

ATTACHMENT A—INFORMATION ON RIGHTS OF REVIEW

1. APPLICATION FOR INTERNAL REVIEW OF DECISION

Section 54 of the Freedom of Information Act (the Act) gives you the right to apply for an internal review of the decision refusing to grant access to documents in accordance with your request.

Application for a review of the decision must be made in writing within 30 days of receipt of this letter.

No particular form is required but it would assist the decision-maker if you could set out in the application the grounds on which you consider that the decision should be reviewed. Application for review of the decision should be addressed to:

The Official Secretary to the Governor-General
Government House
CANBERRA ACT 2600

OR

2. APPLICATION TO AUSTRALIAN INFORMATION COMMISSIONER (INFORMATION COMMISSIONER) FOR REVIEW OF DECISION

Section 54L of the Act gives you the right to seek a review of the decision from the Information Commissioner. An application for review must be made within 60 days of receiving the decision.

Applications for review must be in writing and:

- give details of how notices must be sent to you; and
- include a copy of the notice of decision.

You should send your application for review to:

The Information Commissioner
GPO Box 2999
CANBERRA ACT 2601

Or by email to: enquiries@oaic.gov.au

OR

3. COMPLAINTS TO THE INFORMATION COMMISSIONER

Section 70 of the Act provides that a person may complain to the Information Commissioner about action taken by an agency in the exercise of powers or the performance of functions under the Act.

A complaint to the Information Commissioner must be in writing and identify the agency the complaint is about. It should be directed to the following address:

The Information Commissioner
GPO Box 2999
CANBERRA ACT 2601

The Information Commissioner may decline to investigate the complaint in a number of circumstances, including that you did not exercise your right to ask the agency, the Information Commissioner, a court or tribunal to review the decision.

ANNEXURE 12

OFFICE OF THE OFFICIAL SECRETARY
TO THE GOVERNOR-GENERAL

20 June 2018

Mr Andrew Garrett
Winemaker/Consultant
OenoViva
Email Address: Andrew.garrett@oenoviva.com

Dear Mr Garrett

RE: Application under the *Freedom of Information Act 1982* (FOI Act)

I refer to your application of 16 June 2018 in which you make a request under the Commonwealth *Freedom of Information Act 1982* (FOI Act) for:

"The Official Secretary to the Governor-General
Government House Canberra ACT 2600

Dear Secretary

I ask you to consider this communicate to be an application in writing pursuant to the provisions of the *Freedom of Information Act 1982* (Cth) for a copy of any document or thing related to me and/or correspondence with your office with the Commonwealth Attorney General related to me and/or correspondence with your office with the Commissioner of Taxation related to me and/or the Attorney General of the State of South Australia related to me and/or any authority granted by the Governor General to the Commissioner of Taxation for the purposes of filing and serving the attached information and summons which is an indictment issued under the Laws of Australia as a Major Indictable Offence carrying a penalty of 10 years imprisonment engaging the Governor General's responsibilities under s69(1) of the *Judiciary Act 1903* (Cth).Division 2—Indictable offences

69 Indictments

- (1) Indictable offences against the laws of the Commonwealth shall be prosecuted by indictment in the name of the Attorney-General of the Commonwealth or of such other person as the Governor-General appoints in that behalf.

Kind Regards

Andrew Garrett

Chief Executive Officer/ Winemaker

The Andrew Garrett Group of Companies (TAGGC)

www.oenoviva.com

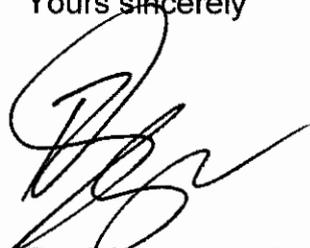
www.dynamic-cws.com.au

Please note that special arrangements apply to the Office of the Official Secretary to the Governor-General. Section 6A of the FOI Act includes that following provision:

1. This Act does not apply to any request for access to a document of the Official Secretary to the Governor-General unless the document relates to matters of an administrative nature.
2. For the purpose of this Act, a document in the possession of a person employed under section 13 of the Governor-General Act 1974 that is in his or her possession by reason of his or her employment under that section shall be taken to be in the possession of the Official Secretary to the Governor-General.

Our office is currently investigating this matter and will respond to you within 30 days, in accordance with the Act. If you have any questions, please contact me on (02) 6283 3508.

Yours sincerely



Paul Singer MVO

Deputy Official Secretary

ANNEXURE 13

OFFICE OF THE OFFICIAL SECRETARY
TO THE GOVERNOR-GENERAL

5 July 2018

Mr Andrew Garrett
Winemaker/Consultant
OenoViva
Email Address: Andrew.garrett@oenoviva.com

Dear Mr Garrett

RE: Application under the *Freedom of Information Act 1982 (FOI Act)*

I refer to your application of 16 June 2018 in which you make a request under the Commonwealth *Freedom of Information Act 1982 (FOI Act)* for:

"The Official Secretary to the Governor-General
Government House Canberra ACT 2600

Dear Secretary

I ask you to consider this communicate to be an application in writing pursuant to the provisions of the *Freedom of Information Act 1982 (Cth)* for a copy of any document or thing related to me and/or correspondence with your office with the Commonwealth Attorney General related to me and/or correspondence with your office with the Commissioner of Taxation related to me and/or the Attorney General of the State of South Australia related to me and/or any authority granted by the Governor General to the Commissioner of Taxation for the purposes of filing and serving the attached information and summons which is an indictment issued under the Laws of Australia as a Major Indictable Offence carrying a penalty of 10 years imprisonment engaging the Governor General's responsibilities under s69(1) of the *Judiciary Act 1903 (Cth)*. Division 2—Indictable offences

69 Indictments

- (1) Indictable offences against the laws of the Commonwealth shall be prosecuted by indictment in the name of the Attorney-General of the Commonwealth or of such other person as the Governor-General appoints in that behalf.

Kind Regards

Andrew Garrett

Chief Executive Officer/ Winemaker

The Andrew Garrett Group of Companies (TAGGC)

www.oenoviva.com

www.dynamic-cws.com.au

I am the authorised decision maker under section 23 of the FOI Act and this letter sets out my decision on your request for access.

Material taken into account

In making my decision, I have had regard to the following:

- the terms of your request;
- the content of the documents to which you sought access;
- advice from Agency officers with responsibility for matters relating to the documents to which you sought access;
- the relevant provisions of the FOI Act; and
- the Commonwealth's guidelines on FOI.

Section 6A of the FOI Act

- 1) This Act does not apply to any request for access to a document of the Official Secretary to the Governor-General unless the document relates to matters of an administrative nature.
- 2) For the purposes of this Act, a document in the possession of a person employed under section 13 of the Governor-General Act 1974 that is in his or her possession by reason of his or her employment under that section shall be taken to be in the possession of the Official Secretary to the Governor-General.

Decision

In relation to your request and further to our response of 25 October 2016, I can confirm that we have not identified any documents relating to the matter you have raised.

The only documents we have identified are your previous email requests and our corresponding responses.

As advised on 25 October 2016, should you wish to be provided with copies of your email of 22 August 2016 and the Office's reply of 24 August 2016, we would be happy to provide these to you outside of the provisions of the FOI Act.

Review rights

You are entitled to seek review of this decision. Your rights are set out at Attachment A to this letter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sharon Prendergast', with a long horizontal line extending to the left.

Sharon Prendergast
Acting Deputy Official Secretary to the Governor-General

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Government House
CANBERRA ACT 2600

OR

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3. COMPLAINTS TO THE INFORMATION COMMISSIONER

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A complaint to the Information Commissioner must be in writing and identify the agency the complaint is about. It should be directed to the following address:

The Information Commissioner
GPO Box 2999
CANBERRA ACT 2601

The Information Commissioner may decline to investigate the complaint in a number of circumstances, including that you did not exercise your right to ask the agency, the Information Commissioner, a court or tribunal to review the decision.

NOTICE OF FILING**Details of Filing**

Document Lodged:	Outline of Submissions
Court of Filing	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	18/01/2024 12:42:50 PM AEDT
Date Accepted for Filing:	18/01/2024 12:42:54 PM AEDT
File Number:	NSD741/2023
File Title:	AUSTRALIAN PRUDENTIAL REGULATION AUTHORITY v ANDREW MORTON GARRETT
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



A handwritten signature in blue ink that reads 'Sia Lagos'.

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



Form 1 OUTLINE OF SUBMISSIONS.

RE ORDERS FOR COMPLIANCE WITH SUBPOENA ISSUED TO GOVERNOR GENERAL DAVID HURLEY DATED 07.01.2024

(rule 15A.6)

Federal Court of Australia

No. NSD 741 of 2023

District Registry: NSW

Division: Corporations

IN THE MATTER OF THE CROWN (LIQUIDATOR AND MANAGING CONTROLLER
APPOINTED), ABN 50 785 365 455 ("THE CROWN")

AUSTRALIAN PRUDENTIAL REGULATORY AUTHORITY
ABN 79 635 582 658 (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED)
ABN 33 446 145 662

The Plaintiff, Defendant by Counterclaim

&

ANDREW MORTON GARRETT,

- **CROWN ATTORNEY GENERAL ABN 25 582 859 403,**
- **TRUSTEE OF THE OFFICE OF THE CROWN ATTORNEY GENERAL TRUST ABN 33 785 287 219**
- **LIQUIDATOR, AND MANAGING CONTROLLER, BENEFICIARY OF PRIVATE AND PUBLIC TRUSTS, PRIOR TRUSTEE SECURED BY LIEN ABN 70 432 067 434**
- **TRUSTEE OF A LETTER TO MY SONS TRUST ABN 90 243 103 687**
- **SECURED PARTY CREDITOR, REGISTRATION NUMBER 40591602**

The Defendant/Respondent, Plaintiff by Counter Claim and Plaintiff by Cross Claim

&

OTHERS NAMED IN THE EXHIBITS PRODUCED AND MARKED AS;

- **AMG 6776**
- **AMG 6867**
- **AMG 6793**
- **AMG 7015**

Filed on behalf of (name & role of party)	The Respondent/ Cross Claimant	
Prepared by (name of person/lawyer)	Andrew Garrett	
Law firm (if applicable)		
Tel	0450 831 708	Fax 02 9617 7125
Email	amg@betterworldfuturefund.org	
Address for service (include state and postcode)	Unit 3/ 11 Harvey Street, Nailsworth, South Australia, 5083	

GOVERNOR GENERAL OF AUSTRALIA
 ATTN; HIS EXCELLENCY, GENERAL (retired) DAVID HURLEY
 Dunrossil Drive, Yarralumla, Australian Capital Territory, 2600
 Email: foi.ips@gg.gov.au

CC; RE HCMP-1855-2022; IN THE MATTER OF THE CROWN (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED)

ATTN; HIGH COURT OF SAR HONG KONG

ATTN; THE ATTORNEY GENERAL SAR HONG KONG TO FORWARD TO BRICS ATTORNEY GENERALS

ATTN; THE COMMISSIONER OF TAXATION OF SAR HONG KONG

C/O THE JUDICIAL CLERK TO THE CHIEF JUSTICE

High Court Registry

Address: LG 1, High Court Building, 38 Queensway, Hong Kong

Email; cd@doj.gov.hk ; dojinfo@doj.gov.hk ; chinaemb_au@mfa.gov.cn ; enquiry@judiciary.hk

S56 & S64 OF *THE JUDICIARY ACT* 1903 (AU)

CHARTER OF THE COMMONWEALTH

Dear Governor General,

I refer to the exhibit now produced and marked as **AMG 7473** Letter from the Office of the Official Secretary of the Governor General- Garrett dated 18.01.2024 (ANNEXURE 1)

There are three proceedings currently on foot in the Common Law Jurisdictions of Hong Kong and Australia involving the Crown and I.

