CAP. LII.

An Act to further extend and make compulsory the Practice of Vaccination in *Ireland*. [13th *July* 1863.]

'WHEREAS by an Act passed in the Fourteenth and Fifteenth Years of the Reign of Her Majesty, intituled *An Act to provide for the better Distribution, Support, and Management of Medical Charities in* Ireland, *and to amend an Act of the Eleventh Year of Her Majesty, to provide for the Execution of the Laws for Relief of the Poor in* Ireland, it is provided that the Medical Officer of every District constituted under the said Act shall and he is thereby required to vaccinate all Persons who may come to him for that Purpose, subject to such Regulations as may be issued by the Poor Law Commissioners in that Behalf; and by another Act, passed in the Twenty-first and Twenty-second Years of Her said Majesty, intituled *An Act to make further Provision for the Practice of Vaccination in* Ireland, it is provided that the Committee of Management of every Dispensary District in *Ireland* shall, subject to the Approbation of the Commissioners, divide such Dispensary District into so many Vaccination Districts as they may deem advisable and necessary, and shall report such Districts to the Commissioners for their Approval, and shall require the Medical Officer of such District to attend at some convenient Place within each Vaccination District, to be approved of by the said Committee, at such Times as the said Committee may fix or approve; and the said Medical Officer is thereby required to vaccinate all Persons resident in his District, who may come to him for that Purpose, or whom he may be requested to vaccinate, being fit Subjects for Vaccination, subject to such Regulations as may be issued by the Commissioners in that Behalf: And whereas it is expedient that the Practice of Vaccination in *Ireland* should be still further extended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

14 & 15 Vict. c. 68.

21 & 22 Vict. c. 64.

Parents and Guardians of Children born after 1st Jan. 1864 to have such Children vaccinated within Six Months after Birth.

1. The Father or Mother of every Child born in *Ireland* after the First Day of *January* One thousand eight hundred and sixty-four, or in the event of the Death, Illness, Absence, or Inability of the Father and Mother, then the Person who shall have the Care, Nurture, or Custody of the said Child, shall, as soon as may be practicable, and within Six Calendar Months after the Birth of such Child, take or cause to be taken the said Child to the Medical Officer of the Dispensary District in which the said Child is resident, for the Purpose of being vaccinated, unless he shall have been previously vaccinated by some duly qualified Medical Practitioner, and the Vaccination duly certified; and the said Medical Officer shall, and he is hereby required thereupon, or as soon after as it may conveniently and properly be done, to vaccinate the said Child: Provided that in the Vaccination of Children who are Inmates of the Workhouse or other public or charitable Institution, the Master, Matron, or chief Officer of the Workhouse or other such Institution shall take the Steps required to be taken under the Provisions of this Act by the Father or Mother of the Child, or other Person having the Care, Nurture, or Custody thereof.

Children to be taken for Inspection by Medical Officer on Eighth Day after the Operation.

2. Upon the Eighth Day following the Day on which any Child has been vaccinated as aforesaid, the Father or Mother, or other Person having the Care, Nurture, or Custody of the said Child, shall again take or cause to be taken the said Child to the Medical Officer by whom the Operation was performed, in order that such Medical Officer may ascertain by Inspection the Result of such Operation.

Certificate of successful Vaccination to be delivered.

3. Upon and immediately after the successful Vaccination of any Child, the Medical Officer or Practitioner who shall have performed the Operation shall deliver to the Father or Mother of the said Child, or to the Person who shall have the Care, Nurture, or Custody of the said Child, a Certificate under his Hand, according to the Form of Schedule hereinafter inserted marked (A.), that the said Child has been successfully vaccinated, and shall also transmit a Duplicate of the said Certificate to the Registrar of Births and Deaths of the District in which the Operation was performed; and such Certificate shall, without further Proof, be admissible as Evidence of the successful Vaccination of such Child in any

any Information or Complaint which shall be brought against the Father or Mother of the said Child, or against the Person who shall have had the Care, Nurture, or Custody of such Child as aforesaid, for Noncompliance with the Provisions of this Act: Provided that if the Medical Officer of any Dispensary District is also the Registrar of that District, it shall be sufficient for him to sign One Certificate, to be delivered to the Father or Mother, or other Person as aforesaid, and to register the Fact of such Vaccination in the Manner herein-after provided.

If the Child be not in a fit State for Vaccination, the Medical Officer to deliver a Certificate to that Effect, to be in force for Two Calendar Months.

