

BETWEEN:

COMPTROLLER-GENERAL OF CUSTOMS

Appellant

DOMENIC ZAPPIA

Respondent



**CHRONOLOGY OF THE APPELLANT**

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**PART I FORM OF CHRONOLOGY**

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

**PART II CHRONOLOGY**

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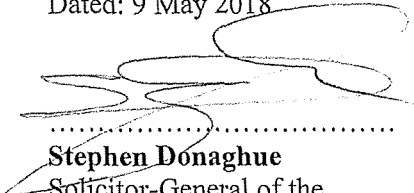
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<b>Date</b>	<b>Event</b>	<b>Core Appeal Book reference</b>
14.11.2014	Warehouse Licence No 6379 ( <b>Licence</b> ) held by Zaps Transport (Aust) Pty Ltd ( <b>Zaps</b> ) for premises in Smithfield, NSW ( <b>Warehouse</b> ) is renewed; permits storage of " <i>Goods subject to Customs control excluding petroleum and like products</i> ".	Pages 7, 8 (AAT [3], [5]); pages 29, 42 (FC [10], [11], [48])
15.04.2015	Following four separate incidents of theft of cigarettes from the Warehouse, the CEO of Customs varies the conditions of Zaps' Licence so that it is no longer authorised to store tobacco or tobacco products at the Warehouse.	Pages 8 (AAT [8]); pages 30, 43 (FC [12], [50])
23.05.2015	The Warehouse is broken into for the fifth time and 400,000 cigarette sticks are stolen ( <b>Stolen Goods</b> ).	Page 8 (AAT [9]); pages 30, 43 (FC [12], [51])

	<b>Date</b>	<b>Event</b>	<b>Core Appeal Book reference</b>
	25.05.2015	Domenic Zappia ( <b>Domenic</b> ), Zaps' general manager and warehouse manager, meets with officers of the ATO to discuss break-ins at the Warehouse.	Pages 7-8, 11-13 (AAT [7], [23], [26], [31]); pages 29, 32, 33, 42 ( FC [10], [23], [24], [49])
	27.05.2015	Permission is granted by Customs under s 71E of the <i>Customs Act 1901</i> (Cth) to move certain goods from the Warehouse to other licensed premises.	Page 43 (FC [51])
10	27.08.2015	A Collector serves a notice of statutory demand on each of Zaps, John Zappia ( <b>John</b> ) (Domenic's father and the director of Zaps) and Domenic under s 35A of the Act (together, <b>Notices</b> ), requiring payment of an amount equal to the amount of the duty otherwise payable on the Stolen Goods, being \$188,032.	Pages 7, 8, 11 (AAT [7], [10], [22]); pages 29-30, 42-43, 44 (FC [10], [13], [49], [52], [54])
	25.09.2015	Each of Zaps, Domenic and John make application to the Administrative Appeals Tribunal ( <b>Tribunal</b> ) for review of the decision to issue the relevant Notice to them.	Page 31 (FC [16])
20	17.02.2017	The Tribunal publishes its decision and reasons for decision, affirming the decisions under review.	Page 5
	15.03.2017	Domenic appeals the Tribunal's decision to the Federal Court of Australia	Pages 31, 47 (FC [16], [63]), 73
	19.09.2017	The Federal Court of Australia constituted as a Full Court ( <b>FCAFC</b> ) publishes its reasons for judgment and makes an order, amongst others, allowing Domenic's appeal.	Pages 22, 67
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Date	Event	Core Appeal Book reference
21.03.2018	The High Court of Australia (Gageler and Keane JJ) grants the appellant special leave to appeal from the whole of the judgment and order of the FCAFC.	Page 79

Dated: 9 May 2018



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**Stephen Donaghue**  
 Solicitor-General of the  
 Commonwealth  
 Telephone: 02 6141 4145  
 Facsimile: 02 6141 4149  
 stephen.donaghue@ag.gov.au

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**David Thomas**  
 Telephone: 02 9232 4478  
 Facsimile: 02 9232 1069  
 dthomas@sixthfloor.com.au

.....  
**Rowan Minson**  
 Telephone: 02 6141 4147  
 Facsimile: 02 6141 4099  
 rowan.minson@ag.gov.au

Counsel for the Appellant

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