

Here is the chain of arguments used by Gordon, Steward and Gleeson JJ, reconstructed into a modus ponens structure with paragraph references:

1. If the word "offence" in s 19 of the Procedure Act means the factual ingredients or elements of an offence [45], and if the factual ingredients or elements of former s 66EA differ significantly from current s 66EA such that they are not the same offence [65], then current s 66EA is a new offence. The factual ingredients or elements of former s 66EA differ significantly from current s 66EA such that they are not the same offence [65]. Therefore, current s 66EA is a new offence [65].

2. If current s 66EA is a new offence [65, from 1], and if s 19 of the Procedure Act does not apply when a new offence is created [41], then s 19 of the Procedure Act does not apply to current s 66EA. Current s 66EA is a new offence [65, from 1]. Therefore, s 19 of the Procedure Act does not apply to current s 66EA [65].

3. If s 19 of the Procedure Act does not apply to current s 66EA [65, from 2], and if the maximum penalty specified in current s 66EA(1) is life imprisonment [58], then the maximum penalty for current s 66EA is life imprisonment. S 19 of the Procedure Act does not apply to current s 66EA [65, from 2]. Therefore, the maximum penalty for current s 66EA is life imprisonment [implied from 58 and 65].

4. If the maximum penalty for current s 66EA is life imprisonment [implied from 58 and 65, from 3], then the appeal should be dismissed [implied from 42]. The maximum penalty for current s 66EA is life imprisonment [implied from 58 and 65, from 3]. Therefore, the appeal should be dismissed [69].

In summary, Gordon, Steward and Gleeson JJ concluded that current s 66EA created a new offence with different factual ingredients from the former s 66EA. As a result, s 19 of the Procedure Act, which deals with increases in penalties for existing offences, did not apply. The maximum penalty was therefore life imprisonment as specified in s 66EA(1). Consequently, the appeal was dismissed. The judges' reasoning followed a clear modus ponens structure, with each conclusion building logically on the previous one to arrive at the ultimate disposition of the case.