

**IN THE SUPREME COURT OF VICTORIA AT MELBOURNE**

**COMMERCIAL AND EQUITY DIVISION  
COMMERCIAL LIST**

No. 2115/01 F5382

**B E T W E E N :**

**ANSETT AUSTRALIA GROUND STAFF SUPERANNUATION PLAN PTY  
LTD (ACN 065 590 178) (as Trustee of the ANSETT GROUND STAFF  
SUPERANNUATION PLAN) & Ors**

Plaintiffs

and

**ANSETT AUSTRALIA LTD  
(ADMINISTRATORS APPOINTED) (ACN 004 209 410) & Ors**

Defendants

**SLB 10**

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<b>Date of Document:</b>	6 February 2002
<b>Filed on behalf of:</b>	The Plaintiffs
<b>Prepared by:</b>	Solicitor's Code: 564
Maurice Blackburn Cashman	Tel: 9605.2700
Lawyers	DX: 466
Level 10, 456 Lonsdale Street	Ref: SLB
Melbourne Vic. 3000	

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This is the document marked SLB 10 now produced and shown to Simone Louise Bingham at the time of affirming this Affidavit this 6th day of February, 2002.

Before me:

*Anne Gooley*.....

**ANNE GOOLEY**  
of 456 Lonsdale Street, Melbourne  
a natural person who is a current  
practitioner within the meaning  
of the Legal Practice Act, 1996.

IN THE FEDERAL COURT OF AUSTRALIA  
GENERAL DIVISION  
VICTORIAN DISTRICT REGISTRY

V3027  
NO. of 2001

IN THE MATTER OF:

ANSETT AUSTRALIA LIMITED (A.C.N. 004 209 410) & ORS (All Administrators  
Appointed)

BETWEEN:

FAYE RAPPAS & ORS  
(see attached schedule)

Applicants

-and -

ANSETT AUSTRALIA LIMITED (A.C.N. 004 209 410) & ORS (All Administrators  
Appointed)  
(see attached schedule)

Respondents

**GENERAL FORM OF ORDER**

Judge: The Honourable Justice Goldberg  
Date of Order: 17 September 2001  
Where made: Melbourne

The Court Orders that:

- 1 Pursuant to Rule 3(1) of the Federal Court Rules that service of this Originating Process on the Respondents in accordance with Rule 2.7 of the *Federal Court (Corporations) Rules 2000* be abridged to 2.15pm today.
- 2 Pursuant to Section 447A of the *Corporations Act ("the Act")* Part 5.3A of the Act is to operate in relation to each of the first to forty-third Respondents ("the Ansett Group") as if it provided that at the meeting or meetings held pursuant to Section 436E of the Act, each employee of the said Respondents who is a member of any of the following Unions:

2.1 Ansett Pilots Association ("APA")



- 2.2 Association of Professional Engineers, Scientists & Managers, Australia ("APESMA")
- 2.3 Australian Liquor, Hospitality & Miscellaneous Workers Union ("LHMU")
- 2.4 Australian Federation of Airline Pilots ("AFAP")
- 2.5 Australian Licensed Aircraft Engineers Association ("ALAEA")
- 2.6 Australian Services Union ("ASU")
- 2.7 Australian Workers Union ("AWU")
- 2.8 Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union ("AMWU")
- 2.9 Communication, Electrical and Plumbing Union ("CEPU")
- 2.10 Flight Attendants' Association of Australia ("FAAA")
- 2.11 National Union of Workers ("NUW")
- 2.12 Transport Workers Union of Australia ("TWU")

had duly appointed the person whose name appears in column 2 of Appendix 1 to be their attorney pursuant to Regulation 5.6.31A for the purpose of that meeting or those meetings save for:

- (a) any employee who attends any meeting in person;
- (b) any employee who signs a proxy appointing some other person to attend any meeting on his or her behalf.

