



Flandrensiian Ecological County of New Eurabba Act

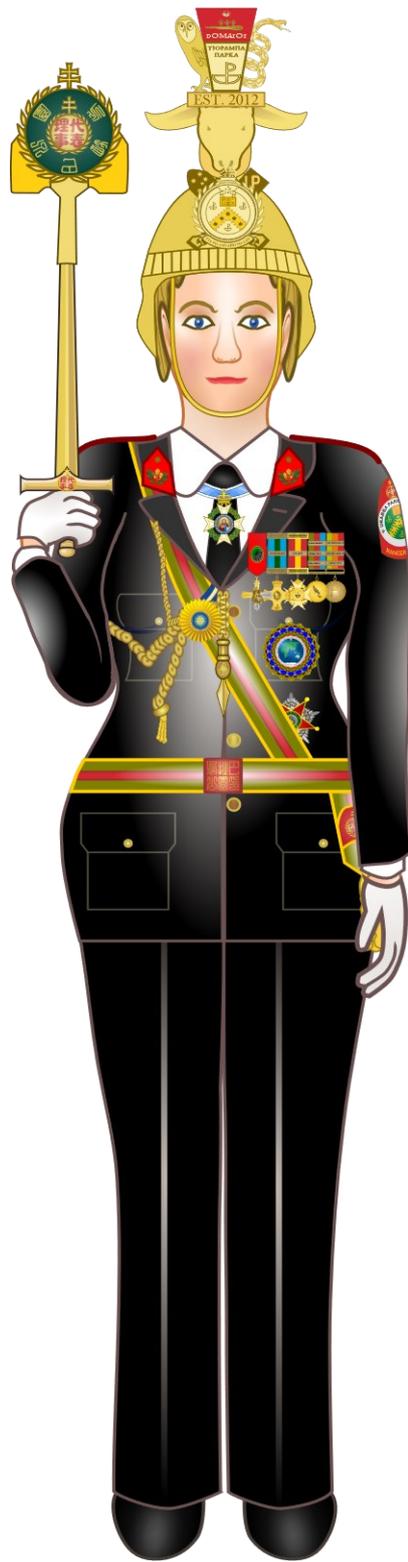
2023

as in force on 4 September 2023

URABBA PARKS PTY LTD
Advocate-General's Department



**Flandrensiān Ecological
County of New Eurabba Act
2023**





Flandrensiens Ecological County of New Eurabba Act 2023

Printed on 4 September 2023

together with

**Decree of Foundation and Establishment of the Hegemony of Urabba Parks of the Empire of
Imvrassia**

Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of New Eurabba

Flandrensiens Ecological County of Urabba Act Commencement Proclamation 2022

with

Related Minutes of the Proprietary Council, Extrinsic Material and Index

by the

Advocate-General's Department
and
Company Secretary

Prepared for the Office of the Company Secretary,
Advocate-General's Department, Urabba House, New Eurabba, UP1

URABBA PARKS PTY LTD
Advocate-General's Department

Published for Urabba Parks by Racomedia
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A catalogue record for this book is available from the
National Library of Australia.

Flandrensiian Ecological County of New Eurabba Act 2023 as in force on 29 August 2022 together with
Decree of Foundation and Establishment of the Hegemony of Urabba Parks of the Empire of Imvrassia,
the *Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of New Eurabba*,
Flandrensiian Ecological County of Urabba Act Commencement Proclamation 2022, related minutes of the
Proprietary Council and extrinsic material.

Includes index.

1. Laws, regulations, cases - Urabba Parks. 2. Urabba Parks - Acts. I. Urabba Parks. Advocate-General's
Department II. Company Secretary

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Acknowledgement of Country



Acknowledgement of Country

Urabba Parks Proprietary Limited acknowledges the traditional ownership of the Wiradjuri Nation upon whose ancestral lands Urabba Street Reserve is now located, as well as all Aboriginal and Torres Strait Islander communities throughout Australia. We would also like to pay respect to all Indigenous Elders past, present and emerging, acknowledging them as the traditional custodians of knowledge for these lands.

URABBA PARKS PTY LTD
Advocate-General's Department

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Map of New Eurabba, September 2023





Flandrensiens Ecological County of New Eurabba Act 2023

No. 3, 2022

Compilation No. 1

Compilation date:	4 September 2023
Includes amendments up to:	Act No. 1, 2023
Registered:	4 September 2023

UP2023C00001

Prepared by the Office of Company Secretary, Rankins Springs
Urabba Parks Proprietary Limited ACN 159 318 859

About this compilation

This compilation

This is a compilation of the *Flandrensiian Ecological County of New Eurabba Act 2023* that shows the text of the law as amended and in force on 4 September 2022 (the *compilation date*).

The notes at the end of this compilation (the *endnotes*) include information about amending law and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.org.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified.

Self repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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An Act establishing the Flandrensiian Ecological County of New Eurabba and for related purposes

Preamble

WHEREAS the Enactor purchased Urabba Street Reserve on the tenth day of August two thousand eleven and on the ninth day of July two thousand twelve transferred the land to Urabba Parks:

AND WHEREAS since the aforementioned transfer of Urabba Street Reserve, Urabba Parks has been seeking ways to further its charitable purposes by seeking to connect with like-minded organisations:

AND WHEREAS in furtherance of its charitable purposes, Urabba Parks and another environmental charity, the Grand Duchy of Flandrensis, had on 18 August 2022 signed an agreement known as the Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of New Eurabba which permits Urabba Parks to establish an ecological sanctuary under the Constitution of the Grand Duchy of Flandrensis:

AND WHEREAS the Parliament of Urabba Parks considers it desirable to establish a region of Urabba Parks known as the Flandrensiian Ecological County of New Eurabba:

AND WHEREAS by the Constitution it is provided that the Parliament may make laws to admit and establish new regions:

The Parliament of Urabba Parks enacts:

Part 1—Preliminary

1 Short title

This Act may be cited as the *Flandrensiian Ecological County of New Eurabba Act 2023*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with

Section 3

column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act	A day or days to be fixed by Proclamation. However, if the provisions do not commence within the period of 6 months beginning on the day this Act receives the Enactorial Assent, they commence on the day after the end of that period.	4 September 2022

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Definitions

In this Act:

Manager means the Manager of New Eurabba for the time being or some other person exercising the power of the Manager.

New Eurabba means the Flandrensiian Ecological County of New Eurabba.

Ordinance means an Ordinance made under this Act.

referral statute means the law of the Enactor exercising the legislative power of New Eurabba as set out in Schedule 1.

Part 2—The Flandrensiian Ecological County of New Eurabba

Division 1—Establishment

4 Proclamation by Manager-General fixing date on which Treaty shall come into operation

The Manager-General may by proclamation fix a date for the coming into force for Urabba Parks of the document known as the Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of New Eurabba, agreed to by Urabba Parks and the Grand Duchy of Flandrensis on 18 August 2022.

5 Establishment of the Flandrensiian Ecological County of New Eurabba

- (1) There shall be a region of Urabba Parks having the territory of Ward B of Carrathool Shire in New South Wales (as existing at the commencement of the ***Divisional Amendment (New Eurabba) Act 2023***) under the name Flandrensiian Ecological County of New Eurabba.
- (2) The Parliament, with the consent of the Grand Duchy of Flandrensis, declares all parts of Urabba Parks within New Eurabba as an ecological sanctuary under article 1.4 of the Constitution of the Grand Duchy of Flandrensis.
- (3) No person has the right to occupy any land declared under subsection (2) on the basis of any interest in the membership of Urabba Parks.
- (4) The legislative power of New Eurabba is vested in the Enactor.
- (5) The Enactor may only exercise the legislative power in subsection (4) to enact the referral statute.

Division 2—Application of laws

6 Application of existing law

- (1) Subject to this Act, a law of Urabba Parks as in force in Urabba Street Reserve made before the commencement of this section is, so far as applicable, in force in New Eurabba.
- (2) In subsection (1), *law*:
 - (a) includes a principle or rule of common law or equity (including one deemed to be existing upon the establishment of jurisdiction of Urabba Parks and not since repealed); and
 - (b) does not include an Act (including an Act governing the continued application of a law falling in paragraph (a)).

7 Ordinance may amend or repeal adopted laws

A law in force in New Eurabba by virtue of section 6 may be amended or repealed by an Ordinance or by a law made under an Ordinance.

8 Application of Corporate Acts

- (1) An Act or a provision of an Act (whether passed before or after the commencement of this section) is in force as such in New Eurabba except as otherwise provided by that Act or by another Act.
- (2) An Ordinance shall not be made so far as it affects the application of an Act of its own force in or in relation to New Eurabba.

Part 3—Legislative power

9 Ordinances

- (1) The Manager-General may make Ordinances for the peace, order and good government of New Eurabba.
- (2) The Manager may not make Ordinances under a delegation made under section 19 unless the Minister consents to the making of the Ordinance.
- (3) Notice of the making of an Ordinance shall be:
 - (a) sent to the Grand Duchy of Flandrensis; and
 - (b) published in the *Gazette*.
- (4) An Ordinance shall, unless the contrary intention appears in the Ordinance, come into operation on the date of publication of the notice.

10 Tabling of Ordinances

Disallowance by Manager-General

- (2) The Manager-General may disallow an Ordinance made by the Manager under a delegation made under section 19 within 6 months after the publication of the Ordinance in the *Gazette*, and an Ordinance so disallowed ceases to have effect.