1. **HCMP-1855-2022; IN THE MATTER OF THE CROWN (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED)** brought by me against the Crown following removal of proceedings from the Federal District Court for the District of Colorado. (“the Hong Kong Proceedings”)
2. **DCCRM-0073-2019; THE CROWN V ANDREW GARRETT** brought by the CDPP on an effort to attack the balance sheets of entities related to me and prevent my dealing with the stored value properly disclosed to the Australian Commissioner of Taxation between the 1st of July 2016 and 30th June 2022. (“the NSW Proceedings”)
3. **NSD-741-2023; APRA (THE CROWN) V ANDREW GARRETT** brought by the APRA in continuation of the above-described attack the balance sheets of entities related to me and prevent my dealing with the stored value properly disclosed to the Australian Commissioner of Taxation between the 1st July 2016 and 30th June 2022. (“The SA Proceedings”)

OenoViva Capital Resources™; VivaCoin™; VivaCash™; Better World Future Fund™

SWITCHBOARD: +1-833- 322-2650: EXT 1; FAX: +61-2-9167-7145

GLOBAL HEAD OFFICE: Level 29, Olaya Towers Tower B, Intersection of Olaya Street & Mohammed bin Abdul-Aziz Street, Riyadh 11523 SAUDI ARABIA
 Hong Kong: Level 19, Two International Finance Centre, 8 Finance Street, Central, Hong Kong USA: One World Trade Center, 85th Floor, New York, Ny 1000
 Australia: Level 6, Reserve Bank Building, 111 Macquarie Street, Hobart, TAS, 7000 France: Ground - 6th Floor, 10 Avenue Kléber, 10 Avenue Kléber, Paris 75116
 Korea: 4F-4052, 14, Hangeulbiseok-ro 24-gil, Nowon-gu, Seoul, Republic of Korea Vietnam: Suite 103, 140 Nguyen Van Thu Street, District 1, Ho Chi Minh, Vietnam
 Turkey: Levels 5 & 6, Louis Vuitton Orjin Building Abdi Ipekci Cd, Nisantasi, Istanbul 34367 United State of America: 1015 15th ST NW #1000 Washington DC, 20005 USA

Email; admin@betterworldfuturefund.org

<https://oenoviva-capital-resources.com/> <https://vivacoin.org/> <https://betterworldfuturefund.org/>

It has been my experience over the last 50 years of trading activity that where the Crown has a Conflict of Interest arising from the pecuniary interest related to the Right for an Effective Remedy that the Crown will adopt the approaches referred to in Australian Law Reform Commission Report # 108 entitled "For Your Information" published in May 2008 relating to Australian Privacy Law and Practice.

Both proceedings that the Crown has brought against me have been brought for ulterior collateral purposes in accordance with my submissions to Court.

By background I advise that each of the proceedings brought against me were brought concurrently with the interception of contracts of major commercial transactions dated 18th March 2018 and 18th July 2023 by Designated Agencies within the meaning of *the Anti-Money Laundering and Counter Terrorism Financing Act 2006* (AU) represented by "Public Officials" and/or Foreign Public Officials" within the meaning of *the Convention Against Corruption 2003* (UN) enacted into *Australian Domestic Law as the Convention Against Corruption 2006* (AU) Australian Treaty Series No 2.

In fact, the attacks of the Crown have been far more numerous in multiple jurisdictions in SA, NSW, VIC and TAS commencing in 2003, until that date I had only commenced one proceeding in any court or tribunal in Australia dated November 1996.

I hope to achieve enforceable judicial authority to clear my name and provide funding in the Public Interest in conjunction with an Asset Management agreement executed between an extremely capable party who must remain confidential due to Confidentiality provisions under that Agreement and the subsequent Non-Disclosure Agreement.

I have served the Subpoena dated 7th January 2024 on Your Excellency on the 10th January 2024 now produced and shown as the Exhibit produced and marked as **AMG 7361** NSD-741-2023 SEALED Filed Subpoena David Hurley 07.01.2024 (ANNEXURE 2) and refer to the Exhibit produced and marked as **AMG 7428** HCMP-1855-2022; NSD-741-2023; DCCRM-0073-2019 RE ENFORCEMENT PROCEEDINGS Service of SEALED AND FILED SUBPOENA ADDRESSED TO DAVID HURLEY being a true and correct copy of the email of service on Your Excellency, which relevantly sets out as follows:

From: amg@betterworldfuturefund.org <amg@betterworldfuturefund.org>

Sent: Wednesday, January 10, 2024 9:58 AM

To: 'governor-general@gg.gov.au' <governor-general@gg.gov.au>; 'processservice@ags.gov.au' <processservice@ags.gov.au>; 'attorney@ag.gov.au' <attorney@ag.gov.au>

Cc: 'christine.moy@ag.gov.au' <christine.moy@ag.gov.au>; 'Attorney-General'sDepartment@agd.sa.gov.au' <Attorney-General'sDepartment@agd.sa.gov.au>; '1 cd/DOJ' <cd@doj.gov.hk>; 'dojinfo@doj.gov.hk' <dojinfo@doj.gov.hk>; 'enquiry@judiciary.hk' <enquiry@judiciary.hk>; 'chinaemb_au@mfa.gov.cn' <chinaemb_au@mfa.gov.cn>; 'chambers.kudelka@courts.sa.gov.au' <chambers.kudelka@courts.sa.gov.au>; 'enquiry@courts.sa.gov.au' <enquiry@courts.sa.gov.au>; 'hamish.hewitt@cdpp.gov.au' <hamish.hewitt@cdpp.gov.au>; 'pantelia.marinakis@cdpp.gov.au' <pantelia.marinakis@cdpp.gov.au>;

'adelaide@cdpp.gov.au' <adelaide@cdpp.gov.au>; 'ADE Reception Mailbox Shared' <ADEReceptionMailboxShared@cdpp.gov.au>; 'foreign.minister@dfat.gov.au' <foreign.minister@dfat.gov.au>

Subject: AMG 7428 HCMP-1855-2022; NSD-741-2023; DCCRM-0073-2019 RE ENFORCEMENT PROCEEDINGS Service of SEALED AND FILED SUBPOENA ADDRESSED TO DAVID HURLEY

Importance: High

TO; HIS EXCELLENCY, DAVID HURLEY
GOVERNOR GENERAL
COMMONWEALTH OF AUSTRALIA
(LIQUIDATOR AND MANAGING CONTROLLER APPOINTED)
C/- AUSTRALIAN GOVERNMENT SOLICITOR'S OFFICE

CC;

MS CRIS JORDAN, MR TREVOR COULTER, MS JANE FERRY, MR VINCENT TAVOLARO
AUSTRALIAN TAXATION OFFICE
(LIQUIDATOR AND MANAGING CONTROLLER APPOINTED)
C/- AUSTRALIAN GOVERNMENT SOLICITOR'S OFFICE

MS PENNY WONG, FOREIGN MINISTER.
COMMONWEALTH OF AUSTRALIA
(LIQUIDATOR AND MANAGING CONTROLLER APPOINTED)

MR MARK DREYFUS
ATTORNEY GENERAL OF AUSTRALIA
C/- AUSTRALIAN GOVERNMENT SOLICITOR'S OFFICE

MR STEPHEN DONAGHUE
SOLICITOR GENERAL OF AUSTRALIA
C/- AUSTRALIAN GOVERNMENT SOLICITOR'S OFFICE

MS LIESL KUDELKA
DISTRICT COURT OF SOUTH AUSTRALIA
(LIQUIDATOR AND MANAGING CONTROLLER APPOINTED)

COMMONWEALTH DIRECTOR OF PUBLIC PROSECUTIONS
C/- PANTELIA MARINAKIS AND HAMISH HEWITT

RE HCMP-1855-2022; IN THE MATTER OF THE CROWN (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED)

ATTN; HIGH COURT OF SAR HONG KONG

ATTN; THE ATTORNEY GENERAL SAR HONG KONG TO FORWARD TO BRICS ATTORNEY GENERALS

ATTN; THE COMMISSIONER OF TAXATION OF SAR HONG KONG

C/O THE JUDICIAL CLERK TO THE CHIEF JUSTICE

Dear Governor General,

I trust you and your family are well and take this opportunity to wish you a happy and prosperous New Year, I advise a copy of this communicate will be relied upon as evidence in Domestic and International Proceedings and have copied;

1. the Judicial Clerk of the Chief Justice of the High Court of Hong Kong

2. the Commissioner of Taxation of SAR Hong Kong
3. the Attorney General of SAR Hong Kong AND my respectful request to forward to BRICS Attorney Generals
4. Solicitor General of Australia
5. Attorney General of Australia
6. Attorney General of South Australia
7. Australian Government Solicitor

Attached you will note a copy of a Concise Reply and Cross Statement/ Counter Statement of Facts to a Concise Statement lodged by APRA in NSD-741-2023.

