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# According to The Federal Circuit Court Rules, a person who does not understand the nature and consequences of a legal action, such as a minor, must have a litigation guardian to make decisions in the lawsuit. Additionally, the litigation guardian must be an adult who is able to fairly

Sarah vs Charles.

## Tort of negligence:

Based on the case, Sarah is the plaintiff, and Sam is her litigation guardian. The defendant is Charles. The crucial legal issue is whether Sam can successfully sue Charles under TON.

The first subordinate legal issue is whether Charles owed Sarah the DUTY OF CARE. The relationship between the plaintiff and the defendant cannot be recognized, so applying the case of Donoghue v Stevenson, the “neighbor test” must be considered. Due to Charles’s

1. The next subordinate legal issue is whether Charles breached his DOC, which he owed to Sarah.

In conclusion, two requirements are satisfied, so Sam can successfully sue Charles under TON.

Sarah vs Free:.

Tort of negligence:

## In this case, Sarah is the plaintiff, Sam is her litigation guardian, and Free is the defendant. The crucial legal issue is whether Sam can successfully sue Free under TON.

The subordinate legal issue is whether Free owed Sarah a document of conveyance (DOC). Similar to the case of Sarah v Charles, it is concluded that by examining the "Neighbor test," Free owed Sarah a DOC.

The next subordinate legal issue is whether Free breached a duty of care (DOC) that he owed to Sarah. Farmland is not a crowded place, so when Free changes lanes suddenly, it is rare for Charles to ram Sarah. Hence, the probability is low. Next, the likely serious

Consequently, Free was negligent, and Sam can successfully sue Free under TON.

Sam vs Charles:.

Tort of negligence:

Based on the case, Sam is the plaintiff, and Charles is the defendant. The crucial legal issue is whether Sam can successfully sue Charles under TON...

## The first requirement is whether Charles owed Sam a debt of consent (DOC). Similar to the case of Sarah v Charles, so it is concluded that Charles owed Sam a debt of consent (DOC).

1. The second requirement is whether Charles breached a DOC that he owed to Sam.

In conclusion, based on two satisfying requirements, Sam can successfully sue Charles under TON.

Sam vs Free:.

Tort of negligence:

In this case, Sam is the plaintiff, and Charles is the defendant. The crucial legal issue is whether Sam can successfully sue Free under TON.

1. The first requirement is whether Free owed Sam a DOC.

## 1. The second requirement is whether Free breached DOC, which he owed Sam.

In conclusion, Free was negligent, and Sam can successfully sue Free under TON.

Charles vs Free:.

Tort of negligence:

In the case, Charles is the plaintiff, and Free is the defendant. The crucial legal issue is whether Charles can successfully sue Free under TON.

The subordinate legal issue is whether Free owed Charles a DOC. By examining the "Neighbour Test," the first element is satisfied because Free exceeded the limit speed, which contains potential harm to Charles. Besides, Free was driving next to Charles; thus, the second element is satisfied. Hence,

The next legal issue is whether Free breached a DOC that he owed Charles. Other drivers could not handle situations promptly when Free changed lanes surprisingly without observation, so the probability is high. Next, the likely seriousness is significant because a collision between two vehicles at high speed may cause severe accidents

## In conclusion, Free was negligent, so Charles can successfully sue Free under TON.

Sarah vs Fresh Fruits Company:

Vicarious Liability.

The crucial legal issue is whether Fresh Fruits Company (FFC) is vicariously liable for the harm caused by Charles.

Based on the case of Century Insurance v Northern Ireland Road Transport Board, the "scope of employment" must be considered. Because the case did not mention whether Charles was on authorized business, there are two reasonable scenarios. Firstly, during an accident, if Charles was authorized to drive his truck

In conclusion, if Charles's authorized task is to drive his truck, Sam (Sarah's litigation guardian) can successfully sue FFC under vicarious liability, and vice versa.

Sam v Fresh Fruits Company.

## Vicarious liability.

The crucial legal issue is whether Fresh Fruits Company (FFC) is vicariously liable for the harm caused by Free...

1. Similar to the case of Sarah v Fresh Fruits company, it is concluded that if Charles had an authorized task to drive his truck to make a revenue for the FFC, Sam can successfully sue FFC under Vicarious Liability.

Scenario 2: If the customer's order is cancelled, the system will automatically generate a cancellation confirmation email to the customer.

Ryder vs. a little girl:.

Tort of negligence:

## In the case, Ryder is the plaintiff, and the defendant is a little girl. The crucial legal issue is whether Ryder can sue the defendant successfully under TON.