Tabling before Parliament

- (3) Subsection (4) applies to an Ordinance unless the legislative directors by circular resolution consent to the making of the Ordinance, or otherwise agree to the displacement of that subsection in relation to the Ordinance.
- (4) An Ordinance to which this subsection applies shall be laid before each House of the Parliament within 15 sitting days of that House after the making of the Ordinance and, if it is not so laid before each House of the Parliament, ceases to have effect.

Section 10

Disallowance

- (5) If a House of the Parliament, in pursuance of a motion of which notice has been given within 15 sitting days after an Ordinance has been laid before that House, passes a resolution disallowing the Ordinance or a part of the Ordinance, the Ordinance or part so disallowed thereupon ceases to have effect.

Deemed disallowance

- (6) If, at the expiration of 15 sitting days after notice of a motion to disallow an Ordinance or part of an Ordinance has been given in a House of the Parliament, being notice given within 15 sitting days after the Ordinance has been laid before that House:
- (a) the notice has not been withdrawn and the motion has not been called on; or
 - (b) the motion has been called on, moved and seconded and has not been withdrawn or otherwise disposed of;
- the Ordinance or part, as the case may be, specified in the motion shall thereupon be deemed to have been disallowed.

Effect of dissolution, expiry or prorogation of Parliament

- (7) If, before the expiration of 15 sitting days after notice of a motion to disallow an Ordinance or part of an Ordinance has been given in a House of the Parliament:
- (a) the House of Ordinaries is dissolved or expires, or the Parliament is prorogued; and
 - (b) at the time of the dissolution, expiry or prorogation, as the case may be:
 - (i) the notice has not been withdrawn and the motion has not been called on; or
 - (ii) the motion has been called on, moved and seconded and has not been withdrawn or otherwise disposed of;
- the Ordinance shall, for the purposes of subsections (5) and (6), be deemed to have been laid before that first-mentioned House on the first sitting day of that first-mentioned House after the dissolution, expiry or prorogation, as the case may be.

Effect of disallowance

- (8) Where an Ordinance is disallowed, or is deemed to have been disallowed under this section or ceases to have effect by virtue of the operation of subsection (4), the disallowance of the Ordinance or the operation of subsection (4) in relation to the Ordinance, as the case may be, has the same effect as a repeal of the Ordinance.

Revival of law repealed by a disallowed Ordinance

- (9) Where:

- (a) an Ordinance (in this subsection referred to as the **relevant Ordinance**) is disallowed, or is deemed to have been disallowed, under this section or ceases to have effect by virtue of the operation of subsection (4); and
- (b) the relevant Ordinance repealed, in whole or in part, another Ordinance or any other law that was in force immediately before the relevant Ordinance came into operation;

the disallowance of the relevant Ordinance or the operation of subsection (4) in relation to the relevant Ordinance, as the case may be, has the effect of reviving that other Ordinance or law, as the case may be, from and including the date of the disallowance or the date on which the relevant Ordinance ceased to have effect by virtue of that operation of subsection (4), as the case may be, as if the relevant Ordinance had not been made.

Application to parts of Ordinances and laws

- (10) A reference in subsection (8) or (9) to an Ordinance shall be read as including a reference to a part of an Ordinance, and a reference in subsection (9) to a law has a corresponding meaning.

11 Ordinance not to be re-made while required to be tabled

- (1) Where an Ordinance (in this section called the **original Ordinance**) to which subsection 10(4) applies has been made, no Ordinance containing a provision being the same in substance as a provision of the original Ordinance shall be made during the period defined by subsection (2) unless each House of the Parliament by resolution approves the making of an Ordinance containing a provision the same in substance as that provision of the original

Section 12

Ordinance, or the legislative directors by circular resolution agree that this section does not apply in relation to the Ordinance.

- (2) The period referred to in subsection (1) is the period starting on the day on which the original Ordinance was made and ending at the end of 7 days after:
 - (a) if the original Ordinance has been laid, in accordance with subsection 10(4), before each House of the Parliament on the same day—that day;
 - (b) if the original Ordinance has been so laid before both Houses on different days—the later of those days; or
 - (c) if the original Ordinance has not been so laid before each House—the last day on which subsection 10(4) could have been complied with.
- (3) If a provision of an Ordinance is made in contravention of this section, the provision has no effect.

12 Ordinance not to be re-made while subject to disallowance

- (1) Where notice of a motion to disallow an Ordinance has been given in a House of the Parliament within 15 sitting days after the Ordinance has been laid before that House, no Ordinance containing a provision being the same in substance as a provision of the first-mentioned Ordinance shall be made unless:
 - (a) the notice has been withdrawn;
 - (b) the Ordinance is deemed to have been disallowed under subsection 10(6);
 - (c) the motion has been withdrawn or otherwise disposed of; or
 - (d) subsection 10(7) has applied in relation to the Ordinance.
- (2) Where:
 - (a) because of subsection 10(7), an Ordinance is deemed to have been laid before a House of the Parliament on a particular day; and
 - (b) notice of a motion to disallow the Ordinance has been given in that House within 15 sitting days after that day;no Ordinance containing a provision being the same in substance as a provision of the first-mentioned Ordinance shall be made unless:

- (c) the notice has been withdrawn;
 - (d) the Ordinance is deemed to have been disallowed under subsection 10(6);
 - (e) the motion has been withdrawn or otherwise disposed of; or
 - (f) subsection 10(7) has applied again in relation to the Ordinance.
- (4) If a provision of an Ordinance is made in contravention of this section, the provision has no effect.
- (5) This section does not limit the operation of section 11 or 13.
- (6) In this section:
- Ordinance* includes a part of an Ordinance.

13 Disallowed Ordinance not to be re-made unless resolution rescinded or House approves

If an Ordinance or a part of an Ordinance is disallowed, or is deemed to have been disallowed, under section 10, and an Ordinance containing a provision being the same in substance as a provision so disallowed, or deemed to have been disallowed, is made within 6 months after the date of the disallowance, that provision has no effect, unless:

- (a) in the case of an Ordinance, or a part of an Ordinance, disallowed by resolution—the resolution has been rescinded by the House of the Parliament by which it was passed; or
- (b) in the case of an Ordinance, or a part of an Ordinance, deemed to have been disallowed—the House of the Parliament in which notice of the motion to disallow the Ordinance or part was given has approved, by resolution, the making of a provision the same in substance as the provision deemed to have been disallowed.

14 Regulations, rules and by-laws

- (1) Notice of the making of all regulations made under an Ordinance shall be sent to the Grand Duchy of Flandrensis.
- (3) All regulations made under an Ordinance shall be laid before each House of the Parliament within 15 sitting days of that House after

Section 14

the day on which the regulations are made and, if they are not so laid before each House of the Parliament, have no effect.

- (4) Subsections 10(5) to (10), inclusive, and sections 11, 12 and 13 apply in relation to regulations laid before a House of the Parliament as if, in those provisions, references to an Ordinance were references to regulations and references to a provision of an Ordinance were references to a regulation.
- (5) In this section, *regulations* includes rules and by-laws.

Part 4—Executive power

15 Powers and functions under adopted laws

- (1) Subject to subsection (2), where, by any law in force in New Eurabba by virtue of section 6, a power or function is vested in a person or authority (not being the Manager-General or a court), that power or function is, in relation to New Eurabba, vested in, and may be exercised or performed by, the Minister.
- (2) The Minister may direct that a power or function vested in a person or authority (not being the Manager-General or a court) by a law in force in New Eurabba by virtue of section 6 shall, in relation to New Eurabba, be vested in, and may be exercised or performed by, such other person or authority as the Minister specifies.
- (3) The Minister may, either generally or as otherwise provided by the instrument of delegation, by instrument in writing, delegate to a person any or all of the Minister's powers under this section, other than this power of delegation.
- (4) A power so delegated, when exercised by the delegate, shall, for the purposes of this section, be deemed to have been exercised by the Minister.
- (5) A delegation of a power under this section does not prevent the exercise of the power by the Minister.
- (6) The Minister may appoint, on such terms as to remuneration and otherwise as are determined by the Minister, such persons as the Minister considers necessary to exercise powers and perform functions under this section.

16 Arrangements with Ministers and jurisdictional divisions

The Minister may make arrangements with the appropriate Minister of Urabba Parks or a jurisdictional division for the exercise of powers and the performance of functions in and in relation to New Eurabba under laws in force in New Eurabba by officers and employees of the Government of Urabba Parks or the jurisdictional division concerned and of authorities of Urabba Parks or the jurisdictional division concerned.

Part 5—Judicial power

17 Courts and tribunals

- (1) If no court or tribunal of New Eurabba has jurisdiction in relation to a particular matter, the courts and tribunals of Urabba Parks or another jurisdictional division appointed by the Minister with the agreement of the jurisdictional division concerned has jurisdiction in and in relation to the matter.
- (2) In the exercise of its jurisdiction under this section a court or tribunal of Urabba Parks or another jurisdictional division may sit in New Eurabba or where it may otherwise lawfully sit.
- (3) The practice and procedure of a court or tribunal of Urabba Parks or another jurisdictional division exercising jurisdiction under this section shall be the practice and procedure in force from time to time in relation to the court or tribunal.

