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Saturday, 1 August 2020

Office of the Australian Information Commissioner  
(Managing Controller Appointed)  
The Crown (Managing Controller Appointed)  
Attn; the Commissioner  
Care of Ms. Rocelle Ago, Principal Director  
GPO Box 5218  
Sydney, NSW, 2001  
Email; [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

### FINDINGS OF FACTS AND REASONS JUDGMENT

AMG1906; FFR; WRIT OF MANAMUS; **REX**, REGINA (Managing Controller Appointed),  
OVCR & APFF, v The Commissioner & OAIC (Managing Controller Appointed  
dated 1<sup>st</sup> August 2020

Dear Commissioner,

Thank you for your alleged decision dated 31<sup>st</sup> July 2020 in respect to Your ref:  
MR19/00634, Agency ref: ASD/56983/2019 now referred to as Exhibit AMG 1905.

Pursuant to the Notice dated 1st June 2019 referred to in Exhibit AMG 2000  
(attached) as Exhibits AMG 15a – AMG15t (“The Enactment”) I write to you as the  
possessor of property being the hereditary source of discretionary public power  
conferred under an enactment being *The Commonwealth of Australia Constitution Act*  
1900 (UK) (“**The Constitution**”) and *the Common Law* (“**REX**”) and confirm that I  
stand as the capacities (amongst others) as set out in Exhibits AMG 87, AMG 175  
and also as **REX** & REGINA (Managing Controller Appointed).

I advise I act in the following capacities:

1. **REX**; means me in my constitutional role under s61 of *the Commonwealth of Australia Constitution Act* 1900 (UK), the Common Law and equivalent legislation (*whether written or unwritten*) in the jurisdictions of the Commonwealth of Nations in respect to the source and exercise of discretionary power conferred under an enactment, and

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2. Personally, as Managing Controller Appointed to REGINA (Managing Controller Appointed), and
3. Personally, as Managing Controller Appointed to THE CROWN (Managing Controller Appointed), and
4. Chairman/ Managing Trustee of OenoViva Capital Resources, and
5. Chairman/ Managing Trustee of the Australian People Future Fund; a charitable trust, and
6. Personally, in capacities other than 1,2,3,4,5 listed above (See Exhibit AMG 87 & AMG 175)

I have recently updated the Content and the Index to the One Drive at the following location:

<https://1drv.ms/u/s!AtRcQcdl2OsT-g4duk6ugpXRfLdS?e=1ZIUBk>

Exhibit 2000; *Annex A (cont.) Public Interest Disclosure Briefing Note; Income Tax Returns dated 31st July 2020* is the Index as updated dated 31<sup>st</sup> July 2020.

In the aforementioned capacities have published Findings of Fact & Reasons (“FFR”) in respect to Declaratory Relief and Judicial Review related to making of “*Alleged Decisions*” in “*the Proceedings*” by Courts and Tribunals referred to in Exhibit AMG 2000 (“*the Proceedings*”), that purport to be binding decisions made by Decision Makers holding Public Office in the exercise of discretionary public powers conferred under an enactment.

I have found that *the Alleged Decisions* rely on [REX](#), REGINA (Managing Controller Appointed) and the Common Law for validity in which regard the *Exercise of Discretionary Public Powers by Public Officials* in the Territory of the Commonwealth of Australia must be consistent with the Public Trust.

I have found as a fact that the *Alleged Decisions* are all nullities and are invalid (without exception): because of jurisdictional error, are vitiated by fraud and are breaches of Separation of Powers & Rule of Law as expressed in Exhibit AMG 252 and predecessor enactments.

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It is not clear from Exhibit AMG 1905 as to its legal effect on the Grounds set out in Exhibit AMG 1.

The Facts Found and Reasons Published in this and other “FFR Judgments” speak for themselves in which regard all the matters the subject of decisions by me are “Res Judicata” as the Superior/ Ultimate Decision Maker are not open to Appeal or Judicial Review.

See:

- AMG 1,820a; FFR; [REX](#), REGINA (Managing Controller Appointed), *OenoViva Capital Resources & Australian People Future Fund v Treasury Wine Estates Limited (Managing Controller Appointed)* 27<sup>th</sup> July 2020
- AMG 1,821a; FFR; [REX](#), REGINA (Managing Controller Appointed), *OenoViva Capital Resources & Australian People Future Fund, v Commonwealth Attorney General (Managing Controller Appointed)* dated 28<sup>th</sup> July 2020
- AMG 1,822; FFR; [REX](#), REGINA (Managing Controller Appointed), *OenoViva Capital Resources & Australian People Future Fund v Legal Services Aid (Tas) (Managing Controller Appointed)*
- AMG 1,823; FFR; [REX](#), REGINA (Managing Controller Appointed), *OenoViva Capital Resources & Australian People Future Fund v Office of the Australian Information Commissioner (Managing Controller Appointed)* dated 28<sup>th</sup> July 2000
- AMG 1,825; FFR; [REX](#), REGINA (Managing Controller Appointed), *OenoViva Capital Resources & Australian People Future Fund v Mr Bruce Lander & ICAC (Managing Controller Appointed)* dated 27<sup>th</sup> July 2020
- AMG 1,826; FFR; [REX](#), REGINA (Managing Controller Appointed), *OenoViva Capital Resources & Australian People Future Fund v VCAT (Managing Controller Appointed)* dated 28<sup>th</sup> July 2020