3 Pursuant to Sections 448C and 447A(1) of the Act leave is granted to Mark Francis Xavier Mentha and Mark Anthony Korda, of Arthur Andersen, 360 Elizabeth Street, Melbourne, Victoria, 3000 to seek to be, to consent to be appointed as, and to act as, Joint and Several Administrators of the Ansett Group other than Hazelton Airlines Limited (ACN 061 965 624), Hazelton Air Services Pty Ltd (ACN 000 242 928), Hazelton Air Charter Pty Ltd (ACN 065 221 356).

4 Pursuant to Sections 449C(6) and 447A of the Act:



- 4.1 Mark Francis Xavier Mentha and Mark Anthony Korda, of Arthur Andersen, 360 Elizabeth Street, Melbourne, Victoria, 3000, be appointed Joint and Several Administrators of the Ansett of the Ansett Group other than Hazelton Airlines Limited (ACN 061 965 624), Hazelton Air Services Pty Ltd (ACN 000 242 928), Hazelton Air Charter Pty Ltd (ACN 065 221 356);
- 4.2 Michael James Humphris of Sims Lockwood, 461 Bourke Street, Melbourne, Victoria 3000 be appointed Administrator of Hazelton Airlines Limited (ACN 061 965 624), Hazelton Air Services Pty Ltd (ACN 000 242 928), Hazelton Air Charter Pty Ltd (ACN 065 221 356)

with effect as and from the date and time that the forty fourth to forty –sixth named Respondents give notice in writing of their resignation as Administrators of the Ansett Group pursuant to Section 449C(1)(c) of the Act.

- 5 Liberty is reserved to the directors of the first to forty-third Respondents to apply to amend, vary or revoke the Orders made in paragraph 4 hereof, on 12 hours written notice to the Applicants, but such application must be made no later than 4pm on Wednesday 19 September 2001.
- 6 The costs of this application be costs of the administration of the Ansett Group.

DATED: 17 September 2001

18 SEP 2001



## SCHEDULE OF PARTIES

FAYE RAPPAS

AUSTRALIAN COUNCIL OF TRADE UNIONS ("ACTU")

ANSETT PILOTS ASSOCIATION ("APA")

ASSOCIATION OF PROFESSIONAL ENGINEERS, SCIENTISTS & MANAGERS,  
AUSTRALIA ("APESMA")

AUSTRALIAN LIQUOR, HOSPITALITY & MISCELLANEOUS WORKERS UNION  
("LHMU")

AUSTRALIAN FEDERATION OF AIRLINE PILOTS ("AFAP")

AUSTRALIAN LICENSED AIRCRAFT ENGINEERS ASSOCIATION ("ALAEA")

AUSTRALIAN SERVICES UNION ("ASU")

AUSTRALIAN WORKERS UNION ("AWU")

AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING AND KINDRED  
INDUSTRIES UNION ("AMWU")

COMMUNICATION, ELECTRICAL AND PLUMBING UNION ("CEPU")

FLIGHT ATTENDANTS' ASSOCIATION OF AUSTRALIA ("FAAA")

NATIONAL UNION OF WORKERS ("NUW")

TRANSPORT WORKERS UNION OF AUSTRALIA ("TWU")

APPLICANTS

ANSETT AUSTRALIA LIMITED (A.C.N. 004 209 410)

501 SWANSTON STREET PTY LTD (A.C.N. 005 477 618)

AEROPELICAN AIR SERVICES PTY LTD (A.C.N. 000 653 083)

AIRPORT TERMINALS PTY LTD (A.C.N. 053 976 444)

ALDONG SERVICES PTY LIMITED (A.C.N. 000 258 113)

ANSETT AIRCRAFT FINANCE LIMITED (A.C.N. 008 643 276)

ANSETT AUSTRALIA HOLDINGS LIMITED (A.C.N. 004 216 291)

ANSETT AVIATION EQUIPMENT PTY LTD (A.C.N. 008 559 733)



