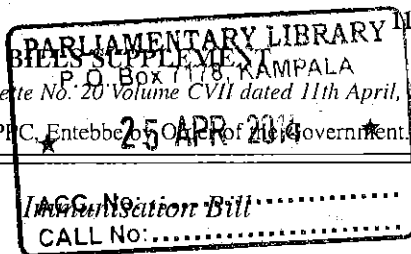


to the Uganda Gazette No. 20 Volume CVII dated 11th April, 2014.

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Bill No. 3

2014

THE IMMUNISATION BILL, 2014

MEMORANDUM

1. Object of the Bill.

The object of the bill is to reduce morbidity, mortality and disability due to life threatening infections in children, women of reproductive age and other target groups and to strengthen public health through improved access to immunisation services.

2. Defects in the existing law.

The existing laws on immunisation are inadequate and scattered in various Acts and subsidiary legislations. Most provisions on immunisation of children and women of reproductive age against common immunisable diseases apply to particular districts. The laws include: the Public Health Act, Cap. 281; the Local Governments Act, Cap. 243; the Public Health (Control of Yellow Fever) Rules S.I. 281-24; the Local Governments (Nebbi District) (Protection of Health) Byelaws S.I. 243-61; the Local Governments (Bushenyi District) (Miscellaneous) Byelaws S.I. 243-67; and the Local Governments (Bundibugyo District) (Miscellaneous) Byelaws S.I. 243-68. The inadequacy and multiplicity of laws necessitate the need to have a comprehensive and harmonized legislation on immunisation.

The existing legislation on immunisation contains some provisions that do not reflect the current developments in the area of public health. The diseases covered under the Public Health Act, Cap. 281 for example, include smallpox, plague, Asiatic cholera, yellow fever,

cerebrospinal meningitis, typhus, sleeping sickness or human trypanosomiasis. The list of immunisable diseases has since been expanded to match the current disease trends and researches and hence the need to have an adequate legislation that addresses all the emerging vaccinations for all the immunisable diseases like Rota virus and pneumonia, among others.

Enforcement measures such as penalties for parents who do not take their children for immunisation and strengthening participation of all stakeholders involved are not included in the current legislation.

3. Remedies proposed in the Bill.

The Bill, when passed, will comprehensively provide for immunisation of children, women of reproductive age and other target groups against immunisable diseases, as well as other emerging diseases.

4. Provisions of the Bill.

Part I of the Bill (incorporating clauses 1 and 2), deals with preliminary matters such as the short title and the interpretation of the words and expressions used in the Bill.

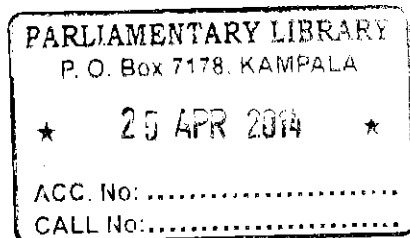
Part II of the Bill deals with compulsory immunization of children, women of reproductive age and other target groups against immunisable diseases. The Bill in clause 4 provides for production of an immunisation card before admission to day care centre, pre-primary or primary education. Clauses 7 and 8 impose a duty on the State to provide free vaccines to every Ugandan required to receive vaccination under sections 3 and 5 and ensure accessibility of the vaccines.

Part III of the Bill deals with other immunisable diseases. Clause 10 requires the Minister responsible for health, by statutory instrument, to order the administration of vaccines in the following extraordinary cases:

- (a) where a person has not been vaccinated in accordance with the Second Schedule to this Act;
- (b) in case of an epidemic;
- (c) when there is danger of entry of transmissible diseases into the country;
- (d) upon detection of a new infectious agent or an infectious agent deemed controlled or eradicated has re-appeared; and
- (e) whenever so required, pursuant to applicable international practices.

Part IV of the Bill deals with miscellaneous matters, including immunity of medical practitioners. Clause 14 empowers the Minister to make regulations for giving better effect to the Act. Clause 16 seeks to save any law on immunisation in existence at the time of coming into force of this Act in as far as it does not contradict any provision of this Act.

HON. OLERU HUDA,
Woman Representative, Yumbe District.