The subordinate legal issue is whether the little girl owed Ryder a duty of care (DOC). By examining the "Neighbor test," the first element is satisfied because the little girl's conduct could make Ryder slip on the soapy floor in the passageway, which contains potential harm to

The next subordinate legal issue is whether the little girl breached DOC, which she owed Ryder. Firstly, the probability of harm is high because shopping centers are usually crowded, and when there is a soapy spot on the floor, guests easily slip on it. Next, the

In conclusion, the little girl was negligent, so Ryder can successfully sue the little girl under TON.

Ryder v Woolworths:

# Tort of negligence:

## Ryder is the plaintiff, and Woolworths is the defendant. The crucial legal issue is whether Ryder can successfully sue Woolworths under TON.

The subordinate legal issue is whether Woolworths owed Ryder a duty of care.

Although Ryder slipped on the passageway next to Woolworths, it was proven that she was entering Woolworths by CCTV footage. Therefore, Ryder would be considered a customer of Woolworths. Based on the rules in Australian Safeways Stores Pty Limited v

The subordinate legal issue is whether Woolworths breached DOC. Similar to the case of Ryder v. a little girl, the probability of harm is high and the likely seriousness is medium. Besides, the cost of precautions is cheap and easy; specifically, Woolworths staff could

To conclude, Woolworths was negligent, so Ryder can successfully sue Woolworths under TON.

Ryder v Westfield Shopping Centre (WSC):.

Tort of negligence:

## In this case, Ryder is the plaintiff, and WSC is the defendant. The crucial legal issue is whether Ryder can successfully sue WSC under TON.

The subordinate legal issue is whether WSC owed Ryder a duty of care (DOC). Based on the rules in Australian Safeway Stores Pty Ltd v Zaluzna (cited in the case of Ryder v Woolworths), the relationship between Ryder and WSC was that

The next subordinate legal issue is whether WSC breached DOC. Firstly, the probability of harm is high because if there is a spot of soapy liquid on the floor, consumers could easily slip. Next, the likely seriousness is medium (explained in the case Ryder v a

In conclusion, Ryder can successfully sue WSC under TON.

Ryder vs Robert:.

Tort of negligence:

Based on the case, Ryder is the plaintiff, and Robert is the defendant, and the crucial legal issue is whether Ryder can successfully sue Robert under TON.

The first requirement is whether Robert owed Ryder a debt of \_\_\_\_\_\_\_\_\_\_.

## 1. By examining the "Neighbor test", two elements are satisfied; specifically, Robert immediately jumped to save Ryber without thinking carefully, so his conduct was potentially harmful to Ryder.

The second requirement is whether Robert breached DOC. Generally, when helping others, a reasonable person rarely causes harm to others, so the probability of harm is low. Next, the likely seriousness of harm is low because there was no potential risk to cause severe injuries. Moreover, the cost of preca

Consequently, Robert did not breach a DOC and Ryder cannot successfully sue Robert under TON.

Ryder v Little Girl's Parents:

The crucial legal issue is whether Ryder can successfully sue Little Girl's parents under Parental Liability.

Following the rules in Smith v Leurs; parents could be liable for their child's committed torts if they did not properly control or supervise their child. Specifically, the little girl was near her parents' company, so reasonable parents must carefully supervise and control her, which could prevent a little

## Ryder vs. Tom:

Tort of negligence:

The crucial legal issue is whether Ryder, who is the plaintiff, can successfully sue Tom, who is the defendant, under TON.

The subordinate legal issue is whether Tom owed Ryder a debt of conduct (DOC). By examining the "Neighbour Test", Tom's conduct is potentially harmful to Ryder because he opened a bottle for the five-year-old girl who was unable to control her behavior in public

The next legal issue is whether Tom breached his Duty of Care (DOC). The probability of harm is low because Tom just opened the lid of a children's toy, which is rare to cause harm. Next, the likely seriousness of harm is medium (explained in case Ryder v

To conclude, Ryder cannot successfully sue Tom under TON.

Ryder v Woolworths:

Vicarious Liability: .

## The crucial legal issue is whether Woolworths is vicariously liable for harm caused by Tom.

Tom was a supermarket staff, but opening the bottle was not Tom's authorized task and did not benefit Woolworths. Hence, Tom's conduct was not done within the "Scope of employment," based on the rules in Century Insurance v Northern Ireland Road Transport Board (cited

As a result, Ryder cannot successfully sue Woolworths under vicarious liability.

Scenario 3.

## Vo và Hoa.

## Tort of negligence:

In this case, Vo is the plaintiff, and Hoa is the defendant, and the crucial legal issue is whether Vo can successfully sue Hoa under TON.

