

10)

occurs in other epidemics (eg. in
 the Bengal epidemics) but it is
 thought some the less a point
 the N. American case avoids it
 I will also that s. b., among the
 definition of "unprotected pass"
 in s. 2 would render ^{or} ~~or~~ ^{or} ~~or~~
 of any as to the necessity
 (Time of 75 Rs. or one month's unprotection
 each) if it did not usually enter
 the possession of the ^{section} ~~section~~
 of 107

Dr G. Fiddes

It would have been better
 if the bill had been submitted to us
 to S. 2. Write to the ~~of~~ ^{of} ~~of~~ ^{of}
 the sense of Mr. Jennings's or Mr.
 Fiddes's minute?

H. J. P.

14/11

Alone P. S. W.

GOVERNMENT HOUSE,
 NAIROBI,
 BRITISH EAST AFRICA.

EAST AFRICA PROTECTORATE.

June 13th 1912.

No. 404

Sir,

I have the honour to transmit herewith two authenticated and ten printed copies of The Vaccination Ordinance 1912 as passed by the Legislative Council on the 29th ultimo together with an explanatory Memorandum by the Attorney General.

2. I have assented to the Ordinance in the name of His Majesty.

I have the honour to be,

Sir,

Your humble, obedient servant,


 ACTING GOVERNOR.

THE RIGHT HONOURABLE

LEWIS HARCOURT, P.O., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S.W.

INCLOSURE

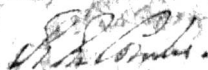
In Despatch No. 404 of 13 6. 1912

THE VACCINATION ORDINANCE, 1912.

LEGAL REPORT.

1. This Ordinance has been enacted to enable the Governor to order that vaccination against small-pox shall be compulsory in any Township, District or Area in which it is considered that the provisions of the Ordinance can and should be enforced.
2. The Ordinance is modelled on the Bengal Vaccination Act 1880, the Zanzibar Vaccination Decree 1910, and the Northern Nigerian Ordinance No. 12 of 1908.
3. Power is given to the Governor to exempt any person from the operation of the Ordinance when satisfied that vaccination is prohibited by or is repulsive to his creed or religion.
4. In my opinion this Ordinance is a proper Ordinance to be enacted for this Protectorate and may be assented to without previous submission to the Secretary of State.

KISUMU,
June, 1913.



 ATTORNEY GENERAL.

THE VACCINATION ORDINANCE, 1910.

Section 1. Title.	
Section 2. Definitions.	Section 2 of the Zanzibar Vaccination Ordinance, 1910.
Section 3 (1) The Governor may order making Vaccination compulsory.	(1) Under this Section provision is made making vaccination compulsory as regards all unprotected persons in any specified area.
Section 3 (2).	(2) Section 19 of the Zanzibar Decree. The word "customs" has been omitted from the East Africa Ordinance. It is considered that only objections based on religious grounds should be recognised as a reason for exemption.
Section 4. Public Vaccinators.	Under this Section the Principal Medical Officer can appoint either a Medical Officer in the service of the Government or a private practitioner to be the Public Vaccinator in and for any area. As the Public Vaccinator is prohibited from charging for anything done under the Ordinance, provision must be made for remunerating any private practitioner who may be appointed to be a public vaccinator.

Section 5.
 Appointment of
 areas and places
 for vaccination.

Section 19 of the Northern Nigerian Proclamation No. 13 of 1908.

Section 6.
 Vaccination of
 adults.

Section 20 of the Northern Nigerian Proclamation No. 13 of 1908.

Under this Section all unprotected adults are required to submit themselves for vaccination within one month of the application of the Ordinance to any area in which they reside. This Section has been altered so as to cover persons coming into the area after the application of the Ordinance.

Section 7.
 Vaccination
 of children.

Section 21 of the Northern Nigerian Proclamation No. 13 of 1908.

