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ARTICLES**THE CONSTITUTION: ULTIMATE FOUNDATION OF AUSTRALIAN LAW?****Hon Justice W M C Gummow AC**

In the United States in 1957, Sir Owen Dixon spoke of the common law as an ultimate constitutional foundation. To what degree was that ever true of constitutional law in the period of the British Empire? Can it ever be true of a federal system such as that in Australia? How have notions of the ultimate authority influenced recent “implied rights” theories of Australian constitutionalism? At more practical levels, how does the common law inform and how is it informed by the Constitution? These are questions addressed in this article. 167

ISSUES IN CORPORATE INSOLVENCY: STATUTORY DEMANDS AND CORPORATIONS ACT, s 440A**Lee Aitken and Hugh Stowe**

This article is comprised of two short papers which deal comprehensively with the authorities on two common problems in the field of corporate insolvency. The first, by Lee Aitken – “Statutory demands: again!” – covers statutory demands. The second, by Hugh Stowe – “Debtor company’s next line of defence: s 440A” – is a concise, but exhaustive treatment of cases dealing with applications for adjournment of winding-up proceedings on the appointment of an administrator to the company. 182

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