



SIMS CLASS ACTION

Federal Court of Australia

Peter Hermann Eckardt v Sims Limited

NSD220/2019

NOTICE OF PROPOSED SETTLEMENT

This Notice is provided pursuant to Orders made by the Federal Court of Australia on 6 July 2022.

This Notice is an important legal document and you should read it carefully as it concerns your legal rights.

1. You have received this Notice because you have been identified as a potential group member in the Federal Court of Australia proceeding *Peter Hermann Eckardt v Sims Limited (NSD220/2019)* (the **Sims class action**).
2. This notice provides important information about a proposed settlement of \$29.5 million (**Settlement Sum**) between the Applicant and Sims Limited (**Sims**) to resolve the claims of all Group Members. The settlement needs to be approved by the Court and is referred to in this notice as the “**Proposed Settlement**”. The Proposed Settlement is without admission of liability by Sims.
3. The Applicant (who brings the action on behalf of himself and Group Members) is represented by solicitors, William Roberts Lawyers. The class action has been funded by Investor Claim Partner Pty Ltd (**ICP**) and ICP Capital Pty Limited (together, **the Funder**).
4. The Proposed Settlement requires Court approval. The Court must assess whether any class action settlement is fair and reasonable in the interests of Group Members. The Court has been asked to approve the Proposed Settlement at a hearing to be held at 10.15am on 13 October 2022, AEDT. You are entitled to attend the hearing if you wish to.
5. If you **support** the Proposed Settlement, you do not need to do anything other than make sure you have registered your claim. However, if you wish to object to the proposed settlement, you must take the steps outlined in Part F of this Notice.
6. If there is anything in this Notice that you do not understand or if you have any questions, you should seek independent legal advice or contact WRL (for contact details see paragraph 15 of this Notice, below). Please do **not** contact the Federal Court.



A. BACKGROUND

7. The Sims class action was commenced on 20 February 2019. It alleges that:
 - a. Sims engaged in misleading and/or deceptive conduct and breached its continuous disclosure obligations in relation to its FY16 and FY18 financial performance;
 - b. the conduct of Sims caused its shares to trade on the ASX at inflated prices; and
 - c. persons who acquired Sims shares in the period between 23 July 2014 and 19 February 2016 (**Claim Period**) suffered compensable loss.
8. The allegations are denied by Sims. Sims defended the class action. The Proposed Settlement acknowledges that Sims makes no admissions as to liability.
9. The evidence filed in the proceeding did not find that the price of Sims shares was artificially inflated in the period between 18 November 2015 and 19 February 2016. As there is no evidence of artificial inflation of Sims shares during this period, the Applicant will submit to the Court that no money is to be distributed to Group Members in respect of Sims shares purchased in that part of the Claim Period.
10. Full details of the allegations made by the Applicant and of Sims' defence against those allegations are set out in the Second Further Amended Statement of Claim and the Defence to the Second Further Amended Statement of Claim. See Part G of this Notice, below, for details on how to access these documents.

B. GROUP MEMBERS

11. You are receiving this Notice because you have been identified as a potential Group Member in the Sims class action.
12. A Group Member is someone who:
 - a. acquired an interest in ordinary shares in Sims during the Claim Period; and
 - b. suffered loss or damage by, or that resulted from, the conduct of Sims as alleged in the Second Further Amended Statement of Claim; and
 - c. is not a director, officer, close associate, related party, related body corporate or associated entity of Sims, or a Justice or Chief Justice of the High Court of Australia or the Federal Court of Australia; and
 - d. did not opt out of the proceeding in accordance with the orders of Justice Rares dated 21 August 2020.



13. All Group Members will be bound by the terms of the Proposed Settlement, if approved by the Court. However, to receive compensation as part of the Proposed Settlement in the event that it is approved, you need to have registered for the Sims class action. If you have not already done so, the process for late registration is outlined below.
14. All Group Members have the right to be heard at the approval hearing on whether the settlement should be approved. See Section F below.
15. If you are not sure whether you are a Group Member, please contact WRL on WR-Sims@williamroberts.com.au or by telephone on +61 2 9552 2111.

How Do I Now Register?

