

**IN THE COURT OF APPEAL OF VICTORIA
AT MELBOURNE
IN THE COURT OF APPEAL**

No. S APCI 2013 0043

BETWEEN

BRIAN WILLIAM SHAW

Applicant

- and -

**THE ANZ EXECUTORS and TRUSTEE COMPANY
LIMITED (AS THE TRUSTEES OF THE ESTATE
OF JOHN WILLIAM SHAW, DECEASED**

Respondent

10

PROPOSED NOTICE OF APPEAL

Date of document: 11th APRIL 2013

Filed on behalf of: The Plaintiff

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GROUND OF APPEAL

The appeal is made in relation to the whole order / judgement of Justice Habersberger on 13th March 2013.

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GROUND 1 INTER SE LAW

The removal of the Oath of Allegiance from the Legal Practice Act 1996 (Victoria) by enactment of the Act titled: **“Court and Tribunal (Further Amendment) Act 2000 Victoria”** is in direct conflict with the Oath of Allegiance contained in the Constitution of the Commonwealth of Australia Act 1900, in addition to excess of power additional criminal offences do activate and as such must be returned to the Exclusive Jurisdiction of Grand Jury within Victoria.

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PRIVY COUNCIL AUTHORITY

“The whole cause is completely stopped at that stage if an Inter Se question is involved in the matter”

Source

**“Commonwealth V Bank of NSW
Privy Council 1949 79 CLR 497 at 576”**

GROUND 4 UNITED NATIONS

On the 24th September 1999, the United Nations allegedly issued an edict that all Governments of the World surrender their sovereignty into the United Nations. On 6th November 1999 the Electors of the Commonwealth of Australia voted by referendum to retain the Monarch and rejected a proposed Republic, with no knowledge whatsoever in relation to the United Nations nor the ramifications and consequences of **AGENDA 21**. All of which is and remains **fraud** by all concerned on the people of Australia, accordingly a number of people have Grand Jury Hearings pending, relating to fraud, treason and Misprison of treason. All Supreme Court Officers involved in this litigation have concealed the criminal offences, inclusive of officers of the defendant.

GROUND 5 AGENDA 21 (Abolition of ALL private ownership)

On the 6th November 1999 all Constitutions, State and Commonwealth were secretly suspended and a Socialist – Communist agenda imposed under the direction and auspices of the **United Nations “Agenda 21” under the control and direction of international Freemasonry**, because of this it is pointless to base this Proposed Notice of Appeal on either Statute or Common Law because of the concealed and unlawful suspension.

Agenda 21 was adopted by more than 178 Governments at the United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro, Brazil from June 3-14 1992. **The Australian Keating Government committed Australia to a persistent plan towards World Communism at the Rio de Janeiro Earth Summit Conference in June 1992 when it agreed to Agenda 21.**

AGENDA 21 is a comprehensive plan of action to be taken globally, nationally and locally by organizations of the United Nations System, Governments and Major Groups in every area in which humans impact on the environment.

Since 1994 the Keating government has been sending early progress reports to the United Nations on ‘**sustainable development**’ as required by **Agenda 21**. The plans envisage **abolition of all private ownership including land and housing** to be confirmed by the Kyoto Protocols.

Officers of the Supreme Court of Victoria, **inclusive of Justice Habersberger** have concealed this.

GROUND 6 The CONSTITUTIONAL GRANT

All Officers of the Victorian Supreme Court are operating outside of the Constitutional Grant of Power, granted or derived from the Victorian Constitution Act of 1975, formerly the 1855 Victorian Constitution Act. As amended from the 1854 Bill, the 1855 Act, an Act of the United Kingdom Parliament **was not repealed in the United Kingdom** prior to the replacement in 1975, under the then Governor Henry Winneke.

GROUND 7 ULTRA VIRES

130 By enactment of the Courts and Tribunals Legislation Further Amendment Act 2000 on 5th September 2000, such Act at part 2 removed the Oath of Allegiance to Queen Elizabeth the Second from the Legal Practice Act 1994. By such enactment the legislation was **Ultra Vires** to the Constitution of the State of Victoria and **Ultra Vires** to the Constitution of the Commonwealth of Australia in addition to a criminal offence.

