

Common Law of England Affidavit

Queensland Oaths Act 1867

Being

Oaths Act 1867

Assented to 31st October 1960

Notice to Agent is Notice to Principle and Notice to Principle is Notice to Agent

To:

From:

i; a man,
Michael Thomas Holt
BrXXX Circuit
Forest XXX
Queensland 45XX
Australia

Date: Eighth day of December Twenty Twenty

Charge Sheet Reference Number: CDDP 2020PRO1477

This document is a matter of public record

i, a man, Michael Thomas Holt, currently domiciled at XXXXXXXX Circuit, Forest XXXX, Queensland 45XX, and currently do swear and sincerely declare with good faith without prejudice under the penalty of perjury in the state of Queensland, and;

Fact [1] i was born on eleven August nineteen forty seven, and am age of consent and of sound mind and reason, and do sincerely and honestly swear and declare the present instrument to be my own words, written by me, given freely without duress and expressing accurately to the best of my ability the facts herein which i have witnessed firsthand; and;

Fact [2] i fully and completely comprehend that before any Charges can be brought, it must be first proved, by presenting the certified, verifiable material, physical and tangible evidence and substance to support the Facts, that the Charges are valid and have substance that can be shown to have a foundation in Fact; and,

Fact [3] i am competent to state these matters herein, my word is my bond and i do take oath and swear that the matters herein are accurate, correct, honest and true as contained within this affidavit of truth and statement of Common Law of England facts; and

Fact [4] that i am herein stating the truth the whole truth, and nothing but the truth, and those truths stand as fact till another can provide the material, physical, and tangible evidence and substance to the contrary; and

Fact [5] i fully and completely comprehend that before any charges can be brought, it must be first proved, by presenting the material, physical and tangible evidence and substance to support the facts, that the charges are valid and have substance that can be shown to have a foundation in Fact; and

Fact [6] all the facts stated herein are accurate, correct, honest and true, and are admissible as material evidence, and that if i am called as witness, that i will testify to their veracity; and

Fact [7] records show, there are essential Maxims or Precepts in Common Law of England as follows: and

- a. **Workman Is Worthy Of His Hire** expressed in Exodus 20:15; Lev. 19. 13; Mat. 10: 10; Luke 10: 7; II Tim. 2:6. **Legal Maxim: “It is against equity for a freeman not to have the free disposal of their own property”**; and
- b. **All Are Equal Under The Law** (God’s Law and Moral and Natural law) Exodus 21:23-25; Lev. 24: 17-21, Duet. 1;17, 19.21; Mat. 22.38-40; Luke 10:17; Col. 3/25. **“No one is above the law”**, this is the foundation on both Natural law and Moral Law, and is binding on everyone, and for someone to say or act as though he is “above the Law” is insane, this is the major insanity of the world today and man continues to act, believe, and form systems, organizations, governments, laws and processes which presume to be able to supersede or abrogate Natural and Moral Law, but under Common Law of England law, Natural and Moral Law are binding on everyone, and no one can escape it, and Commerce by the law of nations, ought to be common, and not to be converted into a monopoly and the private gain of a few; and
- c. **In Common Law of England Truth, is Sovereign**; (Exodus 20:16; Ps. 117:2; John 8:32; II Cor. 13:8) **Truth is sovereign, and the Sovereign tells only the truth**; and your word is your bond, and if truth were not sovereign in Common Law of England, i.e., all human actions and inter-relations, there would be no basis for anything, and no basis for law and order, no basis for accountability, there would be no standards, no capacity to resolve anything, and it would mean “anything goes”, and “each and every man for himself”, and” nothing matters”, and that’s worse than the law of the jungle, and to **“lie is to go against the mind”**, an Oriental proverb **“Of all that is good, sublimity is supreme”**; and
- d. **Truth Is Expressed, In The Form Of An Affidavit**; (Lev.5; 4-5; Lev. 6:3-5; Lev. 19:11-13; Num. 30:2; Mat. 5:33; James 5: 12) An affidavit is your solemn expression of your truth and in Common law of England, an affidavit must be accompanied, and must underlay

and form the foundation for any Common Law of England transaction whatsoever. and there can be no valid Common Law of England transaction without someone putting their neck on the line and stating “this is true and correct and not meant to mislead”. When you issue an affidavit, it is a two-edged sword; it cuts both ways and someone has to take responsibility for saying that it is a real situation, and it can be called a true Bill. When you issue an affidavit in Common Law of England, you get the power of an affidavit, but you also incur the liability, because this has to be a situation where other people might be adversely affected by it , and things change by your affidavit, in which you are going to affect people’s lives, and if what you say in your affidavit is, in fact not true, then those who are adversely affected can come back at you with justifiable recourse because you lied, and you have told a lie as if it was the truth, and people depend on your affidavit and then they have lost because you lied; and

- e. **An Unrebutted Affidavit Stands As Truth In Common Law Of England** (12 Pet. 1:23 Heb. 6:13-15) Claims made in your affidavit, if not rebutted, emerge as the truth of the matter and **Legal Maxim “he who does not deny, admits in Common Law of England;** and
- f. **An Unrebutted Affidavit Becomes The Judgement, In Common Law Of England** (Heb. 6:16-17;) **There is nothing left to resolve**, and any proceeding in a court or Tribunal, or arbitration forum consists of a contest, or a duel of Common Law of England affidavits wherein the points remaining unrebutted in the end, stand as truth and matters to which the judgement of the law applied: and
- g. **In Common Law Of England For Any Matter To Be Resolved Must Be Expressed** (Heb. 4:16; Phil. 4 2:6; Eph. 6:18-21) no one is a mind reader, and you have to put your position out there and you have to state what the issue is, and to have someone talk about and resolve, and **Legal Maxim ‘He who Fails to assert his rights, has none;** and
- h. **He Who Leaves The Battlefield First Loses By Default** (Book of Job: Mat. 10:22; and this means that an affidavit which is unrebutted point-for-point stands as “truth in Common Law of England” because it has not been rebutted and has left the battlefield, and Governments allegedly exist to resolve disputes, conflicts and truth , and governments allegedly exist to be the substitutes for the dueling field and the battlefield for such disputes and conflicts of affidavits of truth are resolved peaceably and reasonably, instead of by violence and so people can take their disputes into court and have them all opened up and resolved and instead of going out and marching ten paces and turning to kill or injure, **Legal Maxim: “He who does not repel a wrong when he can, occasions it”;** and
- i. **Sacrifice Is The Measure Of Credibility (No Willingness To Sacrifice equals No Liability, Responsibility, Authority, Or Measure Of Conviction)** Nothing ventured, nothing gained, and a person must put himself on the line, assume a position, take a stand, as regards to the matter at hand and One cannot realize the potential gain without also exposing oneself to potential loss, and One who is not damaged, put at risk, or willing to swear an oath on one’s Common Law of England liability, to claim authority (Acts7, life and death of Steven) for the truth of his statements and legitimacy of his actions has no basis to assert claims or charges, and forfeits all credibility and right, **Legal Maxim “He who bears the burden ought also to derive the benefit”;** and

- j. **A Lien or Claim Can Be Satisfied Only Through Rebuttal By Affidavit Point by Point with specificity, or Resolution By Jury or by Payment, “Common Law of England Law is non-judicial and subject to Common Law of England liens”; this is pre-judicial**, this is timeless, and this is the base, the foundation beneath which any government or any of the court systems can possibly exist to function, and that means what the courts are doing, and what governments are ultimately adjudicating and making rules about, are these basic rules of Common Law of England, and when you go into a Common Law of England court, and place your hand on the Bible you say, “i swear the truth, the whole truth and nothing but the truth” you have just sworn a Common Law of England affidavit, and it’s the conflict between Common Law of England Affidavits of truth that gives the court something to talk about, that forms the entire basis of its action, and its being there, in their venue, and hence, one of the reasons attorney’s always create controversy, and no court and No Judge, can overturn or disregard or abrogate somebody’s Affidavit of Truth, and the only one who has any capacity is the one who was adversely affected by it, and it’s their responsibility, their right, their responsibility to speak for themselves, and to issue their own affidavit because no-one can speak it for him, and no-one else can know what your truth is or has the free-will responsibility to state it, and this is your job and that he who stands as surety, by providing the security by way of lien, stands in honour, as that surety is undertaken by agreement, without coercion, duress or protest, and without the threat of harm, loss or injury, and as such stands in honour for the harm, loss, or injury by their own hand, and a Security by way of lien, which is a Common Law of England process including this affidavit is non-Judicial and pre-judicial; and

Fact [8] i have not seen or been presented with any evidence that is lawful to take action upon, including any Acts or statutes without the statutory and mandatory required consent of the governed; and

Fact [9] i have not seen or been presented with any evidence presented by you, **the respondent Adam Nicholl**, occupying the public office of an Australian Federal Policeman at 383 Latrobe Street, Melbourne in the State of Victoria, Postcode 3000, holding a contract with the private political party owned corporate titular statutory instrument, the **“Queen of Australia”**, this statutory instrument was passed without the entrenched referendums, and did not use the correct enacting manner and form,

“Elizabeth the Second, by the Grace of God Queen of Australia and Her other Realms and Territories, Head of the Commonwealth”, proving total un-elected Fraud upon the people of Australia.

