

NOTICE OF FILING

Details of Filing

Document Lodged:	Submissions
Court of Filing	FEDERAL COURT OF AUSTRALIA (FCA)
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File Number:	WAD36/2025
File Title:	ASSET ENERGY PTY LTD ACN 120 013 390 v THE COMMONWEALTH MINISTER FOR INDUSTRY AND SCIENCE AS THE RESPONSIBLE COMMONWEALTH MINISTER OF THE COMMONWEALTH-NEW SOUTH WALES OFFSHORE PETROLEUM JOINT AUTHORITY & ANOR
Registry:	WESTERN AUSTRALIA REGISTRY - FEDERAL COURT OF AUSTRALIA



Sia Lagos

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



No. WAD36/2025

Federal Court of Australia
District Registry: Western Australia
Division: General

ASSET ENERGY PTY LTD (ACN 120 013 390)
Applicant

**THE COMMONWEALTH MINISTER FOR INDUSTRY AND SCIENCE, AS THE
RESPONSIBLE COMMONWEALTH MINISTER OF THE COMMONWEALTH-
NEW SOUTH WALES OFFSHORE PETROLEUM JOINT AUTHORITY AND
ANOTHER**

Respondents

**SUBMISSIONS OF THE SPEAKER OF THE LEGISLATIVE ASSEMBLY ON THE
APPLICATION OF THE PRIVILEGES OF THE PARLIAMENT OF NEW SOUTH
WALES**

(Filed in accordance with order 7 of the orders made on 16 September 2025)

1. The Speaker of the Legislative Assembly agrees with the applicant, the respondents and the Attorney General of New South Wales that New South Wales law on parliamentary privilege is to be applied by the Court in this case, and that it is unnecessary for this Court to determine the precise basis or bases upon which it does so.
2. But for the avoidance of doubt, the Speaker's position is that New South Wales law applies for all three reasons initially identified by the respondents (**RS [25]**), namely because of the *Imperial Acts Application Act 1969* (NSW) (whether it has extra-territorial operation is no longer an issue given the matter will be heard in New South Wales), because of a common law choice of law rule and as part of the common law of Australia. Further, as identified by the Attorney General, s 106 of the Commonwealth Constitution preserves the application of New South Wales law as the body of law that determines the privileges of the New South Wales Parliament. Section 106 protects such New South Wales laws from any legislation of another jurisdiction (be it the Commonwealth, another State or another Territory) that would abrogate or modify those privileges as determined by New South Wales law.
3. Accordingly, the New South Wales law on parliamentary privilege does not depend for its application upon s 79 of the *Judiciary Act 1903* (Cth) (although if it did, then s 79

would apply to pick it up in this case given that the hearing will take place in New South Wales).

Date: 21 October 2025

A handwritten signature in black ink, appearing to read 'Christopher Tran', with a horizontal line underneath.

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