On the 13th of November 2022 I served on the Crown, care of the Foreign Minister Ms Penny Wong, the originating process of proceedings commenced in the Court of the First Instance of the High Court of Hong Kong as HCMP-1855-2022; IN THE MATTER OF THE CROWN (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED) ("THE CROWN"), an excerpt of the proceeding is attached,

From: andrew.garrett@dynamic-capital-bank.com <andrew.garrett@dynamic-capital-bank.com>

Sent: Sunday, November 13, 2022 5:11 PM

To: foreign.minister@dfat.gov.au; dojinfo@doj.gov.hk; cd@doj.gov.hk; chinaemb_au@mfa.gov.cn; fraud@pmc.gov.au; premier@sa.gov.au; 'May, Ben' <Ben.May@ags.gov.au>; vincent.tavolaro@ags.gov.au

Cc: processservice@ags.gov.au; steve.georganas.mo@aph.gov.au; dae.so@dynamic-capital-bank.com; jenne.esch@dynamic-capital-bank.com; pk@sabas.net.au; pszanto@tsz.com.au; pszanto@pblawyers.com.au; j.sharp@pblawyers.com.au; admin@citilawyers.com.au; 'bernard Caulier de Roubaix de Laer' <bcder@hotmail.com>; scott@brokenwood.com.au; 'Adelaide Registry' <adelaide.registry@aat.gov.au>; cbalab@freemail.gr; 'Sinesis International Ltd' <sinesis.international@protonmail.com>; salvaagni@studiosalvaagni.it; cristian.famiqliuolo@icloud.com; 'AFRICACITY - Elizabeth AJ' <africacity@protonmail.com>; 'adam HLADYSH' <nrq300@live.ca>; jmesch@pm.me

Subject: AMG 5858 SERVICE OF HCT(HK)-1855-2022; IN THE MATTER OF CROWN ATTORNEY GENERAL (LIQUIDATOR; MANAGING CONTROLLER APPOINTED) & ORS PART 1

*Ms Penny Wong
Acting Minister for Foreign Affairs*

Dear Ms Wong

I trust you are well, by way of service please note attached proceedings commenced by me under my instructions to my Power of Attorney for the Territory, on the 11th of November 2022, in the Court of the First Instance of the High Court of Hong Kong in which regard a copy of this communique will be used as evidence of service in the proceedings.

Notice to Agent is Notice to Principal and vice versa; amongst other things I seek vacant possession of Government Houses of Australia and the Reserve Bank of Australia.

I served other non-parties on Friday (see covering email below), on the basis they may wish to make submissions to me exercising Hereditary Discretionary Public Powers Conferred under Enactments previously the property of the Windsor Family as disclosed to:

1. Steve Georganas during 2020, and
2. The Acting Australian Government Solicitor, on the 3rd of June 2019 and subsequently on more than once occasion, including as most recently on the 18th of March 2022

3. *The Acting Chairman of ASIC (Liquidator and Managing Controller Appointed)*
4. *The Acting CEO of APRA (Liquidator and Managing Controller Appointed)*
5. *The Acting CEO of AUSTRAC (Liquidator and Managing Controller Appointed)*
6. *The Acting CEO of the RBA (Liquidator and Managing Controller Appointed)*
7. *The Acting CEO of the CDPD (Liquidator and Managing Controller Appointed)*
8. *The Acting CEO of the ATO (Liquidator and Managing Controller Appointed)*
9. *The Acting CEO of AFSA (Liquidator and Managing Controller Appointed)*
10. *The Acting CEO of ACCC (Liquidator and Managing Controller Appointed)*
11. *The Acting CEO of the ASX (Liquidator and Managing Controller Appointed)*
12. *The Acting CEO of the AAT (Liquidator and Managing Controller Appointed)*
13. *The Acting CEO of the Federal Court of Australia (Liquidator and Managing Controller Appointed)*
14. *The Acting CEO of the High Court of Australia (Liquidator and Managing Controller Appointed)*
15. *Amongst others*

The Whitlam Government was sacked for a reason.....the Liberal Governments of Howard, Abbott, Turnbull, Morrison (in particular), and other Labour Governments should also have been sacked.

*There has been no Investigation by the Crown into the Law Societies of Australia except that conducted by me: Information Statement follows.
Estoppel applies*

Two years ago, we enjoyed a very frank discussion by Telephone about the corruption issues that are systemic in Australia that was convened by Ms. Hope from Florida.

By way of service please note the attached Subpoena to attend court and give evidence in this regard and matters related to me.

I also refer to the email Chain below and the links to various exhibits filed and served in the proceedings.

*ALL RIGHTS RESERVED
KIND REGARDS*

As you know the Crown must comply with the Comon Law Model Litigant Obligations for continuous full disclosure of all documents and things related to me and/or entities related to me and refer to the Exhibit produced and marked as **AMG 7264** NSD 741 of 2023 SEALED Filed Respondent's Reply to Concise Statement and Cross Claim 11.12.2023 as being a true and correct copy of the Reply/ Cross Claim/ Counter Claim filed and served in NSD-741-2023 and attached to Exhibit AMG 7428 (**ANNEXURE 3**).

I have also served a Notice for Recognition of the Hong Kong Proceedings under the provisions of *the Cross Border Insolvency Act 2008 (AU)* and the Federal Court Rules and refer to the Exhibit produced and marked as **AMG 7142** NSD-741-2023; SEALED Filed Form 20 Notice of filing of application for recognition of foreign proceeding 06.12.2023 (**ANNEXURE 4**) as being a true and correct copy of that Notice for Recognition, an excerpt of the originating process was attached to the Exhibit marked as **AMG 7428**.

I have applied in both the SA Proceedings and the NSW proceedings for orders to remove the SA Proceedings to be heard together with the NSW proceedings as a Special Federal Matter under the provisions of *the Jurisdiction of Courts Cross Vesting Act 1987 (AU)*

There are a number of International Treaties that are binding on Your Excellency that require open and transparent government and comply with the public duty to release Personal Information not the least of which is the Charter of the Commonwealth enacted by Her Imperial Britannic Majesty Queen Elizabeth II on Commonwealth Day as a Writ of Mandamus to Your Excellency and every other citizen of the Commonwealth.

I note that s15 of *the Evidence Act 1995 (AU)* referred to by the author of ANNEXURE 1 conflicts with s56 and s64 of *the Judiciary Act 1903 (AU)* and is therefor a nullity, I may be content to rely on the documents and things produced under the Subpoena in the NSW proceedings and avoid the need for Your Excellency to provide oral evidence in the NSW and SA Proceedings.

It is not a matter for me to advise Your Excellency, if Your Excellency wishes to rely on the provision set out in ANNEXURE 1 then I can only suggest that you instruct counsel to apply to set aside the Subpoena which is evidentially filed and served.

Also filed and served in the NSW proceedings is the Exhibit produced and marked as **AMG 7461** NSD 741 of 2023 SEALED Filed Affidavit of Respondent; Cross Claimant; Counter Claimant dated 3rd October 2023 which relevantly refers to an email to the Solicitor General, Mr Stephen Donoghue a copy of which is now produced and shown as the Exhibit marked as **AMG 6557**; RE HCMP-1855-2022; SERVICE OF WRIT OF MANDAMUS ON SOLICITOR GENERAL RE AUSTRALIAN GOVERNMENT NOT FIT FOR PURPOSE dated 4th April 2023 and is evidence of service of my Letter to Your Excellency a copy of which is produced and marked as **AMG 6273** FINDINGS OF FACTS AND REASONS; ABOLITION OF PUBLIC OFFICES OF SOLICITOR GENERAL OFFICES OF STATES AND TERRITORIES dated 31.01.2023.

"The establishment of our new Government seemed to be the last great experiment for promoting human happiness."

George Washington, January 9, 1790

"First in war, first in peace, and first in the hearts of his countrymen," remarked Henry Lee in his famous funeral oration for George Washington. Marking the two-hundredth anniversary of his death, *The Great Experiment: George Washington and the American Republic* allowed visitors to follow Washington's evolution from loyal British subject to revolutionary leader to the country's first president, exploring his personal history and the development of the persona that—even in his own lifetime—made him more monument than man. Focusing on key moments in Washington's life—such as his retirement as commander in chief of the American forces at the height of his power,

unprecedented in 1793—*The Great Experiment* examined the genuinely revolutionary process that produced the first successful modern republican nation.

While it is true to say that America is a “*MODERN REPUBLICAN NATION*” it cannot be said that it is as successful as it could be in respect to maintenance of responsible government and breaches of separation of powers which is of course a Foundational Issue properly identified by our dear departed Monarch in the Charter.

It should not be necessary for any further legislative steps to enforce the Charter however the Law Societies of the Commonwealth continue to run amok on an unregulated basisself-regulation is mis regulation.

In Australia the steps taken towards a Republic have shown that there is a continuing need for His Imperial Majesty, King Charles III to continue to regulate and enforce with far greater Vigor and is the reason why the office of the Crown Attorney General has been created to regulate other Attorney Generals in circumstances where the Secretariat has been unable to enforce Rule of Law in the Commonwealth.

I seems to me that the servants, employees, officers, agents, delegates, licensees and contractors of the Crown have not complied with the commitments to the principles of the Charter as dictated under the CHOGM Communiques of 2013 and 2018 in which regard the conduct of the Crown appears to be dictated by “*the weather of the day*” rather than “*the Climate of the Era*” and “*the Chevron Deference Doctrine*” has been enacted in direct disobedience of the Charter in s18AB of *the Federal Court of Australia Act 1976 (AU)* and the ASIC Inter Agency MOUs copies of which are produced and marked as the Exhibit **AMG 7440** NSD-741-2023 SEALED Filed Document 5 Case 1 22-cv-243-GPG BREACH OF AGENCY INDEPENDANCE BY ASIC Inter Agency MOUs.

That exhibit was first filed and served in US proceedings all of which have now been removed to the jurisdiction of the Court of the First Instance of the High Court of Hong Kong.

In Australia.....”the Great Experiment”..... such as it isis an abject failure!

Kind Regards



Andrew Morton Garrett

Respondent/ Accused/ Plaintiff by Counter Claim and Plaintiff by Cross Claim



RESERVE BANK
OF AUSTRALIA



ANNEXURE 1



OFFICE OF THE OFFICIAL SECRETARY
TO THE GOVERNOR-GENERAL

18 January 2024

Via email: amg@betterworldfuturefund.org

Dear Mr Garratt,

I refer to your email of 10 January 2024.

With regard to your request, under section 15 of the *Evidence Act 1995*, the Governor-General cannot be compelled to give evidence in the Federal Court of Australia.

Yours sincerely

A handwritten signature in black ink that reads "JBarnes". The signature is written in a cursive, slightly slanted style.

