

**PUBLIC HEALTH (NURSERY SCHOOLS AND  
PRIMARY SCHOOLS IMMUNISATION) ACT**

**CHAPTER 28:03**

**Act**  
**10 of 1973**  
Amended by  
97/1975  
60/1993  
174/1995

**Current Authorised Pages**

<i>Pages</i> <i>(inclusive)</i>	<i>Authorised</i> <i>by L.R.O.</i>
1-6	.. 1/2006

*L.R.O. 1/2006*

**Note on Subsidiary Legislation**

This Chapter contains no subsidiary legislation.

**CHAPTER 28:03**

**PUBLIC HEALTH (NURSERY SCHOOLS AND  
PRIMARY SCHOOLS IMMUNISATION) ACT**

ARRANGEMENT OF SECTIONS

**SECTION**

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Act at variance with Constitution.
2. Interpretation.
3. Certificate of immunisation required for admission to nursery schools  
and primary schools.
4. The Schedule—power to vary.
5. Minister's powers in time of epidemic.

**SCHEDULE.**

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CHAPTER 28:03

**PUBLIC HEALTH (NURSERY SCHOOLS AND  
PRIMARY SCHOOLS IMMUNISATION) ACT**

10 of 1973. **An Act respecting the immunisation of persons seeking entry into nursery schools and primary schools against certain communicable diseases.**

Commencement. [23RD MAY 1973]

WHEREAS it is enacted *inter alia* by section 13(1) of the Constitution that an Act of Parliament to which that section applies may expressly declare that it shall have effect notwithstanding sections 4 and 5 of the Constitution and, if any such Act does so declare, it shall have effect accordingly:

And whereas it is provided by section 13(2) 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 this Act shall have effect notwithstanding sections 4 and 5 of the Constitution:

Short title. **1.** (1) This Act may be cited as the Public Health (Nursery Schools and Primary Schools Immunisation) Act.

Act at variance with Ch.1:01 Constitution. (2) This Act shall have effect notwithstanding sections 4 and 5 of the Constitution.

Interpretation. **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;

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

Schedule.

“medical practitioner” means a person registered under the Medical Board Act;

Ch. 29:50.

“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;

“parent” includes a guardian;

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

Ch. 39:01.

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

**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 immunisation required for admission to nursery schools and primary schools.

(2) A Principal of any nursery school or primary school who admits any person to such school in contravention of subsection (1) or section 5 is liable on summary conviction to a fine of one thousand dollars.

**4.** The Schedule specifying the communicable diseases to which this Act refers may, from time to time, by Order of the Minister, 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

Minister’s powers in time of epidemic.

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 the epidemic is past.

Section 4.  
[97/1975  
60/1993  
174/1995].

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**SCHEDULE**  
**COMMUNICABLE DISEASES**

Poliomyelitis  
Diphtheria  
Tetanus  
Yellow Fever  
Measles

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