16. If you have already (a) entered into a funding agreement with the Funder or (b) previously registered in the Sims class action in accordance with order 11 of the orders made by the Federal Court on 21 August 2020, you do not need to take any further steps to register your claim and interest in participating in the Proposed Settlement.
17. If you have not done either of the things outlined in paragraph 15, you will need to register before you can receive any compensation. To register you must complete the registration form annexed to this Notice and return it to ICP via:
 - a. email to Investor Claim Partner Pty Ltd at simsclassaction@icp.net.au; or
 - b. post to Investor Claim Partner Pty Ltd at Level 13, 115 Pitt Street, Sydney NSW 2000.
18. **You must register by no later than 4:00PM on 19 August 2022. Registrations received after that time will not be accepted, and you will not be treated as having validly registered (unless the Court otherwise orders).**
19. The registration form asks you to provide your personal details and bank details so that if you are eligible to receive part of the settlement the amount you are owed can be transferred to you. After receiving your details, William Roberts Lawyers or another person/entity in charge of or assisting with the administration of the Proposed Settlement may ask you for more information.

C. PROPOSED SETTLEMENT AND COURT APPROVAL

20. The key terms of the Proposed Settlement are as follows:
 - a. As mentioned above, the amount of the Settlement Sum is \$29.5 million. This payment is an “all in” amount which means it is a fixed and final amount to cover all claims made in the Sims class action, legal costs, funding commission and all costs associated with the settlement.



- b. The settlement covers the Applicant and all Group Members.
 - c. The payment of the Settlement Sum is in exchange for broad, class-wide releases in favour of Sims and its related parties. Sims and its related parties will be released from the claims made by the Applicant and Group Members in the Sims class action, as well as claims which are in respect of, or arise out of, the same or related circumstances to those raised in the Sims class action. This will prevent you from bringing any future claim against Sims or its related entities in relation to the subject matter of the Sims class action.
- 21. If the Proposed Settlement is not approved by the Court, the Sims class action will continue and there will be no distribution of any monies to Group Members unless and until the Applicant is successful in the proceeding, or a further settlement is reached.
 - 22. At the settlement approval hearing, the Applicant will seek orders from the Court to approve a proposed Settlement Scheme which will establish how registered Group Members' entitlements are to be calculated, and the process to distribute the Settlement Sum. This is explained further below.

D. SETTLEMENT SCHEME

- 23. The process by which the Settlement Sum is proposed to be distributed will be outlined in the proposed **Settlement Scheme**. The proposed Settlement Scheme is subject to Court approval.
- 24. The Settlement Scheme proposes that after making deductions (see paragraph 25 below) the balance of the Settlement Sum will be distributed between registered Group Members. A confidential "Loss Assessment Formula" contained in the Settlement Scheme will detail how each registered Group Member's entitlement will be calculated.
- 25. The amount of monies to be distributed to each registered Group Member under the Settlement Scheme will depend on a number of factors, such as the number of shares purchased by that registered Group Member, the date of purchase, whether any of those shares were sold, the overall losses of all registered Group Members sharing in the Proposed Settlement, the total amount of the deductions from the Settlement Sum which are approved by the Court and any interest earned on the Settlement Sum prior to final distributions. Please note that no money is proposed to be distributed to Group Members in respect of Sims shares purchased in the period between 18 November 2015 and 19 February 2016 as the evidence in the case does not support the claim that Sims shares were artificially inflated in this part of the period.
- 26. Under the proposed Settlement Scheme, the following amounts (each of which is subject to Court approval) will be deducted from the Settlement Sum before it is distributed to registered Group Members, shared in accordance with the Loss Assessment Formula:



- a. “Project Costs” paid and/or that will be paid by the Funder by the time of the settlement approval hearing of approximately \$5,549,742.48, comprising \$5,180,959.68 in legal costs, and \$368,782.80 in other out of pocket expenses.
 - b. After-the-event insurance premium in the amount of \$732,188.25, plus any applicable tax payable (but not yet paid) by the Funder.
 - c. Funding commission of not more than \$7.375 million, representing not more than 25% of the Settlement Sum (this is explained further below under the heading ‘Litigation Funding’).
 - d. William Roberts Lawyers’ legal costs for work already done but not yet paid for, and work which will be done up to and including the settlement approval hearing, which total an estimated amount of \$3,041,536.19 (including a 25% uplift fee chargeable on deferred fees).
 - e. Costs of administering the Settlement Distribution Scheme (**Administration Costs**), in an estimated amount of \$220,000.00. (It is proposed that William Roberts Lawyers be appointed as settlement administrator under court supervision).
 - f. Not more than \$20,000.00 to be paid to the original applicant, Carpenders Park Pty Ltd (as trustee of the Carpenders Park Pty Ltd Staff Superannuation Fund), and the substituted applicant, Peter Hermann Eckardt, to reimburse each applicant in recognition of their time in acting as the representative party in this class action.
27. You can request a copy of the proposed Settlement Scheme by contacting WRL by email at WR-Sims@williamroberts.com.au. Some parts of the Settlement Scheme may be confidential, and you may be asked to agree to keep those parts confidential.

