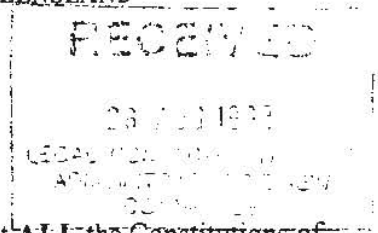


SUBMISSION TO THE LEGISLATIVE ASSEMBLY OF QUEENSLAND

REGARDING THE

Consolidation of the Queensland Constitution

Interim Report



I, John R Hugo, submit to the Legislative Assembly of Queensland that ALL the Constitutions of Australia and its states, *historically and according to International Law*, became Null and Void with the declaration of the *sovereignty* of Australia by the government of the United Kingdom of Great Britain (1917) and the League of Nations (1920).

As support to my submission, I present the following historical facts.

A. In the beginning the colony of N.S.W. was divided into other states to facilitate their governance. Each new state was given its own constitution. After much discussion between the states, UK Government passed a Bill called "The Commonwealth of Australia Constitution Act (1900) UK" which was designed to federalize the colonies. I have noted that there is no reference to the rights of the colonists but only the rights of the parliaments. This was because the colonists were *British Subjects*. As such they had the rights of all *British Subjects* including the *Magna Carter*, *The Bill of Rights 1689* and the *Act of Settlement 1701*.

B. Because we were a colony, King George V declared war on Germany in 1914 on our behalf.

C. Towards the end of the World War 1 and in the next three years the following events took place:

1. The British Dominion of the Commonwealth of Australia as a member of the British Empire contingent joins the peace conference at Versailles on 13th January 1919 with W. M. Hughes and Sir Joseph Cook as its representatives.

2. Supported by the agreement reached at the 1917 Imperial War Conference held in London and argument between the President of the United States, W. Wilson, W. Hughes and Sir Joseph Cook sign the Peace Treaty of Versailles on 28th June 1919 not in the name of the British Dominion of the Commonwealth of Australia but in the name of the nation of Australia.

3. Prime Minister Hughes addresses Federal Parliament on 10 September 1919 "Australia has now entered into a family of nations on a footing of equality. Australia has been born in a blood sacrifice".

4. On 10th January 1920 the League of Nations becomes part of international law with Australia as one of the 29 foundation member nations, its sovereign nation status and political independence guaranteed under Article X of the League's Covenant. This is Australia's Independence Day. The British Dominion of the Commonwealth of Australia ceases to exist as does the authority of the British Crown. British Subjects resident in Australia become Australian Citizens.

5. Statement by Sir Geoffrey Butler KBE, MA and Fellow, Librarian and Lecturer in International Law and Diplomacy of Corpus Christi College, CAMBRIDGE, author of "A Handbook to the League of Nations" used as a reference to the League by all nations at that time. He refers to Article I of the Covenant of the League of Nations. "It is arguable that this article is the Covenant's most significant single measure. By it the British Dominions, namely, New Zealand, Australia, South Africa, and Canada, have their independent nationhood

established for the first time. There may be friction over small matters in giving effect to this internationally acknowledged fact, but the Dominions will always look to the League of Nations Covenant as their Declaration of Independence."

6. The League of Nations confirms Australia's mandated territories of Nauru and German New Guinea on 17th December 1920. The mandates are confirmed in the name of Australia.

D. The politicians of the Sovereign Nation of Australia then sent their representatives as follows: Sir Joseph Cook becomes the first Australian High Commissioner to the United Kingdom on 11th November 1921. The United Kingdom recognised the sovereignty of Australia by the acceptance of his credentials

E. G. F. Pearce represents Australia at the Washington conference from 12th November 1921 to 6th February 1922 resulting in the signing of the Washington Treaty, Australia's first treaty with another nation.

F. Meantime, back in Australia, our politicians failed to inform the people that the constitution of 1900 UK was no longer valid. Our politicians had no authority from the people to govern them. The people had no rights because this question had not and has never been raised. The politicians, assisted by the legal fraternity of this nation, have continued to bluff and con the people with the notion that only they know what is best for us while hiding behind a foreign document and legalese hooah.

