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SOS-NEWS expresses many thanks to Lyall Sempt who provided this document being the prime research source ***http://www.brumbywatchaustralia.com/***

Local government and rates are illegal

Some reference is to illegal NSW local government, however the following shows all local governments are illegal.

"At Law, words are supposed to mean what they say."
(Geoffrey Robertson, 'The Justice Game".)

We will not accept either a statement by the council without proof as to its legal basis, nor will we accept 'an opinion' of the Court unless it is an opinion of the Court, AT LAW.

SECTION ONE

PART ONE - THE AUSTRALIAN CONSTITUTION

There is a document existing in Australia called THE CONSTITUTION OF THE COMMONWEALTH OF AUSTRALIA.
While it can be argued that this document can no longer validly relate to Australia, as it is an Act of the Parliament of the United Kingdom, and it has NEVER been adopted by the people of Australia, this matter will be dealt with elsewhere.

This document was created to amalgamate the Australian colonies into a Commonwealth, and to set the rules by which the Commonwealth would be governed by the people as a self-governing colony. It was styled under the format of the Westminster Parliamentary system and clearly established the Parliament of the Commonwealth, and the Parliament of the States. It also clearly established the powers and responsibilities of both those parliaments. It allowed the provision for certain alterations of those powers, while specifically restricting alteration of certain others.
Such alteration of the way in which the Commonwealth of Australia would be governed by the people was strictly limited to alteration by way of referendum of the population.
THERE IS NO OTHER MEANS BY WHICH OUR SYSTEM OF SELF-GOVERNMENT CAN BE LEGALLY ALTERED.

The Constitution was formatted to protect the Australian people from a number of things, and also to give the people of Australia the ability of Self-Determination of Government.
NOWHERE DOES IT PERMIT THE PARLIAMENTS, OR THE JUDICIARY, TO OPERATE OUTSIDE THESE GUIDELINES.
The Concise Oxford Dictionary of English (1998) defines a constitution as:

"A precise body of fundamental principles, agreed to by the members of an organization or state, according to which a state or other organization is acknowledged to be governed."

Clause 9, Chapter I, Part I, Section 1, [63 & 64 Vict.] British Colony of the Commonwealth of Australia [CH 12] Constitution Act states:
"The legislative power of the Commonwealth shall be vested in a Federal Parliament, which shall consist of the Queen, a Senate, and a House of Representatives, and which is herein-after called "The Parliament or, The Parliament of the Commonwealth."

Clause 9, Chapter V, Part I, Section 106, 107, & 108, [63 & 64 Vict.] British Colony of the Commonwealth of Australia [CH 12] Constitution Act state [Annexure A]:

106. The Constitution of each State of the Commonwealth shall, subject to this Constitution, continue as at the establishment of the Commonwealth, or as at the admission or establishment of the State, as the case may be, until altered in accordance with the Constitution of the State.

107. Every power of the Parliament of a Colony which has become or becomes a State shall, unless it is exclusively vested in the parliament of the Commonwealth or withdrawn from the Parliament of the State, continue as at the establishment of the Commonwealth, or as at the admission or establishment of the State, as the case may be.

1**08.** Every law in force in a Colony which has become or becomes a State, and relating to any matter within the powers of the Parliament of the Commonwealth, shall, subject to this Constitution, continue in force in the State; and, until provision is made in that behalf by the Parliament of the Commonwealth, the Parliament of the State shall have such powers of
alteration and of repeal in respect of any such law as the Parliament of the Colony had until the Colony became a State.

THE ORGANISATIONS KNOWN AS 'LOCAL GOVERNMENT' DID NOT EXIST AT THE TIME OF THE FEDERATION OF THE STATES INTO A COMMONWEALTH.
A RATEABLE PERSON WITHIN THE MEANING OF THE LOCAL GOVERNMENT ACT 1993 DID NOT EXIST AT THE TIME OF THE FEDERATION OF THE STATES INTO A COMMONWEALTH.

Historically, on a 'local' level, there were at first military officers, then "landed gentry" in charge of local road and drainage construction gangs. 'Local Government'

did not exist, and the free populations of the Colonies, (under British Colonial Rule) were at liberty to do with their properties much as they wished.

It can be seen then, that since 'local government' did not exist at the time of Federation, then there can be no continuance of local government law.

You will note that Sections 106 and 108 "subject" the Constitutions and Laws of the States to the Constitution of the Commonwealth, while Section 107 allows the powers of the Parliaments of the States to continue unless they are exclusively vested in the Parliament of the Commonwealth.

Paragraphs 4 and 5 on page ii of the Constitutional Commission (1985 - 1988) state: [Annexure B]:

"Federal Powers. The Constitution divides power between Federal and State Parliaments. It lists the subjects about which the Federal Parliament can make laws e.g. taxation; currency; defence; external affairs; interstate and international trade; foreign, trading and financial corporations; marriage and divorce; quarantine; pensions and other social services; immigration; bankruptcy; and industrial arbitration (see especially sections 51 and 52).

State Powers. There are important omissions from the list of powers given to the Federal Parliament e.g. land, police, criminal law, education, health, roads, industrial safety, prices and incomes, and the environment. The Constitution expressly guarantees the continuing existence of the States
(sections 106 and 107). There are a few subjects about which the States are prevented from making laws (sections 52 and 90), e.g. to impose customs and excise duties. The States are also forbidden from having their own defence forces without the consent of the Federal Parliament (section 114)."

You can see from sections 51 and 52 of the Constitution, and from the Constitutional Commission (1985 - 1988) report that the power of taxation is held exclusively by the Federal Parliament.

The Courts of Australia have long held that council rates are a tax. Yet, under the Australian Constitution, the Parliaments of the States do not have the power of taxation.
"John Winston Howard, Peter Howard Costello & 'Commissioner for Taxation' Michael Joseph Carmody all stated before the introduction of the infamous "Goods and Services Tax",

Quote: "Local government Council Rates will attract no GST because Council Rates 'ARE A TAX AND WE CAN'T TAX A TAX'.

Also, the High Court of Australia ruled that "State Governments couldn't raise ANY TAX", and because of this the 'State Excise on Fuel, Tobacco & Alcohol' was removed.
It can be clearly seen that the authors of the Constitution were not allowing for any Parliament other than the Federal Parliament to impose a tax. Therefore, the only land rates tax that can be imposed within Australia, is one imposed by the Federal

Parliament through the Commissioner for Taxation.
Unless we receive a "Rates Notice" from the 'Commissioner for Taxation it is INVALID and UNLAWFUL.
In view of the above, this proposed action can only be withdrawn.

