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From: Andrew Garrett
Sent: 10 October 2016 11:18
To: senator.brandis@aph.gov.au; agd@agd.sa.gov.au; martin.pakula@parliament.vic.gov.au; vanessa.goodwin@parliament.tas.gov.au; office@smith.minister.nsw.gov.au; Don.Mackintosh@sa.gov.au; CORBELL@act.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; Andrew Phelan (aphelan@hcourt.gov.au)
Subject: Notice to Admit Facts dated 10th October 2016
Importance: High

Attorney Generals of the Commonwealth of Australia, the States and Territories of Australia, (hereinafter "you")
By email

Dear Mesdames et Messieurs,

Further to the Notices sent to you on the 1st and 15th July 2016 you have admitted the facts contained therein in accordance with the Law.

As a consequence of the liquidated damages arising and the law as it applies to liquidated damages The Trustee of the Andrew Garrett Family Trust No 4 ABN 42 388 204 496 has lodged the attached activity statement for the period YEYJ 2016 reflecting those admissions and finalised the relevant Income Tax Return declaring assessable income in the amount of \$3,475,595,327,841 in accordance with normal accounting principles and the law as it applies in the Commonwealth of Australia.

You admit that as a consequence of the Revenues of the Commonwealth and s109 of *the Commonwealth of Australia Constitution Act 1900* (UK) (amongst other things) being applied to fund the Revenues of the States and Territories that all officers of the Crown no matter the employer is an officer of the Commonwealth.

The Fiat Money created from the liquidated damages has been brought to account, subsequently I wrote to the relevant persons at the Australian Taxation Office on the 5th October 2016 as set out below and calculated the Post Judgment Interest applicable to the liquidated damages expressed in the aforementioned communiques in order to lodge the activity statement for the three months ending September 2016.

You admit your ongoing conduct and failure to comply with Rule of Law and Separation of Powers means that s8 of *the Registration of Deeds Act 1935* (SA) continues to apply to economic activity arising from that conduct in respect to me and entities related to me.

You admit the Commonwealth, the States and the Territories are jointly liable for the payment of the amount of assessable income and the subsequent escalation in the amount payable as expressed in the attached activity statement for the period ending September 2016 and the calculations set out below being;

\$3,475,595,327,841 for period ending YEJ 2016
\$ 322,281,527,965 for period 01/07/2016 – 30/09/2016
\$3,797,876,855,806

I have made an offer to settle the amount of liquidated damages for the period ending YEJ 2016 and have not received a response from any person.

The Commissioner of Taxation has admitted in accordance with the law there is no tax of any kind payable by me or any entity related to me as a consequence of the right of set off against all three arms of State and Federal Government and the voiding of immunity from prosecution of the Crown arising from the unlawful and/or invalid actions of all three arms State and Federal Government.

I now withdraw my previous offer to settle and instead make this offer to settle the amount payable jointly by you of \$3,797,876,855,806 on the same terms as my previous offer which offer is open for acceptance by the 30th October 2016.

ALL RIGHTS RESERVED

Best Regards

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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<image002.png>

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Melbourne, Vic, 3000
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Adelaide, SA, 5000

Sydney

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

Hong

"The Desk" 511
Shek Tong Tsui, Hong

M: [REDACTED]
F: [REDACTED]
E: [REDACTED]

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From: Andrew Garrett [REDACTED]
Sent: 05 October 2016 14:44
To: 'Coulter, Trevor'; chris.jordan@ato.gov.au; Vincent.Tavolaro@ags.gov.au; Michael.Neville@ato.gov.au; Damien.Channell@ato.gov.au
Cc: Andrew Phelan (aphelan@hcourt.gov.au); John Mathieson (John.Mathieson@fedcourt.gov.au); senator.brandis@aph.gov.au; sfc@finance.gov.au; fraud@pmc.gov.au
Subject: RE: Internal Review/Objection [DLM=Sensitive] AGFT 4 ABN 42 388 204 496
Importance: High

Dear Trevor,

Thank you for your communique dated 23rd September 2016.

I confirm that my communicate is as read being “**Notice of Objection**” / “**Application for Internal Review**” being one and the same thing as of a right at administrative law.

The application/Notice has been made in writing in accordance with the applicable law referred to in your communicate on the 20th September 2016 and sets out the grounds of review, in the absence of providing an objection decision it is my understanding the next steps under Part IVC will apply or as otherwise referred to below.

It appears to me that you are saying in your email that I need to object separately to the Notice of Assessment and that the objection to assessment needs to be in the approved form.

As you know I have sought review of various decisions of the Commissioner of Taxation in VID 600 of 2014 and subsequently on appeal in VID 129 of 2015 which is the subject of a stay, relevantly I have filed and served the attached Notice of Constitutional Matter in tat proceeding and advised that I seek to have the proceeding removed to the High Court of Australia under s40 of *the Judiciary Act* 1903 (Cth).

All actions of the Commissioner of Taxation and his personnel subsequent to the commencement of VID 557, VID 600, VID 739 of 2014 and VID 49 of 2015 are actions reviewable under *the Common Law, the Rule of Law, s39B of the Judiciary Act, the Constitution of the United Kingdom, the Trans-Tasmania Agreement, Australian Treaty Series No 23 and s75(v) of the Commonwealth of Australia Constitution Act* 1900 (Cth) (“**the Constitution**”). (amongst other applicable law and treaties)

I could continue to commence actions ad infinitum in the AAT, The Federal Court of Australia High Court on each decision and/or Notice of Assessment made by you however given the subject materials of maladministration, Fraud of Government and immunity of the Crown are the same as those that have already been commenced any new actions could be interpreted to be an abuse of process albeit based on new actions of the ATO.

Each new decision and/or Notice of Assessment is simply new evidence of the underlying corrupt conduct already complained of by me and to which the Courts and Tribunals have thus far turned a blind eye (“done a nelson”) as a consequence of those courts participation in that corrupt conduct.

As you know an activity statement for the quarter ending 30th September 2016 is due to be lodged by the Trustee of the Andrew Garrett Family Trust No 4; I ask you to consider that to be the Notice in writing required under the act, I confirm that the quantum of activity will be expressed in the paper form Document ID35 346 499 622. As you are aware the liquidated damages to the end of the 30th June 2016 have been expressed in the attached activity statement, the Commonwealth and others continue to be liable for Post Judgment interest accruing at the rate of 1% per month multiplied by s8 of the Registration of Deeds Act being 3% per month compounding per the following calculations;

YEJ Escalation	Escalation Rate/6 months		\$	3,475
	1.00%	Post Judgment Interest July 2016	\$	34,75
		Post Judgment Interest August 2016	\$	35,79
		Post Judgment Interest September 2016	\$	36,87
		Post Judgment Interest October 2016	\$	37,97
		Post Judgment Interest November 2016	\$	39,11
		Post Judgment Interest December 2016	\$	40,29
		\$ 674,447,255,173		

	Post Judgment Interest January 2017	\$	41,50
	Post Judgment Interest February 2017	\$	42,74
	Post Judgment Interest March 2017	\$	44,02
	Post Judgment Interest April 2017	\$	45,34
	Post Judgment Interest May 2017	\$	46,70
\$1,479,772,549,100	Post Judgment Interest June 2017	\$	48,11
	Post Judgment Interest July 2017	\$	49,55
	Post Judgment Interest August 2017	\$	51,04
	Post Judgment Interest September 2017	\$	52,57
	Post Judgment Interest October 2017	\$	54,14
	Post Judgment Interest November 2017	\$	55,77
\$ 961,600,516,666	Post Judgment Interest December 2017	\$	57,44
	Post Judgment Interest January 2018	\$	59,16
	Post Judgment Interest February 2018	\$	60,94
	Post Judgment Interest March 2018	\$	62,77
	Post Judgment Interest April 2018	\$	64,65
	Post Judgment Interest May 2018	\$	66,59
\$2,109,801,821,935	Post Judgment Interest June 2018	\$	68,59
	Post Judgment Interest July 2018	\$	70,65
	Post Judgment Interest August 2018	\$	72,77
	Post Judgment Interest September 2018	\$	74,95
	Post Judgment Interest October 2018	\$	77,20
	Post Judgment Interest November 2018	\$	79,51
\$ 1,371,012,405,434	Post Judgment Interest December 2018	\$	81,90

You admit the facts that;

1. you and your other colleagues in government at all levels of executive, legislative and judicial arms of Government are of the view that the Interests of Government in protecting the revenue which is Ill gotten must prevail over the public interest and/or the rights of citizens.
2. Fiat Value expressed in the Income Tax Return of AGFT 4 for the Year ending June 2016 is escalating at least at the rate of \$1,479,772,549,100 for the financial period Year Ending June 2017
3. Fiat Value expressed in the Income Tax Return of AGFT 4 for the Year ending June 2016 is escalating at least at the rate of \$2,109,801,821,935 for the financial period Year Ending June 2018
4. There is no tax payable by AGFT 4 at any time now, or in the future, as a consequence of the right of set off for damages caused by the Government of the Commonwealth of Australia

I reject your view and seek review as admitted at point 1 above under the aforementioned law which matter cannot be heard by the High Court of Australia as a result of Conflict and can only be heard by a court with jurisdiction, which given the criminal elements of your conduct could be the International Court or the UK Courts in which regard I am in the final stages of selection of the appropriate legal firm to represent me personally and in my representative capacity.

As a consequence of the immunity of prosecution of the Crown being void in circumstances of unlawful conduct such as yours I respectfully request that you do not deal with any personal assets or assets that are held in trust for entities related to you.

Similarly the position paper prepared by you in respect to the current audit of the OenoViva (Australia and New Zealand) Trust falls into the same category, in which regard I direct your attention to my email of the same date.

I note that I am yet to hear from any person in either State and Federal Government regarding my offer to establish a Trust fund in the interest of the Citizens of the Commonwealth of Australia to protect them from Fraud of Government

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Andrew Garrett

Chief Executive Officer/ Winemaker

The Andrew Garrett Group of Companies (TAGGC)

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<image005.png>

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Melbourne, Vic, 3000	Adelaide, SA, 5000	Sydney, NSW, 2000	Shek Tong Tsui, Hong
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From: Coulter, Trevor [<mailto:Trevor.Coulter@ato.gov.au>]
Sent: 23 September 2016 13:26
To: Andrew Garrett;
Subject: Internal Review/Objection [DLM=Sensitive]

Mr Garrett,

In regard to your email below, it is considered that an Internal Review for completed audits (Our reference 1-856FR7R and 1-9BCGT2V) would be inappropriate. These audits have been completed. It is appropriate that, if you are dissatisfied with the results of the audits, you should lodge an objection.

