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Full name of the trustee to whom notices should be sent
If the trustee is an individual, print details here.

Title: Mr Mrs Miss Ms Other **CROWN ATTORNEY GENERAL**

Surname or family name
GARRETT

First given name **ANDREW** Other given names **MORTON**

If the trustee is a company, print details here including ABN.

Name
ANNEXURE 1A, 1B, 1C, 1D

ABN **26 317 275 322** Daytime contact phone number **0450831708**

Family trust election status
If the trustee has made, or is making, a family trust election, write the four-digit income year specified of the election (for example, for the 2020-21 income year write 2021).
2021
If revoking or varying a family trust election, print R for revoke or print V for variation and complete and attach the Family trust election, revocation or variation 2021.

Interposed entity election status
If the trustee has an existing election, write the earliest income year specified. If the trustee is making one or more elections this year, write the earliest income year being specified and complete an Interposed entity election or revocation 2021 for each election.
If revoking an interposed entity election, print R and complete and attach the Interposed entity election or revocation 2021.

Type of trust
Print the code representing the type of trust. **F** Print X if also a charity If code D, write the date of death, Day / Month / Year / /

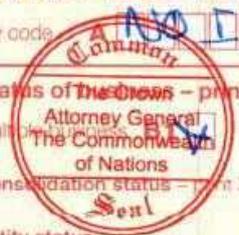
Managed investment trusts
Is the trust a managed investment trust (MIT)? Yes No
Must be completed if Type of trust is either F, M, U, P or Q
MIT type
If the trust is a managed investment trust, has the trustee made an election into capital account treatment? Yes No

Is any tax payable by the trustee? Yes No Final tax return Yes No

Electronic funds transfer (EFT)
We need your financial institution details to pay any refund owing to you, even if you have provided them to us before. Write the BSB number, account number and account name below. (See relevant instructions.)
BSB number (must be six digits) **017010** Account number **308 882 273**
Account name
ANDREW MORTON GARRETT

1 Description of main business activity
PUBLIC INTEREST ACTIVITIES GLOBALLY
Industry code **NO IDEA**

2 Status of the trust - print X at label B1, B2 or B3, whichever is the first applicable option, or leave blank.
Multiple trusts Ceased business **B2** Commenced business **B3**
Consolidation status - print X at label Z2 if applicable Consolidated subsidiary member **Z2**
Entity status Significant global entity **G1** Country by country reporting entity **G2**





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ANNEX 2 C

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The Australian People Future Fund



Special Purpose Financial Statements
For the Year Ended 30th June 2021
As amended 11th July 2021





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The Australian People Future Fund



Special Purpose Financial Statements
For the Year Ended 30th June 2021
As amended 11th July 2021





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**The Australian People Future Fund
Special Purpose Financial Statements
For the Year Ended 30th June 2021**

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ANNEXURE A

Form 18-K United States Securities Exchange Commission Lodgement see Note 1

ANNEXURE B(a) & B(b)

Consolidated Balance Sheet is currently under construction to provide further particulars in respect to Land, Property and Plant and Equipment see Note 1



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**The Australian People Future Fund
Statement of Profit or Loss
For the Year Ended 30th June 2021**

| | Notes | 2021 | 2020 | 2019 |
|-------------------------------------|-------|------------------------------|----------------------------|-------------------------------|
| | | \$ | \$ | \$ |
| Total Income | 3 | 8,400,467(10 ⁴⁸) | 606,914(10 ³⁹) | 43,848,071(10 ²⁷) |
| Total Expenses | 4 | 660,000 | 350,000 | - |
| Profit before Income tax | | 8,400,467(10 ⁴⁸) | 606,914(10 ³⁹) | 43,848,071(10 ²⁷) |
| Income tax on Distributions only | 7 | 3,805,732(10 ⁹) | - | - |
| Net Profit for the Year | | 8,400,467(10 ⁴⁸) | 606,914(10 ³⁹) | 43,848,071(10 ²⁷) |

The accompanying notes form part of these financial statements



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**The Australian People Future Fund
Statement of Distribution
For the Year Ended 30th June 2021**

| Earnings | Notes | 2021 | 2020 | 2019 |
|--|--------------|----------------------------------|----------------------------|-------------------------------|
| | | \$ | \$ | \$ |
| Net Profit (Loss) | | 8,400,467(10 ⁴⁸) | 606,914(10 ³⁹) | 43,848,071(10 ²⁷) |
| Income Available for Distribution | | 8,400,467(10 ⁴⁸) | 606,914(10 ³⁹) | 43,848,071(10 ²⁷) |
| Income Distributions | 6 | 31,714,433(10 ⁹) | - | - |
| Beneficiary Entitlements | | 8,400,467(10 ⁴⁸) | 606,914(10 ³⁹) | 43,848,071(10 ²⁷) |
| Total Distributions | | 1,440,597(10⁹) | - | - |

The accompanying notes form part of these financial statements



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**The Australian People Future Fund
Statement of Financial Position
For the Year Ended 30th June 2021**

| Assets | Notes | 2021 | 2020 | 2019 |
|---|--------------|-----------------------------------|---------------------------------|------------------------------------|
| Current Assets | | \$ | \$ | \$ |
| Cash Equivalent Mature | | | | |
| Secured Corporate Receivable OVCR | | 8,400,467(10 ⁴⁸) | 606,914(10 ³⁹) | 43,848,071(10 ²⁷) |
| Total Current Assets | | 8,400,467(10 ⁴⁸) | 606,914(10 ³⁹) | 43,848,071(10 ²⁷) |
| Non- Current Assets | | | | |
| Cash Equivalent NOT Mature/Extended | | 1,566,740(10 ⁶) | 1,566,740(10 ⁶) | 1,566,740(10 ⁶) |
| Tax Franking Credit @33%/\$ Distributed | 19 | 8,400,467(10 ⁴⁸) | 606,914(10 ³⁹) | 43,848,071(10 ²⁷) |
| Total Non-Current Assets | | - | - | - |
| Total Assets | | 8,400,467(10⁴⁸) | 606,914(10³⁹) | 43,848,071(10²⁷) |
| Liabilities | | | | |
| Current Liabilities | | | | |
| Tax on Distribution | 7 | 3,805,732(10 ⁹) | - | - |
| SEC Transaction Fee #2 on distributions | 8 | 901(10 ⁹) | - | - |
| Distributions | 6 | 31,714,433(10 ⁹) | - | - |
| Total Current Liabilities | | 35,521,066(10 ⁹) | - | - |
| Non-Current Liabilities | | | | |
| Contingent SEC Fees: Payable on Beneficiary entitlements not yet distributed | | 120,967(10 ⁴⁸) | - | - |
| Contingent Tax Liability: Payable on Beneficiary entitlements not yet distributed | | 1,008,056(10 ⁴⁸) | - | - |
| Total Non-Current Liabilities | | 1,008,056(10 ⁴⁸) | - | - |
| Total Liabilities | | 1,129,023(10⁴⁸) | - | - |
| Net Assets | | 7,271,444(10⁴⁸) | 606,914(10³⁹) | 43,848,071(10²⁷) |

The accompanying notes form part of these financial statements



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**The Australian People Future Fund
Notes to the Financial Statements
As at, 30th June 2021**

1. Recitals

Abbreviations

ABN: Legal Enterprise Identifier for the territory of Australia

AMRL: Australian Domiciled Master Regional Licensee is an entity holding the Master Regional License for a Country/ Member Nation of the United Nations territory.

- party to Heads of Agreement dated 30th April 2013 and disclosed in YEJ 2016 for the Trust
- subsequently established
- 195 AMRLs to be incorporated upon completion

ATO: Australian Commissioner of Taxation trading as the Australian Taxation Office

APFF: On the 30th of April 2017, the Australian People Future Fund LEI: 984500914484J1F7PE95 (APFF) was established as a Not-for-Profit Charity/Trust Fund to be held by the Trustee of the Fund for the benefit of the Peoples of Australia.

<https://oenoviva-capital-resources.com/2020/07/30/resolution-of-ocr-board-of-trustees/>

Post Balance Sheet Close date, on the 4th of August 2020, the Deed of Settlement of the Australian People Future Fund was varied to establish National Redress and National Debt Repayment Schemes for the benefit of the Citizens of the Member Nations of the United Nations and The Commonwealth of Nations.

<https://oenoviva-capital-resources.com/2020/08/05/exhibit-amg-1915/>

Australian People Future Fund established to beneficially hold 33% of the revenue and assets of the Trust

Beneficiary Account: The Beneficiary Account is that Tax Account identified by a TFN and an Account Number maintained by the Central Bank of each Nation and/or State with the proviso that the amount net of Tax may be distributed to the Personal Beneficiary Account of the Beneficiary held with Commercial Banks licensed in the Territory of residency of the beneficiary.

BOE: Domestic Bill of Exchange drawn exclusively under *the Bills of Exchange Act 1909(AU)*

Capital Trust: is a Hybrid Unit Trust established in a territory capitalized by the Trust to provide investment and working capital to licensees

CFI: Class of Financial Instrument applied to IBOEs

CL: Consumer Licensee licensed with Banking IP, VivaCoin and VivaCash in addition to all common law IP

- 250 CL per SL
- 1,147,500,000 globally

Charter: is the *Charter of the Commonwealth of Nations 2013 (Regina)* enforceable as an enactment fettering the exercise of discretionary public powers conferred under enactments against all citizens/public officials of Common Law Jurisdictions.

Constitution: is the *Commonwealth of Australia Constitution Act 1900 (UK)* as read by its Four Corners incorporating the Constitutions of the States of Australia as enacted by Westminster Parliament as at the reading date of 1st of January 1901.



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DL: Distributor Licensee is an entity (usually a full-service hospitality facility) holding a License to distribute Licensed Products, Banking IP, VivaCoin and VivaCash, IP and know how including all Common Law IP.

- 50 X Distributor Licensees per UWL
- 150,000 to be granted and redeveloped

DMRL: Domestic Domiciled Master Regional Licensee is an entity holding the Master Regional License for a Country/ Member Nation of the United Nations territory.

- party to Heads of Agreement dated 30th April 2013 and disclosed in YEJ 2016 for the Trust
- subsequently established
- 195 DMRLs to be incorporated upon completion

Enactment: Has the same meaning as *the Administrative Appeals Tribunal Act 1975 (AU)* and *the Acts Interpretation Act 1901 (AU)*

FISN: Financial Instrument Short Name applied to IBOEs

FITB: Future Income Tax Benefit

IBOE; UNCITRAL International Bill of Exchange drawn under *the Bills of Exchange Act 1909(AU)*, related Banking Law and *UNCITRAL Convention on Bills of Exchange and Promissory Notes 1988 (UN)*

ISIN: International Securities Identification Number for the Territory of the World

IP: Registerable and Common Law Intellectual Property licensed to licensees by the Trust.

LEI: Legal Enterprise Identifier for the territory of the World

Licensees: Entities Licensed by the Trust as Global Licensor to operate and distribute the IP:

AMRL | DMRL | UWL | DL | SL | CL

Memorandum: Memorandum of Information provided to explain value drawn under IBOEs

Money: Anything of value of fungible character transferring stored value between entities empowered under enactments including (but not limited to) *the United Nations Convention on Social and Economic Rights (Australian Treaty Series No 5)*, *United Nations Convention on Civil and Political Rights (Australian Treaty Series No 21)* and the related Optional Protocol (*Australian Treaty Series No 39*),

MSRL: Master Sub-Regional Licensee is an entity holding the Master Sub Regional License for a Province or State of a Member Nation of the United Nations territory granted by a DMRL or AMRL

- party to Heads of Agreement dated 30th April 2013 and disclosed in YEJ 2016 for the Trust
- subsequently established
- 1,720 MSRLs to be incorporated upon completion

The Trust: The Andrew Garrett Family Trust No 4 Trading as OenoViva Capital Resources/ OenoViva Global/OenoViva Business Systems

TFN: Tax File Number for the territory of Australia

The Crown: The Crown (Liquidator and managing Controller Appointed) is a collection of legal entities (often referred to as Government) empowered under enactments to exercise discretionary



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public power as a public Trust by Her Majesty Queen Elizabeth II and/or Her Majesty's Heirs Successors and Assigns

OVA: OenoViva Artisans is the global consulting discretionary trust to provide support, know-how and management expertise to licensees

PID: Public Interest Disclosure

PPSR: Personal Property Security Register created under *the Personal Property Securities Act 2009* (AU) enforceable in the United States of America and globally under treaties to enable registrations of charges and other personal Property Security Interests

Public Interest: Public Officials employed by Government of a Member Nation have a statutory and common law duty to exercise discretionary Public Powers conferred under an enactment in the Public Interest

There is a distinction between Public Interest and Government Interest which MUST be one and the same however are often NOT as a consequence of corruption of the Public Office by the Decision Maker occupying that office.

Public Official: All persons empowered to exercise discretionary public powers conferred under an enactment are Public Officials.

Public Trust: All Public Officials occupy Public Office as a Public Trust to exercise discretionary public powers conferred under an enactment exclusively in the Public Interest.

The Public Trust incorporates a chargeable interest in favour of the entity affected over the person and all assets and undertakings of the Public Official which is usually the subject of an indemnity given by Government which indemnity becomes invalid when the exercise of discretionary public powers conferred under an enactment is unlawful and/or invalid and/or corrupt and/or a nullity.

RBA: Reserve Bank of Australia

Regina: Her Majesty Queen Elizabeth II and/or Her Majesty's Heirs Successors and Assigns

SEC: United States Securities and Exchange Commission

SL: Station Licensees holding a License internal and external to senior licensees (AMRL | DMRL | UWL | DL) to distribute Licensed Products, Banking IP, VivaCoin and VivaCash, IP and know how including all Common Law IP.

