



Tuesday, 21 April 2015

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

 Follow @Benchmark\_Legal

### Search Engine

[Click here](#) to access our search engine facility to search legal issues, case names, courts and judges. Simply type in a keyword or phrase and all relevant cases that we have reported in Benchmark since its inception in June 2007 will be available with links to each case.

### Executive Summary (1 minute read)

**BGC Australia Pty Ltd v Minspec Pty Ltd** (WASC) - freezing orders - orders ancillary to prospective freezing orders made



## Summaries With Link (Five Minute Read)

### **BGC Australia Pty Ltd v Minspec Pty Ltd [2015] WASC 134**

Supreme Court of Western Australia

Mitchell J

Freezing orders - plaintiff sought orders under O52A r3 *Rules of the Supreme Court 1971 (WA)* requiring defendants and third defendant's wife to swear affidavits providing information about assets they allegedly controlled - order sought to enable plaintiff to obtain information relevant to prospective freezing order for which it anticipated it would apply - confidentiality - held: there was proper basis for apprehending there might be grounds for making application for freezing orders in future - sufficient concern to justify ancillary order - Court also satisfied that prospect of potential claim under s89 *Property Law Act 1969 (WA)* in relation to property held by wife sufficient to justify requiring her to swear affidavit - orders ancillary to prospective freezing orders made - defendants and non-party required to file affidavits

[BGC](#)

[Click Here to access our Benchmark Search Engine](#)