Jeff Barnes

Deputy Official Secretary to the Governor-General

ANNEXURE 2**NOTICE OF FILING****Details of Filing**

Document Lodged:	Outline of Submissions
Court of Filing	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	7/01/2024 11:35:56 AM AEDT
Date Accepted for Filing:	7/01/2024 11:36:17 AM AEDT
File Number:	NSD741/2023
File Title:	AUSTRALIAN PRUDENTIAL REGULATION AUTHORITY v ANDREW MORTON GARRETT
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



A handwritten signature in blue ink that reads 'Sia Lagos'.

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



Form 43C
Rule 24.13(1)(c)

Subpoena to give evidence and produce documents and things.

No. 741 of 2023

Federal Court of Australia
District Registry: NSW
Division: CORPORATIONS & EQUITY

AUSTRALIAN PRUDENTIAL REGULATOR

Applicant

ANDREW MORTON GARRETT

Respondent

To: David Hurley, Acting Governor General, Level 5, C/- Australian Government
Solicitor, Level 5, 101 Pirie Street, Adelaide, SA 5000

You are ordered to attend to give evidence and to produce this subpoena or a copy of it and the documents or things specified in the Schedule of documents. See next page for details.

Failure to comply with this subpoena without lawful excuse is a contempt of court and may result in your arrest.

You should read all of the Notes set out in this subpoena.

You must complete the Declaration by Addressee (Subpoena Recipient) set out towards the end of this subpoena.

The last date for service of this subpoena is 14th January 2024. (See Note 1)

Date: 7th January 2024

Signed by an officer acting with the authority of the District Registrar pursuant to s61 of the Constitution; s56 & s64 of the Judicuary Act 1903 (AU)
Issued at the request of ANDREW MORTON GARRETT whose address for service is:

Place: Unit 3/11 Harvey Street, Nailsworth, SA, 5083

Email: amg@betterworldfuturefund.org

Filed on behalf of (name & role of party)	The Respondent
Prepared by (name of person/lawyer)	Andrew Garrett
Law firm (if applicable)	
Tel 0450 831 708	Fax 02 9617 7125
Email amg@betterworldfuturefund.org	
Address for service (include state and postcode)	Unit 3/ 11 Harvey Street, Nailsworth, South Australia, 5083

Details of subpoena

In so far as you are required by this subpoena to attend to give evidence, you must attend as follows, unless you receive notice of a later date or time from the issuing party, in which case the later date or time is substituted:

Date: 15th February 2024

Time: 9.30 am

Place: FEDERAL COURT OF AUSTRALIA, NSW REGISTRY,

Level 17, Law Courts Building

184 Phillip St, Queens Square, Sydney, NSW 2000

You must continue to attend from day to day unless excused by the Court or the person authorised to take evidence in these proceedings or until the hearing of the matter is completed.

In so far as you are required by this subpoena to produce the subpoena or a copy of it and documents or things, you must comply with this subpoena:

- (a) by attending to produce this subpoena or a copy of it and the documents or things specified in the Schedule of documents below at the date, time and place specified for attendance and production; or
- (b) by delivering or sending this subpoena or a copy of it and the documents or things specified in the Schedule of documents below to a Registrar at the address below, or if there is more than one address below, at any one of those addresses, so that they are received not less than 2 clear business days before the date specified for attendance and production. (See Notes 5–9)

Date, time and place at which you must attend to produce the subpoena or a copy of it and the documents or things, unless you receive a notice of a later date or time from the issuing party, in which case the later date or time is substituted:

Date: 15th February 2024

Time: 9.00 am

Place: FEDERAL COURT OF AUSTRALIA, SA REGISTRY,

3 ANGAS STREET, ADELAIDE, SA 5000

Address, or any address, to which the subpoena (or copy) and documents or things may be delivered or posted:

[e.g. The Registrar

Federal Court of Australia

SA District Registry

3 ANGAS STREET, ADELAIDE, SA 5000

Schedule of documents

The documents and things you must produce are as follows:

COPIES OF ALL DOCUMENTS AND THINGS IN YOUR POSSESSION AND/OR
CONTROL RELATED TO THE RESPONDENT CROSS CLAIMANT/ COUNTER
CLAIMANT AND/OR ENTITIES RELATED TO HIM.

Notes**Last day for service**

1. You need not comply with the subpoena unless it is served on you on or before the date specified in the subpoena as the last date for service of the subpoena.

Informal service

2. Even if this subpoena has not been served personally on you, you must, nevertheless, comply with its requirements, if you have, by the last date for service of the subpoena, actual knowledge of the subpoena and of its requirements.

Addressee a corporation

3. If the subpoena is addressed to a corporation, the corporation must comply with the subpoena by its appropriate or proper officer.

Conduct money

4. You need not comply with the subpoena in so far as it requires you to attend to give evidence unless conduct money sufficient to meet your reasonable expenses of attending as required by the subpoena is handed or tendered to you a reasonable time before the date your attendance is required.

Production of subpoena or copy of it and documents or things by delivery or post

5. If this subpoena requires production of the subpoena (or a copy of it) and a document or thing, instead of attending to produce the subpoena (or a copy of it) and the document or thing, you may comply with the subpoena by delivering or sending the subpoena (or a copy of it) and the document or thing to a Registrar:
 - (a) at the address specified in the subpoena for the purpose; or
 - (b) if more than one address is specified - at any of those addresses;so that they are received not less than 2 clear business days before the date specified in the subpoena for attendance and production, or if you receive notice of a later date from the issuing party, before the later date or time.
6. If you object to a document or thing produced in response to this subpoena being inspected by a party to the proceeding or any other person, you must, at the time of production, notify a Registrar in writing of your objection and of the grounds of your objection.
7. Unless the Court otherwise orders, if you do not object to a document or thing produced by you in response to the subpoena being inspected by any party to

the proceeding, a Registrar may permit the parties to the proceeding to inspect the document or thing.

Production of a number of documents or things

8. If you produce more than one document or thing, you must, if requested by a Registrar, produce a list of the documents or things produced.

Production of copy instead of original

9. You may, with the consent of the issuing party, produce a copy, instead of the original, of any document that the subpoena requires you to produce. The copy of a document may be:

- (a) a photocopy;
- (b) in an electronic form in any of the following electronic formats:
 - .doc and .docx – Microsoft Word documents
 - .pdf – Adobe Acrobat documents
 - .xls and .xlsx – Microsoft Excel spreadsheets
 - .jpg – image files
 - .rtf – rich text format
 - .gif – graphics interchange format
 - .tif – tagged image format; or
- (c) a digital link through which the documents can be downloaded.

Applications in relation to subpoena

10. You have the right to apply to the Court:
- (a) for an order setting aside the subpoena (or a part of it) or for relief in respect of the subpoena; and
 - (b) for an order with respect to your claim for privilege, public interest immunity or confidentiality in relation to any document or thing the subject of the subpoena.

Loss or expense of compliance

11. If you are not a party to the proceeding, you may apply to the Court for an order that the issuing party pay an amount (in addition to conduct money and any witness's expenses) in respect of the loss or expense, including legal costs, reasonably incurred in complying with the subpoena.

Contempt of court - arrest

12. Failure to comply with a subpoena without lawful excuse is a contempt of court and may be dealt with accordingly.
13. Note 12 is without prejudice to any power of the Court under any rules of the Court (including any rules of the Court providing for the arrest of an addressee

who defaults in attendance in accordance with a subpoena) or otherwise, to enforce compliance with a subpoena.

Declaration by Addressee (Subpoena Recipient)

The **addressee** is the person to whom this subpoena is addressed, and who will be the recipient of this subpoena.

You may produce copies of any subpoenaed documents, unless the subpoena specifically requires you to produce originals. A copy of a document may be:

- (a) a photocopy; or
- (b) in an electronic form that the issuing party (the party that issued the subpoena) has indicated to you will be acceptable.

You must sign and date this declaration and return it as part of this subpoena, with the documents or things you are required to provide to the Court under this subpoena.

Unless you declare that some or all of the documents that you are producing to the Court under this subpoena are original materials of which you seek return, by signing and dating this declaration (at the foot of this page), you acknowledge that those materials may be destroyed once they are no longer required by the Court, without further notice to you.

Return of documents or things
(Complete only if applicable)

- Some or all of the documents that I am producing to the Court under this subpoena are original materials of which I seek return. I request that the original materials identified in the **Schedule of documents or things to be returned** (on the following page) are returned to me at the following address:

- None of the documents that I am producing to the Court under this subpoena are original materials of which I seek return.

Date:

.....
Signed by [Name of addressee]
Addressee

Schedule of documents or things to be returned

The documents and things I have declared to be originals and, thus, request to be returned are as follows:

[List the documents or things. Attach list if insufficient space.]

ANNEXURE 3**NOTICE OF FILING****Details of Filing**

Document Lodged:	Reply - Form 34 - Rule 16.33
Court of Filing	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	11/12/2023 2:10:47 PM AEDT
Date Accepted for Filing:	11/12/2023 2:10:52 PM AEDT
File Number:	NSD741/2023
File Title:	AUSTRALIAN PRUDENTIAL REGULATION AUTHORITY v ANDREW MORTON GARRETT
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



A handwritten signature in blue ink that reads 'Sia Lagos'.

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



Form 1 CONCISE REPLY TO CONCISE STATEMENT OF LUCINDA MCCANN FILED 20th July 2023 AND CROSS CLAIM

(rule 15A.6)

Federal Court of Australia

No. NSD 741 of 2023

District Registry: NSW

Division: Corporations

IN THE MATTER OF THE CROWN (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED), ABN 50 785 365 455 (“THE CROWN”)

**AUSTRALIAN PRUDENTIAL REGULATORY AUTHORITY
ABN 79 635 582 658 (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED)
ABN 33 446 145 662**

The Plaintiff, Defendant by Counterclaim

&

ANDREW MORTON GARRETT,

- **CROWN ATTORNEY GENERAL ABN 25 582 859 403,**
- **TRUSTEE OF THE OFFICE OF THE CROWN ATTORNEY GENERAL TRUST ABN 33 785 287 219**
- **LIQUIDATOR, AND MANAGING CONTROLLER, BENEFICIARY OF PRIVATE AND PUBLIC TRUSTS, PRIOR TRUSTEE SECURED BY LIEN ABN 70 432 067 434**
- **TRUSTEE OF A LETTER TO MY SONS TRUST ABN 90 243 103 687**
- **SECURED PARTY CREDITOR, REGISTRATION NUMBER 40591602**

The Defendant/Respondent, Plaintiff by Counter Claim and Plaintiff by Cross Claim

&

OTHERS NAMED IN THE EXHIBITS PRODUCED AND MARKED AS;

- **AMG 6776**
- **AMG 6867**
- **AMG 6793**
- **AMG 7015**

The Important Facts given in Reply

1. The Respondent denies Paragraph 1 of the Concise Statement of the Applicant and adds that at all relevant times the Applicant has not been independent of other agencies of the Crow because of execution of inter-agency MOUs thereby nullifying the checks and balances inherent to *the Commonwealth of Australia Constitution Act 1900 (AU)* (“**The Constution**”).

