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foot the bill for a bad Bill**

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# **MEDIA RELEASE**

Monday, 16 April 2012

## **High Court hearing commences**

The hearing for British American Tobacco's (BAT) challenge against the Tobacco Plain Packaging Act (TPP) will begin tomorrow before the seven High Court Judges in Canberra.

Allan Myers QC will argue on behalf of BAT that the TPP legislation is unconstitutional due to the fact the Commonwealth is trying to acquire our valuable intellectual property without compensation.

The High Court proceedings brought by BAT will operate as a "test case" on the validity of the TPP Act relating to various property rights of our two brands, Winfield and Dunhill. If successful the decision should apply to other property and brands sold by BAT.

BAT spokesperson Scott McIntyre said BAT would obviously prefer not to be in a position where we're forced to take the Federal Government to court but unfortunately they've taken us down the legal path.

"As a legal company selling a legal product we have continually said we will defend our property on behalf of our shareholders as any company would," Mr McIntyre said.

"We're very grateful that the High Court has facilitated the hearing to occur so quickly after we commenced proceedings in December 2011.

"Obviously we have the utmost respect for the seven judges and all parties involved and we will continue to observe High Court protocol which is not to discuss proceedings before the court in the media.

"There has been much interest in the plain packaging debate and the pending High Court hearing which is now upon us.

"We ask that the media continue to be understanding as we endeavour to keep everyone informed while still respecting the protocols and convention of the court."

To view BAT's full submission which contains key arguments of our case please see the following link - <http://www.hcourt.gov.au/cases/case-s389/2011>

For further information on our plain packaging campaign please see – [www.plainpack.com](http://www.plainpack.com)

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