



## HIGH COURT OF AUSTRALIA

### NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 27 Jul 2026 and has been accepted for filing under the *High Court Rules 2004*. Details of filing and important additional information are provided below.

#### Details of Filing

File Number: M50/2026  
File Title: White Australia Party Inc. & Anor v. The Commonwealth of A  
Registry: Melbourne  
Document filed: Form 3 - Order -Gageler CJ - 27.07.26  
Filing party: HCA  
Date filed: 27 Jul 2026

#### 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.



IN THE HIGH COURT OF AUSTRALIA  
MELBOURNE REGISTRY

BETWEEN:

**White Australia Party Inc.**  
First Plaintiff

**Thomas Anthony Sewell**  
Second Plaintiff

and

**Commonwealth of Australia**  
First Defendant

**Attorney-General of the Commonwealth**  
Second Defendant

**ORDER**

JUSTICE: Chief Justice Gageler

DATE GIVEN: 27 July 2026

INITIATING PROCESS: Special Case / Consent



BY CONSENT THE COURT ORDERS THAT:

1. Pursuant to r 27.08.1 of the *High Court Rules 2004* (Cth), the questions of law stated by the parties in the special case be referred for consideration by a Full Court on 8 and 9 September 2026.
2. Part 44 of the *High Court Rules 2004* (Cth) applies, with variations as to the dates listed in orders 3 to 8 and any other necessary variations or adaptations.
3. By 4.00pm on Friday 17 July 2026, the defendants file and serve a special case book.
4. By 4.00pm on Wednesday 29 July 2026, the plaintiffs file and serve written submissions of no more than 20 pages.
5. By 4.00pm on Friday 31 July 2026, any intervener in support of the plaintiffs file and serve written submissions of no more than 20 pages.
6. By 4.00pm on Friday 14 August 2026, the defendants file and serve written submissions of no more than 20 pages.

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This order was prepared in the Registry.

7. By 4.00pm on Friday 21 August 2026, any intervener in support of the defendants, or who does not intervene in support of either the plaintiffs or the defendants, file and serve writing submissions of no more than 20 pages.
8. By 4.00pm on Friday 28 August 2026, the plaintiffs file and serve written submissions in reply of no more than 5 pages.
9. By 4.00pm on Monday 31 August 2026, the defendants file and serve the joint book of authorities, in accordance with High Court Practice Direction 2 of 2024.
10. The parties have liberty to apply on three days' written notice.

DATE AUTHENTICATED: 27 July 2026

