

LEGISLATIVE COUNCIL.

DRAFT BILL.

No. S. 73.—The following draft bill is published for general information.

A BILL

INTITULED

An Ordinance to consolidate and amend the law relating to Vaccination.

BE it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows :—

Short title. 1. This Ordinance may be cited as the Vaccination Ordinance, 1922.

2. In this Ordinance :—

Interpretation.

“Child” means any person under 14 years of age;

“Guardian” means the father, mother, or other person who for the time being has in fact the custody of any child or of any pupil in any school;

“Medical Officer of Health” includes Assistant Medical Officer of Health, and “Health Officer of Port” includes Second Health Officer of Port;

Ordinance No. 1 of 1884.

“Medical Practitioner” includes all registered practitioners under the Medical Registration Ordinance, 1884, all civil medical officers and all military officers of His Majesty’s Navy and Army respectively serving in the colony on full pay;

“Public Vaccinator” means any person appointed by the Governor under sub-section (1) of section 3 of this Ordinance for the purpose of vaccinating persons;

“Superintendent” and “Deputy Superintendent” mean respectively Superintendent of Vaccination and Deputy Superintendent of Vaccination.

General.

Appointment of officers and vaccination and quarantine stations.

3.—(1.) The Governor may appoint any person to be Superintendent of Vaccination and any other persons to be Deputy Superintendents of Vaccination, and any other persons to be public vaccinators (with such salaries as he may determine) for the purposes of this Ordinance, and may also appoint any place within the Colony or the waters thereof for the purpose of public vaccination, or to be a Government quarantine station.

(2.) The Governor may also, in any time of emergency, authorise any other persons to perform vaccinations.

(3.) It shall be lawful for the Governor at any time to cancel or revoke any appointment or authorisation made or given under sub-sections (1) or (2) of this section.

Vaccinations to be performed by certain persons only.

4. No person shall perform the operation of vaccination upon any other person, unless he is either—

(a) a medical practitioner, or

(b) a public vaccinator, or

(c) a person authorised by the Governor under sub-section (2) of section 3 of this Ordinance to perform vaccinations in any time of emergency.

5. Every person who produces or attempts to produce in himself or in any other person by inoculation with variolous matter or by wilful exposure to variolous matter or to matter, article or thing impregnated with variolous matter, or wilfully, by any other means whatsoever, produces or attempts to produce, the disease of small-pox in himself or in any other person, shall be guilty of an offence against this Ordinance.

Inoculation.

6.—(1.) The Governor in Council may make regulations in respect of the matters hereinafter mentioned :—

Regulations.

- (a) the duties and powers of all officers appointed under this Ordinance ;
- (b) the fee, if any, to be paid for vaccination by a public vaccinator, the method of payment thereof, and the time and place of vaccination ;
- (c) the forms of certificates to be given under this Ordinance ; and
- (d) all such other matters not hereinbefore specifically mentioned as may conduce to the better carrying out of this Ordinance.

(2.) The regulations in the first schedule to this Ordinance shall be in force until altered or amended by regulations made under this Ordinance.

(3.) The forms in the second schedule to this Ordinance shall be in force until altered or amended by regulations made under this Ordinance.

(4.) All regulations made under this Ordinance shall be laid on the table of the Legislative Council at the first meeting thereof held after the publication in the *Gazette* of the making of such regulations, and if a resolution be passed at the first meeting of the Legislative Council held after such regulations have been laid on the table of the said Council resolving that any such regulation shall be rescinded or amended in any manner whatsoever, the said regulation shall, without prejudice to anything done thereunder, be deemed to be rescinded or amended as the case may be, as from the date of publication in the *Gazette* of the passing of such resolution.

7. The signatures required on any of the forms in the second schedule to this Ordinance and on any other forms that may be hereafter authorised by regulations made under this Ordinance, shall be written by the hand of the person purporting to sign, and no person shall employ or cause to be employed any type, stamp, chop or other device to reproduce any signature on any of the said forms.

Signatures on forms.

8. The keeper of every hotel or boarding-house licensed under the provisions of the regulations made under the Asiatic Emigration Ordinance, 1915, and the Boarding House Ordinance, 1917, shall display in a conspicuous position in such hotel or boarding-house all notices relating to vaccination sent to him by the Secretary for Chinese Affairs for the purpose of being so displayed.