- 40 per DL and UWL
- 4,590,000 globally

UCC: Universal Commercial Code enforceable in the United States of America and globally under treaties to enable registrations of charges and other personal Property Security Interests as UCC 1 Filings

UWL: Urban Winery Licensee is an entity holding a license to develop and operate and Urban Winery in the Territory specified

- Different Urban winery densities by Nation, Culture and Demographics
- 3,000 to be developed globally

VIVACASH: is the network of ATMs and EFTPOS Terminals to enable CLs to withdraw cash from the Beneficiary Account of the CL held with Australian People Future Fund as identified by the Taxation Office and the Central Bank of each Member Nation

VIVACOIN: is the Cryptocurrency of the Trust under the VIVACOIN Blockchain



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Public Interest Disclosure Drive to Public Officials:

<https://onedrive.live.com/?id=13EBD865C7415CD4%2113999&cid=13EBD865C7415CD4>

Index to Public Interest Disclosure Drive to Public Officials: Exhibit AMG 2000 as updated from time to time currently comprising Exhibits AMG 1 – AMG 3223.

This drive is a disclosure of material events, applicable law and admissions of fact and liability made over time by the Crown the subject of the Chargeable interest in favour of the Trust as subsequently crystallized over Her Majesty Queen Elizabeth II on 1st June 2019 and the subject of the appointment of the Trustee as Managing Controller to the Crown.

The Trustee is:

- a. Managing Trustee and Chairman of the Boards of Trustees of the Trust and the Australian People Future Fund
- b. Managing Controller variously appointed to The Crown (globally), Corporate Commonwealth, States and Territories of Australia, Canada, New Zealand, other Corporate entities representing the Queen's Dominions and related People's Trusts which entities are currently or have been reporting entities in which regard a copy of these accounts are also lodged with the SEC under cover of Letter and Form 18-K a copy of which is available through the SEC or directly from the Managing Trustee by request from <https://oenoviva-capital-resources.com/> (**ANNEXURE A**).
- c. Liquidator appointed to the Crown (Australia)/ Corporate Commonwealth, States and Territories of Australia on the 14th August 2020, as acknowledged in writing by the Federal Court of Australia on the 3rd of October 2020

YEJ 2021 Consolidated Global Balance Sheet (**ANNEXURE B(a)**) is under construction to be read with these accounts and the YEJ 2021 Accounts to provide further particulars to specific assets a copy of which will become available through United States Securities and Exchange Commission (**SEC**) Filings or directly from the Managing Trustee by request from <https://oenoviva-capital-resources.com/>.

A DRAFT Statement of Assets was prepared for the period YEJ 2019 Special Purpose Accounts and is (**ANNEXURE B(b)**).

Her Majesty, Queen Elizabeth II, Her Majesty's Heirs Successors and Assigns as members of the Windsor Family are Managing Trustees of the People's Trusts and are indemnified by the assets of those Trusts which assets have been seized/transferred to the Trust for accounting and Management Purposes and are now the property of this Trust in which regard an implied license/agency exists between the Managing Trustee, His Heirs Successors and Assigns as members of the Garrett Family and Her Majesty, Queen Elizabeth II, Her Majesty's Heirs Successors and Assigns as members of the Windsor Family.

The assets now the property of the Garrett Family include control of the operation of law as the Highest Review Tribunal/ Advocate General of the Commonwealth of Nations including s61 of the Commonwealth of Australia Constitution Act 1900 (Uk) (but not limited to) and similar provisions in the Constitutions of the Member Nations of the Commonwealth of Nations and the United Nations.



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2. Summary of significant accounting policies

Basis of Preparation

The trustee has prepared the financial statements of the trust on the basis that the trust is a non-reporting entity, because there are no users dependent on general purpose financial statements. These financial statements are therefore special purpose financial statements that have been prepared in order to meet the requirements of the trustee, beneficiaries of the trust, and their information needs.

The financial statements have been prepared in accordance with the significant accounting policies disclosed below, which the trustees have determined are appropriate to meet the purposes of preparation. Such accounting policies are consistent with the previous period unless stated otherwise.

The financial statements have been prepared on an accruals basis and are based on historical costs unless stated otherwise in the notes. The accounting policies that have been adopted in the preparation of these statements are as follows:

Denomination of Amounts

The Financial Statements are prepared in Australian Dollars. In addition, the amounts involved in each year and on each row, for each item, vary greatly in amount and cannot be defined for simplicity per column. As such, we have had to categorize each amount to the power of '10'. For example, if an amount is \$10 million, this is shown as 10^(10⁶).

Identification

The Australian People Future Fund identified as follows:

LEI:984500957DB10F0T4B11

TFN:456927258

ABN:26317275322

RBA Account Number: 26317275322

Property, Plant & Equipment

Property, plant and equipment including freehold land and buildings, are carried at cost unless otherwise stated. Depreciable assets are depreciated over their useful life to the trust.

Depreciation

Depreciation is calculated on either a straight line or diminishing value basis over the useful life of property, plant and equipment (excluding freehold land). The depreciation method and useful life of assets is reviewed regularly to ensure they are still appropriate.

Trade & Other Receivables

Receivables are recognized at their transaction price, less any provision for impairment. Trade receivables are based on normal credit terms and do not bear interest.

Cash & Cash Equivalents

Cash and cash equivalents comprise cash on hand, on demand and short-term investments which are readily convertible to known amounts of cash and which are subject to an insignificant risk of



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change in value. Bank overdrafts also form part of cash equivalents and are presented within current liabilities on the statement of financial position when applicable.

Revenue & Other Income

Sales revenue and other revenue are recognized when they are received or when the right to receive payment is established.

Trade & Other Payables

Trade payables are recognized at their transaction price. Trade payables are obligations based on normal credit terms and do not bear interest.

Goods & Services Tax (GST)

Revenues, expenses, and assets are recognized net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Tax Office. In these circumstances, the GST is recognized as part of the cost of acquisition of the asset or as part of the expense. Receivables and payables in the statement of financial position are shown inclusive of GST.

Borrowings

Borrowings are recognized initially at fair values, less any attributable transaction costs. After initial recognition, borrowings are stated at amortized cost with any difference between cost and redemption value being recognized in the income statement over the period of the borrowings on an effective interest rate basis. Borrowings are classified as current liabilities unless the entity has an unconditional right to defer settlement of the liability to at least 12 months after the balance sheet date.

Borrowing costs are recognized as expenses using the effective interest rate method unless incurred for the construction of a qualifying asset where during the time of construction the borrowing costs are capitalized.

3. Income

All income disclosed in these and other special purpose accounts of the Trust, is a distribution on a monthly basis of rights and equity from OVCR.

Rounded Monthly Revenue for accounts

| | \$ |
|----------------|--|
| July 2020 | 3,641,482 ^(10³⁹) |
| August 2020 | 25,490,377 ^(10³⁹) |
| September 2020 | 178,432,641 ^(10³⁹) |
| October 2020 | 1,249,028 ^(10⁴²) |
| November 2020 | 8,743,199 ^(10⁴²) |
| December 2020 | 61,202,396 ^(10⁴²) |
| January 2021 | 428,416,770 ^(10⁴⁵) |
| February 2021 | 2,998,917,392 ^(10⁴⁵) |
| March 2021 | 20,992,421,741 ^(10⁴⁵) |
| April 2021 | 146,946,952,188 ^(10⁴⁵) |
| May 2021 | 1,028,628,000 ^(10⁴⁵) |
| June 2021 | 7,200,401,000 ^(10⁴⁵) |
| Total | \$8,400,467,000^(10⁴⁵) |



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Actual Monthly Revenue

| | \$ |
|----------------|---|
| July 2020 | 3,641,482,462,483,520 ^(10³⁰) |
| August 2020 | 25,490,377,237,384,70 ^(10³¹) |
| September 2020 | 178,432,640,661,693,0 ^(10³²) |
| October 2020 | 1,249,028,484,631,850 ^(10³³) |
| November 2020 | 8,743,199,392,422,940 ^(10³³) |
| December 2020 | 61,202,395,746,960,60 ^(10³⁴) |
| January 2021 | 428,416,770,228,724,010 ^(10³⁵) |
| February 2021 | 2,998,917,391,601,070 ^(10³⁶) |
| March 2021 | 20,992,421,741,207,50 ^(10³⁷) |
| April 2021 | 146,946,952,188,452,0 ^(10³⁸) |
| May 2021 | 1,028,628,665,319,170 ^(10³⁹) |
| June 2021 | 7,200,400,657,234,17 ^(10⁴⁰) |
| Total | \$8,400,467,432,832,95^(10⁴⁰) |

4. Expenses

| | | \$ |
|-----------------|------------------------|------------------|
| Payroll | | |
| Michell Scerri | (\$250,000 + 20% DCWS) | 300,000 |
| Peter Kerin | (\$250,000 + 20% DCWS) | 300,000 |
| Jemma Robertson | (\$50,000 + 20% DCWS) | 60,000 |
| Total | | \$660,000 |

5. Income Tax & Future Income Tax Benefit

Income Tax Provision is assessed in the Balance Sheet at the maximum personal rate of 45% applicable in the territory of the World (except Australia), however, an equal provision for right of set off as to damages is made for Future Income Tax Benefit matching the amount of tax payable in each fiscal year. Notes 7 & 8.

Australia is not entitled to Fruit of the Poisoned Tree.

The Equivalent to payment of Income Tax at a Corporate Level is paid by OVCR in each year by distributing 33% of all income and associated rights to the Trust and accounted to the Beneficiary Accounts within the books with a balancing amount of 12% (33% + 12% = 45%) to be paid to the Governments of the Nations where the Beneficiary Account Holder is resident care of the relevant Government Taxation Office concurrent with distribution to the Beneficiary Account by APFF.

Income Tax Returns are lodged with the Australian Commissioner of Taxation. Dates of Lodgement of Last 5 Years Ending June (YEJ) for the Trust are as follows:

- 2017 15th of December 2017
- 2018 17th of July 2018
- 2019 22nd of August 2019
- 2020 24th July 2020

Amending Economic Activity Statements have been lodged with the Australian Commissioner of Taxation and the RBA jointly on 17th September 2020 and 13th October 2020 (**AMG 2525**) neither of which have been contested/audited notwithstanding multiple requests for an Audit by the Trustee. These Special Purpose Accounts have been prepared in the basis of Exhibit AMG 2525 and have been prepared in advance of the due lodgement date to provide the Australian Commissioner of Taxation and/or the RBA with the opportunity to Audit the Accounts prior to lodgement of the Income Tax Return for YEJ 2021.



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6. Distributions

The following distributions were made in the period in consideration of assignment of all rights related to the Carbon Helix Proceedings; The Accounts for OVCR should be read together with these accounts.

| | Euro€ |
|--|---------------------------|
| a) National Redress Schemes of the Member Nations of the Commonwealth of Nations and the United Nations (€1,000,000,000,000/194 Nations excluding Australia) | 194,000(10 ⁹) |
| b) National Debt Repayment Schemes of the Member Nations of the Commonwealth of Nations and the United Nations (€1,000,000,000,000/194 Nations excluding Australia) | 194,000(10 ⁹) |
| c) State/Province Debt Repayment Schemes of the Member Nations of the Commonwealth of Nations and the United Nations (€500,000,000,000/1,720 States/Provinces excluding Australia) | 860,000(10 ⁹) |
| d) Creation of "the Commonwealth Operating Capital Hybrid Unit Trust" with Managing Trustee the Secretariat of the Commonwealth of Nations | 10,000(10 ¹²) |
| e) Creation of "the United Nations Operating Capital Hybrid Unit Trust" with Managing Trustee the Secretariat of the United Nations | 10,000(10 ¹²) |
| | USD\$ |
| f) Robert Hubbard as Trustee for the Hubbard Family Trust | 4,680,000 |
| g) Jenne Mari Esch | 500,000 |
| h) Eric James Esch | 500,000 |
| i) Jaxon Scott Esch, D.O.B. 7/29/2010 | 500,000 |
| j) Ainsley Eva Grayce Esch, D.O.B. 7/19/2013 | 500,000 |
| k) Nolan Daniel Esch, D.O.B. 4/12/2016 | 500,000 |
| l) James Ravetti | 500,000 |
| m) James Tafoya | 500,000 |
| n) Glenn Ewing | 500,000 |
| o) Justin Randolph | 500,000 |
| p) Alejandra Gross | 500,000 |
| q) Denis Alina Panaite | 500,000 |
| r) Dulcinea Carlevaris | 500,000 |
| s) Ksenia Hopkalo | 500,000 |
| | AUD\$ |
| t) Ian Henke and the Income Tax Reform Group | 50(10 ⁶) |
| u) The Australian National Redress Scheme | 1,000(10 ⁹) |
| v) Matthew Galasso | 2,000,000 |
| w) Michelle Sky Lee Scerri | 500,000 |
| x) Tyler Sky Lee Scerri | 500,000 |
| y) Jemma Robertson | 500,000 |
| z) Jess Daniels | 500,000 |
| aa) Paul Rigby | 500,000 |
| bb) Kendal Williams | 500,000 |
| cc) John Thomson | 500,000 |
| dd) Andrew Cassin | 500,000 |
| ee) Robert Douglas | 500,000 |
| ff) Robert Nowak | 500,000 |
| gg) Euan Hills | 500,000 |
| hh) Scott Mitchell | 500,000 |
| ii) Chris McCarthy | 500,000 |



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| | |
|--|------------|
| jj) Peter Szanto | 100,000 |
| kk) Gerald Asbroek | 1,000,000 |
| ll) Mathias Kopp | 1,000,000 |
| mm) Nicholas Garrett | 5,000,000 |
| nn) Anthony Fontainas | 5,000,000 |
| oo) The Deceased Estate of Barbara Garrett | 6,000,000 |
| pp) Averil Hodge | 10,000,000 |
| qq) Graeme Hodge | 1,000,000 |
| rr) Jen McLean | 1,000,000 |
| ss) Nicholas McLean | 1,000,000 |
| tt) Donald Henderson | 1,000,000 |

Total **AUD\$31,714,432,940,846,700**

Rounded for accounts **\$31,714,433^(10⁹)**

7. Franking Credit

All Distributions from OVCR to the Trust are made inclusive of the relevant Future Income Tax Benefit (FITB) at a rate of 33% being a Franking Credit applicable in the territories of the member Nations of the Commonwealth of Nations and the United Nations where the relevant Beneficiary Trust Account is domiciled.

