

Form 15
Rules 8.01(1); 8.04(1)

Originating application

No. of 2024

Federal Court of Australia
District Registry: New South Wales
Division: General

Chief Executive Officer of the Tertiary Education Quality and Standards Agency

Applicant

Chegg, Inc.

Respondent

To the Respondent

The Applicant applies for the relief set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

You must file a notice of address for service (Form 10) in the Registry before attending Court or taking any other steps in the proceeding.

Time and date for hearing:

Place: Level 17, Law Courts Building, 184 Phillip Street Queens Square, Sydney NSW 2000

The Court ordered that the time for serving this application be abridged to

Date:

.....
Signed by an officer acting with the authority
of the District Registrar

DETAILS OF CLAIM

This is an application for:

- a. declarations under section 21 of the *Federal Court of Australia Act 1976* (Cth) (**FCA Act**);
- b. pecuniary penalties under section 117 of the *Tertiary Education Quality and Standards Agency Act 2011* (Cth) (**TEQSA Act**) and Part 4 of the *Regulatory Powers (Standard Provisions) Act 2014* (Cth) (**Regulatory Powers Act**); and
- c. costs under section 43(1) of the FCA Act,

in respect of alleged contraventions of section 114A(3) of the TEQSA Act, in the period 9 March 2021 to 2 May 2022.

The Court's jurisdiction to hear the present case is found in section 117 of the TEQSA Act, Part 4 of the Regulatory Powers Act and section 39B(1A)(c) of the *Judiciary Act 1903* (Cth).

On the grounds stated in the accompanying Concise Statement, the Applicant seeks:

RELIEF

1. Declarations pursuant to s 21 of the FCA Act that the Respondent contravened s 114A(3) of the TEQSA Act by providing or arranging for a third person to provide an academic cheating service to students undertaking an Australian course of study with Monash University, on the following occasions:
 - a. between 1 and 2 May 2022 in respect of an assessment task issued by the Faculty of Engineering to students enrolled in the course "CIV2263 – Water Systems 2022", which was entitled "Water Surface Profiles";
 - b. between 11 to 12 January 2022, in respect of an assessment task issued by the Faculty of Information Technology to students enrolled in the course "FIT1045 – Algorithms and Programming Fundamentals in Python", which was entitled "Programming Assignment";
 - c. between 9 and 22 March 2021 in respect of an assessment task issued by the Faculty of Engineering to students enrolled in the course "CIV2263 – Water Systems", which was entitled "Hydrostatics";
 - d. between 19 and 22 March 2022 in respect of an assessment task issued by the School of Physics and Astronomy to students enrolled in the course "PHS2061 – Quantum and Thermal Physics", which was entitled "Assignment 1"; and

- e. on or about 1 November 2021 in respect of an assessment task issued by the Faculty of Information Technology to students enrolled in the course “FIT2094 – Databases”, which was an electronic examination.
2. An order, pursuant to s 82(3) of the Regulatory Powers Act that the Respondent pay to the Commonwealth of Australia such pecuniary penalties as the Court determines appropriate in respect of the contraventions of s 114A(3) of the TEQSA Act the subject of the declarations in paragraph 1 above.
3. An order, pursuant to s 43 of the FCA Act, that the Respondent pay the Applicant’s costs of, and incidental to, this proceeding.
4. Such further or other orders as the Court considers appropriate.

Applicant’s address

The Applicant’s address for service is:

Place: The Australian Government Solicitor

Level 10, 60 Martin Place

Sydney NSW 2000

Email: Matthew.Garey@ags.gov.au

The Applicant’s address is Level 11, 452 Flinders Street, Melbourne VIC 3000.

Service on the Respondent

It is intended to serve this application on all Respondents.

Date: 8 October 2024



Signed by Matthew Garey
AGS Lawyer
For and on behalf of the Australian Government Solicitor
Solicitors for the Applicant