Setting Aside Foreign Judgments in Australia

A recent judgment of the Supreme Court of South Australia provides a useful summary of the Australian common law authorities about when the enforcement of a foreign judgment can be set aside.

The judge concluded:

> *a foreign judgment is only binding and conclusive so long as it stands. A corollary of this principle is that where a judgment is made entirely on the basis of a foreign judgment, and the foreign judgment is later overturned and set aside, good reason exists to set aside the judgment that relied on it.*

Benefit Strategies Group Inc v Prider [2007] SASC 250 (4 July 2007)