CHAPTER 333
VACCINATION ACT

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ACT

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Schedule Forms

CHAPTER 333
VACCINATION ACT

An Act to extend and make compulsory the practice of vaccination.

[9*th September*, 1873.]

1. Short title

This Act may be cited as the Vaccination Act.

2. Interpretation

In this Act, the word "parent" shall include the father and mother of a legitimate child, and the mother of an illegitimate child, and any person having the custody of a child.

3. Minister's powers

The Minister may, by Order from time to time, repeal, alter, and add to the forms contained in the Schedule and the references in this Act to the forms in the Schedule, or to any forms, shall be construed to refer to the forms prescribed by any such Order; he or she shall also, from time to time, make, vary, and rescind rules and regulations for the due prosecution of all informations and complaints under this Act, to secure the efficient performance of vaccination, and if necessary of revaccination, the provision and supply of vaccine lymph, the observance of the provisions of this Act with regard to the issue and transmission of the certificates, and the fulfilment of all other provisions of this Act on the part of the district medical officers, and shall appoint the stations and the times at which the district medical officers shall attend for the purpose of vaccinating persons.

4. Registrar General to provide books, forms, etc.

The Registrar General of Births and Deaths shall from time to time as occasion shall require frame and provide appropriate books, forms, and regulations for the use and guidance of the Registrars of births and deaths in the performance of their duties under this Act, and also such forms as shall be required for the use of the district medical officers under this Act, and shall transmit the same to the respective officers.

5. Registrar of births to deliver notice of vaccination to parent, etc., registering birth

The Registrar of births shall on, or within, seven days after the registration with him or her of the birth of any child not already vaccinated, give a notice according to Form 1 in the Schedule, or to the like effect, to the person giving the notice of birth to him or her, or to the parent, requiring the child to be duly vaccinated according to the provisions of this Act, and specifying the days, hours, and places where the medical officer of the district wherein the child resides will attend for the purpose of performing the operation.

6. Parent, etc., to vaccinate child within six months after birth, etc.

The parent of every child born in Grenada shall within six months after the birth of such child, or where by reason of the death, illness, absence or inability of the parent, or other cause, any other person shall have the custody of the child, such person shall within six months after receiving the custody of the child, take it, or cause it to be taken to the medical officer of the district in which it shall be then resident to be vaccinated, or shall within such period as aforesaid cause it to be vaccinated by some other medical practitioner, and the district medical officer to whom the child shall be so brought is hereby required with all reasonable dispatch, subject to the conditions hereinafter mentioned, to vaccinate the child.

7. Provision for inspection of vaccination

Upon the same day in the following week, when the operation shall have been performed by the district medical officer, the parent shall again take the child or cause it to be taken to him or her that he or she may inspect it and ascertain the result of the operation, and in the event of the vaccination being unsuccessful, the parent shall, if the

vaccinator so directs, cause the child to be forthwith again vaccinated and inspected as on the previous occasion.

8. Provision when child unfit for vaccination

If any district medical officer or other medical practitioner shall be of opinion that the child is not in a fit and proper state to be successfully vaccinated, in the case of a district medical officer he or she shall forthwith transmit to the Registrar of births and deaths in the district within which the birth was registered, a certificate under his or her hand, according to Form 2 in the Schedule, or to the like effect, that the child is then in a state unfit for successful vaccination, and shall deliver a duplicate thereof to the parent, and in the case of any other medical practitioner he or she shall deliver a like certificate to the parent, which said certificate shall remain in force for two months, and shall be renewable for successive periods of two months, until a district medical officer or other medical practitioner shall deem the child to be in a fit state for successful vaccination, when the child shall, with all reasonable dispatch, be vaccinated, and the certificate of successful vaccination duly given if warranted by the result.

9. Provision for successive certificate

At or before the end of each successive period, the parent shall take the child or cause it to be taken to the district medical officer, or other medical practitioner, who shall then examine the child, and so long as he or she deems requisite under the circumstances of the case shall, in the case of a district medical officer, transmit the certificate and give a duplicate thereof, and in case of any other medical practitioner shall give a certificate to the parent, as is provided in section 8.

10. Where not susceptible of vaccination

If any district medical officer or other medical practitioner shall find that a child whom he or she has three times unsuccessfully vaccinated is not susceptible of successful vaccination, or that a child brought to him or her has already had the small-pox, he or she shall, in the case of a district medical officer, transmit to the Registrar of births and deaths in the district within which the birth was registered a certificate under his or her hand, according to Form 3 in the Schedule, or to the like effect, and shall deliver a duplicate thereof to the parent, and in case of any other medical practitioner, he or she shall give a like certificate to the parent, and the parent shall thenceforth not be required to cause the child to be vaccinated.