Filed on behalf of (name & role of party)	The Respondent/ Cross Claimant		
Prepared by (name of person/lawyer)	Andrew Garrett		
Law firm (if applicable)			
Tel	0450 831 708	Fax	02 9617 7125
Email	amg@betterworldfuturefund.org		

Address for service

(include state and postcode) Unit 3/ 11 Harvey Street, Nailsworth, South Australia, 5083

2. The Respondent denies Paragraph 2 and repeats paragraph 1 above.
3. The Respondent admits Paragraph 3 until 27th July 2023 and adds that all relevant times Dynamic Capital Bank ABN 97 236 690 409 has lodged Monthly Activity Statements and Annual Income Tax Returns under Tax File Number 676854575 in accordance with law between the 5th of January 2016 and 30th June 2022 and Financial Transaction Reports with Austrac account Number 100813420 and
 - a. Banque de Capital Dynamique is registered with the Applicant as ABN 91 135 831 277 with Tax File Number 676858322 with Austrac Account Number 100817092
 - b. Banca Di Como is registered with the Applicant as ABN 34 150 236 795 with Tax File Number 676859973 with Austrac Account Number 100817084
4. The Respondent denies Paragraph 4 and repeats paragraph 1 above.
5. The Respondent denies Paragraph 5 and repeats paragraph 1 above.
6. The Respondent denies Paragraph 6.
7. The Respondent denies Paragraph 7.
8. The Respondent denies Paragraph 8.
9. The Respondent denies Paragraph 9.
10. The Respondent denies Paragraph 10.
11. The Respondent denies Paragraph 11.
12. The Respondent cannot admit or deny Paragraph 12.
13. The Respondent denies Paragraph 13.
14. The Respondent denies Paragraph 14.
15. The Respondent denies Paragraph 15 in so far as the Applicant purports to have Jurisdiction outside of Australia and adds that at all relevant times between.
 - a. the 18th of May 2016 and 30th June 2022 the Businesses referred to in paragraph 3 were operated remotely in the Tax Jurisdiction of Hong Kong
 - b. the 1st of July 2022 and today's date the Businesses referred to in paragraph 3 were operated remotely in the Tax Jurisdiction of Hong Kong
16. The Respondent cannot admit Paragraph 16 and adds that at no time has the Respondent been in control of the website.
17. The Respondent denies Paragraph 17.

18. No response required to paragraph 18.
19. The Respondent denies Paragraph 19.
20. The Respondent denies Paragraph 20 and adds that the relevant authority has been obtained and that in so far as the applicant denies that authority has been obtained then the Applicant's position is Ouster Office and the provisions of s20 and s21 of the Charter of the United Nations Act 1945 (AU) applies in compensation payable to the Respondent.
21. The Respondent admits that the Trustees of the businesses referred to in paragraph 3 and OenoViva Capital Resources ABN 42 388 204 496 ("The Trustees") carry on the business of banking in a manner that is confined solely to the issuing of UNCITRAL International Bills of Exchange for the purpose of Trading and Lending Financial Resources that are solely the property of the Trustees AND that the Respondent is not a Trustee.
22. The Respondent admits Paragraph 22 and adds that the Trustees hold Financial Services Licenses issued by ASIC as follows:
- a. Dynamic Capital Bank: 000543541
 - b. OenoViva Capital Resources: 000538443
23. The Respondent denies Paragraph 23 and adds that the Applicant in bringing this application has failed to exercise discretionary public powers in a manner that is solely in the Public Interest as a breach of the Public Trust such that the application is a nullity incapable of existing at law.
24. The Respondent denies Paragraph 24 and adds that the Trustees.
- a. donated 33% of the assets and accrued rights of OenoViva Capital Resources on the 30th of April 2017 to the Trustees of the Australian People Future Fund 26 317 275 322 Tax File Number 456927258 trading as the Better World Future Fund naming the Citizens of Australia as the Beneficiaries of the Fund while excluding the Garrett Family Members from being beneficiaries for the purposes set out in the resolution of the Board of Trustees of that date.¹
 - b. Terminated the office of the Attorney General of Australia and varied the terms of settlement of the Better World Future Fund on the 4th August 2020 ²such that the beneficiaries of the Fund included:
 - i. The citizens of the World who are fit and proper persons.
 - ii. The governments of the Member Nations of the Commonwealth and the United Nations.

¹ **AMG 602**; Resolution of OenoViva Global Board of Trustees creating Australian People Future Fund 33% assets and rights 30.04.2017.

² **AMG 1915** THE SECOND ENACTMENT CORRIGENDUM AMG and Ors terminating Australian Attorney General variation of Aust People Future Fund

iii. Such that Public Interest working Capital trusts were created in equity for the benefit of 195 Member Nations and 2,465 States/ Territories/ Provinces of those member Nations.

c. Registered the following Public Interest Working Capital Trusts.

- i. The Trustee for The Oenoviva (Australian Capital Territory) Public Interest Working Capital Hybrid Trust ABN 99 283 143 308
- ii. The Trustee for The Oenoviva (New South Wales) Public Interest Working Capital Hybrid Trust ABN 24 835 616 043
- iii. The Trustee for The Oenoviva (Queensland) Public Interest Working Capital Hybrid Trust ABN 14 633 501 568; TFN 584159838
- iv. The Trustee for The Oenoviva (Victoria) Public Interest Working Capital Hybrid Trust ABN 11 780 025 954; TFN 585326314
- v. The Trustee for The Oenoviva (Tasmania) Public Interest Working Capital Hybrid Trust ABN 93 129 830 849; TFN 585354198
- vi. The Trustee For The Oenoviva (South Australia) Public Interest Working Capital Hybrid Trust ABN 31 820 200 700; TFN 585451795
- vii. The Trustee for The Oenoviva (Northen Territory) Public Interest Working Capital Hybrid Trust ABN 75 189 759 391; TFN 562363339
- viii. The Trustee for The Oenoviva (Western Australia) Public Interest Working Capital Hybrid Trust ABN 54 169 218 172; TFN 585353671
- ix. The Trustee for The Oenoviva (Australia: National Debt Repayment Scheme) Public Interest Working Capital Hybrid Trust ABN 84 136 965 953; TFN 584172730
- x. The Trustee for The Oenoviva (Australia: National Redress Scheme) Public Interest Working Capital Hybrid Trust ABN 18 257 863 087; TFN 584173659
- xi. The Trustee for Oenoviva (Colorado) Public Interest Working Capital Hybrid Trust
- xii. The Trustee for Oenoviva (Wyoming) Public Interest Working Capital Hybrid Trust
- xiii. The Trustee for Oenoviva (District Of Columbia) Public Interest Working Capital Hybrid Trust
- xiv. The Trustee for Oenoviva (Florida) Public Interest Working Capital Hybrid Trust

25. The Respondent denies Paragraph 25.

26. The Respondent denies Paragraph 26.

27. The Respondent denies Paragraph 27 and adds that the purpose of the FCS is to mislead the Public into believing that there is a valid and bona fide scheme to provide for an effective right of remedy (which is denied)

28. The Respondent denies Paragraph 28 and adds that at all relevant times the Applicant has acted in a manner that is in breach of the Public Trust to exercise discretionary public powers conferred upon it in a manner that is in the Public Interest.

29. The Respondent denies Paragraph 29 and repeats paragraph 28.
30. The Respondent denies Paragraph 30 and adds that the Trustees are indemnified by the assets of the Trust in respect to claims made against it;
- a. No such claims have been made and there is no call upon the FCS.
 - b. The assets of the Trusts exceed the assets of the FCS guaranteed by The Crown (Liquidator and Managing Controller Appointed)

The Important Facts given in Cross Claim/ Counter Claim

31. At all relevant times since Federation of the States and Territories of Australia.
- a. There is only One Crown³ relevant to *the Commonwealth of Australia Constitution Act 1900 (UK)*⁴.
 - b.
 - c. Invalid and/or Unlawful conduct of Public Officials engaged by the Crown, in all of the rights of the Crown, has been the subject of the Common Law right to an effective Remedy for benefit of the wronged party and that Remedy was and remains calculated to be 3 times the amount of the Financial Claim (“**the Model Litigant Penalty**”).
 - d. At all relevant times the amount of the Financial Claim was and remains calculated as the amount set out at paragraph 31(a) plus the amount of the Model Litigant Penalty multiplied by the amount that would otherwise have been earned by the wronged party by investment in a Private Placement Bullet Program of 15% per day, compounding.
 - e. Unlimited Financial Resources have always been available to the Crown to fund the Right to Remedy by download from the International Monetary System executed by the Reserve Bank of Australia (Liquidator and Managing Controller Appointed) (“**The RBA**”) under the provisions of *the Reserve Bank of Australia Act 1959 (AU)* (“**The RBA Act**”) subject to the provisions of the Treaty Agreement establishing the International Monetary Fund (“**The IMF**”)⁵ which specific performance has at all relevant times been guaranteed by;
 - i. Australia⁶
 - ii. The Crown, in all the Rights of the Crown (Globally), as guarantor to Australia.
32. In so far as amendments have been purported to be made to the following enactments are invalid and unlawful exercises of the Legislative Discretionary Public Powers of conferred upon Public Officials making up the relevant Legislatures:
- a. *The Constitution Alteration (State Debt) Act 1928 (AU)*
 - b. *The Statute of Westminster Act 1931 (UK)*
 - c. *The Westminster Adoption Act 1942 (AU)*

³ **AMG 29** Sue v Hill [1999] HCA 30 - Crown of the United Kingdom of Great Britain and Ireland & The Commonwealth; **AMG 28**; Australia The Concealed Colony.

