

BETWEEN:

AUSTRALIAN EDUCATION UNION
Applicant

AND

10

GENERAL MANAGER OF FAIR WORK AUSTRALIA, TIM LEE
First Respondent

PRESIDENT OF AUSTRALIAN PRINCIPALS FEDERATION, FRED WUBBELING
Second Respondent

AUSTRALIAN PRINCIPALS FEDERATION
Third Respondent

20

APPLICANT'S CHRONOLOGY

Part I: Certification

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

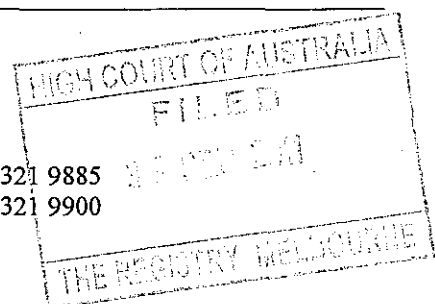
Part II: Principal events

Date	Event	Reference
16 December 2003	The Australian Principals Federation (APF) applied to the Australian Industrial Relations Commission (the AIRC) for registration under the <i>Workplace Relations Act 1996</i> (Cth) (the WR Act).	

Date of document:
Filed on behalf of:
Prepared by:
Holding Redlich Lawyers
277 William Street
MELBOURNE 3000

30 September 2010
the Applicant

David Shaw
Tel No. (03) 9321 9885
Fax No. (03) 9321 9900

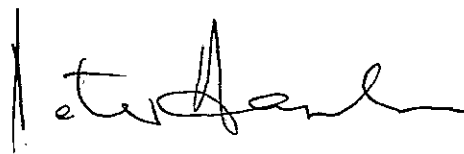


- 27 January 2006 Ross VP granted the APF's application for registration.
- 30 January 2006 The Industrial Registrar entered the prescribed particulars of the APF into the register of registered organisations.
- 26 September 2006 The Full Bench of the AIRC dismissed the Australian Education Union's (the AEU's) appeal from Ross VP's decision.
- 24 November 2006 The AEU applied to the High Court for constitutional writs in relation to the AIRC's decision to grant the APF registration.
- 19 February 2007 The High Court remitted the AEU's application to the Federal Court.
- 18 July 2008 The Full Federal Court ordered that writs of certiorari issue to quash the AIRC's decisions and the registration of the APF: *Australian Education Union v Lawler* (2008) 169 FCR 327; [2008] FCAFC 135.
- 22 July 2008 The APF applied to the AIRC for leave to amend its rules.
- 20 November 2008 The APF's application, and the AEU's objections, were heard by the Full Bench of the AIRC. The Full Bench reserved its decision.
- 25 June 2009 The APF wrote to the First Respondent contending that s 26A of *Fair Work (Registered Organisations) Act 2009* (Cth) (the **FWRO Act**) (shortly to commence operation) would validate its registration.
- 1 July 2009 Section 26A of the FWRO Act commenced operation.
- 24 August 2009 The First Respondent informed the AEU and the APF that FWA regarded itself as obliged by s 26A to treat the APF as a registered organisation under the FWRO Act.
- 2 September 2009 The First Respondent wrote to the AEU and the APF affirming this view of s 26A and informing the parties that FWA had granted the APF an election under the

FWRO Act.

- 8 September 2009 The APF withdrew its application pending before the AIRC to amend its rules.
- 17 September 2009 The AEU commenced a proceeding in the Federal Court contending that s 26A, properly construed, does not operate to validate the registration of the APF.
- 22 April 2010 North J dismissed the AEU's application: *Australian Education Union v Lee* (2010) 196 IR 90; [2010] FCA 374.
- 20 December 2010 The Full Federal Court dismissed the AEU's appeal from North J's judgment: *Australian Education Union v Lee* (2010) 189 FCR 259; [2010] FCAFC 153.
- 17 January 2011 The AEU applied to the High Court for special leave to appeal from the Full Federal Court's decision.
- 2 September 2011 The AEU's special leave application was referred to the Full Court of the High Court.

Dated: 30 September 2011



PETER HANKS

Telephone: (03) 9225 8815
 Facsimile: (03) 9225 7293
 Email: peter.hanks@jr6.com.au

JONATHAN KIRKWOOD

Telephone: (03) 9225 7999
 Facsimile: (03) 9225 7728
 Email: jkirkwood@vicbar.com.au