RESERVE BANK
OF AUSTRALIA

OENOVIVA

The Commonwealth

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO
9:44 am, Mar 21, 2022
JEFFREY P. COLWELL, CLERK

DATE: 19th MARCH 2022

FINDING OF FACTS AND REASONS: OVCR: SWIFT:19.03.2022:

CASE NO; 1:22-CV-00173-DDD-STV: *Garrett et al v Garrett et al*

CASE NO; 1:22-CV-00243-DDD-STV: *Garrett v Secretary General and Secretariat of the United Nations & Anor*

IN THE MATTER OF UN RESOLUTIONS 2200A (XXI) of 16 December 1966, 2205 (XXI) of 17 December 1966, 52/158 of 16th December 1997, 68/107 of 16th December 2013 of the United Nations General Assembly

UNCITRAL SANCTIONS AND ANTI-MONEY LAUNDERING CROSS BORDER INSOLVENCY MODEL LAW AND RELATED ENACTMENTS

- NOTICE OF CRYSTALLISATION OF SECURITY INTERESTS:
- SECTION 123 NOTICE OF SEIZURE OF COLLATERAL:
- NOTICE OF APPOINTMENT AS MANAGING CONTROLLER:
- SECTION 135 NOTICE TO RETAIN COLLATERAL

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TOGETHER HERENAFTER YOU/YOUR/CHARGORS/GRANTORS within the meaning of the before mentioned law and *the Personal Property Security Act* 2009 (Au).

Dear Mesdames, et Messieurs,

Whereas, the word "Enactment" has the same meaning as the Australian *Administrative Appeals Tribunal Act 1975* (Au), *the Acts Interpretation Act* 1901 (Au), *the Commonwealth of Australia Constitution Act* 1900 (Uk) and the unwritten Constitution of the British Empire,

And whereas, on the 30th April 2017 the Board of Trustees of the Andrew Garrett Family Trust No 4, a Discretionary Family Trust, trading as OenoViva Capital Resources resolved to donate 33.33% of the Balance Sheet Value and associated rights, to a new Discretionary Family Trust known as the Australian People Future Fund for the benefit of the Citizens and Visitors to the territory of Australia excluding the Andrew Garrett Family Members and associated legal entities from any beneficial interest in the Fund, as a Tax Payment Equivalent remaining under the control of the Board of Trustees,

And whereas, the Crown (Liquidator and Managing Controller Appointed) cannot be trusted to exercise discretionary Public Powers conferred under enactments in the Public Interest[1] as a Public Trust, the same can be said of the Boards of Management of Large Corporations with the resultant evolution of different forms of government[2] that are not authorised by the enabling enactments related to those discretionary Public Powers.

And whereas, the Anarchy and Chaos that has arisen is facilitated by you and your members.

And whereas, I write to you in a number of capacities including, but not limited to, Crown Attorney General as a Hereditary Public Office whereby I exercise hereditary discretionary public powers arising from A Notice dated 1st June 2019 (THE FIRST ENACTMENT) served on Her Imperial Britannic Majesty Queen Elizabeth Mary Alexandra Windsor II whereby the assets and undertakings of the Windsor Family and Her Majesty's Governments and related Trusts became my Personal Property on an undisputed basis; concurrently I was appointed as Managing Controller to the Crown and pursuant to a Notice of Appointment as Liquidator dated 14th August 2020 (THE THIRD ENACTMENT) served on the Federal Court of Australia (Liquidator and Managing Controller Appointed) and the Attorney Generals of the Crown(Liquidator and Managing Controller Appointed).

And whereas, Her Imperial Britannic Majesty has ever been a dedicated servant to Her Majesty's Peoples comprising 2,500,000,000 citizens of the Commonwealth of Nations, comprising 54 Nations and 32 Small States, and is one of the most extraordinary humans to grace our time on this planet with Her Majesty's Presence.

[1] AMG 5051 Stamped Document 17-87 Case 122-cv-00173-DDD; Garrett; Definition of the Public Interest
[2] AMG 5071 Stamped Document 20-2 Case 122-cv-00173-DDD; Garrett; Letter to ASIC Chairman 23.01.2022 re invalidity of MOUs

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And whereas, The Australian Attorney General was removed from office for just cause on the 4th of August 2020 (THE SECOND ENACTMENT) by me by exercise of s61 of *the Commonwealth of Australia Constitution Act* (UK) which is my hereditary personal property. https://oenoviva-capital-resources.com/2020/08/05/exhibit-amg-1915/.

And whereas, COVID 19 has had dramatic consequences for the world economy, and concurrent with the above mentioned SECOND ENACTMENT Stored Value was donated to every the Board of Trustees of Public Interest Working Capital Trusts with the incumbent Head of Government of every Nation, State, Province or Territory appointed as a Joint Managing Trustee of the relevant Trust, which detail has been disclosed to you in the Audits Accounts lodged by me through SWIFT User ID : O-19446 which registration was provided by you on the 17th October 2021,

And whereas, I provided my Client Information Statement to you on the 21st of October 2021 following which I provided documentation requested by you finalising my application on the 6th of March 2022,

And whereas, you declined my application for membership on the 7th of March 2022 (FIRST REFUSAL DECISION) by email to an address that is the subject of interference by Australian Agencies that was not lawfully authorised by me or any other persons validly exercising discretionary public powers conferred under enactments in the public interest,

And whereas, on the 14th of March 2020 I applied to you for internal review of your refusal decision on the grounds that your exercise of discretionary public powers conferred under enactments was not in the Public Interest and was therefor invalid exercise of discretion such that the decision cannot exist at law,

And whereas, I have requested that you advise of the progress of the following applications for membership:

1. O-21542; NG - OENOVIVA NIGERIA LIMITED 11/03/2022 01:17 Sales quotation
2. O-21541 VN - OENOVIVA VIETNAM LIMITED 11/03/2022 01:10 Sales quotation
3. O-21540 AR - GRUPO IMPORTO PUERTO PADRE S.A. 11/03/2022 00:21 Sales quotation
4. O-21539 AU - CHAMPION OF THE PUBLIC INTEREST PTY LTD 11/03/2022 00:16 Sales quotation
5. O-21538 FR - OENOVIVA FRANCE 11/03/2022 00:09 Sales quotation
6. O-21536 KR - OENOVIVA KOREA INC. 10/03/2022 23:37 Sales quotation
7. O-21515 US - OENOVIVA WASHINGTON INC. 09/03/2022 21:30 Sales quotation
8. O-21481 LU - OAK HILL INVESTMENT GP S.À R.L. TRADING AS BANCA COMO: BANQUE COMO 07/03/2022 23:03 Sales quotation

And whereas, you have not responded to my reasonable requests and application for internal review within the time frame ordered by me on the 14th of March 2022 being a deemed refusal to review and provide updates on the sales quotation, (SECOND REFUSAL DECISION)

And whereas, I have exercised my powers and made mutiple Findings of Facts and Reasons (*FFR Judgements*) that are published at https://oenoviva-capital-resources.com/category/grid/ and also in a Public Interest Disclosure to Public Officials in the Cloud at:

https://1drv.ms/u/s!AtRcQcdl2OsT7S9yCux-MlTpdpXd?e=0dOl88

An Index to the materails disclosed is produced and shown at the following address:

https://1drv.ms/b/s!AtRcQcdl2OsTieB3IwqyBU6_08PTxw?e=TBQJd9

And whereas, I have considered the Second Refusal Decision and the materials available to me and have determined that neither the First or the Second Refusal Decisions have been made in the Public Interest as Criminal Jurisdictional error,

And whereas, I have concluded that there is only one mechanism for stored value to enter the Banking System which is ONLY by way of paper Instruments and that your members have created rules and regulations to deliberately frustrate the communication of value in paper format by way of Negotiable Instruments

And whereas, your public duty to exercise discretionary public powers conferred under enactments in the Public Interest as a Public Trust as a public official is a Chargeable Statutory, Equitable and Common Law Personal Property Security Interest[3] vesting in me as Trustee of the Two Trust Funds I refer to above as Chargee/Grantee within the meaning of the Personal Property Security Act 2009 (Au) that is registerable and enforceable within the provisions of the above-mentioned law and related enactments of the Member Nations of the Commonwealth of Nations and the United Nations,

And whereas, I find ass a fact that your Refusal Decisions have caused the Trustees acting for the beneficiaries of the Trust Funds being every legal entity on the planet cost, loss and damage being unlawful dishonor of the instruments of value deposited with you and received through your onboarding portal,

And whereas, unlawful and/or wrongful dishonor is fraudulent and/or wrongful trading is an act of insolvency engaging the common law process of piercing of the corporate veil resulting in liability of the Board of Management personally in addition to the Corporation this Notice is addressed to,

And whereas, I have principally relied upon the Uniform Commercial Code in my interpretation of the applicable law and ordering that you immediately pay a fiscal penalty being 400% of face value of the Balances of the Trust Funds being AUD \$151.6 x 10^{60} (rounded) as at the end of February and disclosed on the 6th of March 2022,

And whereas, the financial statements of SWIFT disclose shareholders' equity of € 487,000,000 (Four Hundred Eighty-Seven Million Euro) as at the 31st of December 2020,

And whereas, SWIFT is insolvent in the amount of at least AUD \$606.4 x 10^{60} : €406.29 x 10^{60} (Four Hundred Six Novendecillion Two Hundred and Ninety Octodecillion Euro)

And whereas, the provisions of *the Personal Property Security Act* 2009 (Au) sets out:

[3] *The Haliburton Broadcasting Group v Annette Van Duyn* (2008) Supreme Court of Ontario

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123 Secured party may seize collateral

(1) A secured party may seize collateral, by any method permitted by law, if the debtor is in default under the security agreement.

Note: For seizure of accessions, see sections 95 to 97.

