MARK ROBERTSON KC

YEAR OF CALL: 1996 | YEAR OF SILK: 2013

A preeminent King's Counsel, Mark specialises in all aspects of revenue law, trust law and administrative law. He also has chambers at Ground Floor, Wentworth Chambers, Sydney.

Mark has provided complex advice to Australia's leading corporate groups, high net wealth individuals, and foreign investors in relation to proposed and executed domestic and cross-border property and financial transactions (including in estate and family law contexts). He has appeared for and against Commonwealth and State revenue authorities, including in respect of excesses of power in administrative decision-making.

In relation to his taxation expertise, he is a Chartered Tax Advisor and accepts direct briefs from accounting firms to advise front-end and back-end, to settle objections and private ruling applications, to represent taxpayers at ATO interviews and before their internal review Panels, and to negotiate settlements.

Mark has been an active proponent of tax law and trust law reforms. He regularly delivers papers in Australia and internationally. His papers have been published in taxation journals and law reviews.

LEVEL TWENTY SEVEN CHAMBERS



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AREAS OF PRACTICE

Commercial Equity, Contract, Judicial Review & Administrative, Tax.

CASES

Sunna v Commissioner of Taxation **[2026] FCAFC 133**
October 2026, Appellate, Tax

EMH IV Pty Ltd as trustee for the EMH IV Family Trust v Commissioner of Taxation **[2026] FCAFC 112**
August 2026, Appellate, Tax

Laureti v Commissioner of Taxation **[2026] FCA 1086**
August 2026, Tax

Commissioner of Taxation v Cheung **[2026] FCAFC 75**
May 2026, Appellate, Tax

Kim Investments GC Pty Ltd v Commissioner of State Revenue (No 2) **[2026] QSC 25**
March 2026, Tax

Kim Investments GC Pty Ltd v Commissioner of State Revenue **[2026] QSC 4**
January 2026, Tax

Sunna v Commissioner of Taxation **[2025] FCA 1499**
December 2025, Tax

EMH IV Pty Ltd as trustee for the EMH IV Family Trust v Commissioner of Taxation **[2025] FCA 1429**
November 2025, Tax

Skycorp Investments Pty Ltd v Commissioner of Taxation **[2025] FCA 1184**
September 2025, Tax

Hyder v Commissioner of Taxation **[2025] FCA 337**
April 2025, Tax

Cheung v Commissioner of Taxation **[2024] FCA 1370**
November 2024, Tax

Hyder v Commissioner of Taxation **[2024] FCA 654**
June 2024, Tax

Ierna v Commissioner of Taxation **[2024] FCA 592**
June 2024, Tax

Ierna Beneficiary Pty Ltd v Commissioner of Taxation **[2023] FCA 725**
June 2023, Tax

Hyder v Commissioner of Taxation (No 3) **[2022] FCA 493**
May 2022, Tax

Commissioner of Taxation v PricewaterhouseCoopers **[2022] FCA 278**
March 2022, Tax

Commissioner of Taxation v Burswood Nominees Limited as trustee for Burswood Property Trust **[2021] FCAFC 151**
August 2021, Tax

Leach v Comcare **[2021] FCAFC 134**
July 2021, Judicial Review & Administrative

Peter Greensill Family Co Pty Ltd (Trustee) v Commissioner of Taxation **[2021] FCAFC 99**
June 2021, Tax

Crown Melbourne Limited v Commissioner of Taxation **[2020] FCA 1295**
September 2020, Tax

Peter Greensill Family Co Pty Ltd (trustee) v Commissioner of Taxation (No 2) **[2020] FCA 597**
May 2020, Tax

Peter Greensill Family Co Pty Ltd (trustee) v Commissioner of Taxation **[2020] FCA 559**
April 2020, Tax

Thomas v Commissioner of Taxation **[2019] FCA 114**
February 2019, Tax

Commissioner of Taxation for the Commonwealth of Australia v Tomaras & Ors **[2018] HCA 62**
December 2018, Tax

The Commissioner of Taxation of the Commonwealth of Australia v Thomas **[2018] HCA 31**
August 2018, Appellate, Judicial Review & Administrative, Tax

King Tide Company Pty Ltd v Arawak holdings Pty Ltd **[2017] QCA 251**
October 2017, Contract

Sunraysia Harvesting Contractors Pty Ltd (Trustee) v Commissioner of Taxation **[2017] FCA 694**
June 2017, Tax

Whitby Land Company Pty Ltd as trustee for the Whitby Trust v Caratti **[2017] WASC 131**
May 2017, Tax

DZXP, KRQD and QJJS and Innovation and Science Australia **[2017] AATA 576**
April 2017, Tax

Thomas v Commissioner for Taxation **[2017] FCAFC 57**
April 2017, Tax

Chief Commissioner of State Revenue v Metricon Qld Pty Ltd **[2017] NWSCA 11**
February 2017, Tax

Caratti v Commissioner of Taxation **[2017] FCA 70**
February 2017, Tax

Binetter v Commissioner of Taxation **[2016] FCAFC 163**
December 2016, Tax

MNWA Pty Ltd v Deputy Commissioner of Taxation **[2016] FCAFC 154**
November 2016, Tax

