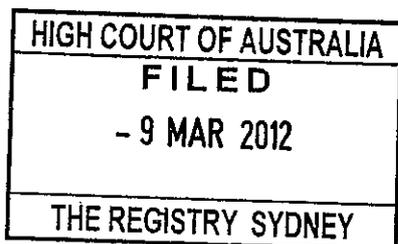


ON APPEAL FROM THE
FULL COURT OF THE FEDERAL COURT OF AUSTRALIA

BETWEEN: COMMONWEALTH OF AUSTRALIA
Appellant



AND: DR IL-SONG LEE
First Respondent
WAL GRIGOR, PATRICK TAN AND DAVID RIVETT
IN THEIR CAPACITY AS PROFESSIONAL
SERVICES REVIEW COMMITTEE No 292
Second Respondent
CHIEF EXECUTIVE OFFICER OF MEDICARE
AUSTRALIA
Third Respondent
DETERMINING AUTHORITY ESTABLISHED BY
SECTION 106Q OF THE HEALTH INSURANCE ACT
1973 (CTH)
Fourth Respondent
DIRECTOR OF PROFESSIONAL SERVICES
REVIEW
Fifth Respondent

CHRONOLOGY OF THE APPELLANT

PART I

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

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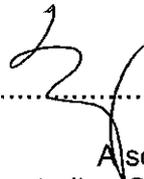
PART II

Date	Event	Page
13 December 2001	The Health Insurance Commission (subsequently Medicare Australia) makes an investigative referral to the Director of Professional Services Review ('the Director') pursuant to s 106KA of the <i>Health Insurance Act 1973</i> (Cth) ('the Act').	
14 February 2002	The Director purports to constitute Professional Services Review Committee number 292 ('the Committee') pursuant to ss 93(1) of the Act, comprising Dr Wallace	

	Grigor as Chairperson and Dr David Rivett and Dr Patrick Tan as members. The Director makes Professional Services Review ('PSR') referral number 292 to the Committee in respect of Dr Lee purportedly pursuant to ss 93(1) of the Act.
13 March 2002	The Committee holds a meeting purportedly pursuant to s 97 of the Act and determines that an oral hearing is warranted.
30 May 2002	The Committee holds an oral hearing purportedly pursuant to ss 101(1) of the Act. Dr Lee attends the hearing, accompanied by his legal representative.
24 January 2005	The Minister executes an instrument stating that he appoints, among others, Dr Wallace Grigor as a Deputy Director of PSR under ss 85(1) of the Act for the period from 25 January 2005 until the expiration of 24 January 2010.
21 August 2009	The Committee sends a copy of the Committee's draft report, purportedly prepared pursuant to section 106KD of the Act, to Dr Lee.
6 October 2009	The Committee sends a copy of the Committee's final report, purportedly prepared pursuant to s 106L of the Act, to Dr Lee.
16 December 2009	The Committee sends a copy of the Committee's final report, purportedly pursuant to ss 106L(3) of the Act, to the Determining Authority.
1 June 2010	The Determining Authority sends a copy of its draft determination to Dr Lee, care of his legal representative.
6 July 2010	The Determining Authority makes its final determination.
5 August 2010	The First Respondent files an Application for an Order of Review pursuant to ss 5 and 6 of the <i>Administrative Decisions (Judicial Review) Act 1977</i> and ss 39B(1A) of the <i>Judiciary Act 1903</i> (Cth) in the Federal Court of Australia. That Application seeks to review the decision, conduct or actions of the Second, Fourth and Fifth Respondents, and the Appellant in the above process.
8 April 2011	By consent, Justice Flick orders that agreed questions be determined separately and before any trial in the proceedings. Justice Flick further reserves those questions for consideration and determination by the Full Court, pursuant to s 25(6) of the <i>Federal Court of Australia Act 1976</i> (Cth).

- 28 July 2011 The Full Court of the Federal Court comprised of Rares, Flick and Katzmann JJ order that the agreed questions be answered as set out in its reasons and as formalised in the orders dated 22 August 2011.
- 24 August 2011 The Appellant files an Application for Special Leave to Appeal the decision of the Full Court of the Federal Court, in the High Court of Australia.
- 10 February 2012 The High Court of Australia orders that Special Leave to Appeal be granted.
- 23 February 2012 The Appellant files a Notice of Appeal in the High Court of Australia.
- 1 March 2012 The First Respondent files a Notice of Contention and Notice of Constitutional matter in the High Court of Australia.

Date of filing: 9 March 2012


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Hervee Dejean
Solicitor employed by
Australian Government Solicitor
Solicitor for the Appellant