

COMMERCIAL LAW

FLASH CARDS



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Why use flash cards?

Flash cards are widely regarded as one of the most effective ways to study and retain information. This is because:

- Flash cards engage 'active recall' through repetition. Using flash cards promotes remembering a concept from scratch as opposed to trying to memorise a passage from a textbook.
- Flash cards provide immediate feedback and self-reflection. This will provide you with the ability to quickly check your answer with the correct answer to determine whether you were correct, or whether you need to spend more time understanding the subject matter.
- Flash cards provide for confidence-based study. As flash cards do not follow a strict order, you are free to mix them up and add your own notations. If you are very confident with certain areas, they can be separated to concentrate on areas or questions that may need further work.

Method

The following series of flash cards present 50 questions and answers in a table format, with five cards per page. The questions are provided in the left column with the corresponding answers in the right column. Print the document and then cut each card following the bold border. Once cut, each card should be folded vertically along the central dotted line and glued or taped to form a single double-sided flash card.



To order the complete version of the Lawskool Commercial Law Flash Cards please visit www.lawskool.com.au

Q1: Which section of the *Competition and Consumer Act 2010* (Cth) outlines what 'Goods' are?

Answer: Section 4(1). It states:
In this Act, unless the contrary intention appears-
"goods" includes:
(a) ships, aircraft and other vehicles;
(b) animals, including fish;
(c) minerals, tree and crops, whether on, under or attached to land or not; and
(d) gas and electricity.

Q2: Which of the following cases are instructive as to a working definition of 'goods' in Australian law?

A. *St Albans City and District Council v International Computers Ltd* [1996] 4 All ER 481

B. *Mason v MWREDC Limited* (includes Corrigendum dated 3 January 2012) [2011] FCA 1512 and *Leucadia National Corporation v Chichester Metals Pty Ltd* (Formerly *FMG Chichester Pty Ltd*) [No 2] [2011] WASC 301

C. *Telstra Corporation Ltd v Hurstville City Council* (2000) 105 FCR 322 and *Elitestone Ltd v Morris* [1997] 1 WLR 687

D. All of the above.

Answer: D. All of the above. A good knowledge of these cases will help your understanding of the definition of 'goods'.

Q3: True or False: *Ashington Piggeries Ltd v Christopher Hill* [1972] AC 441 and *Metal Roofing and Cladding Pty Ltd v Amcor Trading Pty Ltd* [1999] QCA470 are both important cases dealing with whether the goods 'correspond with the description'.

Answer: True.