



**THE CONSTITUTION  
AND  
THE LAW OF TREASON**

## **WE STATE THE POINTS THAT ARE REVEALED IN THIS DOCUMENT**

1. THE DOCUMENT REVEALS WHAT THE OFFENCE OF TREASON IS AND HOW AND WHEN IT OCCURS
2. JULIA GILLARD WAS CHARGED FOR TREASON ON 29<sup>TH</sup> JANUARY 2007, BUT THIS CRIMINAL CHARGE WAS SUPPRESSED BY THE SUPREME COURT OF VICTORIA AND REMAINS SUPPRESSED
3. JULIA GILLARD SHOULD HAVE STOOD DOWN WHEN THE CRIMINAL CHARGE WAS FILED AND SERVED AND DECLARED THE FACT TO THE PUBLIC. THE CONCEALMENT REMAINS TODAY
4. THE CENTRAL ISSUE IS A CONSTITUTIONAL AND CRIMINAL INFRACTION OF SECTION 44(I) AND 44(II) OF THE COMMONWEALTH CONSTITUTION. SUCH SECTION STATES THAT THE PERSON WOULD BE DISQUALIFIED FROM SITTING IN EITHER HOUSE

SECTION 44 IS QUOTED AT PAGE                      OF THIS DOCUMENT

## **WHY HAS JULIA GILLARD AND OTHER BEEN CHARGED FOR COMMITTING TREASON**

1. They breached their oath of allegiance concerning the people of Australia
2. Julia Gillard and others have broken the existing law to enable them to substitute another law
3. There was no permission or referendum sought to alter or substitute another law
4. Three examples:
  - The Australia Act 1986 (No referendum held)
  - In Western Australia in 2004 the Crown and Oath of Allegiance was removed , but no referendum was held
  - In Victoria the Oath of Allegiance was removed from the Legal Practice Act in 2000 without referendum

## IT CANNOT HAPPEN

If you think for one moment that this cannot happen, that will be the biggest error you will make. Because it has already happened

After the referendum decision of November 1999, the people working to bring Australia and all Australians into “*their law*” began to change law in Parliaments, Courts, Judgments and structure, to capture Australians in a situation that they could not alter

The law that is being substituted is coming out of the United Nations and is being silently placed into position using every Masonic position within Australia assisted by the Trade Unions

## **SO WHAT?**

If Julia Gillard and others are allowed to continue to substitute your law with another law without your knowledge or consent then you wake up with another law that is out of your control

### **FIVE PRINCIPAL SUBSTITUTIONS WILL BE**

1. The total abolition of the right to own land
2. The abolition of existing States
3. For religious instruction, three religions must be present at time of instruction
4. The legal right for cross – examination in a court room will be removed
5. The whole banking system and money structure will be altered

Please note: portion of the other law is in this document at pages        to

# Charge and Summons

(Bring this with you to Court)

TO THE DEFENDANT	
Ms Julia Gillard MP Shop 2, 36 Synnot Street Werribee Vic 3030	
<input type="checkbox"/>	

M <input checked="" type="checkbox"/>	F <input type="checkbox"/>	Co <input type="checkbox"/>	Date of Birth / /	
Registration No			State	
Licence No			State	

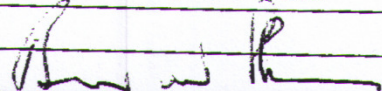
You have been Charged with an offence against the Law  
Read both pages to see what you must do

## Details of the charges against you

What is the charge?  1 On 1st January 2004, the Government of Western Australia at Perth, Western Australia, inclusive of the Executive Legislature and Judicial arms, in agreement with "the Commonwealth", did enact an overt Act, titled, "Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA".

By such enactment an Act of Treason was committed.

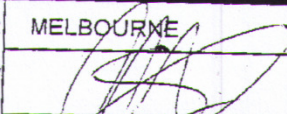
Such Treason has been concealed by the defendant, since the date of enactment up to and inclusive of the present date

Under what Law?	<input type="checkbox"/> State <input type="checkbox"/> Act <input checked="" type="checkbox"/> Other-specify	Act or Regulation No. Common Law	Section or Clause (Full Ref) Misprison of Treason
Type of offence	<input type="checkbox"/> Summary offence (you should go to Court) <input checked="" type="checkbox"/> Indictable offence (you must go to Court)		
Are there more charges?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes -see "Continuation of charges" attached		
Informant	Brian W Shaw		
Agency and Address	280 Leakes Road Truganina Victoria		
Informant Signature		Phone No. 09 93941116	Date

## Where will the case be heard

Where you must go	The *Magistrates' / Childrens' Court of Victoria at Melbourne		
Address	233 William Sreet Melbourne Victoria		
When	Time 10am	Day 29th	Month January
		Year 2007	Phone No.

