



The Australian People Future Fund

Reserve Bank of Australia
Treasurer, Department of Finance,
Attn; Treasurer, The Board of Governors and the Payments System Board,
The Commonwealth Attorney General and Regina's employees,
officers, servants, licensees, delegates, contractors, agents and otherwise
(hereinafter "**Regina**")
C/o Mr Anthony Leonard Dickman, Secretary
21 Martin Place,
Sydney, NSW, 2000
Cc Tasmania Director of Legal Aid, South Australian Legal Aid Commissioner.

Sunday, 16 June 2019

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO
9:00 am, Feb 18, 2022
JEFFREY P. COLWELL, CLERK

NOTICE OF IMPUTED CONCERNS

**Predecessor AMC Matter to DCCRM-07-0742, DCCRM-07-0742; Regina v Garrett,
AMC-18-1585; Regina v Garrett, DCCRM-19-73; Regina v Garrett, MMC- T02318092-07; Regina v Garrett,
MMC-151000380-2016; Regina v Garrett & HMC-19-90956; Regina v Garrett
DCCIV-1666-2003; Deputy Commissioner of Taxation v Andrew Garrett ATF AGFT,
ADG-2004-90; Deputy Commissioner of Taxation v Andrew Garret,
MLG-2015- 177; Deputy Commissioner of Taxation v Andrew Garrett
NSD 1848 of 2018; Rubis & Ors v Garrett & Ors v Regina & Ors**

Dear Regina,

It is my understanding that Banking processes of Monetisation of Value are driven by asstes, reputation, undisputed facts and the relevant banking law including the Reserve Bank of Australia Act, the Banking Act, the Payments Systems Regulation Act, the Bills of Exchange Act, **the UNCITRAL Convention on Bills of Exchange and Promissory Notes** 1998 (UN) International Trade Law, the Charters of the Commonwealth of Nations and the United Nations, Australian Treaty Series 5, 23 & 39, amongst other relevant treaties and Trusts.

Since 2015 Regina has admitted a number of Facts, Liabilities and Indebtedness pursuant to Common Notices to Admit Facts served upon Regina which is the subject of a Notice of Seizure of Collateral/ Crystallisation of Charges dated 1st November 2019 (**annexure 1**) ("**the Notice**") the service of which on the 3rd June 2019 has been acknowledged vy you inclusive of annexures and is set out without annexures on my website <https://www.oenoviva-capital-resources.com/> at <https://www.oenoviva-capital-resources.com/seizure-notice/> . Admitted indebtedness of Regina is set out at **annexures 2 & 3**.

I wrote to the ANZ Banking Group Limited in a Letter dated 15th June 2019 addressed to my Personal Account Manager, Mr Dacheng Zhong seeking compliance with the contract between Bank and Customer and monetisation of value in accordance with all appropriate law (**annexure 4**)

Australian Wine Supply Limited; Hong Kong Company Registry Number 1657912;
as Trustee for **OenoViva Capital Resources, / the Australian People Future Fund**
Office; Level 19, Two International Finance Centre, 8 Finance Centre, Central, Hong Kong;
Email address [m](#) / Phone; (+61)



The failures of the Australian Banking System including the Reserve Bank of Australia to monetise value that is the property of their clients, under binding banking contracts, are amongst other frauds committed by the Banking System as licensees for Regina that Regina is both civilly and vicariously liable that are the subject of submissions to the recent Royal Commission on the Finance Sector. (**annexure 5**) I have provided these details to you on more than one occasion.

On the 30th April 2017 the Australian People Future Fund was settled a copy of which Deed has been provided to you in original form along with the Original of International Bill of Exchange both of which documents were returned to me under cover of an "Allonge" published by the Reserve Bank of Australia and is the subject of a letter of information dated 10th March 2019. (**annexure 6**)

A copy of the aforementioned Deed of Settlement was provided to the Adelaide Advertiser by way of letter dated 14th June 2019 (**annexure 7**), the Advertiser was previously the subject of a summons for Defamation in 2007 brought by me in the District Court of South Australia.

I have written to the Reserve Bank of Australia on more than one occasion regarding its Statutory Role and refer you to the email chain 30th June 2016 – 24th May 2017 (**annexure 8**) which sets out;

Dear Secretary

I refer to the Notices of Admissions of Facts referred to in the Notice to Admit Facts dated 11th April 2017 addressed to the Attorney Generals of the Commonwealth, the States and Territories of Australia (*set out below and annexures as attached*) and email chain attached addressed to Senator Brandis and his personnel.

I also refer to our prior communications in which regard I addressed the issue of the obligation of the Reserve Bank to act in the Public Interest and that of the Peoples of Australia as set out in s10, 10A & 10B of *the Reserve Bank of Australia Act 1959* (Cth) as follows;

10 Functions of Reserve Bank Board

- (1) Subject to this Part, the Reserve Bank Board has power to determine the policy of the Bank in relation to any matter, other than its payments system policy, and to take such action as is necessary to ensure that effect is given by the Bank to the policy so determined.

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- (2) It is the duty of the Reserve Bank Board, within the limits of its powers, to ensure that the monetary and banking policy of the Bank is directed to the greatest advantage of the people of Australia and that the powers of the Bank under this Act and any other Act, other than the Payment Systems (Regulation) Act 1998, the Payment Systems and Netting Act 1998 and Part 7.3 of the Corporations Act 2001, are exercised in such a manner as, in the opinion of the Reserve Bank Board, will best contribute to:

- a. the stability of the currency of Australia;
- b. the maintenance of full employment in Australia; and
- c. the economic prosperity and welfare of the people of Australia.

10A Establishment of Payments System Board

There is to be a Payments System Board of the Reserve Bank which is to be constituted as provided in Part IIIA.



10B Functions of Payments System Board

- (1) The Payments System Board has power to determine the Bank's payments system policy.
- (2) The Payments System Board has power to take whatever action is necessary to ensure that the Bank gives effect to the policy it determines.
- (3) It is the duty of the Payments System Board to ensure, within the limits of its powers, that:
 - a. the Bank's payments system policy is directed to the greatest advantage of the people of Australia; and
 - b. the powers of the Bank under the Payment Systems (Regulation) Act 1998 and the Payment Systems and Netting Act 1998 are exercised in a way that, in the Board's opinion, will best contribute to:
 - i. controlling risk in the financial system; and
 - ii. promoting the efficiency of the payments system; and
 - iii. promoting competition in the market for payment services, consistent with the overall stability of the financial system; and
 - iv. the powers and functions of the Bank under Part 7.3 of the Corporations Act 2001 are exercised in a way that, in the Board's opinion, will best contribute to the overall stability of the financial system.

I have applied to establish a Purchased Payment Facility with the Reserve Bank of Australia in which regard I seek to Monetise AUD\$1,000,000,000,000.00 (Australian Dollars One Trillion) of the stored value set out in the Balance Sheet of the Andrew Garrett Family Trust No 4 ABN 42 388 204 496 trading as OenoViva Capital Resources in which regard the Reserve Bank of Australia refused on the 9th November 2016 to establish that Purchased Payment Facility for me to hold in trust for the Peoples of the Commonwealth of Australia for the purposes set out in my application.

On the 20th November 2016 I applied for Internal Review of the administrative decision of the RBA refusing to establish a Purchase Payment Facility in my favour to hold stored value in trust for the benefit of the Peoples of Australia.

The RBA has not undertaken that Internal Review requested of the RBA and is deemed to have refused to undertake Internal Review of that Refusal in which regard all rights are reserved.

On the 4th December 2018 I instructed my agents to monetise instruments subject of an agreement of the same date with the Bank of Canada which process was also the subject of SKRs issued by a European Bank, as a consequence of interference by Regina, the Bank of Canada withdrew from that monetisation process, I have sought the details of the threat made by Regina to sue any person dealing with Financial Instruments issued by me in which regard you have failed to comply with my FOI requests and your continuous duty to disclose in accordance with treaty and the principle of an open and transparent Government that are the subject of the Notice.

On the 6th December 2018 you caused three agents to "raid" the offices of my agents in Riyadh in attempt to intimidate them.