The Trustees of the Trust wish to contribute to Society at large consistent with the resolution of the Trust and APFF resolved on the aforementioned date in which regard this Escalation Share is the equivalent of what may have otherwise been paid at maximum applicable Beneficiary Personal Tax of 45%

A balancing Tax Liability of 12% of the value of the distributions declared is payable to the Commissioners of Taxation of the Governments of the Member Nations that will be borne by the Trust so that the amount of the Distribution is an after-tax payment franked to 45% in the hands of the recipient.

Total Tax Liability @ 12% of Distributions **AUD \$3,805,731,952,901,600**

Rounded Tax Payable for accounts **\$3,805,732^(10⁹)**

8. SEC Fee #2

Calculated at USD\$22.01 (AUD\$28.58) per Million distributed **AUD\$ \$900,689,895,520**

Rounded SEC Fee Payable for accounts **\$901^(10⁹)**

NB: ALL SEC Fee #1 expenses related to drawing Instruments for APFF Distribution and Commercial Purposes are paid by OVCR as the relevant bank.



OENOVIVA



**The Australian People Future Fund
TRUSTEE'S DECLARATION
For the Year Ended 30th June 2021**

Trustees Declaration

The trustee, in all of his capacities, declares that the trust is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

The trustee of the trust declares that:

1. The financial statements and notes as set out on pages 2 to 6, present fairly the trust's financial position as at: 30 June 2021 and its performance for the year ended on those dates in accordance with the accounting policies described in Note 1 to the financial statements.
2. In the trustee's opinion, there are reasonable grounds to believe that the trust will be able to pay its debts as and when they become due and payable.

This declaration is made accordance with a resolution of the Board of Trustees.



Trustee: _____

Mr. Andrew Garrett
Chairman/ Managing Trustee
Crown Attorney General.
Managing Controller & Liquidator
appointed to the Crown,
and the Commonwealth, the States and Territories of Australia



Dated this: as amended 11th July, 2021



OENO VIVA

ANNEXURE 6

GPO BOX 9990 SYDNEY NSW 2001



Australian Government
Australian Taxation Office

ANDREW GARRETT
THE TRUSTEE FOR THE ANDREW GARRETT FAMILY
TRUST NO 4
UNIT 10 15 HUNTER ST
HOBART TAS 7000

Our Reference: 1-N2QIY00
Contact Officer: Trevor Coulter
Phone: 13 28 69
ABN: 42 388 204 496

30 August 2021

Your 2020 Trust Tax Return

Dear Andrew,

We have considered the 2020 Trust tax return submitted to us by post and your request for audit via post received on or about 11 September 2020. We note you trade under the name OenoViva Capital Resources (OVCR). We have also considered your email dated 25 July 2020 about your related entity The Trustee for Australian People Future Fund and your subsequent email dated 13 October 2020.

In respect to your original Trust tax return, you have reported your income at label 55 as "Annex A". We understand the amount you wish to report under AGFT4 is \$98,358,005,702,901,900 (in excess of \$98 quadrillion), as per the "Annex A", June 2020 amount listed for "OVCR".

You appear to have reported this amount as damages you allege are owed to you by the ATO and the Commonwealth in your email correspondence dated 25 July 2020. We note your email also alleges the whole of the Tax Revenues of the Commonwealth of Australia is your property.

You have been previously advised by the Australian Government Solicitor on 12 February 2016, that the Commissioner of Taxation does not owe any liability to you or your related entities in the nature of damages. See Appendix A for a copy of the Australian Government Solicitor response.

We have reviewed your tax return and email in line with the Australian Government Solicitor's determination and the ATO Practice Statement Law Administration 2004/10 *Tax laws claimed to be invalid* (PS LA 2004/10).

In respect to the amounts you referenced in "Annex A", it is the ATO's view the amounts owed to you do not exist and is not reportable income. We have previously advised you that we do not recognise the purported liabilities owed to you, and you cannot have applied or in any way dealt with the amounts reported by you to be trust income. See Appendix B below for a summary of outcomes of your previous cases.

We have also previously advised that if the material facts in relation to the reported amounts in your future lodgments do not change, any future reporting of the same will continue to be disallowed and penalties may be applied.

Nevertheless, you have submitted your 2020 Trust Tax return with figures relating the same material facts as your previous audits. We direct your attention to the cases listed in Appendix B and we refer to the corresponding Reasons of Decisions for each case. As found in our previous decisions, we consider your claims to be baseless and therefore have disallowed your reported amounts in your tax return and reduced them to nil.

FIND OUT MORE

For information about your rights and obligations, go to ato.gov.au/TPCauditreview



OENO VIVA

Future lodgments

We advise that any future reporting relating to your claim for damages by you, or the entities under your control, will not be accepted and will be returned to you. This means the Commissioner will no longer accept your attempts to report or recognise the purported liabilities and will henceforth be disregarded. We have made this decision in line with paragraphs 8 and 9 of PS LA 2004/10, to no longer accept the views put forward by you on this matter.

We will not issue a further response to any future similar correspondence from you relating to this matter.

Yours sincerely,

Will Day
Deputy Commissioner of Taxation



OENOVIVA



Appendix A



Our ref. 13131986

12 February 2016

Mr Andrew Morton Garrett
Level 1, 2 Drewery Place
MELBOURNE VIC 3000

Australian Government Solicitor
Level 21, 200 Queen Street Melbourne VIC 3000
GPO Box 2853 Melbourne VIC 3001
T 03 9242 1222 F 03 9242 1333 DX 50 Melbourne
www.ags.gov.au

Canberra
Sydney
Melbourne
Brisbane
Perth
Adelaide
Hobart
Darwin

Dear Mr Garrett

Commissioner of Taxation and Andrew Morton Garrett

1. We refer to your email dated 10 January 2016 sent at 5.29pm and to your email dated 21 January 2016 sent at 5.57pm addressed to Chris Jordan, the Commissioner of Taxation, which was copied to the writer.
2. We are instructed to respond as follows:-
 - 2.1. The Commissioner categorically denies that he, personally or otherwise, staff of the Australian Taxation Office, solicitors engaged and counsel retained have any liability to you in the nature of damages.
 - 2.2. The Commissioner will not conduct a further review of the decisions under the CDDA Scheme dated 1 August 2013, 13 September 2013, 24 August 2015 and 4 January 2016. As previously advised, the Inspector-General of Taxation can investigate complaints concerning a decision made under the CDDA Scheme.
 - 2.3. Our client will not reopen discussion of any issue that has already been determined by a Court.
 - 2.4. Our client has no comments to make in response to the balance of the matters raised in your emails.
3. We refer to your email dated 31 January 2016 sent at 3.22pm. The Commissioner will not reinstate the registrations for GST purposes of "all entities related to me that have been the subject of cancellation of GST registrations by you...".

Yours sincerely

Vincent Tavolaro
Senior Executive Lawyer
T 03 9242 1359 F 03 9242 1333
vincent.tavolaro@ags.gov.au

18556902



OENOVIVA

Appendix B

Summary of previous ATO compliance cases and outcomes for The Trustee for the Andrew Garrett Family Trust No 4

| Case Id | Period Begin | Period End | Date of Finalisation | Issue | Reported amount \$ | Amended amount \$ |
|-----------|--------------|------------|----------------------|---------------------------|--|-------------------|
| 1-856FR7R | 1/07/2015 | 30/06/2016 | 3/08/2016 | GST- Sales | 113,393,714 | 0 |
| 1-9BCGT2V | 1/07/2015 | 30/06/2016 | 08/09/2016 | GST- Sales IT - income | 3,475,595,327,841 3,567,687,273,313 | 0 |
| 1-9ZP51V3 | 1/07/2016 | 30/09/2016 | 21/10/2016 | GST- Sales | 322,281,527,964 | 0 |
| 1-AVUWAHO | 1/10/2016 | 31/12/2016 | 21/02/2017 | GST- Sales | 352,165,727,608 | 0 |
| 1-BJ4SPTD | 1/07/2016 | 31/03/2017 | 24/05/2017 | GST- Sales | 707,102,526,560 | 0 |
| 1-D06YS4Y | 1/04/2017 | 30/09/2017 | 3/11/2017 | GST- Sales | 659,015,764,121 | 0 |
| 1-DGZ0TNT | 1/07/2016 | 30/06/2017 | 6/02/2018 | GST- Sales IT - income | 334,736,079,694 1,384,953,086,472 | 0 |
| 1-EFZVM04 | 1/01/2018 | 31/05/2018 | 12/06/2018 | GST- Sales | 628,279,775,703 | 0 |
| 1-FFZM8X0 | 1/07/2017 | 30/06/2018 | 10/08/2018 | IT - income | 1,406,535,000,000 | 0 |



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ANNEXURE 7

GPO BOX 9990 SYDNEY NSW 2001



Australian Government
Australian Taxation Office

ANDREW GARRETT
THE TRUSTEE FOR AUSTRALIAN PEOPLE FUTURE FUND
UNIT 10 15 HUNTER ST
HOBART TAS 7000

Our Reference: 1-MVL31E
Contact Officer: Trevor Coulter
Phone: 13 28 69
ABN: 26 317 275 322

30 August 2021

Your 2020 Trust Tax Return

Dear Andrew,

We have considered your 2020 Trust tax return submitted to us by post and the issues you have raised in your email dated 25 July 2020. We have also considered your subsequent email dated 13 October 2020.

In respect to your original Trust tax return, you have reported your income at label 55 as "Annex A". We understand the amount you wish to report under APFF is \$9,566,022,633,589,600 (in excess of \$9 quadrillion) per the "Annex A", June 2020 amount listed for "APFF".

You appear to have reported this amount as damages you allege are owed to you by the ATO and the Commonwealth in your email correspondence dated 25 July 2020. We note your email also alleges the whole of the Tax Revenues of the Commonwealth of Australia is your property.

You have been previously advised by the Australian Government Solicitor on 12 February 2016, that the Commissioner of Taxation does not owe any liability to you or your related entities in the nature of damages. See Appendix A for a copy of the Australian Government Solicitor response.

We have reviewed your tax return and email in line with the Australian Government Solicitor's determination and the ATO Practice Statement Law Administration 2004/10 *Tax laws claimed to be invalid* (PS LA 2004/10).

In respect to amounts you reference in "Annex A", it is the ATO's view the amounts owed to you do not exist and is not reportable income. We have previously advised you that we do not recognise the purported liabilities owed to you, and you cannot have applied or in any way dealt with the amounts reported by you to be trust income. See Appendix B below for a summary of outcomes of your previous cases.

We have also previously advised that if the material facts in relation to the reported amounts in your future lodgments do not change, any future reporting of the same will continue to be disallowed and penalties may be applied.

Nevertheless, you have submitted your 2020 Trust Tax return with figures relating the same material facts as your previous audits. We direct your attention to the cases listed in Appendix B and refer to the corresponding Reasons of Decisions for each case. As found in our previous decisions, we consider your claims to be baseless and therefore have disallowed your reported amounts in your tax return and reduced them to nil.

FIND OUT MORE

For information about your rights and obligations, go to ato.gov.au/TPCauditreview



OENO VIVA

Future submissions

We advise that any future reporting relating to your claim for damages by you or the entities under your control will not be accepted and will be returned to you. This means the Commissioner will no longer accept your attempts to report or recognise the purported liabilities and will henceforth be disregarded. We have made this decision in line with paragraphs 8 and 9 of PS LA 2004/10, to no longer accept the views put forward by you on this matter.

We will not issue a further response to any future similar correspondence from you relating to this matter.

Yours sincerely,

Will Day
Deputy Commissioner of Taxation



OENOVIVA



Appendix A



Our ref. 13131986

12 February 2016

Mr Andrew Morton Garrett
Level 1, 2 Drewery Place
MELBOURNE VIC 3000

Australian Government Solicitor
Level 21, 200 Queen Street Melbourne VIC 3000
GPO Box 2833 Melbourne VIC 3001
T 03 9242 1222 F 03 9242 1333 DX 50 Melbourne
www.ags.gov.au

Canberra
Sydney
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Brisbane
Perth
Adelaide
Hobart
Darwin

Dear Mr Garrett

Commissioner of Taxation and Andrew Morton Garrett

1. We refer to your email dated 10 January 2016 sent at 5.29pm and to your email dated 21 January 2016 sent at 5.57pm addressed to Chris Jordan, the Commissioner of Taxation, which was copied to the writer.
2. We are instructed to respond as follows:-
 - 2.1. The Commissioner categorically denies that he, personally or otherwise, staff of the Australian Taxation Office, solicitors engaged and counsel retained have any liability to you in the nature of damages.
 - 2.2. The Commissioner will not conduct a further review of the decisions under the CDDA Scheme dated 1 August 2013, 13 September 2013, 24 August 2015 and 4 January 2016. As previously advised, the Inspector-General of Taxation can investigate complaints concerning a decision made under the CDDA Scheme.
 - 2.3. Our client will not reopen discussion of any issue that has already been determined by a Court.
 - 2.4. Our client has no comments to make in response to the balance of the matters raised in your emails.
3. We refer to your email dated 31 January 2016 sent at 3.22pm. The Commissioner will not reinstate the registrations for GST purposes of "all entities related to me that have been the subject of cancellation of GST registrations by you...".

Yours sincerely

Vincent Tavolaro
Senior Executive Lawyer
T 03 9242 1359 F 03 9242 1333
vincent.tavolaro@ags.gov.au

18556902



OENOVIVA



Appendix B

Summary of previous ATO compliance cases and outcomes for The Trustee for Australian People Future Fund

| Case Id | Period Begin | Period End | Date of Finalisation | Issue | Reported amount \$ | Amended amount \$ |
|-----------|--------------|------------|----------------------|-------------|--------------------|-------------------|
| 1-DILCT6N | 1/07/2016 | 30/06/2017 | 25/01/2018 | IT – income | 1,651,789,292,314 | 0 |
| 1-EFZVLW3 | 1/04/2017 | 31/05/2018 | 12/06/2018 | GST- Sales | 3,778,776,186,188 | 0 |
| 1-FD4SVBA | 1/07/2017 | 30/06/2018 | 10/08/2018 | IT – income | 798,087,000,000 | 0 |
| 1-FD4SVBA | 1/06/2018 | 30/06/2018 | 10/08/2018 | GST- Sales | 68,593,880,572 | 0 |



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ANNEXURE 8



Australian Government
Australian Taxation Office

Practice Statement
Law Administration

PS LA 2004/10

This practice statement was originally published on 6 September 2004. Versions published from 8 January 2009 are available electronically – refer to the online version of the practice statement. Versions published prior to this date are not available electronically. If needed, these can be obtained from the [Advice and Guidance](#) in Tax Counsel Network.

