



Stuart Broadfoot

Partner

Sydney
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OVERVIEW

Stuart Broadfoot is a Tax partner based in Sydney focusing on complex international and Australian corporate and finance tax advisory, transactional and controversy matters. His extensive experience includes cross-border and Australian tax issues relating to inbound and outbound investments, fund formation and investments (including for managed funds, ETFs and superannuation funds), mergers and acquisitions (both public and private), finance and debt capital markets transactions (including corporate, structured and project finance), and corporate and trust restructures. This experience has spanned a range of sectors and clients, including large listed and unlisted corporates, private equity, international and domestic funds, infrastructure, financial services and superannuation, projects and real estate.

Stuart also has extensive experience working with high net worth individuals and family offices in relation to a variety of tax issues and transactions both from an Australian and cross-border perspective, including advising in relation to the establishment of investment funds, charitable giving arrangements and other investment structures and implementing investment and other transactions.

PROFESSIONAL BACKGROUND

Prior to joining K&L Gates, Stuart worked at global law firms in Sydney and London where he focused his practice on corporate tax matters across multiple jurisdictions relating to project finance and development, mergers and acquisitions, debt capital markets and financing, infrastructure, fund establishment and investment, and real estate, as well as tax controversy and litigation.

ACHIEVEMENTS

- Recognised by *The Legal 500 Asia Pacific* as a Recommended Lawyer for Tax in Australia, 2024
- Listed in *The Best Lawyers in Australia*™ for Tax Law, 2025
- Listed by *Doyle's Guide* as a recognised Tax Law Rising Star, 2020
- Recognised as a recommended lawyer by *The Legal 500 UK* for Corporate Tax in England, 2018-2019

PROFESSIONAL / CIVIC ACTIVITIES

- Law Society of New South Wales

EDUCATION

- Graduate Diploma of Legal Practice, College of Law, Australia, 2012
- B.A/LL.B, University of Western Australia, 2009

ADMISSIONS

- Federal Court of Australia
- High Court of Australia
- Supreme Court of Western Australia

THOUGHT LEADERSHIP POWERED BY HUB

- 14 May 2024, Australian Federal Budget 2024-2025 - Key Tax Measures and Instant Insights
- 29 April 2024, Build-to-Rent - Australian Income Tax Concessions: Foundations Laid, but Potential Cracks and Missing Features May Yet Plague a Promising Development
- 8 August 2023, BTR Series Part 3: Indirect Tax—What Else Could Be Done and How Should Tax Regulations Align?
- 1 August 2023, BTR Series Part 2: Getting the Tax Right—Australian Income and Capital Gains Tax
- 25 July 2023, BTR Series Part 1: The Housing Crisis—A Big Problem in Search of a Solution
- 9 May 2023, Australian Federal Budget 2023-2024 - Key Tax Measures and Instant Insights

OTHER PUBLICATIONS

- ATO sees "intangible" risks everywhere: ATO's draft risk assessment framework for intangible arrangements, *Thompson Reuters* (Weekly Tax Bulletin), May 2023
- Not Just for the big end of Town: Transfer Pricing for SMEs, *The Tax Institute*, Oct 2014

NEWS & EVENTS

- 20 November 2023, K&L Gates Advises Dimensional Fund Advisors on Launch of First ETFs on ASX
- 17 April 2023, K&L Gates Adds Partners in Tax and Energy, Infrastructure, and Resources Teams in Sydney

MEDIA MENTIONS

- Quoted, 'Australia Public Tax Info-Regime Needs Fixes, Industry Says', *Bloomberg*, 13 February 2024

AREAS OF FOCUS

- Tax

INDUSTRIES

- Family Offices
- Financial Services

REPRESENTATIVE EXPERIENCE

- Advising a significant international pension fund on the range of tax issues associated with the making and funding of various inward private equity investments into Australia. This includes its continued investment into, funding of, and subsequent partial sell down of its interest to a JV partner in one of Australia's largest transport operators and the associated sale and leaseback of a property portfolio.
- Acting as lead solicitor in successful tax litigation for a major Australian rail transport company, obtaining declaratory relief against the Commissioner of Taxation in relation to the tax characterisation of a AU\$4.3 billion capital contribution made during its privatisation.
- Advising two significant global private equity investment funds on cross-border and Australian tax issues arising from divestment of interests in an Australian headquartered Asian cloud infrastructure business.
- Advising a global infrastructure fund manager on tax issues relating to an existing global infrastructure fund, including the launch of a new fund vehicle, structuring of acquisition of major investments by the fund, implementation of a tax governance framework, and preparing tax disclosure summary in investment materials.
- Advising several issuers on the issue of publicly listed convertible / exchangeable debt instruments, including advising on interest withholding tax exemptions under section 128F and preparing tax disclosure statements.
- Acting for a global beverage firm on tax aspects of sale of part of its Australian business lines, including negotiating transaction documents, and advising on potential sale tax issues.
- Advising a major Australian superannuation fund in relation to the tax issues associated with private equity investments into offshore funds in a number of jurisdictions.
- Advising a global fund manager in relation to Australian tax implications of changes to cross-border master fund.

- Advising a major international oil company on tax aspects of significant oil-related inward investment into East Africa, including negotiating tax aspects of key project agreements with East African governments and advising on investment structure for it and its joint venture partners.
- Advising a significant U.S. based global insurance company on cross-border investments into a property financing business in the UK.
- Advising international banks on a range of significant cross-border finance transactions.