PART TWO - 'LOCAL GOVERNMENT AND THE LOCAL GOVERNMENT ACT 1993'

As discussed in Part 1, the [63 & 64 Vict.] British Colony of the Commonwealth of Australia, [63 & 64 Vict.] [CH 12] Constitution Act gives specific powers to the Federal and State Parliaments.

IN NO SECTION WITHIN THE AUSTRALIAN CONSTITUTION IS THERE PROVISION FOR THE FEDERAL OR STATE PARLIAMENT TO ESTABLISH A THIRD LEVEL OF GOVERNMENT WITHOUT THE PERMISSION OF THE PEOPLE VIA A FEDERAL REFERENDUM.

Organizations known as 'local government' did not exist at the time of Federation. Laws that existed prior to this were laws for the Colony of NSW, or laws for the Colony of Victoria etc. Administration of local matters was confined to the control by military personnel or 'landed gentry' over local construction gangs.

In their Statements of Liquidated Claims served upon us, Council has claimed that:

"The Defendant is a rateable person within the meaning of the Local Government Act 1993 in respect of the property, assessment no: …….
known as ……

……. (address)"

As previously shown, sections 106, 107 and 108 of the Commonwealth Constitution allow for continuance of powers held by the states at the time of Federation, subject to the Commonwealth Constitution and provided those powers did not conflict with the powers of the Commonwealth Parliament, in which case the Commonwealth powers take precedence.

Since the 'Local Government Act 1993' did not exist at the time of Federation, there can be no continuance of that Act. Since the Parliament of the State of New South Wales did not have the power to impose a land rates tax under the Local Government Act of 1993 (or any other Act) at the time of Federation, there can be no continuance of that power.

Since a 'Rateable person under the Local Government Act 1993' (or any other act) did not exist at the time of Federation, there can be no continuance of the term 'rateable person'.

Since the power to impose a tax is held exclusively by the Commonwealth Parliament, then neither the Parliament of the State of New South Wales, nor the illegal 'local government' of …… Council can impose this

tax.
Since 'local government' did not exist at the time of Federation, then there can be no continuance of 'local government' law. Similarly, as 'local government land rates tax' did not exist at the time of Federation there can be no continuance of 'local government land rates tax' from that time to now.

Following a recommendation of the Constitutional Commission of Inquiry (1985 - 1988) a referendum was held in September 1988. (The Constitutional Commission found that there was no basis in law, contained within the Constitution for the provision of 'Local Government'. They found that barely 50% of the population even knew of the existence of the Constitution, let alone its contents, and that only a few percent of those under 25 years of age knew of its existence at all.)

Question 3 from the referendum was: A Proposed Law; 'To alter the Constitution to recognise local government.' Do you approve of this alteration? [Annexure C]

The SPECIFIC (federal Referendum) proposal was:

(3) Constitution Alteration (Local Government) 1988…. 119A, "Each state shall provide for the ESTABLISHMENT AND CONTINUANCE of a system of local government, with local government bodies elected in accordance with the laws of the state, and empowered to administer, and MAKE BY-LAWS FOR, their respective areas IN ACCORDANCE with the laws of the state" (emphasis added).
It was recognized that the Parliaments of the States did not have the power to establish a third tier of government via 'local government' and an amendment to the Constitution was necessary for them to OBTAIN these powers.

If the Constitution had to be altered to allow for the ESTABLSIHMENT of 'local government', before there could be a CONTINUANCE of 'local government from the time of federation, then it is clear that these powers did not exist at the time of the Federation of the States into a Commonwealth.

Ergo, if the Constitution had to be altered to allow for the "establishment and continuance" of 'local government' these powers did not exist at the time of federation OR SECTIONS 106 TO 108 OF THE CONSTITUTION WOULD HAVE APPLIED AND THE CONSTITUTION WOULD NOT HAVE HAD TO BE ALTERED.

For the Constitution to be able to be changed, there must be a majority, (either for or against), in each state, and, a favourable majority must be returned in a majority of States.

The 1988 referendum was not carried. It obtained a majority in no State and an overall minority of 3,084,678 votes. [Annexure D]

No other conclusion can be derived from this result other than that Local government was not legally recognized by the people of Australia, who are the Government of Australia through their agents the Parliaments.

The Parliament of the State did not have these powers before the Referendum, and they were most certainly prohibited from having them after the Referendum.

This was confirmed by the Parliament of NSW Legislative Council General Purpose Standing Committee (No 5), Report 19, Local Government Amalgamations, December 2003 which states on page 51, at 4.78: "Local Government is not recognized in the Australian Constitution. In 1974 and 1988 constitutional recognition of local government was considered in referenda to change the constitution but neither referendum was successful."

The members of the various Parliaments of the States and the Commonwealth are the elected representatives of the people of Australia. They are not there as representatives of the Parliaments, but as elected servants of the people. Twice, in 1974 and in 1988 the people of Australia (the Government) told their elected representatives that they did not wish to constitutionally recognize local government.

Since the people do not wish to recognize 'local government', and since the Constitution does not recognize or grant the power to establish a third level of government, then under Section 109 of the Constitution it was illegal for the Parliament of New South Wales to enact the Local
Government Act of 1993.

This is a fundamental control derived from the will of the people and was upheld by the High Court in ATTORNEY GENERAL for QUEENSLAND -v- ATTORNEY GENERAL FOR THE COMMONWEALTH (1915) 20 C.L.R. before His Honour Justice Isaacs who, having been involved in the drafting of The Constitution, was well aware of both its provisions and its intent.

The High Court of Australia has ruled in University of Wollongong v Metwally that "Section 109 of the Constitution of Australia is invalidating or destructive." Since section 109 cannot validate an Act by any state Parliament which purports to overturn the result of a Federal Referendum, then Section 109 can only OUST it. The operative words were "in accordance with the laws of the State, to administer and make by-laws for their respective areas." There was no denial of states rights. However, once rejected by the people of the States in a Federal Referendum, the consequences are immediate. Section 109 immediately validates the Sovereign People's Decision, which is their self-determination of government.

The 1988 Referendum was a PUBLIC ACT under the Federal Constitution. Sections 106 and 108 subject the Constitutions of the States to the over-riding authority of the Federal Constitution and Section 118 requires that FULL FAITH AND CREDIT be given throughout the Commonwealth of Australia to the LAWS AND PUBLIC ACTS AND RECORDS of every State.

