

# The Vaccination Act, 1880

( ACT NO. V OF 1880 )

<sup>1</sup>♣An Act to make vaccination compulsory.

## PRELIMINARY

<b>Preamble</b>	WHEREAS it is expedient to make vaccination compulsory in the port of Chittagong and in certain towns and selected local areas in Bangladesh to which this Act may be hereafter extended; It is hereby enacted as follows:-
<b>Short title Extent</b>	1. This Act may be called the <sup>2</sup> [* * *] Vaccination Act, 1880;
<b>Power to extend Act to towns and local areas</b>	The Government may, by notification published in the official Gazette, declare its intention to extend this Act, or any of its provisions, to any town or selected local area in Bangladesh.
<b>Objection to such extension</b>	Any inhabitant of such town or area objecting to such extension may, within six weeks from the said publication, send his objection in writing to the Secretary to the Government, and the Government shall take such objection into consideration.
<b>Procedure thereon</b>	<p>When six weeks from the said publication have expired, the Government, if no such objections have been sent as aforesaid, or (where such objections have been so sent in) if in its opinion they are insufficient, may by like notification effect the proposed extension.</p> <p>The Government shall cause the substance of any notification mentioned in this section to be proclaimed and notified within the town or area</p>

affected by the same, in the vernacular of such town or area, by such means, and in such manner, as it may direct.

**Commencement**—The operation of this Act in any place may at any time be suspended by the Government by notification in the official Gazette.

**Interpretation-clause** 2. In this Act, unless there be something repugnant in the subject or context,—

"parent" includes the father and mother of a legitimate child, and the mother of an illegitimate child;

"guardian" means any person to whom the care, nurture or custody of any child falls by law, or by natural right or recognized usage, or who has accepted or assumed the care, nurture or custody of any child, or to whom the care or custody of any child has been entrusted by any authority lawfully authorized in that behalf;

"public vaccinator" means any vaccinator appointed under this Act, or any person duly authorized to act for such public vaccinator;

"Inspector" means a person authorized by the Superintendent of Vaccination to exercise all or any of the functions of an Inspector under this Act;

"medical practitioner" means any person duly qualified by a diploma, degree or license to practise in medicine or surgery;

"unprotected child" means a child who has not been protected from small-pox by having had that disease naturally or by having been successfully vaccinated, and who has not been certified under the provisions of this Act to be insusceptible of vaccination;

"unprotected person" includes a child who has no parent or guardian and means a person who has not been protected from small-pox by having had that disease naturally or by having been successfully vaccinated, and who has not been certified under the provisions of this Act to be insusceptible of vaccination;

**VACCINATION OF CHILDREN**

**Parent or guardian of children born in compulsory limits, and of unprotected children brought to reside in such limits, must procure their vaccination**

3. The parent or guardian of every child born in any place to which this Act applies, as above provided, or may hereafter be extended shall, within six months after the birth of such child, and

the parent or guardian of every unprotected child under the age of fourteen years brought to reside, whether temporarily or permanently, in such place aforesaid,

shall, within six months after such child's arrival in such place,

take it, or cause it to be taken to a public vaccine-station to be vaccinated, or shall, within such period as aforesaid, cause it to be vaccinated by some medical practitioner or public vaccinator;

**Unprotected child may be required to be vaccinated within fifteen days**

and the parent or guardian of every unprotected child may, whenever the Superintendent of Vaccination, as hereinafter appointed, shall deem it expedient, be served with a notice, in the form prescribed in the first schedule of this Act, requiring the parent or guardian, within fifteen days after the service of the same, to take such child, or cause such child to be taken, to a public vaccine-station to be vaccinated, or within such period as aforesaid to cause it to be vaccinated by some medical practitioner or public vaccinator;

**Public vaccinator bound to vaccinate all children brought to him**

and every such parent or guardian shall, within the said period, comply with the requisition;

and any public vaccinator to whom such child, or to whom any child under the age of fourteen years, is brought for vaccination at such vaccine-station, or who is requested to vaccinate such child elsewhere than at a public vaccine-station, is hereby required, with all reasonable dispatch, subject to the conditions hereinafter mentioned, to vaccinate such child.

**Inspection**

4. At an appointed hour on a day not less than seven or more than ten days after the operation shall have been performed, or on an earlier day, if required, the parent or guardian shall cause the child to be inspected by the operator (if a medical practitioner) or by an Inspector, that the result of the operation may be ascertained; and when any public vaccinator has vaccinated a child elsewhere than at a public vaccine-station, an Inspector shall visit the child at the time and for the purpose above mentioned, whether he is requested to do so or not.

**Repetition  
of  
vaccination**

In the event of the vaccination being unsuccessful, such parent or guardian shall, if the Inspector or medical practitioner so direct, cause the child to be forthwith again vaccinated and subsequently inspected as on the previous occasion.

No fee shall be charged by an Inspector for anything done by him under this section.

**If child be  
unfit for  
vaccination,  
certificate  
in Form A  
to be given,  
which shall  
remain in  
force for  
one month,  
but shall be  
renewable**

5. If any Inspector or medical practitioner shall be of opinion that any child is not in a fit state to be vaccinated, he shall forthwith deliver to the parent or guardian of such child a certificate under his hand according to the form of Schedule A hereto annexed, or to the like effect, that the child is then in a state unfit for vaccination.

The said certificate shall remain in force for one month only, but shall be renewable for successive periods of one month until the Inspector or medical practitioner shall deem the child to be in a fit state for vaccination, when the child shall, with all reasonable despatch, be vaccinated, and a certificate of successful vaccination given in the form of Schedule C hereto annexed according to the provisions of section 7 if warranted by the result.

**Procedure  
where child  
is found to  
have had  
small-pox  
or to be  
insusceptible**

6. (1) If any Inspector or medical practitioner finds-

(a) that a child brought for vaccination has already had small-pox, or

(b) that a child who has been three times unsuccessfully vaccinated is insusceptible of successful vaccination,

**of  
successful  
vaccination**

he shall deliver to the parent or guardian of such child a certificate under his hand, according to the form in Schedule B hereto annexed, or to the like effect.

(2) If the Superintendent is satisfied that such child has already had small-pox or is insusceptible of successful vaccination, he shall endorse such certificate.

(3) Such endorsement shall operate as an exemption from liability to vaccination,-

(i) in case (a) in sub-section (1)- absolutely, and

(ii) in case (b) in that sub-section-for a period of twelve months.

(4) Upon the expiration of the said period, the parent or guardian of such child shall forthwith cause the child to be vaccinated again;

and if an Inspector or a medical practitioner finds after two further unsuccessful vaccinations that the child is insusceptible of successful vaccination, he shall deliver to the parent or guardian a further certificate under his hand, according to the form of Schedule B hereto annexed, or to the like effect;

and if the Superintendent of vaccination be again satisfied that the child is insusceptible of successful vaccination, he shall endorse such certificate and such endorsement shall operate as an absolute exemption from liability to further vaccination.

**Provision  
for giving  
certificates  
of  
successful  
vaccination**

7. When a public vaccinator or medical practitioner has performed the operation of vaccination upon any child, and an Inspector or such practitioner has ascertained that the same has been successful,

such Inspector or practitioner, as the case may be, shall deliver to the parent or guardian of such child a certificate according to the form of Schedule C hereto annexed or to the like effect, certifying that the said child has been successfully vaccinated.

**No fee to be  
charged for**