GROUND 8 CRIMINAL OFFENCES

140 By such enactment of above mentioned legislation the element and criminal offence of Treason (**Breach of Allegiance**) did occur, meaning in law the Judge, lawyers and respective law firms involved in this matter are currently operating outside of the Constitution of Victoria and Australia, in addition to committing the criminal offence of Treason (**Breach of Allegiance**) and Misprison of Treason (**Concealment of Treason**).

GROUND 9 CONCEALMENT of OFFENCES

150 On January 1 2004, the Government of Western Australia removed both the Crown and Her Majesty from Law within Western Australia **without the statutory referendum**. All concerned in this litigation have concealed this revealed fact, inclusive of the defendant, the ANZ Executors and Trustee Company Limited and the parent bank of such defendant, the ANZ Banking Group.

GROUND 10 CONCEALMENT of CRIMINAL CHARGE

160 The current Prime Minister of Australia, Julia Gillard, a Federal Politician in the House of Representatives in the Lalor seat at Werribee, Victoria **remains pending** a Grand Jury hearing lodged **29 January 2007**, in relation to the Western Australian fraud / treason / Misprison of treason which is the base of the criminal charge on Julia Gillard. All concerned in this litigation, **the defendant and the Supreme Court**, inclusive of Associate Justice's Muktar, Daly and Randall have concealed the act of Treason out of Western Australia, which amounts to Misprison of treason.

The base of the criminal charge on Gillard;

JULIA GILLARD – CHARGE and SUMMONS
(January 29, 2007 – Melbourne Magistrates Court)
(January 29, 2007 – Grand Jury Application)

On 1st January 2004, the Government of West Australia at Perth, Western Australia, inclusive of the Executive Legislature and Judicial arms, in agreement with “the Commonwealth”, did enact an overt Act, titled, “Acts Amendment and Repeal Courts and Legal Practices Act 2003 WA”.

By such enactment an Act of Treason was committed.

Such Treason has been concealed by the defendant, since the date of enactment up to and inclusive of the present date.

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GROUND 11 DEED of GUARANTEE

All Supreme Court Officers within the State of Victoria inclusive officers of the ANZ Bank and their respective Trustee Company, the defendant, have concealed this crime and the respective offences, fraud, treason and Misprison of treason.

The concealment enabled a Deed of Guarantee.

180 The Australian Government represented by Mr Wayne Swan did sign the Deed of Guarantee in respect to the Australian Government Guarantee Scheme for large deposits and wholesale funding on **20 November 2008**. In addition the Australian Government Solicitor, Mr George Witynski, Deputy Chief General Counsel did give a written legal opinion in relation to the validity and enforceability of Deed of Guarantee **omitting the evident fact** that both Crown and Queen had been removed **without the statutory referendums**.

GROUND 12 SEVEN HIGH COURT JUDGES

Seven High Court Judges presently presiding or retired have been formally charged and **remain pending** Grand Jury hearings. The seven Judges are;

- 190
1. **Justice Michael Kirby**
 2. **Justice Ian Callinan**
 3. **Justice Anthony Gleeson**
 4. **Justice William Gummow**
 5. **Justice John Heydon**
 6. **Justice Kenneth Hayne**
 7. **Justice Susan Crennan**

200 **GROUND 13**

Justice Michael Kirby (Grand Jury Defendant)

The Defendant a Commonwealth Judicial Officer on 3rd August 2006, at the Canberra branch of the High Court, such branch attached to the Melbourne branch of the High Court, did intentionally and perversely exercise Federal Jurisdiction, in that the defendant did protect the current Governor General Mr Michael Jeffrey from a Grand Jury Application lodged with the Full Court of the Victorian Supreme Court, by hearing a matter in a closed Court procedure disallowing representation at the hearing.

