

Comparative Paragraph Table
Vermeesch & Lindgren's
Business Law of Australia

A table indicating the corresponding paragraph numbers between the 10th and 11th editions.

| | 10th edition | 11th edition |
|---|--------------------------------|--------------------------------|
| Ch 1 Parliament Government and the Law | | |
| Doctrine of parliamentary sovereignty | [1.23]–[1.29] | [1.23]–[1.29] |
| Judiciary as a source of law | [1.30]–[1.44] | [1.30]–[1.44] |
| Conclusion | [1.45] | [1.45] |
| Ch 2 From Colonies to Commonwealth | | |
| The colonies/states | [2.1]–[2.20] | [2.1]–[2.20] |
| The commonwealth | [2.21]–[2.62] | [2.21]–[2.62] |
| Conclusion | [2.63] | [2.63] |
| Ch 3 The Courts | | |
| The Australian Court Structure | [3.1]–[3.14] | [3.1]–[3.14] |
| Precedent in English and Australian law | [3.15]–[3.40] | [3.15]–[3.40] |
| Judicial Interpretation of statutes | [3.41]–[3.54] | [3.41]–[3.54] |
| The prerogative remedies | [3.55] | [3.55] |
| The legal profession | [3.56]–[3.61] | [3.56]–[3.61] |
| The conduct of a legal action | [3.62]–[3.75] | [3.62]–[3.75] |
| Commercial arbitration | [3.76]–[3.89] | [3.76]–[3.89] |
| Conclusion | [3.90] | [3.90] |
| Ch 4 Formation of Contract: 1 Agreement and Intention | | |
| Introduction | [4.1]–[4.4] | [4.1]–[4.4] |
| Agreement | [4.5]–[4.47] | [4.5]–[4.47] |
| Intention to create legal relations | [4.48]–[4.50] | [4.48]–[4.50] |
| Conclusion | [4.51] | [4.51] |
| Ch 5 Formation of Contract: 2 Consideration & Estoppel | | |
| Consideration | [5.1]–[5.24] | [5.1]–[5.24] |
| Estoppel | [5.25]–[5.36] | [5.25]–[5.36] |
| Conclusion | [5.37] | [5.37] |
| Ch 6 The Contract & Strangers to the Agreement | | |
| Privity of Contract | [6.1]–[6.14] | [6.1]–[6.14] |
| Conclusion | [6.15] | [6.15] |

| | 10th edition | 11th edition |
|---|--------------------------------|--------------------------------|
| Ch 7 The Contents of the Contract | | |
| The terms of the contract | [7.1]–[7.5] | [7.1] – [7.5] |
| Implied terms | [7.6]–[7.16] | [7.6] – [7.16] |
| When may oral terms be added to a written document | [7.17]–[7.19] | [7.17] – [7.19] |
| Collateral contracts | [7.20]–[7.24] | [7.20] – [7.24] |
| Importance of the terms | [7.25]–[7.34] | [7.25] – [7.34] |
| Meaning of the terms | [7.35]–[7.39] | [7.35] – [7.39] |
| Exclusion clauses | [7.40]–[7.46] | [7.40] – [7.46] |
| Interpretation of the exclusion clause | [7.47]–[7.49] | [7.47] – [7.49] |
| Conclusion | [7.50] | [7.50], [7.51] |
| | | |
| Ch 8 The Capacity to Contract | | |
| The possible effects of incapacity | [8.1] | [8.1] |
| Minors | [8.2]–[8.20] | [8.2] – [8.20] |
| Persons mentally disabled and intoxicated persons | [8.21] | [8.21] |
| Married women | [8.22]–[8.24] | [8.22], [8.23] |
| Bankrupts | [8.25] | [8.24] |
| Corporations | [8.26] | [8.25] |
| Conclusion | [8.27] | [8.26] |
| | | |
| Ch 9 Formal Requirements and Classification of the Contract | | |
| Requirements as to the form of some contracts | [9.1]–[9.24] | [9.1] – [9.24] |
| Classification of Contracts | [9.25], [9.26] | [9.25], [9.26] |
| Conclusion | [9.27] | [9.27] |
| | | |
| Ch 10 Mistake or Misrepresentation in Contract | | |
| Mistake | [10.1]–[10.18] | [10.1] – [10.18] |
| Misrepresentation | [10.19]–[10.31] | [10.19] – [10.31] |
| Conclusion | [10.32] | [10.32] |
| | | |
| Ch 11 Duress, Undue Influence and Unconscionable Conduct in Contract | | |
| Duress | [11.1]–[11.4] | [11.1] – [11.4] |
| Undue Influence | [11.5]–[11.14] | [11.5]– [11.14] |
| Unconscionable conduct | [11.15]–[11.41] | [11.15] – [11.41] |
| Conclusion | [11.42] | [11.42] |
| | | |
| Ch 12 Illegal and Void Contracts | | |
| Statutory Prohibitions | [12.1]–[12.6] | [12.1] – [12.6] |
| Contracts rendered void by statute | [12.7]–[12.11] | [12.7] – [12.11] |
| Common law prohibitions | [12.12] | [12.12] |
| Contracts illegal at common law | [12.13]–[12.19] | [12.13] – [12.19] |
| Contracts void at common law | [12.20]–[12.38] | [12.20] – [12.38] |
| Conclusion | [12.30] | [12.39] |

