

part of that review. This review may also afford an opportunity for consideration of the interrelationship of Commonwealth and state laws, as this ALRC Inquiry heard that Commonwealth and state environmental laws should be considered in an integrated way.

20.192 The *Water Act* does not interfere in a negative way with the water entitlements in the Murray-Darling Basin that have been established under state and territory laws. An independent review of the *Water Act* was completed in 2014 and one of the recommendations was that the *Water Act* be reviewed periodically—as is the case with the *EPBC Act*. The ALRC concludes that it may be appropriate for the *Water Act* to be reviewed periodically.

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ss 5–7, 23, 30, 34–43	Ch 5
s 39	Ch 6
<i>Social Security Act 1991</i> (Cth)	Ch 7
ss 553B, 634, 745N	Ch 7
<i>Social Security (Administration) Act 1999</i> (Cth)	Chs 7, 13
pt 3B	Ch 7
s 66A	Ch 13
<i>Space Activities Act 1998</i> (Cth)	Ch 7
s 103	Ch 7
<i>Spam Act 2003</i> (Cth)	Ch 4
<i>Superannuation Act 1990</i> (Cth)	Ch 13
s 5A	Ch 13
<i>Superannuation Industry (Supervision) Act 1993</i> (Cth)	Ch 10
ss 11B–C, 18, 29JA–29JCA, 29W–29WB, 34M–34Q, 34Z, 35A–35D, 63–64, 71EA, 103–105, 107–108A, 122–124, 126K, 129–130, 130B, 130C, 131AA, 131B–131C, 135, 140, 141A, 154, 159–160, 201, 242P, 252A, 254, 260, 262, 265, 299C, 299F–299K, 299M, 299Y, 303, 331	Ch 10
<i>Superannuation (Unclaimed Money and Lost Members) Act 1999</i> (Cth)	Ch 19

Table of Legislation

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<i>Taxation Administration Act 1953 (Cth)</i>	Chs 9, 11 13, 15, 16, 19, 20
ss 8K, 8L, 8Y	Ch 9
ss 353-10, s 353-15, s 355-190	Ch 11
s 133-130	Ch 13
pt IVC	Ch 15
s 353-15	Ch 16
ss 8AAZLGA, 14ZW(1)(aad)(i), 14ZYA	Ch 19
s 353-10	Ch 20
<i>Taxation (Unpaid Company Tax) Assessment Act 1982 (Cth)</i>	Ch 13
<i>Telecommunications Act 1997 (Cth)</i>	Chs 4, 16
s 313	Ch 4
s 156	Ch 16
<i>Telecommunications (Interception and Access) Act 1979 (Cth)</i>	Chs 3, 8
pt 5-1A	Ch 3
s 18	Ch 18
<i>Telecommunications (Interception and Access) Amendment (Data Retention) Act 2015 (Cth)</i>	Chs 3, 4, 12
s 187AA	Ch 3
s 79	Ch 12
<i>Therapeutic Goods Act 1989 (Cth)</i>	Chs 4, 17
s 63	Ch 17
<i>Tobacco Advertising Prohibition Act 1992 (Cth)</i>	Ch 4
<i>Tobacco Plain Packaging Act 2011 (Cth)</i>	Chs 4, 18, 19
ss 3(1)(b), 18, 19	Ch 19
<i>Torres Strait Fisheries Act 1984 (Cth)</i>	Ch 9
ss 49(2), 49A(3)	Ch 9
<i>Trade Marks Act 1995 (Cth)</i>	Chs 4, 16
s 226B	Ch 16
<i>Tribunals Amalgamation Act 2015 (Cth)</i>	Ch 14
<i>US Free Trade Agreement Implementation Act 2004 (Cth)</i>	Ch 18
<i>Veterans' Entitlements Act 1986 (Cth)</i>	Ch 13
s 170	Ch 4
s 29(11)	Ch 13
<i>War Crimes Act 1956 (Cth)</i>	Ch 13
ss 5, 7, 9, 11, 12	Ch 13
<i>Water Amendment Act 2015 (Cth)</i>	Ch 20
<i>Witness Protection Act 1994 (Cth)</i>	Ch 8
s 28, 28A	Ch 8
<i>Work Health and Safety Act 2011 (Cth)</i>	Chs 9, 10, 11
ss 104, 105, 107, 110	Ch 9
ss 12F, 17	Ch 10

ALRC Reports cited in this Report

No	Report
ALRC 2	<i>Criminal Investigation</i> , 1975
ALRC 14	<i>Lands Acquisition and Compensation</i> , 1980
ALRC 26	<i>Evidence (Interim)</i> , 1985
ALRC 38	<i>Evidence</i> , 1987
ALRC 48	<i>Criminal Admiralty Jurisdiction and Prize</i> , 1990
ALRC 78	<i>Beyond the Door-Keeper: Standing to Sue for Public Remedies</i> , 1996
ALRC 87	<i>Confiscation That Counts: A Review of the Proceeds of Crime Act 1987</i> , 1999
ALRC 92	<i>The Judicial Power of the Commonwealth: A Review of the Judiciary Act 1903 and Related Legislation</i> , 2001
ALRC 95	<i>Principled Regulation: Federal Civil & Administrative Penalties in Australia</i> , 2002
ALRC 98	<i>Keeping Secrets: The Protection of Classified and Security Sensitive Information</i> , 2004
ALRC 102	<i>Uniform Evidence Law</i> , 2005
ALRC 104	<i>Fighting Words: A Review of Sedition Laws in Australia</i> , 2006
ALRC 107	<i>Privilege in Perspective: Client Legal Privilege in Federal Investigations</i> , 2008
ALRC 111	<i>Making Inquiries: A New Statutory Framework</i> , 2009
ALRC 112	<i>Secrecy Laws and Open Government in Australia</i> , 2010

