

NEW ZEALAND.

ANNO VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. 33.

ANALYSIS.

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**AN ACT to extend and make compulsory the practice of Vaccination.** Title.  
**[14<sup>th</sup> December 1863.]**

**WHEREAS** it is expedient that the Practice of Vaccination should be encouraged and extended : Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows :

I. The Short Title of this Act shall be "The Vaccination Act 1863." Short Title.

II. Within three months after the passing of this Act the Superintendent of each Province in New Zealand shall divide such Province or such part of the Province as he shall think fit into convenient districts for affording increased facilities for vaccination and shall from time to time appoint a convenient place or places in each such district for the performance of such vaccination and shall take the most effectual means for giving from time to time to all persons resident within such district due notice of the days and hours at which a medical officer to be by such Superintendent appointed will attend at such place to vaccinate all persons not already successfully vaccinated who may then appear there and also of the days and hours at which such medical officer will attend at such place to inspect the progress of such vaccination in the persons so vaccinated. Districts to be fixed and Medical Officer to be appointed.

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*Vaccination.*

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Children to be vaccinated within six months of birth.

III. The parent of every unvaccinated child born in New Zealand after the first day of March 1864 shall within six Calendar months after the birth of such child take or cause to be taken the said child to a medical practitioner or to the medical officer appointed for the district within which the said child is resident for the purpose of being vaccinated and the said medical officer so appointed shall thereupon or as soon after as it may properly be done vaccinate the said child.

Success of vaccination to be ascertained.

IV. Upon the eighth day following the day on which any child has been vaccinated as aforesaid the parent of the said child shall again take or cause to be taken the said child to the medical practitioner or medical officer by whom the operation was performed in order that such medical practitioner or medical officer may ascertain by inspection the result of such operation.

Certificate of successful vaccination to be given.

V. Upon and immediately after the successful vaccination of any child the medical officer or medical practitioner who shall have performed the operation shall deliver to the parent presenting the said child for vaccination a certificate under his hand according to the form of Schedule A hereunto annexed that the said child has been successfully vaccinated and shall also transmit a duplicate of the said certificate to the Registrar of Births of the district in which the operation was performed and such certificate shall be conclusive evidence of the successful vaccination of such child in any information or complaint which shall be brought for non-compliance with the provisions of this Act.

Certificate of child not being in a fit state for vaccination.

VI. If any medical officer or medical practitioner shall be of opinion that any child is not in a fit and proper state to be successfully vaccinated and shall give to the parent of such child a certificate in the form of Schedule B hereunto annexed the production of which certificate shall for the period of two months from the date thereof be a sufficient defence against any complaint which shall be brought for non-compliance in respect of such child with the provisions of this Act.

Certificate of child being insusceptible of vaccination.

VII. If any Medical Officer or Practitioner shall be of opinion that any child that has been vaccinated by him is insusceptible of the vaccine disease he shall deliver to the parent of such child a certificate under his hand according to the form of Schedule C hereinafter annexed and the production of such certificate shall be a sufficient defence in any proceeding against the parent of such child for non-compliance in respect of such child with the provisions of this Act.

Registrar of births to register vaccination.

VIII. The Registrar of Births in every district shall on receipt of each certificate of successful vaccination enter in his register of birth opposite the name of the child mentioned in such certificate the word "vaccinated" together with the date of such certificate and such entry when duly proved shall be admissible as evidence of the successful vaccination of such child.

Notice of vaccination to be given on registration of birth.

IX. The Registrar of Births in every district shall at the time of registration of the birth of any child cause a notice in the form of Schedule D hereunto annexed to be handed to the person registering the birth of such child for the parent of such child.

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*Vaccination.*


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X. If after such notice the parent of any child shall not within six months after the birth of such child cause such child to be vaccinated or shall not on the eighth day after the vaccination has been performed take or cause to be taken such child for inspection according to the provisions in this Act respectively contained then such parent so offending shall forfeit a sum not exceeding forty shillings.

Penalty for non-vaccination.

XI. It shall be lawful for any Medical Officer appointed as aforesaid to cause a notice in the form of Schedule E hereunto annexed to be handed to the parent of any unvaccinated child over the age of six months and under the age of twelve years and if after such notice such parent shall neglect for a period of two months to cause such child to be vaccinated such parent so offending shall forfeit a sum not exceeding forty shillings.

Notice of vaccination may be given by medical officer.

XII. The Registrar-General of Births Deaths and Marriages shall frame and provide such books forms and regulations as he may deem requisite for carrying into full effect the provisions of this Act and shall transmit the same to the Superintendents of the several Provinces.

Registrar-General to provide books etc.

XIII. Any person who shall inoculate any child or person with the virus of the disease called Small Pox shall forfeit a sum not exceeding ten pounds.

Penalty for inoculation with small pox.

XIV. All penalties by this Act imposed shall be recoverable before any Resident Magistrate or two Justices of the Peace upon the information or complaint of any Medical Officer appointed as aforesaid.

Recovery of Penalties

XV. The word "parent" in this Act shall be interpreted to mean the father mother or other person having the care nurture or custody of the child referred to and the term "Medical Practitioner" shall be interpreted to mean every person holding a degree or diploma or license in Medicine or Surgery from any University or College or other Corporate body duly authorised to grant the same in Great Britain or Ireland or who is a member of the company of Apothecaries of London or Dublin or who is or has been a Medical Officer in Her Majesty's Land or Sea Service.

Interpretation clause.

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SCHEDULES REFERRED TO BY THIS ACT.

SCHEDULE A.

I hereby certify that \_\_\_\_\_ the child (aged \_\_\_\_\_) of \_\_\_\_\_ of the (town or district of \_\_\_\_\_) has been successfully vaccinated by me.

(Signed) \_\_\_\_\_,

Medical Officer of the District of  
(Or) a duly qualified Medical Practitioner.

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*Vaccination.*

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SCHEDULE B.

I hereby certify that I am of opinion that the child  
of of the (town or district of ) is not  
now in a fit and proper state to be successfully vaccinated.

Dated this                      day of                      18

(Signed)\_\_\_\_\_

Medical Officer for the District of  
(Or) a duly qualified Medical Practitioner

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SCHEDULE C.

I hereby certify that I am of opinion that the child  
of of the (town or district of ) is  
insusceptible of the vaccine disease.

Dated this                      day of                      18

(Signed)\_\_\_\_\_

Medical Officer of the District of  
(Or) a duly qualified Medical Practitioner.

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SCHEDULE D.

To the father mother or other person having the care nurture or custody of

I hereby give you notice and require you to have the said child vaccinated  
forthwith and if you neglect for *six months* from the birth of such child so to do  
you are liable to a penalty of 40s.

(Signed)\_\_\_\_\_

Registrar of Births for the                      District.

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SCHEDULE E.

To the father mother or other person having the care nurture or custody of

I hereby give you notice and require you to have the said child vaccinated  
forthwith and if you neglect for *two months from this date* so to do you are liable  
to a penalty of 40s.

(Signed)\_\_\_\_\_

Medical Officer of the                      District.