| | 10th edition | 11th edition |
|---|--------------------------------|--------------------------------|
| Ch 13 Discharge of the Contract | | |
| Actual performance | [13.1]–[13.12] | [13.1] – [13.12] |
| Attempted performance | [13.13], [13.14] | [13.13], [13.14] |
| Agreement between the parties | [13.15]–[13.19] | [13.15] – [13.19] |
| Pursuant to a term in the contract | [13.20] | [13.20] |
| Operation of law | [13.21]–[13.25] | [13.21] – [13.25] |
| Frustration | [13.26]–[13.32] | [13.26] – [13.32] |
| Assignment of contractual obligations and benefits | [13.33]–[13.38] | [13.33] – [13.38] |
| Non - performance | [13.39] | [13.39] |
| The election to discharge or affirm | [13.40]–[13.48] | [13.40] – [13.48] |
| The election to discharge the contract | [13.49]–[13.56] | [13.49] – [13.56] |
| The election to affirm the contract | [13.57], [13.58] | [13.57], [13.58] |
| Conclusion | [13.59] | [13.59] |
| Remedies, see chapter 16 | | |
| Ch 14 Civil Wrongs | | |
| The nature of tort law | [14.1]–[14.8] | [14.1] – [14.8] |
| Some particular torts | | |
| Direct interferences with person or property | [14.9] | [14.9] |
| Trespass to land | [14.10] | [14.10] |
| Trespasses to the person | [14.11] | [14.11] |
| Trespass to goods | [14.12] | [14.12] |
| Detinue | [14.13] | [14.13] |
| Conversion | [14.14] | [14.14] |
| Fraud | [14.15]–[14.21] | [14.15] – [14.21] |
| Negligence | [14.22]–[14.40] | [14.22] – [14.41] |
| Damaged caused by the defendant's fault | [14.41] – [14.45] | [14.42] – [14.47] |
| The expanding scope of negligence | [14.46] – 14.48] | [14.48] – [14.52] |
| Statutory torts | [14.49] – [14.52] | [14.53] – [14.56] |
| Conclusion | [14.55] | [14.57] |
| Ch 15 Crimes | | |
| Definition of crime | [15.1]–[15.11] | [15.1] – [15.11] |
| Some particular crimes | [15.12]–[15.19] | [15.12] – [15.19] |
| Crimes against property | [15.12] | [15.12] |
| Statutory offences relating to business activities | [15.13] | [15.13] |
| White collar crime | [15.14]–[15.17] | [15.14] – [15.17] |
| Computer crime | [15.18], [15.19] | [15.18], [15.19] |
| Criminal proceedings | [15.20]–[15.24] | [15.20] – [15.24] |
| Conclusion, torts, crimes and contracts distinguished | [15.25] | [15.25] |
| Ch 16 Remedies | | |
| Classification of remedies | [16.1] | [16.1] |
| Common law remedies | [16.2]–[16.5] | [16.2] – [16.5] |
| Damages for breach of contract | [16.6] – [16.25] | [16.6] – [16.25] |
| Damages in tort | [16.26] – [16.34] | [16.26] – [16.34] |
| Equitable remedies | [16.35]–[16.50] | [16.35] – [16.50] |
| Statutory remedies | [16.51] – [16.53] | [16.51] – [16.53] |
| Conclusion | [16.54] | [16.54] |