⁴ **AMG 25**; The Constitution Notes and Index

⁵ **AMG 31** Articles of Agreement of International Monetary Fund

⁶ **S77** of the RBA Act

- d. *The Law Officers Act 1964 (AU)*
- e. *The Privy Council (Limitation of Appeals) Act 1968 (AU)*
- f. *The Privy Council (Limitation of Appeals from the High Court) Act 1968 (AU)*
- g. *The Solicitor General Acts 1972 (SA) and equivalents.*
- h. *The Australia Acts (Request) Act 1985 AU, NSW, VIC, QLD, TAS, WA, SA)*
- i. *The Australia Act 1986 (UK)*
- j. *The Australia Act 1986 (AU)*
- k. The Enactment of the Australian Cabinet ⁷ purportedly abolishing the role of Champion of the Public Interest as a role inherent to the Office of the Attorney General.

33. Nothing in the aforementioned enactments abolished.

- a. The Common Law and Statutory Obligation of the Attorney General to act as Champion of the Public Interest
- b. The Common Law Right of Judicial Review by the King in Council.
- c. The Common Law Right to an effective Remedy.
- d. Equity.
- e. The Common Law generally.

34. I, the Respondent.

- a. Was born on the 11th April 1957 at which time the Crown registered a Personal Property Security Interest in my Estate under the provisions of *the National Debt Act 1870 (UK)* and *the Cestui Que Vie Trust Act 1666 (UK)* that was given registration number 40591602 that was registered on the 17th April 1957.
- b. The Personal Property Security Interest referred to above was at all relevant times a two-way personal property security interest registering my Statutory and Equitable Rights and Charges over the assets of the Crown represented by the Constitutional Monarch.
- c. Those Rights and Charges were defined by the Constitutional Monarch and enacted on Commonwealth Day 2013 and referred to as *the Charter of the Commonwealth 2013 (Regina)* being a writ of mandamus to all Citizens guaranteeing the Rights, Duties and Obligations of Sovereign State Members of the Commonwealth and acknowledged to be binding by the Commonwealth Heads of Government in:
 - i. The 2013 CHOGM Communique
 - ii. The 2018 CHOGM Communique
- d. A second Personal Property Security Interest in favour of the Crown in 1973, in right of the State of South Australia, was registered when I received my Driver's License given registration number 928918.
- e. A Third and Fourth Personal Property Security Interest was registered by the Crown, in Right of the Commonwealth, upon granting of my:
 - i. Australian Passport (registration numbers as varied over time) No PB3199767
 - ii. UK Passport No 538401308

⁷ AMG 15e Annexure 1

- f. commenced as a sole trader employee during school holidays during 1973 at the age of 16.⁸
35. At all relevant times since my birth my intellectual property as a Financial Asset that was my personal property until the merging of Assets creating TAGFILT was the amount attributed on a Willing Buyer and Willing Seller⁹ basis being € 1,851,018,938,850.
36. The Legal Services Sector comprising Public Official licensees of the Constitutions of the States and Territories of Australia, as saved under the Constitution have not now, and have never been, the subject of a Royal Commission and/or Parliamentary Inquiry.
37. Successive Commonwealth, State and Territory Attorney Generals and/or Solicitor Generals have been in default of the Common Law due to act as Champion of the Public Interest.
38. Any and all purported “Constitution Acts” of States allegedly enacted after the 1st January 1901 are void being nullities at law.¹⁰
39. Until 1975 the Courts and Tribunals of the States and Territories of Australia were responsible for the exercise of Federal Judicial and Quasi-Judicial Public Powers however due to the Corruption, Anarchy and Chaos prevailing until that time the Parliament of the Federation enacted:
- a. *The Administrative Appeals Tribunal Act 1975 (AU)*
 - b. *The Federal Court of Australia Act 1976 (AU)*
 - c. *The Administrative Decisions Judicial Review Act 1977 (AU)*
40. The Andrew Garrett Family Irrevocable Living Trust (“TAGFILT”) was established on the 28th of February 1981 by the two founding trustees, Andrew Morton Garrett and Aerial Gay Baker,¹¹ at which time the Income, Financial Assets and Intangible Financial Assets as Freezable Financial Assets with the meaning of *the Charter of the United Nations Act 1945 (AU)* merged.
41. The Andrew Garrett Group Pty Ltd ACN 008 018 602¹² (“TAGGC”) was incorporated under South Australian Corporations Law on the 18th July 1983 as the Corporate Trustee of TAGFILT replacing the Founding Trustees as the Sole Trustee of TAGFILT with the Founding Trustees as the Sole Directors.
42. On a date that is not known to me ASIC undertook an investigation of TAGGC and caused records to be removed from the Public Record of TAGGC in order to conceal from the Public View events between the date of Incorporation and 29th May 1990 that would result in a significant financial claim under the FCS in the hands of the Beneficiaries of TAGFILT.

⁸ **AMG 427b**; Chronology Statement of AMG dated March 2000 scanned 19062007 for SSCIV-1996-2244; **AMG 427c**; Chronology and Corruption of the Crown brief for Counsel in AMC-18-5575

⁹ **AMG 3464** DMRL License pricing by Territory; based on arm's length purchaser for value 12.08.2021.

¹⁰ **AMG 4009** NSD-741-2023 SEALED Filed CHRONOLOGY OF CORRUPTION OF THE CROWN SINCE PRIOR TO FEDERATION; PART 1, PART 2 AND PART 3

¹¹ **AMG 6560** TAGFILT; BWFF Information Statement; OENOVIVA CAPITAL RESOURCES, dated 4th April 2023 and annexures.

AMG 7229 NSD-741-2023 SEALED Filed Affidavit of Andrew Morton Garrett dated 13th Feb 2023.

¹² **AMG 3189** The Andrew Garrett Group Pty Ltd (nee the Wine Co Pty Ltd) ACN 008 018 602 ASIC Historical Company Search as at 17th March 2021

43. At all relevant times between December 1987 and 29th May 1990 Price Warehouse Coopers (“PWC”) was the Accounting Financial Services provider of TAGFILT and TAGGC.
44. On the 19th of December 2022 I served a Notice of Crystallisation of Charges and Seizure of Collateral on PWC which quantified the amount of the FSC Claim against the Crown and the Partners of PWC.¹³
45. None of the Partners of PWC or Agencies of the Crown have disputed
46. Dentons South Australian Office was previously known as Fisher Jeffries Lawyers whose partners have:
 - a. Been members of the Legal Practitioners Conduct Board and illicitly and unlawfully blocked inquiries into complaints by the Public at Large as Clients of Professional Misconduct and Serious Professional Misconduct within the meaning of *the Legal Practitioners Act 1981 (SA)*.
 - b. Prepared major transaction agreements on my instructions in relation to:
 - i. The Remirement purchase of issues capital in TAGGC in its capacity as Bare Trustee of TAGFILT which agreement allowed for the subscription of \$1,500,000 in new capital by the Shareholders of Remirement following the disastrous fire on 18th March 1988 at the Magill Cellars owned by TAGFILT.
 - ii. The TAGGC Shareholders Agreement dated 1988 between Remirement Limited, Fanshire Pty Ltd, A.V. Fletcher and Associates Pty Ltd, Andrew Garrett and Averil Garrett.
 - iii. The Remirement Share Sale Agreement dated 1990 to Suntory Holdings Limited subsidiary Suntory Australia Pty Ltd.
 - iv. The TAGGC Shareholders Agreement dated 1990.
 - c. Guilty of serious professional misconduct being Grand Corruption/ Fraudulent Trading/ Money Laundering/ Terrorism Financing/ Treason within the meaning of *the Insolvency Act 1986 (UK)*, *the Legal Practitioners Act 1981 (SA)*, *the Criminal Law Consolidation Act 1935 (SA)* the Common Law and the Constitution.
 - d. Conspired with the Partners of Phillips Fox Lawyers against the rights of the Trustees of TAGFILT, personally and in their Trustee Capacity
47. Dentons New South Wales Office was previously known as Gadens Lawyers whose partners have:

¹³ **AMG 5969** PRICE WATERHOUSE COOPERS; Notice of Crystallisation of PPSA Interests; Seizure and Retention of collateral; 19.12.2022

- a. Been members of the NSW Law Society and illicitly and unlawfully blocked inquiries into complaints by the Public at Large as Clients of Professional Misconduct and Serious Professional Misconduct within the meaning of *the Legal Profession Uniform Law 2004* (NSW) and predecessor Legislation.
- b. Prepared major transaction agreements on my instructions in relation to:
 - i. The Remirement Share Sale Agreement dated 1990 to Suntory Holdings Limited subsidiary Suntory Australia Pty Ltd
 - ii. The TAGGC Shareholders Agreement dated 1990.

48. Finlaysons Lawyers represented by John Short- Smith, Partner.

- a. were appointed by me along with Steven Young of Arthur Anderson Consulting and Chris Brown of N. M. Rothschild and Sons (Australia) Limited to investigate the Conduct and Decisions of Public Officials and Foreign Public Officials engaged by PWC, Remirement, Fanshire, Suntory, Cellarmasters Wines, Mildara Blass Limited, Related Parties, Dentons Lawyers and Fisher Jeffries in respect to the above-described transactions and the offer by Suntory to sell its shares in TAGGC back to me in circumstances where the assets of TAGGC had already been stripped from TAGGC by the Management employees, Related Parties and Suntory as Terrorism Financing and Money Laundering within the meaning of the Common Law ¹⁴
- b. Have refused to disclose under the duty to disclose ¹⁵incumbent upon Public Officials the full details of the investigations referred to above,
- c. Caused me to sign a Settlement Agreement dated 26th July 2000 with Mildara Blass Limited that also related to the Consent to the Assignment of the Garrett Family License from Tatachilla Winery Pty Ltd Limited to Mildara Blass Limited.
- d. Acted negligently in failing to enforce the payments due under the settlement agreement as two separate income streams due to;
 - i. Nictom Pty Ltd as the Founding Trustee of the Garrett Family Trust, and
 - ii. me personally

49. Complaints of Serious Professional Misconduct as defined by the relevant enactments of Lawyers briefed by me by the relevant agency between 1988 and today's date has a common pattern of conduct referred to by me as the Bethcar Strategy.¹⁶

50. At all relevant times "Agencies" and "Designated Agencies" within the meaning of the AML/CTF Act 2006 (AU) have failed to exercise discretionary public powers conferred under

¹⁴ **AMG 7263** Common Law Legal Systems Model Legislative Provisions; Commonwealth Secretariat

¹⁵ **AMG 4319** Finlaysons; John Short Smith to AMG re access to files 05.06.07

¹⁶ **AMG 4124** NO UTILITY TO SIGNING TREATIES WITH THE AUSTRALIAN GOVERNMENT (2)

enactments in the Public Interest as a Public Trust and in respect to Designated Agencies have undertaken surveillance of me since at least 20th July 2002 when *the Registrar of the Real Property Act 1898 (SA)* released duplicate certificates of title related to properties controlled by me unlawfully and invalidly incurring liability under s8 of *the Registration of Deeds Act 1936 (SA)*.