Display of notices by hotel or boarding-house keepers. Ordinances Nos. 30 of 1915 and 23 of 1917.

Certificates of Vaccination or of Successful Vaccination for use within or without the Colony.

9. Subject to any regulations that may be made under this Ordinance, no person shall give a certificate of successful vaccination unless he is either—

Certificates to be given by certain persons only.

- (a) a medical practitioner, or
- (b) a public vaccinator.

and no person shall give a certificate of vaccination unless he is either—

- (a) a medical practitioner, or
- (b) a public vaccinator, or

(c) a person authorised by the Governor under sub-section (2) of section 3 of this Ordinance to perform vaccinations in any time of emergency.

Certificates of vaccination. 10. No person shall give a certificate of vaccination of any person, unless he shall have himself performed the operation upon such person.

Certificates of successful vaccination. 11. No person shall give a certificate of successful vaccination of any person, unless he shall have himself performed the operation upon such person, and shall also have satisfied himself by personal inspection that the operation was successful.

Forms of certificates, Form 1. 12.—(1.) Any certificate of vaccination given for an emigrant shall be in form 1 in the second schedule to this Ordinance.

Form 2. (2.) Any certificate of vaccination given other than for a child or an emigrant shall be in form 2 in the second schedule to this Ordinance.

Form 3. (3.) Any certificate of successful vaccination given other than for a child shall be in form 3 in the second schedule to this Ordinance.

Application of ss. 9, 10, 11 and 12. 13. The provisions of sections 9, 10, 11 and 12 of this Ordinance shall apply to all certificates of vaccination, or of successful vaccination, given for use either within or without the Colony.

Vaccination of Children.

Vaccination of all children. 14.—(1.) Subject to the provisions of sub-sections (2) to (10) of this section, every child born or resident within the Colony shall be successfully vaccinated.

Children born within the Colony. (2.) The guardian of every child born within the Colony shall cause such child to be successfully vaccinated within six months of its birth.

Children brought within the Colony. (3.) The guardian of every child brought within the Colony shall cause such child to be successfully vaccinated within one month of its being so brought for the first time.

Duty of guardian obtaining custody of unvaccinated child after time allowed for vaccination. (4.) Every guardian who obtains the custody of an unvaccinated child after the expiration of the said respective periods of six months or one month, referred to in sub-sections (2) and (3) of this section, shall cause such child to be successfully vaccinated forthwith.

Procedure for vaccination of children. (5.) The guardian of any child who is to be vaccinated shall take the child or cause the child to be taken to a medical practitioner or to a public vaccinator for vaccination, and shall further take the child or cause the child to be taken for inspection after the operation at any time or times directed, and to the place or places appointed, by the medical practitioner or public vaccinator who has performed the operation.

Certificate of successful vaccination. Form 4. (6.) Such medical practitioner or public vaccinator shall, on personal inspection of the successful vaccination of the child, give to the guardian of the child a certificate to that effect which may be in form 4 in the second schedule to this Ordinance.

Giving and effect of certificate of unfitness for successful vaccination. Form 5. (7.)—(a.) If the Superintendent or a Deputy Superintendent or any medical practitioner is of opinion that any child is not a fit and proper subject to be successfully vaccinated, he may give to the guardian of the child a certificate in form 5 in the second schedule to this Ordinance and such certificate shall remain in force for a period not exceeding two months from the date thereof.

(b.) If the child is not successfully vaccinated before the termination of such period of two months, the said certificate, on the application of the guardian, may be renewed by the Superintendent or by a Deputy Superintendent or by a medical practitioner during each succeeding period of two months until the child has been successfully vaccinated; and every renewal shall be indorsed on the certificate and dated as of the date of such renewal, and shall be signed by the Superintendent or by the Deputy Superintendent or the medical practitioner granting the renewal.

(c.) The production of any unexpired certificate of unfitness for successful vaccination shall be a sufficient defence against any complaint which may be brought against the guardian for non-compliance with the provisions of this Ordinance in respect of the vaccination of the child.

(8.) If the Superintendent or a Deputy Superintendent or a medical practitioner finds that a child who has been three times unsuccessfully vaccinated is insusceptible of successful vaccination, or that a child brought for vaccination has already had small-pox, he shall give to the guardian of the child a certificate in form 6 in the second schedule to this Ordinance and the guardian shall thenceforth not be required to cause the child to be vaccinated.