Part 6—Other matters

18 Grant of pardon, remission etc.

- (1) The Manager-General, acting with the advice of the Minister, may, by warrant under the Manager-General's hand, grant to a person condemned by a court exercising disciplinary jurisdiction in or in relation to New Eurabba a pardon, either free or conditional, or a remission or commutation of sanction, or a respite, for such period as the Manager-General thinks fit, of the execution of sanction, and may remit any fine, sanction or forfeiture imposed or incurred under a law in force in New Eurabba.
- (2) Where an offence has been committed in New Eurabba, or where an offence has been committed outside New Eurabba for which the offender may be tried in New Eurabba, the Manager-General, acting with the advice of the Minister, may, by warrant under the Manager-General's hand, grant a pardon to any accomplice who gives evidence that leads to the condemnation of the principal offender or any of the principal offenders.

19 Delegation to Manager

- (1) The Manager-General may delegate to the Manager any of the powers of the Manager-General under this Act.
- (2) A power of the Manager-General under this Act exercisable with the advice of the Minister and exercised by the Manager under a delegation made under subsection (1) must be exercised with the approval of the Minister.
- (3) A delegation of a power under this section does not prevent the exercise of the power by the Manager-General.

20 Appointment of Manager

An Ordinance may provide for:

- (a) the appointment of a person to the office of the Manager of New Eurabba appointed by the Enactor during Mister Enactor's pleasure;

Section 21

- (b) the appointment of a person to exercise the powers of the Manager of New Eurabba under the definition of *Manager* in section 3;
- (c) the appointment of a deputy of the Manager who may exercise the powers of the Manager subject to directions given by the Manager, provided the appointment of a deputy under this paragraph or the exercise of any of the powers of the Manager by a deputy appointed under this paragraph does not prevent the exercise of a power by the Manager.

21 Referral statute

Schedule 1 has effect.

Schedule 1—Referral statute

An Act to refer legislative power to the Corporate Parliament, and for related purposes

The Enactor of Urabba Parks in Right of the Flandrenian Ecological County of New Eurabba enacts:

1 Short title

This Act is the *Referral Act 2023*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act	Immediately after this Act receives the Enactorial Assent.	4 September 2023

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Referral of power and consent to surrender territory

The Enactor, in exercise of the legislative power of New Eurabba:

- (a) refers all legislative power in and for New Eurabba to the Parliament of Urabba Parks; and

Section 21

- (b) consents to the surrender of any territory of New Eurabba to Urabba Parks as determined by the Parliament of Urabba Parks.

(UP2023C00001)

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

- Endnote 1—About the endnotes
- Endnote 2—Abbreviation key
- Endnote 3—Legislation history
- Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key in endnote 2 sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending law and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The *Legislation Act 2022* authorises Company Secretary to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Company Secretary.

Misdescribed amendments

Endnotes

Endnote 1—About the endnotes

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history. If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnote 2—Abbreviation key

ad = added or inserted	Ord = Ordinance
am = amended	orig = original
amdt = amendment	par = paragraph(s)/subparagraph(s)
art = article	/sub-subparagraph(s)
c = clause(s)	pres = present
C[x] = Compilation No. x	prev = previous
Ch = Chapter(s)	(prev...) = previously
def = definition(s)	Pt = Part(s)
Dict = Dictionary	r = regulation(s)/rule(s)
disallowed = disallowed by Parliament	reloc = relocated
Div = Division(s)	renum = renumbered
ed = editorial change	rep = repealed
exp = expires/expired or ceases/ceased to have effect	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LA = <i>Legislation Act 2022</i>	Sch = Schedule(s)
(md) = misdescribed amendment can be given effect	Sdiv = Subdivision(s)
(md not incorp) = misdescribed amendment cannot be given effect	Sub-Ch = Sub-Chapter(s)
mod = modified/modification	SubPt = Subpart(s)
No. = Number(s)	<u>underlining</u> = whole or part not commenced or to be commenced
o = order(s)	UP = Corporate Register of Legislation

Endnotes

Endnote 3—Legislation history

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Flandrensi Ecological County of Urabba Act 2022	No. 1, 2022	31 Aug 2022	4 Sep 2022 (gaz. 2022, p. 4)	
Divisional Amendment (New Eurabba) Act 2023	No. 1, 2023	4 Sep 2023	4 Sep 2023	Sch 1 (items 19–22)

Endnote 4—Amendment history

Provision affected	How affected
Title.....	am. No. 1, 2023
Preamble	am. No. 1, 2023
Part 1	
s 1.....	am. No. 1, 2023
s 3.....	am. No. 1, 2023
Part 2	
Heading to Part 2.....	am. No. 1, 2023
Division 1	
s 4.....	am. No. 1, 2023
s 5.....	rs. No. 1, 2023
Division 2	
ss. 6–8	am. No. 1, 2023
Part 3	
s 9.....	am. No. 1, 2023
s 11.....	am. No. 1, 2023
ss. 13, 14	am. No. 1, 2023
Part 4	
ss. 15, 16	am. No. 1, 2023
Part 5	
s 18.....	am. No. 1, 2023
s 20.....	am. No. 1, 2023
s 21.....	am. No. 1, 2023
Schedule 1	
Schedule.....	am. No. 1, 2023

Endnotes

Endnote 4—Amendment history





ADVOCATE-GENERAL

Departmental No.
2022/3

Proprietary Council
Meeting No 2022/4

Approved in Council

Daniel James Racovolis
Enactor

23 June 2022

Recorded in the minute
book



Per the Secretary to the
Proprietary Council
UP2022D00001M

Minute Paper for the Proprietary Council

Constitution

Affiliation as a Hegemony of the Empire of
Imvrassia

Recommended for the approval of the
Manager-General in Council that the
Government of Urabba Parks be
authorised to apply, for and on behalf of
Urabba Parks, to become a Hegemony of
the Empire of Imvrassia.

Advocate-General
Urabba Parks Proprietary Limited
ACN 159 318 859



Attachments

- 1 Explanatory Memorandum to the minute

Notes

- 1 Each resolution of the Manager-General acting on the advice of the Proprietary Council is a resolution of the members of Urabba Parks: see subsection 13(4) of the Constitution.
- 2 Each resolution of the Ministers advising the Manager-General in the Proprietary Council is a resolution of the directors of Urabba Parks: see subsection 15(3) of the Constitution.
- 3 The Enactor is acting in place of the Manager-General by virtue of being an Honorary Manager present at the proceedings of Urabba Parks: see the definition of *Manager-General* in subsection 4(1) of the Constitution.
- 4 Advice is taken to be given by the responsible Minister to make this Act if the Houses of the Parliament are vacant in the whole: see paragraph 19(2)(e) of the Constitution.



Explanatory Memorandum – Minute No. 5 of 2022

Subject Constitution

Affiliation with the Empire of Imvrassia as a Hegemony

Urabba Parks' external relations power is exercisable by the Manager-General by virtue of Chapter II of the Constitution which provides, among other things, that the executive power of Urabba Parks is vested in the Enactor and is exercisable by the Manager-General. The external relations power includes the power to handle relations with micronations, which are self-declared states. Urabba Parks does not regard micronations as states and therefore treats such entities as non-state jurisdictions. The Minute recommends that Urabba Parks communicate its application for affiliation with the Empire of Imvrassia as a Hegemony by way of communication to Emperor Aggelos of Imvrassia.

If accepted, Urabba Parks will become part of the Empire of Imvrassia under the name the Hegemony of Urabba Parks. An Imvrassian Hegemony is described as 'an autonomous monarchical state within the Empire.' As part of the Empire of Imvrassia, the micronational interests of Urabba Parks will be represented by the Emperor, who will effectively act as a voluntary diplomat. The affiliation will not affect the internal operations or legal structure of Urabba Parks, and accordingly an Act of Parliament will not be required to bring this arrangement into effect.

The Empire of Imvrassia is a Hellenic micronation that was founded on 11 May 2022 by an individual known as Aggelos of Imvrassia (born 1 September 1981). Initially a self-declared principality, the micronation became the Kingdom of Imvrassia on 21 March 2016, and later became the Empire of Imvrassia on 1 January 2020. Imvrassia maintains diplomatic relations with a number of prominent micronations including the Grand Duchy of Flandrensis, Kingdom of Ruthenia, Empire of Austenasia, State of Vishwamitra [Note 1], Governorate of Graecia and the Empire of Lehmark [Note 2]. The Empire of Imvrassia is a founding member of the League of Hellenistic Micronations.

The proposed affiliation with the Empire of Imvrassia as a Hegemony will enable Urabba Parks to participate in the intermicronational community through an already recognised micronation, without affecting Urabbaparcensian law. The arrangement also benefits the Hellenic character of Urabba Parks.