| | 10th edition | 11th edition |
|---|---|--------------------------------|
| Ch 17 Property | | |
| Terminology | [17.1] - [17.4] | [17.1], [17.2] |
| The nature of proprietary interests | [17.5]–[17.19] | [17.3] – [17.18] |
| Real property | [17.20]–[17.51] | [17.19] – [17.50] |
| Personal property | [17.52]–[17.64] | [17.51] – [17.63] |
| Conclusion | [17.65] | [17.64] |
| | | |
| Ch 18 Intellectual property | | |
| The inventive rights | [18.1]–[18.103] | [18.1] – [18.118] |
| Copyright | [18.1]–[18.37], [18.39] – [18.49] | [18.1] – [18.58] |
| Circuit layouts | [18.38] | [18.59] |
| Designs | [18.50]–[18.63] | [18.60] – [18.76] |
| Patents | [18.64] – [18.71], [18.73] - [18.81] | [18.77] – [18.95] |
| Plant varieties | [18.72] | [18.96] |
| Breach of confidence | [18.82]–[18.103] | [18.97] – [18.118] |
| The representational rights | [18.104]–[18.135] | [19.119] – [18.153] |
| Registered trade marks | [18.104] – 18.126] | [18.119 – [18.142] |
| Passing off | [18.127]–[18.135] | [18.143] – 18.153 |
| Conclusion | [18.136] | [18.154] |
| | | |
| Ch 19 Principal and Agent | | |
| Definition of agency | [19.1]–[19.4] | [19.1] – [19.4] |
| Creation of agency | [19.5]–[19.29] | [19.5] – [19.29] |
| Relationship between principal and agent | [19.30] – [19.40] | [19.30] – [19.41] |
| Liabilities as between principal, agent and third parties | [19.41]–[19.51] | [19.42] – [19.52] |
| Termination of an agency | [19.52]–[19.54] | [19.53] – [19.55] |
| Common classes of general agent | [19.55]–[19.66] | [19.56] – [19.67] |
| Secret commission | [19.67]–[19.74] | [19.68] – [19.71] |
| Conclusion | [19.75] | [19.72] |
| | | |
| Ch 20 Partnership | | |
| Background | [20.1]–[20.10] | [20.1] – [20.10] |
| When does a partnership exist? | [20.11]–[20.37] | [20.11] – [20.37] |
| The agreement to carry on a business in partnership | [20.38]–[20.53] | [20.38] – [20.53] |
| Relations between partners themselves | [20.54]–[20.63] | [20.54] – [20.63] |
| Relations between partners and outsiders | [20.64]–[20.79] | [20.64] – [20.79] |
| The partners' financial interests in the partnership | [20.80]–[20.88] | [20.80] – [20.88] |
| Changes in the membership and dissolution and winding up of a partnership | [20.89]–[20.115] | [20.89] – [20.115] |
| Advantages and disadvantages of partnership | [20.116] – [20.130] | [20.116] – [20.130] |
| Conclusion | [20.131] | [20.131] |

| | 10th edition | 11th edition |
|--|--------------------------------|--------------------------------|
| Ch 21 Companies | | |
| Historical and constitutional background | [21.1]–[21.5] | [21.1] – [21.4] |
| Current developments | [21.6] | [21.5] |
| Creation and nature of the company incorporated by registration | [21.7]–[21.15] | [21.6] – [21.15] |
| Public and proprietary companies | [21.16]–[21.24] | [21.16] – [21.24] |
| Constitution of the registered company | [21.25]–[21.44] | [21.25] – [21.44] |
| Corporate finance | [21.45]–[21.86] | [21.45] – [21.86] |
| Management and administration: directors and other officers | [21.87]–[21.109] | [21.87] – [21.109] |
| Company meetings and procedures | [21.110]–[21.117] | [21.110] – [21.117] |
| Disclosure of financial and other information: company accounts and annual returns | [21.118]–[21.137] | [21.118] – [21.137] |
| Rights of members of companies: majority control and minority protection. | [21.138]–[21.150] | [21.138] – [21.148] |
| Receivers and managers | [21.151]–[21.192] | [21.149] – [21.190] |
| Conclusion | [21.193] | [21.191] |
| | | |
| Ch 22 Supply of Goods and Services | | |
| Background | [22.1] | [22.1] |
| Sale of goods | [22.2]–[22.4] | [22.2] – [22.4] |
| Nature and formation of the contract of sale | [22.5]–[22.13] | [22.5] – [22.13] |
| Terms of the contract | [22.14]–[22.30] | [22.14] – [22.30] |
| Transfer of property from seller to buyer | [22.31]–[22.39] | [22.31] – [22.47] |
| Performance of the contract | [22.40]–[22.55] | [22.48] – [22.55] |
| Remedies for breach of contract | [22.56]–[22.68] | [22.56] – [22.68] |
| Rights of an unpaid seller | [22.56] – [22.62] | [22.56] – [22.62] |
| Remedies of the buyer | [22.63]–[22.68] | [22.63] – [22.68] |
| Consumer protection: introduction | [22.69] | [22.69] |
| Non-excludable conditions and warranties in consumer contracts | [22.70]–[22.83] | [22.70] – [22.83] |
| Liability of manufacturers and importers of goods | [22.84]–[22.92] | [22.84] – [22.93] |
| Fair Trading practices | [22.93] – [22.98] | [22.94] – [22.99] |
| Unconscionable conduct | [22.99], [22.100] | [22.100], [22.101] |
| Industry codes of conduct | No equivalent | [22.102] |
| Product safety and product information | [22.101] | [22.103] |
| Offences, enforcement and remedies | [22.102]–[22.106] | [22.104] – [22.108] |
| Miscellaneous State and Territory consumer protection legislation | [22.107] – [22.112] | [22.109] – [22.113] |
| Future developments | [22.113] | [22.114] |
| Conclusion | [22.114] | [22.115] |