If full faith and credit is given, there appears to be NO LEGAL WAY any States can overturn the specific outcome of a Federal Referendum

The Referendum (Constitution Alteration) Act of 1906-1973 is a Commonwealth of Australia Act. The Schedule of the Referendum Act provides the Wording of the "Writ for Referendum" and includes the words:

"We (the Electorate) command that you (the parliament) cause a proposed law entitled… Be submitted, according to law, in each State to the electors qualified to

vote for the election of Members of the House of Representatives" (for each of the six states). It is clear that a "Writ" directs that a Federal Referendum must be by way of a vote state by state.
This has the same effect as a state referendum, but under the Federal Act, by doing so invokes Section 109 of the Australian Constitution as an authority that over-rides any inconsistency in the legislation of the States.

SINCE THE PARLIAMENT OF THE STATES HAS NO POWERS UNDER THE AUSTRALIAN CONSTITUTION TO CREATE A THIRD TIER OF GOVERNMENT, AND SINCE THEY WERE TWICE TOLD BY THE PEOPLE THEY SERVE THAT THE PEOPLE DID NOT WISH TO RECOGNIZE LOCAL GOVERNMENT, THEN THE ENACTMENT OF THE LOCAL GOVERNMENT ACT OF 1993 WAS ILLEGAL. THE LOCAL GOVERNMENT ACT OF 1993 HAS NO BASIS EITHER CONSTITUTIONALLY OR LEGALLY.

As Council has made a decision requiring us to act in accordance or compliance with these alleged laws, with threat of further action by way of prosecution or penalty, we have asked them to provide us with information in accordance with the provisions of the Judicial Review Act, the Acts Interpretation Act and under International Law, as to proof of their authority and head of power.

We have provided proof of the situation, as we believe it to be at law. We have provided the council with an opportunity to prove at law their legal existence and head of power, yet to this date council has not satisfied this request and refuses to address the legality question altogether.

We will not accept either a statement by the council as to their legal basis without documented proof, nor will we accept a judgement of a Court asked on arbitrary opinion of political rhetoric.

Through the 1974 AND 1988 Federal Referenda, the people twice denied power to the State Parliament of New South Wales for the continuance of local government. The New South Wales Parliament ignored the will of the people, and the various previously mentioned sections of the Constitution of Australia, and introduced the Constitution Act Amendment Act 1989; which purports to give the State a Head of Power to Authorise Local Government under the State Constitution. It then introduced the 1993 Local Government Act, which purports to empower local authorities to make their own laws with the approval of the Minister.

The Local Government Minister purports to enact legislation, for local authorities to enforce, every time he approves a local law or policy.
Only an Act of Parliament can pass a law into existence. THE MINISTER FOR LOCAL GOVERNMENT IS NOT A PARLIAMENT, and therefore cannot speak an Act or law into existence.

We have the situation in New South Wales where the various 'local governments' apply to the Minister for Local Government for a rate (tax) increase, and the Minister either approves or disallows it.

In LEASK -v- COMMONWEALTH Justice Kirby clearly pointed out that a Ministerial Statement cannot speak the act into constitutional validity where such validity is missing.
Because the Parliament of New South Wales is subject to the Commonwealth Parliament, and also subject to the Commonwealth Constitution, AND OWES TS ALLEGIANCE TO THE SOVEREIGN PEOPLE OF THE COMMONWEALTH OF AUSTRALIA, (who twice told them they did not want to recognize local government), THE PARLIAMENT OF NEW SOUTH WALES COMMITTED AN ACT OF TREASON AGAINST THE SOVEREIGN PEOPLE OF THE COMMONWEALTH OF AUSTRALIA.

They did this by overthrowing the relevant sections of the Constitution of the Commonwealth of Australia, by which they are bound, and by overthrowing the twice demonstrated will of the Sovereign People of Australia.

The Concise Oxford Dictionary of English (1998) defines treason as:

"The crime of betraying one's country, especially by attempting to kill or overthrow the sovereign or government."

Council has been given ample opportunity to prove their Head of Power, both to ourselves and to numerous other sovereign people of Australia. They have failed to do so, and it would appear they are unable to do so.

If there is no Head of Power, then there is no power to enact laws.
If there is no Head of Power, there is obviously no power to enact policy under those laws.
This would make ALL local laws and local law policies invalid.

WE REQUIRE THAT COUNCIL PUBLICLY PROVE THEIR HEAD OF POWER UNDER THE BRITISH COLONY OF THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT [63 & 64 VICT.] (CHAPTER 12) 1900.

If council is unable to do so, then this proposed action can only be withdrawn. We would remind council that in order to proceed, council must provide copies of the documents that were earlier requested, ranging downwards from Letters Patent appointing the Governor-General of Australia and Governor of New South Wales signed by the Queen of the United Kingdom and countersigned by senior members of the United Kingdom Parliament (according to UK Law and the Constitution of Australia), through to copies of the Constitution of the Council, as agreed to by referendum of the constituents of the claimed jurisdiction of Council, and copies of the Oath of Allegiance sworn by members of the council when they assumed office.
It must also be remembered, that if the oath of allegiance sworn was to the Queen of the United Kingdom, then they have committed an act of treason against the sovereign people of Australia by swearing allegiance to a foreign power. (See Sue v Hill, Full Bench of the High Court of Australia.)
Unless this is done, the proposed action can only be withdrawn.

PART THREE - TAXATION

Section 51 of the British Colony of the Commonwealth of Australia Constitution Act [63 & 64 Vict.] (Chapter 12) 1900 stipulates the powers of the Commonwealth Parliament.

Part (ii) of Section 51 states: "Taxation; but so as not to discriminate between States or parts of States:"

Section 112 allows that: "After uniform duties of customs have been imposed, a State may levy on imports or exports, or on goods passing into or out of the State, such charges as may be necessary for executing the inspection laws of the State…."

Section 113 allows for some control over 'all fermented, distilled or other intoxicating liquids.'

The Constitution SPECIFICALLY makes taxation the power of the Commonwealth. Nowhere does it allow a provision for the Parliaments of the States to impose a tax.

