

VICTORIA-GATE

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EXCLUSIVE

“DEMOCRACY IS THE NAME WE GIVE THE PEOPLE, WHENEVER WE NEED THEM.” — ARMAN DE CAILLAVET, 31ST MAY 1913

A group of self styled “Democratic Activists” are about to embark on a co-ordinated legal campaign in an attempt to deliver “proper democratic fundamentals” to the Victorian people.

They claim to have “overwhelming evidence” that Victoria has been in a “constitutional void” and that the current Victorian Parliament is “unlawful” and “unconstitutional” as one member, states — “the Victorian Parliament enacted a Constitution in 1975 which was unlawfully enacted. The provision claimed to allow for the enactment of the Victorian Constitution Act 1975 to occur was section 60 of the Victorian Constitution Act 1855 which states — “that the Legislature of Victoria, as constituted by this Act, shall have 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of the provisions of this Act”, yet when you look at the schedule of Victorian Constitution Bill 1975 it claims to have repealed the “whole Act”.

The Parliament only had the power to repeal the Provisions of the Victorian Constitution Act 1855” and not the “whole Act”. Another Provision required by section 60 of the Victorian Constitution Act 1855 is that in order for the lawful passing of any repeal it requires “that every Bill which shall be so passed shall be reserved for the Signification of Her Majesty’s Pleasure thereon”. The Victorian Year Book 1984 states in relation to Sir Henry Winneke (the Victorian Governor from June 1 1974 until March 1 1982) “On two occasions he reserved bills for the Queens assent; the Constitution Act 1975 and the Constitution (Governor’s Pension) Act 1978”.

HER MAJESTIES ASSENT WAS NEVER GRANTED!!!

Our research of Hansard, of the Westminster Parliament, which is the only authority that could lawfully repeal The Victorian Constitution Act 1855, shows no mention, at all, of any such repeal.

Indeed, further correspondence from an Archivist at the House of Lords Records Office is even more damning, it states that, “According to the Chronological Table of Statutes, the Victorian Constitution Act 1855 is still wholly in force. There is not even any mention of a partial repeal.”

The process of the reservation of Bills for Her Majesty’s signification in Section 60 of the Victorian Constitution Act 1855 was not affected by federation in 1901 and was further entrenched by section 1a of The Australian States Constitution Act 1907 which states — “There shall be reserved, for the signification of His Majesty’s pleasure thereon, every Bill passed by the Legislature of any State forming part of the Commonwealth of Australia which — (a) alters the constitution of the Legislature of the State or of either House thereof”.

The Victorian Constitution Act 1975 did not receive “the signification of His (Her) Majesty’s pleasure” as was required by Section 1a of the Australian States Constitution Act 1907 and is therefore “absolutely void and inoperative” as we can prove as follows.

The Victorian Constitution Act 1975 was subject to section 2 of the Colonial Laws Validity Act 1865 which states — “Any colonial law which is or shall be in any way repugnant to the Provisions of any Act of Parliament extending to the Colony to which such law may relate, or repugnant to any Order or Regulation made under authority of such Act of Parliament or having in the Colony the force effect of such Act, shall be read subject to such Act, Order or Regulation, and shall to the effect of such repugnance, but not otherwise, be and remain absolutely void and inoperative”.

The Victorian Constitution Act 1975 is “repugnant to the provisions” of section 60 of The Victorian Constitution Act 1855 and Section 1a of The Australian States Constitution Act 1907 it was not “read subject to such Acts” and is therefore “absolutely void and inoperative”.

Then, of course, when we look to The Australian Constitution Act 1901 this whole charade falls apart as section 106 of this Act states — “The Constitution of each state of the Commonwealth shall, subject to this Constitution, continue as at the establishment of this Commonwealth, or as at the admission or establishment of the State, as the case may be, until altered in accordance with the Constitution of the State”.

The Victorian Constitution Act 1975 is “subject to this Constitution” does not “continue as at the establishment of the Commonwealth” and was not “altered in accordance with the Constitution of the State”.

The Victorian Constitution Act 1855, The Australian States Constitution Act 1907, The Colonial Laws Validity Act 1865 and The Australian Constitution Act 1901 all applied to Victoria in 1975 and were all laws of “PARAMOUNT FORCE” and could in no way be legally contravened

beyond their provisions.

Another point to take into account is if, hypothetically, Victoria did become a new legal entity in 1975 would it not be required to seek admission into the Commonwealth via the “New States” provisions, namely sections 121-124 of the Australian Constitution Act 1901?

No new states have ever been admitted into the Commonwealth.

I ask anybody reading this document to not be intimidated by it, but rather, liberated by its contents.

This is a great opportunity for Victorian Citizens. The arrogance by a group of a few dozen men in 1975 in thinking they could trap millions of Victorians, for evermore, in their boy’s club constitution, without consulting the very people they inflict their laws upon, is an outrage and a wake up call to all of us. Our ancestor’s risked, and in some cases, lost their lives in defence of our democratic rights and freedoms.

We must take this opportunity to enact a “PEOPLES CONSTITUTION”, which includes a “PEOPLES BILL OF RIGHTS, THAT COULD ONLY BE ALTERED BY REFERENDUM”, containing a provision for “CITIZENS INITIATED REFERENDA”, that ensures that politicians remain the servants of, and not the masters of, our people for all time to come. We could also look at a provision for the people to vote for our judges, thereby guaranteeing the “SEPARATION OF POWERS”.

Representative Government is the great oxymoron of modern time. With the Telecommunication and Internet facilities available to us now, why can’t we, THE PEOPLE, vote for or against our own policies from our homes, thereby ensuring, **THE PARAMOUNT WILL OF THE PEOPLE AT ALL TIMES**, and not once every few years at election time? We could save a stack of money in the process.

In the end it will be up to the people of Victoria. I hope we choose wisely.

All the time we are told by our politicians, Federal and State, Liberal, Labor, Democrat and National, about what won-

ARE YOU A “TRUE The FIGHT is NOW

**Will you stand back and let someone else
will you show that REAL AUSSIE SPIRIT
ed?**

*“If you will not fight for right when you
if you will not fight when your victory w
may come to the moment when you have
you and only a precarious chance of sur
There may even be a worse case.*

*You may have to fight when there is no
ter to perish than life as slaves.” — Win*

If you will join the fight then con

CHRISTMAS and EASTER EXPOSED!!!