| | 10th edition | 11th edition |
|--|--------------------|---------------------|
| Ch 23 Bailment | | |
| Background | [23.1] | [23.1] |
| Definition and classifications | [23.2] – [23.11] | [23.2] – [23.11] |
| Duty and liability of bailee | [23.12]–[23.16] | [23.12] – [23.16] |
| Bailees’ exclusion clauses | [23.17]–[23.24] | [23.17] – [23.24] |
| Duty and liability of bailor | [23.25] | [23.25] |
| Rights against third parties | [23.26] | [23.26] |
| Termination of bailment | [23.27] | [23.27] |
| Special types of bailee | [23.28]–[23.47] | [23.28] – [23.47] |
| Conclusion | [23.48] | [23.48] |
| | | |
| Ch 24 Credit | | |
| The consumer credit legislation | [24.1]–[24.5] | [24.1] – [24.5] |
| Application of the consumer credit code | [24.6] – [24.12] | [24.6] – [24.12] |
| Advertising availability of credit | [24.13]–[24.23] | [24.13] – [24.24] |
| Entering into the credit contract | [24.24]–[24.57] | [24.25] – [24.59] |
| Rights and remedies under Consumer Credit Act | [24.58]–[24.111] | [24.60] – [24.115] |
| Related contracts and security interest under the Code | [24.112]–[24.151] | [24.116] – [24.155] |
| Credit outside the Code | [24.152] | [24.156] |
| Hire purchase | [24.153]–[24.186] | [24.157] – [24.191] |
| Protection of hirer | [24.187]–[24.195] | [24.192] – [24.200] |
| Security interests in goods | [24.196]–[24.225] | [24.201] – [24.230] |
| Registration of Security interests in goods | [24.226]–[24.243] | [24.231] – [24.248] |
| Chattels security legislation | [24.244]–[24.257] | [24.249] – [24.262] |
| Credit reporting | [24.258], [24.259] | [24.263], [24.264] |
| Future developments | [24.260]–[24.262] | [24.265], [24.266] |
| Conclusion | [24.263] | [24.267] |
| | | |
| Ch 25 Restrictive Trade Practices | | |
| The need for legislation | [25.1] – [25.3] | [25.1] – [25.3] |
| The administrative structure | [25.4] – [25.15] | [25.4] – [25.18] |
| Two essential concepts: competition and market | [25.16]–[25.27] | [25.19] – [25.30] |
| The practices caught by the Act | [25.28] | [25.31] |
| Sections 45 to 45E: contracts, covenants and boycotts | [25.29]–[25.47] | [25.32] – [25.53] |
| Section 46: misuse of the market power | [25.48]–[25.57] | [25.54] – [25.64] |
| Section 47: exclusive dealing | [25.58]–[25.65] | [25.65] – [25.74] |
| Section 48: resale price maintenance | [25.66]–[25.71] | [25.75] – [25.80] |
| Section 49: price discrimination | [25.72] | [25.81] |
| Section 50: mergers | [25.73]–[25.86] | [25.82] – [25.95] |
| Exceptions to Pt IV | [25.87] – [25.92] | [25.96] – [25.102] |
| Access regime | [25.93] | [25.103] |
| Conclusion | [25.94] | [25.104] |
| | | |

