

IN THE HIGH COURT OF AUSTRALIA  
SYDNEY REGISTRY

NO S195 OF 2016

**BETWEEN:**

**PLAINTIFF S195/2016**

Plaintiff

**AND:**

**MINISTER FOR IMMIGRATION AND  
BORDER PROTECTION**

First Defendant

**COMMONWEALTH OF AUSTRALIA**

Second Defendant

**BROADSPECTRUM (AUSTRALIA)  
PTY LTD (ACN 000 484 417)**

Third Defendant

**ANNOTATED CHRONOLOGY OF THE FIRST AND SECOND DEFENDANTS**

Filed on behalf of the first and second defendants by:

Australian Government Solicitor  
Level 42 – MLC Centre  
19 Martin Place  
SYDNEY NSW 2000  
DX 44 Sydney



Date of this document: 10 April 2017

Contact: Andras Markus  
File ref: 16005810  
Telephone: 02 9581 7472  
Facsimile: 02 9581 7650  
Email: andras.markus@ags.gov.au

## PART I PUBLICATION

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

## PART II CHRONOLOGY

Date	Event <sup>1</sup>	Reference <sup>2</sup>
2 September 2012	The PNG Minister: made a Declaration of Relocation Centre; made a Direction to Reside in a Relocation Centre; appointed Matalo Rabura as Administrator of the Manus RPC; and made an exemption for Transferees from ss 3 and 7 of the PNG Migration Act.	SC [19]; SCB 823
8 September 2012	The Commonwealth and PNG signed the 2012 Memorandum of Understanding.	SC [4]; SCB 14
9 October 2012	The Minister designated PNG as a regional processing country under s 198AB(1) of the Migration Act.	SC [5]; SCB 20
27 November 2012	The PNG Minister made: a Declaration of Relocation Centre; a Direction to Reside in a Relocation Centre; and an exemption for Transferees from ss 3 and 7 of the PNG Migration Act.	SC [20]; SCB 825
23 April 2013 and 30 April 2013	The Chief Migration Office of the Immigration and Citizenship Service of PNG and the Secretary of the Department of Immigration and Citizenship of the Commonwealth signed the 2013 Administrative Arrangements.	SC [6]; SCB 70
19 July 2013	The Commonwealth and PNG signed the Regional Resettlement Arrangement.	SC [7]; SCB 85
21 July 2013	Officers of the Commonwealth intercepted a vessel carrying the plaintiff.	SC [31(b)]
24 July 2013	The plaintiff arrived at Christmas Island after being taken there by officers of the Commonwealth.	SC [31(c)]
29 July 2013	The Minister made a direction pursuant to s 198AD(5) of the Migration Act.	SC [8]; SCB 87
5 and 6 August 2013	The Commonwealth and PNG signed the 2013 Memorandum of Understanding.	SC [9]; SCB 89
14 August 2013	The PNG Minister: made a Declaration of Relocation Centre; made a Direction to Reside in a Relocation Centre; appointed Matalo Rabura as Administrator of the Manus RPC and the East Lorengau Refugee Transit Centre; and made an exemption for Transferees from ss 3 and 7 of the PNG Migration Act.	SC [21]; SCB 827

<sup>1</sup> Abbreviations adopted in the special case filed 14 March 2017 are adopted in this chronology.

<sup>2</sup> "SC" references are to paragraphs of the special case. "SCB" references are to pages in the special case book.

Date	Event <sup>1</sup>	Reference <sup>2</sup>
26 August 2013	Officers of the Commonwealth took the plaintiff to PNG pursuant to s 198AD(2) of the Migration Act. Since his arrival, he has resided at the Manus RPC.	SC [32], [40]
24 March 2014	The Commonwealth and Broadspectrum entered into the Broadspectrum Contract.	SC [14]; SCB 112
17 July 2014	A Deputy Secretary of the Department of Immigration and Border Protection of the Commonwealth and the Chief Migration Officer of the Immigration and Citizenship Service Authority of PNG signed the 2014 Administrative Arrangements.	SC [11]; SCB 95
15 December 2014	The PNG Minister made: a Declaration of Relocation Centre; and a Direction to Reside in a Relocation Centre.	SC [22]; SCB 829
21 April 2015	The Commonwealth and Broadspectrum varied the Broadspectrum Contract by the Deed of Variation No 1.	SC [15(a)]; SCB 268
28 October 2015	The Commonwealth and Broadspectrum varied the Broadspectrum Contract by the Deed of Variation No 2.	SC [15(b)]; SCB 361
26 February 2016	The Commonwealth and Broadspectrum varied the Broadspectrum Contract by the Deed of Variation No 3	SC [15(c)]; SCB 395
4 April 2016	The PNG Minister: made a Declaration of Places of Immigration Detention; appointed the occupant of the position of "ICSA 01 Deputy Chief Migration Officer, Refugees and Settlement Division" within the Immigration and Citizenship Service Authority of PNG as Administrator of the Manus RPC and the East Lorengau Refugee Transit Centre; and authorised certain officers to exercise certain powers under the PNG Migration Act.	SC [23]; SCB 830
26 April 2016	The PNG Supreme Court gave judgment in the <i>Namah Decision</i> .	SC [24]; SCB 834
12 May 2016	The PNG government announced that the perimeter fence gates to the Manus RPC were opened. From that time, the plaintiff was permitted to leave and return to the Manus RPC as he wishes, subject to certain conditions.	SC [26], [41]
1 July 2016	The Immigration and Citizenship Service Authority of PNG gave a negative initial assessment to the plaintiff's application to it to be recognised by PNG as a refugee under the PNG Migration Act.	SC [33(c)]
12 December 2016	The PNG Minister made a final ministerial determination in which he determined that the plaintiff is not a refugee, and a Removal Order and Direction as to Custody in respect of the plaintiff.	SC [34]–[35]; SCB 868, 870, 871

Date	Event <sup>1</sup>	Reference <sup>2</sup>
9 February 2017	The Removal Order and Direction as to Custody in respect of the plaintiff were served on him. The plaintiff attended a meeting with PNG officers and was served with further documents.	SC [36]–[37]; SCB 872, 873

Dated: 10 April 2017



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**Stephen Donaghue QC**  
 Commonwealth Solicitor-General  
 T: 02 6141 4139  
 F: 02 6141 4149  
 E: stephen.donaghue@ag.gov.au

.....  
**Geoffrey Kennett SC**  
 T: 02 9221 3933  
 F: 02 9221 3724  
 E: kennett@tenthfloor.org

.....  
**Anna Mitchelmore**  
 T: 02 9223 7654  
 F: 02 9232 1069  
 E: amitchelmore@sixthfloor.com.au

.....  
**Perry Herzfeld**  
 T: 02 8231 5057  
 F: 02 9232 7626  
 E: pherzfeld@elevenwentworth.com