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## Editorial: Autumn 2006

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# Editorial

In this issue we will deal with a variety of issues.

Bought a hamburger or pizza lately? There is a good chance you bought it from a franchise. In her article *Franchising – A Way to Supersize a Business?* Assistant Professor Liz Spencer discusses some of the legal and business ideas behind franchises. You might be surprised what stores are not franchises and interested in why franchises are established.

In *CSI: Bond* our Associate Professor David Field discusses the role of scientific evidence on our judicial processes. Despite what the excellent TV programme might suggest all is not revealed in one hour and scientists will not always have the answer. But what might be the impact of science in the courtroom?

In *Important Concepts in Real Property* I discuss firstly where the concept of “real” property came from and I discuss fragmentation of proprietary interests. We probably

take it for granted but the ability to carve up a freehold interest and grant various interests in land to other parties is important in our ability to fully develop and use the land on which we exist.

No doubt you have heard about Globalisation. It is already impacting on the lives of all people. In his article *Laws of Globalisation* Professor Laurence Boule will discuss what is globalisation the legal concepts at its base. It also has implications for the Rule of Law.

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**Professor Michael Weir and Assistant Professor Brenda Marshall**

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## DID YOU KNOW

### Legal Terminology – Some useful definitions

**Leasehold reversion** – the interest retained by the landlord when part of the estate has been assigned or conveyed to another.

**Legacy** – a gift of personal property made in a will.

**Legal Interest** – a legal as opposed to a beneficial or equitable interest.

**Letter of administration** – an authority granted by a court to an administrator to deal with a deceased person’s estate where there is no valid will or the will did not appoint an executor or the appointed executor will or cannot act.

**Estate less than freehold** – an interest in land that does not amount to a freehold interest ie leasehold.

**Limitations of Actions** – the time limit on a person’s right to issue legal proceedings designed to avoid stale evidence and therefore a miscarriage of justice.

**Lien** – the legal right to retain possession of a chattel until a debt or obligation is satisfied.

**Locus in Quo** – land on which a trespass has occurred or in relation to the law of easements land over which a right has been granted.

(Source: *Butterworths Concise Australian Legal Dictionary 1997.*)