

TRINIDAD AND TOBAGO.

No. 17.—1920.

I ASSENT,

[L.S.]

J. R. CHANCELLOR,
Governor.

29th May, 1920.

AN ORDINANCE relating to Vaccination.

[29th May, 1920.]

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

- Short title.** 1. This Ordinance may be cited as the Vaccination Ordinance, 1920.
- Districts.** 2. For the purposes of vaccination, the Colony shall be divided into such districts, to be known as vaccination districts, as shall from time to time be proclaimed by the Governor in Executive Council; and the Governor may appoint district vaccinators and vaccination officers for such districts.
- Appointment of district vaccinators and officers.**
- Rules.** 3. The Governor in Executive Council may make rules to secure the efficient performance of vaccination and re-vaccination, the provision and supply of vaccine lymph,

the observance of the provisions of this Ordinance with regard to the issue and transmission of certificates and the fulfilment of all other provisions of this Ordinance on the part of the district vaccinators, the fees to be paid under this Ordinance, and generally, for the purpose of carrying out the provisions of this Ordinance, and shall appoint places and times at which the district vaccinators shall respectively attend for the purpose of vaccinating persons.

4. The district vaccinators shall vaccinate all persons, adults as well as children, who attend at the times and places so appointed for the purpose of being vaccinated. Provided that such persons shall not have been previously successfully vaccinated or otherwise protected from small-pox, nor shall, in the opinion of the district vaccinator, be in a state of health unfavourable for successful vaccination.

Duties of
district
vaccinators.

5. Every Registrar of births shall, on or within seven days after the registration with him of the birth of any child not already vaccinated, give a notice according to the form in schedule A hereto, or to the like effect, to the person giving the notice of birth to him, or to the father or mother, or to the person having the custody of such child, requiring such child to be duly vaccinated according to the provisions of this Ordinance, and specifying the days, hours and places where the district vaccinator of the vaccination district wherein such child resides, will attend for the purpose of performing the vaccination.

Registrar to
notify
parent, &c., of
requirements
of Ordinance.

6. The father or mother of any child, or in the event of the death, illness, absence or inability of the father and mother, then the person who shall have the care, nurture or custody of the said child, shall, within three months after the birth of such child, where such child shall be born in this Colony, or within three months after such child, if not born in this Colony, shall have arrived in this Colony, take or cause to be taken the said child to the district vaccinator of the vaccination district within which such child is resident, for the purpose of being vaccinated, unless he shall have been previously vaccinated, and the vaccination duly certified; and the said district vaccinator shall thereupon or as soon as it may conveniently and properly be done, vaccinate the said child: Provided that when any district vaccinator shall

Parents to
take child
to be
vaccinated.

by writing direct that any unvaccinated child residing in his district shall be taken to be vaccinated before the expiration of the said term of three months, such child shall thereupon be taken or caused to be taken to such district vaccinator for the purpose of being vaccinated.

Children to be taken for inspection after being vaccinated.

7. On the eighth day after that on which the vaccination shall have been performed by the district vaccinator, such father or mother or other person as the case may be shall again take the child or cause it to be taken to him that he may inspect it and ascertain the result of the operation, and in the event of the vaccination being unsuccessful, such father or mother or other person shall, if the vaccinator so direct, cause the child to be forthwith again vaccinated and inspected as on the previous occasion.

Magistrate may order vaccination of child.

8. If any district vaccinator shall give information in writing to a Magistrate that he has reason to believe that any child under the age of sixteen years, being within the vaccination district for which the informant acts, has not been successfully vaccinated and that he has given notice to the father or mother or person having the care, nurture or custody of such child, to procure its being vaccinated, and that the said notice has been disregarded, the Magistrate shall summon such father, mother, or person to appear with the child before him forthwith, and upon such appearance, if the Magistrate shall find, after such examination as he shall deem necessary, that the child has not been vaccinated, he may, if he see fit, make an order under his hand, directing such child to be vaccinated; and if at the expiration of such time the child shall not have been so vaccinated, or shall not be shown to be then unfit to be vaccinated, or to be unsusceptible of vaccination, the person upon whom such order shall have been made shall be proceeded against summarily, and, unless he can show some reasonable ground for his omission to carry the order into effect, shall be liable on summary conviction to a penalty not exceeding one pound for every time he shall refuse or neglect to obey such order.

Refusing to produce child.

9. When any father or mother of any child or other person having the care, nurture or custody of such child, fails to produce such child when required so to do by any

summons under this Ordinance, such father, mother or other person shall be liable on summary conviction to a penalty not exceeding one pound.