Annexure ‘A’: Australian Federal Police Act 1979 – Enacted to the political party’s definition of Australia, Queen, and Queen of Australia; and

Constitution Act 1975 No. 8750

* Reserved 20th May, 1975. Proclamation of Royal Assent published in the *Victoria Government Gazette*, 19th November, 1975. Enacted to the Statutory “**Queen of Australia**”. Victorian political parties joining the Commonwealth of Australia status as a sovereign, independent and federal nation = **TREASON**; and

Annexure: ‘B’: Victoria Constitution Act 1975 - PP1,2 and Gazette; and

Annexure: ‘C’; Royal Style and Titles Act 1973 No. 114 of 1973 Elizabeth R 19 October 1973; and Proclamation and Gazette for the status of the Commonwealth of Australia as a sovereign, independent and federal nation, and the political parties use “**Elizabeth R**” to signify the “**Queen of Australia**”. (Elizabeth R – the ‘R’ stands for the Latin ‘Regina’, meaning ‘Queen’) and this creates “**Elizabeth R**” for the political parties; and

Fact [10] Victoria, Australia Act (Request) Act 1985, No. 10203 pages 1 and 2 show a fraudulent copy of a public functionary seal, not to be used on Bills creating Acts; and

Australia Acts (Request) Act 1985

Extract Paragraph (1)

An Act to enable the constitutional arrangements affecting the Commonwealth and the States to be brought into conformity with the status of the Commonwealth of Australia as a sovereign, independent and federal nation

Under the Commonwealth of Australia Constitution Act 1901 section 128 is Referendum Entrenched to change the status of the Commonwealth of Australia as a Constitutional Monarchy to become a sovereign, independent and federal nation; and

Extract Paragraph (2)

Whereas the Prime Minister of the Commonwealth and the Premiers of the States at conferences held in Canberra on 24 and 25 June 1982 and 21 June 1984 agreed on the taking of certain measures to bring constitutional arrangements affecting the Commonwealth and the States into conformity with the status of the Commonwealth of Australia as a sovereign, independent and federal nation; and

The Governor-General, Prime Minister, State Governors and the Premiers of the States Conspired on two occasions to restrain and overthrow the Queen (as shown below) from Her position within the Commonwealth of Australia Constitution Act 1901, therefore also removing

the Commonwealth of Australia Constitution Act 1901 consisting of its Preamble, Clauses 1 to 9 and the Schedule; and

The Queen within the Commonwealth of Australia Constitution Act 1901 consisting of its Preamble, Clauses 1 to 9 and the Schedule is

Elizabeth the Second by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms & Territories Queen, Head of the Commonwealth, Defender of the Faith; and

Extract Paragraph (3)

AND WHEREAS it has been agreed that the Parliament of the Commonwealth at the request of the Parliaments of the States in pursuance of section 51 (xxxviii) of the Constitution of the Commonwealth of Australia should enact an Act in the terms in the first schedule; and

This is treason enforced against the Crown, the Commonwealth of Australia Constitution Act 1901 and its people

*The status of the Commonwealth of Australia as a sovereign, independent and federal nation has no authority over the Commonwealth of Australia Constitution Act 1901, so cannot engage the use of section 51 (xxxviii), **BUT** the Commonwealth of Australia Constitution Act 1901 and Criminal laws have authority over the status of the Commonwealth of Australia as a sovereign, independent and federal nation; and*

Commonwealth of Australia Constitution Act 1901

Clause 5 (Operation of the Constitution and laws)

“This Act, and all laws made by the Parliament of the Commonwealth under the Constitution, shall be binding on the courts, judges, and people of every State and of every part of the Commonwealth, notwithstanding anything in the laws of any State”; and

Therefore, **all Australians** are and continue to be members of the Commonwealth of Australia, as established under the Commonwealth of Australia Constitution Act 1901, and this has not changed, and cannot be changed by any fraudulent Acts passed by a political party entity without a referendum of the people, as entrenched in S.128 of the Commonwealth of Australia Constitution Act 1901; and

Annexure: ‘D’: Victoria, Australia Act (Request) Act 1985, No. 10203 pages 1, 2, 5, 6

Annexure: ‘E’: Queensland's Constitution Act Amendment Act 1977 Act No.9

Annexure: ‘F’: Western Australia Acts Amendment (Constitution) Act 1978

Fact [11] records show the respondent, Adam Nicholl, occupying the public office of the Australian Federal Police at 383 Latrobe Street, Melbourne in the State of Victoria, Postcode 3000, does hold a contract with the private political party owned corporate titular statutory instrument, the Queen of Australia, but with fraud and intent, omitting an originating, certifiable and verifiable proper contract, under proper seal, elected by the electors of either, THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT 63 & G4 VICT. CHAPTER 12 or The Constitution Act for Victoria 1855-56 = **TREASON**; and

Fact [12] records show that, the belligerent Respondent Richard Matters, natural person, purported holder of the office of Registrar, Magistrates' Court of Victoria, by claiming to be holder of said Office and acting under that purported authority, has sworn an Oath to a fictional statutory instrument [corporate dead fiction] the Queen of Australia, that is Titular [A Thing] incapable of being the Defender of faith, and disabled from protecting human rights [responsible for indigenous atrocities and a total Fraud perpetuated by Government Officials, upon the people of the Commonwealth of Australia] and the Respondent is in full knowledge, has maintained that fraudulent hoax, upon their kindred, the electors and upon the people of The Commonwealth of Australia = **TREASON**; and

Annexure: 'G'; Concise Oxford Dictionary; .the meaning of Titular; and

“/titioola/ > adjective 1 relating to a title 2 holding or constituting a formal position or title without any real authority; and

Fact [13] The Commonwealth of Australia Constitution Act 1901

An act to constitute the Commonwealth of Australia; and

Section 44 any person who subsections (i)(ii)(iii)(iv)(v); and

(i) is under any acknowledgment of allegiance, obedience, or adherence to a foreign power, or is a subject or a citizen or entitled to the rights or privileges of a subject or a citizen of a foreign power; and

(ii) is attainted of treason, or has been convicted and is under sentence; or subject to be sentenced, for any offence punishable under the law of the Commonwealth or of a State by imprisonment for one year or longer; and

Fact [14] Is it not true that the element for Treason is **KINGS BENCH DIVISION AND COURT OF CRIMINAL APPEAL THE KING V. CASEMENT 1917 1 K.B. 98 AT *114)** ‘Breach of duty of Allegiance’ is Treason, and Misprision of Treason ‘is the concealment or Keeping Secret of any Treason by a person’; and if anyone who has been informed of Treason being committed and they do nothing to remedy the Treason, they also become guilty of Treason; and

Annexure: ‘H’: Australian Electoral Commission Referendum results 1906-1999 disclosing an omission in 1972 through 1999 for a private political party owned and corporate **statutory instrument** the “**Queen of Australia**” and the creation of their own private “**Australia**” “**Commonwealth**” means their “**Commonwealth of Australia in a geographical sense**”; and the referendum question was to ask the people of the Commonwealth of Australia, as established under the Commonwealth of Australia Constitution Act 1901 if they wished to become a Republic, or to stay as a Constitutional Monarchy, and the people voted **NO** to a Republic; and

Fact [15] Is it not true, that the element for Treason charges is **KING’S BENCH DIVISION AND COURT OF CRIMINAL APPEAL THE KING V. CASEMENT 1917 1 K.B. 98, at *138; a statute** was passed which has been often cited here, a statute of 35 Henry 8 C.2 for the trial and treason committed out of the King’s dominions; “There is a distinct statement that you can commit treason out of the King’s dominions; it is only a question of how the person is to be tried, therefore this trial was rightly had in the King’s bench provided that was done by the appellant amounted to reason by virtue of the statute of Edward III. If it was treason it was rightfully tried; and,

Annexure; ‘I’, Oxford Dictionary of Law; Treason; and
Annexure; ‘J’, Oxford Dictionary of Law; Misprision; and

Fact [16] The crimes Act No. 12 of 1914. Part II. – Offences against the Government. Section 24; and

- (1) A person who within the Commonwealth or any Territory
 - (a) Instigates any foreigner to make an armed invasion of the Commonwealth or any part of the King’s Dominions, or do any act or thing with intent.
 - (b) Assists by any means whatever any public enemy, shall be guilty of an indictable offence and shall be liable to the punishment of **death** to overthrow the Constitution of the Commonwealth by revolution or sabotage.
- (2) Any sentence of **death** passed on an offender in pursuance of this section shall be carried into execution in accordance with the law of the State or Territory in which the offender is convicted; and

Fact [17] The Crimes Act No. 12 of 1914. Part III. – Offences relating to the administration of Justice Section 24; and

- (1) Any person who conspires with another to obstruct, prevent, pervert, or defeat, the course of justice in relation to the judicial power of the Commonwealth, shall be guilty of an indictable offence.

Penalty: Imprisonment for five years; and

Fact [18] The Crimes Act No. 12 of 1914. Part III. – Offences relating to the administration of Justice Section 43; and

- a) Any person who attempts, in any way not specifically defined in this Act, to obstruct, prevent, pervert, or defeat, the course of justice in relation to the judicial power of the Commonwealth, shall be guilty of an offence.