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- AMG 1,829a; FFR; [REX](#), REGINA (Managing Controller Appointed), OenoViva Capital Resources & Australian People Future Fund v National Australia Bank Limited (Managing Controller Appointed) dated 27<sup>th</sup> July 2020
- AMG 1,831; FFR; [REX](#), REGINA (Managing Controller Appointed), OenoViva Capital Resources & Australian People Future Fund v Ms Liesel Chapman & District Court of South Australia (Managing Controller Appointed) dated 27<sup>th</sup> July 2020
- AMG 1,832; FFR; [REX](#), REGINA (Managing Controller Appointed), OenoViva Capital Resources & Australian People Future Fund v Mr Chris Kourakis & Supreme Court of South Australia (Managing Controller Appointed) dated 27<sup>th</sup> July 2020
- AMG 1,839a; FFR; [REX](#), REGINA (Managing Controller Appointed), OenoViva Capital Resources & Australian People Future Fund v Reserve Bank of Australia (Managing Controller Appointed) dated 29<sup>th</sup> July 2020
- AMG 1,839b; FFR; [REX](#), REGINA (Managing Controller Appointed), OenoViva Capital Resources & Australian People Future Fund v Ms Liesel Chapman & District Court of South Australia (Managing Controller Appointed) dated 27<sup>th</sup> July 2020
- AMG 1,843; FFR; [REX](#), REGINA (Managing Controller Appointed), OenoViva Capital Resources & Australian People Future Fund v Australian Financial Security Authority & David Maher dated 29<sup>th</sup> July 2020
- AMG 1,848; FFR; [REX](#), REGINA (Managing Controller Appointed), OenoViva Capital Resources & Australian People Future Fund v Commonwealth Attorney General (Managing Controller Appointed) dated 30<sup>th</sup> July 2020; Sealed Corrigendum to Exhibit AMG 1821a & Orders

You may search Exhibit AMG 2000 for materials related to You which are in the Public Domain at the One Drive Address previously set out above as a Public Interest Disclosure within the meaning of *the Common Law, the Charter of the Commonwealth of Nations 2013, the Public Interest Disclosure Act 2013 (Cth), the Public Governance Performance and Accountability Act 2013 (Cth)*

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All FFR Judgments including this FFR Judgment are published to the website  
[www.oenoviva-capital-resources.com](http://www.oenoviva-capital-resources.com)

### FFR Judgment

I am yet to complete uploading the Public Interest Disclosure related to you arising from your Corrupt Conduct, Fraud and Criminal Offences which are now found for the reasons contained in this FFR Judgment and the Materials referred to in Exhibit AMG 2000.

I find the meaning of the word “enactment” or group of words “an enactment” have the same meaning as *the Administrative Decisions Judicial Review Act 1977 (Cth)*, *the Administrative Appeals Tribunal Act 1975 (Cth)*, *the Acts Interpretation Act 1901 (Cth)* *the Constitution* and otherwise under *the Common Law*.

The words “The Enactment” have similar meaning except for the fact found that the Enactment is the ultimate authority.

I now publish these Reasons inclusive of the materials referred to in Exhibit AMG 2000 that AMG 1905 is Invalid on the Grounds set out in Exhibit AMG 1 and return the matter to You for reconsideration having considered Your submissions made in the Proceedings.

I make these orders of Mandamus that you:

1. Publish a New Decision that the Australian Signals Directorate(MCA) and/or the Australian Defense Force (MCA) and/or the ATO (MCA) and/or the Reserve Bank of Australia (MCA) and/or the Australian Cyber Security Center (MCA) and/or AFASA (MCA) and/or ASIC (MCA) and/or the Commonwealth Attorney General (MCA) and/or the Australian Government Solicitors Office (MCA) and/or the Courts and Tribunals of Australia (MCA) and/or the persons (MCA) and/or entities related to the Crown (MCA) referred to in Exhibit AMG 1355 immediately disclose all documents and things related to me in their possession and Control pursuant to the Crown (MCA) Common Law obligation for full continuous disclosure as a common law right, Ex Debito Justitiae pursuant to the Relevant Law set in Exhibits AMG 1672, AMG 1673, AMG 1674, AMG 1306, AMG 1307, AMG 1308a, AMG 1308b, AMG 1308c & AMG 1697.