11. Certificate of successful vaccination to be sent to Registrar and duplicate given to parent

Every district medical officer who shall have performed the operation of vaccination upon any child, and have ascertained that the same has been successful, shall, within seven days thereafter, transmit a certificate, according to Form 4 in the Schedule, or to the like effect, certifying that the child has been successfully vaccinated, to the Registrar of births and deaths, in the district within which the birth was registered, and shall deliver a duplicate thereof to the parent.

12. Certificate of successful vaccination may be given by the medical officer of any district

Where it appears to the medical officer of any district upon personal examination of any child resident in such district, who has not been successfully vaccinated by him or her, that the child has been successfully vaccinated, he or she may on the request of the parent of the child grant a certificate to that effect, and such certificate shall be transmitted and have the same effect as if it were a certificate of successful vaccination by the district medical officer who gave the certificate.

13. Parent to send certificate to Registrar when successful vaccination performed by medical practitioner other than the district medical officer

Where the vaccination is successfully performed by a medical practitioner, not being a district medical officer, so soon as he or she shall have ascertained that the operation has been successfully performed, he or she shall give a certificate according to Form 4 in the Schedule to the parent who shall, within seven days thereafter, transmit it to the Registrar of the district within which the birth of the child was registered.

14. Certificate of a child being unfit for successful vaccination to be sent to Registrar and duplicate given to parent

Where a certificate of a child being unfit or not susceptible for successful vaccination shall be given by any other medical practitioner than a district medical officer, it shall be transmitted by the parent of the child to the Registrar in like manner, and within the like time, as if it was a certificate of successful vaccination and the Registrar shall, upon request and without charge, deliver to the parent a duplicate of any such or any other certificate required by this Act to be transmitted by the parent.

15. Provision for transmitting certificate

In all cases where it is provided by this Act that a certificate shall be transmitted by any person to the Registrar of births and deaths in the district within which any birth shall have been registered, if such district be not known to such person, or if the birth of the child has not been registered, it shall be sufficient to transmit the certificate to the Registrar within whose district the subject of the certificate shall have occurred or taken place.

16. Registrars to keep books and allow searches

Every Registrar shall keep a book in which he or she shall enter minutes of the notices of vaccination given by him or her as herein required, and also register the certificates transmitted to him or her as herein provided, and shall at all reasonable times allow searches to be made therein, and, upon demand, give a copy, under his or her hand, of any entry in the same.

17. Registrars to furnish district medical officer with returns of births and deaths

Every Registrar of births and deaths for any district shall once at least in every month, transmit to each district medical officer 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 since the date of the last return been registered by the Registrar as having occurred in the district of the district medical officer to whom the return is sent.

18. Penalty on parent for neglecting vaccination of child

Every parent who shall neglect to take his or her child, or to cause it to be taken to be vaccinated, or after vaccination to be inspected, according to the provisions of this Act, and shall not render a reasonable excuse for his or her neglect, shall be guilty of an offence and liable, on summary conviction, to a fine of fifty dollars.

19. Penalty for not transmitting, or improperly preparing, certificate

Every district medical officer, parent, or person, as the case shall require, who shall neglect to transmit any certificate required of him or her by the provisions of this Act, completely filled up and legibly written, to the Registrar within the time herein specified, and every district medical officer who shall refuse to deliver the duplicate to the parent or

other person, on request, and every medical practitioner or Registrar who shall refuse to fill up and sign any certificate or duplicate required by this Act to be given, shall be guilty of an offence and liable, on summary conviction, to a fine of fifty dollars. Every person who shall wilfully sign a false certificate or duplicate under this Act shall be guilty of an offence and liable to such fine and to imprisonment for two years.

20. Magistrate may order vaccination

If a Registrar or other person upon whom the Minister may impose the duty of prosecuting, shall give information in writing to a magistrate that he or she has reason to believe that any child under the age of fourteen years has not been successfully vaccinated, and that he or she has given notice to the parent to procure its being vaccinated, and that this notice has been disregarded, the magistrate may summon the parent to appear with the child before him or her, at a certain time and place, and upon the appearance, if the magistrate shall find, after such examination as he or she shall deem necessary, that the child has not been vaccinated, nor has already had the small-pox, he or she may, if he or she sees fit, make an order directing the child to be vaccinated within a certain time, and if at the expiration of that time the child shall not have been so vaccinated, or shall not be shown to be then unfit to be vaccinated, or to be not susceptible of vaccination, the person upon whom the order shall have been made shall be proceeded against summarily, and, unless he or she can show some reasonable ground for his or her omission to carry the order into effect, shall be guilty of an offence and liable, on summary conviction, to a fine of fifty dollars.

