

Acts Amendment and Repeal
(Courts and Legal Practice) Act 2003
(No. 65 of 2003)

Part 8 — Amendments about the Crown

121. Bail Act 1982 amended

(1) The amendments in this section are to the *Bail Act 1982**.

[* 27 August 1999.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 27 and Acts Nos. 6 and 27 of 2002.]

(2) Section 3(1) is amended by deleting the definition of "prosecutor" and inserting instead — "**prosecutor**" includes —

(a) in the case of an offence charged in a complaint, the complainant;

(b) in the case of an offence charged in an indictment, the State or the Commonwealth, as the case may be;

(3) Each of the provisions in the Table to this subsection is amended by deleting "Crown" in each place where it occurs and in each case inserting instead — "**State**".

Table

s. 19(2)(b)	s. 58(1)
s. 49(1)	s. 58(2)
s. 49(3)	s. 59 (2 places)
s. 57(1)	Schedule 1 Part D cl. 1(2)(e)
s. 57(3)	

(4) Section 63 is amended by deleting "Crown" and inserting instead — "State or the Commonwealth".

122. Children's Court of Western Australia Act 1988 amended

(1) The amendments in this section are to the *Children's Court of Western Australia Act 1988**.

[* 25 August 2000.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 51 and Act No. 27 of 2002.]

(2) Section 19B(4)(b) is amended by deleting "Crown" and inserting instead— "State".

(3) Section 19E is amended by deleting "the Crown in the right of".

(4) Section 32(2)(a)(i) is amended by deleting "Crown" and inserting instead— "State".

(5) Section 32(4) is amended in the definition of "public authority" by deleting "the Crown in right of".

(6) Schedule 1 is amended by deleting "our Sovereign Lady Queen Elizabeth the Second, Her Heirs and Successors" in the 2 places where it occurs and in each place inserting instead — "the State of Western Australia".

123. The Criminal Code amended

(1) The amendments in this section are to *The Criminal Code**.

[* 9 February 2001 as the Schedule to the Criminal Code appearing as Appendix B to the Criminal Code Compilation Act 1913.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 89 and Acts Nos. 3, 6, 8 and 27 of 2002.]

(2) Each of the provisions in the Table to this subsection is amended by deleting "Crown" in each place where it occurs and in each case inserting instead— "prosecutor".

Table

s. 577 (2 places)	s. 632A
s. 616(1)	s. 646
s. 617A	s. 651A(5)
s. 618(3)	

(3) Section 581 is amended by deleting "Crown" in the 2 places where it occurs and in each place inserting instead— "State".

(4) Section 584(14) is amended by deleting "Her Majesty" and inserting instead

"the State".

(5) Section 609 is amended by deleting "Crown" and inserting instead —
"State or the Commonwealth".

(6) Section 628 is amended as follows:

(a) by deleting "Crown" in the first and third places where it occurs and in each place inserting instead — "prosecutor";

(b) in paragraph (2) by deleting "Crown" and inserting instead—

"State or the Commonwealth, as the case may be, ".

(7) Section 633 is amended by deleting "Crown" and inserting instead—
"State or the Commonwealth, as the case may be, ".

(8) Section 637 is amended by deleting "counsel for the Crown" in the 4 places where it occurs and in each place inserting instead— "prosecutor".

(9) Section 693A(4) is amended by deleting "Crown" and inserting instead— " State "

(10) Section 701(2) is amended by deleting "for the Crown thereon".

(11) Section 720 is amended by deleting "Queen" and inserting instead— "State ".

(12) Section 729(3) is amended by deleting "Crown" in the 3 places where it occurs and in each place inserting instead— "prosecution ".

(13) Section 746A(1) is amended as follows:

(a) by deleting "prosecution" and inserting instead— " State ";

(b) by deleting "Crown" and inserting instead— " State ".

(14) Section 746A(4) is amended by deleting "Crown" and inserting instead— " State ".

