



Quiz

Restraints of Trade

1. What is the current leading case on restraints of trade in NSW?
 - a. *DXC Connect Pty Ltd v Deibe & Ors* [2017] NSWSC 1159.
 - b. *Employsure Pty Ltd v McMurchy* [2021] NSWSC 139.
 - c. *Isaac v Dargan Financial Pty Ltd* (2018) 98 NSWLR 343.
 - d. *Devine Real Estate Concord Pty Ltd v Agha* [2018] NSWSC 556.
2. Are restraints of trade cases usually successful?
 - a. Yes, at a ratio of more than two to one
 - b. No, it's a myth
 - c. Not very often
 - d. Yes, they are always successful
3. Which section of the *Restraints of Trade Act 1974* (NSW) allows the court to shape the type of relief applicants receive?
 - a. s 12
 - b. s 4(1)
 - c. s 2(1)
 - d. s 3(3)(a)
4. What do practitioners need to keep in mind when drafting restraints for clients?
 - a. The genuine interests of the business
 - b. Making them onerous

- c. Nothing, they can draft as they please
 - d. The *Restraints of Trade Act* 1974 (NSW) s 1
- 5. COVID-19 has presented new challenges for restraints because?
 - a. Clients are getting sick
 - b. Employees need to wear face masks
 - c. Government restrictions
 - d. Employees are working from home

Answers:

1. c 2. a 3. b 4. a 5. d