



**Presentation to the
Law via Internet (Lvi) Conference
2015**

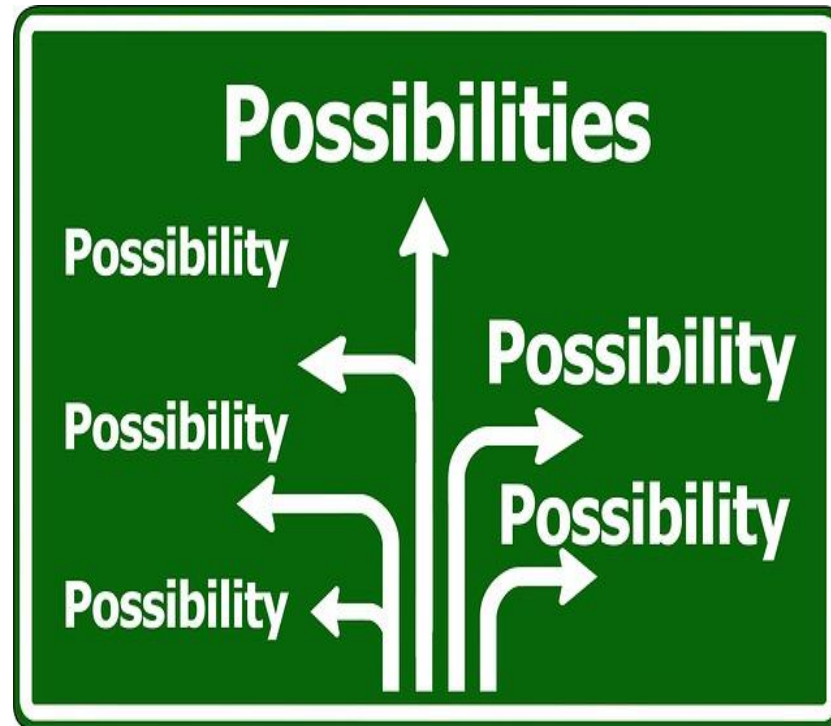
Megan O'Brien

The Court as publishers of legal information

- Case information
- Registers – Admiralty, Bankruptcy
- Forms
- Practice notes
- Speeches
- Judgments
- Guides
- Orders
- Seminar papers
- Court lists
- Current awareness bulletins