The National Institute of Dramatic Art v Chief Commissioner of State Revenue **[2016] NSWSC 1471**
October 2016, Tax

Caratti v Commissioner of Taxation **[2016] FCA 754**
June 2016, Tax

Metricon Qld Pty Ltd v Chief Commissioner of State revenue (no.2) **[2016] NSWSC 332**
March 2016, Tax

Commissioner of Taxation v Donoghue **[2015] FCAFC 183**
December 2015, Judicial Review & Administrative, Tax

Bai v Commissioner of Taxation **[2015] FCA 973**
September 2015, Appellate, Judicial Review & Administrative, Tax

Thomas v Commissioner of Taxation **[2015] FCA 968**
August 2015, Appellate, Tax

Hii v Commissioner of Taxation **[2014] FCA 967**
September 2014, Tax, Appellate

Bai v C of T **(2014 FCA)**
August 2013, Tax, Appellate

Kelly v Commissioner of Taxation **(2013) 213 FCR 460; [2013] FCAFC 88**
August 2013, Tax, Appellate

August v Commissioner of Taxation **[2013] FCAFC 85**
August 2013, Tax, Appellate

C of T v Crown Insurance Ltd **[2013] HCASL**
June 2013, Tax

Intoll Management Pty Ltd v Commissioner of Taxation **[2012] FCAFC 179**
November 2012, Tax, Appellate

Commissioner of Taxation v Clark (No 2) **[2011] FCAFC 140**
November 2012, Tax, Appellate

ALH Group Property Holdings Pty Ltd v Chief Commissioner of State Revenue **[2012] HCA 6**
August 2012, Tax

ATS Pacific Pty Ltd v Commissioner of Taxation **[2013] FCA 341**
June 2012, Tax, Appellate

Centro (CPI) Limited v Chief Commissioner of State Revenue **[2012] HCATrans 56**
March 2012, Tax

Chief Commissioner of State Revenue v Mr Espresso Group Pty Ltd **[2012] NSWADTAP 1**
January 2012, Tax

Commissioner of Taxation v Clark **[2011] HCATrans 236**
September 2011, Tax

International All Sports v Commissioner of Taxation [2011] FCA 824
May 2011, Tax, Appellate

Thomas Nominees Pty Ltd v Thomas **[2010] QSC 417**
November 2010, Tax

EXPERIENCE

Before being called to the Bar, Mark worked as an Associate to Justice Hartigan of the Federal Court, as a tax advisor at PriceWaterhouse, as a solicitor at Blake Dawson Waldron (now Ashurst), and at Deutsche Bank Sydney in Capital Markets. Having previously lectured at Bond University (in contract law and taxation law), Mark has maintained his interest in academia, teaching post-graduate subjects in trust law and in taxation, and supervising Masters theses.

Mark holds a Doctor of Juridical Studies from the University of Sydney and the pre-eminent post-graduate law degree – the University of Oxford's Bachelor of Civil Law. His Doctoral Thesis concerned the rights of beneficiaries in a capital gains tax context and his suggested tax reforms formed the basis for a joint taxation industry submission to the Tax Law Improvement Project in rewriting the Tax Act. He also holds a Bachelor of Laws (with honours) and a Bachelor of Business (Accountancy) (with distinction) from QUT.

RECOMMENDATIONS

Chambers & Partners Asia Pacific 2017-2026 – Listed as a leading KC for Tax "*a go-to man for more cutting-edge work*", "*reputed in the New South Wales and Queensland markets*", "*he is completely fearless as an advocate, very fast and very quick on his feet*" and "*the guy you want for when prospects seem limited or when you have run out of ideas; he'll come up with them*", *"Mark is probably the smartest barrister I've ever briefed and one of the toughest".*

Chambers & Partners Global 2021-2025 – Listed as a leading KC for Tax.

Australian Financial Review's Best Lawyers

2022-27 – Listed for Tax Law and Trusts and Estates, 2025 'Lawyer of the Year' for Tax

2017-2021 – Listed for Tax Law. Recognised in 2021 as 'The Best Lawyer' in Tax Law in the location

Doyle's Guide to the Australian Legal Profession –

Leading Tax Barrister (Queensland) 2015-2019 & 2022-26, Preeminent 2020-2021; (Australia) Leading 2015

Lexology Index (formerly Who's Who Legal)

Australia – Leading Corporate Tax (Barrister) (2018, 2021–2022, 2025).

Global – Leading Tax Controversy (Barrister) (2025).

Global – Leading Tax Advisory (Barrister) (2025).

APPOINTMENTS

2013 Appointed as Queen's Counsel

1996 Admitted to the Bar (Queensland)

1993 Admitted to the Bar (New South Wales and ACT)

MEMBER

Appointed as Queen's Counsel

Chartered Tax Advisor, The Tax Institute

EDUCATION

1996 Doctor of Juridical Studies: University of Sydney

1992 Bachelor of Civil Law: University of Oxford

1990 Bachelor of Laws (Honours): Queensland University of Technology

1990 Bachelor of Business (Accountancy): Queensland University of Technology

PUBLICATIONS

Recent Developments in Trust Law Affecting the Obligations of Trustees of Discretionary Trusts
October 2023, Succession, Tax

Liability limited by a scheme approved under professional standards legislation