Penalty: Imprisonment for two years; and

Fact [19] The Crimes Act No. 12 of 1914. Part III. – Offences relating to the administration of Justice Section 44,

- (1) Any person who asks receives or obtains or agrees or attempts to receive or obtain, any property or benefit of any kind for himself or any other person, upon agreement or understanding that he will compound or conceal any indictable offence against the law of the Commonwealth, or will abstain from discontinue, or delay any prosecution for any such offence, or will withhold any evidence thereof, shall be guilty of an offence

Penalty: Imprisonment for three years; and

Annexure; ‘K’, The Crimes Act 2017, Compilation 118

- (1) Criminal Code 1995 Compilation No. 134
- (2) Crimes (Search Warrants and Powers of Arrest) Amendment Act 1994 No. 65
- (3) Australian Federal Police Act 1979 Act No. 58 Compilation 62
- (4) Ministerial Direction (Commonwealth Director of Public Prosecutions) 1983; and

Fact [20] Given that i have proved beyond any doubt that the Supreme Court Suppression Order issued by Elizabeth Hollingworth acting as a Supreme Court Judge, by claiming to be holder of said Office and acting under that purported authority, has sworn an Oath to a fictional statutory instrument [corporate dead fiction] the Queen of Australia, that is Titular [A Thing] incapable of being the Defender of faith, and disabled from protecting human rights [responsible for indigenous atrocities and a total Fraud perpetuated by Government Officials, upon the people of the Commonwealth of Australia] and the Respondent is in full knowledge, has maintained that fraudulent hoax upon their kindred, the electors and upon the people of The Commonwealth of Australia has no Crown and Constitutional authority = **TREASON**, i, Michael Thomas Holt, therefore require the full and immediate restoration of my property seized by the police on January 8, 2020 under the Court Order issued by Elizabeth Hollingworth; and,

Fact [21] i require due process of the Common Law of England; and,

Fact [22] i require all presumption of law removed from all proceedings; and,

Fact [23] i require restitution in the sum of ten million Australian dollars as compensation for the mental psychological harm caused to me and my family by the invasion of a team of police acting on the orders of Elizabeth Hollingworth, acting as a Supreme Court Judge, by claiming to be holder of said Office and acting under that purported authority, has sworn an Oath to a fictional statutory instrument [corporate dead fiction] the Queen of Australia, that is Titular [A Thing] incapable of being the Defender of faith, and disabled from protecting human rights [responsible for indigenous atrocities and a total Fraud perpetuated by Government Officials, upon the people of the Commonwealth of Australia] and the Respondent is in full knowledge, has maintained that fraudulent hoax upon their kindred, the electors and upon the people of The Commonwealth of Australia has no Crown and Constitutional authority; and

Fact [24] an unrebutted affidavit is acted upon as the judgement in Common Law of England; and

Fact [25] the foundation of law is telling the truth, the whole truth and nothing but the truth, and that truth is expressed in the form of a Common Law of England affidavit (Exodus 20:16 *Thou shalt not bear false witness against thy neighbour*; Num. 30:2 *If a man vow a vow unto the Lord, or swear an oath to bind his soul with a bond; he shall not break his word, he shall do according to all that proceedeth out of his mouth*;) and,

Fact [26] an unrebutted affidavit stands as sovereign truth; (11 Cor. 13:8 *For we can do nothing against the truth, but for the truth*;) Courts exist for civilized men to resolve disputes, taking the place of the battlefield. Whoever vacates the battle first, loses by default (Book of Job; Mat. 10:22 *And ye shall be hated of all men for my names sake: but he that endureth to the end shall be saved*;) and,

Fact [27] Sacrifice is the measure of credibility, and without the willingness to sacrifice by swearing an affidavit, then there is liability, responsibility, authority, or measure of conviction and without an affidavit one has no standing or claim; and,

Fact [28] Num 30:2 *If a man vow unto the Lord, or swear an oath to bind his soul with a bond: he shall not break his word, he shall do according to all that proceedeth out of his mouth*; and

Fact [29] If you fail to respond with answers to those points within the required time frame, 28 days, this matter shall be taken to be finalized, proving you have no proof of any substance; and,

Fact [30] you further consent to my right to initiate compensatory action for any past or future dealings for damages and all losses in a court of competent jurisdiction to the Commonwealth of

Australia Constitution Act 1901 Clause 5, and any further dealings shall be consistent with My Fee Schedule; and,

Annexure; ‘L’: Fee Schedule of Michael Thomas Holt; and,

Annexure; ‘M’: Qld Interpretation Act; and

Fact [31] is it not true that, no judge, court, government, or any agencies thereof or any third parties whatsoever, can abrogate anyone’s Affidavit of Truth and Statement of Fact, or it is an abandonment of rule of law; and,

Fact [32] is it not true, where there is no rule of law “Equality” there is no Law; and,

Fact [33] is it not true, a rule that is secret, cannot be a law; and,

Fact [34] is it not true, a rule that is unclear in meaning cannot be a law; and,

Fact [35] is it not true, a rule that cannot be applied, cannot be a law; and,

Fact [36] is it not true, where there is no justice, there is no law; and,

Fact [37] is it not true, where there is no honour of rule of law, there is no law; and,

Fact [38] all facts and circumstances deposed herein are true to my own knowledge and expertise; and

Fact [39] i require, as i have not seen or been presented with any originating, certifiable, and verifiable cause of action, or a true bill in relation to the accusations in the CHARGE SHEET AND SUMMONS issued by Federal Agent Adam Nicholl, occupying the public office of the Australian Federal Police at 383 Latrobe Street, Melbourne in the State of Victoria, Postcode 3000, does hold a contract with the private political party owned corporate titular statutory instrument, the Queen of Australia, has issued a CHARGE SHEET AND SUMMONS showing no identifiable reference number visible on the document, and authorized by a person identified only by Registered Number (AFP) 20468 and signed with an illegible signature; and

Fact [40] This affidavit must be rebutted point by point with specificity under the penalty of perjury at Common Law of England by way of certified verifiable affidavit within 28 days, or it stands as fact; and;

Reminder: Treason, and Misprision of Treason ‘is the concealment or Keeping Secret of any Treason by a person’. If anyone who has been informed of Treason being committed and they do nothing to remedy the Treason, they also become guilty of Treason; and

WITH JUST CAUSE AND WITHOUT VEXATION

Sworn by the above-named deponent, all rights reserved

At BUDERIM QUD


MICHAEL HOLT

on 9TH DECEMBER 2020

before me Kyle Robertson



Annexure: 'A'

Annexure 'A'; Australian Federal Police Act 1979 – Enacted to the political party's definition of Australia, Queen, and Queen of Australia; and

Queensland Oaths Act 1867 being the Oaths Acts 1867 to 1959 Number 16, assented to 31st October 1960

Proponent: Michael Thomas Holt domiciled near xxxx Bristlebird xxxx, Forest xxxx, in the state of Queensland 45xx; and

Ref: Breach of Commonwealth of Australia Constitution Act 1901

Australian Federal Police Act 1979

No. 58 of 1979

An Act to establish the Australian Federal Police, and for related purposes.

BE IT ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:

PART I—PRELIMINARY

1. This Act may be cited as the Australian Federal Police Act 1979. ¹ Short title
2. (1) Sections 1, 2, 4 and 6, Division I of Part IV and sections 28 Commence and 70 shall come into operation on the day on which this Act receives the Royal Assent.
(2) The remaining provisions of this Act shall come into operation on a date to be fixed by Proclamation.
3. The Commonwealth Police Act 1957 is repealed. Repeal
4. (1) In this Act, unless the contrary intention appears Interpret-
ation
"Australian Capital Territory" includes the Jervis Bay Territory;
"authority of the Commonwealth" means—
 - (a) a body, whether incorporated or unincorporated, established for a public purpose by or under a law of the Commonwealth, other than a body that, under the regulations, is not to be taken to be an authority of the Commonwealth for the purposes of this Act; or
 - (b) any other body declared by the regulations to be an authority of the Commonwealth for the purposes of this Act, being—
 - (i) a body, whether incorporated or unincorporated, established by the Governor-General or by a Minister; or
 - (ii) an incorporated company in which the Commonwealth or a body corporate falling within paragraph (a) or sub-paragraph (i) of this paragraph has a controlling interest.
'commissioned rank" means a commissioned rank referred to in section 23;
"Commissioner" means the Commissioner of Police referred to in section 6;

Annexure: 'B'

Annexure: 'B'; Victorian gazette 1975; and

Queensland Oaths Act 1867 being the Oaths Acts 1867 to 1959 Number 16, assented to 31st October 1960

Proponent: Michael Thomas Holt domiciled near xxxx Bristlebird xxxx, Forest xxxx, in the state of Queensland 45xx; and

Ref: Breach of Commonwealth of Australia Constitution Act 1901

THE ROYAL ASSENT TO AN ACT SHORTLY ENTITLED
THE CONSTITUTION ACT 1975.

PROCLAMATION

By His Excellency the Governor of the State of Victoria
and its Dependencies in the Commonwealth of Australia,
&c., &c., &c.

I, the Governor of the State of Victoria, in the Commonwealth of Australia, in accordance with the provisions of section 60 of the *Constitution Act Amendment Act 1958*, do by this my Proclamation signify that the Bill the title whereof is herein set forth, that is to say—

“An Act to re-enact the Law relating to the Constitution of the State of Victoria and for other purposes.”

which was reserved pursuant to the provisions of the *Australian States Constitution Act 1907* (7 Edw. 7 c. 7), for the signification of Her Majesty's pleasure thereon, has been laid before Her Majesty in Council and that by an Order in Council bearing date the twenty-second day of October, 1975, Her Majesty has been pleased to assent to same. ????

Given under my Hand and the Seal of the State of Victoria, this eighteenth day of November, in the year of our Lord One thousand nine hundred and seventy-five and in the twenty-fourth year of the reign of Her Majesty Elizabeth the Second, Queen of Australia.

(L.S.)

HENRY WINNEKE.

By His Excellency's Command,

V. F. WILCOX,
Attorney-General.

GOD SAVE THE QUEEN!