4. If any Medical Officer or Practitioner shall be of opinion that any Child is not in a fit and proper State to be successfully vaccinated, he shall thereupon and immediately deliver, without Fee or Reward to the Father or Mother of such Child, or the Person having the Care, Nurture, or Custody of the said Child, a Certificate under his Hand, according to the Form of Schedule herein-after inserted marked (B.), that the Child is in an unfit State for successful Vaccination, and such Certificate shall remain in force for Two Calendar Months from its Delivery as aforesaid; and the Father and Mother of the said Child, or the Person having the Care, Nurture, or Custody of the said Child, shall, unless they shall within each succeeding Period of Two Months have obtained from a Medical Officer or Practitioner a Renewal of such Certificate, within Two Months next after the Delivery of the said Certificate as aforesaid, and if the said Child be not vaccinated at or by the Termination of such Period of Two Months then during each succeeding Period of Two Calendar Months until such Child has been successfully vaccinated, take or cause to be taken to the said Medical Officer or Practitioner such Child to be vaccinated by him; and if the said Medical Officer or Practitioner deem the said Child to be then in a fit and proper State for successful Vaccination, he shall forthwith vaccinate it accordingly, and shall deliver to the Father or Mother of such Child, or Person having the Care, Nurture, or Custody of such Child, a Certificate under his Hand, according to the Form of Schedule herein-after inserted marked (A.), that such Child has been successfully vaccinated; but if the said Medical Officer or Practitioner be of opinion that the Child is still in an unfit State for successful Vaccination, then he shall again deliver to the Father or Mother of such Child, or Person having the Care, Nurture, or Custody of the said Child, a Certificate under his Hand according to the said Form of Schedule (B.), that the Child is still in an unfit State for successful Vaccination; and the said Medical Officer or Practitioner, so long as such Child remains in an unfit State for Vaccination, and unvaccinated, shall at the Expiration of every succeeding Period of Two Calendar Months deliver, if required, to the said Father or Mother of such Child, or Person having the Care, Nurture, or Custody of such Child, a fresh Certificate under his Hand, according to the said Form of Schedule; and the Production of such Certificate shall be a sufficient Defence against any Complaint which shall be brought against the said Father or Mother, or Person having the Care, Nurture, or Custody of such Child, for Noncompliance with the Provisions of this Act.

Section 2. of 21 & 22 Vict. c. 64. repealed.

Rate of Payment for successful Cases of Vaccination.

5. 'And whereas by the Second Section of the said Act of the Twenty-first and Twenty-'second Years of Her Majesty it is provided that the Board of Guardians shall pay to the 'Medical Officer of each Dispensary District, in addition to any Salary or Allowance payable 'to him, the Sum of One Pound for every Twenty Cases of successful Vaccination performed 'by him in each Year:' Be it enacted, That the said Section shall be and is hereby repealed from and after the said First Day of *January;* and the Board of Guardians shall pay to every such Medical Officer, for every Person successfully vaccinated by him within his Dispensary District, after the said First Day of *January*, the Sum of One Shilling, provided that the said Medical Officer shall have made the Report to the Committee of Management, regarding the Persons so successfully vaccinated, which is required by the said Act.

Child's Incapacity to receive the Vaccine Disease to be certified.

6. In the event of any Medical Practitioner being of opinion that any Child that has been vaccinated by him is insusceptible of the Vaccine Disease, he shall deliver to the Father or Mother, or Person having the Care, Nurture, or Custody of such Child, a Certificate under his Hand, according to the Form of Schedule herein-after inserted marked (D.); and the Production of such Certificate shall be a sufficient Defence against any Complaint which may be brought against the said Father, Mother, or Person having the Care, Nurture, or Custody of such Child for Noncompliance with the Provisions of this Act.

7. The

Registrars of Births and Deaths to keep a Register of Cases of successful Vaccination, of which Searches and Extracts may be made.

7. The Registrar of Births and Deaths in the District in which the Operation has been performed shall register the same in a Register which he shall keep of the Persons of whose successful Vaccination a Certificate shall have been transmitted to him as above provided by any Medical Practitioner, and of the Persons whom he himself may have successfully vaccinated, as herein-before mentioned, and shall at all reasonable Times allow Searches to be made of any such Register Book in his Keeping, and shall give a Copy, certified under his Hand, of any Entry or Entries in the same, on Payment of the Fee of One Shilling for each Search, and Sixpence for each Certificate.

Notice to be given of the Requirement of Vaccination, and on Failure of Parent or Guardian to comply therewith, Penalty.

