



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

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Details of Filing

File Number: M28/2020
File Title: Minister for Home Affairs & Anor v. Marie Theresa Arthur as
Registry: Melbourne
Document filed: Form 27B - Appellant's chronology
Filing party: Appellants
Date filed: 08 May 2020

Important Information

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**IN THE HIGH COURT OF AUSTRALIA
MELBOURNE REGISTRY**

**ON APPEAL FROM
THE FULL COURT OF THE FEDERAL COURT OF AUSTRALIA**

BETWEEN: **MINISTER FOR HOME AFFAIRS**
First Appellant

COMMONWEALTH OF AUSTRALIA
Second Appellant

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**AND: MARIE THERESA ARTHUR AS
LITIGATION REPRESENTATIVE FOR
BXD18**
Respondent

APPELLANTS' CHRONOLOGY

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Part 1:

1. This chronology is in a form suitable for publication on the Internet.

Part 2:

The following acronyms are used in the following table:

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- **CSAG** – Statement of Agreed Facts common to all proceedings (Common Statement of Agreed Facts)
- **BXD18 SAG** – Statement of Agreed Facts in BXD18
- **ABFM** – Joint Appellants' Book of Further Material
- **FC** – Reasons for judgment of the Full Court of the Federal Court

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Date	Event	Reference in evidence
10 Sept 2012	Minister for Immigration and Citizenship designates the Republic of Nauru as a Regional Processing Country under s 198AB(1) of the <i>Migration Act 1958</i> (Cth).	FC [19] CSAG [1], ABFM 260

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	2012-present	Commonwealth enters into contract with various entities for the provision of services on Nauru, including for the provision of health services, security services, education services and other support services.	FC [24]-[25] CSAG [6]-[7], ABFM 261-262
10	3 Aug 2013	Commonwealth and Nauru sign a Memorandum of Understanding relating to the transfer to and assessment of persons in Nauru.	FC [19] CSAG [2], ABFM 260
	11 Nov 2013	BXD18 and her family arrive on Christmas Island.	FC [56] BXD18 SAG [2], ABFM 323
20	14 Nov 2013	BXD18 and her family are taken to Nauru by officers of the Commonwealth. On their arrival in Nauru each member of the family is granted a Nauru Regional Processing Visa.	FC [56]-[57] BXD18 SAG [3]- [5], ABFM 323
30	11 Apr 2014	Commonwealth Secretary of the Department of Immigration and Border Protection and the Nauruan Secretary of the Department of Justice and Border Control sign 'Administrative Arrangements for Regional Processing and Settlement Arrangements in Nauru'.	FC [22] CSAG [5], ABFM 261
40	15 Mar 2015	BXD18 and her family are determined to be refugees by the Nauruan government. Thereafter, BXD18 and her family reside in the Nauruan community.	FC [59] BXD18 SAG [6]- [7], ABFM 323
50	13 Apr 2018	BXD18 commences proceedings in the Federal Court, by filing an originating application, statement of claim application for urgent interlocutory relief and affidavit material.	FC [60] BXD18 SAG [13], ABFM 324 ABFM 72

	15 Apr 2018	BXD18 and her father and brother arrive in Australia having been brought by the Commonwealth from Nauru under s 198B.	FC [61] BXD18 SAG [14], ABFM 324
	27 Aug 2018	BXD18 files an Amended Statement of Claim.	FC [60] BXD18 SAG [15], ABFM 324 ABFM 91
10	19 Nov 2018	The appellants file a Defence.	FC [62] BXD18 SAG [17], ABFM 325 ABFM 112
20	1 Mar 2019	Griffiths J of the Federal Court orders that questions in this matter, and the related matters, be heard separately from other questions. The matter is to be heard by a Full Court of the Federal Court.	
	8 Apr 2019	BXD18 files an Amended Reply.	FC [63] BXD18 SAG [19], ABFM 325 ABFM 128
30	9 Apr 2019	The appellants file a Rejoinder to the Amended Reply.	FC [63] BXD18 SAG [20], ABFM 325 ABFM 131
40	7-8 May 2019	Hearing on the separate questions takes place before the Full Court.	
	28 Aug 2019	Judgment on the separate questions is given by the Full Court.	Core Appeal Book, p 5

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20 Mar 2020 Special leave to appeal granted by Kiefel CJ and
Nettle J

Core Appeal Book,
p 126

Dated: 8 May 2020

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