



Quiz

Family Law and Property

1. Which of the following can protect a party from an ex-spouse making a family provision claim under the *Succession Act 2006* (NSW)?
 - a. A Deed of Release
 - b. A Binding Financial Agreement
 - c. Consent Orders
 - d. A Deed of Family Arrangement
2. Which of the following is true in relation to inheritances?
 - a. Inheritances cannot form part of the asset pool, but can be treated as a financial resource
 - b. Inheritances can form part of the asset pool but are not treated as a financial resource
 - c. Inheritances can be treated as either part of the asset pool or as a financial resource
 - d. Inheritances are never treated as part of the asset pool or as a financial resource
3. When might trusts be treated as part of the asset pool, if ever?
 - a. Trusts are never treated as part of the asset pool
 - b. If a party has an element of control in regard to the trust's management and distribution
 - c. If a party has historically received distributions under the trust
 - d. Both B and C
4. What does section 106B of the *Family Law Act 1975* (Cth) state?

- a. If a party makes a transaction to defeat the claims of an ex-spouse, the transaction will be reversed
 - b. An ex-spouse is an eligible person to make a Family Provision claim
 - c. The court may order a person to make a distribution to themselves under a trust to make it divisible as an asset
 - d. The court has the power to look at future needs of the parties when determining whether an inheritance should form part of the asset pool
5. Which of the following will the court consider when determining whether an advancement of money was a loan or a gift?
- a. Whether it is repayable on demand
 - b. Whether there is interest applicable
 - c. Whether there is a history of repayments
 - d. All of the above

Answers:

1. A 2. C 3. D 4. A 5. D