## Details about this summons

Issued at	MELBOURNE	Date	13 DEC 2005
Issued by Signature		<input type="checkbox"/> Registrar <input type="checkbox"/> Magistrate <input type="checkbox"/> Other	
Charge filed at	MELBOURNE	Date	13 DEC 2005

Melbourne Magistrates Court 29<sup>th</sup> Jan 2007

AFFIDAVIT OF SERVICE

I, Brian, William Shaw of 280 Leakes Road, Truganina, 3030 in the State of Victoria do state and affirm the following:

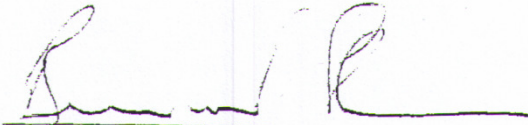
*AS MC*  
That on the *15<sup>th</sup>* day of January 2007 ( *1:00 PM* ), I served a charge and summons returnable 29<sup>th</sup> January 2007, in the Magistrates Court of Victoria at

Melbourne, 233 William Street Melbourne, on *Julia Ginnay*, by

leaving the charge and summons with *'CHERRY'*  
*SHOP 2 36 SYDNEY STREET WERRIBEE*

Informant: *Brian Shaw*

Defendant: *Julia Ginnay.*

Affirmed by 

At *WERRIBEE* in the State of Victoria

This *25<sup>th</sup>* day of January 2007

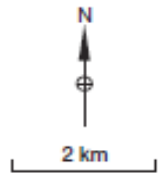
Before me *Margaret Campbell*  
Justice of the Peace

A JUSTICE OF THE PEACE FOR VICTORIA  
REG. No. 9924  
MARGARET MAY CAMPBELL  
7 MUIRHEAD CRES.  
WERRIBEE 3030



COMMONWEALTH ELECTORAL DIVISION OF

# LALOR



The Federal seat of Lalor is currently held by Julia Gillard who has concealed the criminal charge filed against her from the electorate



# **TREASON AND MISPRISION OF TREASON**

Treason is:

***A Breach of duty of  
Allegiance***

Misprision of Treason

***is the concealment or Keeping  
Secret of any Treason by a person***

Precedent law and authority

R v Casement 1917 1 Kings Bench 98 at 114

**COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT**  
**SECTION 44 - DISQUALIFICATION**

**Any person who:**

(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; or

(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; or

(iii) is an undischarged bankrupt or insolvent; or

(iv) holds any office of profit under the Crown, or any pension payable during the pleasure of the Crown out of any of the revenues of the Commonwealth; or

(v) has any direct or indirect pecuniary interest in any agreement with the Public Service of the Commonwealth otherwise than as a member and in common with the other members of an incorporated company consisting of more than twenty-five persons;

**shall be incapable of being chosen or of sitting as a senator or a member of the House of Representatives.**

***Under this section of the commonwealth Constitution Act  
Julia Gillard is disqualified***

**Treason** consists of a Breach of duty of Allegiance which the Subject owes to the Sovereign and which binds him at all times and in all places”

[Rex v Casement 1917, 1 KB 98 at 114]

## THE WORDS OF THE CHARGE ON JULIA GILLARD ARE:

On 1st January 2004, the Government of Western Australia at Perth, Western Australia, inclusive of the Executive Legislature and Judicial arms, in agreement with “the Commonwealth”, did enact an overt Act, titled, “***Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA***”.

By such enactment an Act of Treason was committed.

Such Treason has been concealed by the defendant, since the date of enactment up to and inclusive of the present date

Eight pages relating to Part 8 “***Amendments about the Crown***” from the Western Australia Act, mentioned above is included into this document

The Act is a full attack on the entire structure of the current Constitution to enable the International Socialist movement to take over Australia

The following 8 pages reveal the amendments about the Crown in Western Australia

Their amendments happened in 2003/2004 without the required State referendum under section 73 of their Constitution, which would have activated a Commonwealth referendum of electoral approval  
Neither referendum happened

It was because of this concealment that Julia Gillard was charged

The criminal charge remains pending but every Attorney General within the Commonwealth of Australia is committed to the instruction that Australia must be handed over to the United Nations, with or without the electors consent

**Acts Amendment and Repeal  
(Courts and Legal Practice) Act 2003  
(No. 65 of 2003)**

**Part 8 — Amendments about the Crown**

**121. Bail Act 1982 amended**

(1) The amendments in this section are to the *Bail Act 1982*\*.

[\* 27 August 1999.

*For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 27 and Acts Nos. 6 and 27 of 2002.]*

(2) Section 3(1) is amended by deleting the definition of "prosecutor" and inserting instead — "**prosecutor**" includes —

(a) in the case of an offence charged in a complaint, the complainant;

(b) in the case of an offence charged in an indictment, the State or the Commonwealth, as the case may be;

(3) Each of the provisions in the Table to this subsection is amended by deleting "Crown" in each place where it occurs and in each case inserting instead — "**State**".

**Table**

s. 19(2)(b)	s. 58(1)
s. 49(1)	s. 58(2)
s. 49(3)	s. 59 (2 places)
s. 57(1)	Schedule 1 Part D cl. 1(2)(e)
s. 57(3)	

(4) Section 63 is amended by deleting "Crown" and inserting instead — "State or the Commonwealth".