THE IMMUNISATION BILL, 2014

ARRANGEMENT OF CLAUSES

Clause

PART I—PRELIMINARY

1. Short title.
2. Interpretation.

PART II—COMPULSORY IMMUNISATION

3. Immunisation of children.
4. Production of immunisation card before admission to day care centre, pre-primary or primary education.
5. Tetanus immunisation for women.
6. Immunisation against human papillomavirus (HPV).
7. Free provision of vaccines.
8. Access to vaccines.
9. Penalty.

PART III—OTHER IMMUNISABLE DISEASES

10. Administration of vaccines in extraordinary cases.
11. Information about other vaccines.
12. Implementation of the Act.

PART IV—MISCELLANEOUS

13. Protection of medical practitioners from liability.
14. Regulations.
15. Amendment of Schedules.
16. Saving provision.

SCHEDULES

- First Schedule → Currency Point
- Second Schedule → Diseases for which immunisation is compulsory.
- Third Schedule → Immunisation Schedule of Tetanus Toxoid vaccine.
- Fourth Schedule → List of other immunisable diseases.

THE IMMUNISATION BILL, 2014

A Bill for an Act

ENTITLED

THE IMMUNISATION ACT, 2014

An Act to provide for compulsory immunisation of children, women of reproductive age and other target groups against immunisable diseases; and to provide for other incidental matters.

BE IT ENACTED by Parliament as follows:

PART I—PRELIMINARY

1. Short title.

This Act may be cited as the Immunisation Act, 2014.

2. Interpretation.

In this Act, unless the context otherwise requires—

“currency point” has the value assigned to it in the First Schedule;

“child” means a person below the age of eighteen years;

“day care centre” means any premises, other than premises used as a private dwelling, where children above the age of six months are received and taken care of for a day or part of the day;

“immunisation” means the process whereby a person is made immune or resistant to an infectious disease, typically by the administration of a vaccine;

“immunisation card” means a document issued by a medical practitioner to a parent of a child, showing a record of immunisation of the child;

“infectious agent” means a microorganism capable of causing an infection;

“medical practitioner” means a person who is registered or licenced as such under any law in force in Uganda governing the registration of medical practitioners and includes any person authorized to administer vaccines;

“Minister” means the Minister responsible for health;

“parent” includes a biological mother or father, a guardian, a person who has lawful custody of a child or an adult person who has parental responsibility for a child;

“parental responsibility” means the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child;

“pre-primary school” means an establishment set up for the purpose of providing education to children below the age of five years;

“primary school” means an establishment set up for the purpose of providing education to children aged six years and above;

“vaccine” means any preparation intended to produce immunity to a disease by stimulating the production of antibodies.

PART II—COMPULSORY IMMUNISATION

3. Immunisation of children.

(1) Subject to subsection (2), a parent of a child in the age bracket of one day to five years shall ensure that the child is immunised against the immunisable diseases in accordance with the Second Schedule to this Act.

(2) A medical practitioner may postpone the immunisation of a child on medical grounds.

(3) A medical practitioner shall, immediately after the immunisation of the child mentioned in sub-section (1), issue to the parent of the child, an immunisation card which shall be presented by the parent each time the child is due for immunisation.

(4) The immunisation card issued under sub-section (3) shall be signed by the medical practitioner every time the child is immunised.

(5) A parent of a child to whom an immunisation card has been issued is required to keep it for at least ten years.

4. Production of immunisation card before admission to day care centre, pre-primary or primary education.

(1) Subject to subsection (2), a head teacher or any other person responsible for admission of a child to a—

- (a) day care centre;
- (b) pre-primary school; or
- (c) primary school

shall not admit a child unless an immunisation card certifying that the required immunisations were given to the child is produced to him or her by the parent of that child.

(2) Where a parent of a child produces a certificate signed by a medical practitioner certifying that immunisation against any of the immunisable diseases is not advisable on medical grounds, an immunisation card will be required to be produced by the parent showing that the child has undergone immunisation with respect to other immunisable diseases in accordance with the Second schedule to this Act.

5. Tetanus immunisation for women.

(1) Subject to subsection (2), every woman in the age bracket of eighteen years to forty-nine years shall ensure that she is fully immunised against tetanus in accordance with the Third Schedule.

(2) A parent of a girl child from the age of fifteen years to seventeen years shall be responsible for ensuring that the child is appropriately immunised against tetanus in accordance with the Third Schedule.

6. Immunisation against human papillomavirus (HPV).

A parent of a child from the age of ten years to twelve years shall ensure that the child is immunised against human papillomavirus.