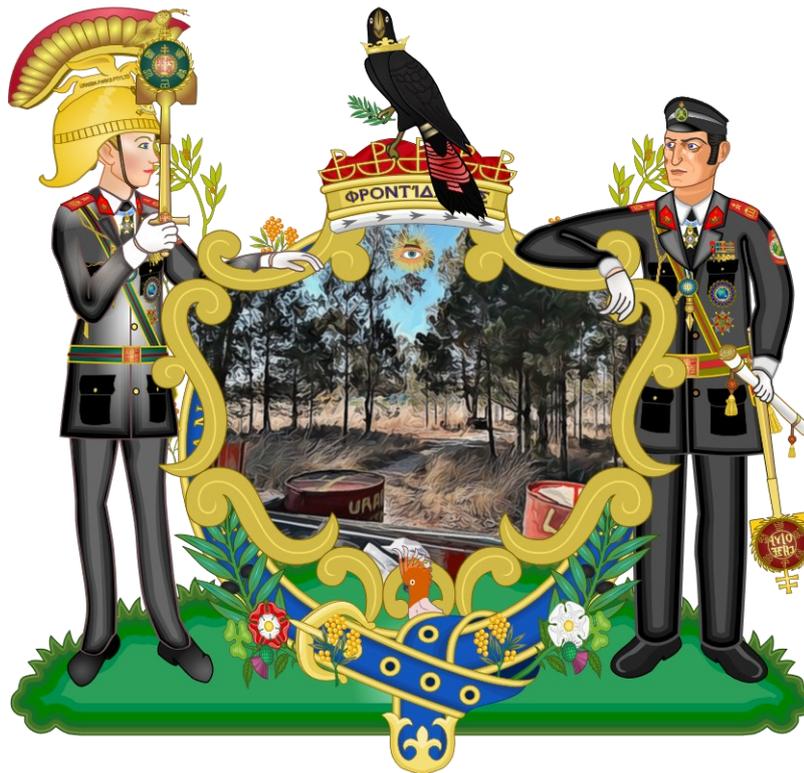
The Minute recommends that approval be given in the form proposed.

(UP2022D00001EM)

Supplementary notes to Minute No. 5 of 2022

*Added by the Company Secretary, Advocate-General's Department
4 September 2023*

1. The State of Vishwamitra changed its name to Vishwamitra on 4 August 2023
2. The Empire of Lehmark was dissolved on 20 April 2023.





Decree of Foundation and Establishment of the Hegemony of Urabba Parks of the Empire of Imvrassia

At the 11th Year of Imvrassia, the 7th Year of the Reign of Aggelos P.
Augustus, Imvrassian Emperor and Autocrat of the Romans and the 6th and 5th
Year of the Reign of the Basileis and Augousti Aikaterini and Stamatios
Secretariat of Internal Affairs

DECREE 132

Foundation and establishment of the Hegemony of Urabba Parks

Having in mind articles 21 and 22 of the Constitution

RATIFIED

The foundation and establishment of

The Hegemony of Urabba Parks,

which is from today a territory of the State as a single administrative entity.

Imvrassia 23 June 2022

(UP2022D00001)

31

Authorised by the Company Secretary,
Urabba Parks Proprietary Limited ACN 159 318 859

UP2022D00001
Registered: 4 September 2023





ADVOCATE-GENERAL

Departmental No.
2022/4

Proprietary Council
Meeting No 2022/5

Approved in Council

Daniel James Racovolis
Enactor

18 August 2022

Recorded in the minute
book



Per the Secretary to the
Proprietary Council
UP2022E00001M

Minute Paper for the Proprietary Council

Constitution

Treaty on Corporation and Establishment of the
Ecological County (Sanctuary) of Urabba

Recommended for the approval of the
Manager-General in Council that the
Government of Urabba Parks be
authorised to ratify, for and on behalf of
Urabba Parks, the Treaty on Corporation and
Establishment of the Ecological County
(Sanctuary) of Urabba.

Advocate-General
Urabba Parks Proprietary Limited
ACN 159 318 859



**Record of resolution made at Proprietary Council on
18 August 2022**

Attachments

- 1 The Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of Urabba
- 2 Explanatory Statement to the Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of Urabba

Notes

- 1 Each resolution of the Manager-General acting on the advice of the Proprietary Council is a resolution of the members of Urabba Parks: see subsection 13(4) of the Constitution.
- 2 Each resolution of the Ministers advising the Manager-General in the Proprietary Council is a resolution of the directors of Urabba Parks: see subsection 15(3) of the Constitution.
- 3 The Enactor is acting in place of the Manager-General by virtue of being an Honorary Manager present at the proceedings of Urabba Parks: see the definition of *Manager-General* in subsection 4(1) of the Constitution.
- 4 Advice is taken to be given by the responsible Minister to make this Act if the Houses of the Parliament are vacant in the whole: see paragraph 19(2)(e) of the Constitution.

Note added 4 September 2023

- 5 The Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of Urabba has now been renamed the Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of New Eurabba by the Treaty Amending the Treaty of Corporation and Establishment of the Ecological County (Sanctuary) of Urabba, made and coming into force on 4 September 2023: see minute of meeting 2023/1.

Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of New Eurabba



BETWEEN the
Grand Duchy of Flandrensis (Groothertogdom Flandrensis)
and
Urabba Parks Proprietary Limited
Hereinafter referred to as “**parties**”

Compilation No. 1 of the terms of the Treaty in force on
4 September 2023

1. Name

This Treaty is the *Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of New Eurabba*.

2. Commencement

This Treaty comes into effect on a day appointed by Urabba Parks Proprietary Limited.

3. Definitions

In this Treaty:

County means the Flandrensiian Ecological County of New Eurabba.

Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of New Eurabba

party means one of the parties to this Treaty.

4. Acknowledgement of Traditional Owners

The Wiradjuri people are recognised as the Traditional Owners of the County.

5. Establishment of County

1. The New Eurabba region of Urabba Parks Proprietary Limited shall be established as the Flandrenian Ecological County of New Eurabba.
2. The County shall be an ecological sanctuary under article 1.4 of the Constitution of Grand Duchy of Flandrensis.
3. Urabba Parks Proprietary Limited consents to land it principally occupies in the County as an ecological sanctuary of the Grand Duchy of Flandrensis.
4. The County is established for environmental charity use only and no member of Urabba Parks Proprietary Limited shall have the right of occupancy.

6. Legislative powers and obligations of Urabba Parks

1. Urabba Parks Proprietary Limited shall consult with the Grand Duchy of Flandrensis on any legislative proposal that affects the County.
2. Urabba Parks Proprietary Limited shall have regard to its obligations under this Treaty in assessing the reasonableness of an amendment to its Constitution or any act having similar status.
3. No law or act is invalid merely by failure to consult or consider under this article.

7. Status within the Empire of Imvrassia

1. The Grand Duchy of Flandrensis acknowledges Urabba Parks Proprietary Limited as an autonomous Hegemony within the Empire of Imvrassia, a micronational partner of the Grand Duchy of Flandrensis.
2. The Grand Duchy of Flandrensis will not interfere in any constitutional or micronational affairs as mentioned in section 51 of the Constitution of Urabba Parks Proprietary Limited.

**Treaty on Corporation and Establishment of the Ecological County
(Sanctuary) of New Eurabba**

8. Exiting the arrangement

This Treaty shall be revoked if:

- (a) there ceases to be any area subject to the laws of the County;
- (b) if either party is dissolved or enters external administration; or
- (c) 30 days after a party sends a show cause notice under this subarticle to the other party, unless the notice is withdrawn;

and upon revocation of this Treaty the parties shall stop recognising the area forming the County as an ecological sanctuary of the Grand Duchy of Flandrensis and Urabba Parks Proprietary Limited shall stop using the identity of the Grand Duchy of Flandrensis in relation to any of its activities, unless otherwise authorised by the Grand Duchy of Flandrensis.

9. Post-Treaty obligations

Following the revocation of this Treaty, a party shall not use the confidential information produced, used or transferred under this Treaty unless also agreed by the other party.

10. No partnership

Nothing in this Treaty shall be construed as forming a partnership enterprise between the parties.

(UP2023E00001)

Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of New Eurabba

Treaty history

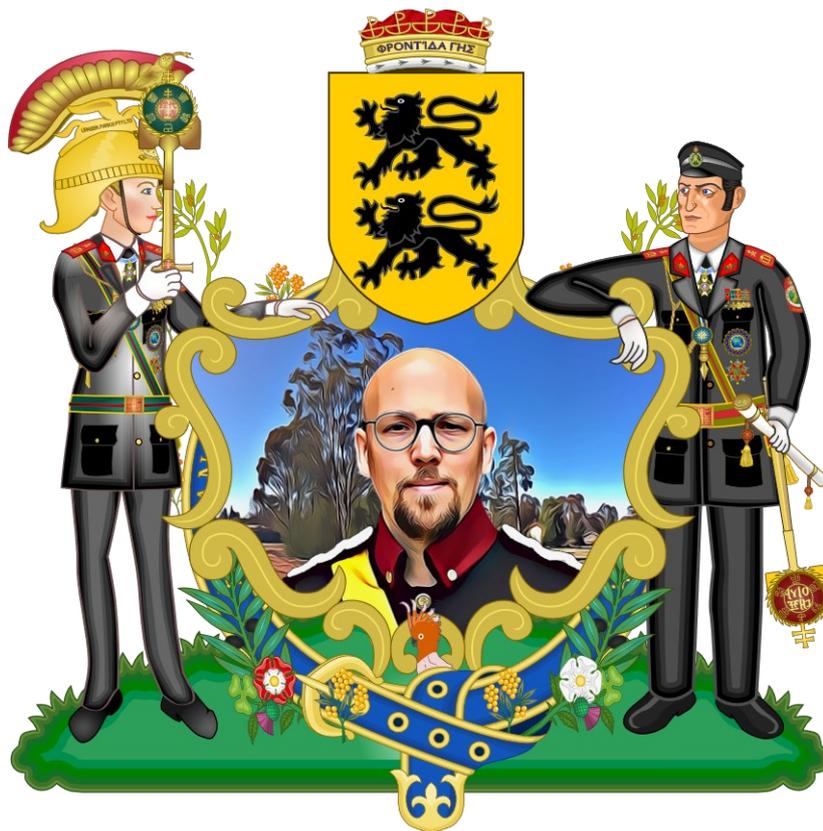
The Treaty Amending the Treaty of Corporation and Establishment of the Ecological County (Sanctuary) of Urabba, signed by both parties on 18 August 2022 and commencing on 4 September 2023

The Treaty Amending the Treaty of Corporation and Establishment of the Ecological County (Sanctuary) of Urabba, signed by both parties on 4 September 2023:

Revoked: Article 3 (definitions of *County* and *Urabba Street Reserve*), Schedule I.