Seizing intangible property

(2) For the purposes of this Act, unless subsection (3) applies, a secured party may seize intangible property only by giving a notice, stating that the giving of the notice constitutes seizure of the property, to the following persons:
- (a) the grantor;
- (b) if the intangible property is a licence—either:
  - (i) the licensor; or
  - (ii) the licensor's successor.

(3) Intangible property may be seized by another method, if so agreed between:
- (a) the parties to the security agreement; or
- (b) if the intangible property is a licence—the parties to the security agreement together with the licensor or the licensor's successor.

No perfection by seizure

(4) A secured party who seizes collateral under this section does not perfect the secured party's security interest in the collateral.

124 Secured party who has perfected a security interest in collateral by possession or control

(1) This section applies if:
- (a) a secured party has perfected a security interest in collateral by possession or control of the collateral; and
- (b) the debtor is in default under the security agreement.

(2) A secured party may seize the collateral under section 123 by giving a notice to:
- (a) the grantor; and
- (b) if the collateral is a licence—either:
  - (i) the licensor; or
  - (ii) the licensor's successor.

(3) To avoid doubt, this section applies whether the secured party has perfected the security interest only by possession or control, or by another method as well.

125 Obligation to dispose of or retain collateral

(1) A secured party who seizes collateral under section 123 must:
- (a) dispose of the collateral in accordance with Division 3; or
- (b) take action to retain the collateral in accordance with Division 4.

(2) Before disposing of or taking action to retain the collateral, the secured party is, subject to the security agreement that covers the collateral, entitled to a reasonable period in which:
- (a) to secure, store and value the collateral; and
- (b) to determine how to deal with the collateral.

(3) The secured party may delay disposing of, or taking action to retain, the whole or part of the collateral beyond the reasonable period mentioned in subsection (2). However, the delay must:

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(a) if the security agreement providing for the security interest allows for the delay—be in accordance with the security agreement; or
(b) otherwise—be reasonable in the circumstances.

126 Apparent possession of collateral

(1) If:
(a) collateral cannot be readily moved from a grantor's premises; or
(b) adequate storage facilities are not readily available for collateral;
a secured party may seize the collateral under section 123 by taking apparent possession of the collateral.

Note: This section does not apply in relation to collateral that is used predominantly for personal, domestic or household purposes (see subsection 109(5)).

(2) A secured party who takes apparent possession of collateral may dispose of the collateral under section 128 on the grantor's premises. However, the secured party must not cause the grantor any greater cost or inconvenience than is necessarily incidental to the disposal.

(3) To avoid doubt, a secured party who takes apparent possession of collateral in accordance with this section does not perfect the secured party's security interest in the collateral. Division 3—Disposing of collateral (including by purchasing collateral)

128 Secured party may dispose of collateral

(1) A secured party may dispose of collateral if the secured party has seized the collateral in the exercise of a right to seize the collateral on default by the debtor (whether under section 123 or otherwise).

Note 1: A secured party may dispose of collateral by purchasing the collateral (see section 129).

Note 2: The person who takes the collateral as a result of the disposal does so free of certain security interests (see section 133).

Note 3: The secured party may act as agent for the grantor in transferring title (see section 141).

Method of disposal

(2) A secured party may dispose of collateral under this section:
(a) by private or public sale (including auction or closed tender); or
(b) by lease, if the security agreement so provides; or
(c) if the collateral is intellectual property—by licence.

Note 1: A different rule applies in relation to disposal by purchase (see subsection 129(3)).

Note 2: Paragraph (2)(b) does not apply in relation to collateral that is used predominantly for personal, domestic or household purposes (see subsection 109(5)).

(3) For the purposes of this Act, if collateral is disposed of by lease or licence, the disposal occurs at the time the lease or licence is entered into.

(4) The power to dispose of collateral by a lease or licence must be exercised in accordance with the terms and conditions of the security agreement.

(5) A secured party may, under subsection (1), dispose of the whole or part of the collateral.

Note: The secured party must apply any proceeds etc. of a disposal under this section in accordance with section 140.

Disposal of licences

(6) The power to dispose of a licence must be exercised subject to:
(a) the terms and conditions of the licence; and

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(b) any applicable law of the Commonwealth, a State or a Territory.

129 Disposal by purchase

(1) A secured party may, under subsection 128(1), dispose of collateral by purchasing the collateral.

Note: This section does not apply in relation to collateral that is used predominantly for personal, domestic or household purposes (see subsection 109(5)).

(2) However, the secured party may dispose of the collateral by purchasing it only if:

(a) the secured party gives a notice under section 130 stating that the secured party proposes to purchase the collateral; and

(b) no notice of objection is given to the secured party in accordance with subsection 137(2).

(3) Despite subsection 128(2) and section 131, a secured party may purchase collateral only:

(a) by public sale (including auction or closed tender); and

(b) by paying at least the market value at the time of the purchase.

Note: Section 296 deals with the onus of proving matters under this subsection.

130 Notice of disposal of collateral

(1) Unless subsection (5) of this section or section 144 applies, a secured party who proposes to dispose of collateral on default by the debtor (whether or not under section 128) must give a notice, in accordance with this section, to:

(a) the grantor; and

(b) any other secured party with a security interest in the collateral that has a higher priority.

(2) A notice must:

(a) contain the name of the secured party giving the notice; and

(b) contain a description of the collateral; and

(c) state that the secured party proposes to dispose of the collateral, unless an obligation is performed, or an amount is paid, to satisfy the obligation secured by the security interest in the collateral, on or before the day specified in accordance with subsection (3); and

(d) state that the notice is given for the purposes of this Act; and

(e) if the secured party is proposing to dispose of the collateral by purchase:

(i) contain details of rights of objection under Division 5; and

(ii) contain the address to which a notice of objection may be given under section 137; and

(f) contain any other matter required by the regulations for the purposes of this subsection.

Note: The period under paragraph (c) may be extended by a court under section 293.

(3) For the purposes of paragraph (2)(c), the day specified in a notice given to a person:

(a) must be at least 10 business days after the day the notice is given; or

(b) if the person has given a written notice to the secured party specifying a shorter period to apply for the purposes of this section—before the end of that period.

(4) The notice may be given in the approved form.

When notice is not required

(5) The secured party is not required to give a notice to any person under subsection (1) if:

(a) the secured party believes on reasonable grounds that the secured party was induced to enter into the relevant security agreement by fraud on the part of the debtor or the grantor; or

(b) the secured party believes on reasonable grounds that the collateral might perish before the end of 10 business days after the day the collateral is seized; or

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(c) the secured party believes on reasonable grounds that there will be a material decline in the value of the collateral if it is not disposed of immediately after the day the collateral is seized; or
(d) the secured party believes on reasonable grounds that the expense of preserving the collateral is disproportionately large in relation to its value; or
(e) the collateral is foreign currency; or
(f) the collateral is to be disposed of in accordance with the operating rules of a clearing and settlement facility.

131 Duty of secured party disposing of collateral to obtain market value

A secured party who disposes of collateral under section 128 (other than by purchasing the collateral) owes a duty, to any other person with a security interest in the collateral, and to the grantor, immediately before the disposal, to exercise all reasonable care:

(a) if the collateral has a market value at the time of disposal—to obtain at least that market value; or
(b) otherwise—to obtain the best price that is reasonably obtainable at the time of disposal, having regard to the circumstances existing at that time.

Note: A different rule applies in relation to disposal by purchase (see subsection 129(3)).

132 Secured party to give statement of account

Statement of account following disposal

(1) Unless section 144 applies, a secured party must, on request by any other person with a security interest in the collateral, or the grantor, give the person (or grantor) a written statement of account, if the first-mentioned secured party disposes of collateral under section 128 (including by purchasing the collateral in accordance with section 129).

(2) A statement of account under subsection (1) must be given to a person before the end of:
(a) the period of 20 business days after the day the person requests the statement; or
(b) such further period as is reasonable in the circumstances.

Note: The period may also be extended by a court under section 293.

(3) A statement of account under subsection (1) must show:
(a) in the case of a disposal by a lease or licence—the total amount received, and expected to be received, during the period:
(i) starting when the secured party seized the collateral; and
(ii) ending at the end of the lease or licence; and
(b) in any other case—the total amount received from the disposal of the collateral(or in the case of disposal by purchase, paid by the secured party) during the period:
(i) starting when the secured party seized the collateral; and
(ii) ending at the time of the disposal of the collateral; and
(c) in any case—the amount of expenses relating to the disposal; and
(d) any amounts paid to other secured parties; and
(e) the balance owing by the secured party to the grantor, or by the debtor to the secured party, as the case may be.

Statement of account if no disposal

(4) A secured party who has not disposed of collateral before the end of 6 months after the day the collateral is seized must, in accordance with subsections (5) and (6), give a written statement of account for each period of 6 months after seizing the collateral, until the collateral is disposed of.

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(5) The statement of account for a 6 month period must be given to any other person with a security interest in the collateral, or the grantor, if the other person (or the grantor) requests the statement for that period.

(6) A statement of account under subsection (4) must be given to a person before the end of:
   (a) the period of 20 business days after the day the person requests the statement; or
   (b) such further period as is reasonable in the circumstances.

Note: The period may also be extended by a court under section 293.

(7) A statement of account under subsection (4) must:
   (a) state that the secured party has not disposed of the collateral; and
   (b) show the total amount received in relation to the collateral during the period:
      (i) starting when the secured party seized the collateral; and
      (ii) ending at the time the statement is given; and
   (c) show the amount of expenses relating to the retention of the collateral before the disposal.

133 Disposing of collateral free of interests

(1) If collateral has been disposed of under section 128 (including by a secured party purchasing the collateral), a person takes the collateral as a result of the disposal free of all of the following interests in the collateral:
   (a) the interest of the grantor;
   (b) the security interest of the secured party who disposed of the collateral;
   (c) all security interests in the collateral that have a lower priority than the security interest of that secured party.