Giving and effect of certificate of insusceptibility of successful vaccination. Form 6.

(9.) No guardian shall be liable to any penalty for causing a child to be vaccinated at any time between the first day of May and the thirtieth day of September in any year, but this provision shall not have the effect of preventing the time from running against a guardian for the purpose of computing the periods of six months or one month referred to in sub-sections (2) and (3) respectively of this section: Provided that in any case where either of the said periods expires at any time between the first day of May and the thirtieth day of September in any year, the guardian of the child shall cause such child to be successfully vaccinated before the first day of November in that year.

Exception of period from May 1 to September 30 in any year.

(10.) Failure to comply with the provisions of this section shall be deemed to be a continuing offence.

Continuing offence.

15. In any prosecution under this Ordinance:—

Presumptions and onus.

(a) if any person appears to the magistrate to have had the custody of a child, it shall, until the contrary is proved, be presumed that such person had the custody of such child;

Custody.

(b) if any child has been found within the Colony, it shall, until the contrary is proved, be presumed that a period of one month has elapsed since such child was brought within the Colony for the first time;

Length of residence.

(c) if it appears to the magistrate that any person who is alleged in the charge to have been a child at the date of the alleged offence was a child at such date, it shall, until the contrary is proved, be presumed that such person was a child at such date;

Child.

(d) if it appears to the magistrate that any child was over the age of six months at the date of the alleged offence, it shall, until the contrary is proved, be presumed that such child was over the age of six months at such date;

Age.

(e) if any person alleges any previous successful vaccination, the onus of proving such allegation shall lie on such person.

Onus.

*Vaccination of persons subjected to the risk of infection
and of persons desiring to land in the Colony.*

Vaccination
of persons
subjected to
the risk of
infection.

16.—(1.) If the Medical Officer of Health considers that it is desirable that any person, who in his opinion has been subjected to the risk of infection from small-pox, should be vaccinated or re-vaccinated, he may direct such person to be forthwith vaccinated or re-vaccinated, and shall, if required by such person, either by himself or by some other qualified person perform such vaccination or re-vaccination free of charge.

Form 7.

(2.) If such person refuses to be vaccinated or re-vaccinated, the Medical Officer of Health may, by warrant in form 7 in the second schedule to this Ordinance, order that such person be detained in a Government quarantine station for any period not exceeding ten days, and may cause such person to be removed thereto.

Vaccination
of persons
desiring to
land in the
Colony.

17.—(1.) Whenever the Health Officer of Port notifies the owners, charterers, agents or master of any ship that he requires the vaccination or re-vaccination of any persons who have arrived in the Colony on board such ship and who desire to land in the Colony, such ship shall anchor at a quarantine anchorage and, except with the permission of the Health Officer of Port, no such person shall land in the Colony until he has been vaccinated or re-vaccinated, as the case may be.

Form 8.

(2.) If any such person refuses to be vaccinated or re-vaccinated, the Health Officer of Port may, by warrant in form 8 in the second schedule to this Ordinance, order that such person be detained in a Government quarantine station for any period not exceeding ten days, and may cause such person to be removed thereto.

(3.) The master shall detain on the ship any such person who is not permitted to land in the Colony and may use any means reasonably necessary for that purpose.

Form 8.

(4.) If any such person lands in the Colony without the permission of the Health Officer of Port, the Health Officer of Port or a magistrate may, by warrant in form 8 in the second schedule to this Ordinance, order that such person be detained in a Government quarantine station for any period not exceeding ten days, and may cause such person to be removed thereto, and the Health Officer of Port may make an order that such person be returned to his port of embarkation by or at the expense of the agents of the ship by which he was brought to the Colony, and the Health Officer of Port or a magistrate may, by warrant in form 8 in the second schedule to this Ordinance, order that such person be detained in a Government quarantine station pending his re-embarkation, and may cause such person to be removed to such station.

Detention
in Govern-
ment quaran-
tine station.

