

AFFIDAVIT  
NUMBER 21.

House of  
REPRESENTATIVES

• THE MEMBERS "

Plus

→  
Two Counts

• Common Law Fraud

ATTEMPTED OF TREASON "

21.

ACCOMPANYING AFFIDAVIT (21)

IN THE COUNTY COURT OF VICTORIA AT MELBOURNE AP- 16 1957

IN THE MATTER of an application under section 54 of the Vexatious Proceedings Act 2014

BETWEEN

THE ATTORNEY GENERAL FOR THE STATE OF VICTORIA Plaintiff

And

BRIAN WILLIAM SHAW Defendant

*"The MEMBERS (COMMONWEALTH)"*  
*December 2016*

Date of Document:	<del>September</del> 2016	Solicitors Code:	N/A
Filed on behalf of:	The Applicant	Telephone:	
Prepared by:	Brian William Shaw	DX:	N/A
		Ref:	N/A

I, Brian William Shaw, c/- of PO Box 800 Werribee Victoria do state and affirm the following:-

1. I STATE That This AFFIDAVIT EXHIBITS The CURRENT List of House of REPRESENTATIVES MEMBERS

*Brian Shaw* *McLennan*

1/2.

2. I STATE THAT TWO CRIMINAL  
COUNTS ARE ATTACHED

A. COMMON LAW FRAUD.

B. COMMON LAW TRICKERY

3. I STATE THAT ALSO ATTACHED IS  
FROM PAGE (FORM 60) AUSTRALIAN  
ELECTORAL COMMISSION NOMINATION  
FORM FOR HOUSE OF REPRESENTATIVES  
QUOTING THE WHOLE OF SECTION 44.  
WITH THE WARNING —

"OBTAIN LEGAL ADVICE"

AFFIRMED BY:



AT:

615 BORNEO

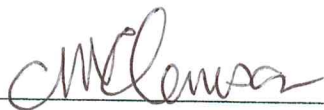
THIS

7<sup>th</sup>

DAY OF SEPTEMBER, 2016.

DECEMBER <sup>one</sup> 2

BEFORE ME:



CARMEL CLEMSON JP  
3/84 HAMILTON STREET  
GISBORNE 3437  
JUSTICE OF THE PEACE FOR VICTORIA  
REG. NO 12356

2/2.



2 Counts

# Charge - Sheet and Summons

**TO THE ACCUSED**

*All House of  
Representatives  
Lapsed Oath*

You have been Charged with an offence  
Read both pages to see what you must do

M <input type="checkbox"/>	F <input type="checkbox"/>	Date of Birth / /	
Registration No		State	
Licence No		State	

**Details of the charges against you**

What is the charge ?	The Accused in the period from 1 January 2004 up to and inclusive of present time, at <del>Melbourne in the State of Victoria</del> , an original State within the Commonwealth of Australia, did with deliberate intent conceal and has continued to fraudulently conceal from the Electorate (the voters), the unlawful and illegal removal of the statutory Oath of Allegiance to Queen Elizabeth the Second and substitution of the Governor of Western Australia in the place of the Queen and subsequent removal of the Crown without the statutory referendums after the enactment of the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act" within the Commonwealth of Australia.		
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Under what Law ?	<input checked="" type="checkbox"/> State <input checked="" type="checkbox"/> C'wealth <input type="checkbox"/> Act <input type="checkbox"/> Reg <input checked="" type="checkbox"/> Other-specify <b>Common Law</b>	Act or Regulation No	Section or Clause (Full Ref) <b>Fraud</b>
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Type of offence	<input type="checkbox"/> Summary offence (you should go to Court) <input checked="" type="checkbox"/> Indictable offence (you must go to Court)
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Are there more charges ?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <b>REPEALED OF TREASON - COMMON LAW</b>
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Request for Committal proceedings	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
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Who filed the charge sheet's Informant	<b>BRIAN WILLIAM IYAU</b>
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Agency and Address	
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Phone	
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Email	
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Fax No	
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Agency Ref	
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Informant Signature	<i>Brian Iyau</i>	Date	<b>DECEMBER 2016</b>
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**Where will the case be heard**

Where you must go	The *Magistrates' / Childrens' Court of Victoria at		
Address			
When	Time	Day	Month Year

**Details about this summons**

Issued at		Date	
Issued by		<input type="checkbox"/> Registrar <input type="checkbox"/> Magistrate <input type="checkbox"/> Police Informant	
Charge filed at		Date	
Method of Filing	Personal	Date	

*RESERVED FOR GRAND JURY PRESENTMENT  
IN ACCORDANCE WITH THE LAW OF TREASON.*

# GOVERNOR SUBSTITUTES HIMSELF

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## AUSTRALIA ACT 1986 - SECT 7

### Powers and functions of Her Majesty and Governors in respect of States

(1)

Her Majesty's representative in each State shall be the Governor.

