
A BILL

To render Vaccination compulsory throughout the Colony of New South Wales.

WHEREAS it is expedient for the safety of the Public Health that Preamble.
the practice of Vaccination should be made compulsory through-
out the Colony of New South Wales. Be it therefore enacted by the
Queen's Most Excellent Majesty by and with the advice and consent of
5 the Legislative Council and Legislative Assembly of New South Wales
in Parliament assembled and by the authority of the same as follows:—

1. The father or mother of every child born in New South Children to be
vaccinated within
six months from
their birth, unless
prevented by illness
or other sufficient
cause.
Wales after the first day of _____ in the year one thousand eight
hundred and fifty-eight shall within six calendar months after the Regis-
10 tration of the birth of the said child if within the Settled Districts or
within twelve months if beyond the Settled Districts or in the event of
the death illness absence or inability of the father or mother then the
person who shall have the care nurture or custody of the said child shall
within six calendar months if within the Settled Districts or within
15 twelve calendar months if beyond the Settled Districts after the Regis-
tration of the birth of such child take or cause to be taken the said child
to some duly qualified Medical Practitioner for the purpose of being
vaccinated.

20 2. Upon the successful vaccination of any child the Medical Medical Practitioner
having successfully
performed the opera-
tion shall certify to
the same and such
certificate shall be
admissible as
evidence.
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 the Schedule hereunto annexed marked A that
25 the said child has been successfully vaccinated and such Certificate shall
without further proof be admissible as evidence of the successful
vaccination of such child in 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
30 as aforesaid.

Procedure in case
of necessary post-
ponement of
vaccination.

3. If such Medical Practitioner be of opinion that any child which shall be brought to him for vaccination is not at the time when so brought for the purpose aforesaid in a fit and proper state to be successfully vaccinated he shall postpone the vaccination until such time as he thinks the operation may be safely and successfully performed and he shall in the event of such postponement thereupon and immediately deliver 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 the Schedule hereunto annexed marked B that the child is in an unfit state for successful vaccination and such Certificate shall remain in force for three calendar months from its delivery as aforesaid and the father or mother of the said child or the person having the care nurture or custody of the said child shall within three 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 three months then during each succeeding period of three calendar months until such child has been successfully vaccinated take or cause to be taken to the said Medical Practitioner such child to be vaccinated by him and if the said Medical 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 a Certificate under his hand according to the form in the Schedule marked A to this Act annexed that such child has been successfully vaccinated but if the said Medical 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 such 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 Practitioner so long as such child shall remain in an unfit state for vaccination and unvaccinated shall at the expiration of every succeeding period of three 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.

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Vaccinations to be
registered by the
Registrar of Births
&c. and searches to
be permitted on
payment of the fee
hereinafter men-
tioned.

4. The Registrar or Deputy Registrar of Births Deaths and Marriages of the several districts and counties in which the operation has been performed shall keep a Register of the persons reported by the said Medical Practitioner as having been successfully vaccinated and such Register shall be under the care and control of some person appointed for 40

that

that purpose who 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 hereinafter mentioned that is to say for every search extending over a
5 period of not more than six months

5. The Registrar or Deputy Registrar of Births Deaths and Marriages in every district or county shall on the Registration of the birth of any child within the district or county give notice in writing according to the form in the Schedule hereunto annexed marked C to the
10 person applying for the Registration or 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 the person having the care
15 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 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 accordingly cause such child to be vaccinated, then such father or
20 mother or person having the care nurture or custody of such child as aforesaid so offending shall forfeit a sum not exceeding

Registrar or Deputy-Registrar shall on the birth of a child give notice to its parents or the person in charge of such child requiring it to be vaccinated under penalty.

6. If any child be born out of the Colony of New South Wales then the father or mother of such child or person having the care nurture or custody of the said child shall within two months after
25 the arrival of the said child into the aforesaid Colony under a penalty of forty shillings to be recovered under the provisions of this Act cause the said child to be vaccinated by a duly qualified Medical Practitioner as aforesaid subject to the provisions hereinbefore contained in relation to children born in the aforesaid Colony.

As to vaccination of children not born in the Colony.

30 7. All persons born in the Colony who have not been vaccinated shall within six months after the passing of this Act undergo the operation of vaccination under a penalty of pounds.

Persons who have not been vaccinated to be so within six months from passing of this Act.

8. All penalties by this Act imposed shall be recovered before any Justice of the Peace for the county city or place where the offender
35 resides upon the information or complaint of any person and if on the conviction of the offender such penalties with the costs of the conviction shall not forthwith be paid the same shall be levied by distress and sale of the goods and chattels of the offender by warrant under the hand and seal

Recovery of Penalties.

seal of such Justice and for want of distress such Justice may commit every such offender to the common gaol or house of correction for the county city or place where the offender shall be committed without bail or mainprise for any term not exceeding one calendar month unless such penalty and all reasonable charges attending the recovery thereof shall be sooner paid.

Who to be deemed
a duly qualified
Medical Practitioner.

9. The term duly qualified Medical Practitioner shall be held to mean any person holding the Certificate of the "New South Wales Medical Board."

SCHEDULES REFERRED TO IN THIS ACT.

SCHEDULE A.

I, the undersigned, hereby certify that _____ the child
of _____, aged _____, of the district (or county) of _____
has been successfully vaccinated by me.

Dated this _____ day of _____, 185 .

(Signed) _____ A. B.

Surgeon to the District or County (as the case may be.)

SCHEDULE B.

I, the undersigned, hereby certify, that I am of opinion that
the child of _____, of the district of _____, in the
county of _____, aged _____, is not now in a fit state to be
successfully vaccinated; and I do hereby postpone the vaccination until the
day of _____, 185 .

(Signed) _____ A. B.

Surgeon to the District or County (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, if within the Settled Districts, or twelve months if beyond the
Settled Districts (as the case may be), from the date of the Registration of the Birth of
_____ under the penalty of

J. B.,

Registrar of Births and Deaths for the District
or County (as the case may be.)