18. Where a warrant has been issued for the detention of any person in a Government quarantine station under the provisions of sub-section (2) of section 16 or of sub-sections (2) or (4) of section 17 of this Ordinance, such person shall be liable to pay all or any of the charges incurred by reason of his detention in such station, and in the event of his refusal or inability to pay such charges, shall be liable to have his effects seized, detained, and sold to defray such charges. Such person shall further, if he escapes or attempts to escape from such station or from the custody of any person removing him to such station, be guilty of an offence against this Ordinance, and may be arrested by any person removing him to such station or by any officer or servant of such station or by any police officer, and may be conveyed to and detained in such station.

Exemption.

19. Where any person who may be required to be vaccinated or re-vaccinated under the provisions of sub-section (1) of section 16 or of sub-section (1) of

section 17 of this Ordinance is, in the opinion of the Medical Officer of Health or the Health Officer of Port, as the case may be, not in a fit or proper state to be vaccinated or re-vaccinated or has already suffered from small-pox or has already been successfully vaccinated or re-vaccinated within five years immediately preceding, no further vaccination or re-vaccination shall be compulsory.

Vaccination of inmates of reformatories, prisons, etc.

20.—(1.) As soon as practicable after any person is received as an inmate of any reformatory, refuge, industrial school, charitable institution, lunatic asylum or prison, the master or other person in charge of such establishment, or the keeper or gaoler of such prison, shall, at the expense of such establishment or prison, cause such inmate to be successfully vaccinated by a medical practitioner or by a public vaccinator.

Vaccination of inmates of reformatories, prisons, schools, etc.

(2.) Vaccination under this section shall not be compulsory in any of the following cases:—

- (a) in the case of an inmate who produces satisfactory evidence that he has been successfully vaccinated within the five years immediately preceding or that he is not susceptible of successful vaccination; nor
- (b) in the case of an inmate who, in the opinion of a medical practitioner, cannot be submitted to the operation without danger to the inmate; nor
- (c) in the case of an inmate of a lunatic asylum, where the Medical Officer of the institution is of opinion that for any reason the operation would be inexpedient; nor
- (d) in any case which may be excluded by regulation from the operation of this section.

Vaccination of pupils attending schools.

21.—(1.) The guardian of every unvaccinated pupil attending any school in the Colony at the date of the commencement of this Ordinance shall cause such pupil to be successfully vaccinated within six months of such date.

Vaccination of pupils attending schools at commencement of Ordinance.

(2.) The guardian of every unvaccinated pupil admitted to any school in the Colony after the date of the commencement of this Ordinance shall cause such pupil to be successfully vaccinated within six months of his admission to such school.

Vaccination of pupils admitted to schools after commencement of Ordinance.

(3.) After the expiration of the said respective periods of six months, no pupil who is liable to be vaccinated under the provisions of this section shall attend any school in the Colony until he has been successfully vaccinated.

Pupils liable to be vaccinated not to attend schools.

(4.) For all the purposes of this section the provisions of sub-sections (4), (5), (6), (7), (8) and (10) of section 14 of this Ordinance relating to vaccination, and to certificates of successful vaccination, unfitness, and insusceptibility shall apply.

Application of previous provisions of Ordinance.

Registration.

22. Every certificate given under sub-section (6) of section 14 of this Ordinance shall be produced within seven days after the date thereof by the guardian of the child to the Head of the Sanitary Department, who shall

Registration of certificate of successful vaccination.

- (i) if the child's name is entered in the Register of Births, enter the word "Vaccinated" opposite the name of the child in the Register, or

- (ii) if the child's name is not so entered, enter the child's name and the fact that the child has been successfully vaccinated in some other book to be kept for the purpose.

Provided that in any case where a child has been vaccinated in accordance with the provisions of this Ordinance, and the person who has performed the operation is prevented by reason of death, absence from the Colony, or any other cause that may appear sufficient to the Head of the Sanitary Department, from giving a certificate of successful vaccination to the guardian of the child, it shall be lawful for the Head of the Sanitary Department, if he is satisfied, upon such evidence as he shall think fit, that the operation was successful, to register the successful vaccination of the child in the manner provided by this section, notwithstanding the fact that a certificate of successful vaccination has not been produced to him by the guardian of the child.

Registration of certificate of unfitness for successful vaccination.

23. Every certificate given or renewed under sub-section 7 of section 14 of this Ordinance shall be produced within seven days after the date of giving and of every renewal thereof, as the case may be, by the guardian of the child to the Head of the Sanitary Department, who shall enter the particulars of the same in a book to be kept by him for that purpose.

