

LAWS OF DOMINICA

COMPULSORY VACCINATION ACT

CHAPTER 40:04

Act
1 of 1922
Amended by
19 of 1932
5 of 1933
17 of 1939
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CHAPTER 40:04

COMPULSORY VACCINATION ACT

AN ACT to render compulsory the practice of vaccination.

1961 Ed.
Cap. 144.
I of 1922.

Commencement.

[29th March 1922]

Short title.

1. This Act may be cited as the –

COMPULSORY VACCINATION ACT.

Minister may
declare certain
medical districts
to be compulsory
vaccination
areas.
[12 of 1990].

2. The Minister may by Order declare from time to time certain medical districts of the State or any part thereof to be compulsory vaccination areas.

Medical officer
to appoint place
and date of
vaccination
within his
district.

3. The medical officer of each of the aforesaid districts or the person for the time being discharging the duties of such officer shall appoint a convenient place or places within the said districts for the performance of vaccination and shall take the most effectual means for giving from time to time all persons resident within such districts due notice of the days and hours which he will attend at such place or places to vaccinate all persons not already successfully vaccinated who may then appear there and also of the days and hours at which he will attend at such place or places to inspect the progress of such vaccination in the person so vaccinated; but no humanised lymph shall be used in vaccination.

Children under
twelve to be
taken to district
medical officer
for vaccination.
[12 of 1990].

4. The father and mother of every child, within three calendar months from the birth of the child, or in the event of the death, illness, absence or inability of the father and mother, then the person who has the care, nurture, or custody of the child, shall, within four months from the birth of the child, take or cause the child to be taken to the medical officer of the appointed district (in which the child is resident) for the purpose of being vaccinated, unless it has been previously vaccinated by some duly qualified medical practitioner, and the vaccination duly certified, and the said medical officer shall and he is hereby required thereupon, or as soon after as it may conveniently and properly be done, to vaccinate the child.

5. Upon the eighth day following the day on which any child has been vaccinated, the father or mother or other person having the care, nurture or custody of the child, shall again take or cause to be taken the child to the medical officer or other duly qualified medical practitioner by whom the operation was performed, in order that he may ascertain by inspection the result of the operation.

Child to be taken back to medical officer on eighth day.

6. Upon and immediately after the successful vaccination of any child, the medical officer, or other duly qualified medical practitioner who has performed the operation, shall deliver to the father or mother of the child, or to the person who has the care, nurture, or custody of the child, a certificate under his hand in Form A in the Schedule that the child has been successfully vaccinated, and shall also transmit a duplicate of the certificate to the registrar of births and deaths of the district in which the operation was performed, and the certificate shall without further proof be admissible as evidence of the successful vaccination of the child, in any information or complaint which is brought against the father or mother of the child, or against the person who has had the care, nurture, or custody of the child, for non-compliance with the provisions of this Act.

Certificate of successful vaccination.

Schedule. Form A.

7. If any medical officer or other duly qualified medical practitioner is of opinion that any child is not in a fit and proper state to be successfully vaccinated he shall thereupon and immediately deliver without fee or reward to the father or mother of the child, or other person having the care, nurture or custody of the child, a certificate under his hand in Form B in the Schedule, that the child is in an unfit state for successful vaccination, and the certificate shall remain in force for two calendar months from its delivery; and the father or mother of the child or the person having the care, nurture or custody of the child shall, when the said certificate has expired, take or cause the child to be taken to the medical officer or other duly qualified medical practitioner for the child to be vaccinated by him unless they have obtained from a medical officer or other duly qualified medical practitioner a renewal of the certificate within two months next after its delivery, and the foregoing provisions of this section shall apply to the renewal of the certificate and to any succeeding renewal until the child has been successfully vaccinated; and when the child is taken to the said medical officer or other duly qualified medical practitioner and he considers the child to be then in a fit and proper state for successful vaccination, he shall forthwith

Certificate of child not being in a fit state for successful vaccination. [12 of 1990].

Schedule Form B.

Schedule.
Form A.

vaccinate it and shall deliver to the father or mother of the child, or person having the care, nurture or custody of the child, a certificate under his hand in Form A in the Schedule, that the child has been successfully vaccinated, but if the medical officer or other duly qualified medical practitioner is of opinion that the child is still in an unfit state for successful vaccination, then he shall again deliver to the father or mother of the child, or person having the care, nurture or custody of the child, a certificate in Form B in the Schedule that the child is still in an unfit state for successful vaccination, and the medical officer or other duly qualified medical practitioner, so long as the child remains in an unfit state for successful vaccination, and unvaccinated, shall at the expiration of every succeeding period of two calendar months deliver, if required, to the father or mother of the child or person having the care, nurture, or custody of the child, a fresh certificate under his hand, according to the said Form in the Schedule, and the production of the certificate shall be a sufficient defence against any complaint which is brought against the father or mother, or the person having the care, nurture or custody of the child, for non-compliance with the provisions of this Act.

Certificate of
insusceptibility
to vaccine
disease.

Schedule.
Form D.

8. In the event of any medical practitioner acting under the provisions of this Act, being of opinion that any child that has been vaccinated by him is insusceptible to the vaccine disease, he shall deliver to the father or mother, or person having the care, nurture or custody of the child, a certificate in Form D in the Schedule and the production of such certificate shall be a sufficient defence against any complaint which may be brought against the father or mother or person having the care, nurture or custody of the child for non-compliance with the provisions of this Act.

District registrar
of births and
deaths to keep
register.

9. The registrar of births and deaths in every district in which the operation has been performed shall keep a register of the persons of whose successful vaccination a certificate has been transmitted to him, as above provided, by the medical officer, or other duly qualified medical practitioner, and shall at all reasonable times allow searches to be made of any such register book in his keeping, and shall give a copy certified under his hand, of any entry, or entries, in the same on payment of the fee of one dollar and fifty cents for each search, and two dollars and fifty cents for each certificate.