**122. Children's Court of Western Australia Act 1988 amended**

(1) The amendments in this section are to the *Children's Court of Western Australia Act 1988*\*.

[\* 25 August 2000.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 51 and Act No. 27 of 2002.]

(2) Section 19B(4)(b) is amended by deleting "Crown" and inserting instead — " State ".

(3) Section 19E is amended by deleting "the Crown in the right of".

(4) Section 32(2)(a)(i) is amended by deleting "Crown" and inserting instead — " State ".

(5) Section 32(4) is amended in the definition of "public authority" by deleting "the Crown in right of".

**(6) Schedule 1 is amended by deleting "our Sovereign Lady Queen Elizabeth the Second, Her Heirs and Successors" in the 2 places where it occurs and in each place inserting instead — "the State of Western Australia ".**

### **123. The Criminal Code amended**

(1) The amendments in this section are to *The Criminal Code*\*.

[\* 9 February 2001 as the Schedule to the Criminal Code appearing as Appendix B to the Criminal Code Compilation Act 1913.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 89 and Acts Nos. 3, 6, 8 and 27 of 2002.]

(2) Each of the provisions in the Table to this subsection is amended by deleting "Crown" in each place where it occurs and in each case inserting instead — "prosecutor ".

**Table**

s. 577 (2 places)	s. 632A
s. 616(1)	s. 646
s. 617A	s. 651A(5)
s. 618(3)	

(3) Section 581 is amended by deleting "Crown" in the 2 places where it occurs and in each place inserting instead — "State ".

**(4) Section 584(14) is amended by deleting "Her Majesty" and inserting instead —**

**"the State ".**

**(5) Section 609 is amended by deleting "Crown" and inserting instead —**

**"State or the Commonwealth".**

(6) Section 628 is amended as follows:

(a) by deleting "Crown" in the first and third places where it occurs and in each place inserting instead — "prosecutor";

(b) in paragraph (2) by deleting "Crown" and inserting instead —

"State or the Commonwealth, as the case may be, ".

**(7) Section 633 is amended by deleting "Crown" and inserting instead —**

**"State or the Commonwealth, as the case may be, ".**

(8) Section 637 is amended by deleting "counsel for the Crown" in the 4 places where it occurs and in each place inserting instead — "prosecutor".

(9) Section 693A(4) is amended by deleting "Crown" and inserting instead — "State".

(10) Section 701(2) is amended by deleting "for the Crown thereon".

(11) Section 720 is amended by deleting "Queen" and inserting instead — "State".

(12) Section 729(3) is amended by deleting "Crown" in the 3 places where it occurs and in each place inserting instead — "prosecution".

(13) Section 746A(1) is amended as follows:

(a) by deleting "prosecution" and inserting instead — "State";

(b) by deleting "Crown" and inserting instead — "State".

(14) Section 746A(4) is amended by deleting "Crown" and inserting instead — "State".

#### **124. Director of Public Prosecutions Act 1991 amended**

(1) The amendments in this section are to the *Director of Public Prosecutions Act 1991*\*.

[\* 1 June 2001.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 100 and Act No. 27 of 2002.]



(2) Section 10(1)(a) is amended by **deleting "Crown"** and inserting instead — " State ".

**125. District Court of Western Australia Act 1969 amended**

(1) The amendments in this section are to the *District Court of Western Australia Act 1969*\*.

[\* 19 January 2001.

*For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 103 and Act No. 23 of 2002.]*

(2) Section 6 is amended as follows:

(a) in the definition of "action" by deleting "by the Crown";

(b) in the definition of "cause" by deleting "by the Crown".

(3) Section 10(1) is amended by deleting "in Her Majesty's name" and inserting instead —  
"under the Public Seal of the State ".

**(4) Section 11(1) is amended by deleting "Her Majesty" and inserting instead —  
"the Governor ".**

(5) Section 18A(1) is amended by **deleting "in Her Majesty's name"** and inserting instead —  
"under the Public Seal of the State ".

(6) Section 18A(3) is amended by **deleting "in Her Majesty's name"** and inserting instead —  
"under the Public Seal of the State ".

(7) Section 24(1) is amended by **deleting "in Her Majesty's name"** and inserting instead —  
"under the Public Seal of the State ".

**(8) The Schedule is amended by deleting "our Sovereign Lady Queen Elizabeth the Second Her Heirs and Successors" in the 2 places where it occurs and in each place inserting instead — "the State of Western Australia ".**

**126. Family Court Act 1997 amended**

(1) The amendments in this section are to the *Family Court Act 1997*\*.

[\* Act 40 of 1997.

*For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 124 and Acts Nos. 3 and 25 of 2002.]*

**(2) Schedule 1 item 1 is amended by deleting "Her Majesty Queen Elizabeth the Second, Her heirs and successors" in each place where it occurs and in each place inserting instead — "the State of Western Australia ".**

**127. Juries Act 1957 amended**

(1) The amendments in this section are to the *Juries Act 1957*\*.

