

[3] As to the first point, the comment regarding the Court of Appeal's jurisdiction was made following a decision by this Court that it lacked jurisdiction to hear the proposed appeal. The comment was thus not essential to the decision. In any event, the decision of Wild J was clearly made under s 61A(3) of the Judicature Act 1908 and not (as Mr Siemer submits) under s 61A(1).

[4] As to the second point, all of Mr Siemer's submissions were considered by the Court. The conclusion in the judgment was that none of the matters raised by Mr Siemer point to a risk of a possible miscarriage of justice and that there were no issues of public or general importance.²

[5] The application for recall is dismissed.

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² At [5] and [6].