Dear…….,

I refer to your demand that I am required to have the influenza/COVID-19 vaccine and that you have referred me to the applicable Government mandate that has required you to make that request of me.

I note that I am part of a National Class Action organised through Advocate Me in Victoria, an advocacy service that is currently challenging the compulsory flu vaccination/COVID-19 mandates, on a number of grounds that they are contradictory to the *Biosecurity Act 2015,* not authorised by the Public Health and Emergency legislation and goes against the requirements of informed consent.

A vaccination mandate, including a testing or masking mandate, has to be targeted to an individual that presents signs and symptoms of the listed human disease and it must be as a result of a medical examination that would assess me as being a risk and would compel me personally via a biosecurity control order to be vaccinated. As part of this process, I would automatically be entitled to various rights including review rights and the right to a proper risk assessment.

In order for a Government or business to mandate masks (Section 88), PCR tests (Section 90) or vaccinations (Section 92), they need to impose on you a ‘***human biosecurity control order (HBCO)’*** (Section 60).

***A Human Biosecurity Control Order (HBCO)*** is also required to enforce restrictive behaviours and isolation measures.

For your reference, I reproduce the provisions here: **Biosecurity Act 2015** -<https://www.legislation.gov.au/Details/C2020C00127>

**Biosecurity Act 2015 (Section 60 – Human Biosecurity Control Order) -**

**Subsection (2)** - ***A human biosecurity control order*** may be imposed on an individual only if the officer is satisfied that:

1. The individual has one or more signs or symptoms of a listed human disease; or
2. The individual has been exposed to:
3. a listed human disease; or
4. another individual who has one or more signs or symptoms of a listed human disease; or
5. the individual has failed to comply with an entry requirement in subsection 44(6) in relation to a listed human disease.

**RELEVANT SECTIONS**

**BIOSECURITY ACT 2015 SECTION 88 – MASKS**

An individual may be required by a ***Human Biosecurity Control Order*** to wear either or both specified clothing and equipment that is designed to prevent a disease from emerging, establishing itself or spreading.

**BIOSECURITY ACT 2015 SECTION 90 - PCR TESTS**

**Undergoing an examination**

An individual may be required by a ***Human Biosecurity Control Order*** to undergo, at a specified medical facility, a specified kind of examination relating to determining the presence in the individual of:

1. the listed human disease specified in the order; and
2. any other listed human disease.

**BIOSECURITY ACT 2015 SECTION 92 - RECEIVING VACCINATIONS**

An individual may be required by a ***Human Biosecurity Control Order*** to receive, at a specified medical facility:

1. a specified vaccination; or
2. a specified form of treatment;
3. in order to manage the listed human disease specified in the order, and any other listed human disease.

It is therefore evident that in the absence of being personally directed, I have the right to refuse the influenza/COVID-19 vaccination and you do not have the right to deny me access to my loved one/ employment.

However, to assist you in allowing me to have access to my family member/employment, I am happy to provide you a medical certificate confirming my health status that I do not currently present with either flu-like symptoms or COVID-19 symptoms.

I note here that the influenza vaccination has not been shown to reduce the risk of hospitalisation and does not protect fully from getting influenza and/or preventing transmission and/or I note here that I have enclosed a COVID-19 declination letter that details all the safety and efficacy risks involved with taking the vaccination as well as a further research paper that details all the risks with COVID-19 vaccinations. The only appropriate assessment for that purpose is to ensure that I am not currently sick. This is what will protect your residents and other employees. To that end, I am happy to provide proof of that.

I have the basic human right to refuse to be vaccinated and urge that you refrain from using coercive or punitive tactics, when there is clearly no law supporting your policy.

I thereby request immediate access to my loved one in your aged care facility/return to employment and look forward to your prompt response by email.