Amended: Title, Subarticles 5.1, 5.3, 5.4, 6.1, 6.2, 8.1, Article 9, Article 10

Added: Subarticle 6.2





Daniel James Racovolis

**TREATY ON CORPORATION AND ESTABLISHMENT OF THE
ECOLOGICAL COUNTY (SANCTUARY) OF NEW EURABBA**

Compilation no. 1 registered 4 September 2023

EXPLANATORY MEMORANDUM

(Circulated by authority of Mr Racovolis)

UP2022E00001EM

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10. No partnership	45

Explanatory Memorandum – Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of New Eurabba

Urabba Parks’ treaty-making power is exercisable by the Manager-General by virtue of Chapter II of the Constitution which provides, among other things, that the executive power of Urabba Parks is vested in the Enactor and is exercisable by the Manager-General. The treaty-making power includes the power to conclude treaties with micronations, which are self-declared states. Urabba Parks does not regard micronations as states and therefore treats such entities as non-state jurisdictions.

This explanatory memorandum relates to a bilateral micronational treaty between Urabba Parks and the Grand Duchy of Flandrensis entitled the “Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of New Eurabba” (formerly the “Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of Urabba”), originally entered into on 18 August 2022 and coming into force on 4 September 2022 (the *Treaty*). This explanatory memorandum is inclusive of all amendments to Proprietary Council minute number 1 of 2023 (4 September 2023). Details of alterations made to this explanatory memorandum may be found at the notes at the end of this consolidated explanatory memorandum.

This Treaty will provide for the establishment of Urabba Street Reserve as an ecological sanctuary under article 1.4 of the Constitution of Grand Duchy of Flandrensis known as the “Flandrensian Ecological County of New Eurabba” (*New Eurabba*). New Eurabba will be established as a region of Urabba Parks. The Treaty is revocable upon 30 days show cause notice sent from one party to another without cost. The arrangement provided for in this Treaty will allow for the promotion of Urabba Street Reserve to a worldwide audience in a way of which is compatible with the status of Urabba Parks as a registered charity and a Hegemony of the Empire of Imvrassia.

The Grand Duchy of Flandrensis was established on 4 September 2008 by Niels Vermeersch (known as Nicholas de Mersch d'Oyenberghe) (born 23 February 1988), Grand Duke. Having its principal territorial

1. Name

Notes on articles

‘claims’ in parts of Antarctica, the Grand Duchy wishes to establish a network of citizen-operated ecological sanctuaries.

The declaration of an ecological sanctuary as provided in the Treaty will allow for the promotion of the charitable environmental objects of Urabba Parks. The Emperor of Imvrassia has consented to the Treaty being made.

It is noted that while Mr Vermeersch is a director of a not-for-profit organisation in Belgium, *vzw Groothertogdom Flandrensis*, the Treaty will be signed by Mr Vermeersch under his micronational name Nicholas de Mersch d'Oyenberghe as the Grand Duke of Flandrensis without reference to the entity name. This is not relevant as the Treaty is not intended to be binding under either Australian or Belgian law. This is because the parties are considered ‘sovereign’ entities for the purposes of intermicronational law, and the parties are bound by honour.

Notes on articles

1. Name

1. This article provides that the name of the Treaty is the *Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of New Eurabba*.

2. Commencement

2. This article provides for the Treaty to commence on a day appointed by Urabba Parks, allowing for its coming into force to be made by Proclamation.

3. Definitions

3. This article defines *County* as the Flandrensian Ecological County of New Eurabba and *party* means one of the parties to this Treaty.

4. Acknowledgement of Traditional Owners

Notes on articles

4. This article recognises the Wiradjuri people as the Traditional Owners of the County. This acknowledgement is consistent with the practices of other environmental organisations, in recognition of the role of Indigenous people in caring for the environment.

5. Establishment of County

5. Subarticle 1 provides the New Eurabba region shall be established as the Flandrenian Ecological County of New Eurabba.

6. Subarticle 2 provides the County shall be an ecological sanctuary under article 1.4 of the Constitution of Grand Duchy of Flandrensis. This designation allows for Flandrenian citizens to establish territories affiliated with the Grand Duchy of Flandrensis.

7. Subarticle 3 provides for the consent of Urabba Parks to the declaration of land it principally occupies in the County as an ecological sanctuary of the Grand Duchy of Flandrensis.

8. Subarticle 4 provides the County is established for environmental charity use only and no member of Urabba Parks shall have the right of occupancy. This is to confirm that Urabbaparcensian sites located within the region are not to be used for private, non-charitable purposes such as a family home or holiday house, even if the property is zoned residential.

6. Legislative powers and obligations of Urabba Parks

9. Subarticle 1 provides that Urabba Parks shall consult with the Grand Duchy of Flandrensis, as to ensure the County is meeting the requirements for affiliation with the Grand Duchy of Flandrensis.

10. Subarticle 2 provides Urabba Parks shall have regard to its obligations under this Treaty in assessing the reasonableness of an amendment to its Constitution or any act having similar status. This is to confirm the Treaty as a constitutional document, although subarticle 3 confirms no law or act is invalid merely by failure to consult or consider under this article.

7. Status within the Empire of Imvrassia

Notes on articles

11. Subarticle 1 provides the Grand Duchy of Flandrensis acknowledges Urabba Parks as an autonomous Hegemony within the Empire of Imvrassia, a micronational partner of the Grand Duchy of Flandrensis. This is to confirm the intermicronational status of Urabba Parks.

12. Subarticle 2 provides that Grand Duchy of Flandrensis will not interfere in any constitutional or micronational affairs as mentioned in section 51 of the Constitution of Urabba Parks. This reflects the fact that matters relating to the Corporate Government or other jurisdictional divisions are not affected by this Treaty.

8. Revocation of Treaty

13. This article provides that this Treaty shall be revoked if there ceases to be any land subject to the laws of the County (paragraph (A)), or if either party is dissolved or enters external administration (paragraph (B)). This reflects the fact that this Treaty is bilateral and specific to the establishment of the County.

14. Paragraph (C) of this article provides that the Treaty shall revoke 30 days after a party to this Treaty sends a show cause notice under this subarticle to the other party, unless the notice is withdrawn. This provides a simple mechanism by which the arrangement may be concluded if either party does not believe it is in the best interests to continue, and also provides a notice period to allow for any transition (changing websites, etc).

15. This article also provides that upon revocation of this Treaty the parties shall stop recognising the area forming the County as a ecological sanctuary of the Grand Duchy of Flandrensis and Urabba Parks Proprietary Limited shall stop using the identity of the Grand Duchy of Flandrensis in relation to any of its activities, unless otherwise authorised by the Grand Duchy of Flandrensis. The use of national symbols in relation to the County is a major component of the arrangement envisioned by this Treaty.

9. Post-Treaty obligations

Notes on articles

16. This article provides that following the revocation of this Treaty, a party shall not use the confidential information produced, used or transferred under this Treaty unless also agreed by the other party. Along with the use of national symbols, sharing of sensitive micronational information will be a major component of the arrangement.

10. No partnership

17. This article provides that nothing in this Treaty shall be construed as forming a partnership enterprise between the parties. This clarifies the intention of the parties in this arrangement that a party is not liable for the acts of the other, even in relation to this Treaty.

Notes on articles

Endnotes

This is an explanatory memorandum for compilation number 1 of the Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of New Eurabba as amended and in force on 4 September 2023.

Document history

This table provides information about each law the explanatory memorandum of which has amended (or will amend) this explanatory memorandum.

Number of law	Law	Day law made <i>Commencement</i>
Minute no. 5 of 2022	Treaty of Corporation and Establishment of the Ecological County (Sanctuary) of Urabba	18 August 2022 <i>4 September 2022</i>
Minute no. 1 of 2023	Treaty Amending the Treaty of Corporation and Establishment of the Ecological County (Sanctuary) of Urabba	4 September 2023 <i>4 September 2023</i>

Amendment history

This table provides information about amendments at the note level. It also includes information about any provision of the compiled explanatory memorandum that has been repealed in accordance with the explanatory memorandum of a particular law.

