
2nd Session Third Parliament Trinidad and Tobago
22 Elizabeth II



TRINIDAD AND TOBAGO

Act No. 10 of 1973

[L.S.]

AN ACT respecting the immunisation of persons seeking entry into nursery schools and primary schools against certain communicable diseases.

[Assented to 23rd May, 1973]

WHEREAS it is enacted *inter alia* by subsection (1) of section 5 of the Constitution that an Act of Parliament to which that section applies may expressly declare that it shall have effect notwithstanding sections 1 and 2 of the Constitution and, if any such Act does so declare, it shall have effect accordingly:

And Whereas it is provided by subsection (2) of the said section 5 of the Constitution that an Act of Parliament to which that section applies is one the Bill for which has been passed by both Houses of Parliament, and at the final vote thereon in each House has been supported by the votes of not less than three-fifths of all the members of that House:

And Whereas it is necessary and expedient that the provisions of this Act shall have effect notwithstanding sections 1 and 2 of the Constitution:

Enactment

NOW, THEREFORE, BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Trinidad and Tobago, and by the authority of the same, as follows:—

Short title

1. (1) This Act may be cited as the Public Health (Nursery Schools and Primary Schools Immunisation) Act, 1973.

**Act at variance
with Ch. 1 of the
Constitution**

(2) This Act shall have effect notwithstanding sections 1 and 2 of the Constitution.

**Interpre-
tation****2. In this Act—**

“certificate of immunisation” means a certificate of a medical practitioner certifying that he is satisfied that a person is immune with respect to a communicable disease—

(a) by reason of his having been immunised against such communicable disease; or

(b) by reason of his having suffered from any communicable disease whereby immunity to such disease was derived;

Schedule

“communicable disease” means any disease from time to time specified in the Schedule;

“medical practitioner” means a person registered under the Medical Board Ordinance, 1960;

“Minister” means the member of the Cabinet to whom responsibility for the subject of Health is assigned;

“nursery school” means a school including a department of a school used mainly for the purpose of providing education for children under the age of five years;

**Ord. 35
1960**

“parent” includes a guardian;

“primary school” has the same meaning as in section 2 of the Education Act, 1966;

No. 1 of
1966

“school” includes a special school established under section 39 of the Education Act, 1966.

3. (1) Notwithstanding any rule of law to the contrary, no person may be admitted into any nursery school or primary school unless he produces to the Principal thereof a certificate of immunisation with respect to every communicable disease, save that where a person produces a certificate of a medical practitioner certifying that immunisation against any particular communicable disease or communicable diseases is not advisable on medical grounds, no certificate of immunisation is required to be produced with respect to that communicable disease or those communicable diseases, as the case may be.

Certificate
of immu-
nisation
required
for admis-
sion to
nursery
schools
and pri-
mary
schools

(2) A Principal of any nursery school or primary school who admits any person to such school in contravention of the provisions of subsection (1) or section 5 is guilty of an offence and liable on summary conviction to a fine of five hundred dollars.

4. The Schedule specifying the communicable diseases to which this Act refers may, from time to time, by Order of the Minister published in the *Gazette*, be varied, added to, or otherwise amended.

The
Schedule—
power to
vary

5. Where any communicable disease has become epidemic or when an epidemic of any such disease is threatened, the Minister may by Order suspend from attendance at any nursery school or primary school persons to whom a certificate of a medical practitioner certifying that immunisation against any such disease is not advisable on medical grounds was issued pursuant to section 3(1) or refuse entry to any such person to any such school, and the suspension or refusal of entry as the case may be, shall be effective until the Minister by further Order declares that the epidemic is ended or the threat of such epidemic is past.

Minister's
powers in
time of
epidemic

SCHEDULE

(Section 4)

COMMUNICABLE DISEASES

Poliomyelitis
Smallpox.

Passed in the House of Representatives this 6th day of
April, 1973.

G. R. LATOUR

Clerk of the House

IT IS HEREBY CERTIFIED that this Act is one the Bill for
which has been passed by the House of Representatives
and at the final vote thereon in the House has been sup-
ported by the votes of not less than three-fifths of all the
members of the House, that is to say by the votes of 25
members of the House.

G. R. LATOUR

Clerk of the House

Passed in the Senate this 17th day of April, 1973.

J. E. CARTER

Clerk of the Senate

IT IS HEREBY CERTIFIED that this Act is one the Bill for
which has been passed by the Senate and at the final vote
thereon in the Senate has been supported by the votes of
not less than three-fifths of all the members of the Senate,
that is to say by the votes of 21 Senators.

J. E. CARTER

Clerk of the Senate