AFFIDAVIT

Court details…..

“Deponent”: (first name), for the (Name) of Estate;

Postal Address:

Does hereby affirm and state on the Public Record before Almighty God;

1. I am the sentient being, living woman called by (first name);
2. I, (first name), the *mater familias*, stand under Almighty God;
3. I, (first name) invoke the power and authority of Jesus Christ over this matter;
4. I, (first name) am the Executor, Power of Attorney, Beneficiary for and of the (first name) (name) of Estate;
5. I, (first name) am **not** a “defendant” in the matter (case number) nor can I make or take a “plea” in this matter;
6. I, (first name) do not consent to this proceeding against me nor against the beneficiaries of the respective aforementioned Estates**; Consent makes the law;** *Consensus facit legem;* **there is no joinder in this matter;**
7. I, (first name) formerly challenge **all** presumptions of law; see Annexure **“A”** (p3-4)
8. I, (first name) claim all my Inviolable and Unlimited lawful and legal Rights to contract; the origin of all LEGAL jurisdiction is only given by consent;
9. No power can be granted over I the woman (first name) or the (name of) Estate without my consent;
10. Maxim of Law: Disparata non debent jungi; Unequal things ought not to be joined; *KJV Bible* (1611), Acts 15:10 *Now therfore why tempt ye God, to put a yoke vpon the necke of the disciples, which neither our fathers nor we were able to beare?* & Galatians 5:1 *Stand fast therefore in the libertie wherewith Christ hath made vs free, and bee not intangled againe with the yoke of bondage;*
11. There is no crime, no summons against I, (first name) nor the beneficiaries of the (first name) (name of) Estates regarding the matter (case number) for I, (first name) to be in bondage to;
12. There is no evidence of contracts in place between I, (first name) nor the beneficiaries of the aforementioned Estates with (names of those coming against you);
13. There is no evidence that (Name of those coming against you) have any *Locus Standi* in any matter against I, (first name); See Annexure **“A”** (page 5);
14. Serious indictable criminal offences, in particular treason, pursuant to “in force” legislative Acts-Security of the Commonwealth, has been reported by I, (first name) to (name of those coming against you), solicitors; Annexure **“A”** (Amicable Agreement) & Annexure **“B”** (Affidavit);
15. (Name of those coming against you), solicitors, have failed to provide a crime report number nor made “reasonable endeavours”, pursuant to “in force” ***CRIMINAL CODE ACT* 1995**

**OFFENCES AGAINST LAWS OF THE COMMONWEALTH**

CHAPTER 5

Division 80 – Treason.

Subdivision B--Treason

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 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**;

Penalty:  Imprisonment for life;

AND pursuant to;

***CRIMES ACT NSW* 1900 No 40-SECT 12**

**Compassing etc deposition of the Sovereign--overawing Parliament etc;**

1. (Name of those coming against you) in their failure to provide agreement, not to conceal treason, have no standing-*Locus Standi* in this matter- the right or capacity to bring an action or to appear in a court; **a foreign government which has not been recognized by the United Kingdom, Great Britain and Ireland**, **has no *locus standi;***
2. I, (first name) command to have agreement Name of those coming against you do not conceal treason;
3. I, (first name) command to have ruling as to what court/jurisdiction I am in-that is my legal and lawful Right to protect myself from harm, injury and loss;
4. I (first name) command to have ruling that any court hearing in this matter MUST be pursuant to the *Commonwealth of Australia Constitution Act* 1900;
5. **I, (first name) do not intend to commit any crime nor commit a crime in any court; nor be violently forced to aid and abet or be accessory/participate in any crime scene;**
6. *Joose & ANOR v Australian Securities and Investment Commission* M35/1998 [1998] HCA Trans 492 (15 December 1998); The High Court of Australia, Hayne J stated, “*In particular, they do not intrude upon the question of what law is to be applied by the courts. That question is resolved by covering cl 5 of the Constitution. It provides:* *"This Act, and all laws made by the Parliament of the Commonwealth under the Constitution, shall be binding on the courts, judges, and people of every State and of every part of the Commonwealth, notwithstanding anything in the laws of any State". It is, then, to the Constitution and to laws made by the Parliament of the Commonwealth under the Constitution that the courts must look”;*
7. That the Commonwealth of Australia pursuant to the *Commonwealth of Australia Constitution* *Act* 1900 is the Original Commonwealth for which the law stands-unchanged, encompassing the *Magna Carta* 1297, *Bill of Rights* 1688, *Coronation Oath Act* 1688; **Australia is an English Law country and NOT under any other “colour of law”;**
8. **Government and Authority are 2 separate concepts;** The Only legitimate purpose of governance is to maximise individual potential by upholding the **Rule of Law** where all people and institutions within a country, state, or community are accountable to the same laws, including lawmakers and leaders; It is sometimes stated simply as **"no one is above the law";**

**Statute law** is the administrative law to deliver the **Rule of Law;**

**Natural law** is that of creation which knowingly or unknowingly constrain the material realm of which we are a part;

The **Rules of Equity** are our best expression of natural law as it pertains to human behaviour;

