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IN THE HIGH COURT OF AUSTRALIA
MELBOURNE OFFICE OF THE REGISTRY

No M22 of 1988

B E T W E E N :

ROBERT CLIVE FORDHAM and THE
STATE OF VICTORIA

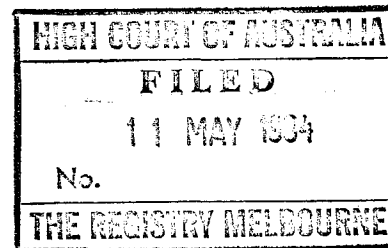
Applicants

- and -

GARETH EVANS, BHP PETROLEUM
PTY LTD, ESSO EXPLORATION &
PRODUCTION AUSTRALIAN INC and
OIL BASINS LIMITED

Respondents

ORDER



Ronald C. Beazley
Victorian Government Solicitor
200 Queen Street
MELBOURNE VIC 3000

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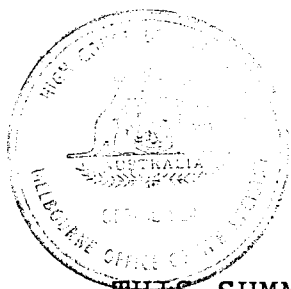
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BEFORE HER HONOUR JUSTICE GAUDRON
FRIDAY THE 6TH DAY OF MAY 1994

THIS SUMMONS FOR DIRECTIONS coming on for hearing this day at Canberra AND UPON READING the summons dated the 28th day of April 1994 and the affidavit of David Joseph Janson sworn the 27th day of April 1994 AND UPON HEARING Mr M A Adams one of Her Majesty's Counsel for the applicants and Mr R R S Tracey one of Her Majesty's Counsel for the first respondent and Mr J G Judd of Counsel for the second and third respondents and Mr R Merkel one of Her Majesty's Counsel for the fourth respondent IT IS ORDERED that:

1. The applicants serve on the respondents within 28 days their proposed case stated, stating inter alia the material facts upon which they rely and the constitutional provisions which they contend have been infringed, and stating what or what part of the *Excise Act 1901* and the *Excise Tariff Act 1921*, and any regulations, by-laws, administerial directions

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thereunder, contravene the *Constitution* or otherwise involve an invalid exercise of power conferred thereunder, and a statement of the material facts upon which they rely to support each contention that the *Constitution* has been infringed.

2. The respondents serve on the applicants any proposed amendments to the case stated within 42 days of service on them of the proposed case stated.
3. Liberty be reserved to all parties to apply to bring on an application for directions on 14 days notice to each party.

AND IT IS FURTHER ORDERED that the costs of this application be reserved AND IT IS CERTIFIED that this was a matter proper for the attendance of counsel in chambers.