| | 10th edition | 11th edition |
|---|---------------------|---------------------|
| Ch 26 Banking | | |
| Negotiable instruments | [26.1] – [26.4] | [26.1] – [26.7] |
| Principle of negotiability | [26.5] | [26.8] |
| Uses of negotiable instruments | [26.6] – [26.19] | [26.9] – [26.22] |
| Definition of a bill of exchange | [26.20]–[26.27] | [26.23] – [26.30] |
| Transferability | [26.28] – [26.30] | [26.31] – [26.33] |
| The concept of the holder in due course | [26.31]- [26.41] | [26.34] – [26.44] |
| Liability of the parties | [26.42] – [26.61] | [26.45] – [26.64] |
| Cheques and banking | [26.62] – [26.92] | [26.65] – [26.95] |
| Not negotiable | [26.93] – [26.109] | [26.96] – [26.121] |
| Future developments | [26.110] | [26.122] |
| Conclusion | [26.111] | [26.123] |
| | | |
| Ch 27 Guarantee and Suretyship | | |
| Background | [27.1] | [27.1] |
| Nature and characteristics of guarantee | [27.2] – [27.8] | [27.2] – [27.7] |
| Creation of guarantees | [27.9] – [27.20] | [27.8] – [27.20] |
| Rights and obligations of creditor, debtor and surety | [27.21] – [27.46] | [27.21] – [27.46] |
| Enforcement of guarantees | [27.47] – [27.54] | [27.47] – [27.54] |
| Revocation of guarantee and discharge of surety | [27.55] – [27.68] | [27.55] – [27.68] |
| Common guarantee transactions | [27.69] – [27.78] | [27.69] – [27.79] |
| Guarantees and third parties | [27.79] | [27.80] |
| Conclusion | [27.80] | [27.81] |
| | | |
| Ch 28 Insurance | | |
| Background to insurance | [28.1]–[28.19] | [28.1] – [28.19] |
| Legal definition of insurance | [28.20] – [28.24] | [28.20] – [28.24] |
| Central doctrines in insurance law | [28.25] – [28.72] | [28.25] – [28.72] |
| Aspects of insurance contracts | [28.73] – [28.97] | [28.73] – [28.97] |
| Insurance intermediaries | [28.98] – [28.105] | [28.98] – [28.105] |
| Regulation of the insurance industry | [28.106]-[28.112] | [28.106] – [28.112] |
| Conclusion, future developments | [28.113] | [28.113] |
| | | |
| Ch 29 Succession and Trusts | | |
| Succession upon death | [29.1]–[29.32] | [29.1] – [29.32] |
| Trusts and trustees | [29.33]–[29.71] | [29.33] – [29.71] |
| Future developments | [29.72] | [29.72] |
| Conclusion | [29.73] | [29.73] |

| | 10th edition | 11th edition |
|--|---------------------|---------------------|
| Ch 30 Bankruptcy | | |
| Background to and outline of the Bankruptcy Act 1966 | [30.1]–[30.10] | [30.1] – [30.10] |
| Requirements of a bankruptcy notice | [30.11]–[30.15] | [30.11] – [30.14] |
| Effect of bankruptcy | [30.16], [30.17] | [30.15], [30.16] |
| Proof of debts | [30.18]–[30.20] | [30.17] – [30.20] |
| Other procedures after bankruptcy | [30.21] – [30.25] | [30.21] – [30.25] |
| Property available for payment of bankrupt's debts | [30.26]–[30.40] | [30.26] – [30.41] |
| Order of payment of bankrupt's debts | [30.42]–[30.45] | [30.42] – [30.45] |
| Distribution of property | [30.46] | [30.46] |
| The trustee in bankruptcy | [30.47], [30.48] | [30.47], [30.48] |
| Discharge and annulment from bankruptcy | [30.49]–[30.53] | [30.49] – [30.53] |
| Offences | [30.54] | [30.54] |
| Special bankruptcies | [30.55], [30.56] | No equivalent |
| Part IX: debt agreements | [30.61] | [30.55] |
| Part X | [30.57]–[30.60] | [30.56] |
| Future developments | [30.62] | [30.57] |
| Conclusion | [30.63] | [30.58] |
| | | |
| Ch 31 Law, Society and Other Values | | |
| What is law? | [31.1]–[31.13] | [31.1]- [31.13] |
| Law and justice | [31.14]–[31.16] | [31.14] – [31.16] |
| Law and morality | [31.17]–[31.19] | [31.17] – [31.19] |
| Law and society | [31.20]–[31.24] | [31.20] – [31.24] |
| Conclusion | [31.25] | [31.25] |