

**Registered Post Number:** [REDACTED]

**Estoppel Notice**

**NON-NEGOTIABLE**

© [REDACTED] Authorised Representative for [REDACTED] ® and all derivatives thereof [REDACTED]

**Premier Daniel Michael Andrews**

Office of the Premier  
1 Treasury Place  
Melbourne, Victoria  
Australia, 3002

12<sup>th</sup> October 2020

**Notice of Irrevocable Estoppel by Acquiescence**

**Notice to Agent is Notice to Principal. Notice to Principal is Notice to Agent**

**Reference: CEASE AND DESIST NOTICES SENT VIA EMAIL ON BEHALF OF [REDACTED] TO PREMIER DANIEL ANDREWS**

Dear, Premier Daniel Michael Andrews;

British Jurist and Constitutional theorist A.V Dicey said: ‘‘The concept of the rule of law is that all subjects and citizens respective of status were subject to the law as administered by the law courts, including every official, from prime minister down to a police constable.’’ Liberties and freedoms are derived from Common law principles and equal accountability before the law applies here in Australia.

**This is a Legal Notice and Estoppel** served on you by way of previous emails titled Cease and Desist Notice that you received from Brett Alan: Wilson dated 01 Oct 2020, 21 September 2020 and 09 September 2020, all delivered by email to your official email address. In those emails, we demanded you and your Public Office and Vic Pol Officers and Constables, and other positions of purported authority named, to Cease and Desist from committing alleged unlawful actions and to cease acting beyond power and authority regarding your Covid-19 disproportionate response.

You are under an obligation to communicate with us within a reasonable time after receiving the 3 x Cease and Desist Notices – at least to reply that you agree or rebut the points of law and claims set out in our Notices. Your continued silence and inaction in the circumstances, has constituted clear encouragement or inducement to us so as to continue with sending the Cease and Desist Notices giving you the opportunity to respond which you have not, and we now act on the basis of the assumption, that based on your silence, your conduct is now deemed unconscionable. Due to your silence and inaction, you are now ‘estopped’ as you have an obligation to communicate. See *Waltons Stores (Interstate) Ltd v Maher* High Court of Australia (1988) 164 CLR 387 [1988] HCA 7; (1988) 76 ALR 513. As the Premier of Victoria, you are bound in good faith to explain yourself, in which in this case, your silence gives consent.

We placed our reliance and assumption of belief on you to respond, when considering the responsible government principles, to respond to our ‘‘relevant concerns’’ we brought these concerns to your attention in writing on three separate occasions. ‘Because you have failed to respond or rebut the points of law and relevant concerns set out in all of our Cease and Desist Notices. This Notice of Irrevocable Estoppel is now binding on you, your office and those purporting to exercise Covid-19 emergency powers. Your silence is Acquiescence, and your inaction shows an overarching notion of unconscionability, where the following now applies and is binding on you and your Office and others mentioned in this Notice, by tacit consent and agreement through the maxim of silence to the following terms:

1. You agree that any further breaches of Commonwealth and Constitutional Law i.e. in particular, Sect 92 of the Constitution (Federal Privileges) and that you and those named in this Notice, cease and desist violating the human rights of all peoples in the State of Victoria, and immediately allow the people of Victoria freedom of movement and to do commerce, which must commence without hindrance and obstruction from Vic Pol Officers or State Acts of the Vic Parliament, the Premiers Office, or State public servants or police officer/constables, employees, agents or other representatives, or otherwise howsoever.
2. You agree the Premier of Victoria, the Vic Pol Commissioner and Assistant Commissioner and their Officers and Constables, must cease and desist from ignoring constitutional law and effectively over throwing the Commonwealth Constitution which is an alleged act of treason, as all of you are denying Constitutional guaranteed Federal privileges to Victorian residents of which no State authority can lawfully remove. Ignorance of Constitutional Law and ignorance of responsibilities to uphold the Commonwealth Constitution and Constitutional Law which is your and every Vic Pol member's duty, is no excuse.
3. You agree that the Premier of Victoria and all Vic Pol Officers and Constables are bound by Covering Clause 5 of the Commonwealth of Australia Constitution Act 1900 (UK) and will uphold the Commonwealth Constitution and its laws.
4. You agree that both you and the Chief Health Officer, if you continue to disregard the Rule of law, the legal provisions embedded in the Commonwealth of Australia Constitution Act 1900 (UK) within which the State of Victoria was created ‘‘subject to this constitution’’ that neither you or your Chief Health Officer or anyone else howsoever, can lawfully overrule constitutional provisions such as s92, s114, s117, or any other Section of the Commonwealth of Australia Constitution Act 1900 (UK).
5. You agree that Sect 92 of the Commonwealth Constitution is a Federal privilege of which you are powerless to remove and deny a citizen or subject to exercise their Federal Privileges as granted by the Constitution. See Page 959 of the Quick and Garran Annotated Constitution, used by the High Court to interpret the Constitution, where it states at page 959:

*‘‘Where a privilege is granted there must be an exemption from interference or obstruction in the enjoyment of the privilege. Consequently, a State could not pass laws which would operate as burdens and impositions and prevent free exercise of Federal privileges.’’ It goes on to say that: ‘‘Any law passed by a State, in violation of any constitutional privilege or immunity, would be null and void; the courts would not enforce it.’’*

6. You agree that your Vic State Labor governments impediment to a subject or citizens s92 Commonwealth Constitutional freedom of movement are both inappropriate and disproportionate, and is not done within power, as the impediment to freedom of inter and intra state intercourse in the State of Victoria being enforce by you and Vic authorities, is greater than is reasonably required to achieve the object of the State of Victoria's Covid-19

Emergency Powers legislation and or Health Act relied on to restrict and obstruct both citizens and subjects freedom of movement and to do commerce.

7. You agree that you and your Vic State Labor Government have recklessly ignored your State Governments legal obligations to uphold the laws of the BIO Security Act (Cth) which prevails over inconsistent Victorian State laws, see s109 of the Commonwealth Constitution.
8. You agree that 'Proportionality' is in this instance 'is the proper test of validity' of your actions because freedom of intercourse in and among the States is freedom which is constitutionally guaranteed and a State law which has the purpose of effecting or interfering with that freedom is invalid. See Principles of Australian Constitutional Law 5TH EDITION Lexis Nexis, 6.28 page 141.
9. You agree that **Characterisation:** of the emergency powers laws of which you purport to exercise your power, depends on - a question of degree. The question of whether a law may be described as being 'with respect to' a head of power is one degree. It must be - demonstrated by YOU that the emergency powers laws in question are sufficiently connected or incidental to the power or powers invoked to support it in order for it to be valid. As Toohey J explained in Re Dingjan; Ex parte Wagner (1995) 183 CLR 323 at 353. See Principles of Australian Constitutional Law 5TH EDITION Lexis Nexis, 2.20 page 39.
10. You agree that Every State is bound by the provisions of the legal principles embedded in the Commonwealth of Australia Constitution Act 1900 (UK) and cannot act despite of it. You agree the 'Commonwealth' and the States can only exist under the Crown of the United Kingdom as detailed at Covering Clause 2 of the Constitution of the Australian Commonwealth. You agree that existing under any other foreign or domestically created Crown, or assenting to laws in its name is "ultra vires" without the consent of the people under s128 of the Commonwealth Constitution is an act of treason.
11. You agree that according to the theory of the Constitution of the Australian Commonwealth, the Queen at Covering Clause 2 of the Constitution is the source of law, the Queen makes new laws, the Queen alters or repeals old laws, subject only to the condition that the supreme power must be exercised in Parliament and not otherwise. You agree that it is in the Crown, and not in Parliament, that legislative authority is, according to constitutional theory, directly vested. Reference: page 302 The Annotated Constitution of the Australian Commonwealth, Quick and Garran 1901 edition.
12. **You agree that THE CROWN OF THE UNITED KINGDOM, GREAT BRITAIN AND IRELAND IS THE SOURCE OF LEGAL POWERS IN THE COMMONWEALTH OF AUSTRALIA** - The administration of justice has from earliest times been regarded as the pre-eminent function of the Crown. "It is for this end," says Bracton, "that the King has been created and elected, that he may do justice to all," and Hearn, after quoting this passage, proceeds, "It is therefore from the Crown that all jurisdictions in the kingdom emanate." Reference: Hearn, 011. cit., p. 66.
13. You agree that "In both countries being the UK and Australia, the power of legislation resides formally in the King or in our case the Queen. "Every Act of Parliament bears on its very front the mark of its original. It is 'enacted by the Queen's Most Excellent Majesty.' It is in the Crown and not in the body which the law assigns as the assistants and advisers of the Crown that our Constitution places this right." Reference: Hearn, The Government of England, 2nd Edition, p. 51.
14. *You agree that "The Treason Felony Act 1848 follows the Commonwealth of Australia Constitution Act 1900, as it is British law, section three provides for the offence of denying Her Majesty's rightful title, as treason. You agree that I brought this relevant Act to your attention because both the Premier of Victoria and Vic Pol Officers are allegedly overtly*

acting in treason by overthrowing the Constitution in particular s92, and charges may be brought against the wrongdoers under the Treason and Felony Act 1848. <https://www.legislation.gov.uk/ukpga/Vict/11-12/12/introduction>

