

Marie E Brannigan



The Committee Secretary  
Economics and Governance Committee  
Parliament House  
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**To Whom It May Concern: Re: Public Health and other Legislation (Further extension of Expiring Provisions) Amendment Bill 2021**

Dear Sir/ Madam,

As a resident of Queensland and being a small business owner operating within the State of Queensland, it is my belief that the submission and acceptance of the bill goes against the Human Rights Act 2019 even though the Honourable Minister of Health Y'vette D'Ath indicates via the submission it isn't.

It is my humble opinion that a further extension of the Public Health and other Legislation indeed inflict on the following areas of Queensland residents:

- **Quarantine fees** – no person being required to undertake a period of quarantine by the government should be paying for these services out of their own pocket, residents of the state should be allowed to quarantine at their own place of residence and in the event the government requires them to quarantine at government provided quarantine facilities, the cost of such should be carried by the government. After all, this government prefers not to cover the quarantine costs of Queensland residents entering Australia and owed to other States.
- **Right to life** – Every resident of Queensland and indeed Australia are responsible for their own health and infringements should not be placed on residents taking responsibility for their own health and wellbeing because the government have suddenly decided they are responsible for this right.
- **Protection from torture and cruel, inhumane, or degrading treatment** – I have since the inception of the bill with the initial outbreak of Covid19 seen some shocking treatment from government entities including the police inflicted on the residents of this State. Mentioning a few examples is the ability of residents prohibited to attend funerals of their loved ones, residents whose closest hospital is a Queensland hospital, being prohibited to visit a Queensland hospital as announced publicly by the Premier of this State and in her own words "Queensland Hospitals are for Queenslanders", international

arrivals being fully vaccinated prohibited to see their dying relatives before their passing and so on. One of the points mentioned in the Minister's submission is that a detained person may refuse the examination, my question is, if they refuse which are their right, will they then be detained for a further period or until they agree to receive the examination, what are the real outcome in this instance?

- **The nature of the right – Right to equality before the law?** I am questioning this because it is my believe that businesses who are required to implement directions such as mask wearing are not treating customers equally when they have a medical exemption. No other person including a police officer have the right to ask a person to show a medical exemption to them as per the Privacy Act and Section 117 of the Commonwealth Constitution Act: Rights of Residents in States
- **Freedom of movement** – During the 16 months of the emergency directions, Queensland residents right to freedom of movement was removed on several occasions including the closure of State Borders and the request from the CMO Jeanette Young advising people not to go into other States. Section 92 of the Australian Constitution provides the right of freedom to move freely between States, this has clearly not been followed by the Queensland Government. Our rights to freedom of movement in our own State have also been seriously affected by shutdowns of businesses, in the beginning of the pandemic it was said that we only need two weeks to flatten the curve, but as time moved on it seems like the Queensland Government went from flatten the curve to eradicate the virus. In the meantime, many small businesses have suffered enormous unrecoverable losses, and, in some cases, some had to close their doors permanently.

The abovementioned points are only a few addressed from the submission by the Honourable Y'vette D'Ath, but there are many more points of concern. Due to the unclear right of the Queensland Government and its entities to make laws and impose it on people, I am stating the following simple facts regarding the validity of the Queensland Government which raise a question regarding the rights of Local Governments:

1. **All** *Parliaments require authority from somewhere to make Laws.*
2. *Where does the Queensland Parliament receive its authority from?*  
*Answer: the Queensland Constitution s8 and the Commonwealth Constitution s108.*
3. *The Queensland Constitution is subject to the Commonwealth Constitution s106.*
4. *Local Government relies on the Local Government Act 2009 (Qld) for its existence.*
5. *The Local Government Act 2009 (Qld) relies on s70 of the Queensland Constitution for its existence.*

6. *Municipal institutions and local government **are in the Commonwealth Constitution** as a department of a State Government. (Pages 935 & 936 Annotated Constitution).*
7. In 1989, The Parliament of *Queensland* amended the *Queensland* Constitution to include s54-56 which inserts Local Government into the *Queensland* Constitution.