10. The registrar of births and deaths in every district shall on or within seven days after the registration of the birth of any child not already vaccinated within the district, give notice in writing in manner hereinafter directed, in Form C in the Schedule, to the father or mother of the child, or in the event of the death, illness, absence or inability from sickness, or otherwise, of the father and mother, then to the person having the care, nurture, or custody of the child, to take care that the child shall be vaccinated in the manner directed by this Act, and if after such notice the father or mother of the child, or the person having the care, nurture or custody of the child, does not cause the child to be vaccinated, or does not on the eighth day after the vaccination has been performed, take or cause to be taken the child for inspection, according to the provisions in this Act, then, the father or mother or person having the care, nurture or custody of the child, so offending shall forfeit a sum of fifty dollars for each omission, and shall be subject and liable to a similar fine at the expiration of each and every calendar month from the infliction of the preceding penalty, until the provisions of this Act have been fully complied with; and, in the case of children born before the passing of this Act, all persons whose duty it is to procure the vaccination of the child, shall for every omission to do so as required by this Act forfeit and pay a sum of fifty dollars, and shall be liable to a repetition of such fine for every calendar month, after the infliction of such first penalty, until the child has been successfully vaccinated, or the provisions of this Act in such respect complied with.

District registrar to give notice to parent, etc., to have child vaccinated. Schedule. Form C.

Penalty for default.

11. The Registrar General shall, and he is empowered and directed, at the public expense to frame and provide such books, forms and regulations as he considers requisite, for carrying into full effect the provisions of this Act, and shall transmit the same to the registrars of each district, who shall deliver to the medical officer, and other duly qualified medical practitioners, in the said district, such of the said books, forms, and regulations as they may require for the performance of the duties imposed upon them by this Act.

Duties of Registrar General.

12. No person who has not had the smallpox shall be employed in the police service unless vaccinated, nor shall any child in any medical district declared by Order to be a compulsory vaccination area be permitted to become or be received as a pupil in any school within the State unless vaccinated.

No unvaccinated person to be employed in the police service, and no child to become a pupil in any school. [12 of 1990].

L.R.O. 1/1991

Nor to be licensed as hawker, pedlar, etc.

13. No person shall be employed in the public service and no licence as a hawker or pedlar or to retail rum or spirituous liquors, or to act as boatman or porter within the State, shall be granted to any person, unless that person has previously had the smallpox, or been vaccinated.

Compulsory vaccination in event of outbreak of smallpox.

14. In the event of an outbreak of smallpox in the State the quarantine board by and with the advice of the chief medical officer shall be empowered to impose compulsory vaccination on the adult members of the area affected or threatened to be affected and should any vessel arrive in the State with smallpox on board the contacts shall be vaccinated immediately.

Power to suspend provisions of Act.

15. The Minister shall have the power to suspend the provisions of this Act regarding compulsory vaccination in the medical districts in which there is no resident medical officer.

Mode of enforcing penalties.

16. All penalties imposed by this Act shall be recoverable before a Magistrate in a summary way by any of the district registrars, whose peculiar duty it is hereby declared to be to enforce the same, or by any other person who may sue and prosecute for the same; but in all cases in which there shall not be sufficient goods whereon any penalty or forfeiture can be levied, the offender may be committed and imprisoned for any time not exceeding three calendar months.

Application of penalties.

17. All penalties which shall be recovered under the provisions of this Act shall be paid one moiety thereof to the informer, or person enforcing the same, and the other to the Financial Secretary for the use of the State.

Section 6.

SCHEDULE A

DOMINICA.

I, _____ hereby certify
 that _____ the child of _____ aged _____ of
 the parish of _____ has been successfully vaccinated by me.

Dated this _____ day of _____, 19 _____.

(Signed) A. B.
 (description)

SCHEDULE B

Section 7.

DOMINICA.

I, hereby certify that I am of opinion that the child of aged of the parish of 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 , 19 .

(Signed) A. B. (description)

SCHEDULE C

Section 10.

DOMINICA.

I, hereby give you notice and require you to have C. D. vaccinated within pursuant to the provisions and directions of the Compulsory Vaccination Act (Ch. 40:04).

As witness my hand this day of , 19 .

Registrar, etc.

SCHEDULE D

Section 8.

DOMINICA.

I, hereby certify that I am of opinion that the child of of the parish of is insusceptible to the vaccine disease.

Dated this day of , 19 .

(Signed) A. B. (description)

SUBSIDIARY LEGISLATION

14/1956.

COMPULSORY VACCINATION (MEDICAL DISTRICTS) ORDER

made under section 2

Commencement.

[9th August 1956]

Short title.

1. This Order may be cited as the –
COMPULSORY VACCINATION (MEDICAL DISTRICTS) ORDER.

Compulsory
vaccination
areas.

2. The medical districts described in the Schedule are hereby
declared to be compulsory areas for the purposes of this Act.

Section 2.

SCHEDULE

(1) Roseau District, which shall consist of the parishes of Saint Luke, Saint George, Saint Paul, and Saint Joseph.

(2) Portsmouth District, which shall consist of the parishes of Saint Peter, Saint John and that part of the parish of Saint Andrew lying to the west of the Hampstead River.

(3) Marigot District, which shall consist of that part of the parish of Saint Andrew lying to the east of the Hampstead River and that part of the Parish of Saint David lying to the north of the Rosalie River.

(4) Grand Bay District, which shall consist of that part of the parish of Saint David lying to the south of the Rosalie River, but including the village of Rosalie, and the parishes of Saint Patrick and Saint Mark.
