



Quiz

Grant of derivative leave when a company is in liquidation

El-Saafin & Anor v Franek & Ors (No 4) [2020] VSC 389

1. The court's inherent jurisdiction to grant leave for an appropriate person to bring proceedings on behalf of a company in liquidation survives which Part of the *Corporations Act 2001* (Cth)?
 - a. Part 2D.1A
 - b. Part 2.F.1
 - c. Part 2F.1A
 - d. Part 2F.2A.
2. While the parties were in negotiations in *El-Saafin & Anor v Franek & Ors (No 4)* who attempted to appoint receivers to the company?
 - a. Wael El Saafin
 - b. Mark Franek
 - c. AAGG
 - d. MAG.
3. What does MAG stand for in the entity MAG Financial and Investment Ventures?
 - a. Margin Group
 - b. Mark and George
 - c. Mark, Amr and George
 - d. Maintenance Group.

4. Where were funds placed to show the undertaking on liquidator's fees in *El-Saafin & Anor v Franek & Ors (No 4)* was not 'fragile or worthless'?
 - a. Plaintiffs' bank account
 - b. Liquidator's account
 - c. Company's account
 - d. Plaintiffs' solicitors trust account.

5. Which case did parties opposing the grant of derivative leave reference?
 - a. *Chahwan v Euphoric Pty Ltd* [2008] NSWCA 52
 - b. *Scarel Pty Ltd v City Loan & Credit Corporation Pty Ltd* (1988) 17 FCR 344
 - c. *Carpenter v Pioneer Park Pty Ltd* [2008] NSWSC 551
 - d. *Cadima Express Pty Ltd (in liquidation) v the Deputy Commissioner of Taxation* (1999) 33 ACSR 527.

Answers:

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