As previously stated, "John Winston Howard, Peter Howard Costello &'Commissioner for Taxation' Michael Joseph Carmody all stated before the introduction of the infamous "Goods and Services Tax, Quote:

"Local government Council Rates will attract no GST because Council Rates 'ARE A TAX AND WE CAN'T TAX A TAX'.
Also as stated, the Courts of Australia have long held that council rates are a tax. Yet, under the Australian Constitution, the Parliaments of the States do not have the power of taxation.

Section 109 of the Australian Constitution states:
"When a law of a State is inconsistent with a law of the Commonwealth, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid."

The Local Government Act 1993 deals with a great variety of subject matter, as well as land rates tax.

Section 54 of the Commonwealth Constitution states:

"The proposed law which appropriates revenue or moneys for the ordinary annual services of the Government shall deal only with such appropriation."

Section 55 of the Commonwealth Constitution states:

"Laws imposing taxation shall deal only with the imposition of taxation, and any provision therein dealing with any other matter shall be of no effect. Laws imposing taxation, except laws imposing duties of customs or of excise, shall deal with one subject of taxation only; but laws imposing duties of customs shall deal with duties of customs only, and laws imposing duties of excise shall deal with duties of excise only."

Therefore, since the Local Government Act 1993 deals with a great Variety of subject matter, as well as land rates tax, the Parliament of New South Wales, and the organization calling itself 'local government is left with two choices:

1. They can remove all other subject matter from the Local Government Act 1993, leaving only the matter of taxation, (which would render all other 'local government' laws invalid, but still be in conflict with the sole right of the Commonwealth to impose a tax); or,

2. They can remove the subject matter of land rates taxation from the Local Government Act, 1993, (which would render all their subject matter technically valid in relation to taxation, but not valid in relation to a third tier of government).

In either case, as previously stated, the Courts of Australia have long held that council rates are a tax. Yet, under the Australian Constitution, the Parliaments of the States do not have the power of taxation.

Unless we receive a "Rates Notice" from the 'Commissioner for Taxation it is INVALID and UNLAWFUL.

Unless this is done, the proposed action can only be withdrawn.

PART FOUR - FEE SIMPLE

Webster's Legal Dictionary, 1889, defines Fee Simple Title as:

"Fee Simple is a Contractual Agreement between the present owner and the previous owner, involving neither a third nor other parties. Fee Simple permits an owner to do with his property as he might wish. It is the highest form of land ownership available. Third party interference is prohibited to a property held in Fee Simple Title."

The Property Law Act Section 18A is the legislation required to legalise the granting of Fee Simple Tenure.

The property referred to in Council's unlawful demand for a permit tax is owned in Fee Simple title, and was purchased under a Fee Simple contract.

The Fee Simple (freehold) Title is a contract with a Government seal, subject only to the conditions therein.

Meaning that any other charges arising from other acts including Water Act, Local Government Act 1993, etc, that are area or title based, if challenged could not be enforced as compulsory charges.

These charges, while not necessarily illegal, if challenged would have to be ruled as voluntary, therefore unenforceable. Only becoming enforceable, if or when an agreement is reached, and the services associated with the charges are accepted by the titleholder.

The Fee Simple Tenure protects the titleholder from involuntary debt against the property (the purpose for its existence). Debts against the property for unpaid charges could only arise while the acceptance of the service continues.

Any other interpretations of the charges referred to in those Acts would be a breach of the Fee Simple contract.

Fee Simple absolute is historically and legally the most complete form of property ownership. If property rights can be thought of as a bundle of things, then the Fee Simple absolute (FSA) owner holds the full bundle of rights.

This bundle includes the right to:
- Give the property away
- Sell the property for a price
- Transfer the property with a will. With FSA, the property can stay in the family forever.
- Use the land for whatever purpose the owner sees fit
- Exclusive possession of the land.
- And where there is no will, the fee simple passes automatically to one's heirs.

As you can see, the underlying purpose of FSA is to keep the land in the family forever.

Since this property is held in Fee Simple Title, and no third party can become involved, and we have never entered into an agreement with Council for services provided in lieu of annual rate tax payments, then we cannot involuntarily incur a debt against this property.

This action can only be withdrawn.

PART FIVE - CONTRACT LAW

As Council has an ABN and ACN, it has made itself subject to Australian Corporation Law.

Council's Statement of Claim states:
"The Plaintiff is a statutory corporation and is capable of suing in its corporate name."

Under the Uniform Commercial Code (UCC) 1-207

I reserve my right not to be compelled to perform under any contract that I did not enter knowingly, voluntarily and/or intentionally.
And, furthermore, I do not accept the liability of the compelled benefit of any unrevealed contract or commercial agreement.

The High Court has taken the first step towards removing a cornerstone of corporate law. In a major decision the High Court ruled that an individual could recover, what under a contract he or she was not party to.

Under this ruling the High Court ruled (9.9.1998) that a party/parties could not be forced to honour a contract that they had unknowingly entered into. It also ruled that any monies paid, subject to such unknowing entry into a contract would be classified as a voluntary payment for either services or products provided, and as such, would be completely recoverable.
Furthermore, payments would only have to continue if there was ongoing satisfaction with the goods or services provided. If there was dissatisfaction, voluntary payment could be withdrawn at any time.

Since we have already covered the fact that the State Parliament does not have the power to impose taxes, then we must assume that Council presumes that we have entered into some sort of contract or agreement to pay the land rate taxes.

Since we have not entered into any agreement with council for either provided services or payments of any monies, nor have we entered into an agreement with them to pay land rates taxes, then there is no binding contract.

Since there is no binding contract or agreement, this action can only be withdrawn.

PART SIX - NO TENURE TO THE CROWN

The United Nations International Covenant on Civil and Political Rights, Part 1, Article 1, Section 1 states:

"All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development."

The United Nations International Covenant on Economic, Social and Cultural Rights, Part 1, Article 1, Section 1 states:

"All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development."

The United Nations Protocol to the International Covenant on Civil and Political Rights, Article 1, states:

"A State Party to the Covenant that becomes a Party to the present Protocol recognizes the competence of the Committee to receive and consider communications from individuals subject to its jurisdiction who claim to be victims of a violation by that State Party of any of the rights set forth in the Covenant. No communication shall be received by the Committee if it concerns a State Party to the Covenant, which is not a Party to the present Protocol."

The Charter of the United Nations, Article 2, Sections 1, 2, and 4 state:

1. The Organization is based on the principle of the sovereign equality of all its Members.

2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with the present Charter.

3. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

The Geneva Convention, Chapter 1, Article 2, states:

In addition to the provisions which shall be implemented in peacetime, the present Convention shall apply to all cases of declared war or of any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognized by one of them.

The Convention shall also apply to all cases of partial or total occupation of the territory of a High Contracting Party, even if the said occupation meets with no armed resistance.

Although one of the Powers in conflict may not be a party to the present Convention, the Powers who are parties thereto shall remain bound by it in their mutual relations. They shall furthermore be bound by the Convention in relation to the said Power, if the latter accepts and applies the provisions thereof.

All the above items of International Law, or International Agreements, or International Treaties have been signed by the Government of Australia. They have also been entered into Australian Law under Acts bearing titles similar to the titles of the International Agreements. (E.g., The Geneva Convention Act, The Charter of the United Nations Act, The Human Rights Commission Act etc.)

Australia became an Independent Sovereign State in October 1919, and this was recognized internationally on 10th January 1920 when it signed the Treaty of Versailles, and the Covenant of the League of Nations as a foundation Member. This was further ratified on June 26, 1945, when Australia became a foundation member of the United Nations by signing the United Nations Charter. This was written into Australian law on September 14, 1945 via the Charter of the United Nations Act 1945.

From October 1, 1919, or January 10, 1920, or at the very least, June 26, 1945, it became an offence under International Law to enforce foreign law upon the Australian People, who are the government of the country, not the parliaments. To do so is to commit an act of treason against the Australian People.

The Act to Constitute the Commonwealth of Australia 1900 is an Act of the United Kingdom Parliament. (See the Constitutional Commission 'The Constitution of the Commonwealth of Australia, page ii.) The Full Bench of the High Court of Australia has ruled that the United Kingdom is a power foreign to Australia. (See Sue v Hill, 1999.)

The Full Bench of the High Court of Australia has ruled that International Treaties are binding on all courts within Australia.

The Parliament of the United Kingdom of Great Britain and Northern Ireland consists of the House of Commons, the House of Lords, and the Queen (of the United Kingdom of Great Britain and Northern Ireland).

British Law stipulates that the Queen of the United Kingdom (of Great Britain and Northern Ireland) is the Queen of the United Kingdom ONLY. She cannot, under their law, be the Queen of anywhere else in the world. Under British Law if she is the Queen of anywhere else she is committing an Act of treason against the British people, and is assuming the role of an Absolute Monarch by usurping the authority of the Parliament of the United Kingdom to which the Monarch has been subject since the time Charles I lost his Head in 1649.

Following the Restoration, in 1689 William and Mary of Orange came to the throne of England. But before they were crowned, in January 1689, they signed the Declaration of Right which removed from the Monarch the power of absolute Monarchy and made the monarch subject to the UK parliament. In October 1690 the Bill of Rights was passed which, among other things, gave Executive Power in the United Kingdom to the United Kingdom Parliament. This was the birth of 'Constitutional Monarchy', where the Executive Power no longer lay with the monarch.

This has never been changed in British Law.

Therefore, section 61 of Clause 9 of the Australian Constitution, which confers Executive Power on the Queen of the United Kingdom through the various Governors-General, in actual fact confers executive power in Australia on the Parliament of the United Kingdom as the Queen cannot, under UK law, bestow any commissions of appointment without approval of the UK Parliament.

When it was realized that following Australian Independence in 1920, and following the Balfour Declaration in 1927, the United Kingdom no longer had any executive power over an independent nation, the UK Parliament passed legislation separating the Queen and the UK Parliament from the Governors-General of Australia. The Governors-General, the Governors, and the Australian Parliament from then on dealt with the British Foreign Office, not the British Colonial Office, as did all other independent nations.

The Royal Styles and Titles Act 1973 removed the title 'Queen of the United Kingdom in Australia' and substituted the title 'Queen of Australia. The Act to Constitute the Commonwealth of Australia recognizes only the Queen of the United Kingdom of Great Britain and Ireland. Therefore the 'Queen of Australia' has no executive power within Australia. IT IS AN OFFICE OF TITLE ONLY.

The Queen of the United Kingdom has no executive power within the UK. This lies with the UK Parliament. Therefore, the Queen cannot confer any delegated executive powers to the Governors-General of Australia, or Governors of the States, that she herself does not possess.

Halsburys Laws of England, Volume II, paragraphs 9 (11) to 9 (25) tell us that the Royal Sign Manual is a power of the United Kingdom Parliament under such various Acts as the Great Seal Act, the Crown Offices Act, the Clerk of the Crown and Chancery Act, and the Crown Seal Offices Act etc.

Therefore, NO appointments or commissions made by the Queen of England (who is recognized in the Constitution), or the Queen of Australia (who is not recognized in the Constitution), that are not signed by senior members of the UK Parliament are valid appointments as the monarch has not had the power to make appointments of her own volition since 1690.

In actual fact, the last VALID appointments made by a British Monarch were made by Queen Victoria who died in 1901. Under UK law, Royal appointments die with the Monarch. There have never been any Royal Appointments made since that time in accordance with United Kingdom law.

Therefore, all bills presented to the Australian parliaments since that time have never received 'Royal Assent' as required in the Commonwealth Constitution, and therefore remain as Bills of the Parliament and have never become laws.

Under Section 128 of the Australian Constitution, the Parliament of Australia had no power to appoint a new Head of State, claiming sovereignty over the People of Australia, without the permission of the people of Australia. No such permission was ever given. (See Australian Parliament House website, Referendum Results).

In a reply to a request made by Mr Ian Henke under the Freedom of Information Act it was stated: "I refer to your request to this department of 11 April 2001 pursuant to the Freedom of Information Act 1982, for a copy of the document or documents by which the Sovereign people of Australia, after the attainment of independence and Australian Sovereignty, confer or conferred Executive Authority on the Queen of Australia, in particular the authority to appoint and empower, under section 2 of the Constitution, a Governor-General to hold and exercise Executive Power under section 61 of the Constitution. I am, pursuant to arrangements by the secretary of this department under sub-section 23 (1) of the Act, authorized to make decisions on behalf of this department in relation to this matter."

"I have accordingly reached the conclusion that no such document as described by you exists."

A second request for information made by Mr Henke under the Freedom of Information Act asked for:
"The empowering documents or legislation issued by the United Kingdom Government or Parliament empowering the Queen of Australia to use the Royal Prerogatives granted to the Queen of the United Kingdom, in particular the Royal Sign Manual."

In reply it was stated:
"I have reached the conclusion that no such document as described by you in request, exists."