***Some questions.***

1. Can the Parliament of *Queensland* amend the Commonwealth Constitution? **NO.** Only the people of the Commonwealth can do that by means of s128 (referendum) of such Constitution.
2. Can the Parliament of *Queensland* create any Laws that are inconsistent with the Commonwealth Constitution? **NO.** section 106 & 108 *Commonwealth Constitution*.

***Some more Facts.***

1. Therefore, s54-56 of the *Queensland* Constitution is unlawful and, as a result, so is the Local Government Act 2009 and consequently, so is Local Government as a Government.
2. *Local Government can only be a Department of a State, and Departments of State Governments cannot govern us, cannot create Laws (Local Laws) and above all cannot Tax us (Rates).*
3. *Municipal institutions and local government are in the Commonwealth Constitution, as a department of a State Government. In 1989, the Queensland Parliament altered its Constitution to include a 3<sup>rd</sup> or an essential tier of Government which has effectively altered or is at least repugnant with the Commonwealth Constitution.*

***Statement***

*Local Government cannot govern us, cannot make laws for us (local law) and cannot tax us (rates).*

*Municipal institutions and local governments can only be a Department of a State, just like the Education Department or the Health Department.*

**Now the question for all *Queensland* State politicians is including the Honourable Minister of *Queensland* Health are:**

**In 1989, where did the *Queensland* Parliament get its authority from to alter or at least make laws that are repugnant to the Commonwealth Constitution?**

Given all the points raised in this letter, I do not consent to the Public Health and other Legislation (Further extension of Expiring Provisions) Amendment Bill 2021. The approval of the Amendment Bill as suggested by the Minister will impose restrictions on the free movement of citizens, their ability to travel, running their businesses, social and school attending and mandating certain preventative health measures such as mask wearing, gatherings, gatherings, bordure closures and

lockdowns with no valid data that these measurements are indeed effective. I also refer the Minister to a recent case in the High Court of New Zealand which ruled that the first lockdowns were unlawful. <https://www.dailymail.co.uk/news/article-8642299/New-Zealands-High-Court-rules-lockdown-UNLAWFUL-people-wrongly-forced-stay-home.html>

Further to this, the World Health Organisation also strongly oppose to the practice of lockdowns. <https://www.washingtonexaminer.com/news/who-official-urges-world-leaders-to-stop-using-lockdowns-as-primary-virus-control-method>

I also refer the minister to a Citizen's entrenched right to freedom of movement, particularly no-one can introduce any kind of border permit system in order for the citizen to exercise their right to travel freely between States in their own country, Article 12 in particular paragraph 16. <https://www.refworld.org/pdfid/45139c394.pdf>

There are several indications that wearing a mask can actually be detrimental to the health and wellbeing of citizens, in fact these articles clearly shows that masks is not a protective measure against Covid-19!

<https://newsroom.unsw.edu.au/news/health/cloth-masks-%E2%80%93-dangerous-your-health>

<https://www.primarydoctor.org/censorship-vs-the-scienc-on-masks>

<https://swprs.org/face-masks-evidence/>

<https://thefederalist.com/2020/10/12/cdc-study-finds-overwhelming-majority-of-people-getting-coronavirus-wore-masks/>

Furthermore, I believe there is other medication available for the control of the Coronavirus outbreaks and deaths which are non-existent in Australia, but these medications have been banned for prescription and doctors raising concerns are being silenced by the Government who was voted in to protect their residents. I have linked a document for your perusal and require the Department of Health to further investigate this statement made by Professor Thomas Borody instead of wasting taxpayer funds to implement a bill for a disease the government choose to ignore at this time.

<https://covexit.com/we-know-its-curable-its-easier-than-treating-the-flu-professor-thomas-borody/>

Yours sincerely,

Marie Brannigan

