



HIGH COURT OF AUSTRALIA

MR ROBERT JOHN DAY AO

TAKE NOTICE that the High Court of Australia will sit as the Court of Disputed Returns pursuant to s 376 of the *Commonwealth Electoral Act 1918 (Cth)* at 11:30am (AEDT) on Monday 21 November 2016 at Parkes Place, Parkes in Canberra, for the purpose of giving directions as to the hearing and determination by the Court of Disputed Returns of the following questions transmitted by the Senate on Tuesday 8 November 2016 pursuant to s 377 of the *Commonwealth Electoral Act 1918 (Cth)*:

- (a) whether, by reason of s 44(v) of the Constitution, or for any other reason, there is a vacancy in the representation of South Australia in the Senate for the place for which Robert John Day was returned;
- (b) if the answer to Question (a) is “yes”, by what means and in what manner that vacancy should be filled;
- (c) whether, by reason of s 44(v) of the Constitution, or for any other reason, Mr Day was at any time incapable of sitting as a Senator prior to the dissolution of the 44th Parliament and, if so, on what date he became so incapable;
- (d) what directions and other orders, if any, should the Court make in order to hear and finally dispose of this reference; and
- (e) what, if any, orders should be made as to the costs of these proceedings.

Any person who desires to place any evidence before or make any submission to the Court should apply to the Court by email addressed to Senate.Reference.Day@hcourt.gov.au by 12:00noon (AEDT) on Thursday 17 November 2016 setting out the reasons why they should be granted leave to appear before the Court. The Court may determine such application on the papers or invite the person to appear and make oral submissions to the Court in Canberra (or by video-link if required) at 11:30am (AEDT) on Monday 21 November 2016.

Inquiries should be directed to the Registry in Canberra by telephoning (02) 6270 6862.

DATED 9 NOVEMBER 2016

Andrew Phelan
Chief Executive and Principal Registrar