

Threat to Use an Experimental COVID-19 Injection, Mask or Testing as a Condition of Employment



How to Serve the Notice of Liability

- Print two copies of the Notice of Liability.
- Fill in the name of the person you are serving it to in the space provided at the top of the first page - on both copies.
- Sign your name and fill in the date in the space provided on the last page - on both copies.
- Keep one copy of the Notice for your records.
- Give the second copy to the person you are serving it to. If they choose not to accept it, then leave it on the floor at their feet.
- If you are serving the Notice in person, be sure to video record yourself serving it (or audio record if video is not possible).
- **If sending by mail, you must use registered mail as that provides proof of delivery.**

Keep all information (eg. Liability Notice copy, video, mailing proof etc.) in a safe place for future use.

NOTE: You do not need a lawyer to serve a Notice of Liability and you do not need consent, or the signature of the person you are serving it to.

Disclaimer: Action4Canada accepts no responsibility or liability for any harms or losses that occur as result of serving a notice of liability. If you do not agree to these terms, then please do not use this notice. We do not make any representations or warranties about the potential consequences of serving a Notice of Liability. This information is not intended as legal or health advice.

Attn: _____

RE: Threat to use an experimental COVID-19 injection, mask or testing as a condition of employment

There are no provisions in any orders of any health minister, doctor, or provincial legislation, that can, nor pretend that any measures can, override Charter or other pre-Charter constitutional rights.

All Statutes, Orders, By-laws, and Acts must be consistent with the Constitution...or they are of no force or effect.

Section 52(1) of the **Constitution Act**, 1982: The Constitution of Canada is the supreme law of Canada, and any law that is inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force or effect.

According to the Public Health Agency of Canada, Canadian National Report on Immunization, 1996:

“Vaccines are not mandatory in Canada and they cannot be made mandatory because of the Canadian Constitution.”

If the Federal Government had invoked the **Federal Emergencies Act**, which it has not, even that Emergencies Act states:

AND WHEREAS the Governor in Council, in taking such special temporary measures, would be subject to the Canadian Charter of Rights and Freedoms and the Canadian Bill of Rights and must have regard to the International Covenant on Civil and Political Rights, particularly with respect to those fundamental rights that are not to be limited or abridged even in a national emergency.

Employment is 100% guaranteed and protected under Section 7 of The Canadian Charter of Rights and Freedoms:

“Everyone has the right to **life, liberty, and security** of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.”

Consent to Medical Treatment and Testing

In Canada, a doctrine of informed consent regarding any medical treatment has become part of Canadian Federal law. According to Supreme Court rulings, no Canadian citizen is required to take any medical treatment without informed consent, which includes the right to refuse such treatment¹.

¹ https://bottomlineresearch.ca/pdf/informed_consent.pdf

The Genetic Non-Discrimination Act, Bill S- 201, states that it is an indictable offence to force anyone to take a DNA/RNA test or deny any service, employment, or education opportunity to anyone who refuses to take such a test. The punishment is a fine not exceeding \$1,000,000 or imprisonment for a term not exceeding five years, or both².

In 1986, the Supreme Court of Canada ruled in *E. (Mrs.) v. Eve*, 1986 CanLII 36 (SCC), [1986] 2 S.C.R. 388³, that forced medical testing violates the inviolability of the body and is unlawful. The Court upheld this ruling in *Engel v. Salyn* 1993 CanLII 152 (SCC), [1993] 1 SCR 306⁴.

There is no law in Canada legislating that people must wear a mask because you cannot interfere with an individual's right to breathe freely.

Extortion; committing tort; privacy violations; willful misconduct; assault and battery; and acting in bad faith are serious indictable criminal code offences. Interfering with someone's right to gainful employment, or essential and non-essential services, is a further violation of the Constitution and Charter of Rights and Freedoms.

I am writing to advise you that if you persist in interfering with my guaranteed rights by supporting or enforcing the COVID-19 injection, testing, mask or any other medical treatment, under threat of losing my employment or being suspended without pay, I will hold you personally liable for any loss of income, damages and/or any injury I suffer as a result of your actions. You are personally not protected under any Act, Order or Statute that is in violation of the Canadian Rule of Law, Constitution and Charter of Rights and Freedoms.

It is the duty of every Canadian citizen to uphold the law and respect the Constitution and Charter Rights. You have been duly warned.

Name: _____

Signed: _____

Date: ____ / ____ / ____

2 <https://laws-lois.justice.gc.ca/eng/acts/G-2.5/index.html>

3 <https://www.canlii.org/en/ca/scc/doc/1986/1986canlii36/1986canlii36.html?searchUrlHash=AAAAAQAWRS4gKE1ycy4pIHYuIEV2ZSwgMTk4NgAAAAAB&resultIndex=1>

4 <https://www.canlii.org/en/ca/scc/doc/1993/1993canlii152/1993canlii152.html?searchUrlHash=AAAAQARYm9keSAvcyBpbnZpb2xhdGUAAAAAQ&resultIndex=1>