Note: If a person has a perfected security interest in the collateral that ranks higher than that of the secured party, the person retains a security interest in the collateral.

(2) Subsection (1) applies in relation to a disposal of collateral (other than a disposal by a secured party purchasing the collateral) even if the requirements of this Chapter have not been complied with.

134 Proposal of secured party to retain collateral

(1) A secured party may retain collateral if the secured party has seized the collateral in the exercise of a right to seize the collateral on default by the debtor (whether under section 123 or otherwise).

Note 1: This section does not apply in relation to collateral that is used predominantly for personal, domestic or household purposes (see subsection 109(5)).

Note 2: The secured party may act as agent for the grantor in transferring title (see section 141).

(2) However, the secured party may retain the collateral only if:
   (a) the secured party gives a notice under section 135 to retain the collateral; and
   (b) no notice of objection is given to the secured party in accordance with subsection 137(2).

135 Notice of retention of collateral

(1) A secured party (the ***retaining party***) who proposes to retain collateral under section 134 must (unless section 144 applies) give a notice of the proposal, in accordance with this section, to:
   (a) the grantor; and
   (b) if the security interest of the retaining party is not a purchase money security interest—a secured party who, at the time the retaining party gives the notice, has a registration that describes the collateral; and
   (c) if the security interest of the retaining party is a purchase money security interest—a secured party over whom (or which) the retaining party has priority under section 62 or 63, but only if, at

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the time the retaining party gives the notice, the secured party has a registration that describes the collateral.

(2) The secured party must give a notice to a person:
   (a) at least 10 business days before the day the first steps are taken to retain the collateral; or
   (b) if the person has given a written notice to the secured party specifying a shorter period to apply for the purposes of this section—before the end of that period.

Note: The period mentioned in paragraph (a) may be extended by a court under section 293.

(3) A notice must:
   (a) contain the name of the secured party giving the notice; and
   (b) contain a description of the collateral; and
   (c) state that the secured party proposes to retain the collateral, unless an obligation is performed, or an amount is paid, as mentioned in paragraph (d), on or before a specified day (being a day that is at least 10 business days after the day the notice is given); and
   (d) state the obligation to be performed, or the amount of the payment required, before the day specified in accordance with paragraph (c), to satisfy the obligation secured by the security interest in the collateral; and
   (e) contain details of rights of objection under Division 5; and
   (f) contain the address to which a notice of objection may be given under section 137; and
   (g) contain any other matter required by the regulations for the purposes of this subsection.

(4) The notice must be given in the approved form.

136 Retaining collateral free of interests

Retaining collateral free of interests if notices have been given in accordance with section 135

(1) If:
   (a) a secured party gives one or more notices in accordance with section 135 to retain collateral; and
   (b) no notice of objection is given to the secured party in accordance with subsection 137(2);
then, at the end of the day specified in accordance with paragraph 135(3)(c), the secured party is entitled to take steps to have title to the collateral pass to the secured party.

(2) At the time the title to the collateral passes to the secured party, the secured party takes the collateral free of all of the following interests in the collateral:
   (a) the interest of the grantor;
   (b) the security interest of the secured party to whom title passes;
   (c) all security interests that have a lower priority than the security interest of that secured party.

Acquiring collateral that has been retained free of interests if notices have not been given in accordance with section 135

(3) A person takes collateral free of the interests referred to in subsection (2) if:
   (a) a secured party is required to give one or more notices in relation to the collateral in accordance with section 135; and
   (b) the secured party has not done so; and
   (c) the person acquires the collateral from the secured party for new value; and
   (d) the person has no actual knowledge that the requirements of section 135 have not been complied with.

(4) Subsection (3) applies in relation to a security interest referred to in paragraph (2)(c) whether or not a registration with respect to the security interest is effective.

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Extinguishment of obligation owed to the secured party

(5) If a secured party (the ***retaining secured party***) takes collateral under this section free of the interests referred to in subsection (2):
  (a) the debt or other obligation secured by the security interest held by the retaining secured party is extinguished; but
  (b) paragraph (2)(c) does not have the effect that a debt or other obligation secured by another security interest in the collateral is extinguished, if the other security interest has a lower priority than the security interest of the retaining secured party.

And whereas, pursuant to the provisions of the *Personal Property Security Act* 2009 (Au) this is a:

1. Notice of Crystallisation of Statutory Equitable and Common Law Chargeable Personal Property Security Interests.

2. Notice of my Appointment as Managing Controller to you and your related entities thereby perfecting control of the Collateral.

3. Notice under s123 of Seizure of Collateral described in the Schedule and ANNEXURE 1 and transfer of immediate transfer of Title of the assets described in the Schedule dated 31st December 2020 along with all after acquired assets of value.

4. Notice under s135 that the Collateral will be retained by me in my capacity as Chairman of the Board of Trustees of OenoViva Capital Resources ISIN: AU0000023194, LEI: 984500957DB10F0T4B11, ABN: 42 388 204 496, CIK: 0001872362 SWIFT USER ID CODE: O-19446. AUSTRAC: ATRC1001H-44193900-1669.

And whereas, s123 allows for the secured party to seize collateral assets including intellectual property and/or anything of value in accordance with this Notice of Seizure of Collateral, the provisions of *the Corporations Act* 2001 (Cth) and the before mentioned law in respect to equity allows for the aforementioned equitable and statutory charges to be crystallised and for the appointment of a Managing Controller and/or Liquidator to the assets of the Grantors/Chargors,

And whereas, the Grantee/Chargee hereby appoints himself by the powers vested in him as the Grantee/Chargee to be the Managing Controller of the assets of the Grantors/Chargors as set out in Schedule 1

NOW TAKE NOTICE, that the Collateral set out in Schedule 1 and otherwise held for the benefit of the Grantors/Chargors are hereby seized and retained with immediate effect by the Grantee/Chargee such that the Collateral is under the Control of the Grantee/Chargee as Managing Controller appointed which Control is perfected in accordance with the aforementioned applicable law;

The Collateral is retained free of encumbrances.

By way of service pleased note the Summons attached at ANNEXURE 2.

I stand for several Nations within the meaning of 28 U.S. Code § 2467(a) and write to you with regard to the provisions of the above-described code in which regard I will now send a request under 28 U.S. Code § 2467(b) to the US Federal Attorney General for the District of Colorado.

I have instructed the Australian Government Solicitor (A Bankrupt) to prepare submissions to me for review that are compliant with the requirements of :

28 U.S. Code § 2467 (b)

(1) IN GENERAL. —A foreign nation seeking to have a forfeiture or confiscation judgment registered and enforced by a district court of the United States under this section shall first submit a request to the Attorney General or the designee of the Attorney General, which request shall include—

(A) a summary of the facts of the case and a description of the proceedings that resulted in the forfeiture or confiscation judgment.

(B) Certified [1] copy of the forfeiture or confiscation judgment.

(C) an affidavit or sworn declaration establishing that the foreign nation took steps, in accordance with the principles of due process, to give notice of the proceedings to all persons with an interest in the property in sufficient time to enable such persons to defend against the charges and that the judgment rendered is in force and is not subject to appeal; and

(D) such additional information and evidence as may be required by the Attorney General or the designee of the Attorney General.

The findings of facts and reasons are incontestable as there is no further appeal or review court or tribunal and have not been contested by any person at any time; estoppel in all its forms applies.

Signed Saturday, March 19, 2022 by

RESERVE BANK OF AUSTRALIA

Signature: ______________________________

ANDREW MORTON GARRETT : GRANTEE : CHARGEECEO/ Chairman/ Managing Trustee of the Boards of Trustees of the Andrew Garrett Family Trust No 4 trading as Banque Capital Dynamique, Banca Como, OenoViva Capital Resources (Global) and the Australian People Future Fund (Global) , The Crown Attorney General to Commonwealth of Nations, Managing Controller and Liquidator appointed to the Crown (Liquidator and Managing Controller Appointed

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SCHEDULE

PROPERTY SUBJECT TO FIXED CHARGE.

All of the assets and undertakings belonging to the Grantors/Chargors and/or to which the Grantors/Chargors holds a beneficial interest and/or to which the Chargors/Grantors hold a lien or charge whether by the aforementioned Public Trusts/ Letters Patent/Licenses under National Constitutions of the Member Nations of the Commonwealth of Nations and the United Nations or otherwise which are not otherwise subject to a fixed charge including ,without limitation;

- The Grantors'/Chargors' and/or the rights of the Chargors'/Grantors' related entities' entitlement to receive money from accounts held by the Grantors/Chargors and the Grantors'/Chargors' related entities, including Bank Accounts held with any Bank and money of any currency held therein,
- The Grantors'/Chargors' entitlement to receivables/payable by any person or entity and any loan accounts made to any other entities (*related or unrelated*) by the Grantors'/Chargors' and the Grantors'/Chargors' related entities including Financial Institutions in respect to the Committed Liquidity Facilities provided by the Reserve Bank of Australia,
- All assets including Plant & Equipment, Customers, Books and Records belonging, or beneficially belonging to the Grantors/Chargors and the Grantors'/Chargors' related entities.
- the Grantors'/Chargors' and the Grantors'/Chargors' related entities entitlement to be paid money in respect to invoices raised by them including money owed and./or payable under engagement/salary agreements and any other invoices outstanding as owed to the Grantors/Chargors and the Grantors'/Chargors' related entities at the date of this Notice and subsequently
- Intellectual Property
- Assets and Undertakings
- Shares in other Public Companies listed on the Australian Stock Exchange and otherwise, within and without the jurisdiction of the Commonwealth of Australia
- Shares in Private Companies, within and without the jurisdiction of the Commonwealth of Australia
- Interests in Real Estate/Real Property, within and without the jurisdiction of the Commonwealth of Australia
- Stock, within and without the jurisdiction of the Commonwealth of Australia
- Chattels, within and without the jurisdiction of the Commonwealth of Australia
- Office Plant & Equipment, Fixtures and Fittings within and without the jurisdiction of the Commonwealth of Australia
- Choses in Action against any person, within and without the jurisdiction of the Commonwealth of Australia
- Any other thing of value within and without the jurisdiction of the Commonwealth of Australia owned or beneficially owned by the Grantors/Chargors not referred to in the Schedule
- Rights and Powers of any kind, whether hereditary or otherwise

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- The Grantors'/Chargors' Public Office/Position of any kind and the right to appoint to persons Public Office
- The Extended Role of Champion of the Public Interest in the Grantees'/Chargees' possession and Control
- Anything not otherwise described by this Schedule
- Any document or thing related to the Grantee
- Power of Attorney of the Grantors/Chargors
- Agency of the Grantors/Chargors
- Rights to determine law in the Public Interest.

