

## NOTICE OF FILING AND HEARING

### Filing and Hearing Details

Document Lodged:	Application to Review a Registrar's Decision - Form 35 - Rule 17.01(1)(a)
Court of Filing:	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	14/02/2024 5:55:10 PM AEDT
Date Accepted for Filing:	15/02/2024 11:03:40 AM AEDT
File Number:	VID829/2023
File Title:	JAN MAREK KANT v THE AUSTRALIAN INFORMATION COMMISSIONER
Registry:	VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	To Be Advised
Time and date for hearing:	To Be Advised
Place:	To Be Advised



A handwritten signature in blue ink that reads "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.



## Amended Interlocutory application

No. VID829/2023

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

**JAN MAREK KANT**

Applicant

**THE AUSTRALIAN INFORMATION COMMISSIONER**

Respondent

To The Respondent

And: The Principal Registrar

The Applicant applies for the interlocutory orders 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.

**Time and date for hearing:**

**Place:** 305 William Street, Melbourne VIC

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

Date:

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

Filed on behalf of (name & role of party) Jan Marek Kant, Applicant

Prepared by (name of person/lawyer) Jan Marek Kant

Law firm (if applicable)

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(include state and postcode)



### Interlocutory orders sought

The Applicant seeks review of the exercise of a power of the Court by a Registrar under *Section 35A of the Federal Court of Australia Act 1976* with respect to the order of JUDICIAL REGISTRAR LUXTON made 20 December 2023 in Melbourne.

1. With respect to dismissal of the interlocutory application filed on 26 November 2023, the Applicant seeks orders:
  - a. Affirming the decision; ~~or,~~
  - ~~b. Granting interlocutory relief as sought with that application.~~
2. With respect to dismissal of the interlocutory application filed on 22 November 2023, the Applicant seeks orders granting the relief sought with that application for reasons as follow.
  - a. The Applicant has right of (costs-)free access to information about him under *Schedule 1 of the Privacy Act 1988*; and,
  - b. This right is enforceable under *80W(1) of the Privacy Act 1988*.
  - c. The information sought by the Applicant will inform further steps in this proceeding; and,
  - d. Obtaining this information under the *Privacy Act 1988* would lessen the need for discovery in this proceeding.
3. The Applicant seeks *Reasons for Decision* in relation to the above.
4. The Applicant seeks for this amended interlocutory application to be decided "on the papers" for reasons of expedience.

### Service on the Respondent

It is intended to serve this application on the Respondent.

Date: 27 December 2023

A handwritten signature in blue ink, appearing to read "J Kant", is written over a horizontal dotted line.

Signed by Jan Marek Kant  
Applicant  
On: 13 February 2024