G. The British Government states and has provided documentation with regard to the legislative powers of the Parliament of the United Kingdom. No act of the Parliament of the United Kingdom or act that looks to the Parliament of the United Kingdom for its authority is valid in Australia or its territories in accordance with the laws of the United Kingdom and the Charter of the United Nations. (Article 2 paragraphs 1 and 4).

H. When asked specifically about the validity of the following acts, the British Government referred to their previous reply as stated above.

(1) The Commonwealth of Australia Constitution Act 1900 UK

(2) The Westminster Act of 1931 UK

(3) All "State" constitutions

(4) The Australia Bill 1986 UK.

I. The Queen has been advised of the current situation by the British Government in a personal letter to her now retired secretary - The Right Honourable Sir Robert Fellowes. It is anticipated all Letters Patent issued by the Queen from the beginning of her reign in 1953 and Letters Patent issued by King George V after 10th January 1920 will be rescinded to reflect Australia's independence as at that date in accordance with international law. To date this has not been done. Why? Is it because the Royal Family has extensive holdings and investments here eg. Rio Tinto?

J. This constitutional question was first raised in 1972 by Dr. Colin Howard a well known constitutional lawyer who held the Hearne Chair of Law at Melbourne University. He is or was the Crown Counsel to the State of Victoria.

K. A different generation is again asking the same question addressed to the previous Federal Attorney General of the Labor Government and now to the new Federal Attorney General of the Liberal Government.

The difference being, that this generation has direct access to the United Nations General Assembly and will use this access if necessary!

L. QUESTION. As the above items are historically correct and can be demonstrated to be so, after the demise of British Legislation in Australia in accordance with both British and international law as at the 10th January 1920, what document(s) provide for the basis of law in Australia on and after this date?

M. The Federal Attorney General has answered that this matter is extremely complex and will require some time before he can provide an answer. In spite of a monthly reminder, the question remains unanswered. He has advised that should a legal challenge be raised using these historical facts, thus raising a constitutional question the magistrate or judge must be referred to section 78B (1) of the Judiciary Act 1903 so the matter can be referred back to the Federal Attorney General.

N. I wish to impress upon the Legislative Assembly that the Judiciary Act 1903 is an act of the Parliament of the Commonwealth of Australia and must be strictly applied. The Federal Attorney General states he is obliged to take action against those who disregard it. He is most anxious that this matter be contained without resort to an international solution via the United Nations General Assembly as the matter deals directly with an alleged breach of the United Nations Charter over which he has no control!

O. After receiving this submission, this Assembly will arrogantly dismiss it and attack it with all their legalese hoo-haa claiming precedence ie. "We've got away with it for 78 or 80 years why can't we continue in the same honest and benevolent manner we've demonstrated in the past. Why should we now become accountable to the people."

P. *Read and listen to the words of Samuel some 3,000 yrs ago*

v10 And Samuel told all the words of the LORD unto the people that asked of him a king.

v11 And he said, This will be the manner of the king that shall reign over you: He will take your sons, and appoint them for himself, for his chariots, and to be his horsemen; and some shall run before his chariots.

v12 And he will appoint him captains over thousands, and captains over fifties; and will set them to ear his ground, and to reap his harvest, and to make his instruments of war, and instruments of his chariots.

v13 And he will take your daughters to be confectionaries, and to be cooks, and to be bakers.

v14 And he will take your fields, and your vineyards, and your oliveyards, even the best of them, and give them to his servants.

v15 And he will take the tenth of your seed, and of your vineyards, and give to his officers, and to his servants.

v16 And he will take your menservants, and your maidservants, and your goodliest young men, and your asses, and put them to his work.

v17 He will take the tenth of your sheep: and ye shall be his servants.

(Old Testament - 1 Samuel 8:10-17)

Q. If the people really want to continue with this style of deceitful, lying government then they will vote for them at the next Federal election. If the media do not give this subject a fair coverage, a class action will be taken to the United Nations General Assembly against all politicians and the media bosses who conspire to maintain the illegal status quo thereby promoting anarchy. Some people can be fooled all the time but you will not fool properly informed people all the time. I now formally ask all those leading politicians, who have known of these matters, to stand aside.

John R Hugo

*John R Hugo*  
25 Aug 99