8. The Registrar of Births and Deaths in every District shall, at or immediately after the Registration of the Birth of any Child who shall not have been certified to him as having been vaccinated within Six Calendar Months after the Birth thereof, give Notice in Writing in manner herein-after directed, and according to the Form of Schedule herein-after inserted marked (C.), to the Father or Mother of such Child, or in the event of the Death, Illness, Absence, or Inability from Sickness or otherwise of the Father and Mother, then to the Person upon whom the Care, Nurture, or Custody of such Child shall have devolved, that it is the Duty of such Father or Mother, or Person having the Care, Nurture, or Custody of such Child as aforesaid, to take care that the said Child shall be vaccinated in the Manner directed by this Act, and shall together therewith deliver to such Person a Notice of the Days, Hours, and Places within the District of such Registrar at which the Medical Officer will attend for the Purpose of Vaccination, and shall enter in a Book, to be provided as herein-after directed, a Minute of his having duly given such Notice; and if after such Notice the Father or Mother of the said Child, or the Person so having as aforesaid the Care, Nurture, or Custody of the said Child, shall not 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, without any reasonable Excuse for such Failure or Omission, then such Father or Mother, or Person having the Care, Nurture, or Custody of such Child as aforesaid, so offending, shall forfeit a Sum not exceeding Ten Shillings.

Fee to Registrar.

9. A Fee of Threepence shall be paid to such Registrar for each Child vaccinated in respect of which he shall have performed the Duties required in this Act; excepting only those Cases in which he himself shall have performed the Operation, and thereby entitled himself to the Payment of a Fee under this Act; and the said Fee of Threepence shall be payable in the same Manner as the Fee now payable to such Registrar for registering the Birth of such Child as aforesaid is paid.

Penalty for omitting to register Vaccination.

10. Every Registrar who shall fail to register as aforesaid the Vaccination of any Child successfully vaccinated, and duly certified to him to have been so vaccinated within his District, or who shall register the Vaccination of any Child which shall not have been successfully vaccinated, or certified to him to have been so vaccinated, shall forfeit a Sum not exceeding Twenty Shillings for each such Case.

Registrar General to provide Books and Forms for carrying out the Provisions of this Act.

11. The Registrar General for *Ireland* shall cause to be provided from Time to Time a sufficient Number of Books from Her Majesty's Stationery Office, upon the Application of the Registrar General for *Ireland*, all such Books, Forms, and Regulations as he may deem requisite for carrying into full Effect the Provisions of this Act, and such Registrar General shall transmit the same to the Registrars of Births and Deaths in each District in *Ireland*, who shall deliver to the duly qualified Medical Practitioners in the said District such of the said Books, Forms, and Regulations as they may require for the Performance of the Duties imposed upon them by this Act, and the Expenses to be incurred by the Registrar General, under the Provisions of this Act, shall be defrayed in the like Manner as the general Expenses of his Office.

Recovery of Penalties.

12. Any Penalty recoverable under the Provisions of this Act shall be recoverable in a summary Way, with respect to the Police District of *Dublin* Metropolis, subject and according to the Provisions of any Act regulating the Powers and Duties of Justices of the Peace for such District or of the Police of such District, and with respect to other Parts of *Ireland*, before a Justice or Justices of the Peace sitting in Petty Sessions, subject and according to

the Provisions of "The Petty Sessions (*Ireland*) Act, 1851," and any Act amending the same.

Power to Guardians of Poor to direct Proceedings to be instituted.

13. The Guardians of any Union in *Ireland* may direct Proceedings to be instituted for the Purpose of enforcing Obedience to the Provisions of this Act; and as to all Expenses incurred in such Proceedings, if the Justice or Justices before whom such Proceedings are had certify that such Expenses ought to be allowed, such Justice or Justices shall ascertain the Amount thereof, and such Amount shall be payable out of the Poor Rates of the Union in which the Neglect or Default shall have arisen; and such Proceedings on account of Neglect to have a Child vaccinated may be taken at any Time during the Continuance of the Neglect.

SCHEDULES referred to by this Act.

SCHEDULE (A.)

I, the undersigned, hereby certify, That the Child of of aged in the County of has been successfully vaccinated by me.

Dated this Day of 186 .

(Signed) *A.B.*,

Medical Officer of the Dispensary District

(*or other Medical Practitioner, as the Case may be*).

SCHEDULE (B.)

I, the undersigned, hereby certify, That I am of opinion that the Child of of in the County of aged is not now in a fit and proper State to be successfully vaccinated, and I do hereby postpone the Vaccination until the Day of .

Dated this Day of 186 .

(Signed) *A.B.*,

Medical Officer of the Dispensary District

(*or other Medical Practitioner, as the Case may be*).

SCHEDULE (C.)

I, the undersigned, hereby give you Notice, and require you to have *C.D.* vaccinated within Six Months after the Birth, pursuant to the Provisions and Directions of the Act of the Victoria, Cap. . As witness my Hand, this Day of 186 .

J.B.,

Registrar of Births and Deaths for the District.

SCHEDULE (D.)

I, the undersigned, hereby certify, That I am of opinion that the Child of of in the County of is insusceptible of the Vaccine Disease.

Dated this Day of 186 .

(Signed) *A.B.*,

Medical Officer of the Dispensary District

(*or other Medical Practitioner, as the Case may be*).