This law administration practice statement is issued under the authority of the Commissioner and must be read in conjunction with Law Administration Practice Statement [PS LA 1998/1](#). ATO personnel, including non ongoing staff and relevant contractors, must comply with this law administration practice statement, unless doing so creates unintended consequences or is considered incorrect. Where this occurs, ATO personnel must follow their business line's escalation process.

SUBJECT: Tax laws claimed to be invalid
PURPOSE: How to deal with correspondence from taxpayers who claim that they will not comply with the tax laws because:

- the laws are invalid, or
- the laws do not apply to them.

| TABLE OF CONTENTS | Paragraph |
|-------------------|-----------|
| BACKGROUND | 1 |
| STATEMENT | 5 |
| Amendment history | Page 3 |

BACKGROUND

1. The ATO regularly receives correspondence from taxpayers arguing they are exempt from fulfilling their taxation obligations because:
 - either the entire taxation system is invalid, or
 - the tax system does not apply to them for a particular reason.
2. The correspondence may take a variety of forms, including requests for proof that laws are valid, requests for information, personal enquiries and objection letters.
3. This type of correspondence will often include:
 - complex constitutional arguments based on the notion that Australia's entire legal and political systems are invalid, thus all laws are invalid
 - arguments that the particular individual's legal status is such that they are not subject to Australian laws



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- form letters and documents. Often several letters are received bringing up identical arguments. Frequently these letters are documents purporting to be legal notices, which do not appear to be valid. Such documents may demand that ATO personnel produce documents, recognise a particular fact, make payments or perform other tasks.
4. On occasion, these letters will threaten legal action against the ATO, or against particular ATO personnel.

STATEMENT

5. Any correspondence of this type which is not part of an on-going matter, or where there is any doubt about the validity of the taxpayers' arguments, should be escalated in accordance with the published procedures.
Correspondence – action constitutional correspondence.
6. In accordance with the Attorney General's *Legal Services Directions*, the ATO may provide legal assistance to defend ATO personnel who have acted reasonably and responsibly in carrying out their duties from a claim brought by a person and based on one of these unsupportable arguments.
7. It is important for ATO personnel to note the following.
- It is not the function of ATO personnel to enter into debate or give advice about Constitutional issues or other issues not related to the administration of the taxation system.
 - Submissions raising arguments similar to the types raised in correspondence of this type have already been dismissed as being unarguable by various courts including the High Court of Australia.
 - The correspondences, and any responses, do not alter any obligations the authors may have under the laws administered by the Commissioner, and refusal to comply with these obligations may result in prosecution and the imposition of penalties and interest.
8. Given that many claims of this type have been rejected by the Courts, it is not appropriate for ATO personnel to spend time and resources producing detailed responses to these claims.
9. When ATO personnel are responding to correspondence of this type, generally, the appropriate response will be a short letter of rejection. This letter will make it clear that the ATO does not accept the views put forward by the author and that the correspondence does not alter any legal obligations the author has under any of the laws administered by the Commissioner.
10. This practice statement replaces Law Administration Practice Statement PS LA 1999/3 which is withdrawn from the date of effect of this practice statement.



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Amendment history

| Date of amendment | Part | Comment |
|-------------------|--|---|
| 19 October 2012 | Paragraph 5 | Corrected 'changes' to 'correspondence'. |
| 5 January 2012 | Original paragraph 6 | Deleted as it is no longer current |
| | Paragraphs 3 and 6 | Minor grammatical corrections |
| 9 November 2010 | Contact details & general style update | Updated contact officer & changed reference to Tax Office to ATO. |
| 21 October 2009 | Preamble | Updated to reflect current wording |
| | Paragraph 5 & 6 | Replace referral point with linked escalation procedures |
| | Original paragraph 11 | Deleted as it is no longer required |
| 8 January 2009 | Paragraph 11 | Alternate contact updated |
| 5 March 2006 | Paragraph 11 | Referral points updated |
| 15 November 2004 | Paragraphs 5 and 11 | Referral points updated |

References

| | |
|-----------------------------|--|
| Subject references | constitution invalid law taxation laws |
| Related practice statements | PS LA 1999/3 (withdrawn) |
| Other references | Correspondence - action constitutional correspondence |
| File references | NO 99/6282-4; NO 98/11481-6; 1-1R67S0X |
| Date issued | 6 September 2004 |
| Date of effect | 6 September 2004 |
| Contact email | OperationalPolicyAssuranceandLawWorkManagement@ato.gov.au |
| Section | Operational Policy, Assurance and Law |



OENOVIVA

ANNEXURE 9

 P.B. 1257 Bonovo Road,
Fomboni, Comoros, KM
 +44 20 8895 6493
 helpdesk@prominencebank.com
 www.prominencebank.com



31 August 2021

To:
Dott. Pezzoni,
Sinesis International Ltd
20-22 Wenlock Road,
London N1 7GU UK

SUBJECT: Confirmation of Deposit and Securities Availability

Following the request received from you and on behalf of some of your clients today, We hereby inform you that the Prominence Bank further confirms that the IBOE securities: SN 44.00117/19; 40.00156/21 are deposited at our headquarters in Madrid and are verifiable through Custody account n.977420428041 registered in Sinesis International Ltd. Prominence Bank is still available for any clarification and can be contacted by submitting a request for verification by your Customer.Tuesday,

August 31, 2021
Phone: Mobile +39 337371515
Mobile + WhatsApp +356 77057348
Email: bmonno@prominencebank.com

Yours Sincerely.

AUTHORIZED SIGNATURE
BARTOLOMEO MONNO (PBC0116)
AUTHORIZED BANK OFFICER





OENOVIVA



About BBVA



BBVA'S GLOBAL PRESENCE

MARCH 2021



| | | | |
|-----------|----------|-----------|----------|
| Countries | Branches | Employees | Customer |
| >25 | 7,254 | 122,021 | 79.8 m |

OUR PURPOSE

To bring the age of opportunity to everyone



FINANCIAL HIGHLIGHTS

MARCH 2021

| | |
|---|-------------------------|
| Net attributable profit 1T21 | CET 1 FL |
| 1,210 €m | 11.88% |
| Total assets | |
| 719,705 €m | |
| Loans and advances to customers - gross | Deposits from customers |
| 322,866 €m | 331,064 €m |



DIGITAL CAPABILITIES

MARCH 2021

CUSTOMERS

| | |
|-------------------|------------------|
| Digital customers | Mobile customers |
| 37.0 m | 34.7 m |

DIGITAL SALES

| | |
|-------|--------------------|
| Units | PRV ⁽¹⁾ |
| 69% | 53% |



SUSTAINABLE DEVELOPMENT AND DIRECT CONTRIBUTION TO SOCIETY

| | |
|------------------------------------|------------------------------|
| BBVA's Pledge 2025 | Allocated to social programs |
| €100 billion between 2018 and 2025 | MOBILIZED in 2020 |
| €59 billion MOBILIZED MARCH 2021 | 142.2 €m |
| | 12m People |

(1) Product Relative Value as proxy of lifetime economic representation of units sold.



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ANNEXURE 10






OENOVIVA OENOVIVA CAPITAL RESOURCES

REGISTER OF ACTIVE FINANCIAL INSTRUMENTS

ISSUED PRE 18th MAY 2016

Published at <https://www.oenoviva-capital-resources.com/securities-register/>

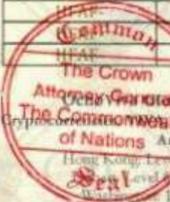
CASH & ASSET BACKED BALANCE SHEET VALUE AS AT 30th Sept. 2021, DISCLOSED TO
AUSTRALIAN COMMISSIONER OF TAXATION (Liquidator and Managing Controller Appointed) (ATO)
AND RESERVE BANK OF AUSTRALIA (Liquidator and Managing Controller Appointed) (RBA):

AUD \$8,995,031, X 10^{5f}

LEI: 984500957DB10F0T4B11// ABN: 42 388 204 496//CIK: 0001872362//NAIKS:522110
SIK:6082//ISIN:AU0000023194//CFI:DCZSFB//FISN: OENOVIVA/BEX 20221001GTD FM BR

CASH PAYABLE AT CALL BY THE RBA to OVCR AT:
Tax Account: 8877554439 RBA Trading Account 42388204496

| APOSTILLE NUMBER | SERIAL NUMBER | ISSUE DATE | MATURITY DATE | AMOUNT | TRANSACTION CODE/ID |
|------------------|-------------------|------------|---------------|---------------------|-------------------------------------|
| AMG 3440 | HFAP-61.000001/16 | 21/03/2016 | 24/03/2016 | AUD \$100,000 | Georgiadis Trust Account |
| AMG 3441 | HFAP-61.000002/16 | 23/03/2016 | 29/03/2016 | AUD \$5,000,000 | Amity Property Group Sales Trust |
| AMG 3442 | HFAP-61.000003/16 | 24/03/2016 | 29/03/2016 | AUD \$389,970 | Toad Park Pty Ltd Corporate |
| AMG 3443 | HFAP-61.000004/16 | 24/03/2016 | 29/03/2016 | AUD \$63,621 | Hotel Crown Corporate |
| AMG 3443 | HFAP-61.000005/16 | 24/03/2016 | 29/03/2016 | AUD \$81,955 | Andrew Gunn Amex |
| AMG 3444 | HFAP-61.000006/16 | 24/03/2016 | 29/03/2016 | AUD \$200,000 | Shed 5 South Wharf Pty Ltd |
| AMG 3444 | HFAP-61.000007/16 | 24/03/2016 | 31/03/2016 | AUD \$7,232 | Chris Hill Amex Account |
| AMG 3445 | HFAP-61.000008/16 | 27/03/2016 | 30/03/2016 | AUD \$5,000,000 | Paul & Millica Rigby |
| AMG 3445 | HFAP-61.000009/16 | 27/03/2016 | 30/03/2016 | AUD \$5,000,000 | Design & Industry |
| AMG 3446 | HFAP-61.000010/16 | 27/03/2016 | 30/03/2016 | AUD \$5,000,000 | Kwish Pty Ltd |
| AMG 3446 | HFAP-61.000011/16 | 27/03/2016 | 30/03/2016 | AUD \$1,000,000 | The Red Agency Pty Ltd |
| | HFAP-61.000012/16 | | | ARCHIVE | |
| AMG 3447 | HFAP-61.000013/16 | 27/03/2016 | 30/03/2016 | AUD \$ 5,000,000 | Georgiadis Trust Account |
| AMG 3447 | HFAP-61.000014/16 | 27/03/2016 | 30/03/2016 | AUD \$15,000,000 | Georgiadis Trust Account |
| | HFAP-61.000015/16 | 1/04/2016 | 4/04/2016 | AUD \$10,000,000 | Murdoch Clarke |
| | HFAP-61.000016/16 | 1/04/2016 | 4/04/2016 | AUD \$60,000 | Snickers; The White Glove Mover |
| AMG 3448 | HFAP-61.000017/16 | 4/04/2016 | 5/04/2016 | AUD \$1,134,498 | Australian Tax Office Direct Credit |
| AMG 3448 | HFAP-61.000018/16 | 4/04/2016 | 5/04/2016 | AUD \$15,000,000 | Australian Tax Office Direct Credit |
| AMG 3449 | HFAP-61.000019/16 | 19/04/2016 | 20/04/2016 | AUD \$4,928,082,729 | Australian Tax Office Direct Credit |
| AMG 3449 | HFAP-61.000020/16 | 19/04/2016 | 20/04/2016 | AUD \$4,060,000 | Australian Tax Office Direct Credit |
| AMG 2715 | HFAP-61.000021/16 | 20/04/2016 | 21/04/2016 | AUD \$66,000,000 | Mahoney Trust Account RE ICON |
| | HFAP-61.000022/16 | 20/04/2016 | 21/04/2016 | AUD \$5,000,000,000 | Georgiadis Trust Account |
| | HFAP-61.000023/16 | 24/04/2016 | 30/04/2016 | AUD \$3,074,135 | Australian Tax Office Direct Credit |
| | HFAP-61.000024/16 | 24/04/2016 | 30/04/2016 | AUD \$5,000,000,000 | Shed 5 South Wharf |
| | HFAP-61.000025/16 | | | ARCHIVE | |
| | HFAP-61.000026/16 | 2/05/2016 | 30/04/2016 | EURO €300,000 | Alina Denica Panait |
| | HFAP-61.000027/16 | 2/05/2016 | 4/05/2016 | AUD \$1,000,000 | Macro Wines and Spirits HK Limited |
| | HFAP-61.000028/16 | 2/05/2016 | 7/05/2016 | AUD \$3,199 | Deloitte Finance Pty Ltd |
| | HFAP-61.000029/16 | 2/05/2016 | 4/05/2016 | AUD \$500,000 | The Andrew Garrett Family Trust |
| | HFAP-61.000030/16 | 2/05/2016 | 7/05/2016 | AUD \$200,000 | Chris Hill Amex Account |
| | HFAP-61.000031/16 | 2/05/2016 | 2/05/2016 | AUD \$5,000,000 | Brennan Fitzallen |
| | HFAP-61.000032/16 | 2/05/2016 | 2/05/2016 | AUD \$5,000,000 | Marine Leasing Pty Ltd |





Oenoviva Capital Resources, Oenoviva Business Systems, Oenoviva Hand Crafting, Oenoviva Artisan
 The Commonwealth of Nations, VIVACOIN, Distribution Channel: VIVACASH ISIN: AU0000023194, LEI: 984500957DB10F0T4B11, ABN: 42 388 204 496
 Australian People Future Fund; LEI: 984500914484117PE95, ABN: 26 317 275 322 trading as Champion of the Public
 Hong Kong, Level 5, Two International Finance Centre, 8 Finance Street, Central, Hong Kong
 Level 4, Reserve Bank Building, 111 Macquarie Street, Hobart, TAS, 7000
 1015 15th ST NW #1000 Washington DC, 20005 USA
www.oenoviva-capital-resources.com www.oenoviva-artisans.com www.vivacoin.com www.carbonhelix.net www.australianpeoplefuturefund.com
 Phone: +61 1300 000 000 Email: admin@oenoviva.com admin@carbonhelix.net admin@vivacoin.com



