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Global rules on conflict-of-laws matters in international insolvency cases: An Australian perspective – <i>Mark Wellard and Rosalind Mason</i>	
The 2012 Report <i>Transnational Insolvency: Global Principles for Co-operation in International Insolvency Cases</i> – commissioned by The American Law Institute in conjunction with The International Insolvency Institute – annexed 23 <i>Global Rules on Conflict-of-Laws Matters in International Insolvency Cases</i> . These proposed Global Rules are intended to “serve as legislative recommendations” to (inter alia) promote uniformity and greater certainty in the unpredictable area of conflict of laws. This article provides a brief commentary upon the 23 proposed Global Rules from an Australian perspective (comparing the effect and intent of each rule with the current Australian conflict-of-laws position) and offers some conclusions as to the merits of the “Global Rules” initiative.	5
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The rights and responsibilities of the liquidator in the context of corporate insolvency is a matter addressed by both Federal and State superior courts of record on a daily basis. The proliferation of the use of the corporate entity in modern domestic commerce has meant that a working understanding of Ch 5 of the <i>Corporations Act 2001</i> (Cth), dealing with external administrations, is quasi-mandatory for any commercial legal practice. In the case of <i>Willmott Growers Group Inc v Willmott Forests Ltd (Receivers and managers appointed) (in liq)</i> (2013) 251 CLR 592; [2013] HCA 51, the High Court of Australia was required to deal with s 568 of the Corporations Act concerning decisions by the liquidator to dispose of company property and what effect this had for stakeholders with an interest, a) in the company, and, b) in the property. This article critically considers the rationale of the High Court in this decision, and focuses particularly on the court’s analysis and whether or not the decision has aided or detracted from the development of corporate and insolvency law in Australia.	31
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