The same three instruments that are now the subject of a further SKR which relevantly sets out as follows;



DATE OF ISSUE: 61:0064/17 AT 10 MAY 2017 & 60:00039/16 AT 18 MAY 2016 & 1:00063/17 AT 5 MAY 2017
DATE OF MATURITY: 61:0064/17 AT 09 MAY 2021 & 60:00039/16 AT 18 AUGUST 2017 & 1:00063/17 AT 09 MAY 2020
DEPOSITOR: MR ALI ABDULQADER LABABIDI SALMAH GY
INTERNATIONAL BILL OF EXCHANGE 61:0064/17 & NUMBER 60:00039/16 & NUMBER 1:00063/17, Beneficiary
MR ALI ABDULQADER LABABIDI SALMAH GY SYRIAN PASSPORT NUMBER IN 009174866 EXPIRE DATE 12 May 2020

WE, XX XXXXXX BANK WITH THE AUTHORISED SIGNATORIES APPEARING BELOW HEREBY IRREVOCABLY ACKNOWLEDGE WITH

FULL BANK RESPONSIBILITY OUR RECEIPT OF (IBOE) NUMBERS 61:0064/17 DATED 10 MAY 2017 IN THE AMOUNT OF 1,556,969,829,685.00 AUD AND (IBOE) NUMBER 60:00039/16 DATED 18 MAY 2016 AMOUNT OF 2,000,000,000.00 USD AND (IBOE) NUMBER 1:00063/17 DATED 5 MAY 2017 AMOUNT OF 5,000,000,000.00 USD WHICH ACCORDING TO THE APPRAISALS AND EVALUATION RECEIVED WE CERTIFY AND GUARANTEE FOR CURRENT VALUE EQUAL (ONE TRILLION, FIVE HUNDRED FIFTY SIXTY BILLION, NINE HUNDRED AND SIXTY NINE MILLION, EIGHT HUNDRED TWENTY NINE THOUSAND, SIX HUNDRED AND EIGHTY FIVE AUSTRALIAN DOLLARS) (1,556,969,829,685.00 AUD) AND (FIVE BILLION UNITED STATES DOLLARS) (5,000,000,000.00) AND (TWO BILLION UNITED STATES DOLLARS) (2,000,000,000.00) WHICH SHALL BE HELD BY OURSELVES IN SAFE CUSTODY ON DEPOSIT FOR ONE YEAR AND ONE MONTH OF ISSUANCE OF THIS DOCUMENT ON BEHALF OF MR ALI ABDULQADER LABABIDI SALMAH GY WE CONFIRM THAT THIS SAFEKEEPING RECEIPT HAS BEEN ISSUED UNDER FULL BANK RESPONSIBILITY AND THAT THIS INSTRUMENT IS FREELY AVAILABLE TO THE NAMED BENEFICIARY.

WE CERTIFY THAT THE (IBOE) NUMBERS 61:0064/17 DATED 10May2017 IN THE AMOUNT OF 1,556,969,829,685.00 AUD AND 60:00039/16 DATED 18 MAY 2016 AMOUNT OF 2,000,000,000.00 USD AND 1:00063/17 DATED 5 MAY 2017 AMOUNT OF 5,000,000,000.00 USD WHICH ACCORDING TO THE APPRAISALS AND EVALUATION RECEIVED WE CERTIFY AND GUARANTEE FOR CURRENT VALUE EQUAL (ONE TRILLION, FIVE HUNDRED FIFTY SIXTY BILLION, NINE HUNDRED AND SIXTY NINE MILLION, EIGHT HUNDRED TWENTY NINE THOUSAND, SIX HUNDRED AND EIGHTY FIVE AUSTRALIAN DOLLARS) (1,556,969,829,685.00 AUD) AND (FIVE BILLION UNITED STATES DOLLARS) (5,000,000,000.00) AND (TWO BILLION UNITED STATES DOLLARS) (2,000,000,000.00) HELD BY US AND SPECIFIED ON THE OVERLEAF HEREOF AS REPRESENTED BY THIS SAFEKEEPING RECEIPT IS LEGALLY VALID AND AUTHENTIC ACCORDING TO THE APPRAISALS AND EVALUATION RECEIVED AND FREE OF LIEN AND OR ENCUMBRANCES OF ANY KIND WHATSOEVER. THIS SAFEKEEPING RECEIPT AND THE ASSETS / SECURITIES UNDERLYING SHALL BE AVAILABLE AT MATURITY HEREOF FREE AND CLEAR OF ANY TAXES LEVIES OR DUTIES OF

ANY NATURE PRESENT OR FUTURE IMPOSED UNDER THE LAW

ALL RIGHTS ARISING FROM THE OWNERSHIP OF THIS SAFEKEEPING RECEIPT AND THE (IBOE) NUMBERS 61:0064/17 DATED 10May2017 IN THE AMOUNT OF 1,556,969,829,685.00 AUD AND 60:00039/16 DATED 18 MAY 2016 AMOUNT OF 2,000,000,000.00 USD AND 1:00063/17 DATED 5 MAY 2017 AMOUNT OF 5,000,000,000.00 USD WHICH ACCORDING TO THE APPRAISALS AND EVALUATION RECEIVED WE CERTIFY AND GUARANTEE FOR CURRENT VALUE (ONE TRILLION, FIVE HUNDRED FIFTY SIXTY BILLION, NINE HUNDRED AND SIXTY NINE MILLION, EIGHT HUNDRED TWENTY NINE THOUSAND, SIX HUNDRED AND EIGHTY FIVE AUSTRALIAN DOLLARS) (1,556,969,829,685.00 AUD) AND (FIVE BILLION UNITED STATES DOLLARS) (5,000,000,000.00) AND (TWO BILLION UNITED STATES DOLLARS) (2,000,000,000.00) REPRESENTED THEREBY SHALL BE FREELY ASSIGNABLE AND TRANSFERABLE WITHOUT PAYMENT TO US OF ANY TRANSFER FEE AND UPON THE WRITTEN INSTRUCTIONS FROM THE BENEFICIARY HEREOF AND WE WARRANT OUR STRICT COMPLIANCE THEREWITH.

PAGE NUMBER: SEALED BOUNDED BUNDEL

ROW: 06

USE DATE: 28TH MARCH 2019

CONSOLE: 43

TIME: 10.00 AM

WE ALSO DECLARE THAT THIS SAFEKEEPING RECEIPT WILL NOT BE CHANGED, ALTERED OR AMENDED WITHOUT THE BENEFICIARY'S EXPRESS OR REQUEST IN WRITING.

THE SAFEKEEPING RECEIPT IS AN OPERATIVE FULLY CONFIRMED INSTRUMENT AND IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (1993 + ULTIMATE) REVISIONS INTERNATIONAL CHMBER OF COMMERCE (ICC) PUBLICATION NO: 500 AND ENGAGES US IN ACCORDANCE WITH TERMS HEREOF.



The named beneficiary is acting under my power of attorney dated 2nd May 2018 (**annexure 9**) in which regard I am able to introduce the Reserve Bank of Australia my International Bankers in order to finalise the Banking Process. Mr Matthew [REDACTED] has been appointed a principal legal advisor and is available at [REDACTED] & [REDACTED]

On the 6th May 2019 I extended the maturity dates of the Instruments the subject of the SKR (**annexure 10**)

Please confirm to me by return communicate the acceptance of Bank to Bank communication by the Reserve Bank of Australia to credit to my account as Trustee the amount set out in the aforementioned SKR or alternatively make a loan available against this financial asset on terms and conditions to be agreed by me and the Reserve Bank of Australia; this correspondence is confidential and commercial in confidence.

NOTICE OF IMPUTED CONCERNS

I have referred your attention to my letter to the Advertiser Newspaper and News Limited which is a Notice of Imputed Concerns.

I now understand that the Bankruptcy Proceedings and the Criminal proceedings brought by YOU referred to above are acts of Defamation and have all been brought as an abuse of process, obstruction of Justice, subversion of my Human Rights and are criminal indictable offences for which you are both criminally and civilly liable.

My letter to ANZ sets out two notice of imputed concerns served upon you on the 24th May 2016 and the 3rd May 2018 care of Chris Jordan, Trevor Coulter, Neville Thomas and Vincent Tavoraro in which regard those concerns are hereby repeated and restated pursuant to the provisions of the Common Law and the Uniform Law of Defamation per the Defamation Act 2005(SA) (Vic) (Tas) (NSW), (Qld) (WA) (NT) (ACT).

You have admitted that you knew that the two sequestration orders made against me were unlawful, invalid and a fraud on me by YOU and you brought those proceedings to defame me in which regard the details set out in the Notice of Imputed Concerns set out at Annexure 6 which are hereby restated for the purposes of this Notice.

At all relevant times;

1. you have made Administrative and Judicial decisions in the aforementioned proceedings as well as those set out in my Notices of Constitutional Matters and annexures filed and serve in NSD 1848 of 2018; *Rubis & Ors v Garrett & Ors v Regina & Ors* for the sole and improper purpose of defaming me in order to obtain a financial advantage by deception and frustrate the lawful monetisation of value of assets held by me and entities related to me.



2. You have made the aforementioned decisions in circumstances where you have been on Notice of Actual and Apprehended Bias by me due to the conflict of Interest arising from your pecuniary interest in proceedings related to me.