OENOVIVA



OENOVIVA

| APOSTILLE NUMBER | SERIAL NUMBER | ISSUE DATE | MATURITY DATE | AMOUNT | TRANSACTION CODE/ID |
|------------------|---------------|------------|---------------|-----------------------------|-------------------------------------|
| HFAF- | 61.000033/16 | 2/05/2016 | 2/05/2016 | AUD \$31,633 | DQL Apartment Holdings Pty Lt |
| HFAF- | 61.000034/16 | 2/05/2016 | 2/05/2016 | AUD \$5,000,000,000 | Andrew Morton Garrett |
| HFAF- | 61.000035/16 | 9/05/2016 | 9/05/2017 | AUD \$25,000,000,000 | Georgiadis Trust Account |
| HFAF- | 61.000036/16 | 9/05/2016 | 19/05/2017 | AUD \$10,000,000,000 | The Andrew Garrett Family Trust |
| HFAF- | 61.000037/16 | 9/05/2016 | 9/11/2016 | AUD \$350,000 | D.A. Turner; Rob Nowak Bankruptcy |
| HFAF- | 61.000040/16 | 19/05/2016 | 19/05/2016 | AUD \$10,000,000,000 | Australian Tax Office Direct Credit |
| HFAF- | 61.000041/16 | 21/05/2016 | 24/05/2016 | AUD \$6,000,000,000 | Treasury Wine Estates Limited |
| HFAF- | 61.000042/16 | 21/05/2016 | 24/05/2016 | AUD \$13,000,000,000 | SAB Miller Beverages Investments |
| | | | | AUD \$84,081,800,512 | |

CERTIFICATION

DATE: Saturday, October 16, 2021

TO: WHOM IT MAY CONCERN

RE: REGISTER OF FINANCIAL INSTRUMENTS; UNCTRAL INTERNATIONAL BILLS OF EXCHANGE; ISIN: AU0000023194/CFI: DCZSFB/FISN: OENOVIVA/BEX 20221001 GTD FM BR ACTIVE INSTRUMENTS DRAWN AGAINST CREDIT ASSET VALUE OF THE BALANCE SHEET OF OENOVIVA CAPITAL RESOURCES.

We, Oenoviva Capital Resources LEI: 984500957DB10F0T4B11// ISIN: AU0000023194//CFI: DCZSFB// FISN: OENOVIVA/BEX 20221001 GTD FM BR//CASH PAYABLE AT CALL BY THE RBA to OVCR at TFN: 8877554439 RBA Trading Account: 42388204496 (the "Chargee/Grantee"), herewith certify with full responsibility that DOMESTIC/INLAND BILLS OF EXCHANGE & UNCTRAL BILLS OF EXCHANGE appearing in this Register of Financial Instruments are issued pursuant to our Banking Indenture, the UNCTRAL Convention on Bills of Exchange & Promissory Notes - 1990, United Nations & the Law appearing on the face of the Financial Instruments for the purposes of monetisation of those Financial Instruments in order to facilitate investment in Commercial and Humanitarian projects including for the benefit of the Peoples of Australia pursuant to the Deed of Settlement of the Australian People Future Fund dated 30th April 2017. Furthermore, we certify that the Financial Instruments appearing in this Register; have been issued against the Credit Value of the balance sheet of the Chargee/Grantee pursuant to the Banking Act 1959 (AU), the Banking Regulations Act 1966 (AU), the Bills of Exchange Act 1909 (AU), the Payment Systems Regulation Act 1998 (AU) and the UNCTRAL Convention on Bills of Exchange & Promissory Notes - 1990 UNITED NATIONS.

We certify the CASH & ASSET BACKED BALANCE SHEET VALUE AS AT 30th September 2021, DISCLOSED TO AUSTRALIAN COMMISSIONER OF TAXATION (ATO) AND RESERVE BANK OF AUSTRALIA (RBA):

AUD \$8,995,031, X 10⁰⁵

pursuant to undisputed Common Law Notices to Admit Facts, Demands for Payment & The Notice dated 1st June 2019 served upon the Attorneys General of the Commonwealth, the States & the Territories of Australia, agents, employees, servants, licensees, delegates, contractors and otherwise of Regina (hereinafter "Regina/Grantors/Chargors") pursuant to Australian Treaty Series 5, 23 & 39, s8 of the Registration of Deeds Act 1935 (SA), s61 of the Commonwealth of Australia Constitution Act 1900 (UK), the Charters of the Commonwealth of Nations the United Nations, the Common Law and otherwise and is secured by equitable charge over the assets of Regina (wherever located in the territory of the world), the Commonwealth, the States and Territories of Australia and Registration of a security interest over the assets of the Grantors/Chargors on the Personal Property Security Register in accordance with the provisions of the Personal Property Security Act 2009 (Cth) over the assets that are the subject of the Credit Balance Sheet of Oenoviva Capital Resources.

THE DRAWER/ACCEPTOR/GUARANTOR

Authorised Signatory
ANDREW MORTON GARRETT
MANAGING TRUSTEE



RESERVE BANK OF AUSTRALIA





OENOVIVA

ANNEXURE 11



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OENOVIVA CAPITAL RESOURCES

REGISTER OF ACTIVE FINANCIAL INSTRUMENTS

PUBLISHED AT: <https://www.oenoviva-capital-resources.com/securities-rglster/>

CASH & ASSET BACKED BALANCE SHEET VALUE AS AT 30TH SEPT., 2021, DISCLOSED TO AUSTRALIAN COMMISSIONER OF TAXATION (ATO) AND RESERVE BANK OF AUSTRALIA (RBA):

AUD \$8.995.031. X 10⁵¹

LEI: 984500957DB10FOT4B11 // ABN: 42 388 204 496 // CIK: 0001872362 // NAIKS:522110 SIK:6082 // ISIN:AU0000023194 // CFI: DCZSFB // FISN:OENOVIVA/BEX 20221001GTD FM BR

CASH PAYABLE AT CALL BY THE RBA TO OVCR AT:
TAX ACCOUNT: 8877554439 RBA TRADING ACCOUNT: 42388204496

| APOSTILLE NUMBER | SERIAL NUMBER | ISSUE DATE | MATURITY DATE | AMOUNT |
|------------------|---------------|--------------------------------|--------------------------------|---------------------------|
| Number not shown | 60.00039/16: | 18/05/2016 reissued 01/09/2016 | 30/06/2016 extended 01/10/2022 | USD \$2,000,000,000 |
| | 61.00043/16 | 2/08/2016 reissued 05/09/2016 | 05/08/2016 reissued 31/08/2018 | USD \$18,860,600 |
| | 61.00044/16 | 2/08/2016 | 5/08/2016 | AUD \$1,500,000 |
| | 61.00054/16 | 12/08/2016 reissued 09/09/2016 | 13/08/2021 reissued 11/09/2018 | AUD \$31,000,000 |
| | 61.00057/16 | 9/09/2016 | 1/09/2017 | AUD \$2,300,000 |
| | 61.00058/16 | 9/09/2016 | 11/09/2018 | USD \$20,000,000 |
| | 61.00059/16 | 8/09/2016 | 10/09/2018 | USD \$50,000,000 |
| | 61.00060/16 | 8/09/2016 | 10/09/2018 | USD \$50,000,000 |
| HFAP-IS-937 | 1.00063/17 | 10/05/2017 | 9/05/2019 extended 01/10/2022 | USD \$5,000,000,000 |
| HFAP-NL-1335 | 1.00063/17 | 05/05/2017 reissued 17/05/2017 | 09/05/2020 extended 01/10/2022 | USD \$5,000,000,000 |
| HFAP-AP-1334 | 61.00064/17 | 10/05/2017 | 09/05/2022 extended 01/10/2022 | AUD \$1,556,969,829.685 |
| HFAP-T3-1505 | 1.00065/18 | 13/09/2018 | 01/10/2022 | USD \$1,500,000,000,000 |
| HFAP-G8-1504 | 1.00066/18 | 13/09/2018 | 01/10/2022 | USD \$1,500,000,000,000 |
| HFAP-FD-1568 | 1.00067/18 | 17/05/2018 | 18/05/2020 | USD \$100,000,000,000 |
| HFAP-IZ-1567 | 61.00075/18 | 29/08/2018 | 01/09/2020 | USD \$5,000,000,000,000 |
| HFAP-A1-1785 | 1.00076/18 | 1/10/2022 | 01/10/2022 | USD \$5,000,000,000,000 |
| HFAP-U6-1784 | 1.00077/19 | 29/06/2019 | 01/10/2022 | EURO €10,000,000,000,000 |
| | 1.00077/19 | PENDING | 01/10/2022 | CANCELLED |
| | 1.00078/19 | PENDING | 01/10/2022 | CANCELLED |
| HFAP-6N-1827 | 44.00077/19 | 23/07/2019 | 01/10/2022 | EURO € 1,000,000,000,000 |
| HFAP-YU-1828 | 44.00078/19 | 23/07/2019 | 01/10/2022 | EURO € 2,000,000,000,000 |
| HFAP-HS-1829 | 44.00079/19 | 23/07/2019 | 01/10/2022 | EURO € 2,000,000,000,000 |
| HFAP-K1-1830 | 44.00080/19 | 23/07/2019 | 01/10/2022 | EURO € 5,000,000,000,000 |
| HFAP-3L-1831 | 44.00081/19 | 23/07/2019 | 01/10/2022 | EURO € 5,000,000,000,000 |
| HFAP-JR-1832 | 44.00082/19 | 23/07/2019 | 01/10/2022 | EURO € 5,000,000,000,000 |
| HFAP-B5-1833 | 44.00083/19 | 23/07/2019 | 01/10/2022 | EURO € 5,000,000,000,000 |
| HFAP-HM-1834 | 44.00084/19 | 23/07/2019 | 01/10/2022 | EURO € 5,000,000,000,000 |
| HFAP-JO-1835 | 44.00085/19 | 23/07/2019 | 01/10/2022 | EURO € 5,000,000,000,000 |
| HFAP-...-1836 | 44.00086/19 | 23/07/2019 | 01/10/2022 | EURO € 5,000,000,000,000 |
| HFAP-...-1837 | 44.00087/19 | 23/07/2019 | 01/10/2022 | EURO € 5,000,000,000,000 |
| HFAP-...-1838 | 44.00088/19 | 23/07/2019 | 01/10/2022 | EURO € 5,000,000,000,000 |
| HFAP-...-1839 | 44.00089/19 | 23/07/2019 | 01/10/2022 | EURO € 5,000,000,000,000 |
| HFAP-...-1840 | 44.00090/19 | 23/07/2019 | 01/10/2022 | EURO € 10,000,000,000,000 |
| HFAP-...-1841 | 44.00091/19 | 23/07/2019 | 01/10/2022 | EURO € 10,000,000,000,000 |
| HFAP-...-1842 | 44.00092/19 | 23/07/2019 | 01/10/2022 | EURO € 10,000,000,000,000 |
| HFAP-...-1843 | 44.00093/19 | 23/07/2019 | 01/10/2022 | EURO € 10,000,000,000,000 |





