JOURNAL OF EQUITY

Volume 1 Number 1

September 2006

General Editor

Dr Christopher Rossiter

Associate Editors

Dr Simone Degeling Associate Professor Brendan Edgeworth

Editorial Board

Professor Robert Chambers
Ian Davidson SC
Dr James Edelman
John Emmerig
Dr Joshua Getzler
The Hon Justice W M C Gummow
Associate Professor Lusina Ho
The Hon Justice David Hodgson
Mark Leeming
The Hon Justice Kevin Lindgren
The Hon Justice Keith Mason

John McGhee QC Jonathon Moore Professor Patrick Parkinson Professor Lionel Smith The Hon Justice Margaret Stone John Stumbles Professor Michael Tilbury Professor Peter Watts Professor Sarah Worthington The Hon Justice Peter Young

LEXISNEXIS

Sydney — Adelaide — Brisbane — Canberra — Melbourne — Perth 2006 AUSTRALIA LEXISNEXIS

Tower 2, 475-495 Victoria Avenue, Chatswood, NSW 2067

On the Internet at: www.lexisnexis.com.au

ARGENTINA Abeledo Perrot, Jurisprudencia Argentina and Depalma Buenos Aires

AUSTRIA ARD Betriebsdienst and Verlag Orac Vienna

CANADA Butterworths Canada Ltd Markham Ontario

CHILE Publitecsa and Conosur Ltda Santiago de Chile

CZECH REPUBLIC Orac sro Prague

FRANCE Editions du Juris-Classeur SA Paris

HONG KONG Butterworths Asia (Hong Kong) Hong Kong

HUNGARY Hvg Orac Budapest

INDIA Butterworths India New Delhi

IRELAND Butterworths (Ireland) Ltd Dublin

ITALY Giuffré Milan

MALAYSIA Malayan Law Journal Sdn Bhd Kuala Lumpur

NEW ZEALAND Butterworths of New Zealand Ltd Wellington

POLAND Wydawnictwa Prawnicze PWN Warsaw

SINGAPORE Butterworths Asia Singapore

SOUTH AFRICA Butterworths Publishers (Pty) Ltd Durban

SWITZERLAND Stämpfli Verlag AG Berne

UNITED KINGDOM Butterworths Tolley London Edinburgh

USA LexisNexis Dayton Ohio

National Library of Australia Cataloguing-in-Publication entry

ISSN 1833 2137

©2006 Reed International Books Australia Pty Limited

This book is copyright. Except as permitted under the Copyright Act 1968 (Cth), no part of this publication may be reproduced by any process, electronic or otherwise, without the specific written permission of the copyright owner. Neither may information be stored electronically in any form whatsoever without such permission. Inquiries should be addressed to the publishers. Printed in Australia.

Visit LexisNexis at www.lexisnexis.com.au



Note to Contributors

The *Journal of Equity* aims to be of service to the academic community, practitioners and students of the law. High quality contributions from the academy and the profession will be considered for publication. The *Journal of Equity* publishes articles, notes, comments and reviews dealing with equity and topics that are related to or have implications for current themes in equity. Analytical, theoretical and empirical approaches are all welcome, as are contributions detailing and analysing recent developments or dealing with issues of policy and law reform.

The *Journal of Equity* is international in coverage. Contributions dealing with the law of any common law jurisdiction or which take a comparative approach are welcomed.

This is a refereed journal and the content is controlled by an editorial board following a formal process of peer review. Each annual volume will consist of three issues. Notes on the appropriate form and style of manuscripts submitted for publication may be found in the Style Guidelines in this issue.

By submitting a manuscript for publication in this journal, the contributor licenses LexisNexis to publish the manuscript, as approved by the editorial board following the peer review process, in this journal and in other publications in print or electronic form with due attribution.

All contributions and correspondence concerning the various sections of the journal's activities should be addressed to the Publishing Editor:

Clare Diggins, Journals Department, LexisNexis, Locked Bag 2222, Chatswood Delivery Centre, Chatswood NSW 2067, Australia.

E-mail: clare.diggins@lexisnexis.com.au



Subscription Information

The *Journal of Equity* will publish three issues per volume. Subscriptions to the journal and all business communications should be sent to the Marketing Manager, LexisNexis Butterworths, Locked Bag 2222, Chatswood Delivery Centre, Chatswood NSW, 2067.

Discounts are available to lecturers.

This volume may be cited as: (2006) 1 J Eq