GROUND 14

Justice Ian David Francis Callinan (Grand Jury Defendant)

The Defendant, a Commonwealth Judicial Officer on 3rd August 2006, at the Canberra branch of the High Court, such branch attached to the Melbourne branch of the High Court did intentionally and perversely exercise Federal Jurisdiction, in that the defendant did protect the current Governor General Mr Michael Jeffrey from a Grand Jury Application lodged with the Full Court of the Victorian Supreme Court, by hearing a matter in a closed Court procedure disallowing representation at the hearing.

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GROUND 15

Justice Anthony Murray Gleeson (Grand Jury Defendant)

On 1st January 2004, the Government of Western Australia at Perth, Western Australia, inclusive of the Executive Legislature and Judicial arms, in agreement with "the Commonwealth", did enact an overt Act, titled, "Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA". By such enactment an Act of Treason was committed. Such Treason has been concealed by the defendant, since the date of enactment up to and inclusive of the present date.

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GROUND 16

Justice William Montague Charles Gummow (Grand Jury Defendant)

On 1st January 2004, the Government of Western Australia at Perth, Western Australia, inclusive of the Executive Legislature and Judicial arms, in agreement with "the Commonwealth", did enact an overt Act, titled, "Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA". By such enactment an Act of Treason was committed. Such Treason has been concealed by the defendant, since the date of enactment up to and inclusive of the present date.

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GROUND 17

Justice John Dyson Heydon (Grand Jury Defendant)

250 *On 1st January 2004, the Government of Western Australia at Perth, Western Australia, inclusive of the Executive Legislature and Judicial arms, in agreement with “the Commonwealth”, did enact an overt Act, titled, “Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA”. By such enactment an Act of Treason was committed. Such Treason has been concealed by the defendant, since the date of enactment up to and inclusive of the present date.*

GROUND 18

Justice Kenneth Madison Hayne(Grand Jury Defendant)

260 *On 1st January 2004, the Government of Western Australia at Perth, Western Australia, inclusive of the Executive Legislature and Judicial arms, in agreement with “the Commonwealth”, did enact an overt Act, titled, “Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA”. By such enactment an Act of Treason was committed. Such Treason has been concealed by the defendant, since the date of enactment up to and inclusive of the present date.*

GROUND 19

Justice Susan Maree Crennan (Grand Jury Defendant)

270 *On 1st January 2004, the Government of Western Australia at Perth, Western Australia, inclusive of the Executive Legislature and Judicial arms, in agreement with “the commonwealth”, did enact an overt Act, titled, “Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA”. By such enactment an Act of Treason was committed; such Treason has been concealed by the defendant, since the date of enactment up to and inclusive of the present date.*

GROUND 20

Robert Hulls (Grand Jury Defendant)

280 *The Defendant since 1st January 2004, up to and inclusive of present date, has concealed from the People and Electors of the Commonwealth of Australia, the primary Act of Treason, when the overt Act titled “Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA” was enacted 1st January 2004, at Perth Western Australia, the hidden purpose of such Act was to unlawfully and illegally remove Her Majesty Queen Elizabeth II, such an Act was and remains a total breach of the Oath of Allegiance, in addition to a breach of the Oath of Office.*

GROUND 21

Major General M. Jeffery (Grand Jury Defendant)

The defendant within the Commonwealth of Australia during the period from 1st January 2004 up to and inclusive of present date did commit the offence of Common Law Treason by consent to the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA" enacted at Perth Western Australia on 1st January 2004.

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GROUND 22

John Howard (Grand Jury Defendant)

The defendant within the Commonwealth of Australia during the period from 1st January 2004 up to and inclusive of present date did commit the offence of Common Law Treason by consent to the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA" enacted at Perth Western Australia on 1st January 2004.

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GROUND 23

Kim Beazley (Grand Jury Defendant)

The defendant within the Commonwealth of Australia during the period from 1st January 2004 up to and inclusive of present date did commit the offence of Common Law Treason by consent to the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA" enacted at Perth Western Australia on 1st January 2004.