Annexure: ‘C’

Annexure: ‘C’; Royal Style and Titles Act 1973 No. 114 of 1973 Elizabeth R 19 October 1973; and Proclamation and Gazette for the status of the Commonwealth of Australia as a sovereign, independent and federal nation. The political parties use **“Elizabeth R” to signify the “Queen of Australia”**. (Elizabeth R – the ‘R’ stands for the Latin Regina, meaning ‘Queen’). This creates **“Elizabeth R”** for the political parties; and

Queensland Oaths Act 1867 being the Oaths Acts 1867 to 1959 Number 16, assented to 31st October 1960

Proponent: Michael Thomas Holt domiciled near xxxx Bristlebird xxxx, Forest xxxx, in the state of Queensland 45xx; and

Ref: Breach of Commonwealth of Australia Constitution Act 1901

Royal Style and Titles Act 1973

No. [114] of 1973

[Elizabeth R]

[19 October 1973]

Royal Style and Titles Act 1973

No. [114] of 1973

AN ACT

Relating to the Royal Style and Titles.

WHEREAS, in accordance with the *Royal Style and Titles Act 1953*, Her Majesty, by Proclamation dated 28th May, 1953, adopted, as the Royal Style and Titles to be used in relation to the Commonwealth of Australia and its Territories, the Style and Titles set forth in the Schedule 5 to that Act:

AND WHEREAS the Government of Australia considers it desirable to propose to Her Majesty a change in the form of the Royal Style and Titles to be used in relation to Australia and its Territories:

AND WHEREAS the proposed new Style and Titles, being the Style and 10 Titles set forth in the Schedule to this Act, retains the common element referred to in the preamble to the *Royal Style and Titles Act 1953*:

BE IT THEREFORE enacted by the Queen, the Senate and the House of Representatives of Australia, as follows:—

1. This Act may be cited as the *Royal Style and Titles Act 1973*.

Short title.

2

No.

Royal Style and Titles

1973

Assent to
adoption of
new Royal
Style and
Titles in
relation to
Australia.

2. (1) The assent of the Parliament is hereby given to the adoption by Her Majesty, for use in relation to Australia and its Territories, in lieu of the Style and Titles set forth in the Schedule to the *Royal Style and Titles Act 1953*, of the Style and Titles set forth in the Schedule to this Act and to the issue for that purpose by Her Majesty of Her Royal Proclamation under such seal as Her Majesty by Warrant appoints.

5

(2) The Proclamation referred to in sub-section (1) shall be published in the *Gazette* and shall have effect on the date upon which it is so published.

SCHEDULE

Section 2

Royal Style and Titles

Elizabeth the Second, by the Grace of God Queen of Australia
and Her other Realms and Territories, Head of the Commonwealth.

I HEREBY CERTIFY that the above is a fair print of the Royal Style and Titles Bill 1973 which originated in the House of Representatives and has been finally passed by the Senate and the House of Representatives.

[J. Pettifer]

Acting Clerk of the House of Representatives

~~IN THE NAME OF HER MAJESTY, I assent to this Act.~~ [I
reserve this proposed law for Her Majesty's pleasure]

[Paul Hasluck]

Governor-General

[September 14,] 1973

Printed by Authority by the Government Printer of Australia

Annexure: 'D'

Annexure: 'D'; Victoria, Australia Act (Request) Act 1985, No. 10203 pages 1, 2, 5, 6

Queensland Oaths Act 1867 being the Oaths Acts 1867 to 1959 Number 16, assented to 31st October 1960

Proponent: Michael Thomas Holt domiciled near xxxx Bristlebird xxxx, Forest xxxx, in the state of Queensland 45xx; and

Ref: Breach of Commonwealth of Australia Constitution Act 1901



VICTORIA

No. 10203

Australia Acts (Request) Act 1985

An Act to enable the constitutional arrangements affecting the Commonwealth and the States to be brought into conformity with the status of the Commonwealth of Australia as a sovereign, independent and federal nation.

[Assented to 6 November 1985]

The Parliament of Victoria enacts as follows:

WHEREAS the Prime Minister of the Commonwealth and the Premiers of the States at conferences held in Canberra on 24 and 25 June 1982 and 21 June 1984 agreed on the taking of certain measures to bring constitutional arrangements affecting the Commonwealth and the States into conformity with the status of the Commonwealth of Australia as a sovereign, independent and federal nation:

AND WHEREAS it has been agreed that the Parliament of the Commonwealth at the request of the Parliaments of the States in pursuance of section 51 (xxxviii) of the Constitution of the

Commonwealth of Australia should enact an Act in the terms of the First Schedule:

AND WHEREAS it has been agreed that each State should request and consent to the enactment by the Parliament of the United Kingdom of an Act in the terms of the Schedule to the Act contained in the Second Schedule:

AND WHEREAS it has been agreed that the Parliament of the Commonwealth with the concurrence of all the States should enact an Act requesting and consenting to the enactment by the Parliament of the United Kingdom of an Act in the terms of the Schedule to the Act contained in the Second Schedule.

The Parliament of Victoria therefore enacts as follows:

Short title.

1. This Act may be cited as the *Australia Acts (Request) Act 1985*.

Commencement.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Request for Commonwealth legislation.

3. The Parliament of the State requests the enactment by the Parliament of the Commonwealth of an Act in, or substantially in, the terms set out in the First Schedule.

Request and consent to United Kingdom legislation.

4. The Parliament and Government of the State request and consent to the enactment by the Parliament of the United Kingdom of an Act in, or substantially in, the terms set out in the Schedule to the Act contained in the Second Schedule.

Request and consent to Commonwealth legislation.

5. The Parliament and Government of the State request and consent to the enactment by the Parliament of the Commonwealth of an Act in, or substantially in, the terms set out in the Second Schedule.

FIRST SCHEDULE—*continued*

(3) The enactments referred to in subsection (2) (a) above are the following Acts of the Parliament of the United Kingdom or provisions of such Acts:

The Australian Courts Act 1828, section 15

The Judicial Committee Act 1833

The Judicial Committee Act 1844

The Australian Constitutions Act 1850, section 28

The Colonial Courts of Admiralty Act 1890, section 6.

(4) Nothing in the foregoing provisions of this section—

- (a) affects an appeal instituted before the commencement of this Act to Her Majesty in Council from or in respect of a decision of an Australian court; or
- (b) precludes the institution after that commencement of an appeal to Her Majesty in Council from or in respect of such a decision where the appeal is instituted—
 - (i) pursuant to leave granted by an Australian court on an application made before that commencement; or
 - (ii) pursuant to special leave granted by Her Majesty in Council on a petition presented before that commencement,

but this subsection shall not be construed as permitting or enabling an appeal to Her Majesty in Council to be instituted or continued that could not have been instituted or continued if this section had not been enacted.

Amendment of Statute of Westminster

12. Sections 4, 9 (2) and (3) and 10 (2) of the Statute of Westminster 1931, in so far as they are part of the law of the Commonwealth, of a State or of a Territory, are hereby repealed.

Amendment of Constitution Act of Queensland

13. (1) The Constitution Act 1867–1978 of the State of Queensland is in this section referred to as the Principal Act.

(2) Section 11A of the Principal Act is amended in subsection (3)—

- (a) by omitting from paragraph (a)—
 - (i) “and Signet”; and
 - (ii) “constituted under Letters Patent under the Great Seal of the United Kingdom”; and
- (b) by omitting from paragraph (b)—
 - (i) “and Signet”; and
 - (ii) “whenever and so long as the office of Governor is vacant or the Governor is incapable of discharging the duties of administration or has departed from Queensland”.

(3) Section 11B of the Principal Act is amended—

- (a) by omitting “Governor to conform to instructions” and substituting “Definition of Royal Sign Manual”;
- (b) by omitting subsection (1); and
- (c) by omitting from subsection (2)—
 - (i) “(2)”;
 - (ii) “this section and in”; and
 - (iii) “and the expression ‘Signet’ means the seal commonly used for the sign manual of the Sovereign or the seal with which documents are sealed by the Secretary of State in the United Kingdom on behalf of the Sovereign”.

(4) Section 14 of the Principal Act is amended in subsection (2) by omitting “, subject to his performing his duty prescribed by section 11B,”.

FIRST SCHEDULE—*continued***Amendment of Constitution Act of Western Australia**

14. (1) The Constitution Act 1889 of the State of Western Australia is in this section referred to as the Principal Act.

(2) Section 50 of the Principal Act is amended in subsection (3)—

(a) by omitting from paragraph (a)—

(i) "and Signet"; and

(ii) "constituted under Letters Patent under the Great Seal of the United Kingdom";

(b) by omitting from paragraph (b)—

(i) "and Signet"; and

(ii) "whenever and so long as the office of Governor is vacant or the Governor is incapable of discharging the duties of administration or has departed from Western Australia"; and

(c) by omitting from paragraph (c)—

(i) "under the Great Seal of the United Kingdom"; and

(ii) "during a temporary absence of the Governor for a short period from the seat of Government or from the State".

(3) Section 51 of the Principal Act is amended—

(a) by omitting subsection (1); and

(b) by omitting from subsection (2)—

(i) "(2)";

(ii) "this section and in"; and

(iii) "and the expression 'Signet' means the seal commonly used for the sign manual of the Sovereign or the seal with which documents are sealed by the Secretary of State in the United Kingdom on behalf of the Sovereign".

