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## AUSTRALIAN BANKRUPTCY CASES (NEW SERIES) VOLUME 19, PART 2

### Gleeson v Soong [2023] FedCFamC2G 819

Bankruptcy — Whether revesting time extension notice valid — Where notice issued pursuant to s 129AA(4) — Whether s 36(1) of the Acts Interpretation Act 1901 (Cth) applies to s 149 of the Bankruptcy Act 1966 (Cth) — Determination of date of bankruptcy discharge — Revesting time extension notice valid — Acts Interpretation Act 1901 (Cth), s 36 — Bankruptcy Act 1966 (Cth), ss 129AA, 149.

### Roufeil v Tarrant Enterprises Pty Ltd [2023] FCAFC 142

Bankruptcy — Transfer of property — Payment of money — Where statute made provision for circumstances in which transfer of property by person who later became bankrupt to another person void against trustee in bankruptcy — Where statute defined “transfer of property” to include “a payment of money” — Whether banking transaction in which value transferred from one bank account to another “a payment of money” between account holders within meaning of statute — Bankruptcy Act 1966 (Cth), ss 120, 121.

### Michael Wilson and Partners Ltd v Cronan [2023] NSWSC 1050

Bankruptcy — Civil Procedure — Application for transfer of proceedings to Federal Court of Australia — Whether proceedings concern a “special federal matter” — Whether court has discretion to transfer proceedings in the interests of justice — Bankruptcy Act 1966 (Cth), ss 5, 19, 19AA, 27, 58, 60, 109, 116, 120, 121, 133, 134, 230, Sch 2, cll 85-5 — Bankruptcy Regulations 2021 (Cth), reg 25 — Insolvency Practice Rules (Bankruptcy) 2016 (Cth), rr 42-40, 42-45, 42-60, 42-135, 42-175, 42-180, 90-15 — Judiciary Act 1903 (Cth), ss 39, 39B — Jurisdiction of Courts (Cross-vesting) Act 1987 (Cth), ss 3, 7 — Jurisdiction of Courts (Cross-vesting) Act 1987 (NSW), ss 5(3), 6 — Uniform Civil Procedural Rules 2005 (NSW), rr 42.1, 44.3.

### Van Eps v Child Support Registrar [2023] FCA 1068

Bankruptcy — Compliance with s 41(7) of the Bankruptcy Act 1966 (Cth) — Meaning of “within 21 days after service” — Whether application under s 41(7) had been filed “within 21 days after service” — Whether Court has jurisdiction to extend time for compliance — Acts Interpretation Act 1901 (Cth), s 36 — Bankruptcy Act 1966 (Qld), s 41(7) — Federal Court Rules 2011 (Cth), r 2.25.

### Van Eps v Child Support Registrar [2024] FCAFC 127

Bankruptcy — Appeal — Adjournment of appeal — Adjournment of hearing — Whether denial of procedural fairness — Whether appellant entitled to rely upon non-compliance of Model Litigant obligations — Whether compliance with s 41(7) of the Bankruptcy Act 1966 (Cth) — Consideration of principles relating to an adjournment, including of an appeal — Acts Interpretation Act 1901 (Cth), s 36(1) —

Bankruptcy Act 1966 (Cth), s 41, 41(7) — Federal Court of Australia Act 1976 (Cth), s 24(1A) — Judiciary Act 1903 (Cth), ss 55ZF and 55ZG — Federal Court (Bankruptcy) Rules 2016 (Cth), rr 3.02, 3.02(1) — Federal Court Rules 2011 (Cth), rr 2.25, 29.09 — Legal Services Directions 2017 (Cth), para 2 of Appendix B.