I provide this limited opportunity to you to remedy this Notice of Imputed Concerns

ALL RIGHTS RESERVED

FOR AND ON BEHALF OF OVCR:

The Trustees of the Andrew Garrett Family Trust No 4, Trading as **OenoViva Capital Resources:**

Name: Mr. Andrew Morton Garrett

(Chairman/Managing Trustee)

Australian Passport [REDACTED] and United Kingdom Passport [REDACTED]

Signed on Sunday, June 16, 2019

FOR AND ON BEHALF OF THE APFF:

The Trustee of the Australian People Future Fund

Name: Mr. Andrew Morton Garrett

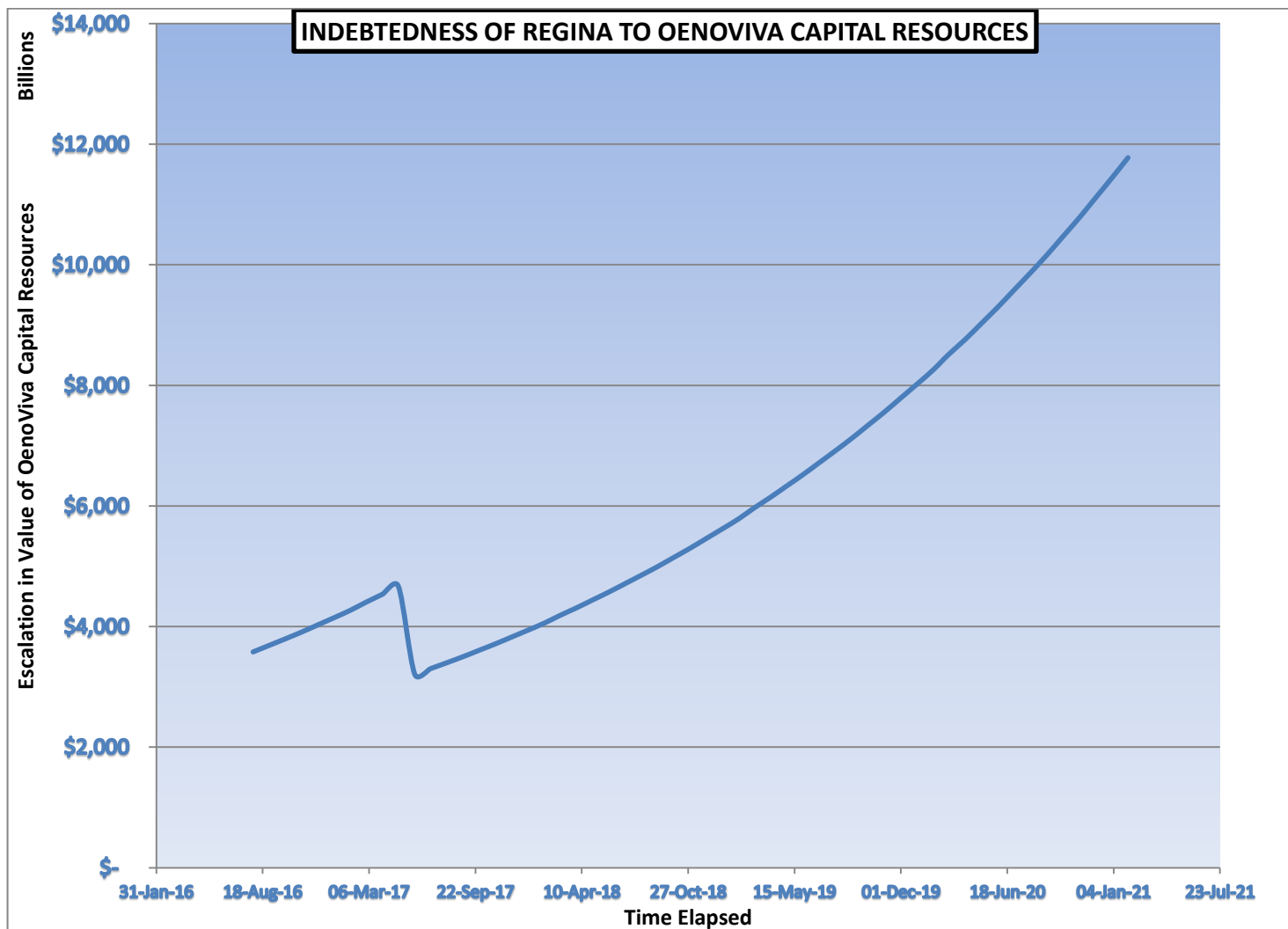
(Chairman/ Managing Trustee)

Australian Passport [REDACTED] and United Kingdom Passport [REDACTED]

Signed on this Sunday, June 16, 2019

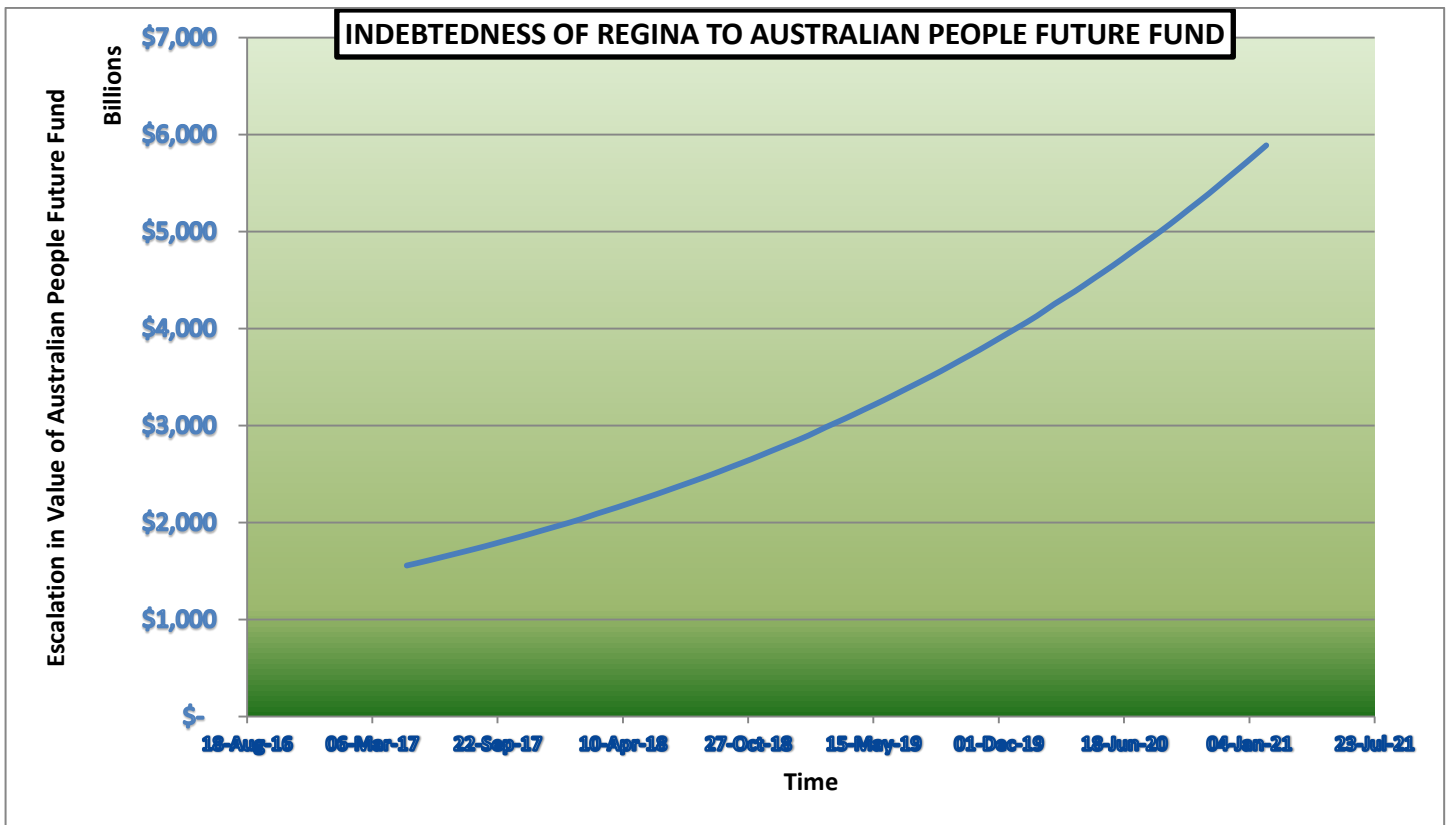


ANNEXURE 2 ; MINIMUM ESCALATION OF INDEBTEDNESS OF REGINA TO THE TRUSTEES OF THE OENOVIVA CAPITAL RESOURCES // Not inclusive of calculations for loss of profits that could otherwise have been obtained from Private Placement Program Trading opportunities forgone at the rate of 25% per week compounding in which regard ALL RIGHTS RESERVED.





ANNEXURE 3: MINIMUM ESCALATION OF INDEBTEDNESS OF REGINA TO THE TRUSTEES OF THE AUSTRALIAN PEOPLE FUTURE FUND // Not inclusive of calculations for loss of profits that could otherwise have been obtained from Private Placement Program Trading opportunities forgone at the rate of 25% per week compounding in which regard ALL RIGHTS RESERVED.



ANNEXURE 5

Time submitted: 21/03/2018 02:58:35 PM

PWF.0001.0001.3571

Questions about you

Submitted By: Andrew Morton Garrett
Email: [REDACTED]
Phone Number: [REDACTED]
State: TAS

Making the complaint for: My Self
Name of this person:
Relation to this person:
Name of the Business:
Relationship to Business:

Questions about the banking, superannuation or financial services entity your submission relates to

Industry: Banking
Name of Bank/ Financial Provider: National Australia Bank
Indicate the main nature of your dealings with this entry:
Personal financial (including bank account, credit card, personal loans) - Small business finance - Farming finance - Financial advice - General insurance (including home, car, income protection) - Life insurance including total and permanent disability (TPD) insurance - Other

Which of the Royal Commission's term of reference is your submission about?

Misconduct or conduct falling below community standards and expectations) - Effectiveness of redress for consumers

What did the financial services entity do that amounts to misconduct or conduct falling below community standards and expectations?

Executed Bank Securities in circumstances that were rushed and contained multiple errors. Breached the first and second contracts for finance in respect entities related to me obtained duplicate certificates of title in circumstances where the Registrar General mistakenly released those titles to NAB Breached all of its statutory and common law duties to act in the public interest as a licensee of the Crown

When did this happen?

20/06/2002

What do you think caused or contributed to these events?