Registration of certificate of insusceptibility of successful vaccination.

24. Every certificate given under sub-section (8) of section 14 of this Ordinance shall be produced within seven days after the date thereof by the guardian of the child to the Head of the Sanitary Department, who shall

- (i) if the child's name is entered in the Register of Births, enter the word "Insusceptible" opposite the name of such child in the Register, or
- (ii) if the child's name is not so entered, enter the child's name and the fact that the child has been certified insusceptible of successful vaccination in some other book to be kept for the purpose.

Public vaccinator's register of children vaccinated.

25.—(1.) There shall be kept at each place appointed under this Ordinance for the purpose of public vaccination a register of all children vaccinated at such place.

(2.) The register shall be called "The Public Vaccinator's Register," and the entries therein shall be made at the time of vaccination and inspection by the public vaccinator according to the form and particulars in form 9 in the second schedule to this Ordinance.

Form 9.

Penalty.

Penalty.

26. Every person who contravenes or fails to comply with any of the provisions of this Ordinance or of any of the regulations made thereunder shall upon summary conviction be liable to a fine not exceeding two hundred and fifty dollars and to imprisonment for any term not exceeding six months.

Cancellation of Appointments.

Cancellation of appointment of all existing public vaccinators.

27. The appointment of all public vaccinators who were appointed under any powers existing immediately before the commencement of this Ordinance are hereby cancelled as from the commencement of this Ordinance.

Repeal.

28. The Vaccination Ordinance, 1890, is repealed. Repeal of
Ordinance
No. 2 of
1890.

Commencement.

29. This Ordinance shall come into force on such Commence-
date as may be proclaimed by the Governor. ment.

FIRST SCHEDULE.

REGULATIONS.

1. The Superintendent shall, unless he is of opinion that an examination may be dispensed with, examine or cause to be examined every candidate for the appointment of public vaccinator and shall report the result thereof to the Governor in writing.

The Superintendent shall also, if he considers it desirable, before any such examination cause such course of instruction in vaccination as he shall think necessary to be given to any candidate for the appointment of public vaccinator.

2. It shall not be lawful for any public vaccinator without the consent in writing of the Superintendent to advertise or publish his name as being a public vaccinator or authorised to issue certificates of vaccination or successful vaccination.

3. Any public vaccinator may be suspended at any time from the exercise of his duties by the Superintendent for reasons of inefficiency or for any other reason which in the opinion of the Superintendent may interfere with the proper performance of his duties as such public vaccinator. Every such suspension with the reasons therefor shall be reported in writing to the Governor forthwith.

4. No material other than vaccine lymph provided by the Government or specially approved of in writing by the Superintendent shall be used for vaccination.

5. Every local station or place appointed for public vaccination shall be open for public vaccination during such hours as shall be appointed by the Superintendent. A notice in English and Chinese approved of by the Superintendent shall be posted outside every such station or place stating the hours during which the same is open for public vaccination and that no fee is payable for such vaccination or the granting of certificates thereof.

6. No public vaccinator shall without the consent in writing of the Superintendent or a Deputy Superintendent perform the operation of vaccination upon any person except at the station or place to which he has been appointed.

7. No fee shall be payable to any public vaccinator for performing the operation of vaccination or for granting a certificate of vaccination or of successful vaccination except in the case of emigrants.

8. Every emigrant who in the opinion of the Health Officer of the Port is not sufficiently protected against small pox shall be vaccinated by a public vaccinator at such station or place as the Health Officer of the Port shall appoint and if required by him subject to his supervision. The public vaccinator performing the operation shall give to such emigrant a certificate of vaccination in form I in the second schedule to the Vaccination Ordinance, 1922. The fee payable for each such certificate shall be twenty cents, which shall be paid to the Emigration Officer in such manner as the Emigration Officer shall direct.

SECOND SCHEDULE.

FORMS.

FORM 1. [s. 12 (1).]

Hongkong. *Certificate of Vaccination for an emigrant.*

Name.....Sex Male
Female

Date of this certificate

Place of issue.....

Present age of applicant

Number of previous vaccination marks now distinctly visible

Number of new vaccination marks made this day

Left thumb print of applicant. *Signature and description of Vaccinating Officer:--*

.....