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GROUND 24

Damian Bugg (Grand Jury Defendant)

The defendant during the period 1st January 2004 up to and inclusive of present time at Perth Western Australia did commit the offence of common law treason by agreeing to the enactment of the Overt Act, titled, "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA", the purpose was to remove and replace Her Majesty Queen Elizabeth II, Her Heirs, Her Successors and Her Subjects without lawful consent of the People nor the knowledge of the People The defendant did consent to the Treason by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA.

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GROUND 25

Damian Bugg (Grand Jury Defendant)

330 *The defendant at the Melbourne Magistrates Court Victoria on 25th September 2006 or thereabouts did Attempt to Pervert the Course of Justice in relation to the Judicial Power of the Commonwealth by making Application to Magistrate C Randazzo (Out of Jurisdiction) for an order to take over and have struck out Private Prosecution Charges filed and served by the informant against Justice Michael Donald Kirby, a current Judge of the High Court of Australia, Returnable 25th September 2006.*

GROUND 26

Wayne Martin (Grand Jury Defendant)

340 *The defendant during the period 1st January 2004 up to and inclusive of present time at Perth Western Australia did commit the offence of common law treason by agreeing to the enactment of the Overt Act, titled, "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA", the purpose was to remove and replace Her Majesty Queen Elizabeth II, Her Heirs, Her Successors and Her Subjects without lawful consent of the People nor the knowledge of the People The defendant did consent to the Treason by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA.*

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GROUND 27

James McGinty (Grand Jury Defendant)

The defendant during the period 1st January 2004 up to and inclusive of present time at Perth Western Australia did commit the offence of common law treason by enacting the Overt Act, titled, Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA, the purpose was to remove and replace Her Majesty Queen Elizabeth II, Her Heirs, Her Successors and Her Subjects without lawful consent of the People nor the knowledge of the People.

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GROUND 28

James Maley (Grand Jury Defendant)

370 *The defendant during the period 1st January 2004 up to and inclusive of present time Perth Western Australia did commit the offence of common law treason by agreeing to the enactment of the Overt Act, titled, Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA, the purpose was to remove and replace Her Majesty Queen Elizabeth II, Her Heirs, Her Successors and Her Subjects without lawful consent of the People nor the knowledge of the People. The defendant did consent to the Treason by the inclusion of the Supreme Court Act 1935 WA into Part I of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA.*

GROUND 29

Steve Kons (Grand Jury Defendant)

The Defendant since 1st January 2004, up to and inclusive of present date, has concealed from the People and Electors of the Commonwealth of Australia, the Act of Treason, when the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA" was enacted 1st January 2004, at Perth Western Australia, the hidden purpose of such Act was to unlawfully and illegally remove Her Majesty Queen Elizabeth II, such an Act was and remains a total breach of the Oath of Allegiance, in addition to a breach of the Oath of Office.

GROUND 30

Phillip Ruddock (Grand Jury Defendant)

The, " Defendant since 1st January 2004, up to and inclusive of present date, has concealed from the People and Electors of the Commonwealth of Australia, the prim Act of Treason, when the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA" was enacted 1st January 2004, at ,Perth Western Australia, the hidden purpose of such Act was to unlawfully and illegally remove Her Majesty Queen Elizabeth II, such an Act was and remains a total breach of the Oath of Allegiance, in addition to a breach of the Oath of Office.

GROUND 31

Simon Corbell (Grand Jury Defendant)

The Defendant since 1st January 2004, up to and inclusive of present date, has concealed from the People and Electors of the Commonwealth of Australia, the primary Act of Treason, when the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA" was enacted 1st January 2004, at Perth Western Australia, the hidden purpose of such Act was to unlawfully and illegally remove Her Majesty Queen Elizabeth II, such an Act was and remains a total breach of the Oath of Allegiance, in addition to a breach of the Oath of Office.