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## COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT - SECT 12

### Issue of writs

The Governor of any State may cause writs to be issued for elections of senators for the State. In case of the dissolution of the Senate the writs shall be issued within ten days from the proclamation of such dissolution.

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## ACTS AMENDMENT AND REPEAL (COURTS AND LEGAL PRACTICE) ACT 2003 WA (NO. 65 OF 2003) - SECT 130

### 130 . *Supreme Court Act 1935* amended

(3) Section 9(1) is amended by deleting “Her Majesty” and inserting instead —

“ the Governor ”.





# Nomination of a Member of the House of Representatives

Information on this form is collected under the provisions of the *Commonwealth Electoral Act 1918*

form **60**

This form must be accompanied by one of the Nomination of a Member of the House of Representatives forms 60a to 60c.

## Notes to assist completion

Where the candidate is a part of a bulk nomination the numbers in the boxes:

Candidate  of

should correspond with *Part B – Candidates being nominated* in the form 60a.

### Question 2 – Form in which given name(s) to appear on ballot paper

A given name for use on the ballot paper must be the candidate's name and may be:

- an initial standing for that name, or
- a commonly accepted variation of that name (including an abbreviation, truncation or an alternative form of that name).

### Question 3

In accordance with the *Commonwealth Electoral Act 1918* candidates' place of residence is stated and displayed at the declaration of nominations, which takes place 24 hours after nominations close, unless they are enrolled as a silent elector. Candidates other than those with silent enrolment must show their residential address and indicate whether they authorise the AEC to otherwise release this address to the public.

### Question 4

If a postal address is provided, candidates should indicate whether they authorise the AEC to release the postal address to the public.

### Question 5

The AEC may need to contact candidates or their representatives regarding their candidacy. Please provide sufficient contact details to provide a clear communication channel. Candidates should indicate which, if any, contact details are to be made public.

### Question 6

Occupation must be stated. Members of the House of Representatives standing for re-election are entitled to show their occupation as Member of Parliament.

Please tick the appropriate box to indicate gender.

### Question 7

Candidates endorsed by registered political parties should provide the party name (either in the abbreviated form or full party name). These details will appear on the ballot paper under the candidate name.

Candidates nominated by 100 electors can elect to have the word *Independent* shown under their name on the ballot paper.

### Candidate information on AEC website

After the declaration of nominations, the AEC publishes candidate information to its website. This includes name, occupation and any address and contact details candidates have agreed on this form to make publicly available.

## Candidate statement and declaration

Please read the candidate statement and declaration carefully before signing the nomination form.

Your attention is drawn in particular to section 44 of the Constitution of the Commonwealth of Australia:

Any person who:

- is under any acknowledgment of allegiance, obedience, or adherence to a foreign power, or is a subject or a citizen or entitled to the rights or privileges of a subject or a citizen of a foreign power; or
- is attainted of treason, or has been convicted and is under sentence, or subject to be sentenced, for any offence punishable under the law of the Commonwealth or of a State by imprisonment for one year or longer; or
- is an undischarged bankrupt or insolvent; or
- holds any office of profit under the Crown, or any pension payable during the pleasure of the Crown out of any of the revenues of the Commonwealth; or
- has any direct or indirect pecuniary interest in any agreement with the Public Service of the Commonwealth otherwise than as a member and in common with the other members of an incorporated company consisting of more than twenty-five persons;

shall be incapable of being chosen or of sitting as a senator or a member of the House of Representatives.

But subsection (iv) does not apply to the office of any of the Queen's Ministers of State for the Commonwealth, or of any of the Queen's Ministers for a State, or to the receipt of pay, half pay, or a pension, by any person as an officer or member of the Queen's navy or army, or to the receipt of pay as an officer or member of the naval or military forces of the Commonwealth by any person whose services are not wholly employed by the Commonwealth.

Candidates who have any doubts about their eligibility, by virtue of section 44 of the Constitution, are advised to obtain their own legal advice.

For further information refer to the *Candidates Handbook* and the *Nomination Guide*.

\*Answering 'Yes' to the question about eligibility under section 44 of the Constitution asserts eligibility.

Giving false or misleading information is a serious offence.

**A nomination form which has not been signed by the candidate cannot be accepted.**

**This form cannot be submitted until after the writ for the election has been issued.**

## Appointment of Candidate Agent

Candidates have the option of appointing an Agent to act on their behalf under the election funding and financial disclosure provisions of the *Commonwealth Electoral Act 1918*. If you choose to appoint an Agent you should complete an *Appointment of Candidate Agent form* and lodge it with the AEC before the close of nominations. Copies are available from AEC offices and the AEC website at [www.aec.gov.au](http://www.aec.gov.au).