



Wednesday, 16 December 2015

Daily Construction A Daily Bulletin listing Decisions of Superior Courts of Australia

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Executive Summary (1 minute read)

Westpac Banking Corporation v Clark; ex parte Gallop Reserve Pty Ltd (QSC) - contract - applicant was assigned benefit of judgment in bank's favour - leave granted to commence enforcement proceedings



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Summaries With Link (Five Minute Read)

Westpac Banking Corporation v Clark; ex parte Gallop Reserve Pty Ltd [2015] QSC 353

Supreme Court of Queensland

Martin J

Contract - applicant sought leave to enforce judgment obtained by bank against first defendant in 2011 on basis of deed of transfer between applicant, bank and others - whether deed assigned bank's rights in judgment to applicant enabling it to obtain leave to commence enforcement proceedings - construction of deed - meaning of "Westpac Debt" - "in connection with" - declaration of intent in recital- held: clause of deed sufficiently wide to capture judgment and assign applicant benefit of judgment - leave granted to commence enforcement proceedings upon discontinuing action against first defendant.

[Westpac Banking Corporation](#)

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