GROUND 32

Dr Peter Toyne (Grand Jury Defendant)

The Defendant since 1st January 2004, up to and inclusive of present date, has concealed from the People and Electors of the Commonwealth of Australia, the primary Act of Treason, when the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA" was enacted 1st January 2004, at Perth Western Australia, the hidden purpose of such Act was to unlawfully and illegally remove Her Majesty Queen Elizabeth II, such an Act was and remains a total breach of the Oath of Allegiance, in addition to a breach of the Oath of Office.

GROUND 33

Robert John Debus (Grand Jury Defendant)

420 *The Defendant since 1st January 2004, up to and inclusive of present date, has concealed from the People and Electors of the Commonwealth of Australia, the Act of Treason, when the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA" was enacted 1st January 2004, at Perth Western Australia, the hidden purpose of such Act was to unlawfully and illegally remove Her Majesty Queen Elizabeth II, such an Act was and remains a total breach of the Oath of Allegiance, in addition to a breach of the Oath of Office.*

GROUND 34

Michael Atkinson (Grand Jury Defendant)

430 *The Defendant since 1st January 2004, up to and inclusive of present date, has concealed from the People and Electors of the Commonwealth of Australia, the primary Act of Treason, when the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA" was enacted 1st January 2004, at Perth Western Australia, the hidden purpose of such Act was to unlawfully and illegally remove Her Majesty Queen Elizabeth II, such an Act was and remains a total breach of the Oath of Allegiance, in addition to a breach of the Oath of Office.*

GROUND 35

Kerry Shine (Grand Jury Defendant)

440 *The Defendant since 1st January 2004, up to and inclusive of present date, has concealed from the People and Electors of the Commonwealth of Australia, the Act of Treason, when the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA" was enacted 1st January 2004, at Perth Western Australia, the hidden purpose of such Act was to unlawfully and illegally remove Her Majesty Queen Elizabeth II, such an Act was and remains a total breach of the Oath of Allegiance, in addition to a breach of the Oath of Office.*

GROUND 36

Robert Cock (Grand Jury Defendant)

450 *The defendant within the commonwealth of Australia during the period from 1st January 2004 up to and inclusive of present date did commit the offence of Common Law Treason by consent to the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA" enacted at Perth Western Australia on 1st January 2004.*

GROUND 37

John Bowler (Grand Jury Defendant)

460 *The defendant at Perth Western Australia in the period of 2003 up to and inclusive of present time by the introduction and enactment on 1st January 2004, of the overt Act, titled "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA" did agree to and consented to the overt Act thereby committing the Common Law offence of Treason.*

GROUND 38

Darren Renton (Grand Jury Defendant)

470 *The defendant during the period 1st January 2004 up to and inclusive of present time Perth Western Australia did commit the offence of common law treason by agreeing to the enactment of the Overt Act, titled, "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA", the purpose was to remove and replace Her Majesty Queen Elizabeth II, Her Heirs, Her Successors and Her Subjects without lawful consent of the People nor the knowledge of the People The defendant did consent to the Treason by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA.*

GROUND 39

Robert Mitchell (Grand Jury Defendant)

480 *The defendant during the period 1st January 2004 up to and inclusive of present time Perth Western Australia did commit the offence of common law treason by agreeing to the enactment of the Overt Act, titled, "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA", the purpose was to remove and replace Her Majesty Queen Elizabeth II, Her Heirs, Her Successors and Her Subjects without lawful consent of the People nor the knowledge of the People The defendant did consent to the Treason by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA.*

GROUND 40

Christine Wheeler (Grand Jury Defendant)

490 *The defendant during the period 1st January 2004 up to and inclusive of present time at Perth Western Australia did commit the offence of common law treason by agreeing to the enactment of the Overt Act, titled, Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA, the purpose was to remove and replace Her Majesty Queen Elizabeth II, Her Heirs, Her Successors and Her Subjects without lawful consent of the People nor the knowledge of the People The defendant did consent to the Treason by the inclusion of the Supreme Court Act 1935 WA into Parl 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA.*

GROUND 41

Christopher Steytler (Grand Jury Defendant)