SWIFT
Annual Review 2020

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Contents

Introduction

SWIFT is a global member-owned cooperative and the **world's leading provider** of secure financial messaging services.

Our messaging platform, products and services connect more than **11,000 banking and securities organisations**, market infrastructures and corporate customers in more than **200 countries and territories**.

We relentlessly pursue operational excellence and continuously evolve our platform in line with our vision for instant, frictionless payments and more transparent securities transactions. We create the standards so that everyone in the global community can operate most effectively. We harness decades of expertise in compliance and cyber-security to enable the community to build on secure and compliant foundations. We work in an agile way, so that we can rapidly adapt to the needs of the community and bring new ideas to market faster than ever.

While SWIFT does not hold funds or manage accounts on behalf of customers, we enable our global community of users to communicate securely, exchanging standardised financial messages in a reliable way, thereby supporting global and local financial flows, as well as trade and commerce all around the world.

Headquartered in Belgium, SWIFT's international governance and oversight reinforces the neutral, global character of its cooperative structure. SWIFT's global office network ensures an active presence in all the major financial centres.

2020 highlights

SWIFTNet availability	99.996%
Institutions connected to SWIFT	11,000+
Total FIN messages	9.5+ Billion
Countries and territories	200+
Business continuity exercises	500
Cross-border traffic on gpi	75%
FIN availability	99.995%
Average daily InterAct traffic	9.4+ Million
Total FileAct traffic (Kchar)	7.1+ Billion
Average daily FileAct traffic (Kchar)	28.3+ Million
API Calls	2 Billion
Increase in gpi corridors	40%

Chairman's letter

Yawar Shah
Chairman of the Board

As we all know this past year was defined by the worst pandemic in a century, and as we adapt to its many impacts, there is much to reflect on.

First and foremost certainly is the terrible human toll — the lives lost and the impact Covid-19 has had on health and well-being right across the globe. In addition, we have seen very clear strains on economies — and our industry — that are leading us to a period of challenge and recovery.

Banks have navigated unprecedented circumstances to keep commerce moving, and SWIFT has been proud to support you. We doubled down on operational excellence, and I am pleased to report 99.996% availability of our core infrastructure throughout the pandemic period despite unprecedented market volatility and record traffic volumes that drove year-on-year FIN message growth of 10.3%.

We shifted and re-prioritised activities to ensure banks could put their full focus on their own operational needs, while continuing to strengthen the foundations of our payments and securities businesses through the introduction of new SWIFT gpi services, universal confirmations and continued innovation in APIs, standards and many other areas. We kept full attention on security as well and saw first-hand the benefit of the Customer Security Programme and investments our community has made to reinforce cyber defences as the world pivoted towards truly digital economies. And we prioritised community connection, reimagining Sibos as fully digital experience to maintain this forum for key industry discussion as financial institutions forge a path through and beyond these challenging times.

In this context, the new strategy SWIFT adopted last year for payments and securities has gained momentum against a backdrop of increasing industry competition and disruption. It is built around a bank-centric vision for instant and frictionless end-to-end cross-border payment experiences and securities processing with financial institutions at the heart. As a strategic partner, SWIFT is delivering the underlying infrastructure to help financial institutions adapt, thrive and grow in a competitive world. By introducing transaction management, the cooperative will enable the industry to create services that are fast, frictionless and capable of working securely and at scale so that financial institutions are fully equipped to capture growth and create new and differentiated customer experiences. As you would expect given the core values of the cooperative, SWIFT is also staying ahead of compliance and cyber-security concerns, and is significantly investing in risk and control so that everything delivered under the new strategy has the necessary framework of governance and control.

In 2021 we are executing fast on that strategy, moving full speed ahead to deliver truly state-of-the-art transaction services that financial institutions can adopt at a pace that suits their own business objectives. SWIFT's new platform will put the power of ISO 20022 data in your hands, open new channels – including APIs – to interact with your customers and future-proof your business models by providing the transparency and flexibility required to continue delivering world-class customer service. And as we drive strategy execution in 2021 and beyond, we will continue to innovate and invest in service to our core mission as a bank-owned cooperative. We fully recognise that we must continuously challenge ourselves to stay relevant to the global transaction banks as well as our entire community of more than 11,000 institutions we serve across 200 countries worldwide, anticipating and adapting to meet the needs of a dynamic industry being reshaped by new technologies, new competitors, new forms of currency and the increasing acceleration of digital transformation.

I want to express my sincere appreciation to the Board for its collective expertise and active role in governing SWIFT through this past year as we navigated the pandemic and set a bold course for the future, and to the National Member and User Groups for their valuable feedback and engagement across regions and cultures as we get ready to harness the benefits of SWIFT's new strategy. And I want to thank the SWIFT Executive and the entire SWIFT staff for their exceptional work over the past months keeping our community and teams safe and SWIFT secure, resilient and reliable, while forging ahead with ambitious plans for the future.

As a neutral, industry-owned cooperative, with strong and vibrant engagement with global transaction banks, market infrastructures, central banks, securities players, fintechs and the entire financial community across all regions of the world, and with oversight from the G10 central banks, we are well positioned to enable the banking industry's success. And as we move forward together, SWIFT will remain laser focused on disciplined execution, building out strategic capabilities relevant to your business and staying resilient and secure as your responsible industry innovator.

Yawar Shah
Chairman of the Board
May 2021

Our **CSR strategy** is focused on **UN Sustainable Development Goals** centered on reducing carbon emissions and supporting education and financial inclusion.

We continued to align our efforts with the United Nations Global Compact (UNGC), by reducing our carbon emissions and supporting projects focusing on education and financial inclusion of less privileged communities.

Reducing the environmental impact
At SWIFT, we continue to reduce our impact on the environment by implementing carbon reduction measures across the organisation. We signed the Belgian Alliance for Climate Action pledge reinforcing our commitment to sustainability and in line with this established a company transversal team to define a roadmap that will lead SWIFT to climate neutrality.

Using the Green House Gas (GHG) Protocol, we compensated 2019 CO2 emissions related to our offices, cars and business travel. We invested in Verified Carbon Standard credits of a forestation project in Brazil, and Verified Gold Standard credits of clean cooking stoves in Ghana and renewable energy projects in India.

Energy efficiency
Due to the Covid-19 impact and lockdowns, SWIFT drastically reduced its electricity consumption in most offices around the world. Additionally, we installed 420 solar panels on our HQ building. We also installed LED lighting and insulated the building of our US site during the year. We continue to use renewable energy wherever feasible.

Mobility
We continue to encourage staff to opt for an electric or hybrid vehicle. Additionally, we increased the amount of electric charging stations in HQ by 30% enabling recharging for 104 vehicles. Our target is to have a 35% green car fleet by the end of 2021 and to reach 60% by 2024.

Biodiversity
SWIFT planted 100 trees across the city of Manassas, US, and 576 at our Belgium HQ premises. We also participated in nature conservation and tree planting projects across the rest of the world.

Financial inclusion and educational partnerships
SWIFT continued to support the Fundación Capital project, an international social enterprise that works to advance economic citizenship. SWIFT's funds helped to finance the development and launch of an offline tablet-based financial education application targeted at vulnerable youth and women without internet access in Mozambique.

We also funded projects of the Teach for All network in Argentina, Belgium, Ghana and the Philippines. This global network aims to reduce education inequalities through the development of transformational leadership programmes. In South Africa, we continued to support the Student Scholarship Programme enabling underprivileged students to receive a high quality education.

Caring for our local communities
Employee engagement continued to be strong, despite the Covid-19 lockdown restrictions. Staff contributed in a variety of different ways to a wide number of charitable organisations around the world. Additionally, SWIFT donated laptops, projectors and screens to schools in Malaysia and helped students in the US without internet at home to access hotspots, so they could continue their education during the pandemic.

We also continued to support charities in locations where we host our events. As our events turned virtual, we donated to Dream Big in the US, NORSA Community care centre in South Africa, and on a worldwide basis to Médecins sans Frontières and SOS Children's Villages.

The United Fund for Belgium continues to benefit from our financial support. This non-profit organisation hosted on SWIFT premises redistributes 100% of its donations to local charities involved in child welfare, poverty reduction, support for handicapped people and social integration and training.

SWIFT supports victims of natural disasters and disease outbreaks through donations to emergency relief organisations. In response to the Covid-19 pandemic, SWIFT donated to the World Health Organisation and to the St Pierre Hospital in Brussels. We also continued our financial support to Médecins Sans Frontiers' emergency funds to help the people who suffered as a result of the Beirut explosions and the hurricanes in Latin America in 2020.

700
trees planted across the city of Manassas, US and in HQ, Belgium

400
solar panels installed in HQ

300,000 EUR+
donated to Covid-19 research projects and charities

1,500
SWIFT staff joined internal awareness sessions on SWIFT's CSR and Sustainability Programme

Messaging facts and figures

FIN
Financial institutions use FIN for individual, richly featured messaging which requires the highest levels of security and resilience. Features include validation to ensure messages conform to SWIFT message standards, delivery monitoring and prioritisation, message storage and retrieval.