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Traditional Rights and Freedoms

ALRC 114	<i>Family Violence: A National Legal Response, 2010</i>
ALRC 122	<i>Copyright and the Digital Economy, 2014</i>
ALRC 123	<i>Serious Invasions of Privacy in the Digital Era, 2014</i>
ALRC 126	<i>Connection to Country: Review of the Native Title Act 1993 (Cth), 2015</i>

Consultations

Name	Location
AiGroup	Sydney
Academic roundtable, TC Beirne School of Law, University of Queensland Professor Simon Bronitt TC Beirne School of Law Lorraine Finlayson School of Law, Murdoch University Kate Galloway College of Business, Law and Governance, James Cook University Dr Noelene McNamara School of Law and Justice, University of Southern Queensland Professor Reid Mortensen Head of School of Law and Justice, University of Southern Queensland Professor Graeme Orr TC Beirne School of Law Emeritus Professor Suri Ratnapala TC Beirne School of Law and ALRC Part-time Commissioner Associate Professor Margaret Stephenson TC Beirne School of Law Peta Stephenson PhD candidate, TC Beirne School of Law Associate Professor Tamara Walsh TC Beirne School of Law	Brisbane
Academic roundtable on freedom of religion, Melbourne Law School, University of Melbourne Professor Carolyn Evans Dean, Melbourne Law School	Melbourne

<p>Professor Beth Gaze Melbourne Law School</p> <p>Professor John Tobin Melbourne Law School</p> <p>Jamie Gardiner Vice-President, Liberty Victoria</p> <p>Reverend Angus McLeay Anglican Minister</p> <p>Dr Eve Lester Australian Catholic University</p> <p>Daniel Hickman Australian Catholic University</p>	
<p>Professor Nicholas Aroney TC Beirne School of Law, University of Queensland</p>	Sydney
<p>Attorney-General's Department (Cth) Access to Justice Division, Office of Constitutional Law, Civil Law Division, International Law and Human Rights Division</p>	Canberra
<p>Attorney General's Department (Cth) Criminal Justice Division, International Crime Cooperation Division, National Security Law and Policy Division, International Law and Human Rights Division</p>	Canberra
<p>Attorney-General's Department (Cth) Human Rights Policy Branch and Administrative Law Branch</p>	Canberra
<p>Attorney-General's Department (Cth) Human Rights Policy Branch</p>	Sydney
<p>Attorney-General's Department (Cth) Human Rights Policy Branch, Federal Offenders Section and Serious and Organised Crime Team</p>	Sydney
<p>Attorney-General's Department (Cth) Human Rights Policy Branch and Criminal Law and Law Enforcement Branch</p>	Sydney

Consultations

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The Hon Robert Austin Barrister at Law, Level 22 Chambers	Sydney
Australian Council of Trade Unions	Melbourne Sydney
Australian Crime Commission	Canberra
Australian Federal Police Proceeds of Crime Litigation Unit, Criminal Assets Confiscation Taskforce	Sydney
Australian Institute of Company Directors	Sydney
Australian Network of Environmental Defender's Offices	Sydney
Australian Property Institute	Sydney
Australian Securities and Investments Commission	Melbourne Sydney
Professor Stephen Bottomley Dean, ANU College of Law	Canberra
Robert Bromwich SC Commonwealth Director of Public Prosecutions	Sydney
Business Council of Australia	Sydney
Bruce Cowley Corporations Committee, Law Council of Australia	Sydney
Department of Employment (Cth)	Canberra
Department of the Environment (Cth)	Canberra Sydney
Department of Immigration and Border Protection (Cth)	Canberra
Professor David Farrier School of Law, University of Wollongong	Sydney

Associate Professor Miriam Gani Head of School, ANU College of Law	Sydney
The Hon Roger Gyles AO QC Independent National Security Legislation Monitor	Sydney
David Irvine AO Former Director-General of Security, Australian Security Intelligence Organisation	Sydney
Job Watch Inc	Melbourne
Professor Sarah Joseph, Director Adam Fletcher, PhD Candidate Castan Centre for Human Rights Law, Faculty of Law, Monash University	Melbourne
Law Council of Australia	Sydney
Law Council of Australia Media and Communications Committee	Sydney
Emeritus Professor Ron McCallum AO Sydney Law School, University of Sydney	Sydney
Greg McIntyre SC Chair, Australian Environment and Planning Law Group, Legal Practice Section, Law Council of Australia	Sydney
Dr Cosmas Moisidis	Sydney
Dr Warren Mundy Commissioner, Productivity Commission	Sydney
National Farmers' Federation	Canberra
Robert Orr Special Counsel, Australian Government Solicitor	Canberra
Professor Patrick Parkinson AM Sydney Law School, University of Sydney Michael Callinan CEO, Freedom of Faith	Sydney