It is considered that the email below is not a valid or effective lodgement for objection. A statement merely to the effect that the assessment is wrong, without providing further information is unlikely to constitute a valid objection. To be valid and effective, an objection must be in the form approved by the Commissioner; it should be in writing

and contain a signed and dated declaration that all the information is true and correct. It should state fully and in detail the grounds on which the taxpayer relies in disputing the assessment.

Find attached the link to the ATO website to find the appropriate Objection Form.

https://www.ato.gov.au/uploadedFiles/Content/L_P/downloads/FORMS18128Objectionformfortaxpayers.pdf

The form and the website outlines **How to lodge your form**. I advise that separate objections should be lodged for the separate audits. Further, in Section 4 of the form ensure that you accurately quote the reference no's as above. I would appreciate that, when you lodge the objection that you forward me a courtesy copy of the objection form. Be aware that I am from the Compliance section of the ATO responsible for audits and that to ensure your objection is dealt with correctly it should be lodged and dealt with by the appropriate section.

The objection against an assessment must comply with the general guidelines stipulated in TAA Schedule 1 S 388-50, ie it must be in the form approved by the Commissioner and contain the required information and declaration. The objection should convey in what respects you consider the assessment to be incorrect and the reasons for that view.

Trevor Coulter

Audit Leader, Indirect Tax, Compliance
Australian Taxation Office
P 07 3121 7040 M 0401 702 846

<image006.png>

From: Andrew Garrett
Sent: Tuesday, 20 September 2016 5:02 PM
To: Coulter, Trevor
Subject: Notice of Objection (interim) and application for Internal Review
Importance: High

Australian Taxation Office
Attn Trevor Coulter

Dear Pea Brain No 4

Please accept this communicate as an application for an extension of time (if necessary) in which to internally review and an application for Internal Review the decisions set out in your communicates entitled completion of Audit of the Trustee of the Andrew Garrett Family Trust No 4 ABN 42 388 204 496 for the periods set out in those communications dated 3rd August 2016 and 8th September 2016 (Copies attached).

Despite my request I note you have not yet provided the reasons in respect to your decision dated 3rd August 2016 which I consider to be a refusal to provide reasons. Please also accept this communicate as a Notice of Objection to the two decisions under Part IVC of the Taxation Administration Act 1953 (Cth).

As advised I have briefed counsel to commence proceedings against you (amongst others) in which regard I reserve all of my rights. I have made application under the provisions of the FOI act in respect to the decision dated 3rd August 2016 for a copy of any document or thing related to that decision and ask you to consider this communicate as an application in writing under the provisions of the *Freedom of Information Act* 1982 (Cth) for a copy of any document or thing related to your decision dated 8th September 2016.

The grounds for the request for internal review are as follows;

1. The decisions are so manifestly unreasonable that no reasonable person would have made the same decision.
2. The decisions are affected by Actual Bias in circumstances where a Notice of Apprehended Bias and Actual Bias was issued prior to the making of the decisions.
3. The decisions are 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 decisions.
4. The Decisions were 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 ATO 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 decisions would have been made.
7. There are inadequate reasons given for the making of the Decisions.
8. The decisions failed to consider the evidence; if the evidence was properly considered then a different decision would have been made.
9. The decisions are not fair.
10. The Decisions are a denial of procedural fairness.
11. The decisions are a jurisdictional error of the Decision Maker that leads to the decision being a nullity and a constructive failure to exercise jurisdiction.
12. The decisions were 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 herself 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 Decisions are an abuse of process for the improper purpose.
15. The Decision Maker failed to make decisions 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 Decisions and when all of the evidence is considered the reverse decisions are supported.
19. The Decisions are tainted by Bad Faith.
20. The Decisions are Illogical or Irrational.
21. The Decisions are uncertain in that it leaves a question of Judgment estimation and was no more than an opinion.
22. There are inadequate reasons given for the making of the Decisions.
23. The Decisions are a denial of Natural Justice.
24. The Decision Maker acted dishonestly.
25. The Decision Maker acted disproportionately
26. The Decisions are tainted by Fraud.
27. The Decision Maker did not comply with the obligation to give the Plaintiff a fair hearing.
28. The exercise of discretion to grant relief upon review would not be futile and the benefit to be gained by the applicant is substantial.

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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From: Coulter, Trevor [<mailto:Trevor.Coulter@ato.gov.au>]

Sent: Monday, 12 September 2016 9:43 AM

To: Andrew Garrett;

Subject: Finalisation letter attached [DLM=Sensitive]

Please find copy of letter as forwarded last week.

Trevor Coulter

Acting Team Leader, Indirect Tax, Compliance

Australian Taxation Office

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

Sent: 09 September 2016 09:57

To:

Subject: RE: Application for Purchased Payment Facility in the name of the Trustee of the Andrew Garrett Family Trust No 4 [SEC=UNCLASSIFIED]

Andrew

I found your email, and will get back with a response soon.

Thank you.

Best 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

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From:

Sent: Tuesday, 6 September 2016 4:42 PM

To: RBAInfo

Subject: Application for Purchased Payment Facility in the name of the Trustee of the Andrew Garrett Family Trust No 4

Importance: High

Reserve Bank of Australia
The Board of Governors
C/O The Secretary
65 Martin Place
SYDNEY NSW 2000

Dear Mesdames et Messieurs,

I write to you following admissions made in accordance with the common law and the Federal Court Rules by various entities including;

5. National Australia Bank Limited pursuant to an undertaking as to damages given in SCI-2004-127; *Andrew Garrett Wine Resorts Pty Ltd and Anor v National Australia Bank Limited* and subsequently in VID 423 of 2016; *National Australia Bank Limited v Andrew Garrett*.
6. Treasury Wine Estates Vintners Limited pursuant to an indemnity given in a Deed of Settlement dated 26th July 2000 settling a dispute in SCI-1996-2244; *Andrew Garrett and Anor v Mildara Blass Limited and Anor* at a time when Foster's Brewing Group Limited was the controlling mind and subsequently in VID 248 of 2014; *Andrew Garrett v Make Wine & Or*, VID 404 of 2016; *Treasury Wine Estates Vintners Limited and Ors v Andrew Garrett* amongst numerous others.
7. The Attorney Generals of the Commonwealth, the States and Territories.
8. Legislative, Executive and Judicial arms of Government.

As a consequence of the admissions made I sought a Private Binding Ruling regarding the proper interpretation of Tax law applying to liquidated damages from the Commissioner of Taxation prior to the lodging of the relevant activity statement for the quarter ending 30th June 2016 and the Income Tax Return for YEJ 2016 for the Trustee of the Andrew Garrett Family Trust No 4.

The Commissioner declined to make a ruling as requested.

I have made a simple offer to settle my dispute with Government at all levels in all three arms of Commonwealth, State and Territory governments (see attached)

The question arising for the Board of Governors is whether it is necessary for the Reserve Bank of Australia to recognise the Fiat Money created under Contract, Statute, the Constitution and Common Law so that the Government can acknowledge the growth in Money Supply within the Commonwealth of Australia such that the value of the money is recognised by the traditional Banking System in a transferrable form.

Control of Money Supply and market Dynamics falls into the jurisdiction of the Reserve Bank. It is my respectful submission that the acknowledgement of increase in money supply cannot be considered to be inflationary as it is under my control and that the offer to settle my dispute with Government is in the public interest and will go a long way to solve the current systemic failures and Fraud of Government on the citizens of the Commonwealth.

I ask the Board to make a decision on the question as to whether it is necessary for the Board of Governors to make a decision validating the existence of the Value/Money created and if so, then to make a decision confirming that value in a manner that can be recognised by the global banking community so that it can be transferred in electronic channels.

I make this application to establish a purchased payment facility in the name of the Trustee of the Andrew Garrett Family Trust No 4 ABN 42 388 204 496 where the value of the aforementioned money can be deposited/recognised so that the proposed trust Fund may be established by transfer of value from that facility/account.

I must exhaust all avenues in this jurisdiction before seeking to invoke the Common Law in other original jurisdictions.

I look forward to your reply by return email

Winemaker / Consultant

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

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M: [redacted]
F: [redacted]
E: andrew@agft4.com.au

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This footnote also confirms that this message has been checked for computer viruses.

ANNEXURE 2

andrew.garrett@oenoviva.com

From: RBAInfo <RBAInfo@rba.gov.au>
Sent: Friday, 19 May 2017 5:22 PM
To: 'and'
Cc: RBAInfo
Subject: RE: Freedom of Information Request & Notices To Admit Facts & This Notice of Actual and Apprehended Bias and PPSR ENQ-829463-P1B8N4 [SEC=UNCLASSIFIED]
Attachments: FW: Mr A Garrett - email dated 20 November 2016 - RBA response to aspects... (269 KB); RBAFOI-161704 - documents relating to Andrew Garrett and related entities... (2.26 MB)

Dear Mr Garrett

I refer to your email dated 30 April 2017 below.

You have not referred to, or acknowledged receipt of, my most recent communication to you on 12 January 2017 responding to your email of 20 November 2016. The email chain that you attached to your email below that included your 20 November 2016 email does not include my response to you. Another copy of my response dated 12 January 2017 is attached.

In relation to the first paragraph under the heading 'Freedom of Information' in your email below making further application under the provisions of the *Freedom of Information Act 1982* (Cth), please see the separate response to you from the Secretary of the Reserve Bank of Australia (RBA) dated 19 May 2017.

The second paragraph under the heading 'Freedom of Information' in your email below is not correct. An internal review of FOI decision reference RBAFOI-161704 was undertaken and you were notified of the outcome of that review by email dated 30 December 2016, a copy of which is also attached.

In relation to your request under section 13 of the *Administrative Decisions (Judicial Review) Act 1977* for the reasons for the decision to seek amendment of PPSR registration 201605190014552, please note that section 13 does not apply to a decision that includes, or is accompanied by a statement setting out, findings of facts, a reference to the evidence or other material on which those findings were based and the reasons for the decision (see sub-section 13(11)(b)). The amendment demand to you dated 17 February 2017 and the Amendment Statement dated 2 March 2017, a copy of each of which you have (as evidenced by your attaching them to your email dated 30 April below) set out the basis for the amendment demand and the Amendment Statement respectively including the facts relied on and the reasons for the amendment demand and the Amendment Statement. Accordingly the decision to seek amendment of PPSR registration 201605190014552 is not a decision to which section 13 applies, and so you have no entitlement to make application under section 13.

In relation to the rest of your email dated 30 April below other than the quoted sections of the *Reserve Bank Act 1959*, on behalf of the RBA, and the Secretary of the RBA, I deny:

- all alleged admissions, failures, liabilities or bias;
- that the RBA has any duty, obligation or responsibility that you allege or assert in that email that it has; and
- that you, or any trust of which you are or purport to be trustee, is owed any money by the RBA or has any security interest in any assets of the RBA.