Portion amended	How amended
Outline	Amended min. 1, 2023
1	Amended min. 1, 2023
3	Amended min. 1, 2023
5	Amended min. 1, 2023
7	Amended min. 1, 2023
8 (heading)	Removed and substituted min. 1, 2023
13	Removed and substituted min. 1, 2023
14	Amended min. 1, 2023
15	Amended min. 1, 2023
16	Amended min. 1, 2023

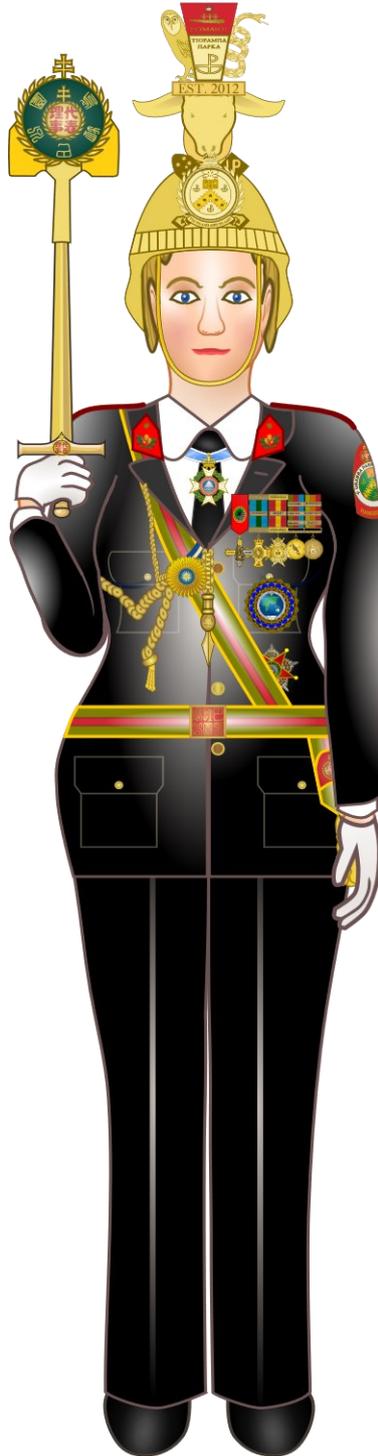
Notes on articles

Portion amended	How amended
17	Amended min. 1, 2023
Sch 1 (heading)	Removed min. 1, 2023
18	Removed min. 1, 2023

(UP2022E00001EM)



Notes on articles





ADVOCATE-GENERAL

Departmental No.
2022/5

Proprietary Council
Meeting No 2022/6

Approved in Council

Daniel James Racovolis
Enactor

31 August 2022

Recorded in the minute
book



Per the Secretary to the
Proprietary Council
UP2022N00003M

Minute Paper for the Proprietary Council

*Flandrensian Ecological County of Urabba
Act 2022*

*Flandrensian Ecological County of Urabba
Act Commencement Proclamation 2022*

Recommended for the approval of the
Manager-General in Council that he make
Regulations in the attached form.

Advocate-General
Urabba Parks Proprietary Limited
ACN 159 318 859



Record of resolution made at Proprietary Council on 31 August 2022

Attachments

- 1 The *Flandrensiian Ecological County of Urabba Act Commencement Proclamation 2022*
- 2 Explanatory Statement to the *Flandrensiian Ecological County of Urabba Act Commencement Proclamation 2022*

Notes

- 1 Each resolution of the Manager-General acting on the advice of the Proprietary Council is a resolution of the members of Urabba Parks: see subsection 13(4) of the Constitution.
- 2 Each resolution of the Ministers advising the Manager-General in the Proprietary Council is a resolution of the directors of Urabba Parks: see subsection 15(3) of the Constitution.
- 3 The Enactor is acting in place of the Manager-General by virtue of being an Honorary Manager present at the proceedings of Urabba Parks: see the definition of *Manager-General* in subsection 4(1) of the Constitution.
- 4 Advice is taken to be given by the responsible Minister to make this Act if the Houses of the Parliament are vacant in the whole: see paragraph 19(2)(e) of the Constitution.

Further note added 4 September 2023

- 5 The *Flandrensiian Ecological County of Urabba Act 2022* has been renamed the *Flandrensiian Ecological County of New Eurabba Act 2023* by the *Divisional Amendment (New Eurabba) Act 2023*, assented to and commencing 4 September 2023.





D. J. Racovolis E.

Flandrensiān Ecological County of Urabba Act Commencement Proclamation 2022

Daniel James Racovolis, Enactor of the Urabba Parks Proprietary Limited, acting with the advice of the Proprietary Council and under item 2 of the table in subsection 2(1) of the *Flandrensiān Ecological County of New Eurabba Act 2023*, fixes 4 September 2022 as the day on which that Act commences.



Signed and Sealed with the
Great Seal of Urabba Parks on

31 August 2022

Daniel James Racovolis

Enactor

UP2022N00003



INTRODUCTORY SPEECHES

Flandrenian Ecological County of Urabba Bill 2022

Urabba Parks is, quite possibly, the first company to sell democracy. And now after 10 years of existence, Urabba Parks is finally starting to join forces with fellow environmental charities to advance the cause of independent parks. As I said in my introductory speech to the Legislation Bill 2022 (now enacted as the *Legislation Act 2022*), I had mentioned that when I first purchased Urabba Street Reserve on 10 August 2011, I had a great vision—to bring power to where it belongs, the people. This Bill brings into force for Urabba Parks the Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of New Eurabba, which I have signed on 31 August 2022. The Treaty intends to grow the worldwide appeal of user-operated independent parks through the declaration of Urabba Street Reserve as an ecological sanctuary of the Grand Duchy of Flandrensis, under the name Flandrenian Ecological County of New Eurabba. The arrangement does not affect the status of Urabba Parks as an Imvrassian Hegemony.

A lot has changed in my life in the 11 years that I have been associated with Urabba Street Reserve, initially as the owner of the property and now as the owner of the company that owns the property. However, the change that really has mattered in the past decade has been the growing awareness of the need to protect our democracy. The ‘end of history’ that predominated the 90s and status-consciousness among millennials entering the workforce in the 2000s has given way to recurring pandemics, global heating or the spread of despotism. It is clear that we need new ways of doing things that are sustainable, relevant, inclusive and effective. The creation of the Flandrenian Ecological County of New Eurabba, along with other ecological sanctuaries run by volunteers, will be a step in that direction.

Just think of what can happen if this system of user-operated independent parks becomes a ‘thing.’ Although many think the best thing for the federal work for the dole program to be abolished, before that happens Urabba Parks could provide work for the dole placements that give

Introductory Speeches

people real confidence, becoming the true salvation for those experiencing unemployment. We could produce the politicians, judges and park rangers of the future, we can develop skills, we can fight climate change, we can alleviate poverty, we can bring meaning and belonging to people's lives, we can do a lot of things.

This Bill is not the answer to all the problems the world is facing, far from it. But is an important step in the right direction. By creating the first jurisdictional division of Urabba Parks at our spiritual home at Rankins Springs and promoting it worldwide through the Grand Duchy of Flandrensis will showcase the power of Landcare to be a social and environmental good, empowering people to create a just and sustainable future for all.

Charitable democracy has the potential to bring the changes we need to live in a more peaceful, prosperous and sustainable society. The Flandrensiian Ecological County of New Eurabba will serve as a model for what we need to do to sell democracy to the people and save the environment.

Daniel James Racovolis

The Enactor of Urabba Parks Proprietary Limited

18 August 2022

(UP2023C00001SR)

Divisional Amendment (New Eurabba) Bill 2023

This Bill brings into force for Urabba Parks the amendments to the Treaty of Corporation and Establishment of the Ecological County (Sanctuary) of New Eurabba (formerly the Treaty of Corporation and Establishment of the Ecological County (Sanctuary) of Urabba), the amendments which were agreed to by Urabba Parks and the Grand Duchy of Flandrensis 4 September 2023.

Furthermore, the Bill establishes the Urabba territory as the New Eurabba region, gives the jurisdictional division the area of Ward B of Carrathool Shire Council and puts in place a New Eurabban law referring all legislative matters to the Corporate Parliament. This will avoid the need for the creation of a separate regional administrative structure, while providing for the establishment of New Eurabba as the home region of

Introductory Speeches

Urabba Parks, which will encompass the existing Urabba Street Reserve site and a new site at Gunbar which was purchased on 11 August 2023 and is due for settlement this week.

Daniel James Racovolis
The Enactor of Urabba Parks Proprietary Limited

4 September 2023

(UPA2023A00001SR)





2022



Daniel James Racobolis

**FLANDRENSIAN ECOLOGICAL COUNTY OF NEW EURABBA ACT
2023**

EXPLANATORY MEMORANDUM

(Compiled by the Office of Company Secretary)

UP2023C00001EM

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FLANDRENSIAN ECOLOGICAL COUNTY OF NEW EURABBA ACT 2023

Outline

This Act implements in Urabba Parks the bilateral Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of New Eurabba (the *Treaty*) with the Grand Duchy of Flandrensis, which Urabba Parks had originally signed on 18 August 2022. The Treaty provides for the formation of an ecological sanctuary of the Grand Duchy of Flandrensis at Urabbaparcensian sites in the New Eurabba region, which will comprise Ward B of Carrathool Shire. This Act establishes the Flandrensiian Ecological County of New Eurabba as a region of Urabba Parks and provides for the making of divisional laws by Ordinances for New Eurabba that are subject to disallowance by the Corporate Parliament, in addition to being disallowable under the *Legislation Act 2022*.

In addition to preliminary provisions in Part 1, the provisions relating to the establishment of New Eurabba in Part 2 and the legislative power to make Ordinances in Part 3, this Bill deals with other matters relating to the government of the jurisdictional division. These matters include the exercise of the executive power in Part 4, the exercise of the judicial power in Part 5 and matters such as the grant of pardons and remissions and the appointment of the Manager of New Eurabba in Part 6.

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Statement of Reasonableness

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Statement of Reasonableness

Flandrensiian Ecological County of New Eurabba Act 2023

The proposed laws for this Act and laws amending this Act have been found to be reasonable having regard to the legal and ethical obligations of Urabba Parks.