Consultations

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Parliamentary Joint Committee on Intelligence and Security, Parliament of Australia: Committee members, secretariat and research officers	Canberra
Parliamentary Joint Committee on Law Enforcement, Parliament of Australia: Committee members, secretariat and research officers	Canberra
Public Interest Advocacy Centre	Sydney
Peter Quiggin, PSM First Parliamentary Counsel, Office of Parliamentary Counsel	Sydney
Refugee Council of Australia Refugee Advice and Casework Service Khanh Hoang ANU College of Law Migration Law Program	Sydney
Professor Joellen Riley Dean, Professor of Labour Law, University of Sydney	Sydney
Donald Robertson Partner, Herbert Smith Freehills Adjunct Professor, Sydney Law School, University of Sydney	Sydney
Rule of Law Institute	Sydney
Senate Standing Committee for the Scrutiny of Bills, Parliament of Australia; Senate Standing Committee on Regulations and Ordinances; and Parliamentary Joint Committee on Human Rights, Parliament of Australia: Committee members, secretariat and legal advisors	Canberra
The Tax Institute	Sydney
The Treasury (Cth)	Canberra

Professor George Williams AO Anthony Mason Professor, Scientia Professor, Foundation Director, Gilbert and Tobin Centre of Public Law, University of New South Wales	Sydney
Tim Wilson Human Rights Commissioner, Australian Human Rights Commission	Sydney

**Annexure 3; Informations and Indictments filed and served in NSD 1848 of 2018;
*Rubis & Ors v Garrett & Ors v Registrar of the PSA v Regina & Ors***

NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 9/10/2018 3:38:48 PM AEDT and has been accepted for filing under the Court's Rules. Details of filing follow and important additional information about these are set out below.

Details of Filing

Document Lodged: Tender Bundle
File Number: NSD1848/2018
File Title: ROBERT VOLDEMARS RUBIS & ORS v ANDREW MORTON GARRETT AS TRUSTEE OF THE ANDREW GARRETT FAMILY TRUST TRADING AS DYNAMIC COMMERCIAL WORKFORCE SOLUTIONS
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



A handwritten signature in blue ink that reads 'Warwick Soden'.

Dated: 16/10/2018 1:17:24 PM AEDT

Registrar

Important Information

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

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.



Form 59
Rule 29.02(1)

No. NSD 1848 of 2018

Federal Court of Australia
District Registry; NSW
Division: General

ROBERT VOLDEMARS RUBIS & ORS

&

**ANDREW MORTON GARRETT as Trustee of the Andrew Garrett Family Trust trading
as Dynamic Commercial Workforce Solutions**
First Respondent

REGISTRAR OF THE PERSONAL PROPERTY SECURITIES REGISTER
Second Respondent

TENDER BUNDLE 3

**INDICTMENTS & INFORMATION LODGED FOR FILING IN THE FEDERAL
COURT OF AUSTRALIA TASMANIA REGISTRY
DATED 27th NOVEMBER 2017**

Filed on behalf of (name & role of party) The Respondent
Prepared by (name of person/lawyer) The Respondent
Law firm (if applicable) _____
Tel 0424 324 135 Fax _____
Email andrew.garrett@taggc.com.au

Address for service
(include state and postcode) 10/15 Hunter Street, Hobart, Tasmania, 7000



Australian Government
Attorney-General's Department

**APPLICATION FOR ASSISTANCE BY THE COMMONWEALTH
FOR LEGAL AND RELATED EXPENSES FOR SCHEMES
ADMINISTERED BY THE ATTORNEY-GENERAL**

This form is to be completed by applicants seeking assistance for legal and related expenses from the Commonwealth under statutory and non-statutory schemes administered by the Attorney-General.

The form is to be fully completed. Please type or print neatly and answer ALL questions. Assistance may be refused if all information (including attachments) is not provided. If space provided is insufficient, include additional material on a separate page and attach to the form.

The fact that a person has applied for financial assistance and all information provided by an applicant, or on an applicant's behalf, will be treated in confidence and will not be disclosed except:

- (a) where this is necessary for purposes relevant to administering the financial assistance scheme
- (b) in accordance with the express authority of an applicant
- (c) to correct the public record, or
- (d) where required by law.

This form must be signed in the presence of a Justice of the Peace, Commissioner for Declarations or other authorised person in your State or Territory before whom a declaration may be made.

This form and all attachments may be lodged by email to finass@ag.gov.au. If you are unable to submit an application by email, you may post to the following address:

Assistant Secretary
Legal Assistance Branch
Attorney-General's Department
3-5 National Circuit
BARTON ACT 2600

Phone: (02) 6141 4770

Important Information for Applicants

Read before Proceeding

Grants of assistance are akin to legal aid. Given the competing demands on each scheme, there is no guarantee your application will be approved, even if your matter appears to satisfy the relevant scheme guidelines, and even if you have received funding for the same matter in the past.

The Department does not approve funding for retrospective costs. Only costs incurred from the date the Department receives your application will be considered for approval under a grant.

If funding is urgently required, you may notify the Department in writing of your intention to lodge an application and, as soon as reasonably practicably afterwards (but no later than 14 days), lodge a completed application. In these circumstances, consideration will be given to costs incurred from the date the Department receives your notice.

The Department is unable to pay full commercial legal rates. Costs are generally paid as a portion of the hourly rate set in the relevant court scale of costs. Grants of assistance should be viewed as a contribution towards your legal costs, not an undertaking to meet your full legal costs. You should discuss with your lawyer the limits to the funding available under any grant provided by this Department.

All grants of assistance are conditional. It is unlikely that 100% of your legal costs will be covered. Each grant is made with specific terms and conditions (such as a start and end date, and an upper limit of funding). There are also specific invoicing and reporting requirements. These terms and conditions will be explained to you if your application for assistance is successful. It is important to be familiar with these terms and conditions, and to comply with them, otherwise the Department may not pay your legal costs.