124. Director of Public Prosecutions Act 1991 amended

(1) The amendments in this section are to the *Director of Public Prosecutions Act 1991**.

[* 1 June 2001.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 100 and Act No. 27 of 2002.]

(2) Section 10(1)(a) is amended by deleting "Crown" and inserting instead — "State".

125. District Court of Western Australia Act 1969 amended

(1) The amendments in this section are to the *District Court of Western Australia Act 1969*.*

[* 19 January 2001.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 103 and Act No. 23 of 2002.]

(2) Section 6 is amended as follows:

(a) in the definition of "action" by deleting "by the Crown";

(b) in the definition of "cause" by deleting "by the Crown".

(3) Section 10(1) is amended by deleting "in Her Majesty's name" and inserting instead —

"under the Public Seal of the State".

(4) Section 11(1) is amended by deleting "Her Majesty" and inserting instead—

"the Governor".

(5) Section 18A(1) is amended by deleting "in Her Majesty's name" and inserting instead —

"under the Public Seal of the State".

(6) Section 18A(3) is amended by deleting "in Her Majesty's name" and inserting instead —

"under the Public Seal of the State".

(7) Section 24(1) is amended by deleting "in Her Majesty's name" and inserting instead —

"under the Public Seal of the State".

(8) The Schedule is amended by deleting "our Sovereign Lady Queen Elizabeth the Second Her Heirs and Successors" in the 2 places where it occurs and in each place inserting instead — "the State of Western Australia".

126. Family Court Act 1997 amended

(1) The amendments in this section are to the *Family Court Act 1997*.*

[* Act 40 of 1997.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 124 and Acts Nos. 3 and 25 of 2002]

(2) Schedule 1 item 1 is amended by deleting "Her Majesty Queen Elizabeth the Second, Her heirs and successors" in each place where it occurs and in each place inserting instead — "the State of Western Australia".

127. Juries Act 1957 amended

(1) The amendments in this section are to the *Juries Act 1957**.

[* 3 July 2000.]

(2) Section 38(1) is amended by deleting "those prosecuting for the Crown" and inserting instead — "the prosecution".

(3) Section 52(1) is amended by deleting "Crown" and inserting instead — "prosecution".

28. Justices Act 1902 amended

(1) The amendments in this section are to the *Justices Act 1902**.

[* 8 October 2001.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 193 and Act No. 27 of 2002.]

(2) Section 154A(1) is amended by deleting "**Crown**" in the 2 places where it occurs and in each place inserting instead — "State".

(3) Section 154A(3) is amended by deleting "**Crown**" and inserting instead — "State".

(4) Section 206D is amended by deleting "**Crown**" and inserting instead — "State".

129. Local Courts Act 1904 amended

(1) The amendments in this section are to the *Local Courts Act 1904*.*

[* 12 January 2001.]

(2) Section 3 is amended in the definition of "Minister" by deleting "Crown" and inserting instead — "State".

130. Supreme Court Act 1935 amended

(1) The amendments in this section are to the *Supreme Court Act 1935*.*

[* 9 February 2001.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 370 and Act No. 23 of 2002.]

(2) Section 4 is amended as follows:

(a) in the definition of "Action" by deleting "by the Crown";

(b) in the definition of "Cause" by deleting "by the Crown".

(3) Section 9(1) is amended by deleting "Her Majesty" and inserting instead—
"the Governor".

(4) Section 15(1) is amended by deleting "Royal Arms" and inserting instead—
"armorial bearings of the State".

(5) Section 37(2) is repealed and the following subsection is inserted instead—

(2) Nothing in this section shall alter the practice in proceedings in relation to the prerogative and criminal jurisdiction of the Court.

(6) Section 50(1) is amended by deleting "by the Crown".

(7) Section 51(1) is amended by deleting "by the Crown".

(8) Section 56(1) is amended by deleting "by the Crown".

(9) Section 119 is amended by deleting "to Her Majesty or any of her subjects, or other persons entitled in like manner as subjects".

