QUESTION 1

This question about statutory demands under the Corporations Act required students to: explain the effect and the risks of a statutory demand; identify the statutory grounds for moving to set aside the demand; and explain the documentation which had to be filed to achieve that.

QUESTION 2

This question concerned voidable transactions under the Corporations Act. Students were expected to identify the statutory elements applicable to each transaction and the further facts which would be needed to fully advise the liquidator.

QUESTION 3

This was a question about a Creditor's Petition under the Bankruptcy Act. Students had to explain to the client why it was essential that there be an appearance at the hearing to avoid bankruptcy. The question also required students to identify the various grounds of opposition which could be raised to the Petition.

QUESTION 4

This was a question about relation-back under the Bankruptcy Act. Students were required to explain how the date of the commencement of the bankruptcy was calculated, by reference to statutory provisions. Once that date was established, it was necessary to consider each of the five transactions both by reference to the doctrine of relation-back, and to statutory provisions concerning property exempt from relation-back.

QUESTION 5

This question concerned void transactions under the Bankruptcy Act. Students were expected to identify the relevant statutory provisions in relation to each of the three transactions and advise whether defences might be available to the recipients of the property.