Method of repeal or amendment of this Act or Statute of Westminster

15. (1) This Act or the Statute of Westminster 1931, as amended and in force from time to time, in so far as it is part of the law of the Commonwealth, of a State or of a Territory, may be repealed or amended by an Act of the Parliament of the Commonwealth passed at the request or with the concurrence of the Parliaments of all the States and, subject to subsection (3) below, only in that manner.

(2) For the purposes of subsection (1) above, an Act of the Parliament of the Commonwealth that is repugnant to this Act or the Statute of Westminster 1931, as amended and in force from time to time, or to any provision of this Act or of that Statute as so amended and in force, shall, to the extent of the repugnancy, be deemed an Act to repeal or amend the Act, Statute or provision to which it is repugnant.

(3) Nothing in subsection (1) above limits or prevents the exercise by the Parliament of the Commonwealth of any powers that may be conferred upon that Parliament by any alteration to the Constitution of the Commonwealth made in accordance with section 128 of the Constitution of the Commonwealth after the commencement of this Act.

Interpretation

16. (1) In this Act, unless the contrary intention appears—

"appeal" includes a petition of appeal, and a complaint in the nature of an appeal;

"appeal to Her Majesty in Council" includes any appeal to Her Majesty;

"Australian court" means a court of a State or any other court of Australia or of a Territory other than the High Court;

"court" includes a judge, judicial officer or other person acting judicially;

"decision" includes determination, judgment, decree, order or sentence;

"Governor", in relation to a State, includes any person for the time being administering the government of the State;

"State" means a State of the Commonwealth and includes a new State;

VICTORIA.



ANNO VICESIMO QUARTO

ELIZABETHÆ SECUNDÆ REGINÆ

No. 8750.

An Act to re-enact the Law relating to the Constitution of
the State of Victoria and for other purposes.

[19th November, 1975.]

HEREAS the Legislative Council of the colony of Victoria **Preamble** did in the year 1854 pass a Bill intituled " An Act to establish a Constitution in and for the colony for Victoria ":

And whereas the said Bill was presented to the then Lieutenant-Governor of Victoria for Her Majesty's assent and the said Lieutenant-Governor did thereupon declare that he reserved the said Bill for the signification of Her Majesty's pleasure thereon:

And whereas the Imperial Parliament deemed it expedient to authorize Her Majesty to assent to the said reserved Bill amended by the omission of certain provisions thereof :

And whereas the said Bill as amended was set forth in a Schedule to an Act of the Imperial Parliament passed in the 18th and 19th years of the reign of Her Majesty Queen Victoria intituled " An Act to enable Her Majesty to Assent to a Bill, as amended, of the Legislature of Victoria to establish a Constitution in and

for the Colony of Victoria " by which Act Her Majesty in Council was authorized to assent to the said reserved Bill amended by the omission of certain provisions thereof, and the Bill was assented to accordingly :

Reserved 20th May, 1975. Proclamation of Royal Assent published in the Victoria Government Gazette, 19th November, 1975.

And

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And whereas by the said Bill -as so amended the Colony of Victoria was established as a self-governing colony with responsible government :-

And whereas the said Bill as so amended is the Constitution of Victoria and is known as The Constitution Act :

And whereas it is provided by section LX. of the said The Constitution Act that the Legislature of Victoria has full power and authority from time to time by any Act or Acts to repeal alter or vary all or any of the provisions of The Constitution Act and to substitute others in lieu thereof :

Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

Shon title.

1. (1) This Act may be cited as the Constitution Act 1975.

Commenc>

meat.

(2) This Act shall come into operation on a day to be fixed by proclamation of the Governor in Council published in the Government Gazette. ...

Division into
&c.

(3) This Act is divided into Parts and Divisions as follows :—

Annexure: 'E'

Annexure: 'E'; Queensland's Constitution Act Amendment Act 1977 Act No.9

Queensland Oaths Act 1867 being the Oaths Acts 1867 to 1959 Number 16, assented to 31st October 1960

Proponent: Michael Thomas Holt domiciled near xxxx Bristlebird xxxx, Forest xxxx, in the state of Queensland 45xx; and

Ref: Breach of Commonwealth of Australia Constitution Act 1901



ANNO VICESIMO SEXTO

ELIZABETHAE SECUNDAE REGINAE

.....

No. 9 of 1977

Preamble. Whereas by Letters Patent under the Great Seal of the United Kingdom dated the tenth day of June 1925 the office of Governor in and over the State of Queensland was constituted as therein provided;

And whereas since that date appointments to that office (and to the office of Lieutenant-Governor) have been made by Commission under the Royal Sign Manual and Signet;

BE IT THEREFORE ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. Short title and citation. (1) This Act may be cited as the *Constitution Act Amendment Act 1977*.

(2) In this Act the *Constitution Act of 1867* as subsequently amended is referred to as the Principal Act.

(3) The Principal Act as amended by this Act may be cited as the *Constitution Act 1867–1977*.

2. Reservation. This Bill shall be reserved for the signification of Her Majesty's pleasure thereon.

"2A. The Parliament. (1) The Parliament of Queensland consists of the Queen and the Legislative Assembly referred to in sections 1 and 2.

(2) Every Bill, after its passage through the Legislative Assembly, shall be presented to the Governor for assent by or in the name of the Queen and shall be of no effect unless it has been duly assented to by or in the name of the Queen."

4. **New s. 11A.** The Principal Act is amended by inserting below the heading "The Governor" and before section 12 the following section:—

"11A. Office of Governor. (1) The Queen's representative in Queensland is the Governor who shall hold office during Her Majesty's pleasure.

(2) Abolition of or alteration in the office of Governor shall not be effected by an Act of the Parliament except in accordance with section 53.

(3) In this Act and in every other Act a reference to the Governor shall be taken—

(a) to be a reference to the person appointed for the time being by the Queen by Commission under Her Majesty's Royal Sign Manual and Signet to the office of Governor of the State of Queensland constituted under Letters Patent under the Great Seal of the United Kingdom; and

(b) to include any other person appointed by dormant or other Commission under the Royal Sign Manual and Signet to administer the Government of the State of Queensland whenever and so long as the office of Governor is vacant or the Governor is incapable of discharging the duties of administration or has departed from Queensland."

5. **New s. 11B.** The Principal Act is amended by inserting after section 11A the following section:—

"11B. Governor to conform to instructions. (1) It is the duty of the Governor to act in obedience to instructions conveyed to him by the Queen with the advice of Her Privy Council or under Her Majesty's Royal Sign Manual and Signet or through one of Her Majesty's principal Secretaries of State in the United Kingdom for his guidance, for the exercise of the powers vested in him by law of assenting to or dissenting from or for reserving for the signification of Her Majesty's pleasure Bills to be passed by the Legislative Assembly.

(2) In this section and in section 11A the expression "Royal Sign Manual" means the signature or royal hand of the Sovereign and the expression "Signet" means the seal commonly used for the sign manual of the Sovereign or the seal with which documents are sealed by the Secretary of State in the United Kingdom on behalf of the Sovereign."

WHEREAS Letters Patent under the Great Seal of the United Kingdom, bearing the date at Westminster the tenth day of June, 1925.

VI. Appointment of Judges, Justices, &c.—The Governor may constitute and appoint, in Our name and on Our behalf, all such Judges, Commissioners, Justices of the Peace, and other necessary Officers and Ministers of the State, as may be lawfully constituted or appointed by Us.

See also Royal Instructions to the Governor, clause 9, *post*; Constitution Act of 1867, ss. 14-16, *ante*.

6. **Amendment of s. 14.** Section 14 of the Principal Act is amended by—

(a) numbering the existing provisions as subsection (1).

(b) adding the following subsection:—

“(2) Officers liable to retire from office on political grounds shall hold office at the pleasure of the Governor who in the exercise of his power to appoint and dismiss such officers, subject to his performing his duty prescribed by section 11B, shall not be subject to direction by any person whatsoever nor be limited as to his sources of advice.”.

7. **New s. 53.** The Principal Act is amended by inserting after section 52 the following heading and section:—

“ **REQUIREMENT FOR REFERENDUM**

53. Certain measures to be supported by referendum. (1) A Bill that expressly or impliedly provides for the abolition of or alteration in the office of Governor or that expressly or impliedly in any way affects any of the following sections of this Act namely—

sections 1, 2, 2A, 11A, 11B, 14; and
this section 53

shall not be presented for assent by or in the name of the Queen unless it has first been approved by the electors in accordance with this section and a Bill so assented to consequent upon its presentation in contravention of this subsection shall be of no effect as an Act.

(2) On a day not sooner than two months after the passage through the Legislative Assembly of a Bill of a kind referred to in subsection (1) the question for the approval or otherwise of the Bill shall be submitted to the electors qualified to vote for the election of members of the Legislative Assembly according to the provisions of the *Elections Act 1915-1973* and of any Act amending the same or of any Act in substitution therefor.

Such day shall be appointed by the Governor in Council by Order in Council.

(3) When the Bill is submitted to the electors the vote shall be taken in such manner as the Parliament of Queensland prescribes.

(4) If a majority of the electors voting approve the Bill, it shall be presented to the Governor for reservation thereof for the signification of the Queen's pleasure.

(5) Any person entitled to vote at a general election of members of the Legislative Assembly is entitled to bring proceedings in the Supreme Court for a declaration, injunction or other remedy to enforce the provisions of this section either before or after a Bill of a kind referred to in subsection (1) is presented for assent by or in the name of the Queen.

(6) **Act 24 Geo. 5 No. 35 preserved.** The provisions of this section shall in no way affect the operation of *The Constitution Act Amendment Act of 1934*.”.