This Section requires all unprotected children within any area to which the Ordinance is applied to be submitted for vaccination before they attain the age of 6 months. Unprotected children who are over the age of 6 months when the Ordinance is applied or who being over the age of 6 months are brought into the area after the Ordinance has been applied must be submitted for vaccination within one month of the application of the Ordinance or of their being brought into the area. The age has been altered from 3 months to 6 months on the recommendation of the Principal Medical Officer.

Section 8.
 Appointment of Public
 Sanitators to
 visit houses, etc.
 to vaccinate.

Section 22 of the Northern Nigerian Proclamation No. 13 of 1908.

This is as to allow the power conferred to be regulated by Rules
 This is a necessary provision and gives effect to the practice in Zanzibar where vaccination is mainly carried out on a house to house visitation.

Under the powers reserved restrictions should be made safeguarding the rights of the subjects of the Treaty Powers in the Sultan's Dominions, and regulating the invasion of the women's quarters in a Mahomedan's household.

Section 5 of the General Vaccination Act 1868 extended so as to include adults as well as children. The period of exemption has been extended from 3 to 6 months on the recommendation of the Principal Medical Officer.

Section 5 of the General Act extended to adults as well as children.

Section 7 of the General Act extended to adults.

Section 8 of the General Act.

The proviso to this Section has been omitted, as it is considered that any fee paid for work done by a Medical Practitioner, appointed to be a Public Vaccinator, which he is not required to do under the Ordinance should be retained by the practitioner.

A necessary provision in the case of Asiatics and natives.

tion 13.

Local Officer
Health may
certain cases
give immediate
isolation of
infected person
child on board
arriving at a
separate port.

Section 5 of the General Vaccination (Amendment)
Act 1907, extended to unprotected children

tion 14.

or to make
6.

July 20 1917

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DRAFT. Vol. No. 424

July

23 July 1917

Recd. 1917
Ad. Tammans. 20.
W. Fiddian to
Mr. B. B. B.

Recd. 29/10/17

Have the honor to acknowledge the receipt of your despatch No. 4024 of the 18th of June submitting for the signature of H.M. ~~the Secretary~~ ~~the authorized~~ ~~and the printed copies~~

Recd. 23
S. M. M.

of the Vaccination Ordinance

(No. 711
of 1912)

~~which you~~
~~submitting a printed copy of the~~
~~same to H.M.~~

I have to refer to the following orders in certain parts which read in the Ordinance

Section 3(2)

Section 3(3)

Should be glad to receive further info as to the reasons for enacting section 3(2) in its present form. I am not aware of any text in the Mohammedan religion which prohibits vaccination, should if the objection anticipated is that Muslim women ought not to be vaccinated by men, the provisions of ~~the~~ ^{the} subsection ~~are~~ ^{are} applicable ~~to~~ ^{to} be quite suitably worded.

Section 4

This section is worded thus to restrict the effect of public vaccinators to districts in which

Part A is

vaccination is made compulsory. I presume, however, that it is intended to encourage vaccination even outside such districts, the effect of public vaccination would be the effect of any other vaccination.

Section 6

As the section stands, a person coming into a local area one day before the end of the first month after the coming into force of the order made under section 3 of this Act would have to present himself on that day or ~~at~~ ^{at} ~~the~~ ^{the} next meeting, where if he came into the ~~the~~ local area one day after the month expired he would be given 14 days' grace.

the Section should
find their place in
a Quarantine Ord^o
rather than a Vaccination
Ord^o

I have to request
that you will submit
the Ord^o to the Legislative
Council with any
amendments which
may be necessary in
the light of the
views in the
paragraph of the Report

I suppose that the
Council
will suggest amendments
to the Ord^o
for the new
Ord^o

1917
? substitute for the
for (as amended) -
In reply to your
letter of the 11th
Inst., I do not propose
to tender any advice
to H.M. in respect
of the Ord^o under
consideration

Signed HARCOURT