Old Institute of Technology

LAW JOURNAL

Contributions to *The Queensland Institute of Technology Law Journal* on any topic of legal interest are welcomed. Any person intending to contribute is requested to notify the Editors before submitting a manuscript.

Editorial communications should be addressed to:

The Editor
Q.I.T. Law Journal
Faculty of Law
Queensland Institute of Technology
G.P.O. Box 2434
Brisbane, 4001
Queensland, Australia
Telephone: (07) 223 2707

Advertising space is available in the Journal at a cost of \$150 for a full page or \$100 for a half page. Intending advertisers should contact the Business Manager, at the above address and telephone number.

The current subscription to the Journal is \$12 per year. Intending subscribers should contact the Business Manager, or if in North America:

Wm. W. Gaunt & Sons Inc. 3011 Gulf Drive Holmes Beach Florida, U.S.A. 33510 — 2199

This issue may be cited as (1986) 2 Q.I.T.L.J. ISSN 0816-4800

© Queensland Institute of Technology Law Journal, September 1986

The Dewey Decimal Number of this volume is 347.05 Q.I.T.L.J.

Printed by Poly-Graphics Pty. Ltd. 1890 Ipswich Rd, Rocklea, 4106 Queensland, Australia.

QUEENSLAND INSTITUTE OF TECHNOLOGY

LAW JOURNAL

Vol. 2

EDITOR

Carmel MacDonald B.A., LL.B. (Qld.), LL.M. (Lond.)

EDITORIAL COMMITTEE

T. E. Cain M.A. (Oxon.)

B. C. Cairns LL.M. (Tas.)

B. J. Conrick LL.M. (Qld.)

J. C. Corrin B.A. (Hons) Law (Trent), M.Phil. (Nott.)

I. T. Davies LL.B. (Hons) Q.I.T.

R. W. Dobson LL.B. (Adel.)

M. J. Droughton B.A., M.Pub.Admin (Qld.), A.L.A.A.

G. E. Fisher B.A. (Hons), LL.B. (Hons) (Qld.) B.C.L. (Oxon.)

D. G. Gardiner B.A., LL.M. (Syd.)

P. V. Tahmindjis B.A. LL.B. (Syd.), LL.M. (Lond.)

I. A. Wilson LL.M. (Melb.)

QUEENSLAND INSTITUTE OF TECHNOLOGY

LAW JOURNAL

Vol. 2

TABLE OF CONTENTS

An End to the Short Reign of Anns: The Contracted Liability of Local Authorities in Australia for Defective Structures D. G. Gardiner	1
The Australian Adoption of the Hague Convention on Celebration and Recognition of the Validity of Marriages G. E. Fisher	17
"Of Straws and Camel's Backs" — Fundamental Breach of Lease W. D. Duncan	31
Reform of the Real Property Acts in Queensland A. A. Preece	41
Spouses as Witnesses in England and Queensland: During Marriage and After Divorce I. A. Wilson	51
Default Assessments and their Contest before Boards of Review P. Gerber	63
The Doctrine of Ultra Vires: Recent Developments G. E. Egert	73
Protection of Australian Authors Under the British Copyright Act K. R. Wilson	81
CASE LAW	
Setting Aside a Bankruptcy Notice by Going Behind the Debt S. G. Corones	109
Candlewood Navigation Corporation Ltd. v. Mitsui OSK Lines Ltd. J. Miller	111

SOUTH PACIFIC LAW SECTION

Vanuatu Penal Code	D. E. Paterson	119
Law and Custom in Vanuatu	H. Bule	129
Criminal Law and Custom in Solomon Isla	ands K. Brown	133
Minimum Penalties Legislation: The Papu	a New Guinea	
Legislation	C. G. Marlow	141
South Pacific Law Materials in Brisbane	J. C. Corrin	165