I also refer to the following emails and letter received from you:

- email dated 14 May 2017 with the subject line 'The Australian People Future Fund ABN 26 317 275 322 and International Bill of Exchange SN; 61.00064/17 held by the Reserve Bank of Australia FOR VALUE RECEIVED/ NOTICE TO ADMIT FACTS';
- letter dated 11 May 2017;
- email dated 5 May 2017 with the subject line 'The Trustee for The Australian People Future Fund ABN26317275322 & this Notice to Admit Facts dated 3rd May 2017'; and
- email dated 3 May 2017 with the subject line 'The Trustee for The Australian People Future Fund ABN26317275322 & this Notice to Admit Facts dated 3rd May 2017'.

In relation to those emails and that letter:

- a) the RBA does not accept that the purported trust deed, a copy of which was attached to your email dated 5 May 2017 and a notarised copy of which was enclosed with your letter dated 11 May 2017, has any validity, force or effect as against the RBA or any relevance to the RBA;
- b) the RBA does not accept that the purported international bill of exchange has any validity, force or effect;
- c) the RBA denies that you, or any trust of which you are or purport to be trustee, is owed any money by the RBA or has any security interest in any assets of the RBA; and
- d) the RBA does not admit, and denies, the other allegations and assertions made by you that relate to it or any of its officers.

The notarised copy of the purported trust deed and the original of the purported international bill of exchange that you posted to the Secretary under cover of your letter dated 11 May 2017 will be returned to you by post.

Except to the extent:

- that it is required to do so by law; or
- necessary to obtain removal of any PPSR registration against the RBA made by you including the registration on 7 May 2017, in relation to which the Secretary will separately write to you,

the RBA does not propose to enter into further correspondence with you on the above, or any other, matters.

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

From: andre
Sent: Sunday, 30 April 2017 1:25 PM
To: RBAInfo
Cc: senator.brandis@aph.gov.au; Martine.Whitton@aph.gov.au; attorney@ag.gov.au; PPSR Correspondence Queue
Subject: Freedom of Information Request & Notices To Admit Facts & This Notice of Actual and Apprehended Bias and PPSR ENQ-829463-P1B8N4
Importance: High

The Reserve Bank of Australia ("The RBA")
Attn Mr Anthony Leonard Dickman,
The Secretary of the Board of Governors.
65 Martin Place

Sydney, Australia, 2000
Cc The Registrar of the Personal Property Security Register

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.
- (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..

The failure of the Reserve Bank of Australia, the Banking System, the Legislature, Executive Government and the Judicature to act in accordance with the Rule of Law and principles of Separation of Powers has led to the value expressed on the aforesaid Balance Sheet that flows from the Admission of Facts as a function of the Law.

The Attorney Generals have admitted liability of the Crown, personally and in their capacities as the First officers of law under the various Constitution Acts of the Commonwealth, the States and the Territories, to me as the Managing Trustee of OenoViva Capital Resources.

The admitted Liability of the Crown is secured over the assets of the Crown including the RBA in which regard I refer you to the attached details relating to your Amendment Notice in respect of registration 201605190014552 Giving of notice identifier: OCR/DCR/RBA/BOE and enquiry from the Registrar of the Personal Property Security Registrar given enquiry reference.

Freedom of Information

I ask you to consider this communicate as an application in writing pursuant to the provisions of *the Freedom of Information Act* 1982 (Cth) ("FOI") for a copy of any document or thing related to me that is in the possession and/or control of the Secretary of the RBA and that has not been provided under the FOI Decision dated 25th November 2016 reference No;RBAFOI-161704.

On the 30th November 2016 I applied for Internal Review of the aforementioned FOI Decision reference No;RBAFOI-161704, the Secretary has not undertaken the review requested in which regard the Secretary has been deemed to refuse my application for Internal Review.

Notice to Admit the Facts of Admitted Liability of the Crown

You admit as a fact under the Common Law that the quantum of admitted liability of the Crown and its officers (personally) is the amounts set out in the Notices to Admit Facts (listed below) served in accordance with the Law on the Attorney Generals of the Commonwealth, the States and Territories and that the quantum of liability of the Crown escalates in accordance with the principle of Post Judgment Interest being 1% per month multiplied by 300% in accordance with s8 of *the Registration of Deeds Act* SA(1936) in accordance with the Spreadsheet attached.

Application to Establish Purchased Payment Facility

Please accept this communicate as an application to YOU to establish a Purchased Payment Facility in my name and to monetise 33% of the Stored Value of the Balance Sheet of OenoViva Capital Resources ABN 42 388 204 496 which in my capacity as Managing Trustee pursuant to a Resolution of the Board of Trustees given Reference No OVCR/RBA/30.04.2017 I irrevocably hereby gift and bequeath to me to be held in trust by me for the benefit of the Citizens of the Commonwealth, the States and the Territories of Australia for the purposes set out in my earlier communications including (but not limited to) the independent financing of the Judicial Arm of Government, Restructure of the Executive Arm of Government, necessary legislative amendments to ensure the Judiciary act and all subordinate acts of the Commonwealth, the States and Territories are consistent with the Common Law, the Establishment of a Judicial College to ensure education and training of the Judiciary (State, Territory and Federal) is independent of the Legislature and Executive Government, the establishment of an independent body to nominate appointment of Governors and Judiciary of the Commonwealth, the States and Territories and fund payments pursuant to the Human Right to Remedy.

Notice of Actual and Apprehended Bias and Judicial Review

I ask you to accept this communicate as a Notice of Actual and Apprehended Bias in respect to any decision made by officers of the Reserve Bank of Australia. On the 17th February 2017 YOU, the Secretary to the Board of Governors of the RBA made an administrative decision to seek amendment of PPSR registration 201605190014552 Giving of notice identifier: OCR/DCR/RBA/BOE.

Pursuant to the provisions of the Administrative Decisions Judicial Review Act 1977 (Cth) and in particular s13 of that act I request the reasons for that administrative decision and in so far as is necessary apply for an extension of time in which to apply for Internal Review of that decision.

The Grounds on which I seek review of the aforementioned Administrative Decision are as follows;

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.

I note that the RBA Act does not allow for delegation of its powers however the Common Law allows for Judicial Review of all Administrative Decisions and request that the RBA arrange for Judicial Review of all Administrative Decisions of the RBA related to me to be reviewed by the Supreme Court of Hong Kong forthwith and without delay in the light of this Notice of Actual and Apprehended Bias.

Please ensure a mechanism is in place for the aforementioned Court with Common Law Jurisdiction makes all future administrative decisions related to me.

ALL RIGHTS RESERVED

Andrew Garrett

Managing Trustee

OenoViva Global ("OV(Global)")

OenoViva CapitalResources ("OCR")

The OenoViva Artisans Trust ("OVA")

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Melbourne Minh	Hobart	Hong Kong	Ho Chi
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From: [andrey](#)
Sent: Tuesday, 11 April 2017 11..
To: senator.brandis@aph.gov.au; agd@agd.sa.gov.au; martin.pakula@parliament.vic.gov.au; vanessa.goodwin@parliament.tas.gov.au; office@smith.minister.nsw.gov.au; Don.Mackintosh@sa.gov.au; CORBELL@act.gov.au; NTDCS.WebAdministrator@nt.gov.au; martin.pakula@parliament.vic.gov.au; 'DTF:Minister Koutsantonis' Office'; minister.mischin@dpc.wa.gov.au; attorney@ministerial.qld.gov.au; CourtsTribunalsandJustice@ag.gov.au; 'Andrew Phelan'; Andrew.Douglas@ato.gov.au; PPSR Correspondence Queue; Justin.Clarke@ato.gov.au; attorney@ag.gov.au; Martine.Whitton@aph.gov.au
Subject: This Notice to Admit Facts dated 11th April 2017 at Common Law & reservice of Notice of Constitutional Matter in VID 129 of 2015 dated 15th December 2015

Attorney Generals of the Commonwealth of Australia, the States and Territories of Australia,
(hereinafter "you/your")
By email

Dear Attorney Generals,

This is a further Notice to Admit Facts issued under the Common Law consistent with the Notices to Admit Facts served on you previously by me including those listed below in my communique dated 19th March 2017 to the Commonwealth Attorney General (But not limited to)

You have previously been provided with Activity Statements reflecting your admissions of facts over time at Common Law.

Please note attached copies of those activity statements lodged with the Australian Taxation office calculated as the equivalent of Post Judgement Interest escalating at 1% per month and reflecting the law of s8 of the Real Property Act (SA) applied wherein that loss, cost and damage as a liquidated debt is trebled.

You admit the calculations set out in the attached spreadsheet are true and correct calculating the liquidated value owed by the Crown to me in my capacity as Trustee of the Andrew Garrett Family Trust No 4 ABN 42 388 204 496.

You admit your liability, as first officers of law of the Crown, to pay the amounts set out in the Activity Statements attached for the Quarters ending 30th June 2016, 30th September 2016, 31st December 2016 and 31st March 2017.

In *re Wakim ex parte McNally* the High Court observed that the Common Law cannot be at odds with the Constitution which finding ought to have read that the Constitution cannot be at odds with the Common Law as the source of power for the constitutions of the United Kingdom, the Commonwealth, the States and Territories of Australia.

The matters arising in matters related to me are extremely serious including whether Australian Treaty Series No 23, the Constitution of the Commonwealth of Australia, the Unwritten Constitution of the United Kingdom and the Charter of the Commonwealth of Nations are enforceable against the Crown in circumstances of invalid and/or unlawful conduct.

You have been served with the attached Notice of Constitutional Matter in VID 129 of 2015; *Garrett v Commissioner of Taxation* in which regard the Honourable Justice Kenny affirmed that the Matters arising are stayed pending hearing by a court with competent jurisdiction.

You admit that the relevant law applying to the conduct of the Crown including enforcement of Rule of Law, the principles of Separation of Powers and the avoidance of immunity from prosecution of the Crown ought to be read from the Judiciary Act and its review see attached.

In *Garrett v Cahill* 2015 FCA 664 and *Garrett v Commissioner of Taxation* 2015 FCA 665 the question arises as to whether her Honour was correct at para 17.2 of her reasons in FCA 664 which set out as follows;

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.

Further the question arises as to whether the conduct of the Crown in matters related to me are evidence of offences to the Public Interest and a breach of the Public Trust.

In all other respect all rights are reserved

Andrew Garrett

Chief Executive Officer/ Winemaker

The Andrew Garrett Group of Companies (TAGGC)

www.dynamic.com



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From: andrei@tagg.com.au
Sent: Sunday, 2 April 2017 11:30 AM
To: 'Whitton, Martine (Sen G. Brandis)'
Cc: 'attorney@ag.gov.au'; senator.brandis@aph.gov.au
Subject: RE: Notice to Admit Facts dated 1st July 2016

The Commonwealth Attorney General

Dear Martine

Thankyou for your email dated 20th March 2017 which I take to be acknowledgement of service on the Commonwealth Attorney General of all my communiques including those set out in my email dated 19th March 2017.