(10) Section 154(1) is amended by **deleting "Her Majesty's"** and inserting instead — **"The "**.

(11) Section 154(3), (4), (5) and (6) are each amended by **deleting "Crown"** in each place where it occurs and in each place inserting instead — **"State "**.

(12) **The Second Schedule is amended by deleting "our Sovereign Lady Queen Elizabeth the Second, Her Heirs and successors" and inserting instead—**

"the State of Western Australia ".

AA201

ACTS AMENDMENT AND REPEAL (COURTS AND LEGAL - PRACTICE) ACT 2003
65 of 2003

PROCLAMATION

WESTERN AUSTRALIA)	By His Excellency Lieutenant General John Murray Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia.
John Sanderson, Governor.		
[L.S.]		

I, the Governor, acting under section 2 of the *Acts Amendment and Repeal (Courts and Legal Practice) Act 2003*, and with the advice and consent of the Executive Council, fix 1 January 2004 as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 23 December 2003.

By Command of the Governor,

J. A. MCGINTY, Attorney General.

GOD SAVE THE QUEEN !

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ASSISTED 4 DECEMBER 2003
PROCLAMATION 23 DECEMBER 2003
ENACTMENT 1 JANUARY 2004

Form 59
Rule 29.02(1)

Affidavit

No. _____ of 20

Federal Court of Australia
District Registry: **VICTORIA**
Division:

Brian William Shaw
Applicant
And

AUSTRALIAN ELECTORAL COMMISSION
Respondent

Certificate

I state that this is the annexure marked BWS 27
and referred to in the affidavit of B. W. Shaw affirmed on 15 August 2013

Annexure No: BWS27

MASONIC AFFIDAVIT
TO SUPREME COUNCIL
IN LONDON.

Filed on behalf of (name & role of party)	Brian William Shaw
Prepared by (name of person/lawyer)	Applicant
Law firm (if applicable)	N/A
Tel	0487 195 522
Fax	N/A
Email	brianwshaw1947@gmail.com
Address for service (include state and postcode)	PO Box 800 Werribee, 3030, VICTORIA

[Version 2 form approved 09/05/2013]


Marian B. Ciopicz
ASCPA, Justice of the Peace (Vic.)
32 Railway Place, Macedon, Vic. 3441
Phone 03/5426 1681

141

PROMISE OF ALLEGIANCE

TO

The Supreme Grand Council

33RD DEGREE.

—:G:—

To be written at the beginning of the Golden Book or Register of each Chapter, and to be signed by all Candidates previous to the commencement of the Ceremony.

—:O:—

I (or we), the undersigned, being Free and Accepted Masons, regularly Initiated, Passed and Raised in a Warranted Lodge, most solemnly promise and swear faithfully, Allegiance and Solemn Submission to the Decrees of the Most Puissant and Sovereign Grand Inspectors General of the 33rd Degree, duly, faithfully, and constitutionally established on the 26th October, 1845, sitting in Supreme Grand Council at their Grand East in London, for England and Wales, and the dependencies of the British Crown.

We (or I) do further promise and swear to hold no

Masonic fellowship, intercourse, or communication whatever in any of the Ineffable or Sublime Degrees or Orders of Ancient Free and Accepted Masonry with any Mason or body of Masons which at any time have or hereafter may be established in Great Britain or its dependencies, by any authority whatever except in such as are or may be duly recognised and acknowledged as lawful by the aforesaid Grand Council.

And we (or I) do further declare that we (or I) will, after our (or my) admission into the Order, as soon as an opportunity shall conveniently occur, sign our (or my) name in the Right of the Golden Book of the Order.

