JUN 2004 na Submission No:

My husband is a valuer and operates his own small business employing five to seven staff. He is a sole director and has a family trust. Approx eight years ago he was sued by a firm of solicitors for whom he had valued a property in the eighties, advising them in the report that the "market was softening". However, that did not stop them from lending more on the property some 18 months later without seeking an updated valuation. Needless to say that the Mortgagee could not service the loan and went Bankrupt and as the property market had crashed, the Solicitors sued my husband for negligence. Fortunately, the insurance Co supported my husband and it went to court and they won the case outright.

My husband and I married seven years ago and I have worked for over Forty years and had accumulated my own assets. Should this Bankruptcy Legislation be passed, I am advised that should my husband again be faced with being sued, I would need to seek Legal Representation to prove and protect my personal assets for which I have built up over my working life and I might say, worked hard for.

Consequently, I wish to lodge my umbrage in the strongest possible terms that I would have to go to these lengths to retain what is rightfully mine. No doubt, there will be many women in this situation who have married later in life and accumulated assets for "their old age", only to be faced with the prospect of having to prove rightful ownership and be in jeopardy of losing them through not keeping records for longer than five years.

The inequitable approach of the proposed Legislation will effectively cause anguish and stress to innocent parties and I am disappointed that I have to go to these lengths to make the Government aware of my personal dilemna.