[\* 3 July 2000.]

(2) Section 38(1) is amended by deleting "those prosecuting for the Crown" and inserting instead — "the prosecution ".

(3) Section 52(1) is amended by deleting "Crown" and inserting instead — "prosecution ".

**128. Justices Act 1902 amended**

(1) The amendments in this section are to the *Justices Act 1902*\*.

[\* 8 October 2001.

*For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 193 and Act No. 27 of 2002.]*

(2) Section 154A(1) is amended by **deleting "Crown"** in the 2 places where it occurs and in each place inserting instead — " State ".

(3) Section 154A(3) is amended by **deleting "Crown"** and inserting instead — " State ".

(4) Section 206D is amended by **deleting "Crown"** and inserting instead — "State ".

**129. Local Courts Act 1904 amended**

(1) The amendments in this section are to the *Local Courts Act 1904*\*.

[\* 12 January 2001.]

(2) Section 3 is amended in the definition of "Minister" by deleting "Crown" and inserting instead — "State".

**130. Supreme Court Act 1935 amended**

(1) The amendments in this section are to the *Supreme Court Act 1935*\*.

[\* 9 February 2001.

*For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 370 and Act No. 23 of 2002.]*

**(2) Section 4 is amended as follows:**

**(a) in the definition of "Action" by deleting "by the Crown";**

**(b) in the definition of "Cause" by deleting "by the Crown".**

(3) Section 9(1) is amended by deleting "Her Majesty" and inserting instead —  
"the Governor".

(4) Section 15(1) is amended by deleting "Royal Arms" and inserting instead —  
"armorial bearings of the State".

(5) Section 37(2) is repealed and the following subsection is inserted instead —

(2) Nothing in this section shall alter the practice in proceedings in relation to the prerogative and criminal jurisdiction of the Court.

(6) Section 50(1) is amended by **deleting "by the Crown"**.

(7) Section 51(1) is amended by **deleting "by the Crown"**.

(8) Section 56(1) is amended by **deleting "by the Crown"**.

**(9) Section 119 is amended by deleting "to Her Majesty or any of her subjects, or other persons entitled in like manner as subjects".**

(10) Section 154(1) is amended by **deleting "Her Majesty's"** and inserting instead — **"The "**.

(11) Section 154(3), (4), (5) and (6) are each amended by **deleting "Crown"** in each place where it occurs and in each place inserting instead — **"State "**.

**(12) The Second Schedule is amended by deleting "our Sovereign Lady Queen Elizabeth the Second, Her Heirs and successors" and inserting instead —**

**"the State of Western Australia ".**

AA201

ACTS AMENDMENT AND REPEAL (COURTS AND LEGAL - PRACTICE) ACT 2003  
65 of 2003

PROCLAMATION

WESTERN AUSTRALIA	} By His Excellency Lieutenant General John Murray Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia.
John Sanderson, Governor.	
[L.S.]	

I, the Governor, acting under section 2 of the *Acts Amendment and Repeal (Courts and Legal Practice) Act 2003*, and with the advice and consent of the Executive Council, fix 1 January 2004 as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 23 December 2003.

By Command of the Governor,

J. A. MCGINTY, Attorney General.

GOD SAVE THE QUEEN !

Government of Western Australia  
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ASSISTANT 4 DECEMBER 2003  
PROCLAMATION 23 DECEMBER 2003  
ENACTMENT 1 JANUARY 2004

# JULIA GILLARD

## Misprision of Treason

The Criminal Charge of Misprision of Treason (Concealment of Treason) against Julia Gillard was heard in the Melbourne Magistrates Court on 29<sup>th</sup> January 2007.

On that day Chief Magistrate Ian Gray stated in open Court:

***“You will not be relying on the  
Constitution in my Court”***

The Charge remains pending Grand Jury

Both have been charged such charge remains pending

## **Section 80.1 2(A)**

Becomes operative in relation to the Victorian Parliament, Mr R Hulls and Officers of the Supreme Court who with intent have perverted the legal Right of Grand Jury in relation to the twin criminal offence of Treason (Breach of Allegiance) and Misprision of Treason (the concealment of such treason

## **Criminal Code Act 1995 (Commonwealth)**

### **The Security of the Commonwealth**

#### **80.1 Treason**

(2) A person commits an offence if the person:

(a) receives or assists another person who, to his or her knowledge, has committed treason with **the intention** of allowing him or her to **escape punishment or apprehension**; or

(b) knowing that another person intends to commit treason, does not inform a constable of it within a reasonable time or use other reasonable endeavours to prevent the commission of the offence.