For further information on Commonwealth Financial Assistance Schemes, see the Department's Website: <www.ag.gov.au/financialassistance>.

A. PARTICULARS OF APPLICANT

SURNAME; GARRETT	GIVEN NAME; ANDREW MORTON
-------------------------	----------------------------------

NAME OF ORGANISATION; N/A

Applicant's position in organisation:

Number on members (approximate)

ADDRESS; 10/15 HUNTER STREET, HOBART, TASMANIA Postcode 7000

TELEPHONE NO Mobile (all Hours); [REDACTED]

DATE OF BIRTH (if applicable) [REDACTED]	PLACE OF BIRTH Australia <input checked="" type="checkbox"/> Overseas <input type="checkbox"/>
---	---

IF BORN OVERSEAS:

What country were you born in? N/A

What year did you arrive in Australia? N/A

ARE YOU AN ABORIGINAL OR TORRES STRAIT ISLANDER?

YES NO

EMPLOYMENT STATUS

Employed Self Employed

Unemployed Not Applicable

ARE YOU IN RECEIPT OF SOCIAL SECURITY BENEFITS (other than the family allowance)

YES NO

B. YOUR SOLICITOR (if applicable)

SOLICITOR'S NAME; To be Advised

NAME OF SOLICITOR'S FIRM

ADDRESS

TELEPHONE

FACSIMILE

DX

POSTCODE

C. OTHER FUNDING

Please attach a copy of any letter of refusal you have received.

Have you applied for legal aid or assistance from another body. (3 box)

YES [X]

NO []

If yes, to whom did you apply? Commissioner of Taxtion under the Public Interest Test Case Funding Scheme

D. CASE DETAILS

Please attach copies of any court documents and any letters from your solicitor about the case.

1. Describe the legal action you intend to take.

Actions under s42 & s43 of the Crimes Act 1914 (Cth) as primary indictments in the Federal Court of Australia, under nomination by a Delegate of the Commonwealth Attorney General under s69(1) of the Judiciary Act 1903 (Cth) to bring the indictments on Grounds that the Attorney General is conflicted in making the nomination and/or appointing a Delegate as the Attorney General is proposed to be a party to the proceedings.

2. What are the facts of the case?

See;

- Notice of Constitutional Matters dated 15th December 2015 (attached) filed and served in VID 129 of 2015; Andrew Garrett v Commissioner of Taxation issued under s78(B) of the Judiciary Act.
- Primary Indictment lodged for filing on the 26th November 2017 setting out charges including Collapse of Rue of Law and breaches of Separation of Powers

- What are the legal questions to be decided?

See aforesaid indictment and Notice of Constitutional Matters.

Whether vexatious litigant orders may be made under s89K of *the Freedom of Information Act* 1982 and s37AO of the Federal Court of Australia Act 1976 (Cth) without firstly making orders for discovery of all material facts and secondly without making findings on the merits of the matter in which the orders are made.

Whether Australian Treaty Series No 23 (also known as the International Covenant of Civil and Political Rights) is enforceable in Australia.

Whether Schedule 2 of the Australian Human Rights Commission Act 1986 (Cth) is enforceable in Australia or Otherwise.

Whether the Implied Joint Venture Profit Sharing arrangements between the Legal Profession, Executive Government and the Crown is lawful in perpetuating Taxation Revenue that is Ill Gotten.

Whether the Human Right to a Fair Hearing and Right of Remedy is enforceable in Australia as against the Crown.

Whether the findings of the High Court in *Attwells v Jackson Lalic Lawyers Pty Limited [2016] HCA 16* is unlawful and/or invalid.

Whether the failure of the High Court to hear HCA-A67-2004, HCA-A30-2016, HCA-A31-2016 is unlawful and/or invalid and/or offences under s42 & s43 of the Crimes Act 1914 (Cth)

Whether the Attorney General and/or his Delegate may or must nominate the Prosecutor under s69(1) of *the Judiciary Act* 1903 (Cth) in circumstances of conflict.

Whether the provisions of the Commonwealth of Australia Constitution Act 1900(UK) relating to Separation of Powers and Rule of Law are enforceable in Australia.

Whether s55ZG and s69(1) of *the Judiciary Act* 1903 (Cth) are lawful and/or invalid

- Does the case involve an issue of Commonwealth law? (Give details of the Commonwealth law involved)

YES see above and the Australian Human Rights Commission Act 1986 (Cth)

S78(B) of *the Judiciary Act* 1903 (Cth)

5. Explain how the case is of general importance.

In *Garrett v Cahill* (2015) FCA 664 at para Justice Kenny found the Federal Court did not have jurisdiction under the International Covenant of Civil and Political Rights

17.12 Proposed ground 26 does not arise because this Court does not have jurisdiction under the Charter of Human Rights and Responsibilities Act 2006 (Vic). Further, the parts of Schedule 2 of the Australian Human Rights Commission Act 1986 (Cth) (previously the Human Rights and Equal Opportunity Commission Act 1986 (Cth)) on which Mr Garrett relies are articles of the International Covenant on Civil and Political Rights that have not been enacted as part of Australia's domestic law.

Her Honour was on Judicial Notice of Rule of Law and avoided all applicable law to make her decision.