I note that it is not particular relevant where you are engaged as an employee by the Commonwealth Attorney General the Common Law sets out that "Notice to Agent (employee) is notice to Principle". Should you feel that there is another step involved in fulfilling the constitutional obligations of the Commonwealth AG then by all means forward those communiques to the relevant personnel; this is not a matter that is in my control.

The common law also sets out that on the expiry of 14 days from the date of service of the Notice to Admit the Commonwealth AG is deemed to have admitted the facts set out therein in which regard the relevant rule under the Federal Court Rules is FCR 22.04.

Similarly following admissions at common law I am entitled to pursue judgment in which regard the relevant rule under the Federal Court Rules is FCR 22.07.

Best Regards

Andrew Garrett
Chief Executive Officer/ Winemaker
The Andrew Garrett Group of Companies (TAGGC)

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From: Whitton, Martine (Sen G. Brandis) [<mailto:Martine.Whitton@aph.gov.au>]
Sent: Monday, 20 March 2017 1:00 PM
To: 'andrev'
Subject: RE: Notice to Admit Facts dated 1st July 2016

Dear Mr Garrett,

I have changed roles within the Attorney-General's office.

All further correspondence should be directed to attorney@ag.gov.au

Kind regards,

Martine

Martine Whitton | Diary Manager

Senator The Hon George Brandis QC
Attorney-General
Leader of the Government in the Senate
T: 07 3001 8180 (BNE) 02 6277 7300 (CBR)

From: [andrev](#)
Sent: Sunday, 19 March 2017 1:56 PM
To: Whitton, Martine (Sen G. Brandis)
Cc: Brandis, George (Senator)
Subject: Notice to Admit Facts dated 1st July 2016
Importance: High

Dear Martine

Further to my communique dated 10th March 2017 I advise the relevant Notice to Admit Facts referred to therein ought be that Notice dated 1st July 2016 NOT 1st July 2017

In accordance with the provisions of the Common Law you admit service has been affected on the Attorney Generals of the Commonwealth, the States and the Territories of the aforementioned Notice to Admit Facts and every subsequent and prior Notices to Admit Facts and claims for compensation including those dated (but not limited to)

1. 20th June 2016
2. 21st June 2016
3. 25th June 2016
4. 1st July 2016
5. 7th July 2016
6. 14th July 2016
7. 22nd July 2016
8. 15th August 2016
9. 17th August 2016
10. 18th August 2016
11. 26th August 2016
12. 20th August 2016
13. 30th August 2016
14. 10th October 2016
15. 20th October 2016
16. 8th February 2017

Andrew Garrett

Chief Executive Officer/ Winemaker

The Andrew Garrett Group of Companies (TAGGC)

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From: Andrew Garrett <mailto:andrew.garrett@taggc.com.au>

Sent: Friday, 1 July 2016 12:57 PM

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; DTF:Minister Koutsantonis' Office; 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

Importance: High

NOTICE TO ADMIT

The Attorneys General of the Commonwealth the States and the Territories,

Dear Mesdames et Monsieurs

Between 2006 and today's date I have filed and served a number of Notices of Constitutional Matters in various proceedings.

Without exception the judges involved have ignored those notices with perhaps the sole exception of Justice Kenny in VID 129 of 2015.

The email below and the admissions contained therein and in the annexures attached to this communicate speak for themselves and quantify in a liquidated form some (but not all) loss cost and damages arising in proceedings that have been the subject of the Notices under s78B

Again without exception all judgments made in proceedings related to me have been made in circumstances of a fraud on the court involved by the court itself and the parties other than me or entities related to me.

The issues arising are serious and relate to whether the immunity and/or indemnities of members of the legislature, executive government, the Judiciary, advocates, solicitors and others in Territories States and the Commonwealth are void in circumstances of unlawful and/or invalid conduct.

You are the first officers of law under various Acts of the UK and the States and Territories and are personally civilly and criminally vicariously liable for the absence of the proper application of the principles of the Rule of Law and Separation of powers and the fundamental human right to remedy.

You admit that you are criminally and civilly liable for the liquidated damages expressed below and attached along with relevant indictable offences to be brought by me as a private prosecution in the High Court of Australia as the original and exclusive jurisdiction in which regard s80 of the Constitution must apply given the priority of criminal matters over civil.

You admit the indictable offences set out on the Charge Sheets and Informations (the Notices under s78B) are a fraud on the court in which regard the burden of proof is the civil burden, on the balance of probability.

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)

In circumstances where the liquidated damages set out are paid in full the security interests will not be discharged and you consent to the continuation of holding of those security interests by me in Trust for the benefit of the citizens of Australia from time to time. (Constructive Trust)

You confirm by your silence between 2006 and today's date to the Notices issued under s78B that this contract is bin ding on the parties set-out therein.

Andrew Garrett

Chief Executive Officer/ Winemaker

The Andrew Garrett Group of Companies (TAGGC)

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Melbourne
Level 1, 2 Drewery Place
Melbourne, Vic, 3000

Adelaide
Level 1, 82 Flinders Street,
Adelaide, SA, 5000.

M: [REDACTED]
F: [REDACTED]
E: [REDACTED]

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From: Andrew Garrett
Sent: 01 July 2016 11:44
To: DPC:Webmaster (DPCWebmaster@sa.gov.au); agd@agd.sa.gov.au; Don.Mackintosh@sa.gov.au; Ian.Gant@sa.gov.au
Subject: FW: Compesnation Applications dated 26th June 2016 & SCCIV-2016-524 Natale Lauro v Antoneo Tropeano & s78B Notice
Importance: High

The State of South Australia
between 2002 and todays date
General

The Ministers of the Labour Government in Office
The Registrar
The Registrar of Deeds

Dear Mesdames et Messieurs

It is my contention that immunity and/or indemnities given under legislative instrument or otherwise to Members of the Legislature, Executive Government, the Judiciary, Advocates and Solicitors must be void in circumstances of unlawful and/or invalid conduct.

You have already admitted that each of the aforementioned persons are criminally and civilly vicariously liable for the amounts of costs loss and damage specified in the attached Notices to Admit Facts (including emails), spreadsheets and other documents in your possession and control.

I have only specified some aspects of my claims in the attached materials and reserve my rights and those of entities related to me.

You consent to the registration of a security interest under the provisions of the Personal Property Security Act 2009 (Cth) over you all personally, the institutions of executive government and the property of the State.

Further to my applications made in VID 949 of 2015 that sought to join you to the proceeding I advise that the reasons of Justice Middleton published the 11th May 2016 will be the subject of Summons to Show Cause in which regard it will be necessary to name you as interested parties.

Please note the admissions of Chief Justice Kourakis set out below.

Andrew Garrett

Chief Executive Officer/ Winemaker

The Andrew Garrett Group of Companies (TAGGC)

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Melbourne, Vic, 3000

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From: Andrew Garrett
Sent: 01 July 2016 11:29
To: chambers.chiefjustice@courts.sa.au
Cc: Don.Mackintosh@sa.gov.au; DPC:Webmaster (DPCWebmaster@sa.gov.au); Ian.Gant@sa.gov.au; pobox111mardensa5070@gmail.com
Subject: Compesnation Applications dated 26th June 2016 & SCCIV-2016-524 Natale Lauro v Antoneo Tropeano & s78B Notice
Importance: High

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Attn Chief Justice Kourakis
MP

Attn John Rau,
Attn Jay Wetherill, MP

Dear Sir,

Thank you for your time during the course of hearing of the Notice of Appeal of the decisions of the District Court arising out of DCCIV-2014-1499.

As you know that Notice of Appeal was an appeal of three decisions in the court below;

1. Decision of Blomberg J dated 15th December 2015
2. Decision of Muecke CJ 11th March 2016
3. Decision of Beazley J 27th August 2010

I noticed that I had neglected to include the appeal of the decision dated 15 December 2015 in the Notice of Appeal and brought that appeal to your Honours attention yesterday in my capacity as Intervener.

I understand from my appearance before your honour that you found I was not an appropriate litigation guardian for Natale Lauro and made an order removing me in which regard I made oral application for leave to appeal to the Full Bench which was rejected. It is also my understanding that Your Honour rejected my appeal from the decision of Blomberg J dated 15th December 2015 and also rejected my application for leave to appeal to the Full Bench in which regard I confirm I have exhausted all my rights in the Supreme Court.

I do not recall your Honours reasons as your honour delivered those reasons while I was still making submissions.

S78B of the Judiciary Act 1903 (Cth)

On the 29th June 2016 I served on your Honour and the Attorneys General of the Commonwealth, the States and Territories by email a copy of a Notice of Constitutional Matter issued under the aforementioned section (copy attached). A hard copy was served on registry at 9.45 am however I

did not receive a copy of the stamped Notice from registry reflecting similar conduct in SCCIV-2004-127 in May 2006.

I now understand better that the conduct of the court is NOT in fact to support the Constitutional rights of citizens but is rather to oppress those rights consistent with the Notices under s78B served in DCCIV-2015-0248 & SCCIV-2014-1393 both dated 11th November 2015 that were stamped Received NOT Filed

S17 of the Public Sector (Honesty and Accountability) Act 1995 (SA)

My interlocutory application dated 29th June 2016 and affidavit dated 27th June 2016 sought your honour to review a number of judicial decisions under Supreme Court Rule 199 including the delegations of the LPCC and the actions authorising those delegations under s17.

Your Honour dismissed my applications dated 29th and 27th June 2016 and in particular refused my application to His Honour to review *the Legal Practitioners (Miscellaneous Amendments) Bill 2016 (UN)*

Subsequently your honour dismissed my applications for leave to appeal those decisions.

I request your reasons in respect to all of the aforementioned judicial decisions.

Compensation Applications

On the 26th June 2016 I made applications for compensation in favour of the appellant and the applicant to intervene in 524 to you as the person responsible for the administration of Justice in the Supreme Court of South Australia in accordance with s9(A)(2) of *the Supreme Court Act 1935(SA)*

I understand from the submissions of Eric Lauro as the applicant to intervene in 524 that in fact you quantified the cost loss and damage in respect to Natale Lauro's claims against Antonio Tropeano that is clearly his right of set off against the warrants on foot at the moment. Without the files in the possession and control of Ms Connolly I am unable to quantify the extent of the claim in favour of Mr Lauro against Mr Tropeano.