10.—(1.) As soon as the successful vaccination of any adult person or child has been verified by inspection, the district vaccinator or medical practitioner who shall have performed the operation, shall deliver to such adult or to the father or mother of such child, or to the person having the care, nurture or custody of such child, a certificate under his hand according to the form in schedule B hereto or such other form as may from time to time be authorised by the Governor, that such adult or child has been successfully vaccinated; and shall forward by post or otherwise a duplicate of such certificate to the registrar of the district in which the child was born. Provided that if such district is not known to him, or if the child was born outside the Colony, such duplicate shall be forwarded to the registrar of the district in which the vaccination was performed.

Certificate of
successful
vaccination.

(2.) Such Registrar shall register such certificate in a book to be provided for the purpose, and shall endorse such certificate in evidence of such registration.

(3.) Such certificate so registered and endorsed shall be admissible as evidence of the successful vaccination of such adult or child in any proceedings under this Ordinance.

(4.) For each such registration the Registrar shall be entitled to receive out of the Treasury such fees as may be prescribed by rules made under this Ordinance.

(5.) Nothing in this Ordinance contained shall affect the right of Registrars holding office on the twenty-second day of November 1916 to receive a fee of one shilling for each registration of a vaccination certificate.

11. If any district vaccinator or medical practitioner shall be of opinion that the child is not in a fit and proper state to be successfully vaccinated, he shall forthwith deliver to the father or mother or other person having the custody of such child, a certificate under his hand according to the form in schedule C hereto, or to the like effect, that the child is then in a state unfit for successful vaccination, which certificate shall remain in force for two months, and

When child
is unfit for
vaccination.

shall be renewable for successive periods of two months, until a district vaccinator or medical practitioner shall deem the child to be in a fit state for successful vaccination, when the child shall with all reasonable despatch be vaccinated, and the certificate of successful vaccination duly given if warranted by the result.

Certificate may be renewed.

12. At or before the end of each successive period, the father or mother or such person as aforesaid, shall take or cause the child to be taken to some district vaccinator or medical practitioner, who shall then examine the child and give the certificate according to the said form C, so long as he deems requisite under the circumstances of the case.

Certificate in case of unacceptibility of successful vaccination.

13. If any such district vaccinator or medical practitioner shall find that a child whom he has at least three times unsuccessfully vaccinated is unacceptible of successful vaccination, or that a child brought to him has already had the small-pox, he shall deliver to the father or mother or other person as aforesaid a certificate under his hand according to the form in schedule D hereto, or to the like effect, and the father or mother or such person as aforesaid, shall thenceforth not be required to cause the child to be vaccinated.

Arm to arm vaccination prohibited.

14. No person shall take from any person successfully vaccinated lymph for the purpose of vaccination, and no person shall vaccinate any person with lymph taken from any other person.

Any person contravening the provisions of this section shall be liable on summary conviction to a penalty not exceeding one hundred pounds.

Vaccination fees.

15.—(1.) There shall be paid to each district vaccinator in respect of every primary vaccination successfully performed by him within his district the sum of two shillings; and, if at any time the Governor shall make rules in respect of the re-vaccination of persons who may already have been successfully vaccinated, the district vaccinators shall be entitled to receive the like sum of two shillings for every such re-vaccination within their districts successfully performed.

(2.) Sub-section (1) hereof shall not apply to district vaccinators who entered the service prior to the 27th day of April, 1893, but such officers shall be entitled to receive four shillings and two pence for each successful vaccination or re-vaccination.

(3.) Provided always that the Governor in Executive Council may from time to time by proclamation order that the district vaccinator shall vaccinate all persons and shall have no claim to the fees prescribed in this section.

16. The sums payable under this Ordinance to the district vaccinators shall be paid quarterly out of the general revenue upon the certificate of the district vaccinator, setting forth the names and addresses of the persons vaccinated and the dates of their vaccination, which certificate shall be countersigned by the Surgeon-General or other officer appointed by the Governor for the purpose.

Method of
payment.

17. Every district vaccinator shall keep a register, in which he shall enter the date of vaccination, the name, age, sex and place of abode of every person vaccinated by him, the name of the parent or guardian, and the operation, whether successful, unsuccessful or doubtful, and such further particulars as may from time to time be directed by the Governor; and every district vaccinator shall on or before the tenth day of January, tenth day of April, tenth day of July, and tenth day of October in each year transmit a copy of the entries made during the last preceding quarter in such register to the Surgeon-General or other officer to be appointed by the Governor, who shall file the same in his office, and such copy so signed shall be admissible as evidence in any Court.

Vaccinators
to keep
register.

18. The father or mother of every child, or in the event of the death, illness, absence or inability from sickness or otherwise of the father or mother, then the person having the care, nurture or custody of such child, who shall not cause such child to be vaccinated according to this Ordinance, or shall not on the eighth day after such vaccination has been performed, take or cause to be taken, such child for inspection, shall forfeit a sum not exceeding one pound; and if such father, mother or person having been so convicted shall not afterwards cause such child to be vaccinated within three months next after such conviction, or shall not on the eighth

Neglect to
cause children
to be vac-
cinated and
inspected.

day after such vaccination has been performed take or cause to be taken such child to the district vaccinator by whom the operation was performed in order that such district vaccinator may ascertain by inspection the result of such vaccination, such father, mother or other person shall forfeit the further sum of two pounds for each and every term of three months during which such father or mother or other person shall so fail or neglect to cause such child to be vaccinated, and the like sum of two pounds for every failure or neglect to cause such child to be so inspected.

