



Tonga

# VACCINATION ACT

1988 Revised Edition





## VACCINATION ACT

### Arrangement of Sections

#### Section

1	Short title.....	5
2	Director of Health to be in charge of vaccination.....	5
3	Appointment of vaccination officers. ....	5
4	Vaccination to be compulsory. ....	6
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	Director of Health to report on vaccination annually. ....	7
10	Prosecution of offences.....	7
11	Penalty for unauthorized person using lymph, etc.....	7





# VACCINATION ACT

*Acts Nos. 12 of 1909, 13 of 1988*

## AN ACT TO PROVIDE FOR COMPULSORY VACCINATION

Commencement [14th July, 1909]

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### 1 Short title.

This Act may be cited as The Vaccination Act.

### 2 Director of Health to be in charge of vaccination.

The Director of 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 officers.

It shall be lawful for the Prime Minister on the advice of the Director of 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 Director of 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. (*Amended by Act 13 of 1988.*)

**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 six 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. (*Amended by Act 13 of 1988.*)

**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 Director of Health to report on vaccination annually.**

The Director of Health shall on or before the last day of March of each year make a general report to the Prime Minister showing the state and progress of vaccination during the year ending on the thirty-first 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 Director of Health or by any person duly appointed by him.

**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.