**Penalty: Imprisonment for life.**



## Concealment of Treason

*“It was allowed it was felony and so included misprision etc. as a result of this case. It was held that every treason or felony included misprision. The King used to take advantage of this Rule in case of treason, so that, if the man did not deserve the death penalty, he was indicted only with “misprision of treason”. **Now concealment of treason was itself treason”***

[Sykes v Directors of Public Prosecutions, All England Law Reports, 1961 3 ALLER 33 (at 36)]

## Misprison

*“This is properly when anyone learns or knows, that another has committed treason or felony, and he does not choose to denounce him to the King or his Council, or to any Magistrate, but **conceals the offence: This is Misprison”***

[Sykes v Directors of Public Prosecutions, All England Law Reports, 1961 3 ALLER 33 (at 38)]

## Chief Justice Sir Matthew Hale (1670)

*“By what hath been said touching misprision of treason we may easily collect what is the crime of misprision of felony, namely, that it is the concealing of a felony which a man knows, but never consented to, for if he consented, he is **either principal or accessory** in the felony and consequently guilty of misprision of felony and more”*

[Sykes v Directors of Public Prosecutions, All England Law Reports, 1961 3 ALLER 33 (at 39)]

## Failure or Refusal

*“Misprison requires nothing active. The **failure or refusal** to disclose the felony is enough”*

[Sykes v Directors of Public Prosecutions, All  
England Law Reports, 1961 3 ALLER 33 (at 41)]

A question of fact is for a Jury determination

## A Question of Fact

*“In my opinion, therefore, misprision of felony is today an indictable misdemeanour **at common law**, and a person is guilty of a crime if, knowing that a felony has been committed, he **conceals his knowledge** from those responsible for the preservation of the peace be they Constables or Justice, **within a reasonable time** and having a reasonable opportunity is, “**a question of fact for a jury**” and also whether **the knowledge** that he has is so definite that it ought to be disclosed”*

[Sykes v Directors of Public Prosecutions, All England Law Reports, 1961 3 ALLER 33 (at 46)]

## Facts and Knowledge

*“If facts are within his knowledge that would materially assist in the detection and arrest of a felon, he **must disclose them as it is a duty** he owes to the State”*

[Sykes v Directors of Public Prosecutions, All England Law Reports, 1961 3 ALLER 33 (at 36)]

**Halsbury's Laws of England, 2<sup>nd</sup> Edition, Vol 2 at  
Paragraph 480**

*“Misprison of Treason is the concealment or Keeping Secret of any Treason by a person who is not a party or consenter to it”*

*“In order to constitute Misprison of Treason there must, it is said, be a knowledge of the traitor as well as of the treasonable design or offence”*

*“Concealment may in some cases amount to evidence of assent or possibly of conspiracy, and in such case the person concealing the Treason would be liable as a principal”*

**Halsbury's Laws of England 2<sup>nd</sup> Edition Vol 6 at page 423 par 473 states:**

*“It is **Treason** maliciously advisedly and directed by writing or printing to maintain and affirm that any other person or persons has or have any right or title to the Crown otherwise than according to the Acts relating thereto:”*

*“The Acts set out in the statute are:*

***The Bill of Rights 1688 (1 Will & Mar Sess 2 c2)***

***Act of Settlement 1700 (12&13 Will 3 c 2)***

***Union with Scotland 1706 (6 Ann c11 5&6 Ann c8 Ruff)***



**Halsbury's Laws of England 2<sup>nd</sup> Edition Vol 6**  
**at page 425 par 477 states:**

*“In Treason there are no accessories  
either before or after the fact, all such  
persons being principals”*

**Halsbury's Laws of England 2<sup>nd</sup> Edition Vol 6**  
**at page 389 par 435 states:**

*“Public authorities (including the Crown)  
may do nothing but what they are  
authorised to do by some Rule or Common  
Law or Statute”*

**Halsbury's Laws of England 2<sup>nd</sup> Edition Vol 6 at  
page 390 par 435 states:**

*“The subject has peaceful enjoyment of Rights  
of property, and the freedom of the subject  
from illegal detention, duress, punishment or  
taxation, contained in four great charters or  
statutes which regulate the relations between  
the Crown and the People”*

***Magna Carta (1297) 25EDW 1***

***Petition of Rights (1627) 2 CAR 1 c 1***

***Bill of Rights (1688) 1 Will & Mary Sess 2 c 2***

***Act of Settlement (1700) 12&13 Will 3 c 2***

**Halsbury's Laws of England 2<sup>nd</sup> Edition Vol 6 at  
page 395 par 441 states:**

*“Since the Crown is the symbol of free  
association of the members of the British  
Commonwealth of Nations, which are **united**  
**by a common allegiance to the Crown**”*

## **Grand Jury in Victoria**

In relation to uncovering of the organized attack on the existing law of Australia – All Attorney Generals of the Commonwealth, in addition to the Supreme Court of Victoria have suppressed the legal Right of having criminal charges that have been both filed and served involving the revealed offences heard and judged by Grand Jury consisting of 23 electors

They now state that the former Right has been abolished by a new Act enacted in Victoria to enable defendants to escape trial