Annexure: 'F'

Annexure: 'F'; Western Australia Acts Amendment (Constitution) Act 1978

Queensland Oaths Act 1867 being the Oaths Acts 1867 to 1959 Number 16, assented to 31st October 1960

Proponent: Michael Thomas Holt domiciled near xxxx Bristlebird xxxx, Forest xxxx, in the state of Queensland 45xx; and

Ref: Breach of Commonwealth of Australia Constitution Act 1901

ACTS AMENDMENT (CONSTITUTION).

No. 59 of 1978.

AN ACT to amend the Constitution Act, 1889-1970 and the
Constitution Acts Amendment Act, 1899-1977.

[Reserved 20th September, 1978.]

[Royal Assent proclaimed
15th November, 1978.]

WHEREAS by an Act of the United Kingdom Preamble. passed in the Tenth Year of the Reign of His Majesty King George the Fourth, being an Act to provide for the Government of His Majesty's Settlements in Western Australia, it was enacted, inter alia, that it shall be lawful for His Majesty by any Order to be made by Him with the Advice of His Privy Council to make, ordain, and to authorise and empower any Three or more Persons resident and being within the said Settlements to make, ordain and establish all such Laws, Institutions, and Ordinances and to constitute such Courts and Officers as may be necessary for the Peace, Order, and Good Government of His Majesty's subjects and others within the said Settlements:

And whereas by Letters of His Majesty King William the Fourth made Patent at Westminster on the Fourth day of March, 1831 James Stirling, Esquire, Captain in His Majesty's Royal Navy was constituted and appointed to be His Majesty's Governor and Commander-in-Chief in and over His Majesty's Territory called Western Australia:

And whereas by Letters Patent under the Great Seal of the United Kingdom dated the Seventeenth day of November, 1877 it was recited, inter alia, that it was desirable to make effectual and permanent provision for the office of Governor and Commander-in-Chief in and over the Colony of Western Australia; and whereas by those Letters Patent it was ordered and declared that there shall be a Governor and Commander-in-Chief in and over the Colony of Western Australia and that the person who will fill the said office of Governor shall be from time to time appointed by Commission under the Royal Sign Manual and Signet:

And whereas, by Letters Patent dated the Twenty fifth day of August, 1890, consequent upon an alteration in the Constitution of the Colony of Western Australia having been effected by the Western Australia Constitution Act, 1890, under the Great Seal of the United Kingdom, the office of Governor and Commander-in-Chief in and over the Colony of Western Australia and its Dependencies was reconstituted and it was provided that appointments to the said office shall be made by Commission under the Royal Sign Manual and Signet:

And whereas, by Letters Patent dated the Twenty ninth day of October, 1900 under the Great Seal of the United Kingdom, consequent upon the enactment of the Commonwealth of Australia Constitution Act, 1900 and of the issuing of Her Majesty's Proclamation thereunder, the office of Governor in and over the State of Western Australia and its Dependencies was again reconstituted and it was provided that appointments to the said office shall be made by Commission under the Royal Sign

Manual and Signet, and it was further provided that the Governor be authorised, empowered and commanded to do and execute all things that belong to his office and to exercise all powers and authorities vested in him according to such instructions as may from time to time be given to him under the Royal Sign Manual and Signet or by Order of Her Majesty in Her Privy Council or by Her Majesty through one of Her Principal Secretaries of State and according to such Laws as are from time to time in force in the State of Western Australia:

And whereas by section 2 of the Constitution Act, 1889, it was provided that there shall be in place of the Legislative Council then subsisting a Legislative Council and a Legislative Assembly and that it shall be lawful for Her Majesty by and with the consent of the said Council and Assembly to make laws for the peace, order and good Government of Western Australia and its Dependencies and that such Council and Assembly shall, subject to the provisions of that Act have all the powers and functions of the then subsisting Legislative Council:

And whereas it is proper and expedient that further constitutional provision be made to further establish the offices aforesaid and to regulate the powers of the holders of those offices and to confirm the established constitutional provision aforesaid and to regulate the manner and form in which the powers of the Parliament

of Western Australia may hereafter be exercised in relation to the offices and powers aforesaid:

BE it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Acts Amendment Short title. (Constitution) Act, 1978.

PART I—CONSTITUTION ACT, 1889-1970.

Citation.

2. (1) In 1889-1970 is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Constitution Act, 1889-1978.

section I
amended,

3. Section 1 of the principal Act is amended by adding after the passage "PART III.—ELECTIVE COUNCIL." the passage "PART 111A.—THE GOVERNOR.".

Section 2
amended.

4. Section 2 of the principal Act is amended— (a) by adding after the section number "2." the subsection designation "(1)"; and
(b) by adding at the end thereof the following subsections—

(2) The Parliament of Western Australia consists of the Queen and the Legislative Council and the Legislative Assembly.

(3) Every Bill, after its passage through the Legislative Council and the Legislative Assembly, shall, subject to section 73 of this Act, be presented to the Governor for assent by or in the name of the Queen and shall be of no effect unless it has been duly assented to by or in the name of the Queen.

•

part III A

5. The principal Act is amended by adding

added.

immediately after section 49 the following new

this Part the
Constitution Act,

PART 111A.—THE GOVERNOR.

office of
Governor

50. (1) The Queen's representative in

Western Australia
is the Governor who
shall hold office
during Her
Majesty's pleasure.

(2) Abolition of or alteration in the office of Governor shall not be effected by an Act of the Parliament except in accordance with subsection (2) of section seventy-three.

(3) In this Act and in every other Act a reference to the Governor shall be taken—

- (a) to be a reference to the person appointed for the time being by the Queen by Commission under Her Majesty's Royal Sign Manual and Signet to the office of Governor of the State of Western Australia constituted under Letters Patent under the Great Seal of the United Kingdom; and
- (b) to include any other person appointed by dormant or other Commission under the Royal Sign Manual and Signet to administer the Government of the State of Western Australia whenever and so long as the office of Governor is vacant or the Governor is incapable of discharging the duties of administration or has departed from Western Australia; and
- (c) to also include any other person exercising, by virtue of an appointment by the Governor in accordance with Letters Patent under the Great Seal of the United Kingdom, any powers and authorities of the Governor during a temporary absence of the Governor for a short period from the seat of Government or from the State.

51. (1) It is the duty of the Governor to act Instructions to Governor. in obedience to instructions conveyed to him by the Queen with the advice of Her Privy Council or under Her Majesty's Royal Sign Manual and Signet or through one of Her Majesty's principal Secretaries of State in the United Kingdom for his guidance, in the exercise of the powers vested in him.

(2) In this section and in section fifty the expression "Royal Sign Manual" means the signature or royal hand of the Sovereign and the expression "Signet" means the seal commonly used for the sign manual of the Sovereign or the seal

with which documents are sealed by the Secretary of State in the United Kingdom on behalf of the Sovereign. .

Section amended.73 6. Section '73 of the principal Act is amended—

(a) by deleting the words "The Legislature" in line one and substituting the passage "(1) Subject to the succeeding provisions of this section, the Legislature"; and

(b) by adding at the end thereof the following subsections—

(2) A Bill that—

(a) expressly or impliedly provides for the abolition of or alteration in the office of Governor; or

(b) expressly or impliedly provides for the abolition of the Legislative Council or of the

Legislative Assembly; or

(c) expressly or impliedly provides that the Legislative Council or the Legislative Assembly shall be composed of members other than members chosen directly by the people; or

(d) expressly or impliedly provides for a reduction in the numbers of the members of the Legislative Council or of the Legislative Assembly; or

(e) expressly or impliedly in any way affects any of the following sections of this Act, namely— sections 2, 3, 4, 50, 51, and 73,

shall not be presented for assent by or in the name of the Queen unless—

(f) the second and third readings of the Bill shall have been passed with the concurrence of an absolute majority of the whole number of the members for the time being of the Legislative Council and the Legislative Assembly, respectively; and

(g) the Bill has also prior to such presentation been approved by the electors in accordance with this section, and a Bill assented to consequent upon its presentation in contravention of this subsection shall be of no effect as an Act.

(3) On a day fixed by the Governor by Order in Council, being a day not sooner than two months, and not later than six months, after the passage through the Legislative Council and the Legislative Assembly of a Bill of a kind referred to in subsection (2) of this section, the question for the approval or otherwise of the Bill shall be submitted to the electors qualified to vote for the election of members of the Legislative Assembly according to the provisions of the Electoral Act, 1907.

(4) When the Bill is submitted to the electors the vote shall be taken in such manner as is fixed by law.

(5) If a majority of the electors voting approve the Bill, it shall be presented to the Governor for assent by or in the name of the Queen.

(6) Any person entitled to vote at a general election of members of the Legislative Assembly is entitled to bring proceedings in the Supreme Court for a declaration, injunction or other remedy to enforce the provisions of this section either before or after a Bill of a kind referred to in subsection (2) of this section is presented for assent by or in the name of the Queen. .

section 75
amended.

7. Section 75 of the principal Act is amended

by deleting the interpretation "Governor".

PART II.—CONSTITUTION ACTS
AMENDMENT ACT, 1899-1977.

Citation. 8. (1) In this Part the Constitution Acts Amendment Act, 1899-1977 is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Constitution Acts Amendment Act, 1899-1978.

Section 3
amended.