.....

KEEP THIS PAPER CAREFULLY FOR 5 YEARS.

Signature or name in Chinese characters.

Fee: 20 cents.

FORM 2. [ss. 9, 10 and 12 (2).]

Hongkong. *Certificate of Vaccination other than for a child or an emigrant.*

Name.....Sex Male
Female.

Date of this certificate

Place of issue

Present age of applicant

Number of previous vaccination marks now distinctly visible

Number of new vaccination marks made this day

Signature and description of Vaccination Officer.

N.B.—No fee is payable for this certificate. This certificate does not imply that the vaccination operation has been successful. If the person vaccinated wishes for a certificate of successful vaccination he must apply to the officer vaccinating him at the date, time and place prescribed.

FORM 3. [ss. 9, 11 and 12 (3).]

Hongkong. *Certificate of successful vaccination other than for a Child.*

I, the undersigned hereby certify that I have personally vaccinated (*fill in name and sex of person vaccinated*) of and that I have this day satisfied myself by personal inspection that the operation was successful.

Dated the day of , 19 .

(Signed)

Superintendent, Deputy Superintendent, Medical Practitioner or Public Vaccinator.

N.B.—No fee is payable to any public vaccinator for this vaccination or the granting of this certificate.

Hongkong.

FORM 4.

[ss. 14 (6) and 22.]

Certificate of Successful Vaccination of Child.

I, the undersigned, hereby certify that I have personally vaccinated [fill in name, if any, date of birth, sex and parentage of child] of _____, and that I have this day satisfied myself by personal inspection that the operation was successful.

Dated the _____ day of _____, 19 ____.

(Signed)

Superintendent, Deputy Superintendent, Medical Practitioner or Public Vaccinator.

N.B.—No fee is payable for this certificate. This certificate must, within seven days after the date thereof, be produced by the guardian of the child to the Head of the Sanitary Department.

Hongkong.

FORM 5.

[ss. 14 (7) and 23.]

Certificate of Unfitness for Successful Vaccination of Child.

I, the undersigned, hereby certify that I am of opinion that [fill in name, if any, date of birth, sex, and parentage of child] of _____ is not now in a fit and proper state to be successfully vaccinated for the following reasons, *viz.*:

and that I have recommended the postponement of the vaccination until the _____ day of (a) _____, 19 ____.

(a) Not to exceed two months from the date of the certificate.

Dated the _____ day of _____, 19 ____.

(Signed)

Superintendent, Deputy Superintendent or Medical Practitioner.

N.B.—(1.) After the expiration of the above period this certificate may be renewed by the Superintendent or by a Deputy Superintendent or by a medical practitioner.

(2.) This certificate must, within seven days after the date thereof, and within seven days after the date of every renewal thereof, be produced by the guardian of the child to the Head of the Sanitary Department for registration.

Hongkong.

FORM 6.

[ss. 14 (8) and 24.]

Certificate of Insusceptibility of Successful Vaccination of Child.

I, the undersigned, hereby certify that I am of opinion that [fill in name, if any, date of birth, sex, and parentage of child] of _____ is insusceptible of successful vaccination.

Dated the _____ day of _____, 19 ____.

(Signed)

Superintendent, Deputy Superintendent or Medical Practitioner.

N.B.—This certificate must, within seven days after the date thereof, be produced by the guardian of the child to the Head of the Sanitary Department.

Objects and Reasons.

1. The object of this Bill is to consolidate and amend the existing law relating to Vaccination as contained in Ordinance No. 2 of 1890. The main reasons which have led to the introduction of the Bill are the unsatisfactory position of public vaccinators at the present time, the abuses which have been found to exist in the general system of vaccination in the Colony, and the necessity of providing a regular method of vaccination for intending emigrants which will be suitable to the requirements of the countries or colonies to which they are about to proceed. The opportunity has also been taken to introduce a number of other changes of varying importance, some of which have been adapted from the provisions of the Straits Settlements Quarantine and Prevention of Disease Ordinance, 1915.

2. In clause 2 of the Bill the definition of "guardian" combines the definitions of "parent" and "guardian" in Ordinance No. 2 of 1890, and certain new definitions are added.

