

CHAPTER 154
VACCINATION LAW

Arrangement of sections

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SCHEDULE

CHAPTER 154
VACCINATION LAW

Eastern Nigeria
Cap. 129

A Law to made provisions for vaccination and for related matters.

[27th August 1991]

1. This Law may be cited as the Vaccination Law

Short title.

2. In this Law—

Interpretation

"adult" means a person who is or appears to be fourteen years of age or over;

"child" means a child who is or appears to be under fourteen years of age

"Commissioner" means commissioner responsible for health;

"medical officer" means a medical officer in the service of the Government and includes a qualified medical practitioner in the service of a local government council:

"parent" means the father or mother of a child and includes any person having the care or custody of a child;

"prescribed area" means an area in respect of which an order has been made under section 7 and is then in force.

3. (1) Every medical officer shall be a public vaccinator for the purposes of this Law.

Public vaccinator

(2) The Commissioner may appoint such additional persons as he may think necessary to be public vaccinators.

4. (1) Every adult and every child shall be liable to be vaccinated.

Vaccination to be compulsory

(2) A medical officer of health may, by notice in the form set out in the Schedule hereto, call upon any adult or adults to attend within seven days of the service of such notice on him or them at such time and place as may be specified in such notice for examination and, if necessary, for vaccination, and such adult or adults shall subsequently attend at such time and place as the public vaccinator may direct for the purpose of ascertaining whether or not the vaccination has been successful and, if necessary, for revaccination.

Vaccination of children

5. (1) Each medical officer of health shall appoint the times and places at which parents may bring their children to be vaccinated.

(2) The parent of any child shall within three months of the birth of such child bring such child to a public vaccinator at a time and place appointed under subsection (1) for examination and, if necessary, for vaccination, and shall subsequently produce such child at such times and at such places as the public vaccinator shall direct for the purpose of ascertaining whether or not the vaccination has been successful, and, if necessary, for revaccination.

Power for local government council to make rules.

6. (1) The Commissioner may by order apply the provisions of subsection (2) of this section to the area of any local government council as he thinks fit.

(2) When an order is made under the provisions of subsection (1) then a local government council within the area specified in the order may, with the approval of the Commissioner, make rules for all or any of the following purposes—

- (a) appointing the times and places at which adults may attend and to which parents may bring children for vaccination;
- (b) requiring adults to attend and children to be brought before a public vaccinator for inspection and, if necessary, for vaccination or for revaccination;
- (c) prohibiting arm to arm vaccination either generally or in any specified area.
- (d) specifying penalties for breaches of any rules made under the provisions of this subsection and providing for different penalties in the case of successive breaches;
- (e) generally, for giving effect to the purposes of this Law within its area.

(3) The provisions of this section shall be without prejudice to the powers conferred upon medical officers of health by the provisions of sections 4 and 5;

Provided that where a local government council makes rules under the provisions of subsection (2) then the provisions of subsection (2) of section 4 and of section 5 shall not apply to the area in respect of which such rules are made.

7. Every public vaccinator may on any day, except Sunday, between the hours of six in the morning and six in the afternoon, enter any house and any yard or compound and any buildings therein and inspect every adult and child found therein, and may thereupon vaccinate such adult and child unless he is satisfied that such adult or child has been previously vaccinated successfully or has already had smallpox:

Provided that in the event of an epidemic of smallpox the medical officer of health may order revaccination in which case a public vaccinator may revaccinate any adult or child who having been previously vaccinated shall fail to satisfy the public vaccinator that such vaccinator was within period of seven years.

8. Any public vaccinator may examine and vaccinate any person arriving in Nigeria by land, sea or air who cannot produce satisfactory evidence of having been attacked by smallpox or of successful vaccination.

9. Any employer of labourers immigrant from other countries shall notify to a medical officer of health the arrival of such labourers employed by him within three days of their arrival, for the purposes of their inspection for vaccination.