Issues related to knowledge of breaches of the principles of Separation of Powers and collapse of Rule of Law in the Commonwealth of Australia and the States and Territories of the Commonwealth Serious Professional Misconduct of Greg Morrington May and Minter Ellison Solicitors South Australia

Did you make a complaint in relation to what happened? Yes

When did you first make this complaint? : 04/02/2004

Who did you complain to? : Other

What happened when you made the complaint?

Fraud of Government and the application of the Bethcar Strategy by the Crown in avoiding deferring and frustrating applications for compensation

What was the outcome of your complaint?

Other

When was this outcome reached? :

31/01/2007

If Court / Tribunal Proceeding were commenced: Which Court were the proceedings commenced : Are these proceedings still underway?: If the proceeding was completed, what was the out come : When were the proceeding completed :
Were you satisfied with this outcome?No

What culture or governance practices and other practices (including risk management, recruitment and remuneration practices and/or the use of a superannuation member's retirement savings by a financial service entity) of the entity are of concern and why?

How effective are the mechanisms for consumer redress and how could they be improved?

Completely defectiveFunding of Courts and Tribunals by a person other than the Crown and establishment of a Judicial College. Amendments to all acts establishing courts and tribunals to allow for the appointment of persons other than lawyers to the Judiciary

What changes would you like the Royal Commission to recommend?

Appoint a person who is not an officer of the Crown to administer the Royal Commission The recommendations of the Commission sought are outlined in an amended Notice of Constitutional Matters dated 15th December 2015 filed and served in VID 129 of 2015; Andrew Garrett v Commissioner of Taxation

Other Comments

I have applied for Public Interest Test Case funding from the Commonwealth Attorney General to bring an application for a writ of Quo Warranto in my capacity as the relator pursuant to an application for the Fiat of the Commonwealth Attorney General. The Royal Commissioner on Institutional Responses to Child Sex Abuse failed to address the issues relating to Rule of Law and Separation of Powers. Australia has slid in the rankings of Least Corrupt Countries and is now co longer listed in the top 10 least corrupt contries

Time submitted: 22/03/2018 12:09:45 PM

PWF.0001.0001.3627

Questions about you

Submitted By: Andrew Garrett
Ema
Phone Numbe
State: TAS

Making the complaint for: Business
Name of this person:
Relation to this person:
Name of the Business: Fitzallen Forestry
Relationship to Business: Other

Questions about the banking, superannuation or financial services entity your submission relates to

Industry: Banking
Name of Bank/ Financial Provider: Commonwealth Bank
Indicate the main nature of your dealings with this entry:
Personal financial (including bank account, credit card, personal loans) - Small business finance - Farming finance - Superannuation - Other

Which of the Royal Commission's term of reference is your submission about?

Misconduct or conduct falling below community standards and expectations) - Culture or governance practices and other practices (including risk management, recruitment and remuneration practices and/or the use of a superannuation member's retirement savings by a financial service entity) - Effectiveness of redress for consumers

What did the financial services entity do that amounts to misconduct or conduct falling below community standards and expectations?

Retained Superannuation Funds for an improper purpose despite knowing such retention of \$580,000 was unlawful Overcharging Interest Breach of Trust Breach of Contract Failure to Monetise assets and apply appropriate LVR Failure to freeze bank accounts the subject of external administration Improperly using Private Information regarding Huon Aquaculture for self benefit against customer interests

When did this happen?

01/07/2007

What do you think caused or contributed to these events?

Corrupt culture

Did you make a complaint in relation to what happened? No

When did you first make this complaint? :

Who did you complain to? :

What happened when you made the complaint?

What was the outcome of your complaint?

When was this outcome reached? :

If Court / Tribunal Proceeding were commenced:

Which Court were the proceedings commenced :

Are these proceedings still underway?:

If the proceeding was completed, what was the out come :

When were the proceeding completed :

Were you satisfied with this outcome?

What culture or governance practices and other practices (including risk management, recruitment and remuneration practices and/or the use of a superannuation member's retirement savings by a financial service entity) of the entity are of concern and why?
Subject of Oral Submissions
How effective are the mechanisms for consumer redress and how could they be improved?
Non existent as Financial Ombudsman, ASIC and APRA avoid Statutory responsibilities as part of the application of the Bethcar Strategy by the Crown
What changes would you like the Royal Commission to recommend?
Investigate The Court System APRA, ASIC and the Financial Ombudsman for breaches of principals of Separation of Powers and Rule of Law
Other Comments

Time submitted: 05/06/2018 10:04:37 AM

PWF.0001.0001.8373

Questions about you

Submitted By: Andrew Morton Garrett

Email: [REDACTED]

Phone Number: [REDACTED]

State: TAS

Making the complaint for: Business

Name of this person:

Relation to this person:

Name of the Business: OenoViva Capital Resources

Relationship to Business: Principal

Questions about the banking, superannuation or financial services entity your submission relates to

Industry: Banking

Name of Bank/ Financial Provider: Commonwealth Bank

Indicate the main nature of your dealings with this entry:

Small business finance - Other

Which of the Royal Commission's term of reference is your submission about?

Misconduct or conduct falling below community standards and expectations) - Culture or governance practices and other practices (including risk management, recruitment and remuneration practices and/or the use of a superannuation member's retirement savings by a financial service entity) - Effectiveness of redress for consumers

What did the financial services entity do that amounts to misconduct or conduct falling below community standards and expectations?

The entity has failed to Monetize AUD \$33,300,000 in secured financial assets that remain in the control and possession of the entity and have not been returned to either the Drawer of the Payee. The entity continues to hold the assets for value received on its balance sheet in accordance with law but has not recognized that stored value to the account of the Payee. The entity

When did this happen?

26/05/2017

What do you think caused or contributed to these events?

Corruption of the Crown and its licensees such that the role and responsibilities to monetize assets consistent with the Reserve Bank of Australia Act, the Bills of Exchange Act, the International Convention of Bills of Exchange and Promissory Notes and Australian Treaty Series No 23 at Article 1 are avoided

Did you make a complaint in relation to what happened? Yes

When did you first make this complaint? : 30/06/2017

Who did you complain to? : The entity itself

What happened when you made the complaint?

Nothing and the Financial Instruments have been retained by the entitynot returned.

What was the outcome of your complaint?

No action

When was this outcome reached? :

If Court / Tribunal Proceeding were commenced: Which Court were the proceedings commenced : Are these proceedings still underway?: If the proceeding was completed, what was the out come : When were the proceeding completed :
Were you satisfied with this outcome?No

What culture or governance practices and other practices (including risk management, recruitment and remuneration practices and/or the use of a superannuation member's retirement savings by a financial service entity) of the entity are of concern and why?

The culture of the entity and banks generally is to take excessive amounts of securities and when enforced over collect on the moneys lent and retain those earnings as profit.....It is Fraud and unjust enrichment.

How effective are the mechanisms for consumer redress and how could they be improved?

They are ineffective.....they can only be improved by having a party independent of the Crown to determine redress.

What changes would you like the Royal Commission to recommend?

That the principle of separation of powers and rule of law. Establish Funding of the Judiciary, Oversight Generally and the Financial Ombudsman that is independent of the Crown

Other Comments

Time submitted: 05/06/2018 02:06:38 PM

PWF.0001.0001.8388

Questions about you

Submitted By: Andrew Morton Garrett

Email: [REDACTED]

Phone Number: [REDACTED]

State: TAS

Making the complaint for: Business

Name of this person:

Relation to this person:

Name of the Business: The Trustee of the Australian People Future Fund

Relationship to Business: Principal

Questions about the banking, superannuation or financial services entity your submission relates to

Industry: Banking

Name of Bank/ Financial Provider: Other

Indicate the main nature of your dealings with this entry:

Other

Which of the Royal Commission's term of reference is your submission about?

Misconduct or conduct falling below community standards and expectations) - Culture or governance practices and other practices (including risk management, recruitment and remuneration practices and/or the use of a superannuation member's retirement savings by a financial service entity) - Effectiveness of redress for consumers

What did the financial services entity do that amounts to misconduct or conduct falling below community standards and expectations?

The entity failed to open a Bank Account in the name of the Trustee of the Australian People Future Fund ABN; 26317275322 to be held for the benefit of the Peoples of Australia and then to monetize a donation of Value from the Trustee of OenoViva Capital Resources by way of drawing a secured International Bill of Exchange SN 61.00063/17 delivered across the counter of the Bank and consequently breached; 1. the provisions of the Commonwealth of Australia Constitution Act 1900 (Cth) related to Banking and Separation of Powers 2. s10, s10A & s10B of the Reserve Bank of Australia Act 1959 (Cth), to act in the interest of the Peoples of Australia 3. the Banking Act 1969 (cth) 4. Regulation 3 of the Banking Regulations 5. Payment Systems Regulation Act 1998 (Cth) 6. the Bills of Exchange Act 1909 (Cth) 7. Article 1 of Australian Treaty Series No 23 8. the International Convention on Bills of Exchange and Promissory Notes 1908 (UN) 7. Other law to be advised

When did this happen?

19/05/2017

What do you think caused or contributed to these events?