9. Section 3 of the principal Act is amended by deleting the interpretation "Governor".

Annexure: 'G'

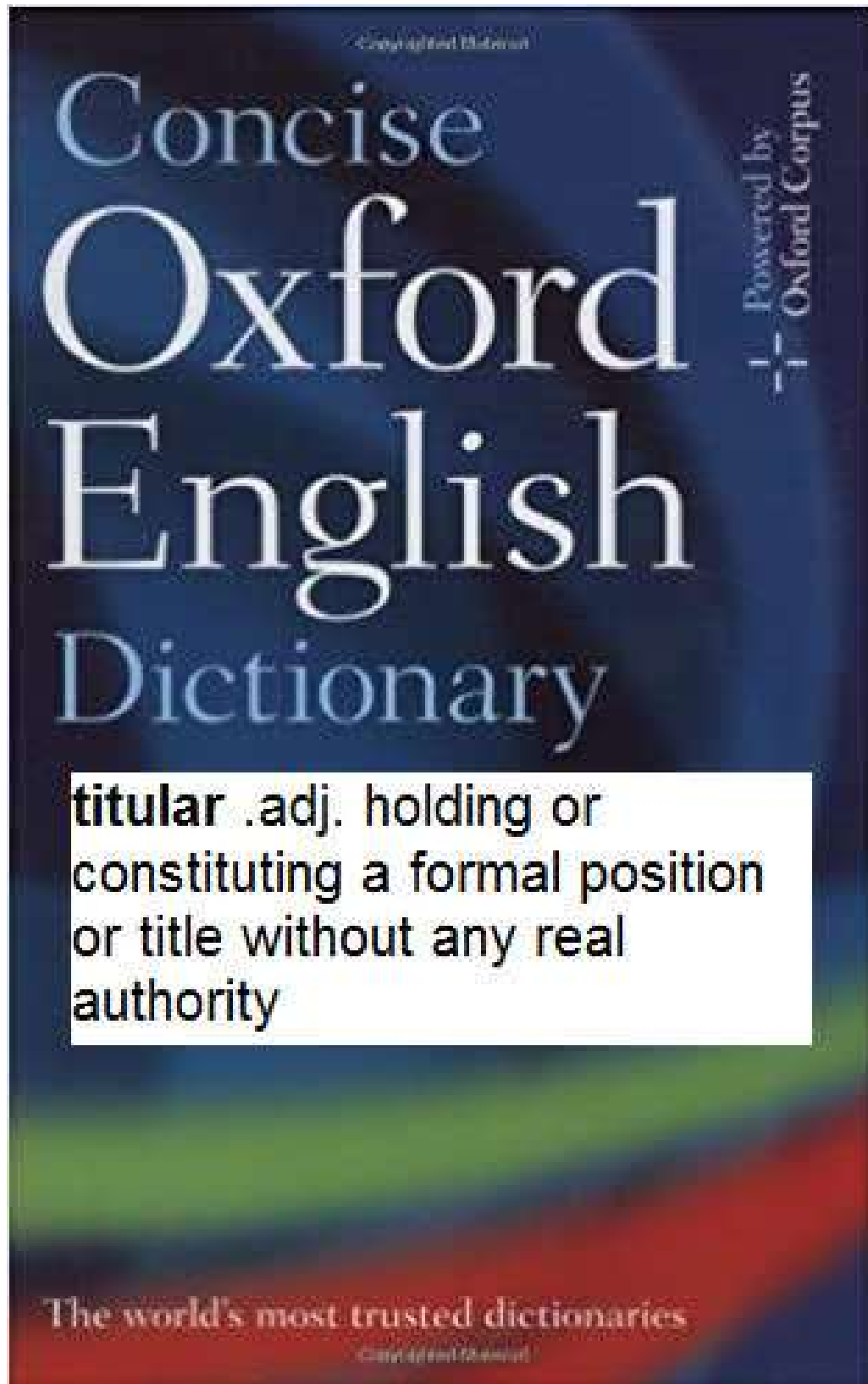
Annexure; 'G'; Concise Oxford Dictionary; the meaning of Titular; and

"/titioola/ > adjective 1 relating to a title 2 holding or constituting a formal position or title without any real authority; and

Queensland Oaths Act 1867 being the Oaths Acts 1867 to 1959 Number 16, assented to 31st October 1960

Proponent: Michael Thomas Holt domiciled near xxxx Bristlebird xxxx, Forest xxxx, in the state of Queensland 45xx; and

Ref: Breach of Commonwealth of Australia Constitution Act 1901



titular .adj. holding or
constituting a formal position
or title without any real
authority

Annexure: ‘H’

Annexure; ‘H’; Australian Electoral Commission Referendum results 1906-1999 disclosing an omission in 1972 through 1999 for a private political party owned and corporate **statutory instrument** the “Queen of Australia” and the creation of their own private “Australia” “Commonwealth” means their “Commonwealth of Australia in a geographical sense”; and The referendum question was to ask the people of the Commonwealth of Australia, as established under the Commonwealth of Australia Constitution Act 1901 if they wished to become a Republic or to stay as a Constitutional Monarchy. The people voted **NO** to a Republic; and

Queensland Oaths Act 1867 being the Oaths Acts 1867 to 1959 Number 16, assented to 31st October 1960

Proponent: Michael Thomas Holt domiciled near xxxx Bristlebird xxxx, Forest xxxx, in the state of Queensland 45xx; and

Ref: Breach of Commonwealth of Australia Constitution Act 1901

Referendum 1999



The questions

1. To alter the Constitution to establish the Commonwealth of Australia as a republic with the Queen and Governor-General being replaced by a President appointed by a two-thirds majority of the members of the Commonwealth Parliament.
2. To alter the Constitution to insert a preamble.



Your official Referendum pamphlet.



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Results

Q1. The referendum was NOT carried.
No States recorded a YES vote. Nationally 45.13% of electors voted YES.

Q2. The referendum was NOT carried.
No States recorded a YES vote. Nationally 39.34% of electors voted YES.

Click to find out more about what is required for a referendum to be carried.

Enrolment Statistics by Division	Excel	Text	Notes
Turnout Statistics by Division	Excel	Text	Notes
Informality Statistics by Division	Excel	Text	Notes
Declaration Votes	Excel	Text	Notes
Polling Places Locations by Division			Notes
	Excel: NSW Vic Qld WA SA Tas ACT NT		
	Text: NSW Vic Qld WA SA Tas ACT NT		
Numbers of Polling Places and Staff by State	Excel	Text	Notes

[Results by question](#) ►

Referendum 1999

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Annexure: 'I'

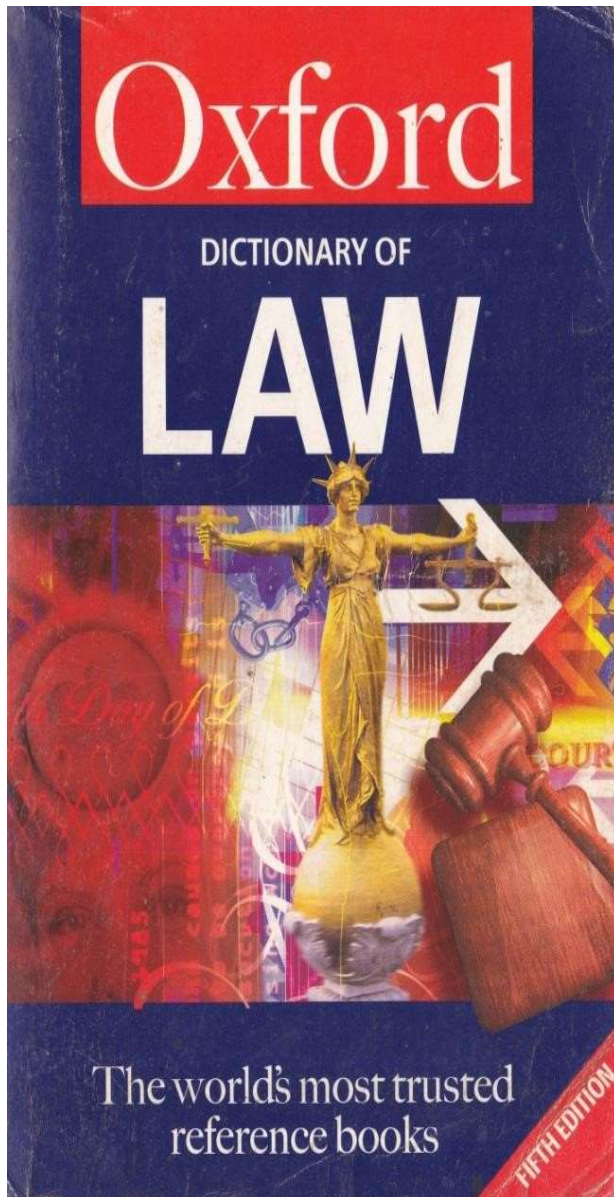
Annexure; 'I'; Oxford Dictionary of Law; Treason; and

Queensland Oaths Act 1867 being the Oaths Acts 1867 to 1959 Number 16, assented to 31st October 1960

Proponent: Michael Thomas Holt domiciled near xxxx Bristlebird xxxx, Forest xxxx, in the state of Queensland 45xx; and

Ref: Breach of Commonwealth of Australia Constitution Act 1901

Oxford Dictionary of Law -- Treason



treason n. Conduct comprising a breach of allegiance owed to the sovereign or the state. Under the

Treason Act 1351, high treason included violating the king's wife, eldest unmarried daughter, or wife of the king's eldest son; openly attempting to prevent the heir to the throne from succeeding; and killing the chancellor or any judge while performing their duties. Treason was redefined by the Treason Act 1795 and the principal forms now

include: (1) compassing the death or serious injury of the sovereign or his (or her) spouse or eldest son; (2) levying war against the sovereign in his (or her) realm, which includes any insurrection against the authority of the sovereign or of the government that goes beyond *riot or *violent disorder; (3) giving aid or comfort to the sovereign's enemies in wartime. The penalty for treason (fixed by law) was formerly death but is now life imprisonment.