10.. In this Law “successful” means a vaccination which in the opinion of a public vaccinator, after taking into account the nature of the vesicles or scars resulting from the vaccination and the time which has elapsed since the vaccination was performed, is efficient to protect against smallpox.

Penalties. 11. Any person who shall fail to comply with any of the provisions of this Law or shall wilfully endeavour to deceive by false statement or otherwise, or shall obstruct any public vaccinator or other person in the discharge of his duties under this Law shall be liable on summary conviction to a fine of ten naira or to imprisonment for one month, and when the failure continues after conviction, to a fine of two naira for each day on which such failure continues.

Penalty for inoculating with smallpox 12. Any person who shall wilfully produce or attempt to produce smallpox in any person by inoculation with variolous matter, or by wilful exposure to variolous matter or to any matter, article or thing impregnated with variolous matter shall be liable to imprisonment for one year

Penalty to make regulations 13. The Commissioner may make regulations for all or any of the purposes following—
(a) requiring all adults to attend before a public vaccinator for inspection and, if necessary, for vaccination;
(b) prohibiting arm to arm vaccination either generally or in any specified area; and

- (c) generally for giving effect to the purposes of this Law.

SCHEDULE
THE VACCINATION LAW
NOTICE REQUIRING ATTENDANCE FOR VACCINATION

To....., of In accordance with the provision of section 4 (2) of the Vaccination Law you are hereby acquired within seven days after the service of this notice on you to attend at ata.m/p.m to be examined and, if necessary, vaccinated.

DATE this.....day of20.....

.....
Medical Officer of Health

SUBSIDIARY LEGISLATION
Vaccination Law
Appointment of Public Vaccinators
[made under section 3 (2)]

All persons holding under the Government or a local government council the undermentioned posts are appointed as public vaccinators---

Dressers
Health visitors
Midwives
Local government council dispensary attendants
Sanitary inspectors
Sanitary overseers
Sanitary superintendents
Sleeping sickness dispensary attendants
Sub-inspectors of sanitation
Vaccinators
Sleeping sickness superintendents

Field unit superintendents
Sleeping sickness assistants
Field unit dresser

VACCINATION REGULATIONS

[made under section 13]

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| | 1. These regulations may be cited as the Vaccination Regulations. | Short title |
| | 2. Every public vaccinator shall keep a record of every vaccination performed by him as in the Form A of the Schedule. | Record Form A |
| | 3. In this record all vaccinations performed shall be numbered consecutively throughout the year beginning with No. 1 of the first vaccination in each year. | Vaccination recorded |
| | 4. Every public vaccinator shall send to the Chief Medical Officer a monthly return of vaccinations performed by him as soon as may be after the ending of each month in the Form B of the Schedule. | Monthly return Form B |
| | 5. Except in special cases, sanctioned by the medical officer of health for the area, no public vaccinator shall grant a certificate of successful vaccination to any non-European. | Vaccination certificate to non-European |
| Arm to arm Vaccination | 6. No public vaccinator nor a medical officer shall perform arm to arm vaccination unless he is ordered to do so by a medical officer; such order shall be in writing and shall specify the period over which such arm to arm vaccination shall continue and in what places or area it shall be done. | |
| Conditions for arm to arm vaccination | 7. When arm to arm vaccination is carried out by a public vaccinator, not a medical officer and not under the direct personal supervision of a medical officer, lymph shall only be taken from a young child and from an unbroken perfectly formed vaccination vesicle, and only from such a child if it appears perfectly healthy and free from all sores and only after it has been ascertained that its parents are quite healthy or if dead were quite healthy at the time of the child's birth. | |
| Fitness for vaccination | 8. No public vaccinator other than a medical officer shall vaccinate any person who produces a certificate signed by a qualified medical practitioner dated within the preceding four months, that he is medically unfit to undergo vaccination. | |
| Penalty | 9. Any public vaccinator who commits a breach of any of the provisions or regulations 6 to 8 shall be liable to a fine of ten pounds. | |