E. LITIGATION FUNDING

28. The Funder provided litigation funding for the Applicant’s prosecution of the Sims class action on behalf of Group Members.
29. Under this arrangement, the Funder:
- a. indemnified the Applicant against any adverse costs orders; and
 - b. paid **Project Costs** including legal costs and other costs incurred in prosecuting the proceeding, such as the cost of solicitors, barristers, and independent experts together with the upfront cost of securing adverse costs insurance and the deeds of indemnity provided as security for costs.
30. As part of the Court approval of the Proposed Settlement, the Funder will seek either:



- a. An order for a Funder's commission, representing no more than 25% of the Settlement Sum. If granted, the order for a funding commission would allow a deduction from the Settlement Sum for all registered Group Members. It would mean that all registered Group Members who stand to benefit from the proceeding contribute to the funding arrangements; or
 - b. To recover their contractual commission, subject to a funding equalisation order. Under a funding equalisation order, the amount equal to the amount of funding commission owed under the funding agreements (entered into by some, but not all, registered Group Members), is deducted from the unfunded registered Group Members' recovery and redistributed amongst all registered Group Members on a pro rata basis, so that all registered Group Members contribute towards the funding arrangements.
31. The Court's Class Actions Practice Note (GPN-CA) states that in an open class action (such as the Sims class action), class members may expect that if an application is made, and if in all the circumstances it is fair, just, equitable and in accordance with principle, the Court will make an appropriately framed order to prevent unjust enrichment and equitably and fairly distribute the burden of reasonable legal costs, fees and other expenses (including reasonable funding charges and commission) amongst all persons who have benefited from the action.

F. WHAT STEPS CAN GROUP MEMBERS NOW TAKE?

32. If you **support** the Proposed Settlement, and have already registered for the Sims class action (in the ways outlined in paragraph 16 above), there is nothing you need to do. If you have not registered but wish to participate in the Proposed Settlement then you must now register your interest in the Sims class action by 19 August 2022 in accordance with paragraph 17 above of this Settlement Notice.
33. If you wish to **object to** the Proposed Settlement, or any aspect of it, then you **must**, by no later than **4:00pm (AEST) on 19 August 2022**, fill in the form entitled 'Notice of Objection to Proposed Settlement' attached to this Notice, duly execute it, and file it with the Court and serve it on William Roberts Lawyers by sending it by email to:

Associate.wigneyj@fedcourt.gov.au; and

WR-Sims@williamroberts.com.au.

34. Any Group Member who has filed a Notice of Objection with the Court **must** at the same time send any evidence and written submissions he or she wishes to rely upon in support of the Notice of Objection to the Court, by email to associate.wigneyj@fedcourt.gov.au, and the Applicant's solicitors, by email to WR-Sims@williamroberts.com.au.

You **may** attend the approval hearing on 13 October 2022 at 10.15am to explain the basis of your objection to the Judge if you wish to do so. If you do not attend, then the



Court may give consideration to your objection and to the approval of the settlement in your absence. You may wish to seek independent legal advice in relation to opposing the settlement.

35. The Settlement Approval Hearing will take place at 10.15am on 13 October 2022 (AEDT) in the New South Wales Registry of the Federal Court of Australia located at **Law Courts Building, Queens Square, SYDNEY NSW 2000**. You are entitled to attend the hearing if you wish to. Due to the coronavirus, a hearing may not happen in a courtroom where people come along in person, and if you want to speak, you may be provided instead with a video link or telephone link.

G. FURTHER INFORMATION

36. If you need further information about the Proposed Settlement, please contact WRL by email to WR-Sims@williamroberts.com.au.
37. Copies of relevant documents, including this Notice, Second Further Amended Statement of Claim, and Defence to the Second Further Amended Statement of Claim may be obtained by requesting them from William Roberts Lawyers at WR-Sims@williamroberts.com.au.