So the Australian Parliaments did not get the power to appoint a Governor-General from the United Kingdom, and they did not get the power to appoint a Governor-General from the Australian people.

SO WHERE DID THEY GET THE POWER TO APPOINT A GOVERNOR-GENERAL, SINCE THE ONLY WAY IN WHICH CLAUSE 9 OF THE CONSTITUTION CAN BE ALTERED IS BY WAY OF CONSENT OF THE PEOPLE UNDER A FEDERAL REFERENDUM?

The Royal Styles and Titles Act 1973 has no power to alter the Constitution, as no referendum in accordance with Section 128 of the Constitution was held. (See Australian Parliament House website, Referendum Results)

The Act to Constitute the Commonwealth of Australia 1900 (U.K.), Section 2, reads: "The provisions of this Act referring to the Queen shall extend to Her Majesty's heirs and successors in the Sovereignty of the United Kingdom.

The Australia Act 1986 claims to be an Act able to repeal Acts of the Parliament of the United Kingdom, a power foreign to Australia. This is in direct contravention to the United Nations Charter, and the Charter of the United Nations Act 1945, Article 2, paragraphs 1 and 4 as well as United Kingdom Law.

The Act to Constitute the Commonwealth of Australia 1900 (U.K.) has never been adopted by the people of Australia. (See Australian Parliament House website, Referendum Results)
In 1999, a referendum was held wherein one of the questions was to alter the Constitution to insert a preamble which included the words, "We the People of Australia…. Commit to this Constitution." This referendum question failed. . (See Australian Parliament House website, Referendum Results) By direct vote the People of Australia did not commit to this constitution.

The Act to Constitute the Commonwealth of Australia 1900 (U.K.) cannot be construed 'to have evolved over the course of the 20th century', 'from its acceptance by the Australian People.' It is an Act of the U.K. Parliament and, as a legal document, cannot evolve. It can either be amended or repealed. It cannot "evolve" as an organism can evolve, by mutation or some other means.

Law can only change by correct procedure. Unless a law is properly enacted it is invalid. Continuity must be seen to exist in the law.

The 1988 Report by the Australian Constitutional Commission found that "barely 50% of the population of Australia even knew that we had a written constitution, let alone what was in it, and that less that 30% of those in the 18 to 25 years age bracket even knew of its existence. How can the Constitution have evolved 'due to its acceptance by the Australian people' if no one knows what is in it, let alone that it even exists?

The original draft constitution that was forwarded to the United Kingdom was voted on in a referendum by less than 10% of the population, (no women and no aborigines), most of whom were 'landed gentry'. Less than 7% were in favour of the

draft constitution. This cannot be taken to have been representative of the whole population.

Nevertheless, the draft was forwarded to the United Kingdom where the Parliament of the United Kingdom of Great Britain and Ireland added the first 8 clauses which proclaimed the 'Commonwealth' to be a 'self governing Colony of Great Britain'. Without these 8 clauses The Act to Constitute the Commonwealth of Australia 1900 (U.K.) cannot stand alone.

It was returned to Australia, following enactment by the Parliament of the United Kingdom of Great Britain and Ireland, IN ALTERED FORM. Its acceptance has never been voted on at a referendum of the Australian People since then, (with the exception of the 1999 referendum on the preamble), and hence cannot be taken to have been accepted by the Australian People. In fact, to the active part of the referendum question which proposed: '… we the people commit ourselves to this constitution', the people said NO. (See Australian Parliament House Referendum Results.)

The Act to Constitute the Commonwealth of Australia 1900 (U.K.), Chapter 1, Part 1, Paragraph 1, states:

"The legislative power of the Commonwealth shall be vested in a Federal Parliament, which shall consist of the Queen, a Senate, and a House of Representatives, and which is herein-after called "The Parliament" or "The Parliament of the Commonwealth."

The Act to Constitute the Commonwealth of Australia 1900 (U.K.) [63 & 64 Vict.](Chapter 12) Paragraph 2, states:

"The provisions of this Act referring to the Queen shall extend to Her Majesty's heirs and successors in the Sovereignty of the United Kingdom."
The Act to Constitute the Commonwealth of Australia 1900 (U.K), Chapter 1, Part 1, Paragraph 2, states:

"A Governor-General appointed by the Queen shall be Her Majesty's representative in the Commonwealth, and shall have, and may exercise in the Commonwealth during the Queen's pleasure, but subject to this Constitution, such powers and functions of the Queen as Her Majesty may be pleased to assign to him."

Since 1927, and certainly since 1986, NO Governor-General has been appointed by the Queen of the United Kingdom in accordance with the provisions of United Kingdom law. (This is the only Queen recognized by the Constitution.)

A Governor-General appointed by the 'Queen of Australia' has no executive power within Australia.

Therefore, NO law passed since 1986 has received Royal Assent and has never become a law. At best, it remains a Bill, awaiting Royal Assent.

In actual fact, NO Governor-General has been appointed by the Queen of the United Kingdom, in accordance with United Kingdom law, since the death of Queen Victoria in 1901.

Therefore, NO law passed since 1901 has received Royal Assent and has ever become a law. It remains a Bill, awaiting Royal Assent.

Hence, the Royal Styles and Titles Act 1973, and the Australia Act 1986, has never become law. They remain as Bills, awaiting Royal Assent.

If an Act of the "The Parliament of the Commonwealth" receives Royal Assent, by the Queen of the United Kingdom or her representative, (a power foreign to Australia), then this is an enforcement of foreign law upon the People of Australia, as the Constitution has never been adopted by the People of Australia (See Australian Parliament House website, Referendum Results) who specifically, in 1999, did not 'commit to this Constitution.' (See Australian Parliament House website, Referendum Results).

This is to commit an act of treason against the Australian People who are the government of the country, not the parliaments.

Members of the Australian Parliament are required to swear an oath of allegiance to the Queen of the United Kingdom of Great Britain and Ireland.
(See Act to Constitute the Commonwealth of Australia 1900 (U.K.), Schedule, Oath, (or Affirmation). This is to commit an act of treason against the Australian People who are the government of the country, not the parliaments.

In addition to this, the United Kingdom of Great Britain and Ireland (as cited in the Australian Constitution) no longer exists. It is now the United Kingdom of Great Britain and Northern Ireland. The Parliament of the United Kingdom has never altered the 'Act to Constitute the Commonwealth of Australia 1900'.