15. You agree that we brought to your immediate attention in our Cease and Desist Notice emails, that it is apparent by reference to public records that the Queen at Covering Clause 2 of the Commonwealth Constitution, her representation in Victoria, is absent for writ or commission in accord with the Crown of the foundation law for the Commonwealth and the several States within. You agree "**The Treason Felony Act 1848 Section 3 specifically applies here to both you Premier Andrews and the Governor of Victoria.**" You agree, the text of that Act states that "by any overt act or deed, every person so offending shall be guilty of felony, and being convicted thereof shall be liable to be transported beyond the seas for the term or his or her natural life".
16. You agree the office of the Governor of Victoria exists in compliance to the Crown for which authority established the Commonwealth of Australia and the several States. The second clause of the foundation law exclusively reserves the Crown to performance by implementation of the Queen of United Kingdom for application.
17. You agree that your Nil responses and silence to our Cease and Desist Notices, you acknowledge by your act of silence there is no lawful writ or commission that has been issued in the State of Victoria as you have not held for the record that it be mistaken or otherwise be denied by your office, and that you failed to produce documentary evidence that states to the contrary due to your silence which is deemed by us as misleading and deceptive or unconscionable conduct.
18. You agree that without the lawful assent of Bills into law, every Act of the Victorian State Parliament without valid Royal Assent will be VOID and inoperable which includes your alleged Ultra Vires Covid-19 Omnibus (Emergency Measures) and other Acts Amendments Bill 2020.
19. You agree due to your silence and tacit consent, that the Victorian Labor Party lead by Premier Daniel Michael Andrews, is under an allegiance to a foreign power or special foreign interest group still to be identified and made public by relevant Federal authorities, and that there is no other logical explanation to your irrational and illogical and tyrannical policed state actions and rule of law violations, that no reasonable and responsible politician or premier of a democratic State and of reasonable mind, would dare implement and execute such an act of political tyranny on the people of Victoria and others, against all known democratic principles and against the Constitutional legal principles of responsible government.
20. You agree that you the Premier of Victoria, and no State public servant or police officer/constables, employees, agents or other representatives, or otherwise howsoever, may attempt to perform any act which is unlawful, violates Federal Constitutional Privileges or falsely represents its – their true intention and that they and its private owned contracted companies can only be acting in full accord with the laws of the Commonwealth within the State of Victoria and acting in accordance with the laws of Her Majesty the Queen who's lawful Style and Title is published at Covering Clause 2 of the Commonwealth Constitution.
21. You agree that any such attempt to act unlawfully as per paragraph 20 above, may constitute a breach of Section 43 of the Crimes Act 1914 (Cth); and the violators may be prosecuted in our courts by those affected.
22. You agree that [REDACTED] [REDACTED] or [REDACTED]® or derivatives thereof and or any affected Commonwealth subject or citizen, resident or elector in the State of Victoria has and retains the right to claim damages as a result of any adverse or harmful actions and

tortious conduct that has previously or continues to be inflicted upon him/her or them as a group, brought about by the actions of the Victorian Parliament and the Premiers Office and or its officers, constables, employees agents and or otherwise howsoever in relation to your disproportionate Covid-19 response.