21. Penalty on persons inoculating with variolous matter

A person who shall produce or attempt to produce the disease of small-pox 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, shall be guilty of an offence and liable, on summary conviction, to be imprisoned for one month.

22. Penalty on parent failing to produce child when required

A parent of a child who fails to produce the child, when required to do so by any summons under this Act, shall be guilty of an offence and liable, on summary conviction, to a fine of fifty dollars.

23. Persons may be convicted of not transmitting certificate although found not guilty of neglecting to take child to be vaccinated

Where a person is charged with the offence of neglecting to take or cause to be taken a child to be vaccinated, and it appears to the magistrate having cognisance of the case that the person is not guilty of such offence, but has been guilty of the offence of not transmitting a certificate required by this Act with respect to the vaccination of the child, the magistrate may convict him or her of the last mentioned offence, in like manner as if he or she had been charged therewith.

24. Defendant may appear by any member of his or her family

The defendant in proceedings under this Act, may appear by any member of his or her family or by any other person authorised by him or her to appear.

25. Complaint may be made at any time not exceeding six months

A complaint may be made and information laid for an offence under this Act at any time not exceeding six months from the time when the matter of the complaint or information arose and not subsequently.

26. Notice to be proved by prosecutors

In any prosecution for neglect to procure the vaccination of a child it shall not be necessary in support thereof to prove that the defendant had received notice from the Registrar, or any officer, of the requirements of the law in this respect, but if the defendant produces any such certificate as hereinbefore described or a certificate from the Registrar of births and deaths that the certificate of successful vaccination of the child has been duly entered, the same shall be sufficient defence for him or her, except in regard to the certificate in Form 2, when the time specified therein for the postponement of the vaccination shall have expired before the time when the information shall have been laid.

27. Duties assigned by medical officers in Grenada shall apply to health officer in Carriacou

The duties by this Act assigned to the district medical officers of Grenada, shall, with reference to the island of Carriacou, be considered as a part of the duties of the health officer of that island.

Schedule

Forms

FORM 1

VACCINATION ACT

Notice of Child to be Vaccinated

[Sections 3 and 5.]

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

If you intend to apply to the medical officer of your district I have to inform you that he or she will attend at ..... on ..... at the hour of .....

If you apply to a medical practitioner who is not the district medical officer you must transmit to me a certificate of the successful performance of the operation [and in case the child shall be found to be unfit for or not susceptible of successful vaccination, a certificate to that effect] signed by him or her within seven days after the examination of the child upon which such certificate is founded. In each case the Vaccination Act imposes a penalty of fifty dollars in default.

Dated this ..... (*date*) .....

.....

Signed

C.D., Registrar of Births and Deaths for the No. ..... District

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FORM 2

VACCINATION ACT

Child fit to be Vaccinated

[Sections 3, 8 and 26.]

I, the undersigned, hereby certify that I am of opinion that the child of .....

of ..... in District No. ..... aged .....
is not now in a fit and proper state to be successfully vaccinated. I do hereby postpone the vaccination until the ..... day of ..... [*a*] .....

[*Signed*] *A.B.*, Medical Officer, No. ..... District, *or A.B.*, of .....

Medical Practitioner, (*Give qualifications*) [*i.e.* M.D., L.A.C., *or* F.R.C.S., *or otherwise, as the case may be*].

Note.—The certificate is to be transmitted within seven days from the examination of the child upon which it is founded by the district medical officer to the Registrar of the district in which the birth was registered, or if that be not known to him or her, to the Registrar of the district in which the examination was made. A duplicate is to be given to the parent, or other person procuring the examination.

When the examination is made by a medical practitioner, not the district medical officer, he or she is to fill up and sign this certificate, and the parent or such other person is within the same time to transmit it to the Registrar with whom the birth was registered, or if his or her district be not known to such parent or other person, to the Registrar of the district in which the examination was made, who, if requested, will deliver a duplicate to the parent or other person transmitting the same.

In each case the Vaccination Act, Chapter 333, imposes a penalty of fifty dollars for default.