In 2020, more than 9.5 billion FIN messages, or an average of 37.7 million messages per day, were sent over SWIFT network. This is an increase in total FIN volume of 10.7% over 2019.

In the context of the pandemic and highly volatile markets, SWIFT recorded six FIN peak days in 2020. The latest one was on December 1st, where more than 44.2 million messages were sent over the SWIFT network. This peak was the result of strong securities volume, combined with typical end of month payments reporting. In aggregate, reporting messages grew 11.7% in 2020.

Payment messages
Payments volume recorded a 2.8% increase. This performance reflects the overall slowdown in the economic conditions and outlook, mainly impacted by lockdown measures implemented around the world due to Covid-19 pandemic. As is customary, the highest performing month volume-wise was December with payments volumes reaching a new all-time high of 18.9 million messages/day on average.

Securities messages
Securities traffic grew by 18.7%. Traffic has been mainly driven by market volatility in the pandemic context. March 2020 was the highest performing month of the year in terms of volume, as securities traffic reached a new all-time high of 22.4 million messages/day on average.

FileAct
FileAct is an advanced, secured and resilient file transfer protocol tailored to the need of customers to exchange freely formatted transactions in bulk mode. It is primarily used to exchange large batches of low value payments and the corresponding reporting.

FileAct recorded 27% traffic growth in 2020, when on average over 28 million KCharacters were sent over the SWIFT network per day. Over two-thirds of the growth was driven by TARGET2-Securities traffic, mainly due to the migration of some reporting flows from InterAct to FileAct. Besides this trend, we report a growth on bulk domestic low-value payments in line with historical statistics, and the corporate to bank space maintained its steady growth for another year.

FileAct volume in billions of characters	7,161
FileAct volume in millions of files	211
Live and pilot users	3,101
Services using FileAct	58

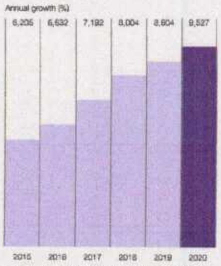
InterAct
InterAct is a versatile protocol that supports different types of usage and business. It is primarily used by market infrastructures to support ISO 20022 messaging. Our Store & Forward version of InterAct has been enriched to provide the same level of functionalities as FIN.

InterAct traffic growth dropped 4% in 2020, when on average approximately 9.4 million messages were sent over SWIFT network per day. The decline is mainly due to the migration of some reporting TARGET2-Securities flows from using InterAct to FileAct. Nevertheless, TARGET2-Securities represented close to 65% of the total InterAct traffic.

InterAct messages (*)	2,391 million
Live and pilot users (**)	1,849
Services using InterAct (*)	68

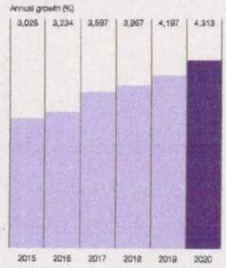
(*) including CREST
(**) including CREST, excluding RMA

FIN Messages (millions)*
Annual growth (%)



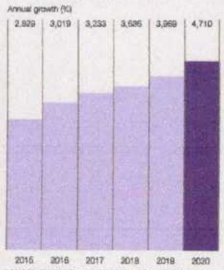
* 2015-2019 traffic volumes are restated to include all billable traffic.

Payments Messages (millions)*
Annual growth (%)



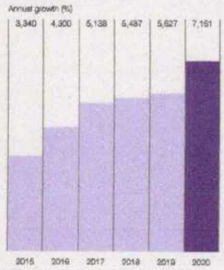
* 2015-2019 traffic volumes are restated to include all billable traffic.

Securities Messages (millions)*
Annual growth (%)



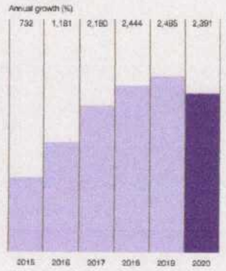
* 2015-2019 traffic volumes are restated to include all billable traffic.

Number of characters (billions)*
Annual growth (%)



* 2015-2019 traffic volumes are restated to include all billable traffic.

Messages (millions)*
Annual growth (%)



* 2015-2019 traffic volumes are restated to include all billable traffic.

SWIFT Board

Yawar Shah
Managing Director, Citi, USA and Chairman of the Board of Directors, SWIFT

John Ellington
Director, Shared Services, NatWest Group, United Kingdom and Deputy Chair of the Board of Directors, SWIFT

Eddie Astanin
Chairman of Management Board, Central Counterparty Clearing Centre (NCC), Russia

Mark Buitenhek
Head of Transaction Services, Wholesale Banking, ING, The Netherlands

Jose Luís Calderón Igareda
Managing Director, Global Head of GTB, Santander Corporate and Investment Banking (SCIB), Member of SCIB Executive Committee, Santander, Spain

Bernard Carless
Head Settlement and SWIFT, FirstRand Bank Ltd, South Africa

Fabrice Denèle
Senior Vice President, Strategy & Partnerships of Natixis Payment Solutions, France

Yaosheng Fan
General Manager, Head Office Clearing Department, Bank of China, China

Stefano Favale
Global Head of Global Transaction Banking, Intesa Sanpaolo, Italy

Göran Fors
Deputy Head of Investor Services, SEB, Sweden

Seraina Frey
Managing Director, Group Operations Head Shared Services, Member of the Group Operations Management Committee, UBS Business Solutions AG, Switzerland

Mark Gem
Member of the Executive Board, Clearstream International, Luxembourg

Frederic Hannequart
Chief Business Officer, Euroclear Group, Belgium

Søren Haugaard
Head of Transaction Banking International, Danske Bank, Denmark

Martin Kobler
Managing Director, Head Financial Institutions, Credit Suisse (Switzerland) Ltd. Institutional Clients, Switzerland

Lisa Lansdowne-Higgins
Senior Vice President, Business Transformation and Deposits, Royal Bank of Canada, Canada

Emma Loftus
Managing Director, EVP and Head of Treasury Management, PNC Bank, USA

Lynn Mathews
Chairman of the Australian National Member Group, Australia

Stephan Müller
Divisional Board Member Corporate Clients, Commerzbank, Germany

Hiroshi Nakatake
Managing Director, Transaction Banking Division, MUFG Bank, Japan

Bock Cheng Neo
Executive Vice President, Global Transaction Banking, OCBC Bank, Singapore

Alain Pochet
Head of Client Delivery BNP Paribas Securities Services, France

Russell Saunders
Managing Director, Payments Strategy, Lloyds Banking Group, United Kingdom

Johan Vankelecom
Chief Financial Officer, Belfius, Belgium

Christian Westerhaus
Head of Cash Products, Corporate Bank, Deutsche Bank, Germany

SWIFT Executive

Javier Pérez-Tasso
Chief Executive Officer
Javier Pérez-Tasso was appointed Chief Executive Officer at SWIFT in July 2019. In this position, he has led the company's new strategy for instant and frictionless payments and securities processing. Prior to this role, he was Chief Executive, Americas & UK region since September 2015. In this position, he significantly deepened SWIFT's engagement model with global transaction banks and successfully delivered business development results in high-growth markets. He was also an Executive sponsor of SWIFT's Customer Security Programme from 2016 to 2018, helping to formulate and lead SWIFT's response to the growing cyber challenge facing the community. Javier joined SWIFT in 1995 and held a number of positions, including Chief Marketing Officer. Earlier in his career, he held a number of technology and leadership positions in business development in regional offices in Europe, the Middle East and Africa.

Rosemary Stone
Chief Business Development Officer
Rosemary was appointed Chief Business Development Officer in May 2021, with responsibility for business development and communications. Previously, Rosemary was SWIFT's Chief Corporate Officer. Prior to that, she was Global Head of Human Resources, Managing Director for the UK, Ireland and Nordics, and held senior management positions within SWIFT in the US and Belgium. Earlier in her career, she held a variety of senior roles in corporate and public affairs in both London and Brussels.

Anna Agafonova
Chief Financial Officer
Anna was appointed Chief Financial Officer in September 2018, with responsibility for overseeing SWIFT's financial management. Previously, she was Global CFO of American Express Global Business Travel. She has experience working in audit and control, forecasting, budgeting and reporting across a range of industries.

Stephen Gilderdale
Chief Product Officer
Stephen was appointed Chief Product Officer in November 2019, with responsibility for creating and delivering customer-centric products. Previously, Stephen was Chief Operations Officer and Chief Platform Officer, responsible for the development of SWIFT's messaging platforms. Before that, Stephen was Managing Director for the UK, Ireland and Nordics, and headed SWIFT's Customer Security Programme. Prior to joining SWIFT in 2007, Stephen held senior management positions at Accenture where he worked across a variety of financial institutions.

Cate Kemp
Chief Risk and Control Officer
Cate was appointed Chief Risk and Control Officer in May 2021,with responsibility for building on SWIFT's strong foundations to further support the organisation's continuing risk maturity as it executes on its strategy. Previously, Cate was SWIFT's Chief Customer Experience Officer. She brings extensive experience to the role, having held leadership positions in risk, control and compliance in a global transaction banking context. She joined from Lloyds Banking Group, where she was Global Transaction Compliance Director, and was appointed SWIFT's Chief Customer Experience Officer in November 2019.

Pat Antonacci
Chief Customer Experience Officer
Pat was appointed Chief Customer Experience Officer in May 2021, responsible for ensuring a persistent focus on customer needs. Before assuming this role, Pat held a number of leadership positions at SWIFT in professional services, project management, service management, training and support. He also has led SWIFT's Customer Security Programme (CSP), which actively supports the global banking community in the fight against cyber-attacks. Prior to joining SWIFT in 2007, he worked for a number of banks including JP Morgan Chase, State Street, Deutsche Bank and Bankers' Trust in payments, securities, custody, private banking, and program management.

