



Tonga

VACCINATION ACT

Chapter 12.19

2020 Revised Edition



VACCINATION ACT

Arrangement of Sections

Section

1	Short title.....	5
2	Chief Executive Officer for Health to be in charge of vaccination.....	5
3	Appointment of vaccination officers	5
4	Vaccination to be compulsory	5
5	Duty of district officer on receiving notice of inspection	6
6	Parent to present children for vaccination	6
7	Certificate of successful vaccination to be given.....	6
8	Vaccinator may postpone vaccination	6
9	Chief Executive Officer for Health to report on vaccination annually	7
10	Prosecution of offences.....	7
11	Penalty for unauthorized person using lymph, etc.....	7



VACCINATION ACT

AN ACT TO PROVIDE FOR COMPULSORY VACCINATION¹

Commencement [14th July, 1909]

1 Short title

This Act may be cited as the Vaccination Act.

2 Chief Executive Officer for Health to be in charge of vaccination²

The Chief Executive Officer for Health shall be charged with the general administration of this Act and with the maintenance of sufficient supply of recent lymph for the purposes of vaccination.

3 Appointment of vaccination officers³

It shall be lawful for the Minister of Health on the advice of the Chief Executive Officer for Health to appoint vaccinators whose duty it shall be to vaccinate every Tongan and to attend for the purposes of vaccination or inspection at such times and places as the Chief Executive Officer for Health may direct.

4 Vaccination to be compulsory

Every unvaccinated Tongan except such as are prevented by age or ill-health shall attend at the time and place within the district in which he shall reside appointed by notification for vaccination or inspection. Every unvaccinated Tongan who shall fail

to comply with the provisions of this section shall be liable to a fine of \$20 and in default of payment to imprisonment for a period not exceeding 10 days.⁴

5 Duty of district officer on receiving notice of inspection

Whenever vaccination or inspection to ascertain the progress of vaccination shall have been appointed to be performed in a village, the vaccinator shall before he visits such village notify to the District Officer thereof the time at which such vaccination or inspection will be performed or held and the said District Officer shall give due notice to the people of such village of the day on which the vaccinator will attend as aforesaid. And it shall be the duty of the District Officer of the village to cause all unvaccinated Tongans of 6 months and upwards residing in the said village to be presented to the said vaccinator for vaccination or inspection as the case may be.

6 Parent to present children for vaccination

The father or mother or guardian of every unvaccinated child, who fails to present such child for vaccination in accordance with this Act, shall on conviction be liable to a fine of \$20 and in default of payment to imprisonment for a period not exceeding 10 days; and for a second or subsequent offence committed with respect to the same child, such father or mother or guardian shall be liable to a fine not exceeding \$40 and in default of payment to imprisonment for a period not exceeding 20 days.⁵

7 Certificate of successful vaccination to be given

Upon and immediately after inspecting the successful vaccination as hereinbefore provided of any adult person or child, the vaccinator shall deliver to such adult or to the father or mother of the said child or to the guardian of such child as the case may be a certificate that such adult or child has been successfully vaccinated and such certificate shall be evidence of the vaccination being successful.

8 Vaccinator may postpone vaccination

If any vaccinator shall be of opinion that any adult or child presented for vaccination is not in a fit and proper state to be successfully vaccinated such vaccinator shall deliver to such adult or to the guardian of such child a certificate that the adult or child is in an unfit state for vaccination and such certificate shall remain in force for a period marked thereon by such vaccinator and at the expiration of such period such adult or child shall either be vaccinated or shall receive a further certificate and this procedure shall be continued until such adult or child shall have been successfully vaccinated or shall receive a certificate that he is unsusceptible to vaccination and such certificate shall be a sufficient defence against any complaint brought for non-compliance with the provisions of this Act.

9 Chief Executive Officer for Health to report on vaccination annually⁶

The Chief Executive Officer for Health shall on or before the last day of March of each year make a general report to the Minister of Health showing the state and progress of vaccination during the year ending on the 31st day of December next preceding and a copy of such report shall be laid before the Cabinet.

10 Prosecution of offences

Any offence against this Act may be prosecuted on the information of the Chief Executive Officer for Health or by any person duly appointed by him.⁷

11 Penalty for unauthorized person using lymph, etc.

Any person other than such appointed by this Act who shall produce or attempt to produce in any person by inoculation with lymph or by any other means the disease of small-pox shall be liable to imprisonment for a term not exceeding 2 years.

ENDNOTES

¹ 1988 Revised Edition Cap. 78 - Acts 12 of 1909, 13 of 1988

Amended by Act 5 of 2012, commencement 30 July 2012

² Amended by Act 5 of 2012

³ Amended by Act 5 of 2012

⁴ Amended by Act 13 of 1988

⁵ Amended by Act 13 of 1988

⁶ Amended by Act 5 of 2012

⁷ Amended by Act 5 of 2012