As with all other matters involving me before Executive Government and in the Courts and Tribunals of Australia the Judicial and Executive arms of Government have been acting on instructions of another and avoided making findings on the evidence in order to avoid liability of the Crown arising from;

- the Failure of the South Australian Registrar of Deeds to maintain a Registry of Deeds and the Registrar General releasing Duplicate Certificates of Title to the Possession and Control of National Australia Bank on/02r about the 25th July 2002 in circumstances where that Bank was in breach of Contract and did not hold rights to hold the duplicate certificates of title
- the Failure of the Commissioner of Taxation to act as a model litigant and consent to orders setting aside the Default Judgments given in DCCIV-1666-2003; *Deputy Commissioner of Taxation v Andrew Garrett and VICSC-02968-2013; Deputy Commissioner of Taxation v Andrew Garrett in circumstances whether the Commissioner knew that the Judgment Debt could not and did not lawfully exist.*
- On the 21st April 2016 the Commissioner admitted to the Economics Senate Committee on Corporate Tax Evasion that he and the Federal Court of Australia had breached the provisions of the Constitution relating to Separation of Powers and Rule of Law
- It is in the public interest to ensure that the Construction is determined as binding on all three arms of Government
- It is in the Public Interest that State and Federal Government agencies are prevented from applying provisions relating to Vexations Litigant, Bankruptcy and Corporations as a barrier to Justice.

6. What are the legal arguments in support of your case?

Please refer to the law in your possession and controlyou are obliged as a Tribunal to inquire in the Public Interest in order to maintain the Public Trust.

Please see attached paper on Public Law appropriately summarised by French CJ

7. What evidence or witnesses do you have to support your case?

Transcripts of the aforementioned Hearing dated 21st April 2016 and copy of article on rebuke of the Commissioner of Taxation by the Federal Court of Australia dated 23rd April 2016

Orders under s89K of the Freedom of Information Act made by the Australian Information Commissioner preventing my access to any document of Administrative Character in the possession and Control of the Commissioner of Taxation, the Federal Court of Australia and the Federal Circuit Court of Australia.

Avoidance of the evidence obtained in June – August 2014 under the FOI act on 31 separate occasions by Judicial and Administrative officers of the Courts of Australia and Executive Government.

Avoidance by the Federal Court of Australia of acknowledged perjury as determined by Middleton J on the 10th March 2015 in VID 949 of 2015 committed by Counsel for Treasury Wines Estates Limited on no less than 24 separate occasions.

Purported making of final determination in VID 404 & 423 of 2016 by Beach J in circumstances where he had recused himself on grounds of actual and apprehended bias.

The failure of Burkhardt J to make findings of mutuality and set off in MLG 1631 of 2014

8. What do you stand to gain/lose by the case? (eg interest in land, loss of job, custody of children, compensation for injury etc)

Justice in respect to many issues, defamation, interest in land, findings of fraud, lawful government, reduced corruption of government, ASIC, AFSA, ATO, lawyers and insolvency practitioners, monetisation of the assets of the Australian People Future Fund,to benefit all Australians.

9. At what stage is the case? (State the court and court reference, if any)

- Forms CP14, COP15, CP 10 and Notice of Actual and Apprehended Bias in respect to the Primary Indictment are lodged

10. What is the next stage?

- Appointment of Delegate of the Chief Justice nominated by me to order filing of the Primary Indictment
- Initial hearing

11. How much do you think it will cost you to resolve the case?

- Given Governments conduct thus far and avoidance of relevant Model Litigant Obligations the cost will likely be in excess of \$1 Million.

12. Give details of how you have calculated your costs for each stage of the case.

- Experience

E. DEPENDANTS (not applicable if applicant is an organisation)
 List husband/wife/partner and dependant children

Name	Date of Birth	Relationship to you	Living with?
N/A			

F. OCCUPATION

Applicant	Financially associated person
Self Employed on New Start Allowance	N/A

G. INCOME AND COMMITMENTS DETAILS: APPLICANT AND FINANCIALLY ASSOCIATED PERSON

- If **employed**, attach a copy of latest **tax return** and a copy of latest **pay slip**.
- If **self-employed**, attach a copy of latest **financial statements** or **tax return**.
- If your business is **incorporated**, attach a copy of the company’s latest **financial statements**, and copies of **financial statements for all related companies**.
- If **unemployed**, attach a copy of latest **tax return** and a copy of latest **benefit statement**.
- If applying on behalf of an **organisation**, do not complete the following section but provide a copy of the organisation's latest **financial statements**

WEEKLY INCOME

Applicant \$	Financially associated person \$
Gross weekly wage, NIL Salary or earnings NIL	N/A
Other source of income	
Newstart Allowance \$298 per week	

Include pensions, compensation, unemployment or sickness benefits, rents, interest, dividends and any other income.

WEEKLY COMMITMENTS

	Applicant \$	Financially associated person \$
Tax (incl Medicare)	NIL	N/A
Rent	NIL	N/A
Mortgage payments on dwelling in which applicant lives	NIL	N/A
Board or lodging	NIL	N/A
Maintenance payments to spouse and/or children of applicant	NIL	N/A
Payments under hire-purchase and credit sales agreements, loan agreements for motor vehicle(s), household goods and furniture (identify each item)	NIL	N/A
Superannuation and life insurance: Other insurance (give details):	NIL	N/A
Child minding fees paid to enable income to be earned	NIL	N/A
Garnishee or other court orders (give details)	NIL	N/A
Other commitments (eg business expenses)	Phone \$600 per month	N/A