500 *The defendant during the period 1st January 2004 up to and inclusive of present time at Perth Western Australia did commit the offence of common law treason by agreeing to the enactment of the Overt Act, titled, "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA", the purpose was to remove and replace Her Majesty Queen Elizabeth II, Her Heirs, Her Successors and Her Subjects without lawful consent of the People nor the knowledge of the People. The defendant did consent to the Treason by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA.*

510 **GROUND 42**

Michael Buss (Grand Jury Defendant)

The defendant during the period 1st January 2004 up to and inclusive of present time at Perth Western Australia did commit the offence of common law treason by agreeing to the enactment of the Overt Act, titled, Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA, the purpose was to remove and replace Her Majesty Queen Elizabeth II, Her Heirs, Her Successors and Her Subjects without lawful consent of the People nor the knowledge of the People The defendant did consent to the Treason by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal
520 *(Courts and Legal Practice) Act 2003 WA.*

GROUND 43

Christopher Pullin (Grand Jury Defendant)

The defendant during the period 1st January 2004 up to and inclusive of present time at Perth Western Australia did commit the offence of common law treason by agreeing to the enactment of the Overt Act, titled, Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA, the purpose was to
530 *remove and replace Her Majesty Queen Elizabeth II, Her Heirs, Her Successors and Her Subjects without lawful consent of the People nor the knowledge of the People The defendant did consent to the Treason by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA.*

GROUND 44

John McKechnie (Grand Jury Defendant)

540 *The defendant during the period 1st January 2004 up to and inclusive of present time at Perth Western Australia did commit the offence of common law treason by agreeing to the enactment of the Overt Act, titled, Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA, the purpose was to remove and replace Her Majesty Queen Elizabeth II, Her Heirs, Her Successors and Her Subjects without lawful consent of the People nor the knowledge of the People The defendant did consent to the Treason by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA.*

GROUND 45

550 Audrey Braddock (Grand Jury Defendant)

The defendant during the period 1st January 2004 up to and inclusive of present time at Perth Western Australia did commit the offence of common law treason by agreeing to the enactment of the Overt Act, titled, Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA, the purpose was to remove and replace Her Majesty Queen Elizabeth II, Her Heirs, Her Successors and Her Subjects without lawful consent of the People nor the knowledge of the People. The defendant did consent to the Treason by the inclusion of the Supreme Court Act 1935 WA into Part I of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA.

GROUND 46

C Randazzo (Grand Jury Defendant)

The defendant at Melbourne Magistrates Court Victoria on 25th September 2006, did intentionally and perversely exercise Federal Jurisdiction in a matter where a personal interest was involved, in that the defendant chose to purportedly grant an Order "in excess of Jurisdiction", to protect her salary and superannuation in simple words, "to keep her job".

GROUND 47

Ian Leslie Grey (Grand Jury Defendant)

570 *The Defendant did at Melbourne Magistrate Court in the State of Victoria on the 15th December 2006, did unlawfully agree with the Commonwealth Director of Public Prosecutions, Mr Damian Bugg, and the Director of Public Prosecutions Victoria Mr Paul Coghlan to conceal the serious indictable offence of Treason by failing to prosecute the offence or hold the offenders to bail in accordance with Rule of Law. The offence of Treason was created by the Overt Act of Treason, titled, "Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA", [Part 5 & 8 of such Act] such amendments to such Act were agreed to by the State of Western Australia and "the Commonwealth" without lawful involvement nor consent of the Electorate in accordance with Section 73(2) of the Western Australian Constitution Act in addition to Section 128 of the Commonwealth Constitution Act 1900, such Act being the Superior Act in Australia encompassing a Law of the United Kingdom involving both Houses of the United Kingdom, the House of Commons And House of Lords.*

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GROUND 48

Damian John Bugg (Grand Jury Defendant)

