

12 MAR 2024

Nmdaka Dalai Custodial Court of Australis - CCA



**In Re : motion from the Attorney-General of the
Norf'k Ailen Government [2024] CCA 01**

last Updated : 12th March 2024

Custodial Court of the People of Nmdaka Dalai Australis (NDA)

Lore Peace Leader, **Grandmother Mulara** (Ancient Lore Peace Kéeper) CJ (Chief Justice)
- sitting together with the Provost Marshal **Uncle Juma Fejo** (Ancient Lore Peace Leader)
DCJ (Deputy Chief Justice) , and them sitting in circle with Uncle Eddie, Uncle Bruce, Aunty
Dinnawhan, Aunty Bucky, Aunty Cathy, Aunty Teresa and Aunty Kay and Jaabarun JJ

as for and on behalf of the people of Nmdaka Dalai Australis

In Re : motion from the Attorney-General of the Norf'k Ailen [\[2024\] CCA 01](#)
on 09 March and 12 March 2024 : JD 01/2024

Order :

1. *Determination, Judgment and Ruling in the matter to the Full Court of Nmdaka Dalai Australis dealt with consistently with the reasons set out in the Motion filed herein for Determination of this Court.*

2. *The Court will publish the full decision and judgement in due course.*

Representation :

the Right Honourable **Attorney-General** for Norf'k Ailen Government ; *iNduna Rana*,
for the People of ND Australis ; Right Honourable **First Lore Chief**, Namaymm Maya

Interveners:

Nil

Also in attendance:

Jamaya, Wuru, Lama, Raaa, Dada, Vaaa, Heather, Louise *AJJ*

Absent:

Wullimani, Uncle Lewis

Notice :

Catchwords

Land, spirit, belong.

Recalling of the Tribes Lore 1488 {OSL-01} (NDA)

Lands Lore 1770 {OSL-06} (NDA)

ex-tempore Determination

1. Lore Peace Leader, Grandmother Mulara (Ancient Grandmother Lore Law Elder) CJ;
Provost Marshal Uncle Juma Fejo, Ancient Lore Elder, DCJ ; Uncle Eddie, Uncle Bruce, Aunty Dinnawhan, Aunty Bucky, Aunty Kathy, Aunty Teressa and Aunty Kay,
Jaabarun JJ

Motions

- Grandmother Mulara, Uncle Juma, Uncle Eddie, Uncle Bruce, Aunty Dinnawhan, Aunty Bucky, Aunty Cathy, Aunty Teressa and Aunty Kay, and Jaabarun JJ on Saturday 9 March 2024 the Attorney-General of the **people** of the Norfolk Ailen Government filed a motion in this Court, for a '**Determination**' with respect to certain questions put to this Court, to allow the Norfolk Ailen Government to enter into 'relations' with the Original people of the land mass located at: 9 degrees south to 45 degrees south of the equator and 113 degrees east to 154 degrees east of the meridian of longitude running through Greenwich, London United Kingdom (excluding Norfolk Ailen) now known collectively as **Nmdaka Dalai Australis**.

Questions

- That this Court answers in the affirmative that the men and women of **Nmdaka Dalai Australis have retained** (for over sixty thousand years by the creator given) their Superior Highest Inherent Prerogative Originating Sovereign Rights and Obligations with respect to the "*spirit*" of all the people, which **belongs** to the men and women of the "*spirit*", (but not limited to) and the said "*spirit*" of **Nmdaka Dalai Australis belongs** in every man and woman of **Nmdaka Dalai Australis, and**
- That this Court answers in the affirmative that the men and women of **Nmdaka Dalai Australis have retained** (for over sixty thousand years by the creator given) their Superior Highest Inherent Prerogative Originating Sovereign Rights and Obligations with respect to the "*land*" of all the people, which **belongs** to the men and women of the "*land*", (but not limited to) and the said "*land*" of **Nmdaka Dalai Australis belongs** in every man and woman of **Nmdaka Dalai Australis, and**

Determinations

5. Determination 1 :

This Court finds, holds and Determines that the original people of Nmdaka Dalai Australis have always held the superior Lore given by Creator since the dawn of time, spark of creation, and well beyond sixty thousand (60,000) years in what is now known as colonial counting, the spirit of these lands, *and*

Determination 2 :

This Court finds, that the "*land*" of **Nmdaka Dalai Australis** belongs in every **man and woman** on the "*land*" and every **man and woman** belongs to the "*land*" of **Nmdaka Dalai Australis, and**