## Grand Jury

### Treason and Misprision of Treason

*“It is provided now that all the prosecutions shall be by presentment, but preserving the prerogative of the Crown through the Attorney General to proceed by information, **except in case of ‘treason’** which has to be by indictment. Now indictment means by Grand Jury and therefore, inasmuch as the statute provides that **Treason shall be tried by indictment only. That means that it must be by Grand Jury and no other means is provided for bringing it before a Grand Jury.**”*

*The finding of the Attorney General is equivalent to the finds of the Grand Jury, but in the case of Treason it must be the finding of the Grand Jury.”*

[Byrne v Armstrong (1899) 25 VLR 126 at 132]

## **Byrne v Armstrong (1899) 25 VLR 126**

In 2001 it was discovered by all Attorney Generals inclusive of the Supreme Court of Victoria that the above mentioned judgment was still in legal position within Victoria

The judgment was delivered in 1899 with six Judges sitting the decision was 4/2 stating that the Court had no discretionary power but to order the sheriff to form a Grand Jury where the affidavit supplied revealed an indictable offence

In 2001 Officers of the Victorian Supreme Court working with the Attorney General of Victoria Mr R Hulls unlawfully overturned Byrne v Armstrong so as to pervert the Grand Jury hearing the offences

All Officers involved have been charged in relation to this particular concealment

**The following pages are extracts of the  
purported Constitution to run Australia on**

The Document is clearly a Socialist document  
expressing the principal doctrine of Socialism, the  
removal of all Private Ownership of Land

In addition to the removal of all reference to any  
existing Christian law from the former document  
such as

**“Humbly Relying on the Blessing of Almighty God”**



THE FIRST DRAFT  
OF A  
**CONSTITUTION**

FOR THE SOVEREIGN NATION

OF  
**AUSTRALIA**  
(Annotated)

**A GRASS ROOTS APPROACH**

BOOK ONE

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This document has been prepared by The Foundation for National Renewal. It is very much a 'work in progress' and after wide public discussion and amendment as required it should be adopted by the people at a plebiscite to provide a blueprint for gradual Constitutional change.

**The Foundation for National Renewal**  
A Constitutional Research and Development Corporation  
ABN 67 078 067 960 ACN 095 238 289  
Chairman: Lieutenant Colonel Charles S Mollison (Retd)

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This document is entirely a Socialist-Communist agenda for  
Australia

## Extracts from the purported new Constitution

The actual document consists of about 150 pages and can be downloaded at [www.national-renewal.org.au](http://www.national-renewal.org.au)

There are five subjects separated

1. Abolition of the right to own land
2. Abolition of the States
3. Three Religions present at instruction
4. Cross examination in Court abolished
5. Money & Stocks

### **Please note**

This document is totally Socialist –Communist therefore Anti-Christian the document permits the United Nations to take total control of Australia

## Abolition of Private Ownership of Land

### Section 2.49 to 3.52

#### Land

3.49. The relationship between persons and land shall be subject to the provisions of this Constitution.

3.50. From the date this Constitution is accepted by the People voting at referendum, all "Crown Land" shall become commonwealth land belonging to all Australian Citizens and that land shall only be leased.

3.51. Unless there are specific reasons for leases of a lesser period, land shall be leased in perpetuity.

3.52. No new, freehold title to land shall be issued. Similarly, from the date of this Constitution, no transfer of freehold title to land shall be affected. The State shall acquire all freehold title to land as properties are offered for sale and shall offer back the land on lease to the new prospective owner of the house, business, farm, etc.

# Abolition of Private Ownership of Land

## Sections 19.58, 19.62

### **Ownership and Harvesting of Natural Resources**

19.58. With this Constitution the People declare that Australia and all the natural resources therein form part of the commonwealth and belong to all Australian Citizens.

19.59. Harvesting for export of Australian natural resources shall be conducted to provide the foreign currency necessary to import those commodities needed in Australia but which Australia cannot produce; and for foreign aid.

19.60. When natural assets are harvested, every Australian Citizen is entitled to an equal annual dividend from these assets. The Central Bank of the Australian Commonwealth shall calculate this dividend for approval by the Parliament.

19.61. This dividend shall be paid into individual accounts created by the Central Bank of the Australian Commonwealth on the birth of every child and the naturalisation of every immigrant. These individual accounts shall create a secured social security entitlement and shall be the source of welfare for each individual including unemployment benefits and age pensions.

19.62. Access to natural resources including land shall be granted in the form of leases.

19.63. Payments shall vary but, in general terms, leases to harvest natural resources shall incur a fee equivalent to 25% of the price received by the lessee for the resource harvested.

19.64. When leases expire or are no longer required by the lessee, the land and/or natural resources revert to the Commonwealth. Leases shall not be transferable.

19.65. Leases not activated for the purpose prescribed within the timeframe stipulated shall revert to the Commonwealth without compensation.

19.66. The Regions shall be responsible for collecting lease monies.

## Abolition of Private Ownership of Land

### Section 19.74

#### **Land**

19.74. The total land area of Australia makes up part of the commonwealth and as such belongs to all Australian Citizens in perpetuity. There shall be no private ownership of land.