7. Free provision of vaccines.

The State shall provide free vaccines to every Ugandan required to receive vaccination under sections 3 and 5.

8. Access to vaccines.

The State shall ensure that every Ugandan required to be immunised under this Act or any other related law, has access to vaccines.

9. Penalty.

A person who, without lawful excuse, contravenes sections 3 (1), (3) or (4), 4(1), 5 or 6 of this Act commits an offence and is liable, on conviction, to a fine not exceeding twelve currency points or imprisonment not exceeding six months or to both.

PART III—OTHER IMMUNISABLE DISEASES

10. Administration of vaccines in extraordinary cases.

(1) The Minister shall, by statutory instrument, order the administration of vaccines in the following extraordinary cases—

- (a) where a person has not been vaccinated in accordance with the Second Schedule to this Act;
- (b) in case of an epidemic;
- (c) when there is danger of entry of transmissible diseases into the country;
- (d) upon detection of a new infectious agent or an infectious agent deemed controlled or eradicated has re-appeared; or
- (e) whenever so required, pursuant to applicable international practices.

(2) The Minister shall determine whether the vaccination required under subsection (1) should be mandatory or not.

11. Information about other vaccines.

The Minister may issue guidelines regarding the accessibility to and administration of vaccines for the immunisable diseases listed in the Fourth Schedule to this Act.

12. Implementation of the Act.

The Minister responsible for health shall, in collaboration with the Minister responsible for local governments, be responsible for the implementation of this Act.

PART IV—MISCELLANEOUS

13. Protection of medical practitioners from liability.

A person shall not institute legal proceedings against a medical practitioner who does any act in good faith for the purpose of giving effect to this Act.

14. Regulations.

The Minister may, by statutory instrument, make regulations for the better carrying out of the provisions of this Act.

15. Amendment of Schedules.

The Minister may, by statutory instrument, amend the Schedules to this Act.

16. Saving provision.

Any law on immunisation in existence at the time of coming into force of this Act shall remain in force in as far as it does not contradict any provision of this Act.

Bill No. 3

Immunisation Bill

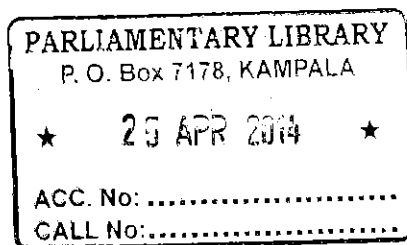
2014

FIRST SCHEDULE

Sections 2, 9

CURRENCY POINT

One currency point is equivalent to twenty thousand shillings.



SECOND SCHEDULE

Sections 3, 4

Diseases for which immunization is compulsory.

<i>Vaccine</i>	<i>Targeted Disease</i>	<i>Period within which to administer the vaccine</i>	<i>Administration</i>	<i>Site</i>
BCG	Tuberculosis	At birth (or first contact)	Intra-dermal	Right Upper Arm
DPT Heb+Hib	Whooping Cough, Tetanus, Hepatitis B and Heamophilus Influenza	At 6 Weeks (or first contact after that age)	Intra-Muscularly	Outer Upper Aspect of Left Thigh
Polio	Polio	At birth or within the first 2weeks (Polio 0) and six weeks or first contact after 6 weeks (Polio 1)	Orally	Mouth
Measles	Measles	At 9 months (or first contact after that age)	Subcutaneously	Left Upper Arm

THIRD SCHEDULE

Section 5

Immunization schedule of Tetanus Toxoid vaccine

<i>Vaccine</i>	<i>Targeted Disease</i>	<i>Interval</i>	<i>Minimum Age</i>	<i>Administration</i>	<i>Site</i>
Tetanus Toxoid	Tetanus	First Contact TT1 TT2 (4 weeks after TT1) TT3 (6 weeks after TT2) TT4 (1 year after TT3) TT5 (1 year after TT4)	At first contact with a pregnant woman of child bearing age (15-45 years)	Intra-Muscularly	Upper arm deltoid

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FOURTH SCHEDULE

Section 11

List of other immunisable diseases

- (i) Cervical Cancer
- (ii) Pneumonia
- (iii) Rotavirus
- (iv) Yellow fever
- (v) Any other immunisable disease of public health interest as recommended by the Minister responsible for health.