23. You agree that you may reject this Estoppel Notice by way of providing a sworn affidavit with attached supporting documentation, that rebuts point for point, this Estoppel Notice, but not in any other written or verbal manner which will not be accepted.
24. You agree that by you not having rejected or replied to our 3 x previous Cease and Desists Notices, as described in this Notice and by remaining silent, you agree to the terms and conditions and the points of law disclosed to you in this Notice of Estoppel, and that they are not frivolous or vexatious;
25. You have not rebutted our claims and remained silent, your silence is tacit consent, if you attempt any adverse or harmful effects upon [REDACTED] or derivatives thereof, or any Commonwealth subject or citizen, resident or elector in the State of Victoria or if any adverse or harmful effects are brought about by you, the Premiers Office, The Vic State Parliament, or State public servants or police officer/constables, employees, agents or other representatives, or otherwise howsoever with regards to the points made in this Notice, you, your State Labor Government and the Victorian Labor Party or those identified in this Notice, will have broken our agreement and will be jointly liable in Tort, you and or those mentioned in this Estoppel Notice will be liable and agree to pay the fees set out in the attached Fee Schedule when served with a Bill.
26. Premier Andrews, you are now on notice that both the Commonwealth Constitution and the Vic State Constitution is binding on you as a contract to operate Responsible Government. Your non admission and silence to our relevant claims and concerns raised in our multiple Cease and Desist Notices, is now seen as an act of misleading and deceptive conduct and or unconscionable conduct by you maintaining a position in public office, not responding in good faith when you had a public duty to do so, and by remaining silent.
27. This Notice of Irrevocable Estoppel by Acquiescence is issued as a result of your unconscionable conduct, is now the appropriate remedy that may allow us to continue with any proceeding on the basis of the assumptions induced by your inaction and silence as detailed within this Notice, by the affected parties who shall be known as the plaintiffs, that you, the Premiers Office, the Vic State Parliament, or State public servants or police officer/constables, employees, agents or other representatives, or otherwise howsoever, have admitted liability through your silence and tacit consent, as you have remained silent. The only issue now, is the quantum of damages that is to be applied. This **Notice of Irrevocable Estoppel by Acquiescence** gives rise to ‘the minimum equity to do justice’ for those who pursue it.

## Fee Schedule

Any further Tortious conduct or violations of the laws and relevant points set out in this Estoppel Notice, by you, the Premier of Victoria, State Public Servants or police officer/constables, employees, agents or other representatives, or otherwise howsoever against © [REDACTED] [REDACTED]® or derivatives thereof, or any violations against citizens, subjects, residents or registered electors in the State of Victoria and/or attempting to contact us by mail, mobile phone and/or telephone will constitute the violators as identified above, and or the State Government of Victoria and or the State Labor Party of Victoria police officer/constables, employees, agents or other representatives, or otherwise howsoever, shall comprise a tacit agreement, in agreement to the following Fee Schedule:

1. \$5000.00 (FIVE THOUSAND AUSTRALIAN DOLLARS) per invalid claim, fine or penalty notices issued in writing, nunc pro tunc, notices issued by Victorian authorities against Commonwealth citizens, subjects, residents or registered electors in the State of Victoria for allegedly breaching Ultra Vires Covid-19 related directions or restrictions;
2. \$1000.00 (ONE THOUSAND AUSTRALIAN DOLLARS) per letter and/or notice sent by recorded or Aust Post surface mail to or from the drafter of this Notice, nunc pro tunc, or citizens, subjects, residents or registered electors in the State of Victoria; for allegedly breaching Ultra Vires Covid-19 related directions or restrictions;
3. \$1000.00 (ONE THOUSAND AUSTRALIAN DOLLARS) per hour or portion thereof, of the Authorized Representatives time;
4. \$1000.00 (ONE THOUSAND AUSTRALIAN DOLLARS) per attempt to contact the Authorized Representative by telephone and/or mobile phone,
5. \$1,000,000 (ONE MILLION AUSTRALIAN DOLLARS) per Unauthorized infringement Copyright or Trademark Infringement of © [REDACTED]®.

All fees are payable in Twenty-One (21) days of date of bill received for a breach of this Notice, as evidenced by recorded delivery tracking number.

Without malice or mischief, in sincerity and honor.

**Note:** The Enclosures to this Notice will be forwarded to you along with the original signed Notice of Irrevocable Estoppel by Acquiescence via Aust Post Registered Post surface mail Registered Post Number: [REDACTED]. Take notice that it is a Commonwealth Postal Offence to tamper with mail where the maximal penalty is five years imprisonment.

Your sincerely

*Original Signed*

By: © [REDACTED]

Authorised Agent and Representative for [REDACTED]®

No assured value, No liability. Errors & Omissions Excepted. All Rights Reserved.

WITHOUT RECOURSE – NON-ASSUMPSIT

*Calls maybe recorded*

**Enclosures:**

1. Copy of First Cease and Desist Notice sent to Premier Daniel Andrews from © [REDACTED]® dated 09 Sep 2020.
2. Copy of Second Cease and Desist Notice sent to Premier Daniel Andrews from © [REDACTED]® dated 21 Sep 2020.
3. Copy of Third Cease and Desist Notice sent to Premier Daniel Andrews from © [REDACTED]® dated 01 Oct 2020.