You did not make orders that Ms Connolly produce those files and thereby prejudiced the case of Mr Lauro

I can however quantify some aspects of the claims I make against the Supreme Court and you personally which you will note were set out in some detail in my application and annexures.

I have now had the opportunity to calculate the loss cost and damage flowing from admissions made by Treasury Wine Estates Vintners Limited on the 29th May 2016 in VID 404 of 2016 and applied the responsibility of the State to indemnify the Registrar General and the Registrar of Deeds against claims and in particular under s8 of the Registration of Deeds Act.

I note that the Real Property Act 1886 was amended on the 20th August 2006 following the transfer of title and issuing of new certificates of title of the property known as Springwood Park in 2006, this reflects the propensity of the Labour Government to amend legislation such as that reflected in *the Legal Practitioners (Miscellaneous Amendments) Bill 2016* (UN)

The constitutional Matters arising are serious.

Upon application of s8 of the Registration of Deeds act to the admissions made by Treasury Wine Estates Vintners Limited and now the National Australia Bank Limited

I have applied to remove VID 404 and VID 423 of 2016 to the High Court where they have been given action numbers A 30 and A31 of 2016.

You have consented to my registration of a security interest on the PPSR over you personally, each of your members of the judiciary and over the Supreme Court of South Australia.

The quantum of that security is \$3, 475,595,327,841.50 and is calculated as per the attached spreadsheets and the attached Notices to Admit Facts.

If you see any error in my calculations please feel free to contact me.

I also direct your attention to the emails attached to the Premier, the Attorney general and others.

Immunity from Prosecution

You will note that amongst the matters arising in your court asserted by the Appellant is that Judicial, Advocates , Solicitors and Executive Government immunity and indemnity from prosecution must be void in circumstances of unlawful and/or invalid conduct.

In the absence of payment of my claim I will of course be forced to begin the collections process and issue a creditors petition against you on the basis of this your admission by silence to the amount specified above.

With Respect.

Andrew Garrett

Chief Executive Officer/ Winemaker

The Andrew Garrett Group of Companies (TAGGC)

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From: Andrew Garrett
Sent: 30 June 2016 19:20
To: matthew.critchley@corrs.com.au; Whittle, Matthew (Matthew.Whittle@allens.com.au); chris.jordan@ato.gov.au; Vincent.Tavolaro@ags.gov.au; Justice Beach (Associate.BeachJ@fedcourt.gov.au)
Cc: Ben Winford (Ben.Winford@corrs.com.au)
Subject: VID 404 of 2016 and VID 423 of 2016/ HCA A30 and HCA A31 of 2016/ AGFT 4 Audit
Importance: High

Corrs Chambers Westgarth
Solicitors
Attn Matthew Critchley
Whittle

Alpens
The Federal Court of Australia
Attn Matthew
Attn Justice Beach

Dear Matthews and Justice Beach

Cc Trevor Coulter & Chris Jordan, Australian Taxation Office

Please note attached a copy of correspondence from the solicitor for Stephen James Duncan that was in evidence in SASCCIV-2004-127 as FDN 138b on the court file.

No doubt, both Mr Duncan and Mr Max held negotiations and received payments from both NAB and Treasury Wine Estates Vintners Limited and/or forgiveness of debt which in the case of Mr

Macks was \$19,000,000.00 then owed to Foster's Brewing Group by him pursuant to court orders made in the Supreme Court of Queensland

I have copied the Commissioner of Taxation and Mr Trevor Coulter on this communique as you will note that it relates to the queries I have raised and the request for a Private Binding Ruling in respect to taxation implications on Liquidated Damages in respect of a current audit of the Trustee of the Andrew Garrett Family Trust No 4.

As you are aware I have made application to remove VID 404 and VID 423 of 2016 which are now the subject of applications for leave to file and serve the applications to remove in the aforementioned proceedings.

Given my experience in the courts below, I anticipate similar issues in the High Court of Australia consequently I have now made complaint to the relevant committees in respect to Rule of Law and Separation of Powers of the Secretariat of the Commonwealth of Nations under the Charter of the Commonwealth of Nations.

Given the Summons to Show Cause why the judgements of Beach J in VID 730, VID 731 and VID 732 of 2014 have not yet been issued by the High Court of Australia despite having been in the possession and control of the High Court Registry since 20th April 2015, I have foreshadowed to that court that two further Summons to Show Cause will now be applied for in respect to the Judgments of Beach delivered in VID 404 and VID 423 of 2016.

I can also confirm that a proceeding also in the original and exclusive jurisdiction will be lodged for filing in the High Court naming the persons listed in my interlocutory application dated 8th February 2016 in VID 949 of 2015 and subsequent applications that were not filed in that proceeding.

The issues arising will also mean an application to the Privy Council as the original jurisdiction naming the Commonwealth of Australia and your respective clients as parties.

Please confirm that you are instructed to accept service of the aforementioned Summons to Show Cause, originating process in the High Court of Australia and Application in the Privy Council.

As you know I served Notices to Admit Facts in VID 404 of 2016 dated 29th May 2016 please note the attached spreadsheets reflecting those admissions

I have recalculated the quantum of loss cost and damage arising on the basis of application of s8 of the Registration of Deeds Act as at 1st July 2016 (see attached), which I claim all parties in VID 404 and VID 423 are jointly criminally and civilly vicariously liable for that Quantum.

1. Re OenoViva IP; \$3,471,018,099,753.90
2. Re Notices to Admit dated 29th May 2016; \$4,577,228,087.60

TOTAL \$3, 475,595,327,841.50

As with all things I continue to reserve all my rights and the entities related to me.

At first blush and on the basis of 30% Corporate Tax Rate it would appear that entities related to me in respect to the liquidated damages as attached that I and/or the Corporate Trustees of Trusts owe the Commissioner a tax payment of \$1,042,678,598,352.45.

Of Course, I have made an initial payment of \$10,000,000,000.00 in this regard on the basis that the Trustee of the Andrew Garrett Family Trust No 4 is liable for that tax payment and will now

draw a payment for the Balance as it will need to be included in my YEJ 2016 accounts for that entity.

I note that the findings of Beach J the my submissions on the law in respect to Bills of Exchange are misconceived are in themselves misconceived.

I hereby request reasons in respect to that bold statement of his honor by way of this communique

Andrew Garrett

Chief Executive Officer/ Winemaker

The Andrew Garrett Group of Companies (TAGGC)

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RESOLUTIONS

(Resolutions of Board of Trustees of OenoViva Capital Resources and the Trustee of the Australian People Future Fund) On the 30th April 2017

Reference: **OVCRI/APFF/30/04/2017**

- A. Deed of settlement dated 1st August 2008 of the Andrew Garrett Family Trust No 4 as varied, trading as OenoViva Capital Resources;
- B. DRAFT Deed of settlement dated 30th April 2017 of the Australian People Future Fund
- B. Constitutions of:
- OenoViva (North America) Pty Ltd, ACN; 156 586 766 represented by Andrew Morton Garrett ("**AMG**") Managing Controller
 - OenoViva (China) Pty Ltd, ACN; 156 599 094 represented by Andrew Morton Garrett ("**AMG**") Managing Controller
 - OenoViva (Vietnam) Pty Ltd, ACN; 156 586 775 represented by Peter Tran ("**PT**") Managing Controller
 - Australian Wine Supply Limited trading as OenoViva (Hong Kong); Hong Kong Company Registry Number; 1657912
 - Fitzallen Industries Pty Ltd, ACN; 616 626 209
- C. Andrew Morton Garrett, Managing Trustee /Chairman holder of Australian Passport #. and United Kingdom Passport ;

Minutes and Resolutions of a meeting of the Joint Trustees of the Andrew Garrett Family No 4 trading as OenoViva Capital Resources, Australian Business Registration No 42 388 204 496 ("**The Trust**") at the registered office at 10/15 Hunter Street, Hobart, Tasmania, 7000 was held in accordance with the Articles of Incorporation of the Corporate Trustees and the Deed of Settlement of the Trust

Present at the meeting were the following Trustees/Directors:

Present at the meeting was Board of Trustees of OenoViva Capital Resources as follows;

1. Mr. Andrew Morton Garrett, Managing Trustee, holder of Australian Passport #\ and United Kingdom Passport ; 'anaging Trustee in person
2. Steven Kavanagh, by telephone from Sydney
3. Mr. Andrew Morton Garrett, ,Managing Controller of OenoViva (North America) Pty Ltd, in person
4. Mr. Andrew Morton Garrett, ,Managing Controller of OenoViva (China) Pty Ltd, in person
5. Scott Mitchell, Managing Director, Australian Wine Supply Limited trading as OenoViva (Hong Kong) by telephone from Hong Kong
6. Peter Tran, Managing Director, OenoViva (Vietnam) Pty Ltd by telephone from Ho Chi Minh
7. Brennan Paul Fitzallen, Managing Director, Fitzallen Industries Pty Ltd, in person

8. Roger Dickeson, Secretary of the Board of Trustees by telephone from Melbourne

Also present was the proposed members of the Board of Management of the APFF as a Charitable Trust/Public Benevolent Institution to be established by resolution and distribution from the Trust of valuable consideration in the form of 33% of the Rights of the Trust to Remedy and the APFF IBOE

1. Robert Nowak
2. Brennan Paul Fitzallen
3. Scott Mitchell
4. Steve Kavanagh

The meeting of the Board of Trustees undertook the following Resolutions of the Joint Trustees, which has been recorded as "Reference: OVCR/APFF/30/04/2017" in the Minutes of the Trust Meeting Book.