Corruption of the Crown Generally and a misunderstanding by the Reserve Bank, Executive Government and the Executive of the definition and their responsibilities to act in the Public Interest consistent with the Public Interest given at Federation by the Peoples of the Commonwealth of Australia. Abuse of Power to control monetisation of value of the Peoples of Australia for an improper purpose being the control of the population through access to liquidity and control of inflation

Did you make a complaint in relation to what happened? Yes

When did you first make this complaint? : 14/05/2018

Who did you complain to? : The entity itself

What happened when you made the complaint?

The Financial Instrument was endorsed by the Reserve Bank of Australia under covering letter dated 23rd May 2017. The account was not opened

What was the outcome of your complaint?

No action

When was this outcome reached? :

If Court / Tribunal Proceeding were commenced: Which Court were the proceedings commenced : Are these proceedings still underway?: If the proceeding was completed, what was the out come : When were the proceeding completed :
Were you satisfied with this outcome?No

What culture or governance practices and other practices (including risk management, recruitment and remuneration practices and/or the use of a superannuation member's retirement savings by a financial service entity) of the entity are of concern and why?

The definition of the Public Interest needs to be enforced on all officers, agents, employees, licensees and contractors of the Crown such that any breach is also an indictable offence under s42 & s43 of the Crimes Act 1914 (Cth) and the Criminal Code Act 1995 (Cth)

How effective are the mechanisms for consumer redress and how could they be improved?

Completely ineffective as the Crown applies the Bethcar Strategy as defined within my affidavits dated 10th June and 25th June 2016 filed and served in HCA- A30 & A31 of the High Court of Australia. This could be improved if the High Court actually heard the matters before it in the original jurisdiction.

What changes would you like the Royal Commission to recommend?

Enforce criminal penalties against officers, agents, employees, licensees and contractors of the Crown

Other Comments

Time submitted: 31/07/2018 11:33:35 AM

PWF.0001.0001.9501

Questions about you

Submitted By: Andrew Garrett

Email: [REDACTED]

Phone Number: [REDACTED]

State: TAS

Making the complaint for: Business

Name of this person:

Relation to this person:

Relation to this person other:

Name of the Business: Fitzallen Forestry

Relationship to Business: Employee

Questions about the banking, superannuation or financial services entity your submission relates to

Industry: Intermediaries between borrowers and lenders (e.g. mortgage broker)

Name of Bank/ Financial Provider: National Commercial Funding

Indicate the main nature of your dealings with this entry:

Small business finance - Mortgage broker (home loan / mortgage)

Which of the Royal Commission's term of reference is your submission about?

Misconduct or conduct falling below community standards and expectations) - Effectiveness of redress for consumers

What did the financial services entity do that amounts to misconduct or conduct falling below community standards and expectations?

The entity and another entity like it (PCFS Financial Services) engaged in conduct that was false misleading and deceptive for the sole purpose of gouging and obtaining a financial advantage by deception in respect to Loan applications made to both entities reflecting the common conduct of Funders to promise finance and then withdraw once the application fees and valuation fees have been paid.

When did this happen?

25/05/2018

What do you think caused or contributed to these events?

Cultural and systemic Fraud within the monetisation and insolvency industries.

Did you make a complaint in relation to what happened? Yes

When did you first make this complaint? : 27/07/2018

Who did you complain to? : The entity itself

What happened when you made the complaint?

Simple Denial and a threat to encumber properties offered as security with a caveat in order to block alterantive funders despite being owed no money

What was the outcome of your complaint?

No action

When was this outcome reached? :

If Court / Tribunal Proceeding were commenced:

Which Court were the proceedings commenced :

Are these proceedings still underway?:

If the proceeding was completed, what was the out come :

When were the proceeding completed :

Were you satisfied with this outcome?No

ANNEXURE 6

Sunday, 10 March 2019

IPICO,
Attn; Mr. Ali Lababidi,
P.O Box [REDACTED]
Riyadh P.C 11456
Saudi Arabia
Email [REDACTED]



OenoViva Capital Resources

OenoViva Global

ABN 42 388 204 496

10/15 Hunter Street,

Hobart, Tasmania, 7000

Phone: [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

www.oenoviva.com

RE: Endorsement of IBOE: ISIN: AU0000023194/CFI: DCZSFB/
FISN: OENOVIVA/BEX 20221001 GTD FM BR/SN; 1.00064/17
by the Reserve Bank of Australia

LETTER OF INFORMATION

Dear Sir,

It has come to my attention that registration of Personal Property Security Interests on the Personal Property Security Register (“**the PPSR**”) evidencing secured value in support of the aforementioned Negotiable Financial Instrument has been removed from the PPSR by the Crown.

The removal of the registration does not affect either the underlying value or the nature of the security as being an equitable charge arising under treaties, the Common Law and the Interpretation of *the Commonwealth of Australia Constitution Act* 1901 (UK) (“**The Constitution**”). Justice French, as his honor, then was pointed out the relevance of *the Commonwealth of Australia Constitution Act* 1900 (UK) in his paper entitled “Public Law- An Australian Perspective” delivered in Scotland 2012 which sets out as follows

“The authority of the Constitution

It was readily accepted that the formal legal authority of the Constitution on 1 January 1901 derived from the legislative power of the Imperial Parliament. Andrew Inglis Clark, a leading Convention delegate, described it as contained in a written document which is an Act of the Imperial Parliament of the United Kingdom of Great Britain and Ireland.^[1] It was seen by a leading constitutional lawyer at the time, Professor Harrison-Moore, as ‘first and foremost a law declared by the Imperial Parliament to be “binding on the Courts, Judges and people of every State and of every part of the Commonwealth”.^[2] Sir Owen Dixon, a former Chief Justice of the High Court generally regarded as Australia’s greatest jurist, said of it:

It is not a supreme law purporting to obtain its force from the direct expression of a peoples’ inherent authority to constitute a government. It is a statute of the British Parliament enacted in the exercise of its legal sovereignty over the law everywhere in the King’s dominions.^[3]

Dixon attached to this characterization of the Constitution a consequence for interpretation. The organs of government are simply institutions established by law. This contrasted with the position in the United States where they are agents for the people who are the source of the power.^[4] “

His Honor pointed out the relevance of s61 of the Constitution;

“Chapter II of the Constitution deals with the Executive Government. The key provision of that Chapter is s 61, which provides:

^[1] Andrew Inglis Clark, *Studies in Australian Constitutional Law* (Legal Books, First published 1901, (1977 repr) 14.

^[2] William Harrison-Moore, *The Constitution of the Commonwealth of Australia* (Legal Books, 2nd ed, 1977 repr) 66.

^[3] Owen Dixon, ‘The Law and the Constitution’ (1935) 51 *Law Quarterly Review* 590, 597.

^[4] See, eg, *Eastlake v Forest City Enterprises Inc* 426 US 668, 672 (1976)



The executive power of the Commonwealth is vested in the Queen and is exercisable by the Governor-General as the Queen's representative, and extends to the execution and maintenance of this Constitution, and of the laws of the Commonwealth.

By convention the Governor-General acts upon the advice of the Australian Ministers of the Crown through the Federal Executive Council which is established under s 62 of the Constitution. The section locates the effective executive power in the Ministers of the Crown."

The aforementioned registration is the subject of consent given by the Grantors as expressed in Notices to Admit Facts dated 1st July 2016 and otherwise served on the Attorneys General of the Commonwealth, the States and Territories of Australia for and behalf of the Crown as follows;

From: Andrew Garret
Sent: 01 July 2016 12:27
To: senator.brandis@aph.gov.au; 'office@smith.minister.nsw.gov.au'; office@upton.minister.nsw.gov.au; agd@agd.sa.gov.au; Don.Mackintosh@sa.gov.au; 'vanessa.goodwin@parliament.tas.gov.au'; 'NTDCS.WebAdministrator@nt.gov.au'; martin.pakula@parliament.vic.gov.au; DECD:Minister (Minister.Close@sa.gov.au); DTF:Minister Koutsantonis' Office (MinisterKoutsantonis'Office@sa.gov.au); 'minister.mischin@dpc.wa.gov.au'; 'attorney@ministerial.qld.gov.au'; CourtsTribunalsandJustice@ag.gov.au; 'CORBELL@act.gov.au'; rmusolino@hcourt.gov.au
Subject: Notices under s78 B of the Judiciary Act & Notice to admit facts

You each hereby consent personally and on behalf of the Commonwealth, the States and Territories, all members of executive governments, all judicial officers, all members of legislatures and all officers of the Courts (State and Federal) to a registration of a security interest over each of the aforementioned in accordance with the provisions of the *Personal Property Security Act* 2009 (Cth)

I have attached to this letter two separate email chains evidencing correspondence between me and the Reserve Bank of Australia ("RBA") and the Australian Taxation Office as agencies of the Crown;

1. **Annexure 1;** Email Chain ending 5th May 2017 which relevantly evidences;

On the 31st October 2016 I wrote to the Board of Governors of the Reserve Bank of Australia and set out as follows;

As set out in my prior communications the value of the Balance Sheet of the Trust is significant which liability for value is admitted by the ATO, the Attorney Generals of the States and Territories and others.

As a consequence of the aforementioned admissions of liability made at common law by the Attorney Generals, I have altered the format of the Bills drawn by the Trust and secured value against the assets of the Commonwealth, the State of South Australia and the State of Victoria , amongst others,

The assets of the Commonwealth amongst others stand behind the value of the Bills, I seek to resolve the securitisation and encashment issues of Bills issued by the Trust by encashing value with the Reserve Bank of Australia as set out above.