Overview of the Act

S1. This Act provides for the establishment of the Flandrensiian Ecological County of New Eurabba as a region of Urabba Parks and provides for the legislative, executive and judicial functions in relation to the territory. There is also provision for the appointment of the Manager of the Flandrensiian Ecological County of New Eurabba by the Enactor. Divisional laws take the form of Ordinances, which are made by the Manager-General or the Manager of the Flandrensiian Ecological County of New Eurabba on the advice or the approval of the Minister. Executive and judicial functions are carried out by Corporate authorities and courts or by agencies and courts of other jurisdictional divisions appointed by agreement made by the Minister.

Power to enact Act

S2. Section 121 of the Constitution confers Parliament the power to enact laws “to admit to Urabba Parks or establish new regions, and may upon such admission or establishment make or impose such terms and conditions, including the extent of representation in a House of the Parliament, as it thinks fit.” This allows the Parliament to admit New Eurabba as a region.

S3. The power of Urabba Parks to make laws for New Eurabba will be based on paragraph 51(xxxvii) of the Constitution, based in turn on the corresponding provision in the Constitution of the Commonwealth.

Statement of Reasonableness

Promotion of rights under the Urabba Parks Bill of Rights

Statement of Reasonableness

Urabba Parks is officially established as a federation with power shared between the Corporate Parliament and divisional legislatures and provides for the subsisting legislative power of regional legislatures. However, to avoid establishing a separate New Eurabban governance apparatus, all power is to be referred to the Corporate Parliament by way of a referral statute contained in Schedule 1 of the Act.

Promotion of rights under the Urabba Parks Bill of Rights

S4. Urabba Parks shall have regard in its governance, management and operations human rights within the meaning of section 134 of the Constitution. That constitutional provision defines human rights as being those recognised under section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011* of the Commonwealth (the ‘nationally-recognised human rights’).

S5. The law proposed by this Act will allow for the making of Ordinances for the government of the Flandrensian Ecological County of New Eurabba, with provision for the publication in the *Gazette* of a notice of the making of an Ordinance. As legislative instruments under the *Legislation Act 2022*, Ordinances are also published on the Corporate Register of Legislation. The Register is subject to technical standards for the publication of legislation, to improve its usability and ensure that it is accessible to the people who rely on older or assistive technology.

S6. As such, the Act is compatible with nationally-recognised human rights such as:

(A) fair trial and fair hearing rights under Article 14 of the International Covenant on Civil And Political Rights (the ICCPR); and

(B) rights of access to information under Article 9 and access to justice under Article 13 of the Convention on the Rights of Persons with Disabilities (the CRPD).

Conclusion

The Act and all amending Acts are reasonable, having regard to the legal and ethical obligations of Urabba Parks.

Statement of Reasonableness

Daniel James Racovolis

The Enactor of Urabba Parks Proprietary Limited

4 September 2023



Explanatory Memorandum

Notes on sections

Preamble

1. The Act begins with a preamble, which outlines the background to the Bill and its intentions in establishing the Flandrensiian Ecological County of New Eurabba, and reads as follows:

WHEREAS the Enactor purchased Urabba Street Reserve on the tenth day of August two thousand eleven and on the ninth day of July two thousand twelve transferred the land to Urabba Parks:

AND WHEREAS since the aforementioned transfer of Urabba Street Reserve, Urabba Parks has been seeking ways to further its charitable purposes by seeking to connect with like-minded organisations:

AND WHEREAS in furtherance of its charitable purposes, Urabba Parks and another environmental charity, the Grand Duchy of Flandrensis, had on 18 August 2022 signed an agreement known as the Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of New Eurabba which permits Urabba Parks to establish an ecological sanctuary under the Constitution of the Grand Duchy of Flandrensis:

AND WHEREAS the Parliament of Urabba Parks considers it desirable to establish a region of Urabba Parks known as the Flandrensiian Ecological County of New Eurabba:

AND WHEREAS by the Constitution it is provided that the Parliament may make laws to admit and establish new regions:

Part 1—Preliminary

Section 1: Short title

2. This section is a formal provision and specifies that the short title of the Act is the *Flandrensiian Ecological County of New Eurabba Act 2023*.

Section 2: Commencement

Section 3
Explanatory Memorandum

3. This section provides for the commencement of the Act on a day or days to be fixed by Proclamation. However, if the provisions did not commence within the period of 6 months beginning on the day this Act received the Enactorial Assent, they commence on the day after the end of that period. The Enactor issued the *Flandrensian Ecological County of Urabba Act Commencement Proclamation 2022* fixing the commencement of the provisions on 4 September 2022.

Section 3: Definitions

4. This section defines terms related to the Act, including:

(A) Manager—this term includes:

(i) the Manager of New Eurabba for the time being;
and

(ii) the Acting Manager appointed by the
Manager-General; and

(B) New Eurabba—the Flandrensian Ecological County of
New Eurabba to be established by this Act; and

(C) Ordinance—an Ordinance made under the Act; and

(D) referral statute—the law of the Enactor in Right of
New Eurabba as set out in Schedule 1.

Part 2—The Flandrensian Ecological County of New Eurabba

Division 1—Establishment

**Section 4: Proclamation by Manager-General fixing date on which
Treaty shall come into operation**

5. This section provides that the Manager-General may by proclamation fix a date for the coming into force for Urabba Parks of the document known as the *Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of New Eurabba (the Treaty)*, agreed to by Urabba Parks and the Grand Duchy of Flandrensis on 18 August 2022. The Treaty came into force on the same day as the Act, being 4 September 2022.

Notes on sections

Part 3—Legislative power

Division 2—Application of laws

Section 5

Explanatory Memorandum

Section 5: Establishment of the Flandrensiian Ecological County of New Eurabba

6. This section intends to bring into force article 5 of the Treaty. Subsection (1) declares Ward B of Carrathool Shire a region of Urabba Parks, under the name of the “Flandrensiian Ecological County of New Eurabba”. Subsection (2) declares, with the consent of Parliament, that New Eurabba is an ecological sanctuary under article 1.4 of the Constitution of Grand Duchy of Flandrensis, while subsection (3) confirms the region is set aside for environmental charity purposes only, no person has the right of abode in New Eurabba.

7. Subsection (4) provides for the legislative power of New Eurabba is to be vested in the Enactor, however under subsection (5) Mister Enactor may only exercise such power in relation to the referral statute, which is contained in Schedule 1.

Division 2—Application of laws

Section 6: Application of existing law

8. This section provides that subject to this Act, a principle or rule of common law or equity of Urabba Parks as in force in Urabba Street Reserve made before the commencement of this section is, so far as applicable, in force in New Eurabba.

Section 7: Ordinance may amend or repeal adopted laws

9. This section provides a law in force in New Eurabba by virtue of section 6 may be amended or repealed by an Ordinance or by a law made under an Ordinance.

Section 8: Application of Corporate Acts

10. This section provides that an Act or a provision of an Act (whether passed before or after the commencement of this section) is in force as such in New Eurabba except as otherwise provided by that Act or by another Act.

Part 3—Legislative power

Section 9: Ordinances

Explanatory Memorandum

11. Subsection (1) provides the Manager-General may make Ordinances for the peace, order and good government of New Eurabba. An Ordinance is primary legislation of New Eurabba. The use of the word ‘Ordinance’ is based on its use in the *Ashmore and Cartier Islands Acceptance Act 1933* of the Commonwealth.
12. Subsection (2) provides the Manager may not make Ordinances under a delegation made under section 19 unless the Minister consents to the making of the Ordinance. This provision allows for the Minister to retain power over approval of Ordinances when the Manager-General has delegated to the Manager the power to make Ordinances under section 19.
13. Subsection (3) provides that notice of the making of an Ordinance shall be sent to the Grand Duchy of Flandrensis and published in the *Gazette*. The requirement to publish a notice in the *Gazette* is to ensure the general right to information, and the notice sent to the Grand Duchy of Flandrensis is a courtesy as to keep them informed about the state of affairs in the ecological sanctuary.
14. Subsection (4) an Ordinance shall, unless the contrary intention appears in the Ordinance, come into operation on the date of publication of the notice. It is expected that most Ordinances will come into operation on the day following registration in the Corporate Register of Legislation established under the *Legislation Act 2022*.

Section 10: Tabling of Ordinances

15. Subsection (2) provides the Manager-General may disallow an Ordinance made by the Manager under a delegation made under section 19 within 6 months after the publication of the Ordinance in the *Gazette*, and an Ordinance so disallowed ceases to have effect.
16. Subsection (4) provides that the tabling provisions in subsection (5) apply to an Ordinance unless the Ordinance unless the legislative directors by circular resolution consent to the making of the Ordinance, or the non-application of the tabling provisions in relation to the Ordinance. If the tabling provisions do apply in relation to an Ordinance, it must be laid before each House of the Parliament within 15 sitting days of that House after the notice in the *Gazette*. An Ordinance
-

Notes on sections

Part 3—Legislative power

Division 2—Application of laws

Section 11

Explanatory Memorandum

not tabled in this timeframe ceases to have effect. These requirements are in addition to the requirements for tabling under the *Legislation Act 2022*.

17. Once tabled, an Ordinance may be disallowed a House of the Parliament by a passed resolution passed within 15 sitting days after tabling. Subsection (6) provides that if a motion of disallowance is introduced within 15 sitting days after tabling, and has not been withdrawn, called on or disposed of, the Ordinance is deemed to have been disallowed. Subsection (7) provides that an Ordinance is re-tabled before a House of the Parliament if the House dissolves, expires or prorogues and a notice of a motion to disallow an Ordinance is in place.