The Parliament of the Commonwealth of Australia has no power to alter or repeal the Act to Constitute the Commonwealth of Australia 1900. (See the statement by the Lord Chancellor of the United Kingdom Parliament in reply to a Parliamentary question in July, 1995 (below)).

"The Commonwealth of Australia Constitution Act (UK) 1900 is an Act of the United Kingdom Parliament. The right to alter or repeal this Act remains the sole prerogative of the Parliament of the United Kingdom. There is no means by which, under United Kingdom or International Law, this power can be transferred to another country or Member State of the United Nations. Indeed, the United Nations Charter itself precludes any such action."

The Act to Constitute the Commonwealth of Australia 1900 (U.K.) recognizes only the 'Parliament of the Commonwealth' and the 'Parliaments of the States '. It does not recognize 'Local Government' or the parliament of local government. In the referendum of 1988, the People of Australia (who are the government, not the parliament), clearly indicated that they did not wish to recognize 'local government'. (See Australian Parliament House website, Referendum Results, 1988 Referendum).

According to the Australian Constitution, the Parliament of the States consists of the upper and lower houses, and the Queen of the United Kingdom.

The States' representatives of the Queen are the Governors.

The Governors of the Australian States receive their instructions by way of Letters Patent from the Government of the United Kingdom under the name of the Queen of the United Kingdom of Great Britain and Northern Ireland by way of:

1. Sign Manual and Seal, which according to British Law, must be signed at the end of the document and countersigned by senior members of the UK Parliament. It cannot be just signed by the Prime Minister of Australia or the Premier of an Australian state, as the case may be) A signature by the Queen of the United Kingdom of Great Britain and Northern Ireland, at the top of the front page does not constitute the validation of a legal document. (See various Letters Patent of Governors for the last 20 odd years.) In practice, it simply means that the Queen has sighted the Document.
According to the Australian Constitution, a law of the State does not become a law until it receives Royal Assent by the Government of the United Kingdom under the name of the Queen of the United Kingdom which no longer exists).

The Full Bench of the High Court of Australia has ruled that the United Kingdom is a power foreign to Australia. (See Sue v Hill, 1999.)

The Charter of the United Nations, Article 2, Section 4 states:

"All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."

UNDER INTERNATIONAL LAW IT IS AN OFFENCE OF TREASON AGAINST THE PEOPLE OF AUSTRALIA TO ENFORCE FOREIGN LAW UPON THE PEOPLE OF AUSTRALIA.

The Full Bench of the High Court of Australia has ruled that International Treaties are binding on all courts within Australia.

In the judgement, in Sue v Hill, handed down on June 23, 1999, the Full Bench of the High Court of Australia stated at Paragraph 96:

"The point of immediate significance is that the circumstance that the same Monarch exercises regal functions under the constitutional arrangements in the United Kingdom and Australia does not deny the proposition that the United Kingdom is a foreign power within the meaning of S44(i) of the Constitution. Australia and the United Kingdom have their own laws as to nationality so that their citizens owe different allegiances. The United Kingdom has a distinct personality and its exercises of sovereignty, for example in entering military alliances, participating in armed conflicts and acceding to treaties such as the Treaty of Rome, themselves have no legal consequences for this country. Nor, as we have sought to demonstrate in Section

III, does the United Kingdom exercise any function with respect to the governmental structures of the Commonwealth or States."

The incongruous nature of a position in which the 'Colonial Laws Validity Act (UK) 1856' still applies to the States but not to the Commonwealth was well summed up by Sir Owen Dixon, speaking to the Australian Legal Convention in 1936 when he stated, "The State and Federal legislatures are treated as if they operate in separate countries." He also stated:
"The national government's links to Britain are now essentially in an independent relationship with the Sovereign. The Sovereign is the Queen of Australia, in a capacity separate from her relationship to the British polity. Side by side with this, however, the legal panoply of imperial dominion remains embedded in the Constitutional workings of the Australian States."
Yet, despite what Sir Owen Dixon says, the Full Bench of the High Court of Australia has ruled that the United Kingdom is a power foreign to Australia. (See Sue v Hill, 1999.)

The Queensland Local Government Act 1993 is an act of the Parliament of Queensland.

In order for the New South Wales Local Government Act 1993 to become law it must have been signed by a Governor who received his instructions from the Parliament of the United Kingdom of Great Britain under the name of the Queen of the United Kingdom (which as we have stated does not exist now, and did not exist in 1993).

Yet, despite this, the Full Bench of the High Court of Australia has ruled that the United Kingdom is a power foreign to Australia. (See Sue v Hill, 1999.)

To enforce this law on the People of Australia is to commit an act of treason against the Australian People who are the government of the country, not the parliaments.

The Parliament of New South Wales is a Parliament ruling under British Colonial Law. (See the Colonial Laws Validity Act (UK) 1856') (See also Anderson v the Australian Taxation Office 2002)

Yet, despite all this, the Full Bench of the High Court of Australia has ruled that the United Kingdom is a power foreign to Australia. (See Sue v Hill, 1999.)

To enforce NSW law on the People of Australia is to commit an act of treason against the Australian People who are the government of the country, not the parliaments.

In 1988 (and in 1974) the people of Australia stated that they did not wish to recognize 'local government.' Yet despite this, in 1993 the parliament of Queensland enacted the 'Local Government Act' against the will of the people.

To enforce this law on the People of Australia is to commit an act of treason against the Australian People who are the government of the country, not the parliaments.

The Charter of the United Nations, Article 2, Section 4 states:

"All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."

UNDER INTERNATIONAL LAW IT IS AN OFFENCE OF TREASON AGAINST THE PEOPLE OF AUSTRALIA TO ENFORCE FOREIGN LAW UPON THE PEOPLE OF AUSTRALIA.

The New South Wales Local Government Act 1993 is therefore an invalid act within the territories of Australia, by ruling of the Full Bench of the High Court of Australia, and under International Law.

SECTION TWO

SECESSION

The United Nations International Covenant on Civil and Political Rights, Part 1, Article 1, Section 1 states:
"All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development."

The United Nations International Covenant on Economic, Social and Cultural Rights, Part 1, Article 1, Section 1 states:
"All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development."

The United Nations Protocol to the International Covenant on Civil and Political Rights, Article 1, states:

"A State Party to the Covenant that becomes a Party to the present Protocol recognizes the competence of the Committee to receive and consider communications from individuals subject to its jurisdiction who claim to be victims of a violation by that State Party of any of the rights set forth in the Covenant. No communication shall be received by the Committee if it concerns a State Party to the Covenant, which is not a Party to the present Protocol."