H. ASSETS

	Applicant \$	Financially associated person \$
<p>RESIDENCE Address:</p> <p>Market value:</p> <p>If mortgaged, amount still owing on mortgage(s):</p> <p>OTHER REAL ESTATE House and/or land other than residence - give details as above</p>	<p>N/A</p> <p>NIL</p>	<p>N/A</p>
<p>HOUSEHOLD GOODS, FURNITURE, AND PERSONAL EFFECTS Approximate value:</p> <p>Amount owing (if any):</p>	<p>NIL</p>	<p>N/A</p>
<p>MOTOR VEHICLE Year, model and type:</p> <p>Market value:</p> <p>Amount owing, if any:</p>	<p>NIL</p>	<p>N/A</p>
<p>Savings held either solely or jointly with any other person</p>	<p>NIL</p>	
<p>Shares, debentures etc (give details)</p>	<p>NIL</p>	
<p>All money owing to you, and who owes it to you (give details)</p>	<p>UNKNOWN AMOUNT to Notice to Admit Facts dated 1st July 2016 and otherwise served on Attorney Generals</p>	<p>N/A</p>
<p>All other assets (eg surrender value of life insurance policies)</p>	<p>NIL</p>	<p>N/A</p>

Commonwealth of Australia
STATUTORY DECLARATION
Statutory Declarations Act 1959

1 *Insert the name, address and occupation of person making the declaration*

I,¹
ANDREW MORTON GARRETT

make the following declaration under the *Statutory Declarations Act 1959*:
[cross out whichever does not apply]

2 *Set out matter declared to in numbered paragraphs*

1. I have not disposed of any assets for the purpose of qualifying for assistance.
2. The information given in this application is true and correct to the best of my knowledge and belief.
3. I am personally liable / the organisation is liable for the legal costs and expenses of the proceedings described in this application.
4. I am / the organisation is not indemnified by any person or organisation for those legal costs and expenses.
5. I give officers of the Legal Assistance Branch, Attorney-General's Department, permission to seek information regarding this application from other government departments or agencies.
6. I undertake to notify the Attorney-General's Department, of any change in my / the organisation's circumstances which could affect my / the organisation's eligibility for continuing financial assistance.
7. I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

3 *Signature of person making the declaration*

³

4 *Place*
5 *Day*
6 *Month and year*

Declared at ⁴ _____ on ⁵ _____ of ⁶ _____
Before me,

7 *Signature of person before whom the declaration is made (see over)*

⁷

8 *Full name, qualification and address of person before whom the declaration is made (in printed letters)*

⁸

Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the *Statutory Declarations Act 1959*.

Note 2 Chapter 2 of the *Criminal Code* applies to all offences against the *Statutory Declarations Act 1959* — see section 5A of the *Statutory Declarations Act 1959*.

Lodgment Details

Lodgment ID: 526072 Transmission Date: 26/11/2017 2:24:07 PM AEDT
 Lodgment Date: 26/11/2017 2:24:07 PM AEDT

Cause of Action Details

Filing: New Jurisdiction: Federal Court of Australia (FCA)
 Filing Registry: TASMANIA REGISTRY - FEDERAL COURT OF AUSTRALIA Appeal Y /N: No
 Case Type: Criminal Actio n: MISCELLANEOUS ACTION
 Source: Federal Court of Australia Primary Act: CRIMES ACT 1914
 National Practice Area / Area o f Law: Federal Crime and Related Proceedings

Lodged Documents

Original Document	Document Type	Document Status	Fee	Requests
CP14 Indictment AMG v CHRIS JORDAN & Ors 26.11.2017.pdf	Indictment: Federal Court (Criminal Proceeding)(Interim) Rules 2016 form CP(1)3	Originating Document	AUD\$ 0.00	
CP15 Indictment Information Notice AMG v CHRIS JORDAN & Ors 26.11.2017.pdf	Indictment Information Notice: Federal Court (Criminal Proceeding)(Interim) Rules 2016 form CP(1)4	Supporting Document	AUD\$ 0.00	
CP10 Address for Service AMG v CHRIS JORDAN & Ors 26.11.2017.pdf	Notice of Address for Service - Form 10 - Rule 5.02	Supporting Document	AUD\$ 0.00	
NOTICE OF ACTUAL AND APPREHENDED BIAS AMG v CHRIS JORDAN & ORS.pdf	Correspondence	Supporting Document	AUD\$ 0.00	

Total Cost (\$AUD): AUD\$ 0.00

Parties for this Action

Sequence	Representative	Name	Matter Role Type	Lodged on behalf of	Corporate Type
1		Garrett, Andrew Morton	Prosecutor	<input checked="" type="checkbox"/>	other
1		Jordan, Chris	Accused	<input type="checkbox"/>	
1		Coulter, Trevor	Accused	<input type="checkbox"/>	
1		Thomas, Neville	Accused	<input type="checkbox"/>	
1		Unwin, Sibhan	Accused	<input type="checkbox"/>	
1		REGIS	Accused	<input type="checkbox"/>	
1		Commonwealth Attorney General	Accused	<input type="checkbox"/>	
1		Smrdele, Albin	Accused	<input type="checkbox"/>	
1		Weekes, Peter	Accused	<input type="checkbox"/>	
1		Australian Information Commission	Accused	<input type="checkbox"/>	
1		Pilgrim, Timothy	Accused	<input type="checkbox"/>	
1		McMillan, John	Accused	<input type="checkbox"/>	
1		AUSTRALIAN HUMAN RIGHTS COMMISSION	Accused	<input type="checkbox"/>	public authority
1		Toja, Caroline	Accused	<input type="checkbox"/>	
1		Ball, Jodie	Accused	<input type="checkbox"/>	
1		Austrade	Accused	<input type="checkbox"/>	
1		Chief Executive of Austrade	Accused	<input type="checkbox"/>	
1		ASIC	Accused	<input type="checkbox"/>	
1		Zubic, Joe	Accused	<input type="checkbox"/>	
1		Reserve Bank of Australia	Accused	<input type="checkbox"/>	
1		Dickman, Anthony	Accused	<input type="checkbox"/>	

