



1 July 2004

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BY: *Jillian Gould*

The Secretary  
Jillian Gould Office  
The Standing Committee on Legal and Constitutional Affairs  
Parliament House  
Canberra ACT 2600

EXPRESS MAIL

Dear Sir or Madam,

**BANKRUPTCY LEGISLATION AMENDMENT (ANTI-AVOIDANCE AND OTHER MEASURES) BILL 2004 EXPOSURE DRAFT.**

I refer to the above bill and request clarification be provided in the bill to deal with assets of a bankrupt that a bankruptcy trustee has settled pursuant to the existing provisions of Division 3, 4 and 4A of Part VI of the Bankruptcy Act, 1966. In my opinion the bill in its current form would allow a trustee to revisit claw-backs of property or payments which may be the subject of a court order. If that is the intention the bill should be unequivocal in its intent on this issue.

Should you have any questions in relation to this matter please contact me.

Yours faithfully,

**LOKE CHING WONG  
REGISTERED TRUSTEE**