

## Governor and Governor General

*The Governor General and State Governors as a result of occupying public office have a duty of care to the public to not cause them harm in the performance of those duties.*

*Secondly there has been a breach of this duty of care, the Governor General and Governors were required by law, the Constitution to not provide royal assent to any act of parliament whether state or federal that seeks to force a preventative medical service such as vaccination because it is strictly prohibited under section 51(xxiiiA), whose purpose is to preserve the contractual and therefore voluntary nature of the doctor patient relationship.*

*Thirdly, the claim of negligence is satisfied because people have suffered harm as a result not that breach of duty of care, in that people have lost their jobs, their businesses and some unfortunately have taken their lives because they have refused to vaccinate, a right they absolutely have. By exercising a right, a person cannot suffer a detriment otherwise it would not be a right.*

### Questions

1. What authority does the Commonwealth or the States or Territories have to force any medical service such as vaccination against any person absent their consent?

2. Is section 478 subsection 1(c) of the Biosecurity Act 2015 (Cth) invalid as it contravenes the prohibition on civil conscription in relation to medical services contained in section 51(xxiiiA) of the Commonwealth Constitution?

Section 478 subsection 1(c) of biosecurity Act 2015

Health ministers to give effect to recommendations of WHO. It is no secret that Bill Gates is driving the vaccination agenda, the Part 2 gives the Health Minister special powers to deal with human biosecurity emergencies, including by giving effect to recommendations of the World Health Organization.

3. Governor General, have you received a recommendation from the World Health Organization to vaccinate in relation to Covid-19?

4. What authority did the Commonwealth have to write into legislation to allow a health recommendation, by a foreign entity the WHO, such as vaccination in relation to Covid to make it enforceable by law and punishable by criminal sanction, knowing full well that section 51(xxiiiA) strictly prohibits any form of civil conscription, a forced legal or practical compulsion to receive a medical service?

The Governor General or State Governors cannot claim ignorance of Constitutional law especially the Governor General being the Queen

representative whose duty it is to give royal assent to acts of parliament upon compliance with the Constitutional. This of necessity requires knowledge of Constitutional law in particular constitutional guarantees such as sect 51(xxiiiA) when laws are passed or rejected in relation to health.

## **Clause 5**

### **Part V – Powers of the Parliament**

#### **51. Legislative powers of the Parliament**

The Parliament shall, **subject to this Constitution**, have power<sup>12</sup> to make laws for the peace, order, and good government of the Commonwealth with respect to

section 51(ix) The power to make laws for Quarantine, **is subject to the Constitution because of section 51(xxiiiA) which** prohibits forced medical services, such as vaccination.

Section 51.(xxiiiA) of the Commonwealth Constitution the provision of maternity allowances, widows' pensions, child endowment, unemployment, pharmaceutical, sickness and hospital benefits, **medical and dental services (but not so as to authorize any form of civil conscription)**, benefits to students and family allowances;

### **Supporting High Court case law:**

- Precedents for our constitutional guaranteed protection is found in High Court case law.

*Wong v Commonwealth HCA 2009*, KIRBY J at paragraphs 125 stated the following:

**125.** Normally, in our society, the provision of "medical and dental services" occurs pursuant to a private contract entered into between the healthcare provider and the patient [152]. The purpose of incorporating a prohibition on "civil conscription" in the provision of such services is thus to preserve such a contractual relationship between the provider and the patient, at least to the extent that each might wish their relationship to be governed by such a contract

### **The doctor patient relationship is a contract and therefore voluntary in law also found case law:**

*Breen v Williams HCA 1996* BRENNAN CJ states the following at paragraph 3:

**3.** In the absence of special contract between a doctor and a patient, the doctor undertakes by the contract between them to advise and treat the

patient with reasonable skill and care. The consideration for the undertaking may be either a payment, or promise of payment, of reward or submission by the patient, or an undertaking by the patient to submit, to the treatment proposed. A duty, similar to the duty binding on the doctor by contract, is imposed on the doctor by the law of torts. The advice and treatment required to fulfil either duty depends on the history and condition of the patient, the facilities available and all the other circumstances of the case.

Section 106. Saving of Constitutions

**Sect 106.** The Constitution of each State of the Commonwealth shall, **subject to this Constitution**, continue as at the establishment of the Commonwealth, or as at the admission or establishment of the State, as the case may be, until altered in accordance with the Constitution of the State

**Biosecurity Act 2015 (Cth)**

478 )1) (c) if a recommendation has been made to the Health Minister by the World Health Organization under Part III of the International Health Regulations in relation to the declaration listed human disease—to give effect to the recommendation.

What authority do the States do have force a medical service such as vaccination on any person absent their consent? What authority do you have to get us to 80% stating you will relax the restrictions by exercising a power the States, do not have, that is the ability to force vaccination onto the people.