1	Payment Systems Board	Accused	<input type="checkbox"/>	
1	Australian Prudential Regulatory Authority	Accused	<input type="checkbox"/>	
1	Registrar of the Personal Property Security Register	Accused	<input type="checkbox"/>	
1	Federal Court of Australia	Accused	<input type="checkbox"/>	
1	Allsop, James	Accused	<input type="checkbox"/>	
1	Davies, Jenifer	Accused	<input type="checkbox"/>	
1	Kenny, Susan	Accused	<input type="checkbox"/>	
1	Jessup, Chris	Accused	<input type="checkbox"/>	
1	Charlesworth, Natalie	Accused	<input type="checkbox"/>	
1	Pagone, Tony	Accused	<input type="checkbox"/>	
1	Mathieson, John	Accused	<input type="checkbox"/>	
1	Allway, Philip	Accused	<input type="checkbox"/>	
1	Lander, Bruce	Accused	<input type="checkbox"/>	
1	Federal Circuit Court of Australia	Accused	<input type="checkbox"/>	
1	Pascoe, John	Accused	<input type="checkbox"/>	
1	Burchardt, Phillip	Accused	<input type="checkbox"/>	
1	Reithmuller, Grant	Accused	<input type="checkbox"/>	
1	Supreme Court of South Australia	Accused	<input type="checkbox"/>	
1	Doyle, John	Accused	<input type="checkbox"/>	
1	Attorney General of South Australia	Accused	<input type="checkbox"/>	
1	Kourakis, Chris	Accused	<input type="checkbox"/>	
1	District Court of South Australia	Accused	<input type="checkbox"/>	
1	Rice, Mark	Accused	<input type="checkbox"/>	
1	Norman, Peter	Accused	<input type="checkbox"/>	
1	Attorney General of Victoria	Accused	<input type="checkbox"/>	
1	Supreme Court of Victoria	Accused	<input type="checkbox"/>	
1	Mukhtar, Nemeer	Accused	<input type="checkbox"/>	
1	Derham, David	Accused	<input type="checkbox"/>	
1	Riordan, Peter	Accused	<input type="checkbox"/>	
1	LEGAL SERVICES COMMISSIONER (THE SUCCESSOR TO THE LEGAL OMBUDSMAN)	Accused	<input type="checkbox"/>	
1	Legal Services Board	Accused	<input type="checkbox"/>	
1	Law Society of Victoria	Accused	<input type="checkbox"/>	
1	Law Society of South Australia	Accused	<input type="checkbox"/>	
1	Macks, Peter Ivan	Accused	<input type="checkbox"/>	
1	Lipman, Skip	Accused	<input type="checkbox"/>	
1	Duncan, Stephen James	Accused	<input type="checkbox"/>	
1	Cudmore, James	Accused	<input type="checkbox"/>	
1	May, Greg Mornington	Accused	<input type="checkbox"/>	
1	Minter Ellison Lawyers	Accused	<input type="checkbox"/>	
1	Lhuede, Michael	Accused	<input type="checkbox"/>	
1	Carter, Bruce	Accused	<input type="checkbox"/>	
1	Hart, John	Accused	<input type="checkbox"/>	
1	Colovic, David	Accused	<input type="checkbox"/>	
1	Cahill, Francis Michael	Accused	<input type="checkbox"/>	
1	Hambros, Peter	Accused	<input type="checkbox"/>	
1	Short Smith, John	Accused	<input type="checkbox"/>	
1	COMMONWEALTH BANK OF AUSTRALIA (A.B.N. 48 12 12 124)	Accused	<input type="checkbox"/>	publicly listed company

1	Rambaldi, Gess	Accused	<input type="checkbox"/>	
1	Yeo, Andrew	Accused	<input type="checkbox"/>	
1	Fox, Andrew	Accused	<input type="checkbox"/>	
1	FRENKEL PARTNERS	Accused	<input type="checkbox"/>	other
1	Beissel, Richard	Accused	<input type="checkbox"/>	
1	Lancione, Frank	Accused	<input type="checkbox"/>	
1	Australian Financial Services Authority	Accused	<input type="checkbox"/>	
1	Marsh, James	Accused	<input type="checkbox"/>	

Notice of Actual and Apprehended Bias

No. _____ of 2017

Federal Court of Australia
District Registry: Tasmanian
Division: General

ANDREW MORTON GARRETT

Prosecutor

AND

CHRIS JORDAN

First Accused

AND

The others named in the Schedule

To the Federal Court of Australia

And to the Accused

Take Notice the Prosecutor apprehends actual and apprehended bias by any officer of the Crown in making any administrative and/or judicial decision in the bringing of these proceedings and respectfully requests that the Chief Justice Delegates his responsibilities under the Federal Court of Australia Act 1976 (Cth) to a person to be nominated by the Prosecutor.

The Grounds of this Notice are set out in communications with the Director of Client Services of the Court dated 24th November 2017 and email communications between the 1st January 2014 and today's date sent to the attention of the persons named, and proposed to be named in the Criminal Proceedings lodged for filing on the 22nd November 2017 Andrew Garrett v Trevor Coulter & Ors.