NOTICE OF OBJECTION TO PROPOSED SETTLEMENT

No. NSD220 of 2019

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

Peter Hermann Eckardt

Applicant

Sims Limited ACN 114 838 630

Respondent

Complete this form if you wish to submit an objection to the Proposed Settlement.

If you support the proposed settlement, you do **NOT** need to return this form.

Please note that if you submit a Notice of Objection to Proposed Settlement, your name and your specific circumstances (including transaction details and grounds of objection) may be read out in Court and/or referred to in orders and/or judgments of the Federal Court.

Your Notice of Objection will be considered by the Court when it is determining whether to approve the Proposed Settlement.

If you wish to object to the Proposed Settlement, or any aspect of it, your Notice of Objection and any evidence/submissions in support must be received by the Court by 4.00 pm (AEST) on 19 August 2022.

Any Notice of Objection received after this deadline may not be considered by the Court when it is determining whether to approve the Proposed Settlement.

To: The Federal Court of Australia, by email to associate.wigneyj@fedcourt.gov.au
cc: William Roberts Lawyers, by email to WR-Sims@williamroberts.com.au

The person identified below gives notice pursuant to order 14 of the orders of the Court made on 6 July 2022 that the person is a Group Member in the Sims class action and **OBJECTS** to the Proposed Settlement of this proceeding, for the reasons outlined.

A. DETAILS OF OBJECTOR

- I have entered into a funding agreement with the Funder; or
- I have previously registered in the Sims class action; or



If you have done either of the above, you are a **registered Group Member**.

I have not done either of the above.

| | |
|--|--|
| Name | |
| ACN/ABN [<i>if company</i>] | |
| Person completing this form | |
| Capacity [<i>e.g., individual, partnership, trustee/agent</i>] | |
| Telephone | |
| Email | |
| Postal address | |

B. RELEVANT TRANSACTIONAL INFORMATION

If you are not a registered Group Member, you are required to provide the following information. Further, you are required to provide documentary evidence from a third party (e.g. contract notes or transaction receipts) in support of each acquisition and disposal of Sims securities during the period 23 July 2014 to 19 February 2016 (inclusive).

If you are a registered Group Member, you are **not** required to provide the following information. Please proceed to Sections C, D and E below.

| | |
|--|--|
| HIN/SRN under which Sims securities were traded | |
| Number of Sims securities held as at close of trade on 22 July 2014 | |
| Total number of Sims securities acquired by the objector during the period 23 July 2014 to 19 February 2016 (inclusive) | |
| Total number of Sims securities disposed of by the objector during the period 23 July 2014 to 19 February 2016 (inclusive) | |



C. ATTENDANCE AT HEARING AT 10.15AM (AEDT) ON 13 October 2022

- I do not intend to appear, but wish for my submissions to be considered in my absence
- I intend to appear before the Court at the hearing at 10.15AM (AEDT) on 13 October 2022

[please tick one]

If you intend to appear, please complete the following:

- I will appear on my own behalf
- I will be represented by a lawyer:.....

[please tick one if you intend to appear]

D. GROUND(S) OF OBJECTION

Please state the reasons in support of your objections to the Proposed Settlement *[set out in the space below any submissions you wish to make, attach additional pages if necessary]*:



E. EXECUTION OF NOTICE

If you are completing the Notice of Objection on behalf of an individual shareholder you must sign and have your signature witnessed.

If you are completing the Notice of Objection on behalf of a company with a sole director or as the sole trustee, the sole director or sole trustee must sign and have their signatures witnessed.

If you are completing the Notice of Objection on behalf of a company or trust (with more than one director or trustee), two directors of the company, a director and a company secretary of the company, or two trustees must sign. A witness signature is not required.

By signing below, I confirm that the information I have provided in this form is true, complete and correct:

| | |
|-------------------|--|
| Signed: | |
| Name | |
| Position | |
| Date | |
| | |
| Witness Signature | |
| Name of Witness | |

| | |
|-------------------|--|
| Second signature: | |
| Name | |
| Position | |
| Date | |
| | |
| Witness Signature | |
| Name of Witness | |



REGISTRATION FORM

No. NSD220 of 2019

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

Peter Hermann Eckardt

Applicant

Sims Limited ACN 114 838 630

Respondent

By post: Investor Claim Partner Pty Ltd
Level 13
115 Pitt Street
SYDNEY NSW 2000

By email: simsclassaction@icp.net.au

The person named below gives notice that the person wishes to **REGISTER** for the Proposed Settlement in this proceeding.

