

29<sup>th</sup> April, 2004.

E-mail [FTA@aph.gov.au](mailto:FTA@aph.gov.au)

Secretary,

Senate Select Committee on Free Trade Agreement between Australia and the United States of America.

I know it is my duty to keep you informed as to MY WILL on any matter that comes before the Parliament or should come before Parliament.

Before Australia enters into any agreement with any Country, advice should be sought from Australian Constitutional Lawyers to establish irrevocable Terms in relation to the Constitution of the Commonwealth of Australia.

It is my understanding subsequent to International Constitutional Law, if the Constitutions of the Signatory Countries have been abrogated by International Treaties, then those Treaties have no force.

High Court ----- Lange V A.B.C. (1997) 71 A.L.J.R. 818

All seven High Court Justices unanimously found:-

The quality of Life and the freedom of the ordinary individual in Australia are highly dependent on the exercise of functions and powers vested in public Representatives and Officials by a vast Legal and Bureaucratic apparatus funded by public moneys. How, when, why and where those functions and powers are or are not exercised are matters that are of real and legitimate interest to every member of the Community. Information concerning the exercise of those functions and powers is of vital concern to the Community. So is the performance of the Public Representatives and Officials who are invested with them. It follows in our opinion that the general public has a legitimate interest in receiving information concerning matters relevant to the exercise of Public Functions and Powers vested in Public Representatives and Officials. Moreover, a narrow view should not be taken of the matters about which the General Public has an interest in receiving information. With the increasing integration of the Social, Economic and Political life of Australia, it is difficult to contend that the exercise or failure to exercise Public Functions or Powers at any particular level of Government or Administration, or in any part of the Country, is not of relevant interest to the Public of Australia generally.

It is my will:-

No Free Trade Agreement be entered into without addressing these established concerns of the High Court Justices as above, and also the Constitutional Institutions.

Yours faithfully,  
R.C. Brown.