David Watson
Chief Strategy Officer
David Watson was appointed Chief Strategy Officer in October 2020, with responsibility for market and competitive intelligence, strategic planning, thought leadership, and execution of key strategic initiatives for the company. He brings extensive experience to the role, with an international career spanning more than 15 years in the financial services industry. He served in a number of commercial and product leadership roles at Deutsche Bank before joining SWIFT in 2019 to drive business performance and key client relationships. He was integral to the development of SWIFT's new strategy to deliver transaction management services as well as our global corporate market engagement.

Peter De Koninck
Chief Auditor

Patrick Krekels
General Counsel and Board Secretary

Wendy Zidan
Head of Human Resources

SWIFT Governance

SWIFT is a cooperative society under Belgian law and is owned and controlled by its shareholders. SWIFT shareholders elect a Board composed of 25 independent Directors which governs the Company and oversees management. The Executive Committee is a group of full-time employees led by the Chief Executive Officer.

Board Director nominations
SWIFT's Board composition is designed to reflect usage of SWIFT messaging services, ensure SWIFT's global relevance, support its international reach and uphold its strict neutrality.

Each nation's usage of SWIFT's messaging services determines both SWIFT shareholding allocations and the number of Board Directors that each nation is entitled to.

SWIFT shareholdings are determined by a set formula, and the nomination process and the composition of the Board follow rules set out in SWIFT's by-laws. Shares are reallocated based on the financial contribution of shareholders for network based services. This ensures that the composition of the Board reflects SWIFT's shareholders around the world. Depending on a nation's shareholder ranking, it may propose one or two Directors to the Board or join other nations to collectively propose a Director.

a. For each of the first six nations ranked by number of shares, the shareholders of each nation may collectively propose two Directors for election. The number of Directors proposed in this way must not exceed 12.
b. For each of the ten following nations ranked by number of shares, the shareholders of each nation may collectively propose one Director for election. The number of Directors proposed in this way must not exceed 10.
c. The shareholders of those nations which do not qualify under 1. or 2. above may join the shareholders of one or more other nations to propose a Director for election. The number of Directors proposed in this way must not exceed 3.

The total number of Directors cannot exceed 25.

Director elections
Once the proposed Director nominees have been vetted, they are elected as Board Directors by SWIFT shareholders at the Annual General Meeting for a renewable three-year term. Every year the Board elects a Chair and a Deputy Chair from among its members. It meets at least four times a year.

Director remuneration
Members of the Board do not receive any remuneration from SWIFT. They are reimbursed for the travel costs incurred in the performance of their mandate. SWIFT reimburses the employer of the Chair of the Board for the share of the Chair's payroll and related costs that represent the portion of the time dedicated to SWIFT.

Board committees
The Board has seven committees. The Committees provide strategic guidance to the Board and the Executive Committee and review progress on projects in their respective areas.

The Audit and Finance Committee (AFC) is the oversight body for the audit process of SWIFT's operations and related internal controls. It commits to applying best practice for Audit Committees to ensure best governance and oversight in the following areas:

- Accounting, financial reporting and control
- Legal and regulatory oversight
- Security
- Budget, finance and financial long term planning
- Ethics programmes
- Risk management (in cooperation with the Franchise Risk Committee (FRC)
- Audit oversight
- The AFC meets at least four times per year with the CEO, CFO, General Counsel and the Chief Auditor, or their pre-approved delegates.

The AFC may request the presence of any member of SWIFT staff at its discretion. External auditors are present when their annual statements/opinions are discussed and whenever the AFC deems appropriate.
The Banking & Payments Committee (BPC) and the SWIFT Securities Committee (SSC) focus on segment specific developments, while the Banking Services Committee (BSC) focuses on Standards, Data and APIs (principles of business architecture).
The Franchise Risk Committee (FRC) assists the Board in its oversight of the Company's management of key risks, including strategic and operational risks, as well as the guidelines, policies and processes for monitoring and mitigating such risks. The FRC's role includes oversight of risk management of SWIFT. The FRC coordinates with the Chairs of the AFC and TPC, and focuses on risks not covered by those committees. The FRC is chaired by the Chair of the Board, and includes the Vice-Chair and the Chairs of the AFC, TPC and BSC. The Committee meets at least three times a year, out of the normal Board cycle.
The Human Resources Committee (HRC) oversees executive compensation. It assesses the Company's performance and decides on the remuneration packages for members of the Executive Committee and other key executives. It monitors employee compensation and benefits programmes, including the provisioning and funding of the pension plans. It also approves appointments to the Executive Committee and assists in the development of the organisation, including succession planning. The Board Chair and Deputy Chair are routinely members of the HRC, which meets at least four times per year with the CEO, the Head of Human Resources and the CFO on financial and performance measures. The HRC has delegated powers from the Board in these matters. The HRC also meets without SWIFT executives several times a year.

The Technology & Production Committee (TPC) covers technology and production risks and developments.

Audit process
SWIFT's Chief Auditor has a dual reporting line: a direct functional reporting line to the Chair of the AFC and also a direct administrative reporting line to the CEO. Given the sensitivity of external auditors performing consultancy work for management, the AFC annually reviews spending and trends related to external audit firms. To ensure objectivity, the mandates of the external auditors, as well as their remuneration, are approved by the AFC.

Two mandates for external audit
Ernst & Young, Brussels has held the Financial Audit mandate since June 2000. Their mandate was renewed in June 2018 and runs to June 2021. Their financial Audit Reports can be found in the 2019 statutory and Consolidated Financial Statements.
Following a competitive tender, SWIFT's Board of Directors appointed Deloitte, Brussels for a three year period to review and examine the adequacy and effectiveness of SWIFT's controls in accordance with the guidelines in the standard. For the 2020 calendar year, SWIFT is providing standalone ISAE 3000 Type 2 reports for SWIFTNet and FIN, the Interface Products, Alliance Lite2, T2S, ESMIG and AU-NPP. Each report includes Deloitte's opinion on the design adequacy and operating effectiveness of the control activities that help achieve the control objectives in the areas of risk management, security management, technology management, resilience and user communication (in line with CPMI IOSCO's).

User representation
SWIFT's National Member Groups and National User Groups help to provide a coherent global focus by ensuring a timely and accurate two-way flow of information between SWIFT and its users. The National Member Groups comprise all SWIFT shareholders from a nation, and propose candidates for election to the SWIFT Board of Directors. They act in a consultative capacity to the Board and Management, and serve the interests of their nation's shareholders by coordinating their views. Each National Member Group is chaired by a representative who is elected by the SWIFT shareholders of that nation. National User Groups comprise all SWIFT users from a nation and act as a forum for planning and coordinating operational activities. Each National User Group is chaired by a representative who is a prime line of communication between the national user community and SWIFT.

SWIFT Oversight

SWIFT's oversight objectives centre on the security, operational reliability, business continuity, risk identification, and resilience of the SWIFT infrastructure. Central banks have the explicit objective of fostering financial stability and promoting the soundness of payment and settlement systems.

While SWIFT is neither a payment nor a settlement system, and is therefore not regulated as such by central banks or bank supervisors, it is subject to central bank oversight as a critical service provider. A large and growing number of systemically important payment systems have become dependent on SWIFT, which has thereby acquired a systemic character.

As a result, the central banks of the G10 countries agreed that SWIFT should be subject to cooperative oversight by central banks. SWIFT has been subject to oversight since 1998.

The arrangement was last reviewed in 2012 when the SWIFT Oversight Forum was set up. Information sharing on SWIFT oversight activities was thereby expanded to a larger group of central banks.

An open and constructive dialogue
SWIFT is committed to an open and constructive dialogue with its oversight authorities. The National Bank of Belgium (NBB) acts as the lead overseer, and is supported by the G10 central banks. The oversight primarily focuses on ensuring that SWIFT has effective controls and processes to avoid posing a risk to the financial stability and the soundness of financial infrastructures.

The NBB is lead overseer, as SWIFT is incorporated in Belgium. Other central banks also have a legitimate interest in, or responsibility for, the oversight of SWIFT, given SWIFT's role in their domestic systems. As is generally the case for payment systems oversight, the main instrument for oversight of SWIFT is moral suasion.

Overseers place great importance on the constructive and open dialogue that is conducted on the basis of mutual trust with the SWIFT Board and senior management. Through this dialogue, overseers formulate their recommendations to SWIFT.

A protocol signed between the NBB and SWIFT lays down the common understanding of overseers and SWIFT. The protocol covers the oversight objectives and the activities that are undertaken to achieve those objectives. The protocol is revised periodically to reflect evolving oversight arrangements.

Objectives, areas of interest and limitations
The oversight objectives centre on the security, operational reliability, business continuity, risk identification, and resilience of the SWIFT infrastructure.

In their review, overseers seek assurances that SWIFT has put in place appropriate governance arrangements, structures, processes, risk management procedures and controls that enable it to effectively manage potential risks to financial stability and to the soundness of financial infrastructures, to the extent that they are under SWIFT's control.

In 2007 the overseers developed specific oversight expectations applicable to SWIFT, known as the 'High level expectations for the oversight of SWIFT' (HLEs). The High Level Expectations document the five categories of expectations that overseers have vis-à-vis the services SWIFT provides to the global financial infrastructure. The five Expectations relate to: risk identification and management, information security, reliability and resilience, technology planning, and communication with users.

