

GREG COMBET AND NICOLA ROXON MP v COMMONWEALTH OF  
AUSTRALIA AND THE HONOURABLE KEVIN ANDREWS MP AND SENATOR  
THE HONOURABLE NICHOLAS MINCHIN

The order of the Court was:

“The questions stated by the parties in the Special Case for the opinion of the Full Court are answered as follows:

(1) Q. Do the plaintiffs, or either of them, have standing to seek the relief sought in the statement of claim in the further amended writ of summons?

A. It is unnecessary to answer this question.

(2) Q. If yes to (1), is the withdrawal of money from the Treasury of the Commonwealth to pay for the government's advertisements authorised by the departmental appropriation?

A. It is not appropriate to answer this question.

(3) Q. If no to (2), have the plaintiffs established a basis for any, and if so which, of the relief sought in the amended statement of claim?

A. The plaintiffs have not established a basis for any of the relief sought in the amended statement of claim or the alternative relief foreshadowed at the hearing of the Special Case, namely, declarations concerning payments to meet expenses incurred by the Commonwealth under contracts and arrangements for and in relation to certain past advertisements.

(4) Q. If yes to (3), should any such relief be refused on discretionary grounds?

A. It is unnecessary to answer this question.

(5) Q. Who should pay the costs of the proceedings?

A. The plaintiffs.”