In testimony whereof I (or we) have signed this promise and declaration with my (or our) own hand this
day of 18

Signed,

THE
TEXT BOOK

OF

Advanced Freemasonry *

CONTAINING

FOR THE SELF-INSTRUCTION OF CANDI-
DATES,

THE COMPLETE RITUALS

OF

THE HIGHER DEGREES,

VIZ.,

ROYAL ARK MARINERS, MARK MASTER, ROYAL ARCH,
RED CROSS OF ROME AND CONSTANTINE, AND PERFECT
PRINCE MASON, KNIGHTS TEMPLAR, AND ROSE CROIX;
ALSO, MONITORIAL INSTRUCTIONS IN THE 30TH TO THE
33RD AND LAST DEGREE OF FREEMASONRY.

TO WHICH ARE ADDED

HISTORICAL INTRODUCTIONS AND EXPLANA-
TORY REMARKS,

COMPILED FROM THE BEST AUTHORITIES.

BY THE AUTHOR OF

“The Text Book of Freemasonry.”
(CRAFT.)

WILLIAM REEVES
BOOKSELLER LTD.

1a Norbury Crescent,
—London, S.W.16—

Form 59
Rule 29.02(1)

Affidavit

No. of 20

Federal Court of Australia
District Registry: **VICTORIA**
Division:

Brian William Shaw
Applicant
And

AUSTRALIAN ELECTORAL COMMISSION
Respondent

Certificate

I state that this is the annexure marked BWS 28

and referred to in the affidavit of B. W. Shaw affirmed on 15 August 2013

Annexure No: BWS 28

*Statutory law for
Treason and Concurrence
of such Treason.*

Filed on behalf of (name & role of party)	Brian William Shaw
Prepared by (name of person/lawyer)	Applicant
Law firm (if applicable)	N/A
Tel	0487 195 522
Fax	N/A
Email	brianwshaw1947@gmail.com
Address for service (include state and postcode)	PO Box 800 Werribee, 3030, VICTORIA

[Version 2 form approved 09/05/2013]

[Signature]
Marian B. Ciopicz
ASCPA, Justice of the Peace (Vic.)
32 Railway Place, Macedon, Vic. 3440
Phone 03/5426 1681

145.

Criminal Code Act 1995

Chapter 5

The security of the Commonwealth

80.1 Treason

(2) A person commits an offence if the person:

(a) receives or assists another person who, to his or her knowledge, has committed treason with the intention of allowing him or her to escape punishment or apprehension; or

Penalty: Imprisonment for life.

Criminal Code Act 1995

Chapter 5

The security of the Commonwealth

80.1 Treason

(2) A person commits an offence if the person:

(b) knowing that another person intends to commit treason, does not inform a constable of it within a reasonable time or use other reasonable endeavours to prevent the commission of the offence.

Penalty: Imprisonment for life.

The West Australian Ad.

Part 8 (only)

FINISHED 1 JANUARY 2004



Acts Amendment and Repeal
(Courts and Legal Practice) Act 2003
(No. 65 of 2003)

Part 8 — Amendments about the Crown

121. *Bail Act 1982* amended

(1) The amendments in this section are to the *Bail Act 1982**.

[* 27 August 1999.
For subsequent amendments see 2001 Index to Legislation of Western Australia,
Table 1, p. 27 and Acts Nos. 6 and 27 of 2002.]

(2) Section 3(1) is amended by deleting the definition of "prosecutor" and inserting instead —

" "prosecutor" includes —

- (a) in the case of an offence charged in a complaint, the complainant;
- (b) in the case of an offence charged in an indictment, the State or the Commonwealth, as the case may be;

(3) Each of the provisions in the Table to this subsection is amended by deleting "Crown" in each place where it occurs and in each case inserting instead —

" State ".

Table

s. 19(2)(b)	s. 58(1)
s. 49(1)	s. 58(2)
s. 49(3)	s. 59 (2 places)
s. 57(1)	Schedule 1 Part D cl. 1(2)(e)
s. 57(3)	

(4) Section 63 is amended by deleting "Crown" and inserting instead —

" State or the Commonwealth ".

122. *Children's Court of Western Australia Act 1988* amended

(1) The amendments in this section are to the *Children's Court of Western Australia Act 1988**.

[* 25 August 2000.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 51 and Act No. 27 of 2002.]