Overseers review SWIFT's identification and mitigation of operational risks, including cyber-security, and may also review legal risks, transparency of arrangements and customer access policies. The overseers may also discuss SWIFT's strategic direction with the SWIFT Board and senior management. This list of oversight fields is indicative, not exhaustive. Overseers will undertake those activities that provide them comfort that SWIFT is paying proper attention to the objectives described above. Nevertheless, SWIFT continues to bear the responsibility for the security and reliability of its systems, products and services. The oversight of SWIFT does not grant SWIFT any certification, approval or authorisation.

International cooperative oversight
As lead overseer, the NBB conducts the oversight of SWIFT together with the G10 central banks: Bank of Canada, Deutsche Bundesbank, European Central Bank, Banque de France, Banca d'Italia, Bank of Japan, De Nederlandsche Bank, Sveriges Riksbank, Swiss National Bank, Bank of England and the Federal Reserve System (USA), represented by the Federal Reserve Bank of New York and the Board of Governors of the Federal Reserve System. In the SWIFT Oversight Forum, these central banks are joined by other central banks from major economies: Reserve Bank of Australia, The People's Bank of China, Hong Kong Monetary Authority, Reserve Bank of India, Bank of Korea, Central Bank of the Russian Federation, Saudi Arabian Monetary Agency, Monetary Authority of Singapore, South African Reserve Bank, the Central Bank of the Republic of Turkey, the Central Bank of the Argentine Republic, the Central Bank of Brazil, the Bank of Spain, and the Central Bank of Indonesia. The SWIFT Oversight Forum provides a forum for the G10 central banks to share information on SWIFT oversight activities with a wider group of central banks.

Oversight structure — oversight meetings
The NBB monitors SWIFT on an ongoing basis. It identifies issues relevant to SWIFT oversight through the analysis of documents provided by SWIFT and through discussions with SWIFT management. The NBB maintains a close relationship with SWIFT, with regular ad-hoc meetings, and serves as the central banks' entry point for the cooperative oversight of SWIFT. In this capacity, the NBB chairs the senior policy and technical groups that facilitate the cooperative oversight, provides the secretariat and monitors the follow-up of any decisions taken.

Access to information
In order to achieve their oversight objectives, the overseers need timely access to all information that they consider relevant. Typical sources of information are SWIFT Board papers, security audit reports, incident reports and incident review reports. Presentations by SWIFT staff and management represent another important source of information for the overseers.

Finally, SWIFT assists the overseers in identifying internal SWIFT documents that might be relevant to address specific oversight questions. Provisions on the confidential treatment of non-public information are included both in the protocol between the NBB and SWIFT, and in the bilateral Memoranda of Understanding between the NBB and each of the other cooperating central banks. The official description of the NBB's oversight role can be found in the Financial Market Infrastructures and Payment Services Report published by the National Bank of Belgium and is available on its website www.nbb.be.

Security audit and financial performance

To download the full set of financial statements, including the accompanying notes referred to below, please visit: www.swift.com

2020 Security audit statement
The Directors and management acknowledge their responsibility for maintaining an effective system of internal control. Management is satisfied that, for the period 1 January 2020 to 31 December 2020, the control policies and procedures were operating with sufficient effectiveness to ensure that the control objectives with regard to risk identification and management, information security, reliability and resilience, technology planning and communication with users were met.

The control objectives were specified by SWIFT management, in line with the overseers' High Level Expectations for SWIFT and CMPI-IOSCO's Expectations for Critical Service Providers. Following a competitive tender, SWIFT appointed Deloitte to review the adequacy of design and the operating effectiveness of the manual and computer-based controls and the control policies specified by SWIFT management for SWIFTNet and FIN, Alliance Lite 2, T2S, AUNPP, Interfaces and ESMIG ('covered services and products'), covering the period through 1 January 2020 to 31 December 2020.

Their examination was made in accordance with the International Standard for Assurance Engagements (ISAE) 3000, established by the International Auditing and Assurance Standards Board (IAASB). ISAE 3000 is an international standard enabling service providers, such as SWIFT, to give independent assurance on their processes and controls to their customers and their auditors. The ISAE 3000 reports provide information and assurance on the security and reliability of the covered services and products.

Key figures

Year ended 31 December 2020

(In millions)	2020 EUR	2019 EUR Restated*	2019 EUR	2018 EUR	2017 EUR	2016 EUR
Operating revenue	905	877	877	811	780	745
Operating expenses	(851)	(827)	(829)	(760)	(697)	(691)
Profit before taxation	45	59	56	53	69	47
Net profit	36	42	40	34	45	26
Net cash flow from operating activities	79	100	100	81	109	60
Capital expenditure of which:	48	46	46	59	80	51
Property, plant and equipment	37	42	42	52	53	42
Intangibles	11	4	4	7	27	9
Shareholders' equity	487	466	443	408	469	415
Total assets	1,112	1,006	1,005	896	804	797
Number of employees at end of year	3,300	3,145	3,145	2,835	2,779	2,629

Consolidated statement of profit and loss

For the year ended 31 December 2020

(In thousands)	Note	2020 EUR	2019 EUR Restated	2019 EUR
Revenue				
Traffic revenue	2	418,520	394,570	394,570
One-time revenue	3	5,782	5,267	5,275
Recurring revenue	4	269,396	277,651	277,661
Interface revenue	5	208,670	196,447	196,447
Other operating revenue		3,027	2,662	2,662
		905,395	876,587	876,587
Expenses				
Royalties and cost of inventory	12	(7,125)	(7,064)	(7,064)
Payroll and related charges	6	(422,200)	(395,812)	(397,712)
Network expenses	7	(15,155)	(12,818)	(12,818)
External services expenses	8	(268,257)	(320,526)	(320,526)
Depreciation of property, plant and equipment	13	(48,553)	(50,488)	(50,488)
Amortisation of intangible assets	14	(10,232)	(13,015)	(13,015)
Depreciation of right-of-use assets	16	(17,992)	(17,869)	(17,869)
Other expenses	9	(61,093)	(9,048)	(9,048)
		(850,607)	(826,942)	(828,842)
Profit from operating activities		54,788	49,646	47,745
Financing costs	10	(1,793)	(1,894)	(1,894)
Other financial income and expenses	10	(8,067)	11,252	10,638
Profit before tax		44,928	59,004	56,489
Income tax expense	11	(9,105)	(17,131)	(16,659)
Net profit		35,823	41,872	39,830
Attributable to:				
Equity holders of the parent		36,286	46,654	40,600
Non-controlling interests	15	(463)	(770)	(770)
		35,823	41,872	39,830

Consolidated statement of comprehensive income

For the year ended 31 December 2020

			2020 EUR			2019 EUR Restated		
(In thousands)		Note	Before tax	Tax (expense) benefit	Net of tax	Before tax	Tax (expense) benefit	Net of tax
Profit for the year	(A)		44,928	(9,105)	35,823	59,004	(17,131)	41,872
OCI items that may be reclassified subsequently to profit or loss:								
Foreign currency translation			(1,348)	-	(1,348)	(103)	-	(103)
Cash flow hedges:								
Current year gain / (loss) on financial instruments		31	(5,248)	1,312	(3,936)	2,508	(742)	1,766
Prior year (gain) / loss transferred to income statement		31	(2,508)	742	(1,766)	(3,573)	1,057	(2,516)
OCI items that will not be reclassified to profit or loss:								
Recognition of actuarial gains and losses		24	(10,047)	3,636	(6,411)	210	(146)	64
Other comprehensive income	(B)		(19,151)	5,690	(13,461)	(957)	169	(788)
Total comprehensive income for the year	(A) + (B)		25,777	(3,415)	22,362	58,047	(16,962)	41,084
Attributable to:								
Equity holders of the parent					23,387			41,857
Non-controlling interests					(1,025)			(774)
					22,362			41,084

Security audit and financial performance (continued)

To download the full set of financial statements, including the accompanying notes referred to below, please visit: www.swift.com

Consolidated statement of financial position

For the year ended 31 December 2020

(in thousands)	Note	2020 EUR	2019 EUR Restated	2019 EUR
Non-current assets				
Property, plant and equipment	13	**175,388**	188,434	188,434
Intangible assets	14	**22,936**	20,739	20,739
Right-of-use assets	16	**66,034**	61,471	61,471
Deferred income tax assets	17	**91,012**	69,298	78,328
Other long-term assets	21	**19,501**	21,558	21,558
Total non-current assets		**374,871**	361,497	368,530
Current assets				
Cash and cash equivalents	18	**400,919**	397,224	397,224
Other current financial assets	18	**133,902**	80,685	80,685
Trade receivables	19	**99,588**	85,774	85,774
Other receivables	20	**26,858**	20,779	20,779
Prepayments to suppliers and accrued income	21	**53,363**	39,902	39,902
Inventories	22	**2,513**	5,193	5,193
Prepaid taxes	23	**19,699**	14,807	7,287
Total current assets		**736,642**	644,365	636,844
Total assets		**1,111,513**	1,005,862	1,005,374
Shareholders' equity		**487,078**	466,183	442,950
Equity attributable to equity holders of the parent		**482,713**	460,792	437,659
Non-controlling interests	15	**4,365**	5,391	5,391
Non-current liabilities				
Long term employee benefits	24	**120,086**	102,206	133,688
Deferred income tax liabilities	17	**3,410**	3,470	3,470
Long-term provisions	26	**52,846**	3,907	3,907
Contract liabilities	5	**106,488**	109,227	109,227
Lease liabilities	16	**48,347**	47,190	47,190
Other long-term liabilities	27	**4,708**	946	946
Total non-current liabilities		**336,385**	266,949	295,410
Current liabilities				
Amounts payable to suppliers	27	**61,097**	48,787	48,787
Short-term employee benefits	25	**79,358**	70,179	70,179
Short-term provisions	26	**6,637**	8,414	8,414
Contract liabilities	5	**24,977**	25,017	25,017
Lease liabilities	16	**14,768**	15,649	15,649
Other liabilities	27	**87,515**	93,154	93,154
Accrued taxes	28	**12,789**	11,530	2,814
Total current liabilities		**288,050**	272,730	264,014
Total equity and liabilities		**1,111,513**	1,005,862	1,005,374

