

QUESTIONS & ANSWERS

Colin Fong

Allen Allen and Hemsley

Q: Where can I find the October 1991 National Wage case?

A: National Wage cases are reproduced in the *Industrial Reports* and in the *Australian Industrial Law Review*. To find the one you are after, use the *Australian Case Citator* (Law Book Co) or the *Australasian Case Annotator* (Pink Ribbon Publishing Co).

Q: I'm looking for a recent landmark NSW case on a superannuation trust deed.

A: Keying in "superannuation trust deed" at catchwords in Lawpac's Unreported Judgments CD ROM, version 5 didn't yield the result. I remembered it was a case involving Lock and Westpac, so keyed those terms in and found it. The phrase used by the law reporter was "pension scheme". Alternatively search the judgment field and it shows up.

Q: Please find articles on "no liability companies".

A: Using Austrom's AGIS and APAIS you get "NO Unavailable" as "no" is a stop word. Using Wilsondisc's *Index to Legal Periodicals*, "no" is not recognised. One trick around this problem is to search for "NL" and you will get a lot of articles on NL companies but not necessarily on the concept of no liability companies. In addition, you could search for liability and compan? (Austrom) or liability and compan: (Wilsondisc), though this will yield a lot of irrelevant material.

Q: Could you please check whether "best endeavours" has been judicially defined in Australia?

A: Using the *Australian Digest Master Volumes* 1948-80 under Words, Phrases and Maxims, the *Australian Digest Supplement* 1986, the *Australian Digest Key and Research Guide* and the *Australian Legal Monthly Digest* 1992-93, I found *Mathieson v Sunshine Wrappings* (1962) 80 WN (NSW) 1412 and *Hawkins v Pendor Bros* [1990] 1 Qd R 135. Using the *Australian Law Reports Consolidated Index and Tables* Vols 1-100 (1973-91) I found *Transfield Pty Ltd v Arlo International* (1980) 30 ALR 201, under Words and Phrases.

Q: I'm after *Lock v Westpac* on the Lawpac unreported judgments CD ROM. It was there a few months ago.

A: As the case is now reported at (1991) 25 NSWLR 593, Lawpac deleted it from their Unreported Judgments disc pending the release of the next version of their CD ROM of *New South Wales Law Reports*. Readers should be aware of this, particularly as the Unreported Judgments disc is issued more irregularly than the NSWLR disc.

Q: Is the landmark High Court decision of *Mabo* pronounced "Marbo" or "Maybo"?

A: "Marbo". Source: Melba's column, *The Australian*, 9 February 1993, page 9.

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