(2) Section 19B(4)(b) is amended by deleting "Crown" and inserting instead —

" State ".

(3) Section 19E is amended by deleting "the Crown in the right of".

(4) Section 32(2)(a)(i) is amended by deleting "Crown" and inserting instead —

" State ".

(5) Section 32(4) is amended in the definition of "public authority" by deleting "the Crown in right of".

(6) Schedule 1 is amended by deleting "our Sovereign Lady Queen Elizabeth the Second, Her Heirs and Successors" in the 2 places where it occurs and in each place inserting instead —

" the State of Western Australia ".

123. *The Criminal Code* amended

(1) The amendments in this section are to *The Criminal Code**.

[* 9 February 2001 as the Schedule to the Criminal Code appearing as Appendix B to the Criminal Code Compilation Act 1913.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 89 and Acts Nos. 3, 6, 8 and 27 of 2002.]

(2) Each of the provisions in the Table to this subsection is amended by deleting "Crown" in each place where it occurs and in each case inserting instead —

" prosecutor ".

Table

s. 577 (2 places)	s. 632A
s. 616(1)	s. 646
s. 617A	s. 651A(5)
s. 618(3)	

(3) Section 581 is amended by deleting "Crown" in the 2 places where it occurs and in each place inserting instead —

" State ".

(4) Section 584(14) is amended by deleting "Her Majesty" and inserting instead —

" the State ".

(5) Section 609 is amended by deleting "Crown" and inserting instead —

" State or the Commonwealth ".

(6) Section 628 is amended as follows:

(a) by deleting "Crown" in the first and third places where it occurs and in each place inserting instead —

" prosecutor ";

(b) in paragraph (2) by deleting "Crown" and inserting instead —

" State or the Commonwealth, as the case may be, ".

(7) Section 633 is amended by deleting "Crown" and inserting instead —

" State or the Commonwealth, as the case may be, ".

(8) Section 637 is amended by deleting "counsel for the Crown" in the 4 places where it occurs and in each place inserting instead —

" prosecutor ".

(9) Section 693A(4) is amended by deleting "Crown" and inserting instead —

" State ".

(10) Section 701(2) is amended by deleting "for the Crown thereon".

(11) Section 720 is amended by deleting "Queen" and inserting instead —

" State ".

(12) Section 729(3) is amended by deleting "Crown" in the 3 places where it occurs and in each place inserting instead —

" prosecution ".

(13) Section 746A(1) is amended as follows:

(a) by deleting "prosecution" and inserting instead —

" State ";

(b) by deleting "Crown" and inserting instead —

" State ".

(14) Section 746A(4) is amended by deleting "Crown" and inserting instead —

" State ".

124. Director of Public Prosecutions Act 1991 amended

(1) The amendments in this section are to the *Director of Public Prosecutions Act 1991**.

[* 1 June 2001.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 100 and Act No. 27 of 2002.]

(2) Section 10(1)(a) is amended by deleting "Crown" and inserting instead —

" State ".

125. District Court of Western Australia Act 1969 amended

(1) The amendments in this section are to the *District Court of Western Australia Act 1969**.

[* 19 January 2001.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 103 and Act No. 23 of 2002.]

(2) Section 6 is amended as follows:

(a) in the definition of "action" by deleting "by the Crown";

(b) in the definition of "cause" by deleting "by the Crown".

(3) Section 10(1) is amended by deleting "in Her Majesty's name" and inserting instead —

" under the Public Seal of the State ".

(4) Section 11(1) is amended by deleting "Her Majesty" and inserting instead —

" the Governor ".

(5) Section 18A(1) is amended by deleting "in Her Majesty's name" and inserting instead —

" under the Public Seal of the State ".

(6) Section 18A(3) is amended by deleting "in Her Majesty's name" and inserting instead —

" under the Public Seal of the State ".

(7) Section 24(1) is amended by deleting "in Her Majesty's name" and inserting instead —

" under the Public Seal of the State ".

