

NOTICE OF FILING AND HEARING

Filing and Hearing Details

Document Lodged:	Originating Application - Form 15 - Rule 8.01(1)
Court of Filing:	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	26/06/2025 3:40:35 PM AEST
Date Accepted for Filing:	27/06/2025 11:52:41 AM AEST
File Number:	NSD1066/2025
File Title:	TREASURER v INDIAN OCEAN INTERNATIONAL SHIPPING AND SERVICE COMPANY LTD & ANOR
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	To Be Advised
Time and date for hearing:	To Be Advised
Place:	To Be Advised



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.



Form 15
Rules 8.01(1); 8.04(1)

Originating application

No. NSD of 2025

Federal Court of Australia
District Registry: New South Wales
Division: General

Treasurer

Applicant

Indian Ocean International Shipping and Service Company Ltd

and another named in the Schedule

Respondent

To the Respondents

The Applicant applies for the relief set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

You must file a notice of address for service (Form 10) in the Registry before attending Court or taking any other steps in the proceeding.

Time and date for hearing:

Place:

The Court ordered that the time for serving this application be abridged to

Date: 26 June 2025

.....
Signed by an officer acting with the authority
of the District Registrar

Filed on behalf of the Applicant, The Treasurer
Prepared by: Jane Healy
AGS lawyer within the meaning of s 55I of the *Judiciary Act*
1903

Address for Service:
Australian Government Solicitor,
4 National Circuit, Barton, ACT 2600
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Details of claim

1. On the grounds stated in the accompanying Concise Statement, the Applicant claims:
 - (a) declaratory relief pursuant to s 21 of the *Federal Court of Australia Act 1976* (Cth) (**FCA Act**);
 - (b) civil penalty orders pursuant to s 82(3) of the *Regulatory Powers (Standard Provisions) Act 2014* (Cth) (**RP Act**); and
 - (c) costs pursuant to s 43 of the FCA Act,in respect of contraventions of s 89(1) of the *Foreign Acquisitions and Takeovers Act 1975* (Cth) (**FAT Act**) by the Respondents (and, alternatively, a contravention of s 102(2) of the FAT Act by the Second Respondent).
2. The Court's jurisdiction to hear the application and grant the relief is found in s 99 of the FAT Act and s 82 of the RP Act.

Declarations

3. Pursuant to s 21 of the FCA Act, a declaration that, by disposing of all 168,046,469 of its shares in Northern Minerals Ltd on or around 22-23 July 2024 to the Second Respondent (**Ms Tian**), who was at that time the sole director and shareholder of the First Respondent (**Indian Ocean**), Indian Ocean contravened s 7 of the *Foreign Acquisitions and Takeovers (Disposal of Interests in Northern Minerals Limited) Orders 2024* (Cth) (**Disposal Orders**), and therefore contravened s 89(1) of the FAT Act.
4. Pursuant to s 21 of the FCA Act, a declaration that, by disposing of all 168,046,469 of its shares in Northern Minerals Ltd on or around 6 August 2024 to Ms Tian, who was at that time the sole director and shareholder of Indian Ocean, Indian Ocean contravened s 7 of the Disposal Orders, and therefore contravened s 89(1) of the FAT Act.
5. Pursuant to s 21 of the FCA Act, a declaration that Ms Tian was knowingly concerned in Indian Ocean's contraventions of s 7 of the Disposal Orders, and therefore contravened s 89(1) of the FAT Act.
6. Alternatively to paragraph 5 above, pursuant to s 21 of the FCA Act, a declaration that Ms Tian authorised or permitted Indian Ocean's contraventions of s 7 of the Disposal Orders, and therefore contravened s 102(2) of the FAT Act.



Pecuniary penalties

7. Pursuant to s 82(3) of the RP Act, an order that Indian Ocean pay to the Commonwealth such pecuniary penalty for its contraventions of s 89(1) of the FAT Act as the Court determines to be appropriate.
8. Pursuant to s 82(3) of the RP Act, an order that Ms Tian pay to the Commonwealth such pecuniary penalty for her contraventions of s 89(1) of the FAT Act as the Court determines to be appropriate.
9. Alternatively to paragraph 8 above, pursuant to s 82(3) of the RP Act, an order that Ms Tian pay to the Commonwealth such pecuniary penalty for her contraventions of s 102(2) of the FAT Act as the Court determines to be appropriate.

Other orders

10. Costs.
11. Such further or other orders as the Court considers appropriate.

Applicant's address

The Applicant's address for service is:

Australian Government Solicitor
4 National Circuit
BARTON ACT 2600

Email: jane.healy@ags.gov.au; eloise.gluer@ags.gov.au

The Australian Government Solicitor's telephone number is:

Tel: 02 6243 7336

Service on the Respondent

It is intended to serve this application on the Respondents.

Date: 26 June 2025

A handwritten signature in cursive script, reading 'Jane Healy', is positioned above a horizontal dotted line.

Jane Healy
AGS lawyer
For and on behalf of the Australian Government Solicitor
Lawyer for the Applicant



Schedule

No. NSD of 2025

Federal Court of Australia
District Registry: New South Wales
Division: General

Respondents

Second Respondent Jing Tian

Date: 26 June 2025