



1853.

No. 16.

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

[Assented to, December 9, 1853.]

*Amended by
No 15 - 1854*

WHEREAS it is expedient, with a view to the public health and safety, to provide means for the Vaccination of all persons in this Province, and to render the practice of Vaccination compulsory—Be it Enacted, by the Lieutenant-Governor of the Province of South Australia, with the advice and consent of the Legislative Council thereof, as follows :

Preamble.

1. There shall be a Central Vaccine Board, in the City of Adelaide, consisting of not less than three legally qualified medical practitioners (of whom the Colonial Surgeon, for the time being, shall be one) the members whereof shall be nominated and removable by the Governor.

Central Vaccine Board.

2. The said Board shall from time to time, and at all times as far as practicable, procure and preserve a due and sufficient supply of Vaccine Matter, and shall furnish the same without charge to the District Vaccinators, hereinafter mentioned.

Vaccine matter to be kept.

3. The said Board shall appoint one or more duly qualified medical practitioners to be District Vaccinators, and shall define the limits within which each such District Vaccinator or District Vaccinators shall act; and every such District Vaccinator shall duly vaccinate every child brought to him for that purpose, and shall repeat the Vaccination from time to time until it is successful; and shall keep a register of every child so vaccinated, and of the result of the Vaccination; and shall, once at least, in every three months, on such day as may be prescribed by the Central Board of Vaccination, transmit to such Board a copy of such register, and shall affix to such copy a certificate of its correctness.

Central Board to appoint District Vaccinators, who shall vaccinate all children.

Register to be kept.

4. Every

Penalty on District Vaccinators for neglect of duty.

4. Every District Vaccinator who shall neglect in manner aforesaid, to Vaccinate any child brought to him for that purpose, unless prevented by the want of Vaccine Matter, or the unfit state of health of such child, or who shall neglect to keep or transmit, or who shall wilfully make any false entry in such register as aforesaid, shall, for every such offence, forfeit and pay a sum not exceeding Five Pounds.

3s. 6d. to be paid for each successful case of Vaccination.

5. It shall be lawful for the Colonial Treasurer, from time to time, to pay to any such District Vaccinator the sum of Three Shillings and Sixpence for every successful case of Vaccination so returned to the said Board.

Central Board to keep general register.

6. The said Board shall, from the said copies of registers, make out and keep an alphabetical register of all cases of successful and unsuccessful Vaccination; and all persons shall be at liberty to peruse the same and make extracts therefrom, upon payment of the fee of One Shilling.

Children born after first January, 1854, to be vaccinated within four months and six months.

Penalty.

7. All children born on and after the first day of January next shall, unless there shall be no District Vaccinator residing within five miles of such child, and in such last-mentioned case, within the period of six months, be vaccinated within four months after birth; and every parent or person having the lawful charge of any such child not vaccinated according to the provisions hereof, shall forfeit and pay any sum not exceeding Five Pounds.

Penalty, when not recoverable.

8. If the District Vaccinator, or any legally qualified medical practitioner, shall certify that any child is not in a fit state to be vaccinated; or that there is a deficiency of the vaccine matter; the said sum shall not be recoverable for and during the period, not being more than two calendar months, mentioned in any such certificate; and such sum shall not in any case be recoverable, unless there shall be a District Vaccinator residing within twenty miles of such child.

Medical practitioners, not being District Vaccinators, shall keep registry of cases of Vaccination by them performed.

9. Every medical practitioner, not being a District Vaccinator, who shall vaccinate any child after the first day of January next, shall, once in every three months, transmit to the Central Vaccine Board a register of every child so vaccinated, and of the result of such vaccination; and any person so vaccinating, and not keeping or not transmitting such register, or making any wilfully false entry therein, shall for every such offence forfeit and pay a sum not exceeding Five Pounds.

Penalties for inoculating for small pox.

10. Every legally qualified medical practitioner, who shall inoculate any person with the small pox matter or virus, shall forfeit and pay the sum of Twenty Pounds; and every person, not being a legally qualified medical practitioner, who shall so inoculate any person, shall be imprisoned for any term not exceeding six calendar months.

11. All

11. All proceedings under this Act may be instituted by or in the name of any member of the said Board; and all sums made payable and punishments imposed may be recovered and enforced in a summary way, before any two or more Justices of the Peace for the said Province.

Proceedings to be taken in a summary way.

12. All books, forms, and other documents required shall be provided for the said Board at the public cost, and all expenses necessarily incurred in the execution of this Act, shall be paid out of the General Colonial Revenue, by warrants under the hand of the Governor, addressed to the Colonial Treasurer

Books, forms, &c., and expenses to be furnished and defrayed by Government.