(8) The Schedule is amended by deleting "our Sovereign Lady Queen Elizabeth the Second Her Heirs and Successors" in the 2 places where it occurs and in each place inserting instead —

" the State of Western Australia ".

126. *Family Court Act 1997* amended

(1) The amendments in this section are to the *Family Court Act 1997**.

[* *Act 40 of 1997.*

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 124 and Acts Nos. 3 and 25 of 2002.]

(2) Schedule 1 item 1 is amended by deleting "Her Majesty Queen Elizabeth the Second, Her heirs and successors" in each place where it occurs and in each place inserting instead —

" the State of Western Australia ".

127. *Juries Act 1957* amended

(1) The amendments in this section are to the *Juries Act 1957**.

[* *3 July 2000.*]

(2) Section 38(1) is amended by deleting "those prosecuting for the Crown" and inserting instead —

" the prosecution ".

(3) Section 52(1) is amended by deleting "Crown" and inserting instead —
" prosecution ".

128. *Justices Act 1902* amended

(1) The amendments in this section are to the *Justices Act 1902**.

[* 8 October 2001.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 193 and Act No. 27 of 2002.]

(2) Section 154A(1) is amended by deleting "Crown" in the 2 places where it occurs and in each place inserting instead —

" State ".

(3) Section 154A(3) is amended by deleting "Crown" and inserting instead —

" State ".

(4) Section 206D is amended by deleting "Crown" and inserting instead —

" State ".

129. *Local Courts Act 1904* amended

(1) The amendments in this section are to the *Local Courts Act 1904**.

[* 12 January 2001.]

(2) Section 3 is amended in the definition of "Minister" by deleting "Crown" and inserting instead —

" State ".

130. *Supreme Court Act 1935* amended

(1) The amendments in this section are to the *Supreme Court Act 1935**.

[* 9 February 2001.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 370 and Act No. 23 of 2002.]

(2) Section 4 is amended as follows:

(a) in the definition of "Action" by deleting "by the Crown";

(b) in the definition of "Cause" by deleting "by the Crown".

(3) Section 9(1) is amended by deleting "Her Majesty" and inserting instead —
" the Governor ".

(4) Section 15(1) is amended by deleting "Royal Arms" and inserting instead —
" armorial bearings of the State ".

(5) Section 37(2) is repealed and the following subsection is inserted instead —

"
(2) Nothing in this section shall alter the practice in proceedings in relation to
the prerogative and criminal jurisdiction of the Court.
"

(6) Section 50(1) is amended by deleting "by the Crown".

(7) Section 51(1) is amended by deleting "by the Crown".

(8) Section 56(1) is amended by deleting "by the Crown".

(9) Section 119 is amended by deleting "to Her Majesty or any of her subjects, or
other persons entitled in like manner as subjects".

(10) Section 154(1) is amended by deleting "Her Majesty's" and inserting instead —
" The ".

(11) Section 154(3), (4), (5) and (6) are each amended by deleting "Crown" in each
place where it occurs and in each place inserting instead —

" State ".

(12) The Second Schedule is amended by deleting "our Sovereign Lady Queen
Elizabeth the Second, Her Heirs and successors" and inserting instead —

" the State of Western Australia ".

AA201

ACTS AMENDMENT AND REPEAL (COURTS AND LEGAL - PRACTICE) ACT 2003
65 of 2003

PROCLAMATION

WESTERN AUSTRALIA)	By His Excellency Lieutenant General John Murray Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia.
John Sanderson, Governor.		
[L.S.]		

I, the Governor, acting under section 2 of the *Acts Amendment and Repeal (Courts and Legal Practice) Act 2003*, and with the advice and consent of the Executive Council, fix 1 January 2004 as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 23 December 2003.

By Command of the Governor,

J. A. MCGINTY, Attorney General.

GOD SAVE THE QUEEN !

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ASSISTED 4 December 2003
PROCLAMATION 23 December 2003
ENACTMENT 1 January 2004