Date: 26th November 2017



Signed by Andrew Morton Garrett
Prosecutor

Filed on behalf of (name & role of party)	Andrew Garrett, The Prosecutor
Prepared by (name of person/lawyer)	The Prosecutor
Law firm (if applicable)	NA
Tel	[REDACTED]
Email	[REDACTED]

[REDACTED]

[REDACTED]

THE SCHEDULE

TREVOR COULTER

Second Accused

AND

NEVILLE THOMAS

Third Accused

AND

SIOBHAN UNWIN

Fourth Accused

AND

REGIS

Fifth Accused

AND

COMMONWEATH ATTORNEY GENERAL

Sixth Accused

AND

ALBIN SMRDLE

Seventh Accused

AND

PETER WEEKES

Eighth Accused

AND

AUSTRALIAN FREEDOM OF INFORMATION COMMISSION

Ninth Accused

AND

TIMOTHYPILGRIM

Tenth Accused

AND

JOHN MCMILLAN

Eleventh Accused

AND

AUSTRALIAN HUMAN RIGHTS COMMISSION

Twelfth Accused

AND

CAROLINE TOJA

Thirteenth Accused

AND

JODIE BALL

Fourteenth Accused

AND

AUSTRADE

Fifteenth Accused

AND

CHEIF EXECUTIVE OF AUSTRADE

Sixteenth Accused

AND

AUSTRALIAN SECURITIES & INVESTMENT COMMISSION

Seventeenth Accused

AND

JOE ZUBIC

Eighteenth Accused

AND

RESERVE BANK OF AUSTRALIA

Nineteenth Accused

AND

ANTHONY DICKMAN

Twentieth Accused

AND

PAYMENT SYSTEMS BOARD

Twenty First Accused

AND

AUSTRALIAN PRUDENTIAL REGULATORY AUTHORITY

Twenty Second Accused

AND

REGISTRAR OF PERSONAL PROPERTY SECURITY REGISTER

Twenty Third Accused

AND

FEDERAL COURT OF AUSTRALIA

Twenty Fourth Accused

AND

CHIEF JUSTICE JAMES ALLSOP

Twenty Fifth Accused

AND

JUSTICE JENIFER DAVIES

Twenty Sixth Accused

AND

JUSTICE SUSAN KENNY

Twenty Seventh Accused

AND

JUSTICE CHRISTOPHER JESSUP

Twenty Eighth Accused

AND

JUSTICE NATALIE CHARLESWORTH

Twenty Ninth Accused

AND

JUSTICE TONY PAGONE

Thirtieth Accused

AND

REGISTRAR JOHN MATHIESON

Thirty First Accused

AND

REGISTRAR PHILIP ALLWAY

Thirty Second Accused

AND

JUSTICE/COMMISSIONER BRUCE LANDER

Thirty Third Accused

AND

FEDERAL CIRCUIT COURT OF AUSTRALIA

Thirty Fourth Accused

AND

CHIEF JUDGE JOHN PASCOE

Thirty Fifth Accused

AND

JUDGE PHILIP BURCHARDT

Thirty Sixth Accused

AND

JUDGE GRANT REITHMULLER

Thirty Seventh Accused

AND

ATTORNEY GENERAL OF SOUTH AUSTRALIA

Thirty Eighth Accused

AND

SUPREME COURT OF SOUTH AUSTRALIA

Thirty Ninth Accused

AND

CHIEF JUSTICE JOHN DOYLE (Retired)

Fortieth Accused

AND

CHIEF JUSTICE CHRIS KOURAKIS

Forty First Accused

AND

DISTRICT COURT OF SOUTH AUSTRALIA

Forty Second Accused

MASTER MARK RICE

Forty Third Accused

AND

MASTER PETER NORMAN

Forty Forth Accused

AND

ATTORNEY GENERAL OF VICTORIA

Forty Fifth Accused

AND

SUPREME COURT OF VICTORIA

Forty Sixth Accused

AND

ASSOCIATE JUSTICE NEMEER MUKHTAR

Forty Seventh Accused

AND

ASSOCIATE JUSTICE DAVID DERHAM

Forty Eighth Accused

AND

JUSTICE PETER RIORDAN

Forty Ninth Accused

AND

LEGAL SERVICES COMMISSIONER

Fiftieth Accused

AND

LEGAL SERVICES BOARD

Fifty First Accused

AND

LAW SOCIETY OF VICTORIA

Fifty Second Accused

AND

LAW SOCIETY OF SOUTH AUSTRALIA

Fifty Third Accused

AND

PETER IVAN MACKS

Fifty Forth Accused

AND

SKIP LIPMAN

Fifty Fifth Accused

AND

STEPHEN JAMES DUNCAN

Fifty Sixth Accused

AND

JAMES CUDMORE

Fifty Seventh Accused

AND

GREG MAY

Fifty Eighth Accused

AND

MINTER ELLISON LAWYERS (South Australia)

Fifty Ninth Accused

AND

TIMOTHY HOLDEN

Sixtieth Accused

AND

MICHAEL LHUEDE

Sixty First Accused

AND

BRUCE CARTER

Sixty Second Accused

AND

JOHN HART

Sixty Third Accused

AND

DAVID COLOVIC

Sixty Forth Accused

AND

FRANCIS MICHAEL CAHILL

Sixty Fifth Accused

AND

PETER HAMBROS

Sixty Sixth Accused

AND

JOHN SHORT SMITH

Sixty Seventh Accused