

Form 27B Appellant's chronology

(rule 44.02.3)

IN THE HIGH COURT OF AUSTRALIA
BRISBANE REGISTRY

No. B68 of 2012

BETWEEN: MINISTER FOR IMMIGRATION AND CITIZENSHIP
Appellant

10 and



XIUJUAN LI
First Respondent

and

MIGRATION REVIEW TRIBUNAL
Second Respondent

20

APPELLANT'S CHRONOLOGY

Part I:

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

Part II:

DATE	EVENT	APPEAL BOOK REFERENCES
8 January 2007	Successful Trades Recognition Australia (TRA) skills assessment (2007 TRA) by the first respondent.	[Full Court AB 218]
10 February 2007	Visa Application made by the first respondent.	[Full Court AB 190]
14 September 2007	Site visit by DIAC officers to the Market City Bar.	[Full Court AB 151]

THE APPELLANT'S SOLICITOR IS:

Barry Dunphy of Clayton Utz

Lawyers
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71 Eagle Street
Brisbane QLD 4000

Date: 21 December 2012

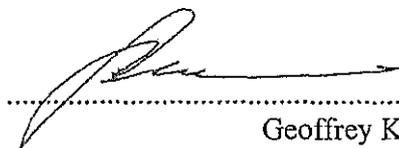
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DATE	EVENT	APPEAL BOOK REFERENCES
11 December 2007	Site visit by DIAC officers to the Market City Centre Management.	[Full Court AB 151]
2 July 2008	Interview by DIAC officers with the first respondent.	[Full Court AB 151]
4 December 2008	First respondent appoints a new representative.	[Full Court AB 180]
19 December 2008	First respondent's representative recognises information supplied for the 2007 TRA was false. Further, it is proposed that the first respondent apply again to TRA and the representative requests that " <i>you please hold my client's current permanent residence visa application in abeyance while she obtains the new TRA skills assessment?</i> "	[Full Court AB 173]
13 January 2009	Delegate refused the Visa, on the basis that the 2007 TRA is not genuine.	[Full Court AB 171]
30 January 2009	First respondent applies to the MRT for review.	[Full Court AB 159]
21 September 2009	MRT writes to the first respondent's representative, inviting comment on information relating to the claimed hours worked and the 2007 TRA.	[Full Court AB 151]
19 October 2009	First respondent's representative advises " <i>currently finalising a second skills assessment application to the relevant assessing body...</i> " and requests " <i>the current position is my client requests the Tribunal hold her merits review application in abeyance awaiting the outcome of the her fresh skills assessment application to TRA. ...</i> <i>The results of the fresh skills assessment should be available within 28 days,</i> "	[Full Court AB 139]
21 October 2009	The first respondent is invited to appear before the MRT for the purposes of an oral hearing on 11 December 2009.	[Full Court AB 134]

DATE	EVENT	APPEAL BOOK REFERENCES
28 October 2009	The first respondent accepts the invitation to the oral hearing.	[Full Court AB 130]
2 November 2009	The MRT advises of a re-scheduled oral hearing, on 18 December 2009.	[Full Court AB 122]
4 November 2009	The first respondent sends the second skills assessment sent to TRA.	[Full Court AB 97]
11 December 2009	The first respondent's representative requests the MRT receive oral evidence from 2 witnesses in relation to the first respondent's further work experience and skills.	[Full Court AB 117]
18 December 2009	Hearing before the MRT, where the first respondent's representative advised that a second skills assessment has not yet been received.	[Full Court AB 84]
21 December 2009	MRT writes to the first respondent's representative, inviting comment on information.	[Full Court AB 106]
18 January 2010	First respondent's representative provides further comments, noting unsuccessful second skills assessment and that a review of the TRA decision is being sought. It is requested " <i>that the Tribunal forbear from making any final decision regarding her review application until the outcome of her skills assessment application is finalised</i> ".	[Full Court AB 96]
25 January 2010	Decision of the MRT.	[Full Court AB 76]
22 February 2010	Application to the Federal Magistrates Court by the first respondent.	[Full Court AB 1]
7 July 2010	First hearing in the Federal Magistrates Court.	[Full Court AB 252]
23 August 2011	Second Hearing in the Federal Magistrates Court	[Full Court AB 261]
31 August 2011	Federal Magistrates Court Judgment; [2011] FMCA 625	[Full Court AB 251]

DATE	EVENT	APPEAL BOOK REFERENCES
19 September 2011	The Appellant files a Notice of Appeal in Federal Court	[Full Court AB 272]
31 October 2011	Hearing in the Full Court of the Federal Court of Australia	
2 and 12 March 2012	Supplementary Submissions are filed in the Full Court of the Federal Court of Australia	
24 May 2012	Full Court Federal Court Judgment; [2012] FCAFC 74	
21 June 2012	An Application for special leave to appeal to the High Court of Australia is filed.	
16 November 2012	The Application for special leave is heard, and granted; [2012] HCATrans 295	

Dated: 21 December 2012



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10



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