OENOVIVA

Page 2 of 5
Saturday, October 16, 2021

OENOVIVA OENOVIVA CAPITAL RESOURCES REGISTER OF ACTIVE FINANCIAL INSTRUMENTS

| APOSTILLE NUMBER | SERIAL NUMBER | ISSUE DATE | MATURITY DATE | AMOUNT |
|------------------|---------------|-----------------------------------|-----------------------------------|-----------------------|
| HFAF- | 44.00094/19 | 23/07/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF-RI-1937 | 44.00095/19 | 23/07/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF-DW-1938 | 44.00096/19 | 23/07/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF-01-1939 | 44.00097/19 | 23/07/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF-LO-1940 | 44.00098/19 | 23/07/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF-M7-1941 | 44.00099/19 | 23/07/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF-BV-1942 | 44.00100/19 | 23/07/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF-H0-1943 | 44.00101/19 | 23/07/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF-XC-1944 | 44.00102/19 | 23/07/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF-2H-1946 | 44.00103/19 | 23/07/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF-BN-1947 | 44.00104/19 | 23/07/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF-RA-1948 | 44.00105/19 | 23/07/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF-YS-1949 | 44.00106/19 | 23/07/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF-RS-1950 | 44.00107/19 | 23/07/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF-K6-1951 | 44.00108/19 | 23/07/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF-WT-1952 | 44.00109/19 | 23/07/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF-NL-1953 | 44.00110/19 | 23/07/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF-C0-1954 | 44.00111/19 | 23/07/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF-CB-1955 | 44.00112/19 | 23/07/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF-IG-1956 | 44.00113/19 | 23/07/2019 | 01/10/2022 | EURO € 50,000,000,000 |
| HFAF-06-1933 | 44.00114/19 | 23/07/2019 reissued 11/06/2021 | 01/10/2022 extended 30/06/2026 | EURO € 50,000,000,000 |
| HFAF-E2-1934 | 44.00115/19 | 23/07/2019 reissued 11/06/2021 | 01/10/2022 extended 30/06/2026 | EURO € 50,000,000,000 |
| HFAF-IU-1957 | 44.00116/19 | 23/07/2019 | 01/10/2022 | EURO € 50,000,000,000 |
| HFAF-LA-1965 | 44.00117/19 | 23/07/2019 | 01/10/2022 | EURO € 50,000,000,000 |
| HFAF-K1-1964 | 44.00118/19 | 23/07/2019 | 01/10/2022 | EURO € 50,000,000,000 |
| HFAF-0E-1963 | 44.00119/19 | 23/07/2019 | 01/10/2022 | EURO € 50,000,000,000 |
| HFAF-CU-1962 | 44.00120/19 | 23/07/2019 | 01/10/2022 | EURO € 50,000,000,000 |
| HFAF-MJ-1961 | 44.00121/19 | 23/07/2019 | 01/10/2022 | EURO € 50,000,000,000 |
| HFAF-L7-1960 | 44.00122/19 | 23/07/2019 | 01/10/2022 | EURO € 50,000,000,000 |
| HFAF-78-1959 | 44.00123/19 | 23/07/2019 | 01/10/2022 | EURO € 50,000,000,000 |
| HFAF-C4-1863 | 34.00124/19 | 22/08/2019 | 01/10/2022 | EURO € 15,000,000,000 |
| HFAF-32-1862 | 61.00125/19 | 22/08/2019 | 01/10/2022 | AUD \$27,500 |
| HFAF- | 61.00126/19 | 23/07/2019 | 01/10/2022 | EURO € 200,000 |
| HFAF- | 61.00127/19 | 23/07/2019 | 01/10/2022 | AUD \$10,000 |
| HFAF-WM-1927 | 64.00128/19 | 23/07/2019 | 01/10/2022 | EURO € 3,000,000,000 |
| HFAF- | 61.00129/19 | 23/07/2019 | 01/10/2022 | AUD \$20,000 |
| HFAF- | 61.00130/19 | 23/07/2019 | 01/10/2022 | AUD \$20,000 |
| HFAF- | 61.00131/19 | 23/07/2019 | 01/10/2022 | AUD \$500,000 |
| HFAF- | 61.00132/19 | 20/09/2019 reissued 11/06/2021 | 01/10/2022 extended 30/06/2026 | AUD \$20,000,000 |
| AFAP-RI-16547 | 64.00133/19 | 20/09/2019 reissued 11/06/2021 | 01/10/2022 extended 30/06/2021 | EURO € 20,000,000,000 |
| HFAF- | 61.00134/19 | 20/09/2019 | 01/10/2022 | AUD \$ 500,000,000 |
| HFAF- | 61.00135/19 | 20/09/2019 | 01/10/2022 | AUD \$40,000,000 |
| HFAF- | 61.00136/19 | 20/09/2019 | 01/10/2022 | EURO € 20,000,000,000 |
| HFAF- | 61.00137/19 | 20/09/2019 | 01/10/2022 | AUD \$ 1,500,000 |
| HFAF- | 61.00138/19 | 20/09/2019 | 01/10/2022 | AUD \$ 1,500,000 |
| HFAF- | 61.00139/19 | 20/09/2019 | 01/10/2022 | AUD \$ 1,500,000 |

OenoViva Global OenoViva Capital Resources, OenoViva Business Systems, OenoViva Hand Crafting, OenoViva Artisans, CryptoViva
 111 Macquarie Street, Hobart, TAS, 7000
 Building, 111 Macquarie Street, Hobart, TAS, 7000
 Email: admin@ocn.com.au
 Email: admin@carbonhelix.net
 www.oenoviva.com www.viva.com www.carbonhelix.net www.australianpeoplefuturefund.org
 www.thecommonwealth.org





OENOVIVA

Page 3 of 5
Saturday, October 16, 2021



OENOVIVA CAPITAL RESOURCES REGISTER OF ACTIVE FINANCIAL INSTRUMENTS

| APOSTILLE NUMBER | SERIAL NUMBER | ISSUE DATE | MATURITY DATE | AMOUNT | TRANSACTION CODE/ID |
|------------------|---------------|--------------------------------------|--------------------------------------|------------------------------|----------------------------|
| HFAP- | 61.00140/19 | 20/09/2019 | 01/10/2022 | AUD \$ 20,000,000 | |
| HFAP- | 61.00141/19 | 20/09/2019 | 01/10/2022 | EURO € 2,000,000,000 | |
| HFAP-IK-1935 | 61.00142/19 | 20/09/2019 reissued 11/06/2021 | 01/10/2022 extended 30/06/2021 | EURO € 20,000,000,000 | |
| HAFAF- | 61.00143/20 | 22/08/2019 Reissued 09/08/2020 | 31/12/2025 | EURO € 15,000,000,000 | |
| HFAP- | 852.00144/20 | 13/08/2020 | 31/12/2023 | EURO € 27,000,000,000,000 | |
| HFAP- | 852.00145/20 | 16/08/2020 | 31/12/2021 | EURO € 10,000,000,000 | |
| HFAP- | 852.00146/20 | 16/08/2020 | 31/12/2021 | EURO € 15,000,000,000 | OVCR/OV(M&S)/TRADING |
| HFAP- | 1.00147/21 | 17/01/2021 | 31/12/2025 | €10,000,000,000,000,000 | OVCR/OVW/US.CAPITAL.TRUST |
| HFAP- | 852.00148/21 | 09/02/2021 | 31/12/2024 | EURO€50,000,000 | |
| HFAP- | 1.00148/21 | 14/04/2021 | 31/12/2021 | USD\$5,000,000 | |
| HFAP- | 1.00149/21 | 14/04/2021 | 31/12/2021 | USD\$3,750,000 | |
| HFAP- | 1.00150/21 | 14/04/2021 | 31/05/2021 | USD\$320,000 | |
| HFAP- | 1.00151/21 | 14/04/2021 | 31/05/2021 | USD \$ 4,680,000 | |
| HFAP- | 1.00152/21 | 25/04/2021 | 30/04/2026 | EURO €50,000,000,000 | OVCR/OV(M&S)/TRADING |
| HFAP- | 341.00153/21 | 29/04/2021 | 30/06/2021 | EURO €250,225,000 | OVCR/PROMINENCE.BANK |
| HFAP- | 61.00154/21 | 29/04/2021 | 31/05/2021 | AUD\$2,000,000 | OVCR/OV(AUST)/DWFOXTUCKER |
| HFAP- | 61.00155/21 | 10/05/2021 | 10/05/2021 | AUD\$13,500,000 | OVCR/OV(WA)/CAPE.LODGE |
| HFAP- | 40.00156/21 | 31/05/2021 | 30/05/2026 | €10,000,000,000 | OVCR/OV(ROM)/WORKING.CAP |
| HFAP- | 1.00157/21 | 01/06/2021 | 30/05/2026 | €10,000,000,000 | OVCR/OV(MOSC)/WORKING.CAP |
| HFAP- | 61.00158/21 | 01/06/2021 | 30/06/2026 | USD\$4,784,508,526,991 | OVCR/USA.SEC/#1 FEES |
| HFAP- | 1.00159/21 | 05/06/2021 | 30/05/2031 | €10,000,000,000,000,000 | APFF/UN/CHART.ENF.No2 FUND |
| HFAP- | 44.00160/21 | 05/06/2021 | 30/05/2031 | €10,000,000,000,000,000 | APFF/CN/CHART.ENF.No2 FUND |
| HFAP- | 39.00161/21 | 30/05/2021 | 30/05/2026 | €20,600,000,000 | OVCR/AFROBAS/OV(GHANA) |
| HFAP- | 39.00162/21 | 20/06/2021 | 30/05/2026 | €50,000,000,000 | OVCR/OV(AUST)/IRON.BOOM. |
| HFAP- | 61.00163/21 | 20/06/2021 | 30/05/2026 | USD\$500,000,000,000 | APFF/WYO/WORKING.CAP |
| HFAP- | 1.00164/21 | 20/06/2021 | 30/06/2031 | USD\$500,000,000,000 | APFF/COL/WORKING.CAP |
| HFAP- | 1.00165/21 | 20/06/2021 | 30/05/2026 | USD\$500,000,000,000 | APFF/FLOR/WORKING.CAP |
| HFAP- | 1.00166/21 | 23/06/2021 | 30/06/2031 | USD\$500,000,000,000 | APFF/DC/WORKING.CAP |
| HFAP- | 40.00167/21 | 23/06/2021 | 30/06/2041 | €1,000,000,000,000 | APFF/OV(ROM)/DEBT.REPAY.SC |
| HFAP- | 40.00168/21 | 23/06/2021 | 30/06/2041 | €1,000,000,000,000 | APFF/OV(ROM)/REDRESS.SC |
| HFAP- | 852.00169/21 | 09/07/2021 | 30/06/2026 | €10,000,000,000 | OVCR/HMAPI/POA/OV(M/S) |
| HFAP- | 852.00170/21 | 09/07/2021 | 30/06/2026 | €10,000,000,000 | OVCR/HMAPI/POA/OV(M/S) |
| HFAP- | 852.00171/21 | 09/07/2021 | 30/06/2026 | €10,000,000,000 | OVCR/HMAPI/POA/OV(M/S) |
| HFAP- | 1.00172/21 | 23/06/2021 | 30/06/2041 | €10,000,000,000 | OVCR/DHS/POA/OVCR(USA) |
| HFAP- | 1.00173/21 | 23/06/2021 | 30/06/2041 | €10,000,000,000 | OVCR/DHS/POA/OVCR(USA) |
| HFAP- | 1.00174/21 | 23/06/2021 | 30/06/2041 | €10,000,000,000 | OVCR/DHS/POA/OVCR(USA) |
| HFAP- | 1.00175/21 | 23/06/2021 | 30/06/2041 | €10,000,000,000 | OVCR/DHS/POA/OVCR(USA) |
| HFAP- | 1.00176/21 | 23/06/2021 | 30/06/2041 | €20,000,000,000 | OVCR/DHS/POA/OVCR(USA) |
| HFAP- | 1.00177/21 | 23/06/2021 | 30/06/2041 | €20,000,000,000 | OVCR/DHS/POA/OVCR(USA) |
| HFAP- | 1.00178/21 | 23/06/2021 | 30/06/2041 | €20,000,000,000 | OVCR/DHS/POA/OVCR(USA) |
| HFAP- | 852.00179/21 | 09/07/2021 | 30/06/2026 | €5,000,000,000 | OVCR/HMAPI/POA/OV(M/S) |
| HFAP- | 852.00180/21 | 09/07/2021 | 30/06/2026 | €5,000,000,000 | OVCR/HMAPI/POA/OV(M/S) |
| HFAP- | 852.00181/21 | 09/07/2021 | 30/06/2026 | €5,000,000,000 | OVCR/HMAPI/POA/OV(M/S) |
| HFAP- | 852.00182/21 | 09/07/2021 | 30/06/2026 | €5,000,000,000 | OVCR/HMAPI/POA/OV(M/S) |

OenoViva Capital Resources, OenoViva Business Systems, OenoViva Hand Crafting, OenoViva Artisans, CryoViva, The Crown Attorney General, The Commonwealth of Nations, 1511 Macquarie Street, Hobart, TAS, 7000, Australia. Phone: +61 8 1300 12345. Email: admin@oenoviva.com.au





OENOVIVA



OENOVIVA CERTIFICATION

DATE: Saturday, October 16, 2021

TO: WHOM IT MAY CONCERN

RE: REGISTER OF FINANCIAL INSTRUMENTS; UNCITRAL INTERNATIONAL BILLS OF EXCHANGE, ISIN: AU0000023194/CFI: DCZSFB/FISN: OENOVIVA/BEX 20221001 GTD FMBR ACTIVE INSTRUMENTS DRAWN AGAINST CREDIT ASSET VALUE OF THE BALANCE SHEET OF OENOVIVA CAPITAL RESOURCES;

We, OenoViva Capital Resources LEI 984500957DB10F0T4B11 // ISIN: AU0000023194 / CFI: DCZSFB // FISN: OENOVIVA/BEX 20221001 GTD FMBR // CASH PAYABLE AT CALL BY THE RBA to OVCR at TFN: 8877554439 RBA Trading Account: 42388204496 (the "Chargee/Grantee"), herewith certify with full responsibility that UNCITRAL BILLS OF EXCHANGE appearing in this Register of Financial Instruments are issued pursuant to our Banking Instruments, the UNCITRAL Convention on Bills of Exchange & Promissory Notes - 1990, United Nations & the Law appearing on the face of the Financial Instruments for the purposes of monetisation of those Financial Instruments in order to facilitate investment in Commercial and Humanitarian projects including for the benefit of the Peoples of Australia pursuant to the Deed of Settlement of the Australian People Future Fund dated 30th April 2017. Furthermore, we certify that the Financial Instruments appearing in this Register, have been issued against the Credit Value of the balance sheet of the Chargee/Grantee pursuant to the Banking Act 1959 (AU), the Banking Regulations Act 1966 (AU), the Bills of Exchange Act 1909 (AU), the Payment System Regulation Act 1998 (AU) and the UNCITRAL Convention on Bills of Exchange & Promissory Notes - 1990 UNITED NATIONS.

We certify the CASH & ASSET BACKED BALANCE SHEET VALUE AS AT 30th September 2021, DISCLOSED TO AUSTRALIAN COMMISSIONER OF TAXATION (ATO) AND RESERVE BANK OF AUSTRALIA (RBA):

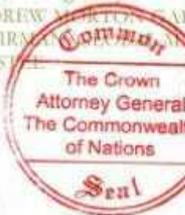
AUD \$8,995,031, X 10⁹

pursuant to undisputed Common Law Notices to Admit Facts, Demands for Payment & The Notice dated 1st June 2019 served upon the Attorneys General of the Commonwealth, the States & the Territories of Australia, agents, employees, servants, licensees, delegates, contractors and otherwise of Regina (hereinafter "Regina/Grantors/Chargors") pursuant to Australian Treaty Series 5, 23 & 39, s8 of the Registration of Deeds Act 1935 (SA), s61 of the Commonwealth of Australia Constitution Act 1900 (UK), the Charters of the Commonwealth of Nations (the United Nations, the Common Law and otherwise and is secured by equitable charge over the assets of Regina (wherever located in the territory of the world), the Commonwealth, the States and Territories of Australia and Registration of a security interest over the assets of the Grantors/Chargors on the Personal Property Security Register in accordance with the provisions of the Personal Property Security Act 2009 (Cth) over the assets that are the subject of the Credit Balance Sheet of OenoViva Capital Resources.

