



Quiz

Applications to Remove Liquidators

1. What were the applicants trying to do in *Minh Tan Tran v Nicols* [2015] NSWSC 1635?
 - a. Set aside a statutory demand seeking payment of taxation liabilities which their company had not met
 - b. Appeal the decision to wind up their company
 - c. Remove the liquidator of their company
 - d. None of the above
2. What section of the *Corporations Act 2001* (Cth) provides that a liquidator appointed by the Court may resign or, on cause shown, be removed by the Court?
 - a. Section 472
 - b. Section 473(1)
 - c. Section 520
 - d. Section 352A
3. What is an example of conduct that might lead to a liquidator being removed, if that conduct is found to show cause sufficient for the court to find it in the best interests of the liquidation to remove the liquidator?
 - a. Trespass
 - b. Bias towards particular creditors
 - c. Falling ill
 - d. All of the above

4. What was the outcome of the case *Minh Tan Tran v Nicols* [2015] NSWSC 1635?
- a. The applicants were successful and the liquidator was removed
 - b. The application was dismissed
 - c. The two vehicles were ordered to be returned to the company from which they were repossessed
 - d. a. and c.
5. What costs order did her Honour make after *Minh Tan Tran v Nicols* [2015] NSWSC 1635?
- a. Each party was ordered to pay their own costs
 - b. The liquidator was awarded indemnity costs to the extent of 50% from the very commencement of the proceedings, and ordinary costs for the remaining 50%
 - c. The liquidator was awarded indemnity costs to the extent of 65% from the very commencement of the proceedings, and ordinary costs for the remaining 35%
 - d. No costs order was made – the parties settled the matter of costs outside of court

Answers:

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