The subordinate legal issue is whether Hoa owed Vo a DUTY OF CARE. By examining the “Neighbor test", the first element is satisfied because Hoa spilled water on the floor leading to slippery, which contains potential harm to others. Besides, Hoa and Vo were

1. The next subordinate legal issue is whether Hoa breached a DOC that she owed to Vo.

Because the case did not clarify whether Vo agreed to help Hoa clean the wet floor, there are two reasonable situations. Firstly, if Vo accepted Hoa's request, following the Voluntary assumption of risk defence stated by Insurance Commissioner v Joyce, Hoa could relieve all liability

After all, if Vo accepted Hoa's request, Vo cannot successfully sue Hoa under TON. By contrast, if Vo did not, she can successfully sue Hoa under TON, but she has to share the contributory negligence.

Voice of Ben.

## Tort of negligence:

In this case, Vo is the plaintiff, and Ben is the defendant. The crucial legal issue is whether Vo can successfully sue Ben under TON.

The first requirement is whether Ben owed Vo a DOC. By examining the "Neighbor test," Ben let the machine operate without observation, containing potential risk; besides, Ben and Vo were on the same floor of the shop. Hence, Ben owed Vo a DOC.

The next requirement is whether Ben breached a DOC to Vo. The probability of harm is low because the cane juice machine makes a loud noise when in operation, so a reasonable person can quickly notice. However, the likely seriousness is significant; it can cause severe injuries or loss of body parts.

To conclude, Ben was negligent and Vo can successfully sue Ben under TON.

Vo v Thu Phung Desserts (TPD):.

# Tort of negligence:

## In this case, Vo is the plaintiff, and TPD is the defendant, and the crucial legal issue is whether Vo can successfully sue TPD under TON.

The subordinate issue is whether Ben owed Vo a DOC. Based on the case of Australian Safeway Stores Pty Ltd v Zaluzna (cited in case Ryder v Woolworths), the relationship between Vo and TPD falls within the established categories of DOC; specifically,

The next subordinate legal issue is whether TPD breached DOC. The probability of harm is high because slipping in the vicinity of an unattended sugarcane juice machine operating, it would be difficult for a reasonable person to avoid crashing into the machines. Next, the likely seriousness level

According to the case of Ingram v Britten (cited in the case of Vo v Hoa), TDP can reduce its liability by using the contributory negligence defense; in particular, Vo knew the dangers, and her carelessness contributed to slipping and crashing into the machine

Summarily, TPD was negligent, and VO can successfully sue them under TON, but she has to be also responsible for her injuries.

Vo v Thu Phung Desserts (TPD):.

Vicarious Liability: .

There are two cases in which TPD can be sued under vicarious liability:.

## Vo và Hoa.

The crucial legal issue is whether TPD is vicariously liable for harm caused by Hooters.

Based on Century Insurance v Northern Ireland Road Transport Board (cited in case Ryder v a little girl), Hoa was TPD's staff, she dropped water without cleaning it immediately, which directly caused Vo's injuries. However, whether Hoa's conduct was within the "Scope

Consequently, if Hoa’s authorized task was to clean the wet floor, Hoa’s conduct was done within the “scope of employment” and Vo can successfully sue TPD under vicarious liability and vice versa.

Voice of Ben.

The crucial legal issue is whether TPD is vicariously liable for the harm caused by Ben.

Based on Century Insurance v Northern Ireland Road Transport Board (cited in the case Ryder v a little girl), when the incident occurs, Ben, who is a staff, was authorized to work and be responsible for the sugar cane machine to make a benefit for TPD, so “Scope of employ

## After all, Vo can successfully sue TPD under vicarious liability.

Scenario 4: If a player's ball goes out of bounds, they must return to the previous position and play again from there.

Gary vs Jamala.

Contractual Law.

In this case, Jamala is the offeror, and Gary is the offeree. The crucial legal issue is whether Gary can successfully sue Jamala for breaching the contract.

The subordinate issue is whether there was an agreement between Gary and Jamala. Based on the case of Smith v Hughes, there are two requirements: offer and acceptance, needed to be considered. About the agreement requirement, through the rules in Mildura Office Equipment & Supplies Pty Ltd v

In conclusion, Gary and Jamala did not form an enforceable contract, so Gary cannot successfully sue Jamala for breaching the contract.

Russell v Jamala:.

## Contractual Law.

According to the case, Russell is an offeror, and Jamala is an offeree. The crucial legal issue is whether Russell can successfully sue Jamala for breaching the contract.

Based on the case of Smith v Hughes (cited in the case Gary v Jamala), the requirements for an offer and acceptance could be examined to determine whether there was a valid agreement between Russell and Jamala. Following the rules of Mildura Office Equipment & Supplies Pty Ltd v

### In conclusion, Russell and Jamala did not form an enforceable contract, so Russell cannot successfully sue Jamala for breaching the contract.

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