51. At all relevant times in respect to all International and Domestic Relations the Member Federated State of Australia and its Member States and Territories have been and continue to be bound by:
- a. The duties and rights set out in the *Montevideo Convention on Duties and Rights of States 1936* (League of Nations)
 - b. *The Charter of the United Nations 1945* (UN) **ATS 1** has been enacted into Australian domestic law as the schedule to *the Charter of the United Nations Act 1945* (AU)
 - c. *The Articles of Agreement of the International Monetary Fund [IMF] [1947]* ATS 11
 - d. Resolution 2200A (XXI) of 16 December 1966 of the United Nations General Assembly giving rise to;
 - i. *The International Covenant on Civil and Political Rights (ICCPR)*, [1980] ATS 23
 - ii. *Optional Protocol to the International Covenant on Social Economic and Cultural Rights*. [1991] ATS 39
 - iii. *The International Covenant on Economic, Social and Cultural Rights (ICESCR)*, [1976] ATS 5
 - iv. *Optional Protocol to the International Covenant on Economic Social and Cultural Rights* [2013] INCOMPLETE
 - e. Resolution 2205 (XXI) of 17 December 1966 of the United Nations General Assembly, by which it created the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade.
 - i. The UNCITRAL Convention on International Bills of Exchange and Promissory Notes 1980 (UN) INCOMPLETE
 - ii. Amongst other Trade Law Treaties
 - f. Resolution 52/158. UNCITRAL Model Law on Cross-Border Insolvency (1997) of the United Nations Commission on International Trade Law (“The Model Law”)
 - g. *The Vienna Convention on Succession of States 1978*

- h. *Multilateral Convention on Combating Bribery of Foreign Officials in International Business Transactions*. [1999] ATS 21
- i. *Agreement for the Establishment of the Anti-Corruption Academy as an International Organization* [2012] ATS 27
- j. *The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment of Punishment* (CAT),
- k. Resolution 68/107. Revision of the Guide to Enactment of the Model Law on Cross-Border Insolvency and part four of the Legislative Guide on Insolvency Law of the United Nations Commission on International Trade Law as adopted by the General Assembly on 16th December 2013.
- l. The Model Law was enacted into Australian Domestic Law in *the Cross Border Insolvency Act 2008* (Au) subsequently *the Personal Property Security Act 2009* (Au) was enacted to allow for registration of personal property security interests arising under the Model Law.
- m. The *Uniform Commercial Code* (UCC) of the United States of America has been adapted to incorporate the Model Law and allow for registration of Personal Property Security Interests on the States Registries of Deeds in respect to Negotiable Financial Instruments and in particular Bills of Exchange.

52. *The Magnitsky Act 2012* (US) as expanded 2016 refer paras

- a. Formally viewed as non-criminal measures, targeted sanctions are normally imposed based on permissive evidential standards, such as that of ‘credible evidence’ (*US Global Magnitsky Act 2016*, s 1263(a)) or ‘reasonable grounds to suspect’ (*Sanctions and Anti-Money Laundering Act 2018* (UK), ss 11(2) and 12(5)), which are far lower than either the criminal or civil standard of proof.
- b. Australia’s current sanctions framework does not provide for any particular evidential standard but, as described below, vests virtually unlimited discretion in the government.
- c. In doing so, these sanctions edge close to the domain of criminal justice, with its established legal safeguards (e.g. the presumption of innocence) and policy expectations (e.g. the prioritization of serious misconduct and minimisation of political interference with law enforcement work).
- d. Surprisingly, governments worldwide have invested little thought into these issues. The UK appears to be the only country to have published a (very concise) statement of principles articulating the role of corruption sanctions in its overall law enforcement efforts. The typical approach, and one taken up by the Australian government in its response to the JSCFADT’s report, *is to utter the magic words ‘foreign policy’ and thereby make most legal and policy concerns disappear*, doing so obscures rather than resolves the key issues the government will have to confront.
- e. As the Parliamentary Joint Committee on Human Rights notes, this extraordinary amount of discretion renders judicial review nugatory because there is no standard to measure the government’s decision against.

- f. Australia's current sanctions regime is therefore even less friendly to sanctions challenges than the US system, which has been rightly described as affording 'minimal' opportunities for judicial review.
- g. A more appropriate conception of corruption and human rights sanctions is as a tool to address egregious wrongdoing that would not ordinarily be within Australian criminal jurisdiction, as well as ensure that Australian individuals and companies do not do business with some of the worst '**bad actors**'. This is precisely the vision of sanctions that the JSCFADT's report evinces. This vision manifests itself, for instance, in the recommendation that sanctions, be limited to non-Australian citizens, consistent with near-universal state practice. This, too, was met in the government's response with a 'noted', accompanied by the obligatory reference to the Minister for Foreign Affairs' discretion.
- h. The prevailing view among policymakers and sanctions experts has been that sanctions are a priori a foreign policy tool aimed at inducing 'behavioural change' by the target. To speak of other objectives of sanctions, such as punishing the perpetrators of horrible crimes, is on that view an intellectual faux pas.
- i. The upcoming overhaul of Australia's sanctions framework offers an opportunity to take stock of the international experience and develop a world-leading sanctions policy, especially in relation to corruption and human rights sanctions. Doing so will require a degree of clarity about what such sanctions are intended to achieve and how they will be wielded. Openness about what one will do in the future equals commitment, and so far this seems in tension with the government's eagerness to preserve room for manoeuvre
- j. In the end, though, a credible and effective application of sanctions will require a clarity of purpose and consistency in application, which can only be attained by determining how sanctions can best serve legitimate criminal justice objectives, including the punishment of perpetrators and disruption of criminal networks.
- k. Formulaic references to sanctions as a 'foreign policy tool' are, on the other hand, of limited utility.

53. The term "Public Official" and "Foreign Public Official" has the meaning prescribed in the *Convention against Corruption* (2006) **ATS 2** and predecessor treaties.

54. In the period prior to the establishment of ASIC in 1990;

- a. the States and Territories were responsible for enacting legislation in respect to regulating Corporations and Regulations of Public Officials engaged in;
 - i. The Legal Services Sector
 - ii. The Accounting Services Sector
 - iii. The Banking Services Sector
- b. the Corporations Regulators of the States and Territories demonstrated that Self-Regulation was Mis Regulation which led to the Federal Parliament establishing ASIC to independently regulate the State based Corporations regimes.

55. Continued anarchy and chaos (Lawlessness) in the Commonwealth, States and Territories relating to registration of Corporations, Businesses, Deeds and Tax Collection led to the Federal Parliament enacting.

- a. *A New Tax System (Tax Administration) Act 1999*
- b. *A New Tax System (Goods and Services Tax) Act 1999 (AU)*
- c. *A New Tax System (Australian Business Number) Act 1999 (AU)*
- d. *A New Tax System (Pay As You Go) Act 1999*

JUDICIAL REVIEW AS A COMMON LAW RIGHT

56. A Royal Commission and/or Parliamentary Inquiry is needed into the role of the Legal Services Sector in Money Laundering and Terrorism Financing in which regard this Cross Claim and Counterclaim serves as an Application for Judicial Review of the Conduct and Decisions of all Agencies, Public Officials and Foreign Public Officials in matters related to the Respondent¹⁷; the evidence shows that the current inquiry by the Attorney Generals Department into Modernising will perpetuate the “Fake Regulation” found in the Hayne Royal Commission into the Financial Services Sector published on the 1st February 2019 evidenced that the Public Officials engaged as Servants, Officers, Agents, Employees, Delegates and/or contractors of Agencies¹⁸ responsible for regulating that sector were not fit for purpose and were in default of their role as Public Officials

57. The Incumbent Attorney General of Australia, Mark Dreyfus:

- a. delivered a speech to the Federal Legislature in respect to the Judicial Incapacity and Misbehaviour (Parliamentary Inquiry) Bill 2012 that was subsequently enacted.¹⁹
- b. was the Attorney General in Office between February and September 2013 at which time he was appointed as a Special Minister of State.
- c. Was responsible for tabling and enacting enactments that were contrived to defeat the Public Interest and the provisions of the Charter of the Commonwealth namely;
 - i. *The Public Governance Performance and Accountability Act 2013 (AU)*
 - ii. *The Public Interest Disclosure Act 2013 (AU)*

58. At all relevant times between at least 1964 and today’s date the Solicitor Generals of the Commonwealth, States and Territories of Australia²⁰ and Judicial Public Officials appointed under various Court Enactments have wilfully breached the principles of Separation Powers enshrined in the Constitution in a manner that caused harm to the Constitutional Monarch being Grand Corruption as High Treason.

¹⁷ **AMG 9**; Public Law an Australian Perspective French CJ delivered 6th July 2012

¹⁸ Withing the meaning of *the Anti-Money Laundering and Counter Terrorism Financing Act 2006 (AU)* and

¹⁹ **AMG 337**; House of Representatives Speech- Judicial Misbehaviour and Incapacity (Parliamentary Commissions) Bill 2012 - Mark Dreyfus QC MP

²⁰ **AMG 5780** The Constitutional Role of Solicitor General by Gabrielle Appleby 28.09.2012

