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

EXPLANATORY MEMORANDUM

(Circulated by authority of Mr Racovolis)

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Subject ***Constitution***

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

Urabba Parks’s 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. The Minute recommends that Urabba Parks sign an bilateral treaty with the Grand Duchy of Flandrensis entitled the “Treaty on Corporation and Establishment of the Ecological County (Sanctuary) of Urabba” (the ***Treaty***).

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 “Flandrensiian Ecological County of Urabba” (the ***County***). The County will be established as a territory of Urabba Parks. Although the Treaty contains some nominal restrictions in relation to the amendment of the Constitution of Urabba Parks, and its legislative power in relation to the County, it must also be noted that 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 ‘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

1. Name

Notes on articles

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. The fact the not-for-profit organisation 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 the articles of the Treaty are attached. The Minute recommends that approval be given in the form proposed.

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 Urabba*.

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** means the Flandrensian Ecological County of Urabba, **party** means one of the parties to this Treaty and **Urabba Street Reserve** has the same meaning as in the Constitution of Urabba Parks. There is a note of the address of Urabba Street Reserve as 4 Urabba Street, Rankins Springs, New South Wales 2669.

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 establishes the Flandrenian Ecological County of Urabba as a territory of Urabba Parks. A territory is a type of jurisdictional division of which the Corporate Parliament may legislate for under paragraph 122(1)(b) of the Constitution.

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

7. Subarticle 3 provides for the consent of Urabba Parks to the declaration of Urabba Street Reserve as the area of the County.

8. Subarticle 4 provides the County is established for environmental charity use only and no person shall have the right of abode. This is to confirm that the Urabba Street Reserve is 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 may only legislate for the County in the circumstances specified in Schedule 1. This is to effectively share the divisional legislative power in the County between Urabba Parks and the Grand Duchy of Flandrenis, as to ensure the County is as integrated as much as possible into the Grand Duchy of Flandrenis.

10. Subarticle 2 provides the Constitution of Urabba Parks may only be altered if the change is reasonable having regard to its obligations under this Treaty. This article is only intended to prevent the undermining of the Treaty by way of constitutional amendment, but is

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not intended to limit the power of alteration (provided the amendment does not impinge on laws made to bring this Treaty into force).

7. Status within the Empire of Imvrassia

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

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. Subarticle 1 provides that this Treaty shall be revoked if the area forming the County is no longer principally occupied by Urabba Parks Proprietary Limited for its environmental charity purpose, or if Urabba Parks Proprietary Limited is dissolved. This reflects the fact that this Treaty applies to the County specifically.

14. Subarticle 2 provides that the Treaty shall revoke 30 days after a party to this Treaty sends a show cause notice under this subarticle to another 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. Subarticle 3 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.

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9. Post-Treaty obligations

16. This article provides that following the revocation of this Treaty, the party shall not use the confidential information declared as such for the purposes of this article unless also agreed by the other parties involved in the production of the material. Along with the use of national symbols, sharing of confidential information will 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. 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.

Schedule 1. Legislative power of Urabba Parks Proprietary Limited in relation to the Ecological County of Urabba

18. This Schedule sets out for the power for Urabba Parks to legislate for the County, as provided by subarticle 6.1. The effect of the provision, combined with this Schedule, is to subject the divisional legislative power to the scrutiny of the Grand Duchy of Flandrensis. The ultimate purpose of this arrangement is to ensure that the County is integrated as much as possible within the Grand Duchy of Flandrensis while still acknowledging the ongoing role of Urabba Parks as operator of the County. Urabba Parks has the power to legislate for the County in the following matters:

(A) Corporate legislative power (not including matters falling in paragraph 122(1)(b) (the governance of matters in which the legislature of the jurisdictional division does not have power to make laws));

(B) in any case with the consent of the Grand Duchy of Flandrensis – this allows for the making of laws with mutual consent;

(C) where the legislation so made is of no effect unless within 7 days of its making a certified copy sent to the Grand Duchy

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of Flandrensis and liable to its disallowance by Grand Duchy of Flandrensis within 30 days of its sending (and legislation same in substance as legislation disallowed in the past 6 months is void) – this allows for the making of laws without pre-approval from the Grand Duchy of Flandrensis by also allowing for their disallowance;

(D) the acceptance of this Treaty and the declaration of Urabba Street Reserve as the Flandrensiian Ecological County of Urabba, the application of laws effective in Urabba Street Reserve at the time of the making of this Treaty in the County, the application of non-statute laws of Urabba Parks or another jurisdictional division of Urabba Parks subject to legislation, the non-application of an applied or adopted law and the legislative power of the County (in accordance with this Treaty) – this allows for provisions for establishing the County, for the Treaty to come into force in Urabba Parks and for transitional provisions relating to laws;

(E) the requirements for tabling of legislation into the Parliament of Urabba Parks, including any limitation on the remaking of legislation while required to be tabled, disallowed or subject to disallowance – this allows for the provisions relating to parliamentary scrutiny of laws;

(F) powers and functions under applied or adopted laws and allowance for arrangements with Urabba Parks or another jurisdictional division for the provision for the exercise of powers and the performance of functions in and in relation to the County under laws in force in the County by officers and employees of the Government of Urabba Parks or the jurisdictional division and of authorities of the Urabba Parks or the jurisdictional division – this allows for the exercise of the executive power of the County in the absence of authorities established in the jurisdictional division;

(G) .the exercise of the judicial power of the County by persons, courts and tribunals of Urabba Parks or other jurisdictional divisions where no authority established under

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the law of the County has jurisdiction– this allows for the exercise of the judicial power of the County in the absence of courts and tribunals established in the jurisdictional division;

(H) the representative of Urabba Parks in the County, and performing acts on behalf of Urabba Parks or the representative in the County – this allows for the appointment of a Manager, an Acting Manager and of deputies;

(I) matters relating to the exercise of the executive prerogative of Urabba Parks in relation to the County (not including the adoption of any part of the identity of the Grand Duchy of Flandrensis without its consent) – this allows for the exercise of the Enactorial prerogative power in the County, such as the power to grant pardons for offences against the laws of the jurisdictional division or for evidence leading to the condemnation of an offender.

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