If you have entered into a funding agreement with the Funder, or have previously registered for the Sims class action in accordance with order 11 of the orders made by the Federal Court on 21 August 2020 and the notice sent to Group Members pursuant to those orders, you do not need to register again and do not need to complete or return this form.

THE INFORMATION BELOW IN ITEMS 1 AND 2 MUST BE PROVIDED.

| | |
|--|--|
| 1. GROUP MEMBER DETAILS | PLEASE PRINT IN CAPITAL LETTERS |
| Group Member Name: | <input type="text"/> |
| If the Group Member is a company insert ABN/ACN or Registration No. (if overseas company) | <input type="text"/> |
| Street Address: (Not PO Box) | <input type="text"/> |
| Suburb/Town: | <input type="text"/> |



| | | | | | |
|--------|----------------------|-----------|----------------------|----------|----------------------|
| State: | <input type="text"/> | Postcode: | <input type="text"/> | Country: | <input type="text"/> |
|--------|----------------------|-----------|----------------------|----------|----------------------|

| | | | | | |
|---------------------------|--|-----------|----------------------|----------|----------------------|
| 2. CONTACT DETAILS | PLEASE PRINT IN CAPITAL LETTERS | | | | |
| First Name: | <input type="text"/> | Surname: | <input type="text"/> | | |
| Postal Address: | <input type="text"/> | | | | |
| State: | <input type="text"/> | Postcode: | <input type="text"/> | Country: | <input type="text"/> |
| Email address: | <input type="text"/> | | | | |
| Telephone number: | <input type="text"/> | Mobile: | <input type="text"/> | | |

YOU ARE REQUIRED TO USE REASONABLE ENDEAVORS TO PROVIDE THE INFORMATION IN ITEMS 3 AND 4 BELOW, WHICH RELATES TO YOUR INVESTMENT IN SIMS.

| | |
|--|----------------------|
| 3. INVESTMENT DETAILS FOR SIMS SECURITIES | |
| Full Name of Registered Owner: (This is the name of the entity on the share register) | <input type="text"/> |
| SRN/HIN (IF AVAILABLE): | <input type="text"/> |
| Note: If your Sims Securities were or are held under different registered names, or the holdings have different SRN/HIN numbers, please copy and complete this page for each holding. | |



4. TRADE DETAILS FOR SIMS SHARES

SHARES HELD:

NUMBER OF SHARES HELD
AT THE CLOSE OF MARKET
ON 22 JULY 2014

ON-MARKET PURCHASES

**LIST ON-MARKET PURCHASES FROM 23 JULY
2014 TO 19 FEBRUARY 2016 INCLUSIVE**

| DATE OF SHARE ACQUISITION | QUANTITY OF SHARES | GROSS PRICE PAID (incl. Brokerage) |
|--------------------------------------|---------------------------|---|
| | | |
| | | |
| | | |
| | | |

DISPOSAL/SALES

**LIST DISPOSALS/SALES FROM 23 JULY 2014
TO 19 FEBRUARY 2016 INCLUSIVE**

| DATE OF SHARE SALE | QUANTITY OF SHARES | NET PRICE RECEIVED (net of Brokerage) |
|-------------------------------|---------------------------|--|
| | | |
| | | |
| | | |
| | | |

If the above space is insufficient, please provide the required information on separate pages.

Date:

Signed by, or on behalf
of and with authority of,
the Group Member
(as specified above)

(print name)

**IMPORTANT: SUPPORTING DOCUMENTS OR STATUTORY DECLARATION
REQUIRED**



Please provide documentary evidence in support of the information you are providing with this form, including:

- (a) holding statements and/or contract notes if available; and
- (b) trade information in excel format, if the applicant is claiming on behalf of multiple funds.