18. Subsection (8) provides that the disallowance of an Ordinance has the same effect as a repeal, while subsection (9) clarifies that if an Ordinance that has been disallowed repeals another law, the repealed law is ‘revived’ as if the repealing Ordinance had not been made. Provisions relating to the disallowance of Ordinances, and the effects thereof, apply equally to parts of Ordinances as they do to entire Ordinances.

Section 11: Ordinance not to be re-made while required to be tabled

19. This section voids an Ordinance containing a provision being the same in substance as a provision of an Ordinance that is liable to be tabled or which has been laid before each House of the Parliament in the past 7 days, unless the Ordinance is made with the approval of each House or the legislative directors by circular resolution.

Section 12: Ordinance not to be re-made while subject to disallowance

20. This section voids an Ordinance containing a provision being the same in substance as a provision of an Ordinance that is subject to a notice of a motion of disallowance under section 10.

Section 13: Disallowed Ordinance not to be re-made unless resolution rescinded or House approves

21. This section voids an Ordinance containing a provision being the same in substance as a provision of an Ordinance that has been

disallowed or taken to be disallowed under section 10, except with the rescinding of the resolution or the approval by the disallowing House.

Section 14: Regulations, rules and by-laws

22. This section applies the notice and disallowance provisions for Ordinances to regulations, rules and by-laws made under Ordinances.

Part 4—Executive power

Section 15: Powers and functions under adopted laws

23. This section provides the Minister may exercise powers and functions under laws having force under section 6, and may delegate such powers and functions and engage persons to perform those functions on the Minister's behalf.

Section 16: Arrangements with Ministers and jurisdictional divisions

24. This section provides the Minister may enter into arrangements with the appropriate Minister of Urabba Parks or a jurisdictional division for the exercise of powers and functions under laws in force in New Eurabba (not just those having force under section 6).

Part 5—Judicial power

Section 17: Courts and tribunals

25. This section provides in a particular manner, the courts and tribunals of Urabba Parks or another jurisdictional division appointed by the Minister has jurisdiction in New Eurabba, where no court or tribunal of New Eurabba has jurisdiction. A court or tribunal of Urabba Parks or another jurisdictional division exercising powers under this section:

(A) may sit in New Eurabba or elsewhere it may lawfully sit;
and

(B) has the same practice and procedure as matters relating to its ordinary jurisdiction.

Part 6—Other matters

Section 18
Explanatory Memorandum

Section 18: Grant of pardon, remission etc.

26. Subsection (1) provides the Manager-General, acting with the advice of the Minister may by signed warrant pardon or remit sanctions of offenders.

27. Subsection (2) provides the power to pardon in relation to accomplices who gives evidence that leads to the condemnation of the principal offender or any of the principal offenders.

Section 19: Delegation to Manager

28. Subsection (1) allows for the Manager-General to delegate to the Manager any of the powers of the Manager-General under this Act.

29. Subsection (2) provides the Minister must approve acts done by the Manager under a delegation made under subsection (1).

30. Subsection (3) clarifies that a delegation of a power under this section does not prevent the exercise of the power by the Manager-General.

Section 20: Appointment of Manager

31. This section provides that an Ordinance may provide for:

(A) a Manager of New Eurabba who shall be appointed by the Enactor, and who shall hold office during Mister Enactor's pleasure;

(B) the appointment of a person to exercise the powers of the Manager of New Eurabba under the definition of *Manager* in section 3;

(C) the appointment of a deputy of the Manager who may exercise the powers of the Manager subject to directions given by the Manager, provided the appointment of a deputy under this paragraph or the exercise of any of the powers of the Manager by a deputy appointed under this paragraph does not prevent the exercise of a power by the Manager.

Section 21: Referral statute

32. This section gives effect to Schedule 1, which contains the referral statute (see below).

Schedule 1—Referral statute

33. This Schedule contains the referral statute, which is a law made by the Enactor in Right of the Flandrenian Ecological County of New Eurabba referring all legislative power to the Corporate Parliament.

34. The power of Urabba Parks to make laws for New Eurabba in all cases whatsoever will be based on paragraph 51(xxxvii) of the Constitution, based in turn on the corresponding provision in the Constitution of the Commonwealth. Urabba Parks is officially established as a federation with power shared between the Corporate Parliament and divisional legislatures and provides for the subsisting legislative power of regional legislatures. However, to avoid establishing a separate New Eurabban governance apparatus, all power is to be referred to the Corporate Parliament by way of a referral statute contained in this Schedule.

35. Upon Enactorial Assent of the *Divisional Amendment (New Eurabba) Act 2023*, Mister Enactor also gave his assent to the referral statute, known as the *Referral Act 2023*, which was numbered 1 of 2023 in the New Eurabban statute book and includes the following provisions:

(A) Section 1 provides the name of the law is the *Referral Act 2023*;

(B) Section 2 provides the law commences immediately after this Act receives the Enactorial Assent;

(C) Section 3 refers all legislative power in and for New Eurabba to the Parliament of Urabba Parks

(UP2023C00001EM)

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Explanatory Memorandum

Endnotes

This is an explanatory memorandum for compilation number 1 of the *Flandrensian Ecological County of New Eurabba Act 2023* as amended and in force on 4 September 2023.

Document history

This table provides information about each law the explanatory memorandum of which has amended (or will amend) this explanatory memorandum.

Act number	Name of Bill for Act <i>Short title of Act</i>	Enactment <i>Commencement</i>
Act no. 1 of 2022	Flandrensian Ecological County of Urabba Bill 2022 <i>Flandrensian Ecological County of Urabba Act 2022</i>	18 August 2022 <i>4 September 2022</i>
Act no. 1 of 2023	Divisional Amendment (New Eurabba) Bill 2023 <i>Divisional Amendment (New Eurabba) Act 2023</i>	4 September 2023 <i>4 September 2023</i>

Amendment history

This table provides information about amendments at the note level. It also includes information about any provision of the compiled explanatory memorandum that has been repealed in accordance with the explanatory memorandum of a particular law.

Notes removed prior to a renumbering of notes in this explanatory memorandum are shown with the former number in *italics*.

Portion amended	How amended
Outline	Amended Act no. 1 of 2023
Statement of reasonableness (opening paragraph 1)	Removed and substituted Act no. 1 of 2023
S1-S6	Renumbered Act no. 1 of 2023
S2	Removed and substituted Act no. 1 of 2023
S3	Added Act no. 1 of 2023

Section 20
Explanatory Memorandum

Portion amended	How amended
Statement of reasonableness (conclusion)	Amended Act no. 1 of 2023
1-33	Renumbered Act no. 1 of 2023
2-3	Amended Act no. 1 of 2023
4(A)	Removed and substituted Act no. 1 of 2023
4(B)	Removed and substituted Act no. 1 of 2023
4(D)	Removed and substituted Act no. 1 of 2023
5-6	Amended Act no. 1 of 2023
7	Removed and substituted Act no. 1 of 2023
8-11	Amended Act no. 1 of 2023
13-14	Amended Act no. 1 of 2023
37	Removed Act no. 1 of 2023
21	Amended Act no. 1 of 2023
23-26	Amended Act no. 1 of 2023
28	Amended Act no. 1 of 2023
31(A)	Amended Act no. 1 of 2023
32	Added Act no. 1 of 2023

Renumbering history

Each table below provides information about a renumbering of this explanatory memorandum, including notional numbers for paragraphs inserted by the explanatory memorandum to a particular law shown in *italics*.

Renumbering by Act no. 1 of 2023

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19	S1
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**Appendix – Explanatory memorandum to the commencement
instrument of the original Act**

APPENDIX – EXPLANATORY MEMORANDUM TO THE
COMMENCEMENT INSTRUMENT OF THE ORIGINAL ACT

Minute No. 5 of 2022

Subject *Flandrensian Ecological County of Urabba Act 2022*

**Flandrensian Ecological County of Urabba Act
Commencement Proclamation 2022**

Subsection 2(1) of the *Flandrensian Ecological County of Urabba Act 2022* (the *Act*) provides that the Act commences on a single day to be fixed by Proclamation. However, if the provisions do not commence within the period of 6 months beginning on the day this Act receives the Enactorial Assent, they commence on the day after the end of that period. The Act received the Enactor’s assent on 29 August 2022.

The purpose of the proposed Proclamation is to fix 4 September 2022 as the day on which the Act commences. This day coincides with the 14th anniversary of the establishment of the Grand Duchy of Flandrensis.

The proposed Proclamation would be treated as a notifiable instrument under the *Legislation Act 2022*. The Proclamation repeals upon commencement under section 71 of the *Legislation Act 2022*.

The Minute recommends that the Proclamation be made in the form proposed.

(UP2022N00003ES)





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This index does not form part of the Act or related materials, and is included for convenience of reference only.

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**Flandrensiian Ecological County of New Eurabba Act 2023 as in
force on 4 September 2023**

together with Decree of Foundation and Establishment of the Hegemony of
Urabba Parks of the Empire of Imvrassia, the *Treaty on Corporation and
Establishment of the Ecological County (Sanctuary) of New Eurabba*,
Flandrensiian Ecological County of Urabba Act Commencement Proclamation
2022, related minutes of the Proprietary Council and extrinsic material



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