Australia is a Party to both the Covenant and the Protocol.

The Charter of the United Nations, Article 2, Sections 1, 2, and 4 state:

1. The Organization is based on the principle of the sovereign equality of all its Members.

2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with the present Charter.

3. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

Australia is a founding Member of the United Nations, and has ratified the Charter of the United Nations by enactment of the Charter of the United Nations Act.

The Geneva Convention, Chapter 1, Article 2, states:

"In addition to the provisions, which shall be implemented in peacetime, the present Convention shall apply to all cases of declared war or of any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognized by one of them.

The Convention shall also apply to all cases of partial or total occupation of the territory of a High Contracting Party, even if the said occupation meets with no armed resistance.

Although one of the Powers in conflict may not be a party to the present Convention, the Powers who are parties thereto shall remain bound by it in their mutual relations. They shall furthermore be bound by the Convention in relation to the said Power, if the latter accepts and applies the provisions thereof."

Australia is a High Contracting Party to the Geneva Convention, and has ratified the Geneva Convention by enactment of the Geneva Convention Act 1957.

It has been ruled that councils have No Head of Power, that is to say that they have no power to enact and enforce law. (See Engel v Esk.)

The fact that remains as indisputable is that we have occupied territory.
A fact that is also indisputable is that we have occupied only the part of the territory of a High Contracting Party to the Geneva Convention that belongs to us in fee simple title.

Under the terms of the Geneva Convention, and of the Geneva Conventions Act 1957 (Cth), the Convention, and the Act must stand, and recognition must be given to that fact. Those who do not recognize this fact are in breach of not only the Geneva Convention (International Law), but also the Geneva Convention Act 1957 (Commonwealth Australia Law).

The Government of the United Kingdom of Great Britain and Ireland no longer exists. (See Royal and Parliamentary Titles Act (UK) 1927.)

This means that, under the Colonial Laws Validity Act (UK) 1856, it is now held under tenure to the Crown in right of New South Wales, who hold it under tenure to the Crown in right of the Government of the United Kingdom of Great Britain and Ireland.

The Charter of the United Nations, Article 2, Section 4 states:

"All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."

UNDER INTERNATIONAL LAW, AND AUSTRALIAN LAW (via the High Court Ruling), THE CROWN IN RIGHT OF THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND NO LONGER HAS ANY JURISDICTION WITHIN THE TERRITORIES OF AUSTRALIA.

In 1971 the United Kingdom Parliament passed the 'Immigration and Asylum Act (amended in 1972 and 1973).

This Act deprived Australians of British citizenship thereby making them 'aliens'. The Crown, in the name of the Queen of the United Kingdom of Great Britain and Northern Ireland cannot rule over 'alien' Australians.

Since the Crown in right of the Government of the United Kingdom and Northern Ireland no longer has any jurisdiction within the territories of Australia, WE OWN OUR LAND UNDER FEE SIMPLE TITLE UNDER NO TENURE TO ANY CROWN.

The Parliament of the 'Commonwealth of Australia' is acting under the purported authority of the Act to Constitute the Commonwealth of Australia 1900 (U.K.).

This is an Act of the Parliament of the United Kingdom of Great Britain and Ireland.

Since January 10, 1920, under UK law and under International Law, Australia has no authority to use this instrument. (See Sue v Hill, 1999.) (See also the Charter of the United Nations, Article 2, paragraphs 1 and 4).

The Parliament of 'New South Wales' is acting under the purported authority of the Colonial Laws Validity Act (UK) 1856, and other British colonial laws.

It must also be noted, that in 2002, in a deal struck to enable Britain to enter into the European Union (Market), the Parliament of the United Kingdom handed over control of all its legislation 'WHENEVER IT WAS ENACTED' to the European International Criminal Tribunal and the International Human Rights Commission.

As part of this deal, the UK Parliament also signed an agreement to abide by International Law. This means that 'the Act to Constitute the Commonwealth of Australia' (as it is an Act of the UK Parliament) is now under the control of the European International Criminal Tribunal and the International Human Rights Commission.

If Australia is under the legislation of the 'Act to Constitute the Commonwealth of Australia' (which is a UK Law), then its supreme law is also under the control of the European International Criminal Tribunal and the International Human Rights Commission. THIS MEANS THAT IT IS ALSO UNDER INTERNATIONAL LAW.

The Parliament of the 'Commonwealth of Australia', the Parliament of the Colonial State of New South Wales, and the totally invalid 'local government ' cannot remove these rights from us without the use of military force as:

1. International treaties are binding on all courts within Australia;

2. The Full Bench of the High Court of Australia has ruled that the United Kingdom is a power foreign to Australia;

3. The Immigration and Asylum Act (UK) 1971 made Australia 'alien' to the UK thus disabling the Crown to rule within Australia;

4. The gaining of Independence in 1920 meant UK law was no longer enforceable within Australia;

5. The Charter of the UN, the various Covenants of the UN, and the Australian legislation ratifying these guarantee the right of self-determination to all nation states, large or small;

6. Article 2, paragraph 4 of the Charter of the United Nations guarantees that the threat or use of force against the territorial integrity or political independence of any state will not be used;

This can be summed up by:

A If Australia is a fully independent nation, (See the letter from the Prime Minster of Australia to Anderson) then the British act of parliament called 'The British Colony of the Commonwealth of Australia Constitution Act (UK) 1900', is invalid in Australia. That means International law namely the United Nations Charter and the Geneva Convention apply.

B If Australia is a fully independent nation, and the British act of parliament called 'The British Colony of the Commonwealth of Australia Constitution Act (UK) 1900' is invalid in Australia. That means International law namely the United Nations Charter and the Geneva Convention apply as they have been adopted by Australia.

C If Australia is still a colony of England, then the laws that are being enforced in Australia are null and void as they were not enacted according to 'The British Colony of the Commonwealth of Australia Constitution Act(UK) 1900', and, at best remain bills awaiting Royal Assent. This is in direct violation of the International Laws, the United Nations Charter and the Geneva Convention under which the United Kingdom has agreed to abide. As the Laws of one nation can not be enforced in the territory of another, and Australia is a signature to the United Nations Treaty as an independent nation (See letter from the Australian Prime Minister to Anderson), then there are no valid laws in Australia.