# The States- Abolition of State Governments

## General

5.1. There is established with this Constitution a National Government and 96 Regions.

*(See Figure 1 on page 41.)*

*You will notice there are no State Governments. State Governments were OK in 1901 when the Constitution was introduced - when there was a small colony grouped around the centre with perhaps a few outlying elements. In the 21<sup>st</sup> Century they are most inappropriate. Not only are they far removed from a substantial proportion of the population spread over vast areas, they are seen as remote and unresponsive. The creation of 96 Regions will give a real boost to decentralisation, it will restore a sense of identity and it will bring government and the bureaucracy closer to the people.*

Three Religions present (section 3.38)

Note – the words

**“Humbly Relying on the Blessing of Almighty God”**

Are removed from the proposed new constitution

## **Right to Education**

3.34. The People shall determine acceptable norms of education as necessary.

3.35. Access to sufficient primary and secondary secular education at public expense shall be guaranteed except as provided for in this Constitution.

3.36. For all persons, sufficient primary and secondary education shall be compulsory except that those with mental disability may be exempt.

3.37. Curricula for primary and secondary schooling shall not include religious instruction but shall include instruction on this Constitution, the rule of law, honesty, fairness, respect, understanding, compassion, responsibility and creative endeavour.

17.60. All cases shall be heard within 6 months of instigation or shall lapse unless special leave is granted by the Appeal Court.

17.61. Judges shall conduct proceedings, call witnesses, conduct all cross-examinations, and brief juries.

17.62. Legal Counsel shall have the right to present witnesses, make representations to the Judge but shall not cross-examine witnesses.

17.63. Accused persons shall be granted bail unless the Prosecution can persuade the Judge that such release would not be in the Public Interest.

## **Abolition of Cross – Examination**

### **Sections 17.60 to 17.63**



# The Stock Exchange & Money

## Sections 19.21 to 19.26

19.21. The approval of the Central Bank of the Australian Commonwealth shall be sought before amounts in excess of 50 times Male Average Weekly Earnings is brought into or taken out of Australia.

19.22. The Central Bank of the Australian Commonwealth shall charge a 10% surcharge on all monies brought into and carried or sent out of Australia to overseas countries.

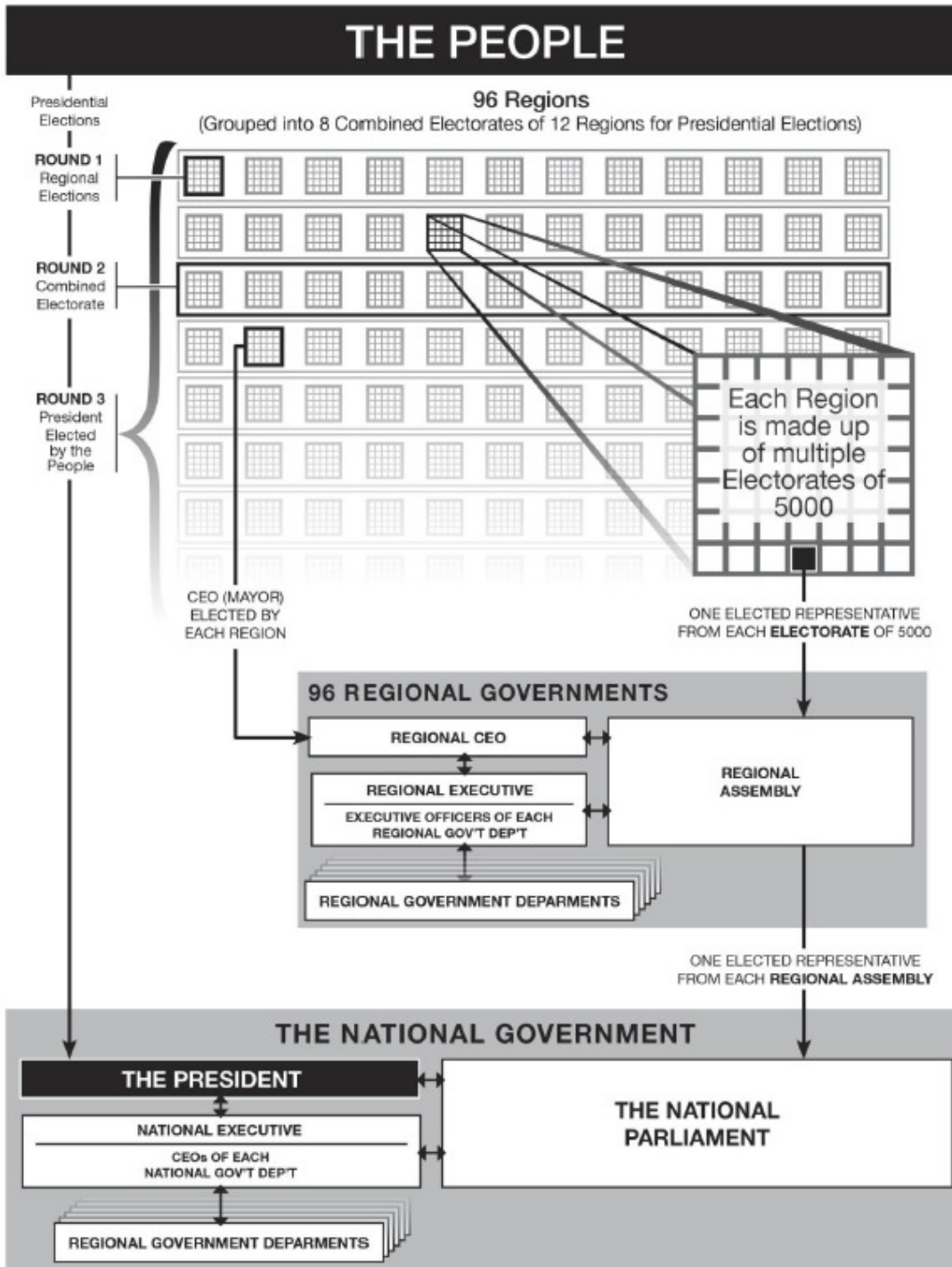
19.23. In Australia it shall be illegal to import, export, buy, sell or deal in any way with foreign financial currency or financial instruments of any kind.