Discussion;

AMG;

1. Directed the attention of the Board of Trustees to the Notice to Admit Facts dated 1st July 2016 and annexures served on the Attorney Generals of the Commonwealth, the States and Territories of the Commonwealth of Australia ("**the Attorney Generals**") and otherwise ("**Notices to Admit Facts**") as referred to in his email to the Commonwealth Attorney General dated 19th March 2017 and otherwise; AMG confirmed that at all relevant times he has relied upon all relevant laws including the Common Law being applied to Notices to Admit Facts and the failure of the Attorney Generals (Amongst Others) to deny those facts and dispute his conclusions as being admissions of Liability being the equivalent of Judgment Debt ("**the Admitted Liabilities**"), and
2. Presented a copy of the Income Tax Return for the Trust for the period YEJ 2016 and Quarterly Activity Statements for the Trust for the periods ending June 2016, September 2016, December 2016 and March 2017 that had been lodged with the Commissioner of Taxation as a consequence of s8 of *the Registration of Deeds Act 1935* (SA) and the law applying to the calculation of post judgement interest arising from the Notices to Admit Facts, the Admitted Liabilities; AMG advised the Board that the quantum of the value of the liability of the Crown claimed by the Trust and now admitted by the Crown in accordance with the Common Law had initially been secured against assets of the Crown held pursuant to *the Commonwealth of Australia Constitution Act 1900* (UK) ("**The Constitution**") pursuant to s109 of the Constitution, and the Constitutions of the State of South Australia and the State of Victoria, and
3. Reviewed his findings in respect to;
 - a. His submissions to the Royal Commission into Institutional Responses to complaints of Child sex abuse that were focused on Separation of Powers Issues avoided by the Royal Commission as an example of the Conduct AMG described as "the Bethcar Strategy", and
 - b. the failure of the Crown to provide for the Fundamental "Right to Remedy" of the Citizens and Entities of the Commonwealth of Australia which had led to the collapse of the principles of Responsible Government and proper application of the law relating to Separation of Powers and Rule of Law provided for under the Constitution, *the Charter of the Commonwealth of Nations*, *the Charter of the United Nations*, *The Common Law* and all relevant treaties including (but not limited to) *Australian Treaty Series No 23* and *the UNCITRAL Covenant on International Bills of Exchange and Promissory Notes*, and

- c. Abuse of the Public Trust given at Federation by Officers of the Crown, and
 - d. Failure of the Three arms of Government to properly interpret the meaning of acting in the Public Interest
4. Reviewed the law as it applies to Taxation of Liquidated Damages in Australia and the moneys that would otherwise be due to the Commonwealth of Australia under various Taxation Acts were it not for the right of set off
 5. Reviewed the need of the Trust to bring proceedings in the United Nations and the Supreme Court of Hong Kong as Courts with Common Law Jurisdiction that were NOT under the control of Officers of the Crown, and
 6. Revisited Notices of Actual and Apprehended Bias served on Officers of the Crown and various applications for Public Interest Test Case Funding to bring the aforementioned proceedings, and
 7. Expanded his recommendation to establish a Charitable Discretionary Trust to be known as the Australian People Future Fund (“APFF”) with the Citizens of the Commonwealth of Australia as the Primary and General Beneficiaries of that trust in order to provide for;
 - a. The Human Right of Remedy to be funded by the assets of the APFF which responsibility of Proper Government was currently being avoided by the Crown through the application of the Bethcar Strategy and the misapplication of the relevant law as referred to above and *the Bankruptcy Act 1966 (Cth), the Corporations Act 2001 (Cth), the Australian Human Rights Commission At 1986 (Cth)* and the other laws referred to in the Amended Notice of Constitutional Matters dated 15th December 2015 filed and served in VID 129 of 2015; *Andrew Garrett v Commissioner of Taxation*, and
 - b. The establishment g of a Judicial Commission Board to be funded by the assets of the APFF rather than the assets of the Crown in order to develop;
 - i. A Judicial College responsible for the training of all judicial officers of the Crown, and
 - ii. A Judiciary Independent of the Crown in all courts and Tribunals of the Commonwealth of Australia, the States and Territories and Judicial Commission, and
 - iii. A legal process to remove the criteria embodied in Statute that only Legal Practioners may become Judicial Officers which relevant clauses are to be replaced to be only graduates of the aforesaid Judicial College may become Judicial Officers, and
 - iv. The Law Society of the Commonwealth of Australia to replace all State based Law Societies, and
 - v. A process for Independent review of complaints against Judicial Officers and Executive Government Officers, and
 - vi. Procedure independent of Agencies of the Crown to bring proceedings for corruption in its own Court, and
 - vii. Legislation to cause the Judicial Commission Board to be responsible for and prevent any member of Executive Government and/or the Legislature in being involved in the Appointment of;

1. The Governor General of the Commonwealth of Australia, and
 2. The Governors of the States and Territories, and
 3. The Attorney Generals of the Commonwealth of Australia, the States and Territories of Australia, and
 4. The Australian High Commissioner, and
 5. Any officer of a Court or Tribunal established under the Constitutions of the Commonwealth of Australia and/or the States and Territories of Australia exercising Judicial or Quasi-Judicial Discretion
- viii. The funding of the legal process to amend all statutes establishing Agencies of the Crown whether Commonwealth, State or Territory to allow for;
1. the Judicial Commission to undertake review of all applications for Internal Review of the exercise of Executive Power whether Commonwealth, State or Territory Power, and
 2. the APPF to be responsible for the appointment of the officers of the aforesaid Judicial Commission.
8. Discussed the resolution to;
- a. Establish the APFF in the form of the Deed of Settlement tabled in the meeting (*see Annexure 1*) and declare that the Managing Trustee of the Trust is free of conflict of Interest in concurrently being the Managing Trustee of the APFF, and
 - b. Distribute 33% of the value of the secured assets of the Trust to the APFF set out in the Income Tax Return for the Year Ending June 2016 and subsequent Activity Statements lodged by the Trust in the alternative to relying on the right of set off as to damages against the Commissioner of Taxation and the Crown Generally, and
 - c. Declare
 - d. Draw an International Bill of Exchange ("**the APFF IBOE**") in the amount of the Distribution specified above being \$1,556,969,829,685 (*see Annexure 2*)
 - e. Secure the value of the APFF IBOE against the assets of the Crown including the Reserve Bank of Australia, and
 - f. distribute 33% of the rights of the Trust in respect to the Admitted Liabilities arising under the Notices to Admit Facts and secure those rights by registering a security interest of the Personal Property Security Act
 - g. Register the APFF as a charity with;
 - i. the Charities and Not For Profits Commission possibly as an Public benevolent Institution, and
 - ii. The United Nations

The Board of Trustees discussed the details above and resolved as follows;

Resolutions of the Trust

Resolution No 1; It has been unanimously resolved and approved that the Managing Trustee is authorised by the Appointor and the Settlor of the APFF to be the Managing Trustee of the APFF at settlement being today's date 30th April 2017.

Resolution No 2: It has been unanimously resolved and approved, that the amount of \$1,556,969,829,685 as valuable consideration expressed by way of drawing of International Bill of Exchange Serial Number; 61.00064/17 is donated to the APFF with immediate effect.

Resolution No 3; It has been unanimously resolved and approved that a security interest in favour of the APFF is to be registered over the Trust and the Crown on the Personal Property Security Register as Charges in accordance with the provisions of *the Personal Property Security Act 2009* (Cth) in order to secure the rights of;

1. The Trust to payment by the Crown and/or in the alternative Monetization by the Reserve Bank of Australia, and/ or other person, in accordance with law
2. The APFF to payment of the Value of the aforesaid International Bill of Exchange at Maturity by the Drawer and/or the Crown as the liable party

Resolution No 4; It has been unanimously resolved and approved that 33% of the rights of the Trust/Settlor to remedy against the Crown under all relevant laws and treaties are distributed to the APFF forthwith with immediate effect.

Resolution No 5; It has been unanimously resolved and approved that the Settlor/ the Trust declare and affirm that the Settlor/the Trust have no further right or title to the value or rights set out in resolutions 1-4 and that those values/rights now vest solely in the Trustee of the APFF.

FOR AND ON BEHALF OF THE TRUST:

The Trustees of the Andrew Garrett Family Trust No 4, Trading as
OenoViva Capital Resources ABN 42 388 204 496:



Name: Mr. Andrew Morton Garrett
(Managing Trustee)

Australian Passport . . . and United Kingdom Passport . . .

Signed on this 30th April, 2017

The Trustee of the APFF, the Appointor of the APFF and the Settlor of the APFF resolved as follows;

Resolutions of the APFF

Resolution No 1; It has been unanimously resolved and approved that the Settlor, the Appointor and the Trustee execute the Deed of Settlement of the APFF dated 30th April 2017 set out at annexure 1.

Resolution No 2; It has been unanimously resolved and approved that the Trustee receives the APFF IBOE and 33% of the Rights of the Trust to Remedy to the account of the APFF

Resolution No 3; It has been unanimously resolved and approved that the Trustee takes all steps necessary to cause the monetization of the APFF IBOE for the benefit of the Australian Public and the purposes set out above and enforce the rights of the APFF at law

Resolution No 4; It has been unanimously resolved and approved that the following persons are appointed as the Board of Management of the APFF;

1. The Trustee
2. Robert Nowak
2. Brennan Paul Fitzallen
3. Scott Mitchell
4. Steve Kavanagh

There being no further business, the meeting was declared closed, and in witness thereof, the Trustee signed below on the date first written above

FOR AND ON BEHALF OF THE APFF:

The Trustee of the Australian People Future Fund ABN 26 317 275 322:



Name: Mr. Andrew Morton Garrett
(Trustee)

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

Signed on this 30th April, 2017

ANNEXURE 1

COPY OF DEED OF SETTLEMENT OF THE AUSTRALIAN PEOPLE FUTURE FUND



DEED OF SETTLEMENT OF

John

“THE AUSTRALIAN PEOPLE FUTURE FUND.”

DISCRETIONARY TRUST



TABLE OF CONTENTS

Clause	Page
1 Declaration of trust	1
2 Definitions	1
3 Income of trust fund	3
4 Distribution of the trust fund	4
5 Application of trust fund	4
6 Prior distribution of corpus	4
7 Powers and discretions of trustee	5
8 Liability and indemnity of trustee	7
9 Exercise of powers	7
10 Variation of deed	7
11 Appointment of new trustee	7
12 Remuneration	8
13 Construction	8
14 Interpretation	8
15 Resulting trusts	8
16 Revocation	8
SIGNATURES	9

[Handwritten signature]



**THE AUSTRALIAN PEOPLE FUTURE FUND.
DISCRETIONARY TRUST**

DATE

THIS DEED is made the 30th day of April 2017

PARTIES

BETWEEN: Brennan Paul Fitzallen of 87-89 Cove Hill Road, Bridgewater, Tasmania,
7030 ("the Appointor")

AND: Andrew Morton Garrett of 10/15 Hunter Street, Hobart, Tasmania, 7000
("The Trustee")

AND: Andrew Morton Garrett in his capacity as Managing Trustee of the Andrew
Garrett Family Trust No 4 ABN 42 388 204 496 trading as OenoViva Capital
Resources of 10/15 Hunter Street, Hobart, Tasmania, 7000 ("the Settlor")

RECITAL

The settlor wishes to provide for the beneficiaries described in this deed by settling property on
the company to be held on trust for their benefit in the manner set out in this deed.

DEED

THIS DEED WITNESSES:

1 Declaration of trust

The Settlor covenants he hereby gifts and bequeaths to the Trustee the sum of
\$1,556,969,829,685 arising from Admissions of Liability and Facts by the Crown to the
Settlor with all rights arising from the matters associated with the Settlor, such that the
rights of the Trustee are the same as the rights of the Settlor against the Crown together
with the right to post judgement escalation in value at the rate of 1% per month and the
Trustee covenants and declares that he will hold that sum and the trust fund described in
this deed upon the trusts and with the powers and subject to the conditions set out in this
deed. The trust created by this deed is known as;

"THE AUSTRALIAN PEOPLE FUTURE FUND"

2 Definitions

In this deed, unless the subject or context otherwise requires:

2.1 "PRIMARY BENEFICIARIES" means the Peoples of Australia living and holding
citizenship of the Commonwealth of Australia at any time after the date of this
Trust Deed and their issue as are living from time to time.