590 *The Defendant did at Melbourne Magistrate Court in the State of Victoria on the 15th December 2006, did unlawfully agree with the Chief Magistrate of the Magistrates Court of Victoria, Mr Ian Gray, and the Director of Public Prosecutions Victoria Mr Paul Coghlan to conceal the serious indictable offence of Treason by failing to prosecute offence or hold the offenders to bail in accordance with Rule of Law. The offence of Treason was created by the Overt Act of Treason, titled, "Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA", [Part 5 & 8 of such Ac] such amendments to such Act were agreed to by the State of Western Australia and "the Commonwealth" without lawful involvement nor consent of the Electorate in accordance with Section 73{2} of the Western Australian Constitution Act in addition to Section 128 of the Commonwealth Constitution Act 1900, such Act being the Superior Act in Australia encompassing a Law of the United Kingdom involving both Houses of the United Kingdom, the House of Commons And House of Lords.*

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GROUND 49

Paul Coghlan (Grand Jury Defendant)

610 *The Defendant did at Melbourne Magistrate Court in the State of Victoria on the 15th December 2006, did unlawfully agree with the Chief Magistrate of the Magistrates Court of Victoria, Mr Ian Gray, and the Commonwealth Director of Public Prosecutions, Mr Damian Bugg to conceal the serious indictable offence of Treason by failing to prosecute the offence or hold the offenders to bail in accordance with Rule of Law. The offence of Treason was created by the Overt Act of Treason, titled, 'Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA', [Part 5 & 8 of such Act] such amendments to such Act were agreed to by the State of Western Australia and "the Commonwealth" without lawful involvement nor consent of the Electorate in accordance with Section 73(2) of the Western Australian Constitution Act in addition to Section 128 of the Commonwealth Constitution Act 1900, such Act being the Superior Act In Australia encompassing a Law of the United Kingdom involving both Houses of the United Kingdom, the House of Commons And House of Lords.*

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GROUND 50

This particular ground involves 8 individuals, all of which have been formally presented before the Melbourne Magistrates Court where they were protected by fellow judicial officers who declined to present, thereby permitting the legal right to put each individual before a Grand Jury in accordance with Section 354 of the Crimes Act 1958 Victoria, followed by Section 80 of the Commonwealth Constitution.

The individuals and respective Grand Jury lodgement dates are:

Charles Wheeler	19-03-2004
Major General M Jeffery	28-05-2004
Robert Brooking	28-05-2004
Peter Buchanan	28-05-2004
Stephen Charles	28-05-2004
Alex Chernov	28-05-2004
John Winneke	28-05-2004
Philip Cain	28-05-2004
Paul Coghlan	28-05-2004

GROUND 51 GOVERNOR ALEX CHERNOV

The principal person in the above mentioned group is Alex Chernov, a former judge of the Supreme Court of Victoria (Court of Appeal), a pending Grand Jury defendant, but now, **the current Governor of Victoria**, who is in agreement with the former and present Governor of the State of Western Australia to depose and substitute Her Majesty Queen Elizabeth the Second **without the required referendums** to achieve such objective. In simple words, the electorate has been denied the referendum right in the decision.

In relation to the recent appointment of Alex Chernov into the Office of Governor of the State of Victoria, it was not disclosed to the people of Victoria, in particular the Electors of the State of Victoria and Electors of the Commonwealth of Australia, that Alex Chernov is and remains a Grand Jury Defendant in accordance with the Legal Right set out under Section 354 of the Crimes Act 1958 Victoria. The purported appointment amounts to malfeasance in Public Office and is in excess of power in addition to criminal offences against the Constitution and the people. **The critical inter se issue here is found in Section 12 of the Commonwealth Constitution** where the Governor of the State (Governor Chernov) issues the writ for the State Senators to sit in the Commonwealth Parliament.

GROUND 52

670 The concealment of all revealed criminal activity by Officers of the ANZ Executors and Trustee Company Limited and their parent Bank, the ANZ Bank, activates Section 3AA Crimes Act 1914 and Section 80 Criminal Code Act 1995 Commonwealth.