Determination 3 :

that the "*spirit*" of **Nmdaka Dalai Australis** belongs in every man and woman and every man and woman belongs in the "*spirit*" to **Nmdaka Dalai Australis**, and

Determination 4 :

(a) that the "*land*" of **Nmdaka Dalai Australis** belongs in every man and woman on the "*land*", and

(b) that the "*land*" of **Nmdaka Dalai Australis** has always belonged to every man and woman of the "*land*" of **Nmdaka Dalai Australis** and has never reverted or transferred to any other corporation or government, and

Determination 5 :

(a) that the "*spirit*" of **Nmdaka Dalai Australis** belongs in every man and woman on the said land of **Nmdaka Dalai Australis**, and

(b) That the "*spirit*" of **Nmdaka Dalai Australis** has always belonged to every man and woman of the said land of **Nmdaka Dalai Australis** and has never reverted or transferred to any other corporation or government, and

Determination 6 :

(a) with respect to that "lore" of the "land" that belongs to each and every said man and woman, including (but not limited to) that each man and woman who belongs to the "lore", and

(b) that the "lore" of the "land" of **Nmdaka Dalai Australis** that belongs in each and every man and woman, including (but not limited to) that each man and woman who belongs to the "lore" of the "land" also belongs on the said land now known as **Nmdaka Dalai Australis**, and

(c) that as the "spirit" of the "lore" of the "land" of **Nmdaka Dalai Australis** has always belonged in every man and woman of **Nmdaka Dalai Australis**, so too the "spirit" of the "lore" of the "land" of **Nmdaka Dalai Australis** belongs in every man and woman of **Nmdaka Dalai Australis** and has never reverted or transferred to any other corporation or government, and

Determination 7 :

with respect to that "lore" of the "land" that belongs to each and every said man and woman, including, but not limited to, each man and woman who belongs to the "lore" and never have the original tribes, either in the past, or present, compromised with respect to the "lore" and never has the "lore" been legally or lawfully "extinguished" either by way of 'legislation' or by 'treaty', and

Determination 6 :

with respect to the original tribes, both in the past and in the present, with respect to the "lore" of the "land" and of the "spirit" that belongs to each and every said man and woman, including, but not limited to, each man and woman who belongs to the "lore", the "land" and the "spirit" and never have the original tribes, either in the past, or in the present, compromised with respect to the "lore" of the 'water' and of the 'fire' and of the 'air' and of the 'energy', and

Determination 7 :

with respect to the original tribes, both in the past and in the present, with respect to the "lore" of the "land" and of the "spirit" that belongs to each and every said man and woman, including but not limited to, each man and woman who belongs to the "lore", the "land" and the "spirit" and the "lore" as they refer to the '**Grandmother Lore**' & '**Grandfather Lore**', which includes the lore of the children, the families and the neighbours as they have always applied and never have the original tribes, either in the past, or in the present, compromised with respect to the "lore" as set out herein, and

Determination 8 :

that with respect to the "culture" of every man and woman that belongs in Nmdaka Dalai Australis and the said "culture" of Nmdaka Dalai Australis that belongs in every man and woman, and

Determination 9 :

with respect to the original tribes, both in the past and in the present, with respect to the 'culture' of the 'dreaming times', past, present and future and of the 'protection' of the dignity and honour of the women and of the 'songlines' and the 'bloodlines' and of the 'ancient ancestral customs, traditional and culture' and of the 'right' to maintain, protect, hunt, fish, develop and create and to be the rightful and the only 'caretakers' of the continental 'land', and


Determination 10 :



that with respect to every man and woman's right with respect to "trade and commerce" with each other that belongs to them in Nmdaka Dalai Australis and the said right with respect to the right of Nmdaka Dalai Australis to be able to engage in "trade and commerce" with respect every man and woman in the right of "trade and commerce" but not to take, but to respect and to protect the resources of Nmdaka Dalai Australis, and

Determination 11 :

that with respect to every man and woman's right with respect to "trade and commerce" with each other and with respect to tribal level, intra-tribal level and international level relations for the continental 'land' that belongs to them in Nmdaka Dalai Australis and the said rights with respect to the right of Nmdaka Dalai Australis to be able to engage in "trade and commerce" with respect every man and woman in the right of "trade and commerce" at tribal level, intra-tribal level and international level relations for the collective benefit of the continental 'land', but not to take, but to respect and to protect the resources of Nmdaka Dalai Australis,

and the Court is further adjourned for reason of the published Determination of this Court, *sine die*.

By Order : Principal Registrar 
of the **Custodial Court of the People of Nmdaka Dalai Australis**

Settled by :   (CJ) DCJ