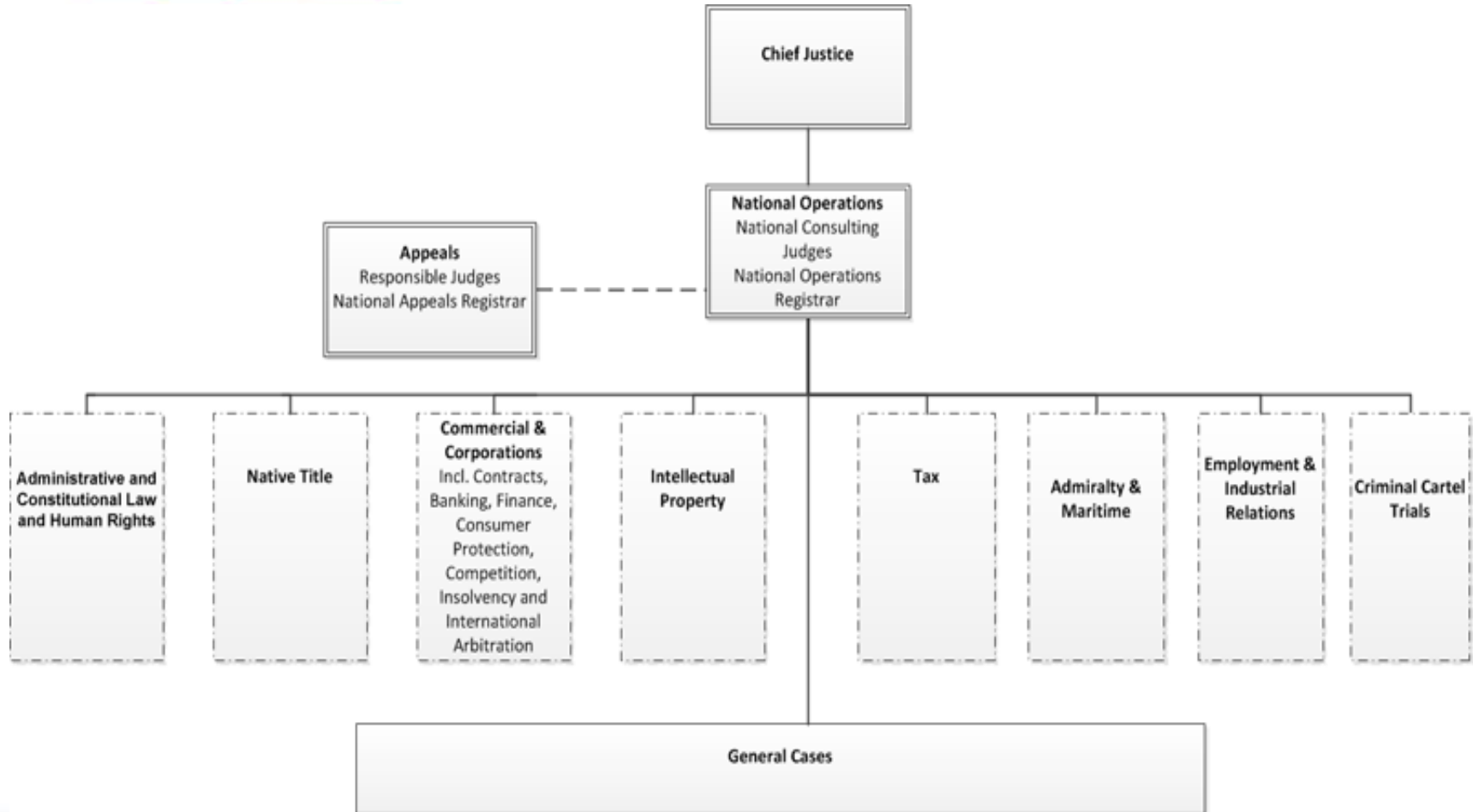


Court change or reform





National Practice Areas





FEDERAL COURT OF AUSTRALIA

Current approach



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FEDERAL COURT
OF AUSTRALIA

Put all the elements together





FEDERAL COURT
OF AUSTRALIA

Subject matter pages

Admiralty Law

GENERAL FEDERAL LAW

Dispute Resolution

Administrative Law

Admiralty Law

Bankruptcy

Child Support

Consumer Matters

Human Rights

Industrial Law

Intellectual Property

Migration

Privacy

The Federal Circuit Court has jurisdiction under ss.9, 27 and 28 of the [Admiralty Act 1988](#) (Cth) and any matters referred to it by the Federal Court.

The jurisdiction allows the Court to hear proceedings commenced as actions in personam on:

- a maritime claim, or
- a claim for damage done to a ship.

The Federal Court or a State Courts may remit any *in rem* matters to the Federal Circuit Court.

The Court works in conjunction with the Federal Court. In particular, it is expected the Court will provide an alternative claims within the federal system.

The Court's admiralty work will be undertaken by nominated judges working with skilled registrars and registry staff in a best suited to the particular dispute.

Alternative Dispute Resolution

The Court provides the full range of its facilities, including mediation, early neutral evaluation, arbitration and judicial hearing and speedily to resolution.

To facilitate early resolution of claims, the Court expects parties to consider mediation or early neutral evaluation. The Court will refer matters to arbitration if parties consent.

The Court encourages the use of external mediation and arbitration.

Admiralty Law Forms

[Submitting Notice](#)

[Subpoena](#)

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[...](#)

Admiralty Law legislation

[Federal Court and Federal Circuit Court Rules 2011](#)

[Admiralty Rules 1988](#)

[Federal Circuit Court Rules 2011](#)

[...](#)



SUPREME COURT
OF VICTORIA

GOING TO COURT

FORMS, FEES AND SERVICES

LAW AND PRACTICE

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Admiralty

The Admiralty List is suitable for matters brought under the *Admiralty Act 1988 (Cth)* an damage to a ship or by a ship, or to goods carried by sea.

Judge in Charge

The Honourable Justice Digby

Guidelines

The following documents provide further guidance on Admiralty List proceedings.

- [Admiralty Act 1988 \(Cth\)](#) [↗](#)
- [Admiralty Rules 1988 \(Cth\)](#) [↗](#)
- [Supreme Court \(Admiralty\) Rules 2010 \(Vic\) \(Chapter VII\) \(PDF, 563 KB\)](#) [↗](#) or [Supreme Court \(Admiralty\) Rules 2010 \(Vic\) \(Chapter VII\) \(DOC, 86KB\)](#) [↗](#)

Contact details

For more information see [judicial support contacts](#).



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FEDERAL COURT OF AUSTRALIA

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You are here: [Home](#) > [Law & Practice](#) > [National Court Framework](#) > [Taxation NPA](#)

Taxation National Practice Area

The Taxation National Practice Area (NPA) covers:

- taxation appeals to the Federal Court to decisions made by the Commissioner of Taxation pursuant to Part IVC of the Tax Administration Act 1953;
- appeals from the Administrative Appeals Tribunal (AAT) which involve taxation disputation pursuant to s 44(1) of the Administrative Appeals Tribunal Act 1975; and
- any other proceedings the character of which is substantially taxation.