Equity looks on as done that which ought to have been done

Equity will not suffer a wrong to be without a remedy

Equity will not allow a wrongdoer to profit by a wrong

Equity does not punish

Equity is a sort of equality

One who seeks equity must do equity

Delay defeats Equity, or Equity aids the vigilant not the indolent

Equity imputes an intention to fulfill an obligation

Equity acts in personam (i.e. on persons rather than on objects)

Equity abhors a forfeiture

Equity does not require an idle gesture

He who comes into equity must come with clean hands

Equity delights to do justice and not by halves

Equity will take jurisdiction to avoid a multiplicity of suits

Equity follows the laws

Equity will not assist a volunteer

Equity will not complete an imperfect gift

Where equities are equal, the law will prevail

Equity will not allow a statute to be used as a cloak for fraud

Equity will not allow a trust to fail for want of a trustee

Equity regards the beneficiary as the true owner;

Between equal equities the first in order of time shall prevail

**Man-made law** pertains to human interactions as opposed to the creation under natural law;

Lawful (as in knowingly do no harm) **Governance must be subject to Equity** as is all human interaction; **Governance is created by people** and thereby **is constrained as it cannot have more authority than its creators** who in turn are **subject to natural law;**

1. The **Australian Government Department of the Prime Minister and Cabinet** states and confirms; *“The* ***Administrative*** *Arrangements Order (AAO****) stems directly from the Constitution. Section 61 of the Constitution******places the executive power of the Commonwealth in The King****, and provides that it is* ***exercisable by the Governor General****. Section 62 provides for the Executive Council, and section 64 provides that the Governor General may appoint Ministers of State to administer such Departments of State of the Commonwealth as the Governor General in Council establishes”.*

*A minister appointed to administer a department of state is responsible for the performance of functions and duties and the exercise of powers relating to legislation listed in the AAO.*

***The Governor-General makes the AAO on the advice of the Prime Minister”;***

<https://www.pmc.gov.au/government/administration/administrative-arrangements-orders>

1. If (Name of those coming against you) do not stand under King Charles III, and do not stand under and recognise Prime Minister, Anthony Albanese, **who stands under the Monarch** then (Name of those coming against you) stand under the “colour of law” and are in breach of Section 12 ***Crimes Act*** 1900 No. 40 (penalty 25 years imprisonment);
2. **Evidence of invalid Writs**-See Annexure **“C”** (8 pages);
3. **I, (first name) as a subject of the Commonwealth have now exposed any deception of purported government/courts/agents acting under the guise of the Original Commonwealth in this matter**;
4. “*A pretended law made in excess of power is not and never has been a law at all. Anybody in the country is entitled to disregard it”* CHIEF JUSTICE LATHAM, HIGH COURT OF AUSTRALIA -1942;
5. Recognised and pursuant to the *Public Governance Performance and Accountability Act* 2013 (PGPA 2013), there are **two Commonwealths**;
6. **Non-corporate Commonwealth entity (NCE)**

Non-corporate Commonwealth entities (NCEs) are legally and financially part of the Commonwealth. Examples of NCEs include departments of state, parliamentary departments or listed entities.

**NCEs are established under power that comes from the Constitution, usually through legislation and the exercise of executive power. NCEs form part of the executive government, and are accountable to the Parliament. NCEs are subject to the PGPA Act, which further clarifies the financial and corporate governance arrangements of these bodies;**

<https://www.finance.gov.au/about-us/glossary/pgpa/term-non-corporate-commonwealth-entity-nce>

**Corporate Commonwealth entity (CCE)**

A CCE is a body corporate that has a separate legal personality from the Commonwealth, and can act in its own right exercising certain legal rights such as entering into contracts and owning property. Most CCEs are financially separate from the Commonwealth.

CCEs are established through legislation or legislative instrument, and are subject to the PGPA Act, which further clarifies the financial and corporate governance arrangements of these bodies. Some provisions of the PGPA Act applies to CCEs differently to non-corporate Commonwealth entities because of their different legal status, for example the provisions relating to appropriations banking, investments, and use of indemnities;

1. Flipchart of *PGPA Act* Commonwealth entities and companies (191), **Quote;** “Please note this flipchart is not a legal document”; point being;

**Definition-**Blacks Law Dictionary**; Document** An instrument on which is recorded, by means of letters, figures, or marks, matter which may be evidentially used; and

**A legal document** by definitionis one that **outlines an agreement between two or more parties** that has been **signed by mutual assent**;

1. *Public Governance, Performance and Accountability Act* 2013;

11 **Types of Commonwealth entities**

There are 2 types of Commonwealth entities:

(a) a corporate Commonwealth entity, which is a Commonwealth entity that is a body corporate; and

(b) a non-corporate Commonwealth entity, which is a Commonwealth entity that is not a body corporate.

