



The Honorable Jonathon O'Dea MP
Speaker of the NSW Legislative Assembly
NSW Parliament
Macquarie Street Sydney NSW 2000

16th September 2021

Dear Speaker O'Dea,

Thank you for your reply dated Friday 27th August 2021.

As you will recall my initial correspondence with was with regards Minister Hazzard's repeated reference to the "New World Order" in publicly televised statements and the case for his seat of Wakehurst to be declared vacant due to violation of s13A (1)b of the NSW Constitution Act 1902. The facts being undeniable that Minister Hazzard was publicly displaying his adherence to a foreign power (the "New World Order").

Since your reply, Minister Hazzard's close counterpart Chief Health Officer Kerry Chant in a publicly televised statement about contact tracing on 9th September 2021 stated *"We will be looking at what contact tracing looks like in the New World Order"*.

The fact that neither Chant nor Hazzard has offered correction, clarification or explanation to their adherence or obedience to this foreign power the "New World Order" should be alarming. Particularly since NSW Parliament is currently closed on the advice of Kerry Chant.

To many people, the current state affairs in NSW resembles an unlawful coup of our Constitution and democracy by way of legally questionable Public Health Orders and fiat rule by secretive committee. While Minister Hazzard's video spread virally to millions around the world CHO Chant's video has been seen by tens of millions in just a few days. The net result is that NSW is seen as either a laughing stock of unelected bureaucratic overreach or a cautionary tale of a dystopian health dictatorship.

Given CHO Chant's public statement of deferral to the 'New World Order', there should be widespread alarm as to who exactly is running NSW and who or what constitutes this "New World Order" that Hazzard and Chant state adherence and obedience to.

With regards my initial letter, Speaker O'Dea, in your reply you stated you had taken advice and that you had no jurisdiction in the matter. I believe you owe it to the people of NSW to elaborate on exactly what that advice was and who provided it.

In fact the Speaker does have jurisdiction in a matter whereby a Member is in violation of 13A (1)b of the NSW Constitution Act 1902. This issue is covered in detail in the following paper which I have attached and now quote from;

Inquiry into s13A Constitution Act 1902 - Parliament of NSW, Committee on the ICAC. December 1998.

Existing mechanism

3.2 Section 13A provides that a Member's seat becomes vacant upon any of the events listed in paragraphs (a) to (e) occurring. The section operates of its own force. In theory, no person or body, such as the Parliament, a court, or the Governor, has a discretion to determine whether the seat shall be vacated.

The vacancy is automatic upon violation. In this case it is the Member for Wakehurst's own public statements and his refusal to clarify or correct them. As Health and Medical Research Minister the Member occupies arguably the most powerful position in Government in NSW under a health emergency, yet he tells the people of NSW that this is the "New World Order" and to get used to their loss of fundamental freedoms.

The Minister's readiness to identify a foreign power whose authority he believes overrides the NSW Constitution, and therefore any freedoms or rights the people of NSW believe they have is exactly why s13A (1)b was written into the NSW Constitution. Minister Hazzard showed adherence and potentially obedience to a foreign power. He is a stain on the NSW Parliament, rule of law and the NSW Constitution for each day he remains in power.

To clarify, from the same report, it is upon committing an act whilst a Member that triggers 13A (1)b

5.1 ...Under the New South Wales Constitution Act, the entitlement to rights or existing allegiance to a foreign power does not disqualify a Member. It is only if a Member does some act while a Member in acknowledgement of allegiance or to obtain such rights that the provision applies.

In theory, had Minister Hazzard simply not made the statement that this was the "New World Order" and continued to work in accordance with that foreign power he would not be in violation of 13A (1)b. The fact he was unable to stop himself stating it was his violation. The fact he offered no correction or clarification when asked, confirms the violation remains current.

Having stated that s13A (1) (b) operates automatically upon breach and requires the offending action to take place while the Member is a Member, the paper then looks at the mechanisms of declaring the seat vacant and the issuing of writs.

The issuing of writs generally is subject to Section 70 Parliamentary Electorates and Elections Act 1912. Which states;

When and so often as a vacancy occurs in the Assembly, the Speaker shall, upon a resolution by the Assembly declaring such vacancy, and the reason thereof, cause a writ to be issued for filling such vacancy; and on the death or resignation of any

Member of the Assembly, the Speaker shall, in like manner, upon a resolution of the Assembly, issue such writ, and in case the Assembly be not in session, or when such vacancy occurs during any adjournment for a longer period than seven days, he shall also issue the writ.

The traditional interpretation of s70 is that the Speaker has the power to issue writs during an adjournment longer than 7 days.

Quoting from the paper above;

7.2 .../The provision that "in case the Assembly be not in session, or when such vacancy occurs during any adjournment for a longer period than seven days, he shall also issue the writ" has traditionally been interpreted by Speakers as applying "when and so often as a vacancy occurs".

And further as to the appropriateness of The Speaker taking such actions during an adjourned Parliament;

7.7 The power to conclusively declare a seat vacant for disqualification is significant but it is appropriate that (sic) it should reside in the Assembly's chosen representative. At the same time, while the Speaker's declaration would be conclusive, his power to make such a declaration would be reviewable by a court if a genuine case did not exist.

It is clear that The Speaker not only has jurisdiction in this matter, but due to the adjournment of Parliament and the automatic operation of s13A (1)(b) must issue writs declaring the seat of Wakehurst vacant. The Member violated s13A (1)(b) by his own public statements and took no effort to correct or clarify them when asked.

As stated earlier there is no discretion in this matter, the Speaker was duly informed of Minister Hazzard's breach of s13A(1)(b) by myself and provided the evidence of the Ministers own public statements. With Parliament adjourned, the automatic operation of 13A (1) (b) requires The Speaker to issue writs declaring the seat vacant.

The Member, Mr Hazzard can if he so chooses argue his case that the vacancy is invalid before the NSW Court of Disputed Returns. At least in this case, should he desire to remain the Member for Wakehurst, Mr Hazzard is forced to address his own statements, something he has refused to do thus far.

These Mr Speaker are the facts.

In summary,

1. You owe the people of NSW a more detailed response regarding exactly the advice you have received and by whom the advice was received from.
2. As well, should you continue to hold that view, please offer a rebuttal of the points I make in this letter that clearly show The Speaker's role in this matter.

3. As well in your reply you stated;

My view is that your argument is unlikely to succeed. However, if you wish to take the matter further you may consider obtaining specialist legal advice.

I believe you owe it to the people of NSW, should you still hold the view, to explain why you believe the argument is unlikely to succeed. Particularly in light of the facts I provide in this letter.

There is no facility for a citizen to take this matter further. The only person who can take the matter forward is you Speaker O'Dea.

With the Health Minister by his own statements adhering to the "New World Order", with his colleague CHO Chant deferring to the "New World Order" after having advised NSW Parliament be closed, how on earth can you avoid confronting the truth?

Power has been usurped illegally in NSW and each day you take no action is a stain on NSW Parliament and a stain on your character. In fact a reasonable person could only conclude your inaction as Speaker, when you clearly have the authority to act, means you are complicit.

Minister Hazzard's breach of 13A (1)b and subsequent illegal and treasonous acts in adherence and obedience of a foreign power and against the interests of NSW will be brought to account one way or another. You have been duly informed, I trust you will reflect on your oath of allegiance and act accordingly.

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