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### **FRAUDS ON CREDITORS: FRAUDULENT CONVEYANCES AND PREFERENCES**

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**Release No. 4, April 2026**

This work provides practitioners and academics with comprehensive narrative coverage of the law to effectively pursue assets that a debtor has attempted to shield from his or her creditors. This service contains in-depth commentary on the federal and provincial legislation and the case law thereunder, including new material on: the position of an advising and participating lawyer in the context of fraudulent conveyances and preferences; conflict of laws; the oppression remedy and the derivative action; creditors as beneficiaries of the directors' duty of care; injunctions; and certificates of pending litigation.

### **What's New in this Update:**

This release features updates to Chapter 1. A General Framework. Appendix A. Legislation and Related Material, Appendix IF. Issues in Focus and Appendix WP. Words and Phrases have also been updated in this release.

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## Highlights

**Appendix A. Legislation and Related Material**—The following sections have been added to this appendix—

- Appendix A4. Manitoba
- Appendix A5. New Brunswick
- Appendix A6. Newfoundland and Labrador

**Appendix IF. Issues in Focus—§ IF:2. What factors must be proved in order to set aside a transfer pursuant to the Fraudulent Conveyance Act?**—This memorandum has been updated to March 1, 2025. The legal issue in this memorandum is the factors that must be proved in order to set aside a transfer pursuant to British Columbia’s Fraudulent Conveyance Act. The memorandum considers the following fact scenario: the client, in massive debt, made certain conveyances to his wife and children prior to judgment being entered against him by creditors. Counsel asks about the consequences under the Fraudulent Conveyance Act.