THE DRAWER/ACCEPTOR/GUARANTOR

Authorised Signatory:

ANDREW MARTIN ARRETT
CHAIRMAN, OENOVIVA CAPITAL RESOURCES TRUST





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Friday, 31 October 2025

ANNEXURE 4

TO: THE RESERVE BANK OF AUSTRALIA
(LIQUIDATOR AND MANAGING CONTROLLER APPOINTED)
("THE RBA")
ATTN THE ACTING SECRETARY AND THE GOVERNOR
65 MARTIN PLACE, SYDNEY NSW, 2000
Email: secretary@rba.gov.au ; governor@rba.gov.au

TO: THE LAW OFFICE OF ELAINE D. PAPAS
ATTN MS ELIANE D. PAPAS ESQ. ATTORNEY AT LAW,
FOR THE BENEFIT OF TIME PRODUCTIONS LLC,
101 WEST 55TH STREET, SUITE 3N,
NEW YORK, NEW YORK 10019, USA
Email: epapas@epapaslaw.com

TO: CITIBANK N.A.
1748 BROADWAY, NEW YORK, NY, USA, 10019
Email: kin.c.yip@citi.com
(together hereinafter "**GRANTOR/ CHARGOR**")

FROM: ANDREW MORTON GARRETT as
GLOBAL MANAGING TRUSTEE/ CHAIRMAN OF BOARD OF TRUSTEES OF
THE BETTER WORLD FUTURE FUND, ABN 51 237 330 524
65 MARTIN PLACE, SYDNEY, NSW, 2000
LEVEL 6, RESERVE BANK BUILDING,
111 MACQUARIE STREET, HOBART, TASMANIA 7000
Email: andrew.garrett@betterworldfuturefund.org

AND

TIME PRODUCTIONS LLC,
ATTN WINSTON R JOHN JNR. ("THE VENDOR")
BY SUBROGATION
Email: wjinternationaltrust@gmail.com

AND

INVESTUSA.H.E. LLC
ATTN MR RAPHAEL AHARONOFF
BY SUBROGATION AND
JOINT TRUSTEE OF THE OENOVIVA (USA) WORKING CAPITAL TRUST
Email: sabarap56@yahoo.com
(together hereinafter "**GRANTEE/ CHARGE**")

OENOVIVA GLOBAL, OENOVIVA CAPITAL RESOURCES, OENOVIVA BUSINESS SYSTEMS, OENOVIVA HAND CRAFTING, OENOVIVA ARTISANS,
BETTER WORLD FUTURE FUND, OUR GREEN PLANET, PEARL COAST PRAWNS, IRON BOOMERANG, OFFICE OF THE CROWN ATTORNEY GENERAL

Cryptocurrencies: VIVA, VIVA2, VIVACOIN, VIVACASH

ISIN: AU0000023194, LEI: 984500957DB10F0T4B11, ABN: 42 388 204 496, Brazil Registration CPF: 12192308124; SEC Registration CIK: 0001872362

Better World Future Fund; LEI: 984500914484J1F7PE95, ABN: 26 317 275 322; [zvGN#]SBJKKMe;Zq

GLOBAL HEAD OFFICE: Level 29, Olaya Towers Tower B, Intersection of Olaya Street & Mohammed Bin Abdul-Aziz Street, Riyadh 11523.

Australia: Level 6, Reserve Bank Building, 111 Macquarie Street, Hobart, TAS, 7000 ; 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, Washington: 1015 15th ST NW #1000 Washington DC, 20005 USA

Phone; +61 (0) 450 831 708, Email: ue.gbal@icunitaryexecutive.com andrew.garrett@oenoviva-capital-resources.com; contact@privategoldreservbank.com ;

andrew.garrett@dunamic-capital-bank.com ; andrew.garrett@betterworldfuturefund.org; chiefjustice@icriminalcourt.org

<https://oenoviva-capital-resources.com/>; <https://vivacoin.org/> <https://www.carbonhelix.net/>

<https://betterworldfuturefund.org/> <https://thecommonwealth.org/> <http://privategoldreservebank.com/>



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**AMG 9158 BREACH OF SEPARATION OF POWERS AS ACT OF INCOLVENCY;
NOTICE OF CRYSTALLISATION/ NOTICE OF SEIZURE OF COLLATERAL/
NOTICE OF RENTION OF COLLATERAL/ NOTICE OF APPOINTMENT OF
MANAGING CONTROLLER TO THE LAW OFFICE OF ELAINE D PAPAS
(MANAGING CONTROLLER APPOINTED AND CITIBANK N.A. (MANAGING
CONTROLLER APPOINTED**

Dear Acting Secretary and Governor, Ms Pappas, and Mr Yip,

Whereas I (Licensor) act for the King personally and as Head of the Commonwealth (Licensee), the President of the United States of America (Licensee), the President of the United Nations General Assembly (Licensee) and the Commonwealth Heads of Government including the King's Dominions (In Liquidation),

And whereas, On the 6th October 2025 I wrote as set out in **ANNEXURE 1** to this Notice:

Dear Winston,

Further to my email on Saturday 4th October 2025 lease note attached some relevant law related to the Duty of Paying Banks and dematerialisation (AMG 9054) in respect to the three payments issued as CASH (not Cash Equivalent; the payments MUST be treated as CASH) to cover the entire purchase price;

- **AMG 9107c** ALLONGE; OVCR_BWFF; TIME PRODUCTIONS LLC AND IBOE SN; 63.00416.25 USD\$5,000,000.00 (NON-REFUNDABLE)
- **AMG 9107d** ALLONGE; OVCR_BWFF; TIME PRODUCTIONS AND IBOE SN; 63.00417.25 USD\$1,000,000,000.00
- **AMG 9017e** - CERTIFIED CASHIERS DEPOSITORY TRANSFER CHECK - SN; 1;00422;25; USD\$995,000,000.00

The exercise of banking discretionary public powers to cause dematerialisation of Value as Public Duty of the Paying Bank is not a multiple-choice questionthe, and the officers MUST presume payment in Good Faith!..... It is the entire purpose of banking licenses is to bring asset values on screen.

And whereas, on the 7th October 2025 I wrote to Ms Papas acting as Escrow Lawyer and provided a copy of the tracking details of the payments I was obliged to make in accordance with the Contract between Time Productions LLC and the Trustees of the Better World Future Fund.¹

And whereas, Ms Papas replied² also on the 7th October 2025, as follows:

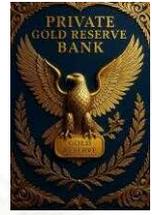
From: Elaine Papas <epapas@epapaslaw.com>

¹ Annexure 1 [AMG 9107c Elaine D Pappas, Esq AMG 9118 Ready Willing and Able Banking Procedure inclusive of MT 110 9th October 2025_compressed.pdf](#)

² Annexure 2 [AMG 9107c Elaine D Pappas, Esq AMG 9118 Ready Willing and Able Banking Procedure inclusive of MT 110 9th October 2025_compressed.pdf](#)



OENOVIVA



Sent: Tuesday, 7 October 2025 11:40 PM

To: oenoviva@gmail.com; 'Winston John' <wjinternationaltrust@gmail.com>

Cc: 'Clark Hills' <clark@gtdepository.com>; 'raphael aharonoff' <sabarap56@yahoo.com>; jenne.garrett-esch@oenoviva-capital-resources.com; declan.barnett@privategoldreservebank.com; coo.global@privategoldreservebank.com; cfo.global@dynamic-capital-bank.com; ceo@gspholding.com.br; serefgenc@gspholding.com.br; ceo.alberta@oenoviva-capital-resources.com; 'Hopkalo Kseniia' <admin@betterworldfuturefund.org>; Elaine Papas <epapas@epapaslaw.com>

Subject: RE: AMG 9107g BETTER WORLD FUTURE FUND DIAMOND COURIER PACKAGE OF PAYMENTS AND AUSTRAC FINANCIAL TRANSACTION REPORTS
Importance: High

Dear Mr. Garrett,

As I have repeatedly stated, DO NOT send any package of these documents to my office nor to Citibank until the issuing bank has sent a SWIFT MT 110 to Citibank.

According to Mr. Winston John, Jr. you requested to speak with me before any next steps, including the SWIFT MT 110 and/or courier package is sent out.

As a courtesy to Mr. John, Jr. I agreed to a call which has not yet taken place and is in progress of being scheduled.

I repeat – Do not send this courier package to me or to Citibank. Of course, this is Winston John, Jr.'s transaction and he may have new instructions that do not include me and Citibank for you, so please speak with him.

I am sending this email with proof of receipt.

Proceed accordingly. Elaine D. Papas, Esq.
The Law Office of Elaine D. Papas
Direct Tel: 646-476-5590

Cell: 917-539-1820
Fax: 775-871-5720
Email: epapas@epapaslaw.com
Website: <http://www.epapaslaw.com>

And whereas, I do not know and cannot say:

1. to whom Ms Papas repeatedly statements referred to above were made, nor can I say what the nature of those alleged “repeated statements” were.
2. anything about any request for a phone call, in respect to my contractual obligations nor is there an opportunity for Ms Papas to advise me on those obligations which would be a conflict of interest.



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And whereas, on:

1. the 9th of October 2025 I wrote as set out in [AMG 9107c Elaine D Pappas, Esq AMG 9118 Ready Willing and Able Banking Procedure inclusive of MT 110 9th October 2025 compressed.pdf](#) referred to above.
2. the 13th of October 2025 I wrote as set out in **ANNEXURE 2** (not including annexures to that communique).
3. the 14th of October 2025 Ms Papas wrote as set out in **ANNEXURE 3**
4. the 15th of October 2025 I replied to Ms Papas as set out in **ANNEXURE 4** (not including annexures to that communique).
5. the 17th of October 2025 I wrote as set out in **ANNEXURE 5** (not including annexures to that communique).
6. the 19th of October 2025 I wrote as set out in **ANNEXURE 6** (not including annexures to that communique).

And whereas, on the 27th of October 2025 I issued a Notice of Protest of Dishonour in accordance with Australian Domestic, Uniform Commercial Code of the United States of America and UNCITRAL set out in in the Exhibit produced and marked at the Hyperlink as [AMG 9158 RESERVE BANK; CITIBANK; Elaine Di Pappas NOTICE OF PROTEST OF DISHONOUR 27.10.2025.pdf](#) which, amongst other things determined a pecuniary penalty:

PECUNIARY PENALTY

I award Time Productions LLC as a Chargee/Grantee a penalty amount of 300% X the face value of the Transaction pursuant to the operation of s20 of the Charter of the United Nations act 1945 (AU) and/or the Common Law pursuant to the provisions of s8 of the Registration of Deeds Act 1936 (SA).

The International Crown Redress Fund will draw payment in the amount of USD\$8,000,000.00 (Eight Billion United States Dollars to be dematerialised by Court Order from the resources of the Better World Future Fund in exchange for the assignment of rights from the Chargee/ Grantee against the Chargor/ Grantor for prosecution and enforcement in "The Main Proceedings") within the meaning of the Cross Border Insolvency Act 2008 (AU).

The International Crown Redress Fund has appointed Mr Peter Kerin of Dynamic Legal Resources to co-ordinate the exercise the right of subrogation to the rights of the Chargee/ Grantee as a Personal Property Security Interest being and Equitable Charge over the Grantor/ Chargor capable of crystallisation and has already served the originating process of the Main Proceedings on the Chargor/ Grantor.

By way of Preliminary Notice I advise Citibank that Ms Zandra Flores, Consultant and Director of Private Gold Reserve Bank acts for the account signatory of accounts



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held with Citibank as Attorney in Fact.

And whereas, on the 30th of October 2025, despite being on Notice of relevant law, Ms Papas, acting as a Lawyer licensed by the State of New York committed an act of insolvency under Corporations Law, *the Enforcement Act 1870 (US)*, *the Separation of Powers Restoration Act 2016, 2021, 2023 (US)* and *the Insolvency Act 1986 (UK)* being sanctionable conduct within the meaning of the law that has been referred to above and otherwise on Notice to Ms Papas, **ANNEXURE 7**

And whereas, that act of Insolvency was evidenced by annexures.

1. Video of Unopened Courier Parcel sent on the 5th of October 2025 containing USD\$1,005,000 as CASH for Banking.
2. Picture of Unopened Courier Package evidencing the possession of the assets disclosed to Ms Papas by email and covering letter on the 9th October 2025 [AMG 9107c Elaine D Pappas, Esq AMG 9118 Ready Willing and Able Banking Procedure inclusive of MT 110 9th October 2025_compressed.pdf](#) and thereby engaging the duty of the Holder of the Bill in Due Course **ANNEXURE 8**
3. FedEx Courier Receipt dated 29th October 2025 **ANNEXURE 9**

And whereas, I wrote to the Vendor and his agent advising the matter would be referred to the Honourable High Court of Hong Kong as a matter arising in the proceedings **ANNEXURE 10**

BREACH OF SEPARATION OF POWERS

Ms Papas;

1. is a Public Official within the meaning of UNCAC exercising discretionary public powers conferred under enactments by the State of New York as a Tribunal ³ in determining the rights of the parties in providing advice to her client in which regard she is confined to making determinations on questions of fact.
2. acted beyond power in a manner that was unlawful and invalid by making an impermissible re-determination of questions of law that are the subject of Res Judicata Issue Estoppel in Australian Courts.
3. is not empowered to exercise judicial discretionary public powers by the State of New York or the Federation of the United States of America to make determinations on questions of law over-ruling the decisions of Australian Courts.
4. Repeats the conduct of lawyers the subject of the Australian and Colorado proceedings set out at Annexure 1 to the Originating Process of the Main Proceedings.

³ Page 60 [AMG 9158 RESERVE BANK; CITIBANK; Elaine Di Pappas NOTICE OF PROTEST OF DISHONOUR 27.10.2025.pdf](#)



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5. Committed a Terrorist Act within the meaning of the UN Convention on Terrorism Financing repeating the Pecuniary Offence outlined in the Notice of Protest of Dishonour
6. Committed mutiple acts of insolvency on behalf of the Law office of Elaine D Papas as the Account holder with Citibank N.A.

Citibank and Mr Yip;

Repeats Paragraphs 1-6 above relating to Separation of Powers in respect to the decisions and conduct of Mr Yip and adds that the failure of Mr Yip to respond to valid and lawful on behalf of Citibank is an act of insolvency of Insolvency as Fraudulent Trading by Citibank N.A.

