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**CONSCIENCE AND UNJUST ENRICHMENT**

**Robert Boadle**

In *Australian Financial Services & Leasing Pty Ltd v Hills Industries Ltd* (2014) 88 ALJR 552; [2014] HCA 14, the High Court of Australia explored the change of position defence in the context of claims for mistaken payments. In the process, the High Court highlighted the continuing relevance of equitable doctrine in this part of the law of unjust enrichment. This article considers equity’s properly formed and instructed conscience, and argues that principled conscience forms part of the law of unjust enrichment. .... 641

**SINGAPORE FLAGS AVENUE OF APPEAL AGAINST PLAIN-PACKAGING TRIBUNAL’S RULING ON JURISDICTION**

**Tom Clarke**

This article reviews the recent Singapore decision *Government of the Lao People’s Democratic Republic v Sanum Investments Ltd* [2015] SGHC 15, in which the Singapore High Court upheld Laos’s challenge to an investor-state arbitral tribunal’s decision affirming (in part) its jurisdiction to determine an investor’s complaint under the bilateral investment treaty between Laos and the People’s Republic of China. The decision is of interest to Australian observers for two reasons. First, it highlights an open, and potentially likely, avenue of appeal from the pending award on jurisdiction in the plain-packaging arbitration between Philip Morris Asia Ltd and Australia (which was also heard by an ad hoc tribunal seated in Singapore). Secondly, the decision highlights key limitations of “first-generation” China BITs (including the 1988 China-Australia BIT),

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which the investor-state arbitration provisions of the recently concluded China-Australia Free Trade Agreement have very substantially relaxed. ....	655
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LAW VS HISTORY: THE BILL OF RIGHTS 1688 OR 1689?

**David Clark**

This article notices the disparity in the date of the Bill of Rights in Australian statutes and cases. The general explanation is that there was a different calendar in use in the 17th century. This is shown to be wrong by examining the Journals of Parliament and this article concludes that 1689 is the correct date and suggests that statutory references to 1688 should be amended accordingly. ....	660
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