



HIGH COURT OF AUSTRALIA

15 August 2012

JT INTERNATIONAL SA v COMMONWEALTH OF AUSTRALIA;
BRITISH AMERICAN TOBACCO AUSTRALASIA LIMITED & ORS v COMMONWEALTH
OF AUSTRALIA

On 17-19 April this year the High Court heard challenges by several tobacco companies to the validity of the *Tobacco Plain Packaging Act 2011* (Cth) ("the Act"). The plaintiffs sought to rely upon the restraint upon the legislative power of the Commonwealth Parliament found in s 51(xxxi) of the Constitution, which empowers the Parliament to make laws with respect to "the acquisition of property on just terms". The plaintiffs argued that some or all of the provisions of the Act were invalid because they were an acquisition of the plaintiffs' property otherwise than on just terms.

At least a majority of the Court is of the opinion that the Act is not contrary to s 51(xxxi). Today the Court made orders accordingly.

The Court will publish its reasons for decision at a later date.

- *This statement is not intended to be a substitute for the reasons of the High Court or to be used in any later consideration of the Court's reasons.*