Annexure: 'J'

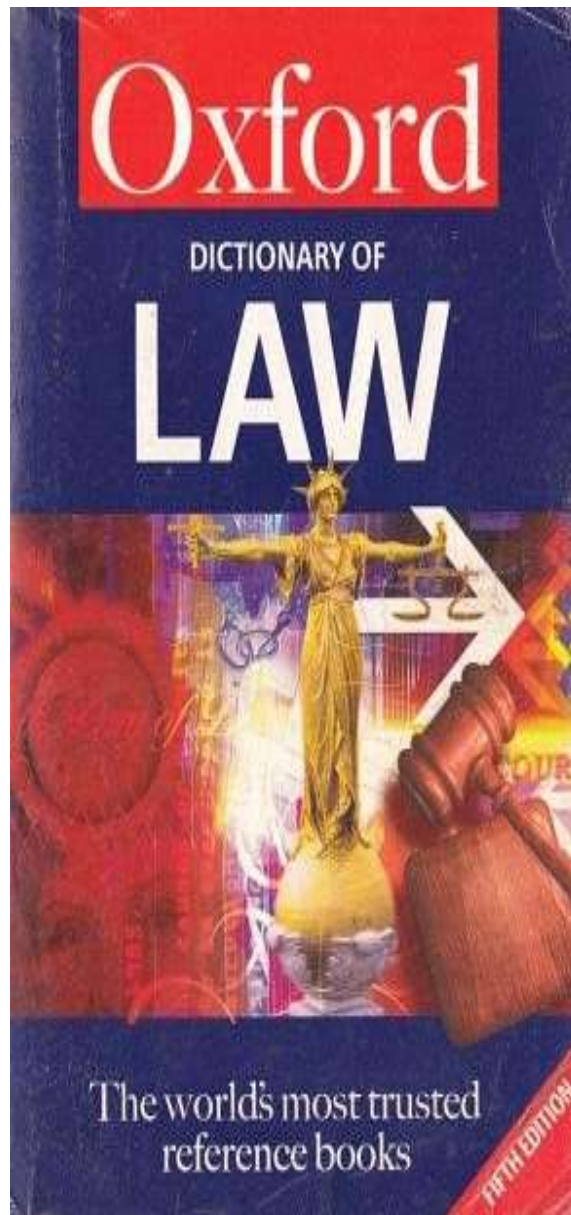
Annexure; 'J'; Oxford Dictionary of Law; Misprision; and

Queensland Oaths Act 1867 being the Oaths Acts 1867 to 1959 Number 16, assented to 31st October 1960

Proponent: Michael Thomas Holt domiciled near xxxx Bristlebird xxxx, Forest xxxx, in the state of Queensland 45xx; and

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Oxford Dictionary of Law – Misprision



“ misprision *n.* Failure to report an offence. The former crime of misprision of felony has been replaced by the crime of compounding an offence.

However the common-law offence of misprision of treason still exists; this occurs if a person knows or reasonably suspects that someone has committed treason but does not inform the proper authorities within a reasonable time.

The punishment for this offence is forfeiture by the offender of all his property during his lifetime. ”

Annexure: 'K'

Annexure; 'K'; The Crimes Act 2017, Compilation 118

- a) Criminal Code 1995 Compilation No. 134
- b) Crimes (Search Warrants and Powers of Arrest) Amendment Act 1994 No. 65
- c) Australian Federal Police Act 1979 Act No. 58 Compilation 62
- d) Ministerial Direction (Commonwealth Director of Public Prosecutions) 1983

Queensland Oaths Act 1867 being the Oaths Acts 1867 to 1959 Number 16, assented to 31st October 1960

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Commonwealth of Australia Armorial Bearings



Description of the Shield

Symbols of Australia's six states appear on the shield:

- New South Wales – the Cross of St George with lion and stars
- Victoria – the Southern Cross
- Queensland – a blue Maltese Cross and Crown
- South Australia – the Australian piping shrike
- Western Australia – a black swan
- Tasmania – a red walking lion



First Quarter (representing New South Wales)

Background silver, featuring the Cross of St George containing an heraldic gold lion, walking to the wearer's right (viewer's left), three paws on the ground, the right forepaw being raised, the head turned so as to face the spectator and the tail curved over the back, and on each arm of the cross an eight-pointed gold star.



Second Quarter (representing Victoria)

Background blue, containing five stars, one of eight points, two of seven points, one of six points and one of five points (the constellation of the Southern Cross) with an Imperial Crown in normal colours placed above the first star.



Third Quarter (representing Queensland)

Background silver, containing a blue Maltese Cross surmounted by an Imperial Crown in normal colours.



Fourth Quarter (representing South Australia)

Background gold, containing an Australian Piping Shrike perched on a twisted band of green and red (the bird has its back to the viewer).



Fifth Quarter (representing Western Australia)

Background gold featuring a black swan swimming to the wearer's left (viewer's right).



Sixth Quarter (representing Tasmania)

Background silver, featuring a red lion walking to the wearer's right (viewer's left) three paws on the ground, the right forepaw being raised, the head looking forward and the tail curved over the back.

Treason by

Political Party Stylised Republic Seal for their Australia.

with the help from Victoria and Queensland



Description of Shield for Political Party Republic

STATE	BADGE	
NEW SOUTH WALES		Cross of St George with lion and stars.
VICTORIA		<u>St Edwards Crown</u> and Southern Cross
QUEENSLAND		a Blue Maltese Cross and <u>St Edwards Crown</u>
SOUTH AUSTRALIA		the Australian piping shrike
WESTERN AUSTRALIA		a black swan
TASMANIA		a red walking lion

AUSTRALA REPUBLIC

Political Party Treasonous Republican Courts



All Political Party Australian Courts sits as a Coram No Crown and Constitutional Authority.

All Political Party Australian Courts are Statutory creations = ABN = Australian Business Number = A serial number to work and trade within the Political Parties Australia created in 1973. High Court of Australia ABN 69 445 188 986. Page 9 of 9

Annexure: 'L'

Annexure; 'L'; Fee Schedule of Michael Thomas Holt; and,

Queensland Oaths Act 1867 being the Oaths Acts 1867 to 1959 Number 16, assented to 31st October 1960

Proponent: Michael Thomas Holt domiciled near xxxx Bristlebird xxxx, Forest xxxx, in the state of Queensland 45xx; and

Ref: Breach of Commonwealth of Australia Constitution Act 1901

Fee Schedule

For services rendered, tasks performed and materials supplied. Applicable to all persons and entities.

To:

ABN:

By

Effective from

Fee schedule ID

Item	Fixed Costs	Variable Costs	Service Provided
Accounting, postage, administration and stationery.		\$10,000.00/hour \$55.00 per stationery item	Process accounts, bookkeeping
Court costs	\$25,000.00		Per attendance
		5,000.00/hour	Travel and attendance, minimum 4 hours
		\$5,000.00 per document	Filing fees, and other costs
Mail processing (per page)		\$1,500.00	Reading, comprehension
Research		\$10,500.00 per hour	Research infringement notice regulation. Minimum 4 hours
Reply to infringements notices and mail		\$10,000.00 per hour	Mailing and administration
Sending mail		\$1,500.00	Mailing and travel costs per item
Phone		\$1,500.00/15 minutes	Phone calls, minimum charge 1 hours

Miscellaneous		\$1,500.00/15 minutes	Minimum charge 4 hours
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Annexure: 'M'

Annexure; 'M' Qld Interpretation Act

Queensland Oaths Act 1867 being the Oaths Acts 1867 to 1959 Number 16, assented to 31st October 1960

Proponent: Michael Thomas Holt domiciled near xxxx Bristlebird xxxx, Forest xxxx, in the state of Queensland 45xx; and

Ref: Breach of Commonwealth of Australia Constitution Act 1901

Queensland ACTS INTERPRETATION ACTS, 1954

‘Saving of operation of repealed Act etc.

20.(1) The repeal, amendment or expiry of an Act or a provision of an Act does not—

(c) affect a right, privilege, obligation or liability acquired, accrued or incurred under the Act or provision;

9A Declaration of validity of certain laws

Each provision of an Act enacted, or purporting to have been enacted, before the commencement of the Australia Acts has (and always has had) the same effect as it would have had, and is (and always has been) as valid as it would have been, if the Australia Acts had been in operation at the time of its enactment or purported enactment.

Note: Oxford Dictionary:

“purport v. appear to be or do, especially falsely”

Victoria Interpretation of Legislation Act 1984

14 Provision as to effect of repeal etc. of Acts

(2) Where an Act or a provision of an Act—

(a) is repealed or amended; or

(b) expires, lapses or otherwise ceases to have effect—

the repeal, amendment, expiry, lapsing or ceasing to have effect of that Act or provision shall not, unless the contrary intention expressly appears—

- (e) affect any right, privilege, obligation or liability acquired, accrued or incurred under that Act or provision;

58 Declaration of validity of certain laws

(1) Each provision of an Act or subordinate instrument enacted or made, or purporting to have been enacted or made, before the commencement of the Australia Acts—

- (a) has the same effect as it would have had; and
- (b) is as valid as it would have been — if the Australia Acts had been in operation at the time of its enactment or making, or purported enactment or making.

Note: Oxford Dictionary:

“ purport v. appear to be or do, especially falsely ”