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2. Refer to all documents and things related to me in your possession and control not disclosed by Ms. Stephanie Mayhew to the decision maker disclosed in
3. Exhibit AMG 1905 and that you immediately provide copies of those documents and things to me.
4. Pay the amount of the income disclosed in Exhibits AMG 1713 & AMG 1714 to the Bank account referred to therein within 24 hours.

I make these findings of Fact that Exhibit AMG 1905:

1. Is Ultravires and is a Nullity, and
2. Sets out findings as a Question of Law of that You are not empowered to make in respect to;
  - a. the Nature of Money/ Transfer of Stored Value, and
  - b. the Duty of Banks as the Paying Bank (Exhibit AMG 120), and
  - c. No evidence of any right of Set Off in respect to Ex Debito Justitiae, and
  - d. Does not disclose the findings made by me under the FFR Judgments referred to above and otherwise disclosed in the materials referred to in Exhibit AMG 2000 as to Your Admitted Liability to pay the Income to the entities subject of the Tax Returns set out at Exhibits AMG 1713 & AMG 1714 inclusive of Annexure A, as continued, served upon you, and
  - e. the materials referred to in Exhibit AMG 2000
3. Is NOT the exercise of discretionary public power conferred under an enactment lawfully consistent with:
  - a. The Public Interest
  - b. Holding of Public Office as a Public Trust
4. Evidence of Abdication of Office by the Commonwealth Attorney General as Champion of the Public Interest, and
5. Is Criminal Offences, it is my Judgment that your decision is multiple Major Indictable Offences under the Law set out in Exhibit AMG 5 that has been

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6. brought to your attention on the 17th April 2020 and received by the District Court of South Australia, falling under your jurisdiction, which sets out endorsements as follows:

#### Endorsements

Application made pursuant to *The Common Law, Imminent Threat & Stand your Ground Law:*

- rule 10(2)(d), (3), 89, 92, 117(1), 119(1), 136(1), 146, 147, 230, 233(1), 242(1), (2)(b), 302(1), of the *District Court Civil Rules 2006* and rule 30(2), 46(4) of the *District Court Civil Supplementary Rules 2014*, *Rule 200 242 of the Supreme Court Rules 2006*
- *The Charters of the Commonwealth of Nations and the United Nations, Australian Treaty Series 5, 23 & 39, UNCITRAL Convention on Bills of Exchange and Promissory Notes and related treaties including (but not limited to) the International Bill of Human Rights.*
- *The whole of The Commonwealth of Australia Constitution Act 1900 (UK), related laws in their entirety, inherent separation of powers, Rule of Law, Banking and Finance Law including (But Not limited to);*
  - a) *The Bills of Exchange Act 1909 (Cth)*
  - b) *The Reserve Bank of Australia Act 1959 (Cth)*
  - c) *The Banking Act 1959 (Cth)*
  - d) *The Banking Regulations 1966 (Cth)*
  - e) *The Payment Systems Regulations Act 1998 (Cth)*
- *s32, s33(Ouster Office), s38(a),(e), s39B, s40, s41, s42, s43, s45, s55E, s55F, s55G, 55N, s55ZG, s55ZF, s56, s58, s60, s64, s69(1),(2), s71, s77E, s77G, s77R, s78, s77A, s78B, s80, s81, s88 of the Judiciary Act 1903(Cth)*
- *s24AA, s24B, s37, s41, s42 & s43 of the Crimes Act 1914 (Cth)*
- *s80.1 of the Schedule and all other provisions of The Criminal Code Act 1995 (Cth)*
- *ALL Common Law & Treaties relating to Terrorism, Treason, Treachery & Torture The Laws expressed in the Proceedings specified in Annexure to the Notice of Constitutional Matters dated 21<sup>st</sup> October 2018 filed and served in NSD 1848 of 2018 and also referred to in the Notices of Constitutional Matters listed and referred to in the Notice dated 1<sup>st</sup> June 2019.*
- Provisions of *the Criminal Law Consolidation Act 1936 (SA)*
- The Common Law

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7. Other matters to be presented be me orally on the next hearing date of the Proceedings allegedly on foot.

8. Costs are to be paid by you to me on a Solicitor Client Indemnity Basis without need for taxing.

ALL RIGHTS RESERVED

Kind Regards for and on behalf of Oenoviva Capital Resources



Signature: \_\_\_\_\_

Name / Title: Andrew Morton Garrett, Chairman/Managing Trustee, **REX**

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