Note: Corporate Commonwealth entities are legally separate from the Commonwealth, whereas non-corporate Commonwealth entities are part of the Commonwealth;

ASIC form 418 is a requirement of any agent who works for a foreign corporation to legally engage in commerce within The Commonwealth of Australia; The Commonwealth of Australia (the corporate Commonwealth) is listed on the US Stock Exchange with the head office listed in Washington DC; See Annexure **“D”**;

1. There is **no** mutual assent, consent nor signed agreements nor contracts between I, (first name) with any Commonwealth entities and companies;
2. In the *King James Version Bible (1611)*, the first book, Genesis sets out the trust created by God, the grantor / settler of the trust property:
3. this common reality,
4. the fruits thereof;
5. The *KJV Bible (1611)*, Genesis Chapter 1: 26-30 expresses the beneficiaries as the people-man made in God’s image;
6. No other trustee has been expressed in the matter /2023;
7. I, (first name) **do not** consign my power or Estates, nor appoint to another, in this “matter”;
8. It is settled trust law that anyone who knowingly or unknowingly trespasses on another’s trust –(those coming against you) and/or (those governing) without the trustee’s legal authority (hence those governing are acting as free agents), are trustees under any colour of law;
9. Under the common law trustee de son tort; A trustee de son tort is a person who may be regarded as owing fiduciary duties by a course of conduct that amounts to a wrong, or a tort;

**i)**are accountable, and

**ii)**liable

**iii)**to the beneficiaries (every living person);

1. Trespassory acts, violation of I, (first name)’s Legal and Lawful Rights, God Given Inalienable/Unalienable Freedoms, Human Rights are being inflicted as a result of (those coming against you and their ABN) **trading corporation-** vexatious actions and inactions, resulting in violent and distressing abuse by Registrar Xxxxx, Agent for the FEDERAL CIRCUIT FAMILY COURT OF AUSTRALIA ABN: 63 684 208 971, **trading corporation**, FAMILY COURT OF AUSTRALIA, , and ongoing court proceedings; See Annexure **“E”** (Affidavits of 2 witnesses & For and on the Public Record by (first name));
2. “If you have an Australian Business Number, “ABN”, and provide services for money, you are a Trading Corporation” **That cannot be changed or over-ruled by any Statute or Act or by-law**; *Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia & Ors v Queensland Rail & Anor* ([2015] HCA 11) *Case Summary* [2015] HCA 11 (8 April 2015); *Commonwealth of Australia Constitution Act* 63 & 64 VICT CH.12 **Part V**. – POWERS OF THE PARLIAMENT 51 (xx.); (*PGPA* Act 2013);
3. I (first name) have given (those coming against you), solicitors, multiple opportunity to not conceal treason and correct their actions and inactions and have failed to do so; see Annexure **“F”** (Communications Run Sheet);
4. ***CRIMES ACT* 1900** - SECT 327
5. Any person who in or in connection with any judicial proceeding makes any false statement on oath concerning any matter which is material to the proceeding, knowing the statement to be false or not believing it to be true, is guilty of perjury and liable to imprisonment for 10 years;
6. I, (first name) have suffered breach of my peace, abuse, violence, physiological, emotional distress, psychological distress, having to deal with this matter, harm loss and injury as a result of (those coming against you) actions and inactions-remedy is sought for their trespassory acts; Maxim- *ignorantia juris non excusat-* "ignorance of the law excuses not";
7. *UNIFORM CIVIL PROCEDURE RULES* 2005 - REG 14.28

Circumstances in which court may strike out pleadings

14.28 Circumstances in which court may strike out pleadings

(cf SCR Part 15, rule 26; DCR Part 9, rule 17; LCR Part 8, rule 3)

(1) The court may at any stage of the proceedings order that the whole or any part of a pleading be struck out if the pleading--

(a) discloses no reasonable cause of action or defence or other case appropriate to the nature of the pleading, or

(b) has a tendency to cause prejudice, embarrassment or delay in the proceedings, or

(c) is otherwise an abuse of the process of the court.

(2) The court may receive evidence on the hearing of an application for an order under subrule (1).

1. Punitive Damages are sought to the sum of $xxxxxx (xxxxxdollars) for these proceedings against I, (first name) payable by(those coming against you);
2. *CRIMES ACT* 1914 - SECT 34

Judge or magistrate acting oppressively or when interested;

Acting when interested

(4) A person commits an offence if:

(a) the person is a judge or magistrate; and

(b) the judge or magistrate perversely exercises jurisdiction in a matter; and

(c) the judge or magistrate has a personal interest in the matter; and

(d) the jurisdiction is federal jurisdiction.

Penalty: Imprisonment for 2 years.

(5) Absolute liability applies to the paragraph (4)(d) element of the offence.

Note: For absolute liability, see section 6.2 of the Criminal Code;

1. **To proceed in this matter the adjudicating judge/magistrate would be in breach of the Crimes Act 1914 section 34, and other compounding criminal offences;**

Affirmed by the “Deponent” at: …………………………………Date:…………………….

Before me:

“Deponent”