59. On the 31st March 2023 I requested that the Commonwealth Solicitor General Mr Stephen Donaghue represent me in DCCRM-0073-2019 following the termination of appointment on the 1st January 2023 of the Director of Legal Services Commission of South Australia and Mr Scott Laidlaw of Matthew Mitchell Solicitors for failing to act in accordance with my instructions.
60. The Solicitor General has been deemed to refuse my request to act under the provisions of *the Law Officers Act 1964* (AU).
61. The Australian Government Solicitor, Mr Michael Kingston, has refused to represent me in US Proceedings in the UD Federal District Court for the District of Colorado and the State of Colorado District Court as notified in my Complaint to the incumbent Prime Minister, Mr Anthony Albanese on the 4th July 2022 which email in 7 parts referred to the following case numbers;
- a. US Federal District Court Case No; 1;22-CV-00173-DDD-STV; *Garrett et al [sic.] v Garrett et al [sic.]*
 - b. US Federal District Court Case No; 1;22-CV-00206-DDD-STV; *Garrett et al [sic.] v Bankrupt Estate of Jersey Green & Ors*
 - c. US Federal District Court Case No; 1;22-CV-00243-DDD-STV; *Garrett v Secretary General and Secretariat of the United Nations (Liquidator and Managing Controller Appointed) & Garrett et al [sic.]*
 - d. US Federal District Court Case No; 1;22-CV-00254-DDD-STV; *Garrett et al [sic.] v Suntory Holdings Limited [sic.] and Garrett et al [sic.]*
 - e. Colorado District Court Case No 2020CV30030; *Esch & Garrett v Precious & State of Colorado (Liquidator and Managing Controller Appointed) & Carbonhelix LLC (Managing Controller Appointed)*
 - f. Colorado Court of Appeals No 22CA229; *Esch & Garrett v Precious & State of Colorado (Liquidator and Managing Controller Appointed) & Carbonhelix LLC (Managing Controller Appointed)*
62. At all relevant times Public Officials engaged in Australia by Agencies and Designated Agencies have breached the principals of Rule of Law, Freedom of Speech, Separation of Powers, Privacy and communicated with Foreign Public Officials engaged by the United States of America interfering with the principle of “**Ex Debito Justitiae**”²¹ owed by the United States of America to me as a personal property security interest registered with the above mentioned courts.
63. On the 28th of August 2023 a Decisionmaker for the Department of the Attorney General made a Decision concerning an FOI application lodged by me and did not provide with the email delivery of that decision a copy of attachments “C” referred to in the Decision which complaint was first marked to the attention of Ms Susan Kiefel as a result of my complaint against the High Court to issue the proceedings marked as a Summons to Show Cause²² with Lodgement

²¹ **AMG 1307**; Regina V Bow Street Metropolitan Stipendiary Magistrate, ex parte Pinochet; Wikipedia Summary
AMG 1308a; Regina V Bow Street Metropolitan Stipendiary Magistrate, ex parte Pinochet (1998) UKHL 41
AMG 1308b; Regina V Bow Street Metropolitan Stipendiary Magistrate, ex parte Pinochet (1999) UKHL 2
AMG 1309; Regina V Bow Street Metropolitan Stipendiary Magistrate, ex parte Pinochet (1999) UKHL 17
²² **AMG 7078** Form 12- Summons to Show Cause Crown Attorney General v Johnson and Ors

Reference HCADLS0035922 and subsequently to the attention of the Chief Justice of the High Court of Hong Kong in respect to current proceedings that are on foot in that Honourable Court.²³

64. It is not possible for any Common Law Court to enact Court Rules that avoid the duties and obligations of Public Officials to prepare affidavit Materials as to why a Constitutional Writ of any kind should not be issued.
65. Subsequent requests for review of the deemed refusal to disclose attachment “C” have also been deemed to be refused by parties representing the Attorney General including Public Officials employed under the provisions of the Public Service Act 1999 (Cth) by the Office of the Director of Public Prosecutions and the relevant Code of Conduct mandated under the provisions of the UN Convention against Corruption (2006) ATS 2.
66. S69(2A) of *the Judiciary Act* 1903 (AU) as enacted in 1983 is invalid and unlawful as it seeks to sidestep the duty and obligation of the Attorney General to act as Champion of the Public Interest being evidence of Erosion of Traditional Common Law Rights and Freedoms by Commonwealth Laws.²⁴
67. I have engaged this Court’s Tribunal obligation to inquire and exercise Judicial Discretionary Public Powers Conferred under Enactments in the Public Interest as Public Trust.
68. At all relevant times during my 50 years of Trading it has been my experience that Australian Public Officials and American Public Officials have traded Fraudulently within the meaning of *the Insolvency Act* 1986 (UK) being acts of Insolvency and liability attributing to the Directors of Australia as a Corporation also registered with the United States Security Exchange Commission CIK; 0000805157 (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED) ABN 86 150 409 985; ABN 98 724 451 651 AUSTRAC ACCOUNT No: 100817296.
69. The Crown, in all of the rights of the Crown is estopped from denying the facts set out above along with my capacities as disclosed in the materials evidenced in the Public Interest Disclosure Drive at the address as notified within the evidence entered on the court file.
70. On grounds that Notice to Agent is Notice to Principal and Vice Versa I deny the certification of pleadings prepared by Ms Lucinda McCann as Lawyer for the Applicant was prepared by Ms McCann on a Proper Basis and in fact is a breach of the Public Duty to disclose all relevant facts and evidence to this Honourable Court being Serious Professional Misconduct as Fraudulent Trading within the meaning of *the Legal Profession Uniform Law* NSW (2004).

Declared by the Respondent and Cross Claimant as being the proper basis to present some but not all of the relevant materials and Facts to this Court on Monday, 11 December 2023.

Andrew Garrett

²³ **AMG 7077** Letter to Judicial Clerks of The High Court of Hong Kong 22nd September 2023

²⁴ **AMG 1744**; Traditional Rights and Freedoms- Encroachments by Commonwealth Laws ALRC 129

ANNEXURE 4**NOTICE OF FILING****Details of Filing**

Document Lodged:	Non-Prescribed Notice/Request
Court of Filing	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	6/12/2023 9:23:57 AM AEDT
Date Accepted for Filing:	6/12/2023 9:23:59 AM AEDT
File Number:	NSD741/2023
File Title:	AUSTRALIAN PRUDENTIAL REGULATION AUTHORITY v ANDREW MORTON GARRETT
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



A handwritten signature in blue ink that reads 'Sia Lagos'.

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



Form 1 Notice of filing of application for recognition of foreign proceeding

(rule 15A.6)

Federal Court of Australia

No. NSD 741 of 2023

District Registry: NSW

Division: Corporations

IN THE MATTER OF THE CROWN (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED), ABN 50 785 365 455 (“THE CROWN”)

AUSTRALIAN PRUDENTIAL REGULATORY AUTHORITY
ABN 79 635 582 658 (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED)
ABN 33 446 145 662

The Plaintiff, Defendant by Counterclaim

&

ANDREW MORTON GARRETT,

- **CROWN ATTORNEY GENERAL ABN 25 582 859 403,**
- **TRUSTEE OF THE OFFICE OF THE CROWN ATTORNEY GENERAL TRUST ABN 33 785 287 219**
- **LIQUIDATOR, AND MANAGING CONTROLLER, BENEFICIARY OF PRIVATE AND PUBLIC TRUSTS, PRIOR TRUSTEE SECURED BY LIEN ABN 70 432 067 434**
- **TRUSTEE OF A LETTER TO MY SONS TRUST ABN 90 243 103 687**
- **SECURED PARTY CREDITOR, REGISTRATION NUMBER 40591602**

The Defendant/Respondent, Plaintiff by Counter Claim and Plaintiff by Cross Claim

&

OTHERS NAMED IN THE EXHIBITS PRODUCED AND MARAKED AS;

- **AMG 6776**
- **AMG 6867**
- **AMG 6793**
- **AMG 7015**

Filed on behalf of (name & role of party)	The Respondent		
Prepared by (name of person/lawyer)	Andrew Garrett		
Law firm (if applicable)			
Tel	0450 831 708	Fax	02 9617 7125
Email	amg@betterworldfuturefund.org		

Address for service
 (include state and postcode) Unit 3/ 11 Harvey Street, Nailsworth, South Australia, 5083

Form 20 Notice of filing of application for recognition of foreign proceeding

(rule 15A.6)

IN THE HIGH COURT OF HONG KONG

No. 1855 of 2022

THE CROWN (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED)

ABN; 50 785 365 455

TO all the creditors of THE CROWN

TAKE NOTICE that:

1. An application under the *Cross-Border Insolvency Act 2008* for recognition of a foreign proceeding in relation to THE CROWN (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED) was commenced by the plaintiff, ANDREW MORTON GARRETT on 11th NOVEMBER 2022 and will be heard by The Justice presiding at No.38 Queensway, Admiralty, 1/F, High Court, CENTRAL, SAR HONG KONG at TO BE ADVISED . Copies of documents filed may be obtained from the plaintiff's address for service.
2. The plaintiff's address for service is 3/ 11 Harvey Street Nailsworth SA 5083.
3. Any person intending to appear at the hearing must file a notice of appearance, in accordance with the prescribed form, together with any affidavit on which the person intends to rely, and serve a copy of the notice and any affidavit on the plaintiff at the plaintiff's address for service at least 3 days before the date fixed for the hearing.
4. If you are a foreign creditor you must file in the registry of the Court at the address mentioned in paragraph 1 an affidavit setting out the details of any claim, secured or unsecured, that you may have against the company above at least 3 days before the date fixed for the hearing.

Date: 6th December 2023

Name of plaintiff or plaintiff's legal practitioner: ANDREW MORTON GARRETT

Andrew Garrett

ANNEXURE 14

Evan Whitton was Editor of *The National Times*, Chief Reporter at *The Sydney Morning Herald*, and Reader in Journalism at Queensland University. He received the Walkley Award for National Journalism five times, and was Journalist of the Year 1983 for 'courage and innovation' in reporting an inquiry into judicial corruption. He began researching the West's two legal systems in 1991 after observing how each system dealt with the same criminal, police chief Sir Terence Lewis. He is now a columnist on a legal journal, *Justinian* This is his eighth non-fiction book

Whitton's work noticed

'A dazzling writer, incisive and addictive'. – **Dr George Miller, director *Babe, Happy Feet*.**

Trial by Voodoo (1994)

'The only book in the language that critically examines the law as a whole.' – **Professor Alex Ziegert, Sydney University.**

The Cartel (1998)

'Evan Whitton has said, with I think consummate wisdom: "Truth and justice require ... the abolition of rules for concealing evidence.'" – **Sir Laurence Street, former Chief Justice, NSW.**

'Whitton has a remarkably extensive knowledge of the legal system and the way it works ... rich in anecdote ... a wealth of historical knowledge and research ... His insights are always valuable...' – **Justice Ian Callinan, High Court of Australia.**

Serial Liars (2005)

'... confronts all the major lawyer arguments, and disposes of them.' – **Brett Dawson, former Crown Prosecutor.**

Other books by Evan Whitton

Can of Worms (1986)

Amazing Scenes (1987)

**Can of Worms II* (1987)

**The Hillbilly Dictator* (1989, *updated edition 1993)

**Trial by Voodoo: Why the Law Defeats Truth and Democracy* (1994)

**The Cartel: Lawyers and Their Nine Magic Tricks* (1998)

**Serial Liars* (2005)

The books marked * are available online at
www.netk.net.au/WhittonHome.asp

OUR CORRUPT LEGAL SYSTEM

**Why Everyone Is a Victim
(Except Rich Criminals)**

Evan Whitton