The Contract between the Trust and the Reserve Bank of Australia is a constitutional one in which regard I seek to open a purchased payment facility with the Bank.

2. **Annexure 2;** Email Chain ending 19th May 2017 which relevantly evidences;

My email to the Reserve Bank of Australia dated 30th April 2017 being the date of settlement of the Australian People Future Fund ("APFF") and Notice to Admit Facts dated 11th April 2017 prior to the settlement of APFF.



Please also note attached as **Annexure 3** a copy of the relevant resolution of the settlement of the APPFF which annexes a copy of the Aforementioned Financial Instrument which I sent the original of by express post to the Reserve Bank of Australia for monetization attaching the relevant Deed of Settlement that was also notarized with Apostille affixed.

On the 19th May 2017 Mr. Ian Chua responded for the RBA as evidenced in Annexure 2, Mr Chua did not respond and object to the deposit of the aforementioned instrument within two days as required by the UNCITRAL Convention on Bills of Exchange and Promissory Notes, subsequently the RBA endorsed the aforementioned Financial Instrument by provision of an "Allonge" as follows;



RESERVE BANK OF AUSTRALIA

65 Martin Place
Sydney NSW 2000

GPO Box 3947
Sydney NSW 2001

T: +61 2 9551 8710
F: +61 2 9551 1141
secretary@rba.gov.au
www.rba.gov.au

23 May 2017

Mr Andrew Garrett

HOBART TAS 7000

Dear Mr Garrett

As mentioned in the email from Ian Chua on 19 May, the documents are being returned to you.

Yours sincerely

Lisa Charlton
Personal Assistant
Secretary's Department

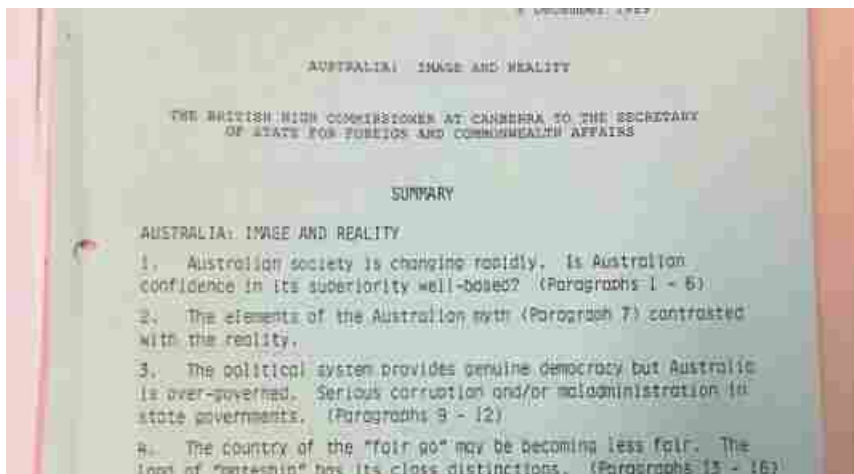
The UNCITRAL Convention sets out that an Endorser of a Bill of Exchange or Promissory Note becomes liable for the face value of the Instrument endorsed.

Article 13	102
An instrument is transferred:	103
(a) By endorsement and delivery of the instrument by the endorser to the endorsee; or	104
(b) By mere delivery of the instrument if the last endorsement is in blank.	105
Article 14	106
1. An endorsement must be written on the instrument or on a slip affixed thereto ("allonge"). It must be signed.	107



Article 18	126
1. An endorsement must be unconditional.	127
2. A conditional endorsement transfers the instrument whether or not the condition is fulfilled. The condition is ineffective as to those parties and transferees who are subsequent to the endorsee.	128
Article 44	259
1. The endorser engages that upon dishonour of the instrument by non-acceptance or by non-payment, and upon any necessary protest, he will pay the instrument to the holder, or to any subsequent endorser or any endorser's guarantor who takes up and pays the instrument.	260
2. An endorser may exclude or limit his own liability by an express stipulation in the instrument. Such a stipulation is effective only with respect to that endorser.	261
Article 45	263
1. Unless otherwise agreed, a person who transfers an instrument, by endorsement and delivery or by mere delivery, represents to the holder to whom he transfers the instrument that:	264
(a) The instrument does not bear any forged or unauthorized signature;	265
(b) The instrument has not been materially altered;	266
(c) At the time of transfer, he has no knowledge of any fact which would impair the right of the transferee to payment of the instrument against the acceptor of a bill or, in the case of an unaccepted bill, the drawer, or against the maker of a note.	267
2. Liability of the transferor under paragraph 1 of this article is incurred only if the transferee took the instrument without knowledge of the matter giving rise to such liability.	268
3. If the transferor is liable under paragraph 1 of this article, the transferee may recover, even before maturity, the amount paid by him to the transferor, with interest calculated in accordance with article 70, against return of the instrument.	269

It is unfortunate to note that Australia is currently sliding in the rankings of Rule of Law and Corruption Perceptions Index in which regard I note that the British High Commissioner noted issues of corruption as far back as 1989 see Annexure 4; "Uncovering the secret Thatcher Files" which relevantly sets out;



I, Andrew Morton Garrett, hereby swear under penalty of perjury, that the information provided herein is accurate and true as of this date: Sunday, March 10, 2019, for and on behalf of OenoViva Capital Resources

Signature: _____
 Name / Title: Andrew Morton Garrett/Managing Trustee
 Company: OenoViva Capital Resources

Passport Number: 538401308
Date of Issue: 15/08/2016
Date of Expiry: 15/08/2016
Country of Issuance: Great Britain and Northern Ireland

ANNEXURE 1

[REDACTED].com

From: CHUA, Ian <Chual@rba.gov.au>
Sent: Friday, 5 May 2017 2:40 PM
Subject: FW: Mr A Garrett - email dated 20 November 2016 - RBA response to aspects other than further FOI application [SEC=UNCLASSIFIED]

From: RBAInfo [mailto:/O=AUSGOVRBA/OU=RBA/CN=RECIPIENTS/CN=RBAINFO60700370]
Sent: Thursday, 12 January 2017 3:22 PM
To: [REDACTED]
Subject: Mr A Garrett - email dated 20 November 2016 - RBA response to aspects other than further FOI application [SEC=UNCLASSIFIED]

Dear Mr Garrett

I refer to your email dated 20 November 2016 relating to my email dated 9 November 2016.

In relation to the paragraph in your 20 November email making further application under the provisions of the *Freedom of Information Act 1982* (Cth) (the second paragraph), please see the separate response to you from the Secretary of the Reserve Bank of Australia (RBA) dated 20 December 2016.

In relation to the rest of your 20 November email, I make the following comments.

My email dated 9 November 2016 did not constitute, or record, an administrative decision made under *the Reserve Bank of Australia Act 1959* (Cth) ('the RBA Act'), *the Commonwealth of Australia Constitution Act 1900* (UK), *the Constitution of the United Kingdom* (the Common Law), *Australian Treaty Series No 23* and *schedule 2 of the Australian Human Rights Commission Act 1986* (Cth), whether by the Secretary of the RBA or any other officer or employee of the RBA. It contained, in summary form, an explanation of the nature and scope of some of the RBA's powers and functions as a central bank. The following additional information is offered by way of further explanation of the RBA's powers and functions as they relate to banking services.

In your email dated 31 October 2016 (to which my 9 November 2016 email was a reply) you appeared to be using 'purchased payment facility' to mean 'deposit account' or 'deposit facility', and I interpreted your email dated 31 October 2016 in that way. Deposit facilities provided by the RBA, part of the RBA's banking operations, are provided in accordance with the RBA's mandate to carry on business as a central bank. In the course of that business the RBA provides specialised banking services to:

1. the Australian Government and its agencies;
2. other government instrumentalities;
3. other central banks; and
4. overseas official institutions.

Whether an entity falls within any of these categories is a question of fact. Neither you nor the Andrew Garrett Family Trust No 4 (Trust) falls within any of these four categories. For more information about the RBA's banking services see the [Banking and Payment Services](#) chapter in the RBA's most recent Annual Report.

The RBA also offers Exchange Settlement Accounts (ESAs) as a means by which providers of payments services settle obligations that have accrued in the clearing process. The RBA's [Exchange Settlement Account Policy](#) sets out the entities eligible to apply for an ESA, namely:

1. an authorised deposit-taking institution (ADI) or other institution that is an actual or prospective provider of third-party (customer) payment services with a need to settle clearing obligations with other providers; or

2. an Australian-licensed central counterparty (CCP) or securities settlement facility (SSF) (or a related body corporate of one of these acceptable to the RBA) with payment arrangements that require Australian dollar settlement.

Whether an entity falls within any of these categories is also a question of fact. Neither you nor the Trust falls within any of these categories. Determination by the RBA of the entities eligible for an ESA is a matter of policy.