If you cannot provide all the information sought in this form, or cannot provide supporting documents, you are required to complete a **statutory declaration** saying that you cannot provide it, and giving the reason why. The Commonwealth statutory declaration form is set out at the end of this Notice. The form may also be downloaded from

<https://www.ag.gov.au/Publications/Statutory-declarations/Pages/default.aspx>



Commonwealth of Australia
STATUTORY DECLARATION
Statutory Declarations Act 1959

| | |
|--|--|
| <p><i>1 Insert the name, address and occupation of person making the declaration</i></p> | <p>I,¹ make the following declaration under the <i>Statutory Declarations Act 1959</i>:</p> |
| <p><i>2 Set out matter declared to in numbered paragraphs</i></p> | <ol style="list-style-type: none">1. I cannot provide: (1) the information requested in Items 3-5 of the Group Member Registration Form accompanying this Statutory Declaration which I have left blank, <u>OR</u> (2) all documents requested by the Group Member Registration Form.2. The reason why I cannot provide the information <u>OR</u> documents referred to in (1) above is (<i>please complete details, and add further pages if necessary</i>):<ol style="list-style-type: none">a.b.3. I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the <i>Statutory Declarations Act 1959</i>, and I believe that the statements in this declaration are true in every particular. |
| <p><i>3 Signature of person making the declaration</i></p> | |
| <p><i>4 [Optional: email address and/or</i></p> | |



| | |
|--|--|
| <i>telephone number of person making the declaration]</i> | |
| <i>5 Place 6 Day 7 Month and year</i> | Declared at ⁵ _____ on ⁶ _____ of ⁷ _____ Before me, |
| <i>8 Signature of person before whom the declaration is made (see over)</i> | ⁸ |
| <i>9 Full name, qualification and address of person before whom the declaration is made (in printed letters)</i> | ⁹ |

Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the *Statutory Declarations Act 1959*.

Note 2 Chapter 2 of the *Criminal Code* applies to all offences against the *Statutory Declarations Act 1959* — see section 5A of the *Statutory Declarations Act 1959*.



A statutory declaration under the *Statutory Declarations Act 1959* may be made before—

(1) a person who is currently licensed or registered under a law to practise in one of the following occupations:

| | | |
|----------------------|----------------------|--------------------|
| Chiropractor | Dentist | Legal practitioner |
| Medical practitioner | Nurse | Optometrist |
| Patent attorney | Pharmacist | Physiotherapist |
| Psychologist | Trade marks attorney | Veterinary surgeon |

(2) a person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described); or

(3) a person who is in the following list:

Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public

Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955*)

Bailiff

Bank officer with 5 or more continuous years of service

Building society officer with 5 or more years of continuous service

Chief executive officer of a Commonwealth court

Clerk of a court

Commissioner for Affidavits

Commissioner for Declarations

Credit union officer with 5 or more years of continuous service

Employee of the Australian Trade Commission who is:

(a) in a country or place outside Australia; and

(b) authorised under paragraph 3 (d) of the *Consular Fees Act 1955*; and

(c) exercising his or her function in that place

Employee of the Commonwealth who is:

(a) in a country or place outside Australia; and

(b) authorised under paragraph 3 (c) of the *Consular Fees Act 1955*; and

(c) exercising his or her function in that place

Fellow of the National Tax Accountants' Association

Finance company officer with 5 or more years of continuous service

Holder of a statutory office not specified in another item in this list

Judge of a court

Justice of the Peace

Magistrate

Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the *Marriage Act 1961*

Master of a court

Member of Chartered Secretaries Australia



Member of Engineers Australia, other than at the grade of student
Member of the Association of Taxation and Management Accountants
Member of the Australasian Institute of Mining and Metallurgy
Member of the Australian Defence Force who is:

- (a) an officer; or
- (b) a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more years of continuous service; or
- (c) a warrant officer within the meaning of that Act

Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants

Member of:

- (a) the Parliament of the Commonwealth; or
- (b) the Parliament of a State; or
- (c) a Territory legislature; or
- (d) a local government authority of a State or Territory

Minister of religion registered under Subdivision A of Division 1 of Part IV of the *Marriage Act 1961*

Notary public

Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public

Permanent employee of:

- (a) the Commonwealth or a Commonwealth authority; or
- (b) a State or Territory or a State or Territory authority; or
- (c) a local government authority;

with 5 or more years of continuous service who is not specified in another item in this list

Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made

Police officer

Registrar, or Deputy Registrar, of a court

Senior Executive Service employee of:

- (a) the Commonwealth or a Commonwealth authority; or
- (b) a State or Territory or a State or Territory authority

Sheriff

Sheriff's officer

Teacher employed on a full-time basis at a school or tertiary education institution