



Australian Government
Australian Customs Service

Security and Governance
Australian Customs Service
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SYDNEY INTERNATIONAL AIRPORT NSW 2020

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Quote: N07/07927-9059

2 August 2007

SERVICE COPY

Tibor Csapo
Level 5 83-85 Market Street
WOLLONGONG NSW 2500

Dear Mr Csapo

Importation of the following:

- **One (1) Replica P38 Pistol (Megatron Transformer)**

The *Customs Act 1901* s205D (2)(b) requires Customs to initiate proceedings with respect to the seized goods within 120 days of your claim for the goods. In accordance with this Act proceedings will commence in relation to your claim for the return of goods seized.

Please note that an application will be listed for mention at the Local Court, Downing Centre, Court 5.5, Level 5, 143-147 Liverpool Street, Sydney, on **Tuesday, 11 December 2007 at 9:30 am.**

On the above date, if the Application is not objected the Court will determine whether it will issue the declaration that the goods are forfeited goods. Enclosed herein is a copy of the aforesaid application.

Please notify me if you have received permission to import the goods or advise me in writing if you do not want this matter to progress to a court hearing and wish to withdraw your claim for the seized goods.

If the matter proceeds to court and Customs is successful in action to have the goods condemned, it will seek court, professional and service costs of an average of \$400.00.

Yours sincerely

Theo Koutellou
For Regional Director
New South Wales

APPLICATION TO THE LOCAL COURT
Section 40 Local Courts Act 1982
Local Courts (Criminal and Applications Procedure) Rule 2003 Part 9

NOTICE OF LISTING

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| This Application Notice is listed before the Downing Centre Local Court on: | |
| Time & Date: | 09:30am Tuesday 11 December 2007 |
| Place: | Downing Centre Local Court, Level 5, Court Room 5.5 143 Liverpool Street, Sydney NSW 2000. Telephone: 92877888 |

Applicant Details

| | |
|-------------------------|--|
| Name: | In the matter of an application by the Chief Executive Officer of Customs under section 205D(2)(e) of the Customs Act 1901 (CTH) and goods, being: One (1) Replica P38 Pistol (Megatron Transformer) seized pursuant to section 203B(2) of the Customs Act 1901 on 20 April 2007. |
| Address: | 10 Cooks River Drive Sydney International Airport |
| Postal Address: | Locked Bag 3000 Sydney International Airport NSW 2020 |
| Lawyers Name & Address: | Australian Government Solicitor Level 42, MLC Centre 19 Martin Place SYDNEY NSW 2000 |

Respondent Details

| | |
|-------------------|--|
| Name: | Tibor Csapo |
| Address: | Level 5 83-85 Market Street WOLLONGONG NSW 2500 |
| Facsimile Number: | |

Statement of Service

I
of(occupation).....
.....
did serve a copy of this application on
(name/s)
on/...../..... by:
 delivering a copy personally to the person
 giving a copy to (name)..... an adult person at the address of the respondent.
 sending a copy by registered mail to the respondent's address at.....
 sending a copy by facsimile to the respondent's address at..... (only available where respondent is a Government Department and facsimile number provided). Advice confirming successful transmission of the document was received by me on/...../.....

| | |
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| Signed: | |
| Name: | |
| Witness Signature: | |
| Name: | |

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| Short Description of Application | In the matter of an application by Theo Koutellou under section 205D(2)(e) of the Customs Act 1901 (CTH) and goods seized pursuant to section 203B(2) of the Customs Act 1901 on 20 April 2007 |
| (See Attached for Orders Sought & Grounds) | |

APPLICATION TO THE LOCAL COURT

Details of Application:

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| Act and Section under which application lodged: | Section 205D(2)(e) of the Customs Act Law part code: 38621 Date of Issue: 2 August 2007 |
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|--------------------------|--|
| Order/s Sought: | <ol style="list-style-type: none"> 1. That the goods are special forfeited goods. 2. The condemnation of the goods as forfeited to the Crown. 3. Costs |
| Grounds for Application: | <p>Grounds for application</p> <p><i>To the extent that the applicant is enabled by section 255 of the Customs Act 1901 to do so, the applicant avers, as the grounds of this application, the following facts:</i></p> <p>(1) <i>The goods were seized pursuant to section 203B(2) of the Customs Act 1901 on 20 April 2007.</i></p> <p>(2) <i>A Seizure Notice was served by Customs on the owner of the goods.</i></p> <p>(3) <i>A claim was received by Customs from Tibor Csapo on 17 May 2007 for the return of the goods.</i></p> <p>(4) <i>The goods are One (1) Replica P38 Pistol (Megatron Transformer).</i></p> <p>(5) <i>Permission to import the goods has not been granted to Tibor Csapo by the relevant Minister or any authorised person.</i></p> <p>(6) <i>This application, a proceedings for condemnation and, thus, a Customs prosecution, as defined, is brought in the name of the office of the CEO of Customs.</i></p> <p>(7) <i>Theo Koutellou is an officer of Customs currently holding a position to which the Chief Executive Officer of Customs has delegated his power to bring this application.</i></p> |

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| Other relevant Information: <i>(eg. DOB, license no., relevant charges, alternative address)</i> | |
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|---|----------------|
| Signature of Applicant: <i>(Signature not required if applicant is a police officer or public officer)</i> | |
| Signature of Registrar <i>(Signature not required if applicant is a police officer or public officer)</i> | |
| Application Filed at: | Downing Centre |
| Date of Filing Application: | |

| Court Registry Use Only | PAYMENT STAMP |
|---|----------------------|
| Date Court Attendance Notice Filed: | |
| Place of Filing <i>(if different from place of first listing):</i> | |
| Court Reference Number: | |
| Fees: *Paid *Waived *Remitted *Exempt | |