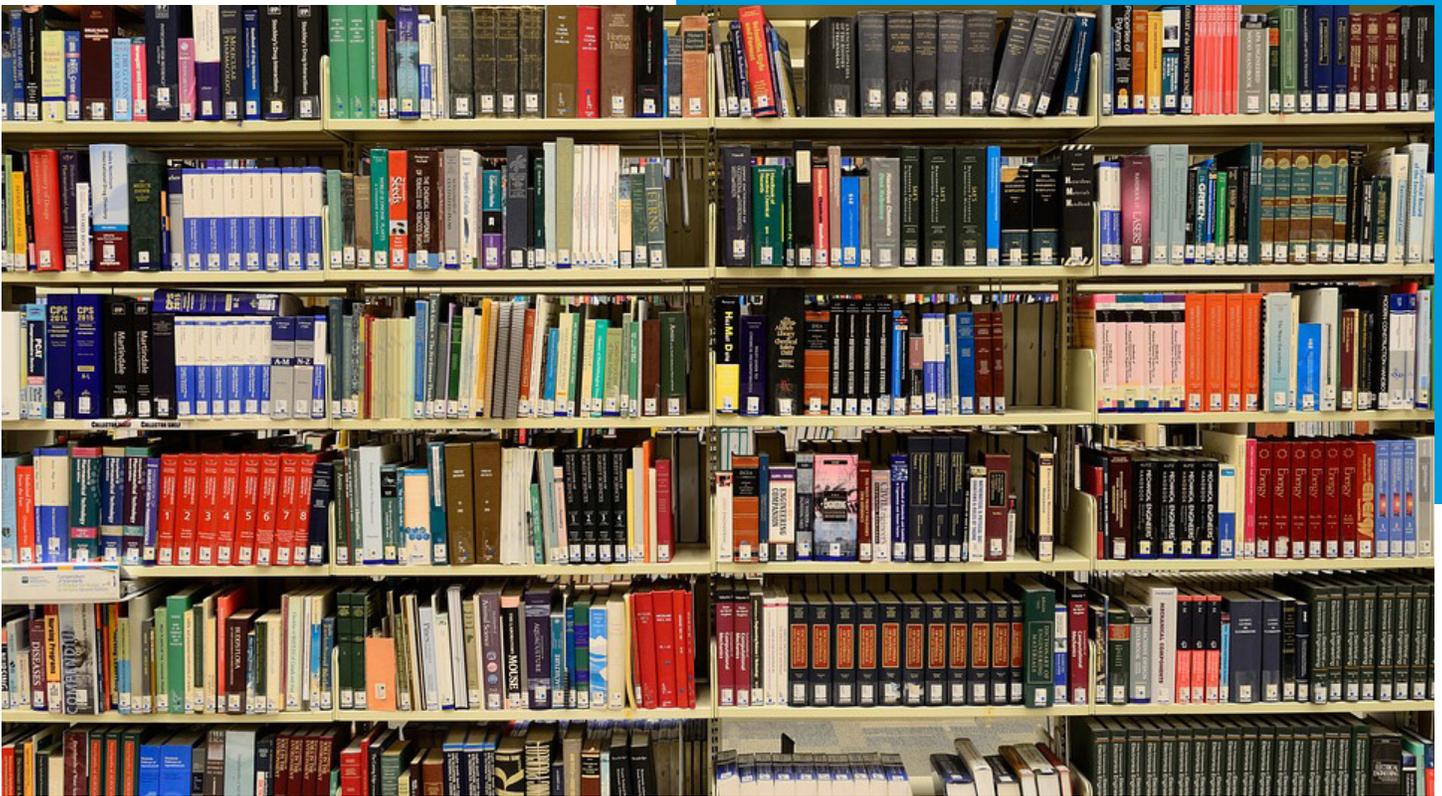
## 9.3 Advice on Mortgage Agreement

\$1,650.00 - \$2,750.00 (\$1,500.00 + \$150.00 GST – \$2,500.00 + \$250.00 GST)

## 9.4 Reviewing a Guarantee

\$880.00 (\$800.00 + \$80.00 GST)

# 10 BANKRUPTCY & INSOLVENCY



JB Solicitors are experts at all matters relating to bankruptcy & insolvency. Our extensive experience in dealings involving bankruptcy & insolvency has provided us with insightful knowledge into all industry areas, understanding and recognising all the signs of cash flow issues.

The commercial law team can provide sound legal advice that is both practicable and applicable to your circumstances to ensure that you achieve the optimum outcome in your case.

## 10.1 Issuing Bankruptcy Notice

\$1,650.00 - \$2,750.00 (\$1,500.00 + \$150.00 GST – \$2,500.00 + \$250.00 GST)

## 10.2 Creditors Petition

\$1,650.00 - \$2,750.00 (\$1,500.00 + \$150.00 GST – \$2,500.00 + \$250.00 GST)

## 10.3 Negotiations

\$1,100.00 - \$3,300.00 (\$1000.00 + \$100.00 GST – \$3,000.00 + \$300.00 GST)

This fixed fee Includes up to two (2) detailed letters of negotiations only. Any further negotiations will incur additional fees.

## 10.4 Prepare a Deed of Release

\$2,200.00 - \$3,300.00 (\$2,000.00 + \$200.00 GST – \$3,000.00 + \$300.00 GST)

## 10.5 Preparation for Hearing

\$2,750.00 (\$2,500.00 + \$250.00 GST)

## 10.6 Hearing – One (1) Full Day

\$2,750.00 (\$2,500.00 + \$250.00 GST)

## 10.7 Briefing Counsel

\$6,050.00 (\$5,500.00 + \$550.00 GST)





## CONTACT

**Address :** Canley Heights Office  
Suite 3, Level 1  
203 Canley Vale Road,  
Canley Heights NSW 2166

**Phone :** (02) 9723 8080

**Fax :** +61 8088 7713

**Email :** [enquiries@jbsolicitors.com.au](mailto:enquiries@jbsolicitors.com.au)

**Website :** [www.jbsolicitors.com.au](http://www.jbsolicitors.com.au)