



Quiz

Costs

1. In what situation(s) does the need for an assessment of costs arise?
 - a. When an order for costs is made by a Court in favour of the successful party to the litigation against the unsuccessful party
 - b. A disgruntled former client seeks an assessment of costs and outlays charged by solicitors who have acted on their behalf
 - c. Both a. and b.
 - d. Neither a. nor b.

2. In which case did the High Court of Australia endorse the approach to the review of costs assessments found in *Schweppes' Ltd. v. Archer* (1934) 34 SR (NSW) 178?
 - a. *Tey v Optima Financial Group Pty Ltd*
 - b. *Australian Coal and Shale Employee's Federation v Commonwealth*
 - c. *AJH Lawyers Pty Ltd v Careri*
 - d. *Hall v Poolman*

3. What was an issue in contention on appeal in *King v Allianz Australia Insurance Limited* [2015] QCA 101?
 - a. Expert's fees
 - b. Solicitor's fees
 - c. The care and consideration percentage
 - d. Both a. and c.

4. Which rule of the UCPR looks at the basis upon which the successful party is entitled to recover costs?
 - a. Rule 722
 - b. Rule 742
 - c. Rule 702
 - d. Rule 732

5. What decision did the Queensland Court of Appeal make in *King v Allianz Australia Insurance Limited* [2015] QCA 101?
 - a. The Court rejected the primary judge's argument that it was necessary for the costs assessor to provide detailed reasons concerning his care and consideration decision in order to demonstrate that he had reviewed all the relevant documents
 - b. The Court held that the trial judge was mistaken in allowing Allianz to succeed on a ground which it did not raise
 - c. The Court endorsed the reasoning in *W. A. Gilbey Ltd v Continental Liqueurs Pty Ltd* [1964] NSWLR 527 regarding the 'necessary or proper' test specified in rule 702
 - d. All of the above

Answers:

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