19.24. Monies derived overseas from the sale of Australian produce and services or any other means shall be remitted to the Central Bank of the Australian Commonwealth in the first instance and shall be passed on to the authorised recipient in Australian currency by the Central Bank of the Australian Commonwealth.

19.25. Monies to be remitted overseas in payment for imports, etc shall be remitted through the Central Bank of the Australian Commonwealth.

19.26. Only Australian currency shall be used in Australia. The importation, possession, purchase, use or sale of foreign currency shall be illegal.

# THE STRUCTURE OF GOVERNMENT



# **ELECTOR**

***“The concealed  
agenda is the  
abolition of all private  
ownership under the  
auspices of the United  
Nations”***

## **A Warning**

After reading the information contained in this document, if you continue to permit this attack on the existing law, then you have consented to the substituted law, without knowing anything of that law

Julia Gillard must be force to stand down now, before it's too late to halt this foreign agenda

The Government will introduce the New Constitution document under the auspices of a Plebiscite: then block the legal process of referendum, at that point, the document will activate and all legal process will be locked out as it is today

## Three relevant websites

### The whole fraud

[www.elijahschallenge.net](http://www.elijahschallenge.net)

### The Queensland Fraud

<http://peopleofthecommonwealth.blogspot.com/>

### The Socialist – Communist Constitution

<http://www.national-renewal.org.au/>

Please note

For the Victorian Parliament to remove the Oath of Allegiance from the Legal Practice Act (Vic) without referendum consent, then it places the Parliament of Victoria inclusive of the Supreme Court of Victoria inclusive of all Judges, Masters, Registrars and Lawyers outside of the legal and valid structure of law, in simple words all broke law to enable “***Another Law***” to begin to take over

***“All concealed from Voters”***



Victoria

No. 51 of 2000

## **Courts and Tribunals Legislation (Further Amendment) Act 2000<sup>†</sup>**

[Assented to 5 September 2000]

**The Parliament of Victoria enacts as follows:**

### **PART 1—PRELIMINARY**

#### **1. *Purpose***

The purpose of this Act is to make miscellaneous amendments to the **Legal Practice Act 1996**, the **Magistrates' Court Act 1989**, the **Supreme Court Act 1986** and the **Victorian Civil and Administrative Tribunal Act 1998**.

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1

Only ten months after the Commonwealth referendum  
to retain the United Kingdom law

Legal Practice Act (Vic) Oath of Allegiance removed  
The Offence of Treason is **“Breach of Allegiance”**

*Courts and Tribunals Legislation (Further Amendment) Act  
2000*

s. 3

*Act No. 51/2000*

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**PART 2—LEGAL PRACTICE ACT 1996**

No. 35/1996.  
Reprint No. 2  
as at  
15 August  
1999. Further  
amended by  
No. 52/1999.

**3. *Oath of allegiance no longer required***

In section 6(1) of the **Legal Practice Act 1996**,  
for paragraph (c) **substitute—**

"(c) takes an oath of office, or makes an  
affirmation of office, in the form required by  
the Court."

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- 1) The Court has no Legislative power whatsoever to permit any substitution
- 2) The Court is legally bound to uphold the law not to become law breakers
- 3) The Parliament of Victoria has no Legislative power whatsoever to make any law contrary to the agreed law of the Commonwealth Constitution (The Superior Act) In the Legal Practice Act 1996 (Vic), lawyers must take the Oath of Allegiance to enable them to practice law within Victoria

To remove the oath of Allegiance is to place every lawyer (inclusive of Judges) outside the law, but, in reality into another law- the unknown law of the Foreign Power now attacking the law or rather our law

**With the information you now have you have two choices:  
You can totally ignore it or do something now**