- 2.2 “GENERAL BENEFICIARIES” means the primary beneficiaries, any parent, brother or sister, niece or nephew of the primary beneficiaries, an eligible company, the trustee or trustees of an eligible trust and an eligible charitable institution.
- 2.3 “ELIGIBLE COMPANY” means a corporation in which at least one share is held by any of the beneficiaries or by the trustee of an eligible trust.
- 2.4 “ELIGIBLE TRUST” means a trust or settlement, the beneficial interests in which must vest before the date of distribution and in which any of the beneficiaries has an interest or a potential entitlement, whether vested, contingent or discretionary and whether liable to be defeated or diminished by the exercise of any power by the trustee thereof.
- 2.5 “ELIGIBLE CHARITABLE INSTITUTION” means any institution devoted wholly to charitable purposes as the trustee in its absolute discretion considers worthy of receiving benefits under this deed from time to time.
- 2.6 “BENEFICIARIES” means the primary and general beneficiaries and includes any person or entity that may at any time come within the definition of a primary or general beneficiary, notwithstanding that the person or entity may not be in existence or may not have been within the definition of a class of beneficiaries at the date of this deed.
- 2.7 “APPOINTOR” means Brennan Paul Fitzallen and or such person as he solely by deed or will appoint and in the absence of any such nomination after his death, his legal personal representative or representative[s].
- 2.8 “CHILD” or “ISSUE” includes any adopted child and step child.
- 2.9 “SPOUSE” means any person to whom a beneficiary is married from time to time and upon his or her death his or her widow or widower.
- 2.10 “THE TRUSTEE” means Andrew Morton Garrett and any additional or substituted trustee.
- 2.11 “THE TRUST FUND” means the sum of \$1,556,969,829,685 and any additional property real or personal (including any accumulated income) to which the trusts created by this deed apply.
- 2.12 “DATE OF DISTRIBUTION” means the date of the 80th anniversary of the execution of this deed or the 21st anniversary of the death of the last survivor of the beneficiaries who are living at the date of this deed, whichever is the later, or such earlier date as the trustee before that date in its absolute discretion determines in writing.
- 2.13 “INCOME PERIOD” means the period from the execution of this deed until 30th June next; and thereafter each period of 12 consecutive calendar months commencing the 1st day of July next until the 30th day of June before the date of distribution, and thereafter the period up to and including the date of distribution.
- 2.14 “AS THE TRUSTEE THINKS FIT” or words importing the same means that the trustee has the widest and most unexaminable discretion including where applicable



the power to prefer one or more beneficiaries to the total exclusion of any other or others of them.

3 **Income of trust fund**

- 3.1 The trustee will hold the trust fund **UPON TRUST** from time to time during each income period to determine with respect to all or any part of the income of the trust fund as the trustee thinks fit:
- (a) to pay, apply or set aside such income to or for the benefit of any beneficiary; or
 - (b) to accumulate such income as an accretion to the trust fund upon the same trusts and conditions as are applicable to the trust fund but with power nevertheless from time to time to resort to any accumulation as if it were current income of the trust fund.
- 3.2 The trustee will hold so much of the income of each income period as is not before the end of the income period the subject of a determination under Clause 3.1 upon trust for such of the primary beneficiaries who are living at the end of that income period in equal shares.
- 3.3 For the purposes of Clauses 3.1 and 3.2, the trustee has the power at its discretion to:
- (a) pay, apply or accumulate on behalf of any one or more of the beneficiaries so much of a particular class or category of income (including without limitation income from personal exertion, dividends, franking credits, interest, rent, royalties or income from foreign sources) which is separately accounted for in the books of account of the trust or otherwise capable of separate identification and which has been determined after deduction or allowance for those expenses of the trust attributable to the earning or receipt of such class or category of income. For the purposes of this Clause the trustee may keep separate from the other assets of the trust fund any particular class or category of income (and any accumulation of all or part of that income) and may deduct therefrom or allow against such particular class or category of income (and any accumulation thereof) the expenses of the trust attributable to the earning or receipt or accumulation of such class or category of income;
 - (b) treat as income of the trust fund any receipt, profit, gain or amount which is assessable income for the purposes of the *Income Tax Assessment Act 1997*;
 - (c) distinguish between income of any type or character;
 - (d) effect such distributions or deal with income of any type or character in such a manner as to preserve and to pass on the status or character of the income for the purposes of the *Income Tax Assessment Act 1936* and the *Income Tax Assessment Act 1997* among all of the beneficiaries in respect of whom the trustee has made a determination or determinations pursuant to Clauses 3.1 or 3.2 in respect of an accounting period or any one or more of them exclusive of the other or others in the shares and proportions that the trustee has determined.



3.4 The powers and discretions granted to the trustee by this clause will not cease nor be diminished or rendered ineffective in their exercise or effect by virtue of any income of the trust fund which has or is capable of having some special status or character for the purposes of the *Income Tax Assessment Act 1936* or the *Income Tax Assessment Act 1997* having been derived by or coming into the possession of the trustee and having been mixed, mingled or joined with other income of the trust fund.

4 Distribution of the trust fund

Upon the date of distribution the trustee will hold the trust fund upon trust to divide it amongst the beneficiaries or to apply it for the benefit thereof in such manner and in such proportion as the trustee thinks fit. In the absence of any determination by the trustee, the trust fund will be distributed in equal shares between such of the primary beneficiaries who are living at the date of distribution or, if none are living, between such of the general beneficiaries who are natural persons living at the date of distribution.

5 Application of trust fund

For the purposes of Clauses 3 and 4:

- 5.1 Any payment or application to or for the benefit of a beneficiary will without the execution of a receipt by the beneficiary or any person on his or her behalf constitute a full and final discharge to the trustee in relation to that payment or application.
- 5.2 Any payment for the benefit of a charitable purpose may be made by the trustee to a corporation or society which includes such purpose amongst its objects without the trustee being bound to see to the due application thereof, and the receipt of the treasurer or other proper officer of any such corporation or society will be a full and final discharge to the trustee for such payment.
- 5.3 The trustee's determination to pay, apply or set aside to or for the benefit of a beneficiary will be made in accordance with the provisions in Clause 9.
- 5.4 Any income set aside for a beneficiary under Clauses 3.1(a) or 3.2 will not form part of the trust fund but must be held by the trustee as a separate fund on trust for the beneficiary absolutely and irrevocably with power to the trustee:
 - (a) to invest the same on behalf of the beneficiary whether or not he or she is a minor and in the name of the beneficiary or of the trustee or any person in trust for the beneficiary in any manner in which the trustee is by this deed authorised to invest moneys, and the investment of the income by the trustee on behalf of or in trust for the beneficiary will without anything more constitute full and final discharge to the trustee in respect of that income;
 - (b) to transpose any such investment held on behalf of or in trust for a beneficiary from time to time in any manner permitted by this deed for the investment of the trust fund.

6 Prior distribution of corpus

Notwithstanding the trusts hereinbefore contained, the trustee may as it thinks fit from time to time before the date of distribution raise any sum out of the capital of the trust



fund and pay the same or transfer the whole or any portion of the trust fund in its existing form of investment to or for the advancement or benefit of any beneficiary (whether absolutely or by way of resettlement upon such trusts as the trustee thinks fit) during his or her lifetime freed and discharged from the trusts of this deed, and any such payment or transfer without any receipt will constitute a full and final discharge to the trustee in respect thereof.

7 Powers and discretions of trustee

The trustee has the following absolute powers and discretions which may be exercised in any way that the trustee thinks fit:

- 7.1 Notwithstanding that the trust fund consists of trust moneys to invest the same and deal with, manage, transpose and realise such investments entirely as it thinks fit and with such powers in all respects as if the trustee were the sole absolute owner thereof, the trustee will not be accountable in any way whatsoever for any loss arising out of the making or the failure to realise or the management of any investment.
- 7.2 To become or to appoint any of its officers to become a director or servant of any company in which the trustee or any of its officers may hold shares as part of the trust fund and to receive the remuneration attaching to such office without being liable to account for the same, and it is directed that the trustee may become qualified as a director by the holding in its own name of shares constituting part of the trust fund provided that the trustee executes a declaration of trust in relation to such shares and that the trustee accounts to the trust fund for all dividends and bonuses payable in respect thereof.
- 7.3 To exercise all rights and privileges and perform all duties appertaining to any shares or stocks for the time being subject to the trusts created by this deed with liberty to assent to any arrangement modifying such rights, privileges or duties and to agree to any scheme or arrangement for the reconstruction or the increase or reduction of the capital of any company and for any such purpose to deposit, surrender or exchange any of the shares or stock or the title thereto and to pay any calls or contributions or other necessary expenses in connection with any shares or stock or any title thereto.
- 7.4 To exercise or concur in exercising all of the powers and discretions given by this deed or by law, notwithstanding that the trustee or any person who is a shareholder or director of the trustee (if the trustee is a company) has or may have a direct or indirect interest (whether as trustee of any other settlement or in its, his or her personal capacity or as a director or shareholder of any other company or otherwise) in the mode or result of exercising any such power or discretion or may benefit either directly or indirectly as a result of the exercise of such power or discretion, and notwithstanding that any trustee for the time being is a sole trustee.
- 7.5 To borrow or raise or concur in raising from any person, including a trustee or beneficiary hereof, with or without security, any money which the trustee thinks expedient for any purpose in relation to the execution of the trusts or powers conferred on the trustee by this deed.