The [Committed Liquidity Facility](#) (CLF) to which you refer is a facility available only to ADIs that the Australian Prudential Regulation Authority (APRA) has agreed may meet part of their liquidity coverage ratio (LCR) by the use of a CLF. To be able to use the CLF, the ADI needs to hold and use an ESA with the RBA. In addition, the ADI must satisfy the [criteria for counterparty eligibility](#) for the Reserve Bank's domestic market operations. As you point out, the CLF is provided by the RBA as part of Australia's implementation of the Basel III liquidity standards. Consistent with those standards, certain ADIs are required by APRA to maintain a LCR at or above 100 per cent. These ADIs may seek approval from APRA to meet part of their Australian dollar liquidity requirements through a CLF with the RBA. If the RBA agrees to a request from an ADI to enter into a CLF then the resulting arrangement is a commitment by the RBA to enter into one or more 'RBA Repos' at the ADI's request provided certain conditions are met. An RBA Repo is in fact two related sale transactions entered into at the same time between one party ('Seller') and another party ('Buyer'):

- (a) the first being the sale by the Seller to the Buyer of eligible securities having agreed features; and
- (b) the second being the subsequent purchase by the Seller from the Buyer of eligible securities having the same features.

So the CLF is not a banking service in the nature of a deposit facility. It involves transactions for the outright sale and purchase of eligible securities, and the RBA's counterparty in those sale and purchase transactions is always an ADI.

On behalf of the RBA, and the Secretary of the RBA, I deny the allegations and assertions made in your email dated 20 November 2016.

I also refer to the following emails received from you:

- email dated 22 November 2016 with the subject line 'Complaint regarding the Supreme Court of South Australia, The State of South Australia and the Commonwealth of Australia';
- email dated 22 November 2016 with the subject line 'documents in Support of Internal Review';
- email dated 22 November 2016 with the subject line 'Application for Internal Review evidence in support of Inquiry';
- email dated 22 November 2016 with the subject line 'PRIVATE BIUNDING RULING REQUEST/ Application for Internal Review';
- email dated 24 November 2016 with the subject line 'Fraud of the Registrar General/Registrar of Deeds/Attorney General/Ian Gant and Don McIntosh';
- two emails dated 24 November 2016 with the subject line 'FRAUD COMPLAINT/OFFER TO SETTLE CIVIL ASPECTS/CONTINUATION OF CRIMINAL ASPECTS OF GOVERNMENT GUILTY PLEA ON INFORMATION PROVIDED TO CDPP/ MC 151000380 of 2016 ; ASIC v Garrett & T02318092 of 2007; ASIC v Garrett/ SP ESTATES PTY LTD' (Part 1 and Part 2);
- three emails dated 24 November 2016 with the subject line 'High Court Application A30 of 2016 to remove VID 404 of 2016 to the High Court' (Parts 1, 2 and 3); and
- email dated 25 November 2016 with the subject line 'Application for Internal Review'.

In relation to those emails:

- a) I note that the RBA is not, and has no role as, a tribunal;
- b) the RBA denies the allegations and assertions made by you in those emails, and in attachments to those emails, that relate to it; and
- c) without limiting paragraph (b), the RBA denies that it has any duty, obligation or responsibility that you allege or assert in those emails, or in any attachment to any of those emails, that it has.

Yours sincerely,

Ian Chua | Senior Communications Officer | Media and Communications
RESERVE BANK OF AUSTRALIA | 65 Martin Place, Sydney NSW 2000
p: +61 2 9551 9720 | E: rbainfo@rba.gov.au w: www.rba.gov.au

Your personal information will be handled in accordance with the following [notice](#).

From: [REDACTED]
Sent: Sunday, 20 November 2016 2:53 PM
To: RBAInfo
Cc: FOI
Subject: Application for Internal Review & Further FOI Application
Importance: High

The Reserve Bank of Australia (“the RBA”)
Attn the Secretary to the Board of Governors
1 Martin Place,
New South Wales, 2000
C/O Mr Ian Chua
Cc Mr Phil Lomas

Dear Secretary,

I refer to your administrative decision made under *the Reserve Bank of Australia Act 1959 (Cth)* (“the RBA Act”), *the Commonwealth of Australia Constitution Act 1900 (UK)*, *the Constitution of the United Kingdom* (the Common Law), *Australian Treaty Series No 23* and *schedule 2 of the Australian Human Rights Commission Act 1986 (Cth)* as set out below per your agent Mr Ian Chua.

I ask you to also consider this communicate as a further application in writing under the provisions of *the Freedom of Information Act 1982 (Cth)* for a copy of any document or thing related to the decision set out below and related to this application for internal review whether generated prior to this application, at the time of receipt of this application or in the future.

Section 10(2) of the RBA Act sets out the responsibilities of the RBA to act in the Public Interest, in which regard I have provided copies of correspondence to you offering to a dispute with the Commonwealth of Australia applicable to all three arms of government by way of placing on deposit an amount of money as stored value to be held in trust for the Peoples of Australia in order to provide for the proper application and interpretation of the fundamentals of the Constitution relating to separation of Powers, the Rule of Law, the right to deal with natural wealth and the Human Right to remedy.

Amongst other things that offer to settle offered to release the Commonwealth, the States and Territories from any present and future claim, the degree of malfeasance in office evidenced in matters involving me beggars belief however I am equally sure that I am not alone as evidenced in the recent Royal Commission into Institutional Responses to Child Sex Abuse when on the 24th October 2014 the NSW described the Bethcar Strategy that typifies the response of all Commonwealth, State and Government agencies to claims of compensation by the Peoples of Australia

In its role as the Central Bank the RBA is responsible for money supply in which regard I note the RBA is capable of suing and being sued under s 7(2) of the RBA Act.

The RBA is obliged under the administrative law to investigate my application, the matters surrounding it and to act in the public interest.

I note that in circumstances of unlawful and/or invalid conduct the rights of immunity and/or indemnity of officers of the Commonwealth including the Governors/ of the Board of the Corporate entity that is the RBA must be void and that s55ZG of *the Judiciary Act* 1903 (Cth) is unlawful and/or invalid.

With respect I cannot agree that the sections referred to by you below serve to limit the role of the RBA in which regard I note that the RBA counts amongst its clients various financial institutions who hold the benefit of committed liquidity facilities arising from the Bassel III accord.

I make this application for internal review of your decision on the following grounds;

1. The Decision is so manifestly unreasonable that no reasonable person would have made the same decision.
2. The decision is affected by Actual Bias and Apprehended Bias in circumstances where the Decision Maker took note of submissions of other Government Agencies without considering the right of the applicant to respond
3. The decision is made in circumstances where the decision maker failed to inquire in accordance with the obligations of a Tribunal and determine all of the relevant facts prior to making the decision.
4. The Decision was made in circumstances where relevant materials were withheld by others and/or the decision maker.
5. The Decision Maker did not comply with the Hearing Rule that requires the Decision Maker to provide not only the adverse materials, but all of the materials relevant to the matter in issue whether or not the decision maker intends to rely upon it.
6. There is an absence of relevant law in the decision and if the relevant law was properly applied then different decision would have been made.
7. There is inadequate reasons given for the making of the Decision.
8. The decision failed to consider the evidence; if the evidence was properly considered then a different decision would have been made.
9. The decision is not fair.
10. The decision is a denial of procedural fairness.
11. The decision is a jurisdictional error of the Decision Maker that leads to the decision being a nullity and a constructive failure to exercise jurisdiction.
12. The decision was made on the instruction of others and was not made independently and in the public interest.
13. The Decision Maker fell into error as a question of law and jurisdictional error in causing himself to identify a wrong issue and to ask himself a wrong question in order to ignore relevant materials to make an erroneous decision in order to reach a mistaken conclusion and the tribunal's exercise of power or purported exercise of power is thereby affected.
14. The decision is an abuse of process for the improper purpose.
15. The Decision Maker failed to make decision on the private binding ruling in circumstances where the question of law arises whether the decision maker was obliged to do so as a consequence of its statutory obligations.
16. The Decision Maker did not give fair consideration of the case presented.
17. The question of law and fact arises whether the decision maker was Negligent.
18. There is no Evidence to support the Decision and when all of the evidence is considered the reverse decision is supported.
19. The Decision is tainted by Bad Faith.
20. The Decision is Illogical or Irrational.
21. The Decision is uncertain in that it leaves a question of Judgment estimation and was no more than an opinion.
22. There is inadequate reasons given for the making of the Decision.

23. The decision is a denial of Natural Justice.
24. The Decision Maker acted dishonestly.
25. The Decision Maker acted disproportionately
26. The Decision is tainted by Fraud.
28. The Decision Maker did not comply with the obligation to give the Plaintiff a fair hearing.
29. The exercise of discretion to grant relief upon review would not be futile and the benefit to be gained by the applicant is substantial.

Please confirm your receipt of these two applications at your earliest convenience

Andrew Garrett

Managing Trustee

OenoViva Global ("OV(Global)")

OenoViva CapitalResources ("OCR")

The OenoViva Artisans Trust ("OVA")

All Rights Reserved, UCC 1-308a

<image001.png>

<image002.png>

Melbourne
Kong

Level 3, 2 Drewery Place
Road,
Melbourne, Vic, 3000

Adelaide

Level 1, 82 Flinders Street
Adelaide, SA, 5000

Sydney

Level 5, 56 Pitt Street,
Sydney, NSW, 2000

Hong

9/F 33 Des Vouex
Central, Hong Kong

M
F
E

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From: RBAInfo [<mailto:RBAInfo@rba.gov.au>]

Sent: Wednesday, 9 November 2016 2:18 PM

To: 'Andrew Garrett'

Subject: RE: Notice to Admit Facts dated 10th October 2016 [SEC=UNCLASSIFIED]

Dear Mr Garrett

I refer to your email of 31 October 2016 attaching further information concerning the Andrew Garrett Family Trust No 4 and the basis upon which you seek to establish a purchased payment facility (PPF).

