

AFFIDAVIT  
NUMBER.  
I.

---

ACCOMPANYING AFFIDAVIT

NO I.

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

Date of Document: 17 September 2016  
Filed on behalf of: The Applicant  
Prepared by: Brian William Shaw

Solicitors Code: N/A  
Telephone:  
DX: N/A  
Ref: N/A

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

1. The following judges have made orders in relation to Section 21 of the Supreme Court Act and or Section 53- 54 of The Vexatious Proceedings Act 2014 Victoria.
2. I, state in this affidavit, that the Constitutional and compulsory Oath of Allegiance to Queen Elizabeth the Second was unlawfully removed from the Legal Practice Act by the unlawful enactment of "Courts and Tribunal Legislation Further Amendment Act" unlawfully assented on the 5<sup>th</sup> September 2000.
3. The Victorian Politicians purportedly created and enacted the Vexatious Proceedings Act to conceal the discovered legal problems in the Supreme Court Act.
4. The purported Vexatious Proceedings Act removed the Constitutional Right to appear in an open Court, and as such is ultra vires the right.



5. The following judges have made respective orders, but, with the exception of Justice Macaulay the judges mentioned herein have with intent concealed all serious indictable offences discovered in the respective litigation.

6. Justice Vickery	Granted Leave	Sect 21
Justice Beach	17 <sup>th</sup> March 2010	Sect. 21
Justice Macaulay	16 <sup>th</sup> March 2012	Sect. 21
Justice Forrest	10 <sup>th</sup> August 2013	Sect. 21
Justice Beach	12 <sup>th</sup> March 2013	Sect. 21
Justice McDonald	10 <sup>th</sup> November 2014	Sect. 21
Justice Garde	10 <sup>th</sup> February 2015	Sect. 54
Justice Rush	17 <sup>th</sup> June 2015	Sect 54

### The explanation

7. The Victorian Electoral Commission (Mr Warwick Gately) is currently operating outside of a Constitutional "Grant of Power"
8. The Victorian Electoral Commission (Mr Warwick Gately) in particular Mr. Warwick Gately was the former Western Australian Electoral Commissioner and is one of principal offender in relation to the Western Australia overt Act, and as such has activated criminal intent upon the electors of The State of Victoria, The State of Western Australia, and the Commonwealth of Australia.
9. The Consequence of the overt Act (WA) results in invalid election writs at State and Commonwealth Jurisdictions.
10. All purported state legislation enacted and operating that are inconsistent with the Commonwealth Constitution are *ultra vires* and invalid.
11. The purported State of Victoria is allegedly a contractual entity under the Uniform Commercial Code (U.C.C) of UNITED STATES.



12. The inclusion of the words State and Commonwealth in the "Overt Act" in Western Australia by not specifying "which Commonwealth", have essentially transferred by deception all of the land and resources of Australia into UNITED STATES under the purported entity of Uniform Commercial Code (U.C.C.)

13. This action is not vexatious because it is the discovery of criminal actions against the people of Australia, inclusive of the State of Victoria.

14. THE OVERT ACTS ARE: VICTORIA AND WEST AUSTRALIA

A. COURTS AND TRIBUNAL LEGISLATION (FURTHER AMENDMENT) ACT WHICH REMOVED THE OATH OF ALLEGIANCE FROM THE LEGAL PRACTICE ACT 1996 AT PART 2 OF SUPP ACT - ASSIGNED 5 SEPT 2000.

B. ACTS AMENDMENT AND REPEAL, COURTS AND LEGAL PRACTICE ACT 2003. (W4). ENACTED 1 JANUARY 2004.

15. THERE ARE ADDITIONAL AFFIDAVITS LOGGED.

AFFIRMED BY:

Brian W. R.

AT:

WERRIBEE

THIS

17

DAY OF SEPTEMBER, 2016.

BEFORE ME:

Margaret M. Campbell