Latest Judgments

- 31 Jul 2015: [BCI Finances Pty Limited \(In Liq\) v Binetter \[2015\] FCA 786](#)
COSTS - security for costs - whether, in the circumstances of the present case, the most appropriate form of security is cash, bank guarantee or an undertaking to the Court to be provided by the Commissioner of Taxation (Cth) who is ...
Judge: Foster J
- 31 Jul 2015: [Davies v Deputy Commissioner of Taxation \[2015\] FCA 773](#)
TAXATION - employee share schemes - when shares and options were to be brought to tax - whether s 83A-15 of the Income Tax (Transitional Provisions) Act 1997 (Cth) operated where right was merely contingent - whether contingent right ...
Judge: Perram J

More judgments

Practice Notes

- [NCF 1 - Central Practice Note](#)
- [TAX 1 - Taxation](#)

All practice notes

Legislation

- [Taxation Administration Act 1953](#)
- [Administrative Decisions \(Judicial Review\) Act 1977](#)
- [Judiciary Act 1900](#)

All legislation

Forms

Notice of Appeal:

- [Form 73 - Notice of appeal against appealable objection decision under section 14ZZ Taxation Administration Act 1953](#)
- [Form 74 - Notice of appeal against departure prohibition order under section 14V Taxation Administration Act 1953](#)

Originating Application:

- [Form 66 - Originating application for judicial review](#)

Judges

National Coordinating Judge

- Edmonds J

NPA Judges (including Registry Coordinating Judges)

Duty Judges

- [Check Daily Court Lists](#)
- [General Duty Judge](#)

Events

[Taxation User Forum - Meeting Minutes](#)

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Current Awareness

Latest Judgments

- 31 Jul 2015: [BCI Finances Pty Limited \(In Liq\) v Binetter \[2015\] FCA 786](#)
COSTS - security for costs - whether, in the circumstances of the present case, the most appropriate form of security is cash, bank guarantee or an undertaking to the Court to be provided by the Commissioner of Taxation (Cth) who is ...
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Judge: Perram J

[More judgments](#)

Latest Speeches

- 6 Nov 2014: [Deductions - Revenue v capital: What's good for the goose is good for the gander?](#) Logan J RFD

[All judges' speeches](#)





FEDERAL COURT
OF AUSTRALIA

Not only external

ADMIRALTY AND MARITIME

Key Judgments

Federal Court of Australia - Full Court

[Mentink v Registrar of the Australian Register of Ships \[2015\] FCAFC 150](#)

23 October 2015

Admiralty– legal consequences of entries relating to registration of ship on Australian Register of Ships under *Shipping Registration Act 1981* (Cth) – closure of registration of ship on Register – whether Register serves as evidence of title or creates title – whether unlawful and erroneous entry on Register ought be rectified under s 59 – where primary judge made declaration that Registrar not entitled to close registration of vessel under s 66 and that entry doing so was unlawful – where primary judge declined to order rectification of Register under s 59(1) or to make any further declaration – where rectification could affect interests of third parties acquired after erroneous entry made.

Procedural fairness – where third parties who appeared to have an interest in ship after erroneous entry made on Register could be affected by orders sought not joined or given notice of proceedings before primary judge – third parties who may have acquired rights or interests in ship must have opportunity to be heard before any order made for rectification under s 59(1).

Admiralty - statutory interpretation – whether erroneous entry by Registrar causing deemed closure of registration of ship under s 66(3)(b) no decision at all or valid unless Court orders rectification of entry under specific power pursuant to s 59 – whether Registrar obliged to act under discretionary power conferred by s 58 before making entry affecting owner.

Singapore – High Court

[The "Vinalines Pioneer" \[2015\] SGHC 278](#)

26 October 2015

Admiralty and shipping – admiralty jurisdiction and arrest – meaning of "damage done by a ship" under s 3(1)(d) of the *High Court (Admiralty Jurisdiction) Act* (Cap 123, 2001 Rev Ed).

Journal Articles

Paciocco, Ernaldo

[International law of salvage : past to present and useful result](#)

Australian Law Journal, 2015, Vol. 89 (10), pp. 698-701

New Books



Papers from the 8th International Conference on Maritime Law, held October 14th - 16th, Dailin, China

China Maritime Law Association Conference, 2015

N330 INT

New for Sydney.

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See Also:

- [WorldLII: Maritime Law@](#)

- [ALRC 33 - Civil admiralty jurisdiction](#)
Report - Australian Law Reform Commission
- [Halsburys Laws of Australia - Maritime Law](#)
law in Australia in relation to ships shipping and Admiralty (on Butterworths Online - subscribers only)
- [Law of the Sea](#) [\[Search^o\]](#)
Links to legislation, courts, tribunals and their decisions, organisations, journals, policy and research, treaties and conventions (Weblaw)
- [Marine & Shipping Law Unit \(MASLU\)](#) [\[Search^o\]](#)
Established within the School of Law (University of Queensland) to develop scholarship, research and consultative skills in Maritime Law, International Law of the Sea and the marine environment

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Cases Cited (Title)	<input type="text"/>
Cases Cited (Citation)	<input type="text"/>
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