

Table of Contents

<i>Foreword</i>	v
<i>Disclaimer</i>	xiii
<i>About the author</i>	xiv
1 Introduction - identification of the problem	1
Asset planning	3
Risky business	6
2 Structuring	9
Structuring options	11
Testing structures	20
Multidisciplinary approach	23
3 The insolvency system	24
Ownership	24
Purchase of matrimonial home	25
Bankruptcy Act 1966	26
Trustee in bankruptcy claim to property	31
Controlled entities	33
Trusts	34
Resulting trust	35
Constructive trust	36
Mortgage payments	36
Subrogation	38
Exoneration	38
Power of Trustee in Bankruptcy to avoid antecedent transactions	40
Statute of Elizabeth - without bankruptcy	45

4	Some specific topics, testing the system	47
	Diverted benefits	47
	The discretionary trust	49
	Superannuation	54
	Wills	57
	Family Court	59
5	Ethics	65
6	Some available options and pitfalls	71
	Proper advice and scope of retainer	76
7	Conclusion and checklist	78
	<i>Endnotes</i>	81
	<i>Glossary</i>	92
	<i>Bibliography</i>	104
	<i>Index</i>	107