- 7.6 To lend all or any part of the trust fund on such terms and conditions with or without interest or with or without security as the trustee thinks fit to any person including a beneficiary hereof.
- 7.7 To give any bill, indemnity, guarantee or security (including a commercial bill and mortgage or charge with or without a power of sale over all or any part of the trust fund) for payment of money or for the performance of any contract obligation or undertaking by any person and to renegotiate or renew from time to time any such bill, indemnity, guarantee or security.
- 7.8 To apply the whole or any part of the capital or income of the trust fund in or towards payment of any liability undertaken by the trustee in relation to the acquisition of property intended to form part of the trust fund.
- 7.9 If, at any time, the trust fund comprises real property or any interest in real property at the discretion of the trustee to manage, use and let the same or any part thereof, to permit any beneficiary to have the use thereof with or without payment of rent or outgoings, to erect, pull down, rebuild and repair buildings and erections, to carry out improvements of any nature, to make allowances to and arrangements with tenants, to grant or acquire easements or other rights and generally to deal with such property or interest or to join in dealing with the same as if beneficially entitled thereto without being responsible for loss.
- 7.10 To acquire, carry on or join in carrying on any business, either alone or in partnership with any other person as it thinks proper, with power for that purpose to employ therein such part of the capital of the trust fund as it thinks fit and to leave the entire management of such business to any partner therein or manager thereof and to renew partnerships and generally to act in all matters relating to such business as if it were beneficially entitled thereto and without being responsible for loss.
- 7.11 To employ or engage any person (whether or not such person is a trustee or otherwise interested in the trust fund) in any capacity, to transact all or any business of whatsoever nature required to be done in pursuance of the trusts and powers herein contained, including the receipt or payment of money, and to pay the expenses thereof and such further fee or other remuneration for the services thereof as the trustee thinks fit.
- 7.12 To pay out of the trust fund all expenses incidental to the management of the trust fund and the exercise of any discretion or power.
- 7.13 To make any investment on terms that the investment be paid for by more than one instalment and that outstanding instalments may bear interest.
- 7.14 To take on bailment, lease or exchange or on hire purchase or otherwise purchase or acquire any real and personal property and in particular (without limitation) any chattels, machinery, plant and stock-in-trade.
- 7.15 To take and act upon the opinion of any barrister or solicitor practising in the State of South Australia whether in relation to the interpretation of this deed or any other document or statute or as to the administration of the trusts hereof, without being liable to anyone in respect of any act done by it in accordance with such opinion



PROVIDED that nothing herein obliges the trustee to act in accordance with any such opinion **AND PROVIDED FURTHER** that nothing herein contained prohibits the trustee from applying to the court as it thinks fit.

8 Liability and indemnity of trustee

8.1 While acting or purporting to act in the execution of the trust and powers hereof, the trustee will have recourse only to the trust fund in payment of any debts incurred thereby or claims made against the trustee but will not be personally liable for any loss which is not attributable to its own wilful neglect or dishonesty. The beneficiaries are under no obligation to indemnify the trustee against any such debts or claims.

9 Exercise of powers

9.1 Any decision or determination by a trustee or any exercise of a power or discretion conferred by this deed is sufficiently made if the trustee is a company by a resolution of the board of directors or other governing body and is sufficiently evidenced (whether or not the trustee is a company) if noted in minutes of proceedings as trustee signed as a true record by the trustee or a director of the trustee. A decision so noted is irrevocable and binding on all beneficiaries unless expressed to be revocable.

10 Variation of deed

The trustee may from time to time as it thinks fit vary or add to this deed by a further deed supplemental hereto but not so that any person other than a beneficiary may acquire a beneficial interest in the trust fund.

11 Appointment of new trustee

- 11.1 The trustee may at any time as it thinks fit resign and by instrument in writing appoint a new trustee or trustees in succession and must transfer the trust fund to such trustee or trustees.
- 11.2 The office of a trustee will be vacated if that trustee becomes incapable of discharging his or her duties because of illness or an unsound mind or becomes bankrupt or, if the trustee is a corporation, an order is made or a resolution is passed which will have the effect of winding up the corporation.
- 11.3 An appointor has the power exercisable jointly with any other appointor from time to time by deed or will to remove a trustee from office and to appoint any person (including a corporation which is not a trustee company within the meaning of the *Trustee Act 1958* as amended or re-enacted from time to time) other than an appointor to act alone or jointly with any other person as a trustee hereof. Any appointor may at any time by deed renounce any power granted thereto by this deed and when made such renunciation will be irrevocable.
- 11.4 The trustee must upon retirement or removal cause the trust fund and the assets thereof to be vested in the new trustee or trustees and must deliver thereto all books, documents and other property relating to the trust fund.



11.5 A retiring trustee will be effectually discharged from the trusts created by this deed notwithstanding that any trustee appointed in substitution is acting alone or is not the Public Trustee of South Australia or a trustee company as defined in the *Trustee Act 1958* as amended or re-enacted from time to time.

11.6 A new trustee may accept the accounts rendered and the property delivered by a continuing or retiring trustee without being bound to enquire further as to the assets and income of the trust fund.

12 Remuneration

Any trustee may claim and be paid out of the trust fund management fees not exceeding in total the sum of [\$1,000 or 1%] of the income of the trust (whichever is the greater amount) in each income period. Any management fees in respect of an income period not claimed during such period will not be recoverable from the trust fund in any other income period. Any trustee other than a settlor hereof who is a solicitor or accountant is entitled to be paid in addition to any management fee all usual professional or business fees for business transacted, time expended and work done by the trustee or any employee or partner of the trustee or by any professional corporation of which the trustee is a director, an employee or a shareholder in connection with the administration of the trusts hereof, notwithstanding that such may include acts which a trustee not being a member of either profession could have done personally.

13 Construction

This deed will be construed and take effect according to the law of the State of South Australia.

14 Interpretation

In this deed where the context permits:

14.1 the singular includes the plural and vice versa;

14.2 any gender includes all other genders;

14.3 the headings in this deed will not be taken into account in the construction thereof;

14.4 any reference to a statute in this deed is a reference to that statute as amended or re-enacted from time to time and any statute enacted in substitution for that statute.

15 Resulting trusts

Any resulting trust to the settlor or to any subsequent donor to the trust fund arising by reason of this deed or any amendment thereto is hereby expressly negated.

16 Revocation

The settlor may at any time hereafter by deed or will revoke the trusts hereby declared in whole or in part in order to declare fresh trusts in favour of any person or persons other than himself with or without a like power of revocation.



SIGNATURES

EXECUTED by the parties.

SIGNED by **ANDREW MORTON GARRETT** as **"The Settlor"**

in the presence of:

Witness

BRENNAN PAUL FITZALLEN

Name (in block letters)

Signature of Settlor

ANDREW MORTON GARRETT

Name (in block letters)

SIGNED by **ANDREW MORTON GARRETT** as trustee for

"THE AUSTRALIAN PEOPLE FUTURE FUND."

in the presence of:

Witness

BRENNAN PAUL FITZALLEN

Name (in block letters)

Signature of Trustee

ANDREW MORTON GARRETT

Name (in block letters)



SIGNED by BRENNAN PAUL FITZALLEN as “The Appointor”

in the presence of:

Witness

ANDREW MORTON GARRETT

Name (in block letters)

Signature of Appointor

BRENNAN PAUL FITZALLEN

Name (in block letters)

NOTARIZED by:

NOTARY PUBLIC ATTESTATION

Country of Australia
Subscribed and Affirmed
City of Hobart, Tasmania

Appears, one Mr. Andrew Morton Garrett, holder of an Australian Passport and United Kingdom Passport, in his capacity as Sole Trustee of The Australian People Future Fund, who is known to me to be the one who has presented the attached Copy of the Deed of Settlement of the Australian People Future Fund ABN: 26317275322 Discretionary Trust dated 30th April 2017 and who solemnly Affirms that the attached Copy of the Deed of Settlement is a true and correct copy of the Deed of Settlement of the Australian People Future Fund ABN: 26317275322 Discretionary Trust dated 30th April 2017 and that Affirmation to be the Truth, the whole Truth and nothing but the Truth under the pains and penalties of Perjury under the laws of the Commonwealth of Australia and the Common Law before Notary Public, this 8th Day of May, 2017

Witness my hand and official seal:



Notary Public / Attorney at Law

My commission expires: is not limited



Dayne Emil Johnson
Notary Public
59 Harrington Street Hobart
Tasmania Australia

ANNEXURE 2

**COPY OF INTERNATIONAL BILL OF EXCHANGE SN 61.00064/17 IN FAVOUR OF AUSTRALIAN
PEOPLE FUTURE FUND**



OENOVIVA

INTERNATIONAL BILL OF EXCHANGE

(UNCITRAL CONVENTION)

AUD \$1,556,969,829,685.00

SERIAL No. 61:00064/17

FOR EFFECT: 9TH MAY 2022

DATE OF ISSUE: 10TH MAY, 2017

PLACE OF ISSUE: 10/15 HUNTER STREET, HOBART, TASMANIA, AUSTRALIA 7000

TO: THE RESERVE BANK OF AUSTRALIA, ABN: 50 008 559 466, 65 MARTIN PLACE SYDNEY, NSW, 2000
(DRAWEE)

PLEASE RECEIVE FOR DEPOSIT INTO ACCOUNT OF: ANDREW MORTON GARRETT AS TRUSTEE
FOR THE AUSTRALIAN PEOPLE FUTURE FUND ABN: 26 317 275 322 (PAYEE)

AT SIGHT OF THIS SOLE SECURED INTERNATIONAL BILL OF EXCHANGE

THE SUM OF: ONE TRILLION FIVE HUNDRED FIFTY SIX BILLION NINE HUNDRED SIXTY NINE MILLION
EIGHT HUNDRED TWENTY NINE THOUSAND SIX HUNDRED EIGHTY FIVE DOLLARS EXACTLY

FOR VALUE RECEIVED

Payment to be made in Australian Dollars, without deductions for and free of any taxes, impost, levies or duties present or future of any nature; Drawn in accordance with the Reserve Bank of Australia Act 1959 (AU), the Banking Act 1959 (AU), the Banking Regulations 1966 (AU) the Bills of Exchange Act 1909 (AU), the Payment Systems Regulation Act 1998 (AU), , the Payment Systems and Netting Act 1998 (AU) and Part 7.3 of the Corporations Act 2001 (AU), and the UNCITRAL Convention – 1990 UNITED NATIONS. The value of this International Bill of Exchange is secured in accordance with the provisions of the Personal Property Security Act 2009 (Cth) over the assets subject of the Credit Balance Sheet of the Drawer.

CREDIT RATING: MOODY'S: AAA / STANDARD & POORS: AAA

PERSONAL PROPERTY SECURITY REGISTRATION: 201705070000605

SEALED



FOR AND BEHALF OF THE DRAWER:

ACCEPTED BY:

..... (SIGNATURE)
ANDREW MORTON GARRETT, MANAGING TRUSTEE
OENOVIVA CAPITAL RESOURCES, ABN 42 388 204 496

OenoViva Capital Resources ABN 42 388 204 496: A Discretionary Trust settled under the Common Law, the Law of the Commonwealth of Australia, the Law of South Australia ;trading as OenoViva (Global) as Licensor of Intellectual Property and as a Private Merchant Investment Bank.

❖ Level 3, 2 Drewery Place, Melbourne, Victoria, 3000

❖ 10/15 Hunter Street, Hobart, Tasmania, 7000

❖ "The Desk" 511 Queen's Road West, Shek Tong Tsui, Hong Kong

Phone; +61

Fax; +61



ENDORSEMENTS:

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