



# HIGH COURT OF AUSTRALIA

## NOTICE OF FILING

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### Details of Filing

File Number: S161/2025  
File Title: Coal Mining Industry (Long Service Leave Funding) Corporati  
Registry: Sydney  
Document filed: Form 27B - Appellant's chronology  
Filing party: Appellant  
Date filed: 23 Dec 2025

### Important Information

This Notice has been inserted as the cover page of the document which has been accepted for filing electronically. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties and whenever the document is reproduced for use by the Court.

**Form 27B – Appellant’s chronology**

Note: see rule 44.02.3.

IN THE HIGH COURT OF AUSTRALIA  
 SYDNEY REGISTRY

BETWEEN: **Coal Mining Industry (Long Service Leave Funding) Corporation**  
 Appellant

and

**Orica Australia Pty Ltd**  
 Respondent

**APPELLANT’S CHRONOLOGY****PART I — CERTIFICATION AS TO SUITABILITY FOR PUBLICATION**

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

**PART II — CHRONOLOGY OF PRINCIPAL EVENTS**

No.	Date	Event	Reference
1.	2006	The Respondent purchased all of the issued capital of Minova Australia Pty Ltd, which became a wholly owned subsidiary of the Respondent.	<i>Orica Australia Pty Ltd v Coal Mining Industry (Long Service Leave Funding Corporation)</i> [2023] FCA 1515 ( <b>PJ</b> ) [61]; <i>Orica Australia Pty Ltd v Coal Mining Industry (Long Service Leave Funding Corporation)</i> [2025] FCAFC 65 ( <b>FC</b> ) [10]; Core Appeal Book

No.	Date	Event	Reference
			(CAB) 24, 57; Statement of Agreed Facts (SOAF) [21]; Appellant's Book of Further Material (ABFM) 10.
2.	2006 to March 2013	Employees of Minova Australia Pty Ltd remain employed by Minova Australia Pty Ltd.	PJ [62]; CAB 24; SOAF [22]; ABFM 10.
3.	1 January 2010	<i>Black Coal Mining Industry Award 2010</i> commences operation.	PJ [15]; CAB 12.
4.	March 2013	Employees of Minova Australia Pty Ltd become employed by the Respondent.	PJ [62]; CAB 24; SOAF [24]; ABFM 10.
5.	12 June 2013	The Respondent notifies the Appellant that with effect from 28 February 2013, the Respondent assumed liability for all accumulated benefits, including long service leave of employees previously employed by Minova Australia Pty Ltd.	SOAF [25]; ABFM 10.
6.	21 May 2019	The Respondent issues further correspondence containing a notice to produce information and documents under section 52A of the Administration Act (2019 Notice). The correspondence asserted that the Respondent maintained its view the Appellant employed “eligible employees” as that term is defined in accordance with section 4 of the Administration Act.	PJ [9]; CAB 10; SOAF [6]-[7]; ABFM 6.
7.	12 September	The Respondent by letter advises the Appellant that it did not accept the	SOAF [12](g); ABFM 8.

No.	Date	Event	Reference
	2019	correctness and reasonableness of the Respondent's belief that its employees were "eligible employees".	
8.	1 March 2021	The Respondent commences proceedings in the Federal Court of Australia by way of Originating Application.	
9.	28 February 2022	The Respondent divests itself of the Minova business.	FC [51]; CAB 70.
10.	5 December 2023	Primary judge publishes Orders and Reasons for Judgment.	CAB 5, 34.
11.	6 February 2024	Primary judge publishes Final Orders and Reasons for Judgment: <i>Orica Australia Pty Ltd v Coal Mining Industry (Long Service Leave Funding Corporation)</i> [2024] FCA 54.	CAB 36, 42.
12.	1 March 2024	The Respondent files a Notice of Appeal in the Full Court of the Federal Court of Australia.	CAB 45.
13.	25 March 2024	The Appellant files Notice of Contention in the Full Court of the Federal Court of Australia.	CAB 49.
14.	15 May 2025	Full Court publishes Orders and Reasons for Judgment.	CAB 52, 84.
15.	17 July 2025	Full Court publishes Orders and Reasons for Judgment (Costs): <i>Orica Australia Pty Ltd v Coal Mining Industry (Long Service Leave Funding) Corporation (No 2)</i> [2025] FCAFC 90.	CAB 86, 92.
16.	14 August 2025	The Appellant files an application for special leave to appeal to the High Court.	
17.	6 November	The High Court of Australia grants the	CAB 103.

No.	Date	Event	Reference
	2025	Appellant Special Leave to Appeal.	
18.	20 November 2025	The Appellant files a Notice of Appeal.	CAB 105.
19.	27 November 2025	The Respondent files a Notice of Cross Claim.	CAB 108.

**Dated 23 December 2025**



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