

# Article on the Interaction of Choice of Law Rules and the Australian Constitution

Christopher Kourakis, the Solicitor-General for the State of South Australia, has an interesting article on the interaction of choice of law rules and the Australian Constitution in cases of conflict between state laws in volume 28 of the *Adelaide Law Review*. The article discusses the decision of the High Court in *Sweedman v Transport Accident Commission* (2006) 226 CLR 362; [2006] HCA 8, which concerned whether a Victorian statutory motor vehicle insurer, which paid compensation to Victorians injured in a car accident in New South Wales, could recover under the Victorian statute from the New South Wales driver who caused the accident. The article considers the common law choice of law rule applicable to claims for statutory indemnification, and then considers the possible ways in which it has been suggested by judges and commentators (including the newly appointed Solicitor-General for the Commonwealth) that the Australian Constitution might provide an alternative approach.

See Christopher Kourakis, 'Sweedman v Transport Accident Commission: A Simple Crash and Bang?' (2007) 28 *Adelaide Law Review* 23.