ANSETT CARTS PTY LIMITED (A.C.N. 055 181 215)  
ANSETT EQUIPMENT FINANCE LIMITED (A.C.N. 006 827 989)  
ANSETT FINANCE LIMITED (A.C.N. 006 555 166)  
ANSETT HOLDINGS LIMITED (A.C.N. 065 117 535)  
ANSETT INTERNATIONAL LIMITED (A.C.N. 060 622 460)  
BODAS PTY LTD (A.C.N. 002 158 741)  
BRAZSON PTY LIMITED (A.C.N. 055 259 008)  
EASTWEST AIRLINES (OPERATIONS) LTD (ACN 000 259 469)  
EASTWEST AIRLINES LIMITED (ACN 000 063 972)  
HAZELTON AIR CHARTER PTY LIMITED (A.C.N. 065 221 356)  
HAZELTON AIR SERVICES PTY LIMITED (A.C.N. 000 242 928)  
HAZELTON AIRLINES LIMITED (A.C.N. 061 965 642)  
KENDELL AIRLINES (AUST) PTY LTD (A.C.N. 000 579 680)  
MORAEL PTY LTD (A.C.N. 003 286 440)  
NORTHERN AIRLINES LIMITED (A.C.N. 009 607 069)  
NORTHERN TERRITORY AERIAL WORK PTY LIMITED (A.C.N. 009 611 321)  
ROCK-IT-CARGO (AUST) PTY LTD (A.C.N. 003 004 126)  
SHOW GROUP PTY LTD (A.C.N. 002 968 989)  
SKYWEST AIRLINES PTY LTD (A.C.N. 008 997 662)  
SKYWEST AVIATION LIMITED (A.C.N. 004 444 866)  
SKYWEST HOLDINGS PTY LTD (A.C.N. 008 905 646)  
SKYWEST JET CHARTER PTY LTD (A.C.N. 008 800 155)  
SOUTH CENTRE MAINTENANCE PTY LTD (A.C.N. 007 286 660)  
SPACA PTY LTD (A.C.N. 006 773 593)  
TRAVELAND INTERNATIONAL (AUST) PTY LIMITED (A.C.N. 000 275 936)



TRAVELAND INTERNATIONAL PTY LIMITED (A.C.N. 002 275 936)

TRAVELAND NEW STAFF PTY LTD (A.C.N. 080 739 037)

TRAVELAND PTY LIMITED (A.C.N. 000 240 746)

WALGALI PTY LTD (A.C.N. 055 258 921)

WESTINTECH LIMITED (A.C.N. 009 084 039)

WESTINTECH NOMINEES PTY LTD (A.C.N. 009 302 158)

WHITSUNDAY AFFAIRS PTY LTD (A.C.N. 009 694 553)

WHITSUNDAY HARBOUR PTY LIMITED (A.C.N. 010 375 470)

WRIDGWAY HOLDINGS LIMITED (A.C.N. 004 449 085)

WRIDGWAYS (VIC) PTY LTD (A.C.N. 004 153 413)

(All Administrators Appointed)

PETER HEDGE

GREG HALL

ALLAN WATSON

("Voluntary Administrators")

RESPONDENTS



## APPENDIX 1

Union	Union Representative for voting purposes
Ansett Pilots Association	Doug Dunlop
Association of Professional Engineers, Scientists & Managers Australia	Jeff Artis
Australian Liquor, Hospitality & Miscellaneous Workers Union	Neil Campbell
Australian Federation of Airline Pilots	Terry O'Donnell
Australian Licensed Aircraft Engineers Association	Chris Ryan
Australian Services Union	Linda White
Australian Workers Union	Bill Shorten
Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union	Dave Oliver
Communication, Electrical and Plumbing Union	Gavin Marshall
Flight Attendants' Association of Australia	Ken Johnston
National Union of Workers	Paul Richardson
Transport Workers Union of Australia	John Allen