Forging
Certificate.

19. Any person who shall wilfully forge, counterfeit, or alter any certificate required by this Ordinance, or utter or produce in evidence any such certificate, knowing the same to be forged, counterfeited or altered, shall be guilty of felony, and shall on conviction thereof be liable, at the discretion of the Court to be imprisoned with hard labour for any term not exceeding four years.

Using certifi-
cate for
fraudulent
purpose.

20. Any person who shall give or lend or use any certificate for any fraudulent purpose, shall on summary conviction thereof before a Magistrate be imprisoned with hard labour for any term not exceeding three months.

Recovery and
appropriation
of penalties.

21. All pecuniary penalties for any offence under this Ordinance shall and may be recovered in a summary manner on the information of the district vaccinator, before the Magistrate of the County within which the person guilty of such offence may be resident at the time of the committing of such offence; and all such penalties shall be paid one moiety thereof to the informer for his own use, and the other moiety thereof into the Treasury.

Inoculating
with variolous
matter.

22. Any person who shall produce, or attempt to produce in any person by inoculation with variolous matter, or by wilful exposure to variolous matter or to any matter, article or thing impregnated with variolous matter, or wilfully by any other means whatsoever produce or attempt to produce the disease of small-pox in any person in this Colony, shall be liable to be proceeded against summarily on the information of any district vaccinator of the vaccination district within which the offence shall have been committed, before any Magistrate, and if convicted shall for every such offence be imprisoned with or without hard labour for any term not exceeding three months.

23. All proceedings for enforcing any penalty under this Ordinance may be taken against any person at any time after such person shall have become liable to any such penalty. Limitation of actions.

24. Every Superintendent Registrar or Registrar of births and deaths for any place, shall, once at least in every month, transmit by post or otherwise, to each district vaccinator whose district is wholly or partly comprised in such place, a return, certified under the hand of the registrar to be a true return, of all births and of all deaths of infants under twelve months of age which have been registered by him and of which the certificate of vaccination has not been registered by him. Returns.

25. All costs incurred by the district vaccinators or district registrars in respect of any books, forms and notices in use under this Ordinance, or in respect of any other matter required by the same or by any rules made under the same, shall be paid by the Government. Cost of books, &c., to be paid by Government.

26. The Vaccination Ordinance (No. 189) and the Vaccination (Amendment) Ordinance, 1916, are hereby repealed. Repeal.

Passed in Council this Fourteenth day of May in the year of Our Lord one thousand nine hundred and twenty.

T. B. JACKSON,
Acting Clerk of the Council.

SCHEDULE A.

I, the undersigned, hereby give you notice to have the child whose birth is now registered, vaccinated within three months from the date of its birth, pursuant to the provisions of the Vaccination Ordinance, and that in default of your doing so, you will be liable to the penalties thereby imposed for neglect of those provisions.

The district vaccinator will attend at _____ on the _____ day of _____ at the hour of _____

You are required to produce to the district vaccinator or medical practitioner, who shall vaccinate the child aforesaid, the two forms marked respectively B and C herewith supplied.

Dated this _____ day of _____

(Signed)

Registrar of _____

District.

SCHEDULE B.

I, the undersigned, hereby certify that _____ aged _____ son or daughter of _____ whose birth was registered at _____ on the _____ day of _____ Birth Register No. _____ was vaccinated by me on the _____ and the result of such vaccination was inspected by me on the _____ day of _____ and found to have proved successful.

Number of successful insertions of Lymph _____

Situation of Vesicles _____

Date _____

(Signed)

District Vaccinator or Medical Practitioner.

N.B.—This Certificate when filled up and signed, is to be taken to the District Registrar for Registration and Endorsement.

ENDORSEMENT.

Registered at _____ on the _____ day of _____ 19 _____

District Registrar.

SCHEDULE C.

I, the undersigned, hereby certify that I am of opinion that _____ the child of _____ aged _____ is not now in a fit and proper state to be successfully vaccinated and I do hereby postpone the vaccination until the _____ day of _____

Dated this _____ day of _____

District Vaccinator or Medical Practitioner.

SCHEDULE D.

I, the undersigned, hereby certify that I have _____ times (*not less than three*) unsuccessfully vaccinated _____ aged _____ the child of _____ (or that the child has already had small-pox, *as the case may be*), and I am of opinion that such child is unsusceptible of successful vaccination.

Dated this _____ day of _____ 19 _____

(Signed)

District Vaccinator or Medical Practitioner.

(*as the case may be.*)