THE BILLS OF EXCHANGE ACT 1909 (AUS) & UNCITRAL CONVENTION ON BILLS OF EXCHANGE AND PROMISSORY NOTES 1988 (UN) & UNIFORM COMMERCIAL CODE

As the foundation of all trading under the Law Merchant in Australia *the Bills of Exchange Act 1909 (Au)* mirrors the provisions of *the Bills of Exchange Act 1882 (UK)* which are also mirrored in the UNCITRAL Convention and the Bills of Exchange Acts of every nation with Common Law Jurisdiction including America.

Division 5—General duties of the holder

44 When presentment for acceptance is necessary

- (1) Where a bill is payable after sight, presentment for acceptance is necessary in order to fix the maturity of the instrument.
- (2) Where a bill expressly stipulates that it shall be presented for acceptance, or where a bill is drawn payable elsewhere than at the residence or place of business of the drawee, it must be presented for acceptance before it can be presented for payment.
- (3) In no other case is presentment for acceptance necessary in order to render liable any party to the bill.
- (4) Where the holder of a bill, drawn payable elsewhere than at the place of business or residence of the drawee, has not time, with the exercise of reasonable diligence, to present the bill for acceptance before presenting it for payment on the day that it falls due, the delay caused by presenting the bill for acceptance before presenting it for payment is excused, and does not discharge the drawer and indorsers.

45 Time for presenting bill payable after sight

- (1) Subject to the provisions of this Act, when a bill payable after sight is negotiated, the holder must either present it for acceptance or negotiate it within a reasonable time.
- (2) If he do not do so, the drawer and all indorsers prior to that holder are discharged.
- (3) In determining what is a reasonable time within the meaning of this section, regard shall



be had to the nature of the bill, the usage of trade with respect to similar bills, and the facts of the particular case.

46 Rules as to presentment for acceptance and excuses for non-presentment

(1) A bill is duly presented for acceptance which is presented in accordance with the following rules:

(a) The presentment must be made, by or on behalf of the holder, to the drawee or to some person authorized to accept or refuse acceptance on his behalf, at a reasonable hour on a business day and before the bill is overdue;

(b) Where a bill is addressed to two or more drawees, who are not partners, presentment must be made to them all, unless one has authority to accept for all, then presentment may be made to him only;

(c) Where the drawee is dead, presentment may be made to his personal representative;

(d) Where the drawee is bankrupt, presentment may be made to him or to his trustee or assignee;

(e) Where authorized by agreement or usage, a presentment through the post office is sufficient.

(2) Presentment in accordance with these rules is excused, and a bill may be treated as dishonoured by non acceptance:

(a) where the drawee is dead or bankrupt, or is a fictitious person or a person not having capacity to contract by bill;

(b) where, after the exercise of reasonable diligence, such presentment cannot be effected;

(c) where, although the presentment has been irregular, acceptance has been refused on some other ground.

(3) The fact that the holder has reason to believe that the bill, on presentment, will be dishonoured does not excuse presentment.

47 Non acceptance

When a bill is duly presented for acceptance and is not accepted within the customary time, the person presenting it must treat it as dishonoured by non-acceptance. If he do not, the holder shall lose his right of recourse against the drawer and indorsers.

48 Dishonour by non-acceptance and its consequences

(1) A bill is dishonoured by non-acceptance:

(a) when it is duly presented for acceptance, and such an acceptance as is prescribed by this Act is refused or cannot be obtained; or

(b) when presentment for acceptance is excused, and the bill is not accepted.



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(2) Subject to the provisions of this Act, when a bill is dishonoured by non-acceptance, an immediate right of recourse against the drawer and indorsers accrues to the holder, and no presentment for payment is necessary.

49 Duties as to qualified acceptances

- (1) The holder of a bill may refuse to take a qualified acceptance, and if he does not obtain an unqualified acceptance may treat the bill as dishonoured by non-acceptance.
- (2) Where a qualified acceptance is taken, and the drawer or an indorser has not expressly or impliedly authorized the holder to take a qualified acceptance, or does not subsequently assent thereto, such drawer or indorser is discharged from his liability on the bill.

The provisions of this subsection do not apply to a partial acceptance, whereof due notice has been given. Where a foreign bill has been accepted as to part, it must be protested as to the balance.

- (3) When the drawer or indorser of a bill receives notice of a qualified acceptance and does not within a reasonable time express his dissent to the holder, he shall be deemed to have assented thereto.

50 Rules as to presentment for payment

- (1) Subject to the provisions of this Act, a bill must be duly presented for payment. If it be not so presented, the drawer and indorsers shall be discharged.
- (2) A bill is duly presented for payment which is presented in accordance with the following rules:
 - (a) Where the bill is not payable on demand, presentment must be made on the day it falls due.
 - (b) Where the bill is payable on demand, then, subject to the provisions of this Act, presentment must be made within a reasonable time after its issue, in order to render the drawer liable, and within a reasonable time after its indorsement, in order to render the indorser liable.

In determining what is a reasonable time, regard shall be had to the nature of the bill, the usage of trade with regard to similar bills, and the facts of the particular case.

- (c) Presentment must be made by the holder or by some person authorized to receive payment on his behalf, at a reasonable hour on a business day, at the proper place as defined in this section, either to the person designated by the bill as payer, or to some person authorized to pay or refuse payment on his behalf, if with the exercise of reasonable diligence such person can there be found.
- (d) A bill is presented at the proper place:
 - (i) where a place of payment is specified in the bill and the bill is there presented;
 - (ii) where no place of payment is specified, but the address of the drawee or acceptor is given in the bill, and the bill is there presented;



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- (iii) where no place of payment is specified and no address given, and the bill is presented at the drawee's or acceptor's place of business if known, and if not at his ordinary residence if known;
- (iv) in any other case, if presented to the drawee or acceptor wherever he can be found, or if presented at his last known place of business or residence.
- (e) Where a bill is presented at the proper place, and after the exercise of reasonable diligence no person authorized to pay or refuse payment can be found there, no further presentment to the drawee or acceptor is required.
- (f) Where a bill is drawn upon or accepted by two or more persons who are not partners, and no place of payment is specified, presentment must be made to them all.
- (g) Where the drawee or acceptor of a bill is dead, and no place of payment is specified, presentment must be made to a personal representative, if such there be, and with the exercise of reasonable diligence he can be found.
- (h) Where authorized by agreement or usage, a presentment through the post office is sufficient.

51 Excuses for delay or non-presentment for payment

- (1) Delay in making presentment for payment is excused when the delay is caused by circumstances beyond the control of the holder, and not imputable to his default, misconduct, or negligence. When the cause of delay ceases to operate, presentment must be made with reasonable diligence.
- (2) Presentment for payment is dispensed with:
 - (a) where, after the exercise of reasonable diligence, presentment, as required by this Act, cannot be effected.

The fact that the holder has reason to believe that the bill will, on presentment, be dishonoured, does not dispense with the necessity for presentment.

- (b) where the drawee is a fictitious person;
- (c) as regards the drawer, where the drawee or acceptor is not bound, as between himself and the drawer, to accept or pay the bill, and the drawer has no reason to believe that the bill would be paid if presented;
- (d) as regards an indorser, where the bill was accepted or made for the accommodation of that indorser, and he has no reason to expect that the bill would be paid if presented;
- (e) b 53,948.48y waiver of presentment, express or implied.

52 Dishonour by non-payment

- (1) A bill is dishonoured by non payment:
 - (a) when it is duly presented for payment and payment is refused or cannot be obtained; or
 - (b) when presentment is excused, and the bill is overdue and unpaid.
- (2) Subject to the provisions of this Act, when a bill is dishonoured by non payment,



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an immediate right of recourse against the drawer and indorsers accrues to the holder.

53 Notice of dishonour and effect of non notice

Subject to the provisions of this Act, when a bill has been dishonoured by non-acceptance or by non-payment, notice of dishonour must be given to the drawer and each indorser, and any drawer or indorser to whom such notice is not given is discharged:

Provided that:

- (a) where a bill is dishonoured by non acceptance, and notice of dishonour is not given, the rights of a holder in due course, subsequent to the omission, shall not be prejudiced by the omission; and
- (b) where a bill is dishonoured by non acceptance, and due notice of dishonour is given, it shall not be necessary to give notice of a subsequent dishonour by non payment, unless the bill has in the meantime been accepted.

54 Rules as to notice of dishonour

Notice of dishonour, in order to be valid and effectual, must be given in accordance with the following rules:

- (a) The notice must be given by or on behalf of the holder, or by and on behalf of an indorser who, at the time of giving it, is himself liable on the bill.
- (b) Notice of dishonour may be given by an agent, either in his own name, or in the name of any party entitled to give notice, whether that party is his principal or not.
- (c) Where the notice is given by or on behalf of the holder, it enures for the benefit of all subsequent holders and all prior indorsers who have a right of recourse against the party to whom it is given.
- (d) Where notice is given by or on behalf of an indorser entitled to give notice as hereinbefore provided, it enures for the benefit of the holder and all indorsers subsequent to the party to whom notice is given.
- (e) The notice may be given in writing or by personal communication, and may be given in any terms which sufficiently identify the bill, and intimate that the bill has been dishonoured by non acceptance or non payment.
- (f) The return of a dishonoured bill to the drawer or an indorser is, in point of form, deemed a sufficient notice of dishonour.
- (g) A written notice need not be signed, and an insufficient written notice may be supplemented and validated by verbal communication. A misdescription of the bill shall not vitiate the notice unless the party to whom the notice is given is in fact misled thereby.
- (h) Where notice of dishonour is required to be given to any person, it may be given either to the party himself, or to his agent in that behalf.
- (i) Where the drawer or indorser is dead, and the party giving notice knows it, the notice must be given to a personal representative, if such there be, and with the exercise of reasonable diligence he can be found.



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- (j) Where the drawer or indorser is bankrupt, notice may be given either to the party himself, or to the trustee or assignee.
- (k) Where there are two or more drawers or indorsers who are not partners, notice must be given to each of them, unless one of them has authority to receive such notice for the others.
- (l) The notice may be given as soon as the bill is dishonoured and must be given within a reasonable time thereafter.

In the absence of special circumstances, notice is not deemed to have been given within a reasonable time, unless:

- (i) where the person giving and the person to receive notice reside in the same place, the notice is given or sent off in time to reach the latter on the day after the dishonour of the bill; or
- (ii) where the person giving and the person to receive notice reside in different places, the notice is sent off on the day after the dishonour of the bill, if there is a post at a convenient hour on that day, and if there is no such post on that day then by the next post thereafter.
- (m) Where a bill when dishonoured is in the hands of an agent, he may either himself give notice to the parties liable on the bill or he may give notice to his principal. If he give notice to his principal, he must do so within the same time as if he were the holder, and the principal upon receipt of such notice has himself the same time for giving notice as if the agent had been an independent holder.
- (n) Where a party to a bill receives due notice of dishonour, he has, after the receipt of such notice, the same period of time for giving notice to antecedent parties that the holder has after the dishonour.
- (o) Where a notice of dishonour is duly addressed and posted the sender is deemed to have given due notice of dishonour, notwithstanding any miscarriage by the post office.

55 Excuses for non-notice and delay

- (1) Delay in giving notice of dishonour is excused where the delay is caused by circumstances beyond the control of the party giving notice, and not imputable to his default, misconduct, or negligence. When the cause of delay ceases to operate, the notice must be given with reasonable diligence.
- (2) Notice of dishonour is dispensed with:
 - (a) when, after the exercise of reasonable diligence, notice as required by this Act cannot be given to or does not reach the drawer or indorser sought to be charged.
 - (b) by waiver express or implied. Notice of dishonour may be waived before the time of giving notice has arrived, or after the omission to give due notice.
 - (c) as regards the drawer, in the following cases, namely:
 - (i) where drawer and drawee are the same person.
 - (ii) where the drawee is a fictitious person or a person not having capacity to contract.



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- (iii) where the drawer is the person to whom the bill is presented for payment.
- (iv) where the drawee or acceptor is, as between himself and the drawer, under no obligation to accept or pay the bill.
- (v) where the drawer has countermanded payment:
- (d) as regards the indorser, in the following cases, namely:
 - (i) where the drawee is a fictitious person or a person not having capacity to contract, and the indorser was aware of the fact at the time he indorsed the bill.
 - (ii) where the indorser is the person to whom the bill is presented for payment; and
 - (iii) where the bill was accepted or made for his accommodation.

56 Noting or protest of bill

- (1) Where an inland bill has been dishonoured, it may, if the holder think fit, be noted for non-acceptance or non-payment, as the case may be; but it shall not be necessary to note or protest any such bill in order to preserve the recourse against the drawer or indorser.
- (2) Where a foreign bill, appearing on the face of it to be such, has been dishonoured by non-acceptance, it must be duly protested for non-acceptance, and where such a bill, which has not been previously dishonoured by non-acceptance, is dishonoured by non-payment, it must be duly protested for non-payment. If it is not so protested, the drawer and indorsers are discharged. Where a bill does not appear on the face of it to be a foreign bill, protest thereof in case of dishonour is unnecessary.
- (3) A bill which has been protested for non-acceptance may be subsequently protested for non-payment.
- (4) Subject to the provisions of this Act, when a bill is noted or protested, it must be noted within 48 hours after its dishonour. When a bill has been duly noted, the protest may be subsequently extended as of the date of the noting.
- (5) Where the acceptor of a bill becomes bankrupt or insolvent or suspends payment before it matures, the holder may cause the bill to be protested for better security against the drawer and indorsers.
- (6) A bill must be protested at the place where it is dishonoured:

Provided that:

- (a) when a bill is presented through the post office and returned by post dishonoured, it may be protested at the place to which it is returned not later than the next business day after the day of its return.
- (b) when a bill, drawn payable at the place of business or residence of some person other than the drawee, has been dishonoured by non-acceptance, it must be protested for non-payment at the place where it is expressed to be payable, and no further presentment for payment to, or demand on, the drawee is necessary.
- (7) A protest must contain a copy of the bill, and must be signed by the notary or person making it, and must specify:
 - (a) the person at whose request the bill is protested.