[*a*] *This must not exceed two months from the date of the certificate.*

FORM 3

VACCINATION ACT

Unvaccinated Child

[Sections 3 and 10.]

I, the undersigned, hereby certify that I have ..... times unsuccessfully vaccinated ..... the child of .....

of ..... in District No. ..... , aged ..... [*or* that the child has already had small-pox, *as the case may be*] and I am of opinion that such child is not susceptible of successful vaccination.

Dated this ..... (*date*) .....

[*Signed*] A.B., Medical Officer, No. ..... District, *or A.B.*, of .....

Medical Practitioner, (..... *Give qualifications*) [*i.e.* M.D., L.A.C., *or* F.R.C.S., *or otherwise, as the case may be*].

Note.—The certificate is to be transmitted within seven days from the examination of the child upon which it is founded by the district medical officer to the Registrar of the district in which the birth was registered, or if that be not known to him or her, to the Registrar of the district in which the operation was performed. A duplicate is to be given to the parent or other person procuring the vaccination.

When the vaccination is performed by a medical practitioner, not the district medical officer, he or she is to fill up and sign this certificate, and the parent or such other person is within the same time to transmit it to the Registrar with whom the birth was registered, or if his or her district be not known to such parent or other person, to the Registrar of the district in which the operation was performed, who, if requested, will deliver a duplicate to the parent or other person transmitting the same.

In each case the Vaccination Act imposes a penalty of fifty dollars for default.

FORM 4

VACCINATION ACT

Vaccinated Child

[Sections 3 and 11.]

I, the undersigned, hereby certify that .....
the child of ..... aged ..... of .....
in District No. ....., has been successfully vaccinated by me.

Dated this ..... (*date*) .....
[*Signed*] *A.B.*, Medical Office, No. ..... District, *or A. B.*, of .....
Medical Practitioner, (..... *Give qualifications*) [*i.e.* M.D., L.A.C., *or* F.R.C.S., *or otherwise, as the case may be*].

Note.—This certificate is to be transmitted within seven days from the examination of the child upon which it is founded by the district medical officer to the Registrar of the district in which the birth was registered, or if that be not known to him or her, to the Registrar of the district in which the operation was performed. A duplicate is to be given to the parent or other person procuring the vaccination.

Where the vaccination is performed by a medical practitioner, not the district medical officer, he or she is to fill up and sign this certificate, and the parent or such other person is within the same time to transmit it to the Registrar with whom the birth was registered, or if his or her district be not known to such parent or other person, to the Registrar of the district in which the operation was performed, who, if requested, will deliver a duplicate to the parent or other person transmitting the same.

In each case the Vaccination Act imposes a penalty of fifty dollars for default.

CHAPTER 333
VACCINATION ACT

SUBSIDIARY LEGISLATION

List of Subsidiary Legislation

1. Vaccination Regulations

Vaccination Regulations

ARRANGEMENT OF REGULATIONS

1. Citation.
2. Compilation of lists.
3. Reports.
4. Recovery of penalty.
5. Quarterly return.

VACCINATION REGULATIONS

[Section 3.]

[9*th September*, 1873.]

1. Citation

These Regulations may be cited as the Vaccination Regulations.

2. Compilation of lists

It shall be the duty of every District Medical Officer diligently to compare the birth lists which he or she receives from the Registrar under the provisions of section 17 of the Vaccination Act, Chapter 333, with the names of the children who shall from time to time be brought to him or her to be vaccinated; and whenever it shall appear that any child named in such lists, being three months old and upwards, has not been brought to a station within his or her district for the purpose of being vaccinated he or she shall forthwith make a report thereof to the Commissioner of Police.

3. Reports

The medical officer shall in like manner report to the Commissioner of Police the names of all children who having been duly vaccinated shall not have been brought to him or her for inspection in accordance with the provisions of section 7 of the Vaccination Act, Chapter 333.

4. Recovery of penalty

Upon receiving such reports from the medical officer the Commissioner of Police shall, either by himself, herself or by the non-commissioned officer of the Police Force in charge of the district wherein the medical officer resides or has his or her station, cause proceedings to be taken for the recovery of the penalty provided for in section 18 of the Vaccination Act; and there shall be awarded to any such non-commissioned officer prosecuting such proportion of the penalties so recovered as the Minister may in each case determine.

5. Quarterly return

The Commissioner of Police shall transmit to the Minister a quarterly return of all proceedings taken or directed by him or her in pursuance of these Regulations.