CRIMES ACT 1914 - SECT 3AA (Commonwealth)

State offences that have a federal aspect

Object

(1A) The object of this section is to identify State offences that have a federal aspect because:

(a) they potentially fall within Commonwealth legislative power **because of the elements of the State offence**; or

680 (3) A State offence is taken to be covered by paragraph (1)(c) if the conduct constituting the State offence:

(a) affects the interests of:

(i) **the Commonwealth**; or

(ii) **an authority of the Commonwealth**; or

(iii) **a constitutional corporation**; or

(b) was engaged in by a **constitutional corporation**; or

(c) was engaged in in a **Commonwealth place**; or

(d) involved the **use of a postal service** or other like service; or

(e) involved an **electronic communication**; or

(f) **involved trade or commerce**:

690 (i) between **Australia and places outside Australia**; or

(ii) **among the States**; or

(iii) within a Territory, between a State and a Territory or between 2 Territories; or

(g) involved:

(i) **banking** (other than State banking not extending beyond the limits of the State concerned); or

(ii) **insurance** (other than State insurance not extending beyond the limits of the State concerned); or

(h) relates to a **matter outside Australia**; or

700 (i) relates to a matter in respect of which an **international agreement** to which Australia is a party imposes obligations to which effect **could be given by the creation of an offence against the domestic laws** of the parties to the agreement; or

(j) relates to a matter that affects the **relations between Australia and another country or countries** or is otherwise a subject of international concern.

“**constitutional corporation**” means a corporation to which **paragraph 51(xx)** of the Constitution applies.

“**State offence**” means an offence against a **law of a State**.

710 **Commonwealth Constitution**

Section 51(xx.)

Foreign corporations and trading or financial corporations formed within the limits of the Commonwealth:

TREASON and MISPRISON OF TREASON

Criminal Code Act 1995, Section 80

Chapter 5 -- The security of the Commonwealth

Division 80 -- Treason and urging violence

720 *Subdivision B--Treason*

80.1 Treason

- (1) A person commits an offence if the person:
- (a) causes the death of the Sovereign, the heir apparent of the Sovereign, the consort of the Sovereign, the Governor-General or the Prime Minister; or
 - (b) **causes harm to the Sovereign, the Governor-General** or the Prime Minister resulting in the death of the Sovereign, the Governor-General or the Prime Minister; or
 - 730 (c) causes harm to the Sovereign, the Governor-General or the Prime Minister, or imprisons or restrains the Sovereign, the Governor-General or the Prime Minister; or
 - (d) **levies war, or does any act preparatory to levying war, against the Commonwealth;** or
 - (g) instigates a person who is not an Australian citizen to make an armed invasion of the Commonwealth or a Territory of the Commonwealth.

Penalty: Imprisonment for life.

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

- A. receives or assists another person who, to his or her knowledge, has committed an offence against this Subdivision (other than this subsection) with the intention of allowing him or her to escape punishment or apprehension; or
- B. knowing that another person intends to commit an offence against this Subdivision (other than this subsection), does not inform a constable of it within a reasonable time or use other reasonable endeavours to prevent the commission of the offence.

750 **Penalty: Imprisonment for life.**

ORDERS SOUGHT

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1. That all inter se work is exclusive jurisdiction of the High Court.
2. In consideration of the fact that High Court Judges have been charged pending Grand Jury, the matter should go immediately to Grand Jury for all Grand Jury applications to be heard.
3. A trial of the issue.
Judiciary Act 1903, Section 77 (C)
4. In the alternative, the matter be removed to the Privy Council under State jurisdiction.

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DATE: 11/ APRIL / 2013

Signature



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To: The Respondent
Attorney General of Victoria
Mr Robert Clarke
121 Exhibition Street, Melbourne.

TAKE NOTICE: Before taking any step in the proceedings you must, within **14 DAYS** after service of this application, enter an appearance in the office of the Registry in which the application is filed, and serve a copy on the applicant.

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The applicants address for service by **registered post** is:

Post Office Box 800
Werribee Victoria 3030
Telephone 0487 195 522