In your email, you state that you have applied to the Reserve Bank of Australia ('the Bank') 'under s8 of the Reserve Bank of Australia Act 1959 (Cth) to establish a purchased payment facility with the Bank as a customer of the Bank'. You further state that 'I seek the Bank to hold the stored value on behalf of the Trust as the relevant participant in the payment system'.

Under the Reserve Bank Act 1959 (the Act), the Bank is to carry on business as a central bank (section 26) and to act as the banker and financial agent of the Commonwealth (section 27). For these purposes, under section 8 of the Act, the Bank has such powers as are necessary and the power to do anything incidental to their achievement.

Accordingly, the Bank provides specialised banking services to the Australian Government and its agencies, other government instrumentalities, other central banks and overseas official institutions. However, the Bank does not

provide banking facilities or banking services to private sector corporate or other entities or to the general public. Therefore, the Bank cannot accede to your request.

Regards

Ian

Ian Chua | Senior Communications Officer | Media and Communications
RESERVE BANK OF AUSTRALIA | 65 Martin Place, Sydney NSW 2000
p: +61 2 9551 9720 | E: rbainfo@rba.gov.au w: www.rba.gov.au

From: [REDACTED]
Sent: Monday, 31 October 2016 2:55 PM
To: RBAInfo
Subject: RE: Notice to Admit Facts dated 10th October 2016 [SEC=UNCLASSIFIED]
Importance: High

Reserve Bank of Australia
Attn the Secretary to the Board of Governors
Care of Ian Chua
Secretary's Department Reserve Bank of Australia

Dear Ian,

Thank you for your correspondence set out below, however I am unclear as to its relevance. There are three constitutional corporations who are trustees of the Trust of which I am the Managing Controller appointed to two of those Trustees.

The details relating to the Trust are set out in the attached Scan Notarised and certified copy of the Deed of Settlement of the Andrew Garrett Family Trust No 4, you will note that there are three separate constitutional corporations that are joint trustees with me personally. I am the managing trustee of the Trust.

I have applied to the Reserve Bank of Australia ("**the Bank**") under s8 of *the Reserve Bank of Australia Act* 1959 (Cth) to establish a purchased payment facility with the Bank as a customer of the Bank, I seek the Bank to hold the stored value on behalf of the Trust as the relevant participant in the payment system, it is not clear to me from the correspondence where you consider the Trust has made an application under s23 or s25 of the Payments Systems Regulations Act.

I have issued Bills of Exchange in favour of the Australian Taxation Office ("ATO") in order to discharge taxation obligations of the Trust (and others) to the ATO copies of which Bills have been attached, the ATO advises that the Bills have not been accepted by the Bank which appears to be a breach of the duty of the Bank as the paying bank (the Drawee), or have those Bills been presented to the Drawer for payment by the Drawee,

As set out in my prior communications the value of the Balance Sheet of the Trust is significant which liability for value is admitted by the ATO, the Attorney Generals of the States and Territories and others.

I have also sought to encash value of IBOE SN;61.00036/16 (copy attached) through the purchased payment facility held by the Trustee of the Andrew Garrett Family Trust with ANZ Bank in which regard I received a deposit receipt dated 9th May 2016 however no stored value has been evidenced in the statements of the Purchased Payment Facility.

Complaints have been made by me and others regarding the failure of the Major Banks to store and encash value through the purchased payment facilities that are the property of the relevant payees, the Financial Ombudsman has declined to investigate the various complaints as the amounts are greater than the limit of the Ombudsman's jurisdiction.

As a consequence of the aforementioned admissions of liability made at common law by the Attorney Generals, I have altered the format of the Bills drawn by the Trust and secured value against the assets of the Commonwealth, the State of South Australia and the State of Victoria , amongst others,

Please see the attached International Bill of Exchange SN 852.00060/16 issued to be cashed in Hong Kong for the purposes of capitalising Australian Wine Supply Limited trading as OenoViva (Hong Kong) being the Domestic Master Regional Licensee for the territory of Hong Kong.

The assets of the Commonwealth amongst others stand behind the value of the Bills, I seek to resolve the securitisation and encashment issues of Bills issued by the Trust by encashing value with the Reserve Bank of Australia as set out above.

As previously indicated I must exhaust all my rights of remedy in Australia before taking the relevant issues relating to Separation of Powers and Rule of Law arising under the Constitutions of Australia and the United Kingdom into offshore jurisdictions including the United Kingdom and the United Nations.

The Regulatory powers of the Reserve Bank of Australia and the duty of the Crown to resolve the issues relating to Money Supply and failures of Holders of Stored Value to act in accordance with the law in respect to purchased payment facilities and the relevant contractual obligations between Bank and Customer.

The Contract between the Trust and the Reserve Bank of Australia is a constitutional one in which regard I seek to open a purchased payment facility with the Bank.

Andrew Garrett

Managing Trustee

The OenoViva Global ("OV(Global)")

OenoViva Capital Resources ("OCR")

The OenoViva Artisans Trust ("OVA")

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From: RBAInfo [<mailto:RBAInfo@rba.gov.au>]
Sent: 25 October 2016 14:54
To: 'Andrew Garrett'
Subject: RE: Notice to Admit Facts dated 10th October 2016 [SEC=UNCLASSIFIED]

Dear Mr Garrett

I refer to the following correspondence:

- (a) your email of 6 September, 2016 in which you applied to establish a purchased payment facility (**PPF**) in the name of the Trustee of the Andrew Garrett Family Trust No 4 ABN 42 388 204 496 (the '**Trust**'); and
- (b) your subsequent emails of 9 September and 17 October 2016 attaching further information relating to the Trust.

The Reserve Bank of Australia ('**Bank**') has a regulatory role in respect of the holder of stored value for PPFs under the Payment Systems (Regulation) Act 1988 (**PSR Act**). The relevant provisions under the PSR Act are as follows:

- A holder of the stored value of a class of PPFs must be a 'constitutional corporation' that is either:
 - authorised or exempted under the PSR Act; or
 - an authorised deposit-taking institution (**ADI**) authorised by the Australian Prudential Regulatory Authority (section 22).
- The Bank may:
 - grant an authority for a corporation to be a holder of stored value if the Bank is satisfied that the corporation will be able to satisfy its obligations as the holder of the stored value of PPFs of the relevant class (section 23(2)); or
 - grant a corporation (or corporations in a class of corporations) an exemption allowing that corporation to be the holder of stored value in respect of a PPF where it is not an ADI and does not have authority under section 23, if the Bank is satisfied that the corporation will be able to satisfy its obligations as the holder of the stored value of PPFs of the relevant class (section 25(1)).

An application under section 23 or 25 of the PSR Act by an individual in his/her capacity as a trustee of a trust (which is not a corporation), does not fall within the scope of the PSR Act. Accordingly, the Bank has no statutory power to consider your application to establish a PPF in the name of the trustee of the Trust.

I trust that you will find this information helpful in clarifying the nature and operation of the PSR Act.

Regards
Ian

Ian Chua | Senior Communications Officer | Media and Communications
RESERVE BANK OF AUSTRALIA | 65 Martin Place, Sydney NSW 2000
p: +61 2 9551 9720 | E: rbainfo@rba.gov.au w: www.rba.gov.au

From: [REDACTED]
Sent: Monday, 17 October 2016 7:25 PM
To: RBAInfo
Subject: FW: Notice to Admit Facts dated 10th October 2016
Importance: High

Reserve Bank of Australia
Attn the Secretary to the Board of Governors
Care of Ian Chua
Secretary's Department Reserve Bank of Australia

Dear Ian

Could I ask you to forward this communicate to the Secretary for consideration together with the details sent by me on the 6th September 2016 and subsequently.

On the 10th October 2016 I sent a Notice to Admit Facts to the Attorney Generals of the Commonwealth, the States and Territories as set out below which annexed an email chain to the relevant officer at the Australian Taxation Office setting out details behind the quantum set out in the activity Statement for the Quarter ending 30th September 2016 for the Trustee of the Andrew Garrett Family Trust No 4, ABN; 42 388 204 496. (“the Trust”)

I have now lodged the relevant economic activity Statements for the Trust with the Australian Bureau of Statistics for both periods and attach the relevant response for the period Year Ending 30th September 2016.

Your email dated the 9th September 2016 sets out that you would respond to me shortly in which regard I note that a period of 31 days has passed since my communicate dated 6th September 2016.

Article 1 subsection 2 of Australian Treaty Series No 23 (copy attached) sets out as follows;

2. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic cooperation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

It is clear to me that the Reserve Bank in conjunction with other Government Agencies comprising the three arms of government has developed a four pillars banking policy that constrains the ability of the people of Australia to freely deal with their natural wealth arising from their personal endeavours as a matter of law.

At first blush it appears that the law as it applies to Bills of Exchange and the ability of the peoples of Australia to transfer value independent of the Banking System has been subverted such that government controls the liquidity of individuals unlawfully and invalidly.

I look forward to the response of the Secretary at your earliest convenience

Andrew Garrett

Winemaker / Consultant

The OenoViva (Australia & New Zealand) Trust (“OVANZ”)

The Andrew Garrett Family Trust No 4 (“AGFT 4”)

The OenoViva Artisans Trust (“OVA”)

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