

C PTY LTD (ACN ...) AS TRUSTEE FOR THE C TRUST & ORS

v

MS CALDWELL & ORS

[2026] HCADisp 214

B40/2026

- 1 The applicants seek special leave to appeal from a judgment of the Federal Circuit and Family Court of Australia (Division 1) Appellate Jurisdiction (Christie and Brasch JJ, Strum J in dissent) which allowed an appeal from a decision of the Federal Circuit and Family Court of Australia (Division 1) (Carew J) which held that several trusts or their assets were not property within the meaning of s 79 of the *Family Law Act 1975* (Cth).
- 2 The proposed appeal is not a suitable vehicle for addressing the special leave questions raised by the applicants.
- 3 Special leave to appeal is refused with costs.

Gageler CJ
Gordon J
Edelman J
Gleeson J
Jagot J
Beech-Jones J

10 September 2026