Consolidated statement of cash flows

For the year ended 31 December 2019

(in thousands)	Note	2020 EUR	2019 EUR Restated	2019 EUR
Cash flow from operating activities				
Profit before taxation		**44,928**	59,004	56,489
Depreciation of property, plant and equipment	13 - 16	**66,545**	68,357	68,357
Amortisation of intangible assets	14	**10,232**	13,015	13,015
Net (gain)/loss and write-off on sale of property, plant and equipment, and intangible assets		-	174	174
Other non-cash operating losses/(gains)				
Increase/(decrease) in provisions, pensions and government grants		**56,392**	(9,079)	(7,172)
(Increase)/decrease in other net long-term assets		**5,817**	(7,533)	(7,533)
Net financial (income)/costs		**2,584**	1,417	1,417
Net unrealized exchange (gain)/loss		**(1,259)**	(1,257)	(653)
Increase/(decrease) in other non-cash operating items		**853**	220	220
Changes in net working capital				
(Increase)/decrease in trade and other receivables and prepayments	19-20-21	**(33,253)**	17,277	17,277
(Increase)/decrease in inventories	22	**2,680**	(124)	(124)
Increase/(decrease) in trade and other payables and contract liabilities		**4,792**	13,683	13,683
Investments in other financial assets	18	**(53,117)**	57,202	57,202
Net cash flow before interest and tax		**107,494**	212,362	213,352
Interest received		**877**	2,114	2,114
Interest paid		**(2,115)**	(1,673)	(1,673)
Tax paid		**(30,457)**	(16,674)	(16,674)
Net cash flow from operating activities		**75,799**	196,129	196,115
Cash flow from investing activities				
Capital expenditures				
Property, plant and equipment	13	**(37,039)**	(41,941)	(41,941)
Intangibles	14	**(10,999)**	(3,909)	(3,806)
Proceeds from sale of fixed assets		**100**	37	(37)
Net cash flow used in investing activities		**(47,938)**	(45,554)	(45,554)
Cash flow from financing activities				
Payment of principal portion of lease liabilities	16	**(18,824)**	(19,020)	(19,020)
Net payments for reimbursement of capital		**(1,467)**	(1,067)	(1,057)
Net cash flow from (used in) financing activities		**(-20,291)**	(20,387)	(20,087)
Increase/(decrease) of cash and cash equivalents		**(7,569)**	130,158	130,148
Movement in cash and cash equivalents				
At the beginning of the year		**397,224**	266,332	266,332
Increase/(decrease) of cash and cash equivalents		**7,569**	130,148	130,148
Effects of exchange rate changes		**(-3,874)**	744	744
At the end of the year	18	**400,919**	397,224	397,224
Cash and cash equivalent components are:				
Cash	18	**81,554**	54,491	54,491
Liquid money market products	18	**319,798**	342,926	342,926
Credit loss allowance	18	**(433)**	(193)	(193)
At the end of the year	18	**400,919**	397,224	397,224

SWIFT offices

Global presence

29 offices worldwide

Connecting more than **200 countries** and territories.

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The list of SWIFT offices can change from time to time. Updated contact details for our offices can be found at **www.swift.com.**

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 22-cv-00243-DDD

ANDREW MORTON GARRETT,

Plaintiff,

v.

SECRETARY GENERAL AND THE SECRETARIAT OF THE UNITED NATIONS,
&
ANDREW MORTON GARRETT AS TRUSTEE IN BANKRUPTCY and/or LIQUIDATOR AND MANAGING CONTROLLER APPOINTED TO:

- THE CROWN (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED),
- QUEEN'S DOMINIONS (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED),
- SECRETARIAT OF THE COMMONWEALTH OF NATIONS (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED),
- AUSTRALIAN SECURITIES AND INVESTMENT COMMISSION (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED),
- AUSTRALIAN DEPARTMENT OF DEFENCE (LIQUIDATOR AND MANAGING CONTROLLER),
- AUSTRALIAN SIGNALS DIRECTORATE (LIQUIDATOR AND MANAGING CONTROLLER),
- AUSTRALIAN CENTER FOR CYBER SECURITY (LIQUIDATOR AND MANAGING CONTROLLER),
- RESERVE BANK OF AUSTRALIA (LIQUIDATOR AND MANAGING CONTROLLER),
- AUSTRALIAN INFORMATION COMMISSIONER (A BANKRUPT),
- AUSTRALIAN PRUDENTIAL REGULATORY AUTHORITY (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED),
- AUSTRAC (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED),
- AUSTRALIAN FINANCIAL SECURITY AUTHORITY (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED),
- AUSTRALIAN COMPETITION AND CONSUMER COMMISSION (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED),
- COMMONWEALTH DIRECTOR OF PUBLIC PROSECUTIONS (A BANKRUPT),
- IP AUSTRALIA (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED),
- AUSTRALIAN GOVERNMENT SOLICITOR (A BANKRUPT),
- AUSTRALIAN ATTORNEY GENERALS OFFICE (LIQUIDATOR AND MANAGING CONTROLLER),
- HIGH COURT OF AUSTRALIA (LIQUIDATOR AND MANAGING CONTROLLER),
- FEDERAL COURT OF AUSTRALIA (LIQUIDATOR AND MANAGING CONTROLLER),
- FEDERAL CIRCUIT COURT OF AUSTRALIA (LIQUIDATOR AND MANAGING CONTROLLER),
- ADMINISTRATIVE APPEALS TRIBUNAL (LIQUIDATOR AND MANAGING CONTROLLER),
- SUPREME COURT OF SOUTH AUSTRALIA (LIQUIDATOR AND MANAGING CONTROLLER),
- DISTRICT COURT OF SOUTH AUSTRALIA (LIQUIDATOR AND MANAGING CONTROLLER),
- ADELAIDE MAGISTRATES COURT (LIQUIDATOR AND MANAGING CONTROLLER),
- DEPARTMENT OF PREMIER AND CABINET OF SOUTH AUSTRALIA (LIQUIDATOR AND MANAGING CONTROLLER),
- SOUTH AUSTRALIAN DEPARTMENT OF INFRASTRUCTURE PLANNING AND DEVELOPMENT TRADING AS THE LANDS TITLES OFFICE (LIQUIDATOR AND MANAGING CONTROLLER),
- SOUTH AUSTRALIAN REGISTRAR GENERAL (A BANKRUPT),
- SOUTH AUSTRALIAN INDEPENDENT COMMISSIONER AGAINST CORRUPTION (A BANKRUPT),
- SOUTH AUSTRALIAN LEGAL PROFESSION CONDUCT COMMISSIONER (A BANKRUPT),

- BANK MANDIRI LIMITED ((LIQUIDATOR AND MANAGING CONTROLLER),
- BBVA BANK LIMITED (LIQUIDATOR AND MANAGING CONTROLLER),,
- BANK OF INDONESIA (LIQUIDATOR AND MANAGING CONTROLLER),,
- SCOTT MORRISION (A BANKRUPT) ,
- ANDREW BARR (A BANKRUPT) ,
- GLADYS BEREJKLIAN (A BANKRUPT) ,
- MICHAEL GUNNER (A BANKRUPT) ,
- ANNASTACIA PALASZCZUK (A BANKRUPT) ,
- STEPHEN MARSHALL (A BANKRUPT) ,
- PETER GUTWEIN (A BANKRUPT) ,
- DANIEL ANDREWS (A BANKRUPT) ,
- MARK MCGOWAN (A BANKRUPT) ,

and others named in the schedule

Defendants.

SUMMONS IN A CIVIL ACTION

To: Society for Worldwide Interbank Financial Telecommunications and related entities (Managing Controller Appointed) Avenue Adele, 1, 1310 La Hulpe, Belgium. EMAIL: OFFICE-facilities.Generic@swift.com C/- Australian Government Solicitor (A Bankrupt), level 10/60 Martin Place, Sydney, NSW, 2000, Email: processservice@ags.gov.au

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address is:

Andrew Morton Garrett
Unit 3 Number 11 Harvey Street
Nailsworth, South Australia
Australia 5150

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

UNITED STATES DISTRICT COURT DISTRICT OF COLORADO

03/19/2022
Date:

s/A. Thomas, Deputy Clerk
Signature of Clerk or Deputy Clerk

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SCHEDULE

WESTPAC BANKING CORPORATION LIMITED (MANAGING CONTROLLER APPOINTED),
NATIONAL AUSTRALIA BANK LIMITED (MANAGING CONTROLLER APPOINTED),
ANZ BANKING GROUP (MANAGING CONTROLLER APPOINTED),
COMMONWEALTH BANK OF AUSTRALIA (MANAGING CONTROLLER APPOINTED),
PERPETUAL LIMITED (MANAGING CONTROLLER APPOINTED),
INVESTIC AUSTRALIA LIMITED (MANAGING CONTROLLER APPOINTED),
N.M. ROTHSCHILD LIMITED (MANAGING CONTROLLER APPOINTED),
WELLS FARGO BANK LIMITED (MANAGING CONTROLLER APPOINTED),
JOSEPH LONGO (A BANKRUPT),
JOE ZUBICH (A BANKRUPT),
MARGARET BOOTHMAN (A BANKRUPT),
KRISTINA PENNY (A BANKRUPT)
MUTIARA BERSAUDARA SEMESTA P.T. (LIQUIDATOR AND MANAGING CONTROLLER),
SHEIK KHALID MOHAMED AL KHALIFA (A BANKRUPT)
SOCIETY FOR WORLDWIDE INTERBANK FINANCIAL TELECOMMUNICATIONS AND RELATED ENTITIES (MANAGING CONTROLLER APPOINTED)
and others named in the materials