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Upcoming Webinars:

[PPSR \(Final webinar in a 6 part series\) - Contractors Beware - Are you signing away your PPSA rights?](#) | 8 December 2016

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NEWSLETTER

30 November 2016

Interim Spousal Maintenance prevented by possible entitlement to Inheritance Funds - the High Court decision of Hall & Hall

Under the Family Law Act 1975 (Cth), the Court has powers to award spousal maintenance to parties of a marriage (under section 74) or a de-facto relationship (under section 90SE).

Generally, if a party is in a financially advanced position and is reasonably able to support the other party, they have a duty to do so, if the other party is unable to support themselves. In reaching a decision, the Courts consider a number of factors to determine whether or not to award spousal maintenance.

Hall v Hall [2016] HCA 23 is a recent case summary involving a wife's application for interim spousal maintenance that was appealed to the High Court.

[James Tan](#) (Associate) discusses the decision and the lessons of this case. You can access the case summary [here](#).



James Tan
Associate

The transitional period for correcting PPSR migrated registrations is approaching - Deadline 30 January 2017

Prior to 30 January 2012, registrations of security interests in personal property were recorded on various public registers including the Registers of Encumbered Vehicles and the ASIC Register of Company Charges.

However from 30 January 2012, the Personal Property Securities Register ("PPSR") consolidated these registers and it became the new system for recording security interests in Australia.

[Kathleen Watt](#) (Associate) and [Nicola Goodwin](#) (Law Clerk) discuss the end of the grace period for migrated registrations without an end date [here](#).



Kathleen Watt
Associate

Changes to Limitation of Actions (Child Sexual Abuse) and Other Legislation Amendment Act 2016 (Qld)

This Act was passed by the Queensland Parliament on 8 November 2016 and assented to on 11 November 2016.

The key provisions of the Act (Part 2 Amendment of Limitation of Actions Act 1974), removes the limitation period for survivors of sexual abuse as a child, by s2 of the Act commence on a date to be fixed by proclamation.

At the time of this publication, the proclamation had not yet been made. These changes will mean that survivors of sexual abuse can take action against not only institutions they allege to have committed the abuse, but also against the individual. This broadens the scope for litigation.

[Andrew Lind](#) (Director) discusses these legislative changes [here](#).



Andrew Lind
Director

Beware of Electronic Signatures on Directors Guarantees

The recent New South Wales Court of Appeal case of Williams Group Australia Pty Ltd v Crocker [2016] NSWCA 265 serves as a warning to all businesses relying on personal guarantees to secure credit accounts for the supply of goods that you should not always assume a director will be bound by his or her electronic signature.

This case summary highlights the need for clear authority from a Director; the definition of 'ostensible authority'; the ratification argument and take-home lessons for credit managers.

[Jacques Nel](#) (Special Counsel) discusses the findings and conclusion of this case [here](#).



Jacques Nel
Special Counsel

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just redemptive outcomes