3. Clause 3 combines sections 3 and 4 of Ordinance No. 2 of 1890, but substitutes a Superintendent of Vaccination and an indefinite number of Deputy Superintendents of Vaccination for the Inspector of Vaccination whose position has now become obsolete. Power is also given to the Governor to appoint quarantine stations and to authorise any persons to perform vaccinations in times of emergency, and a sub-clause has been added empowering the Governor to cancel or revoke any appointment or authorisation made or given under the section.

4. Clause 4 is new and limits the performance of vaccinations to certain classes of persons.

5. Clause 5 corresponds with section 14 of Ordinance No. 2 of 1890.

6. Clause 6 enlarges section 5 of Ordinance No. 2 of 1890, and gives the Governor in Council power to determine the forms of vaccination certificates. It is further provided that regulations to be made in future shall be approved by the Legislative Council, and that the regulations and forms in the first and second schedules to the Ordinance shall be in force until altered or amended by regulations made under the Ordinance.

7. Clause 7 is new and requires all signatures under the Ordinance to be personally written, and prohibits the use of stamps, chops, etc., for reproducing any signatures.

8. Clause 8 is also new and imposes a duty on keepers of certain hotels and boarding-houses to display notices relating to vaccination that may be sent to them by the Secretary for Chinese Affairs, the object being to bring to the notice of emigrants the facilities for vaccination afforded by the Ordinance.

9. Clauses 9 to 13 are new and deal with the issue of certificates of vaccination or of successful vaccination for use within or without the Colony: such certificates are to be given by certain classes of persons only, and conditions precedent to their issue are specified. Clause 12 provides forms of vaccination certificates for emigrants, and for persons other than children and emigrants and a form of successful vaccination certificate for a person other than a child.

10. Clause 14 embodies and enlarges sections 6, 7, and 9 of Ordinance No. 2 of 1890, and provides for the compulsory vaccination within a fixed time of all children born in or brought within the Colony. Sub-clause 5 sets out the procedure for such vaccination, and requires the guardian of the vaccinated child to take the child for inspection after the operation. Sub-clause 6 author-

ises a form of successful vaccination certificate for children. Sub-clauses 7 and 8 provide for temporary or permanent exemptions from vaccination, and sub-clause 9 exempts children from vaccination between May 1 and September 30 in any year. Sub-clause 10 provides that failure to comply with the provisions of the clause shall be deemed a continuing offence.

11. Clause 15 is new and authorises certain presumptions as to the custody and age of children and the length of their residence in the Colony, and further lays on the person alleging a successful vaccination the onus of proving such.

12. Clauses 16 to 19 are based on certain sections of the Straits Settlements Quarantine and Prevention of Disease Ordinance, 1915, and give the Medical Officer of Health and the Health Officer of Port powers of ordering the vaccination of persons subjected to the ordering of infection, and of persons arriving in the Colony and desiring to land. These clauses also provide for the detention of persons who disobey the orders of the officers concerned.

13. Clause 20 is taken in an amended form from the Straits Settlements Ordinance and deals with the vaccination of the inmates of reformatories, prisons and certain other institutions.

14. Clause 21 is based on a section of the Straits Settlements Ordinance and sets out to make vaccination compulsory for all pupils attending schools in the Colony. It is believed that this is a highly desirable and at the same time a practicable reform.

15. Clauses 22 to 25 provide for the registration of the various certificates that may be given in connection with vaccination. They represent in a collected form the various registration sections of Ordinance No. 2 of 1890. A provision is added in clause 22 to meet the case when the person who vaccinates a child is prevented from giving a certificate of successful vaccination.

16. Clause 26 is a general penalty clause and dispenses with a number of small penalty sections which will be found in Ordinance No. 2 of 1890.

17. Clause 27 provides for the cancellation of the appointment of all existing public vaccinators. It is proposed to publish a new list of appointments simultaneously with the commencement of the Ordinance.

18. Clause 28 repeals Ordinance No. 2 of 1890.

19. Clause 29 provides that the Ordinance shall come into force on such date as may be proclaimed by the Governor.

20. A table of comparison between this Bill and Ordinance No. 2 of 1890 appears below.

J. H. KEMP,
Attorney General.

1st December, 1921.

Table of Comparison between this Bill and Ordinance No. 2 of 1890, showing
the effect and constitution of this Bill.

BILL.	ORDINANCE NO. 2 OF 1890.	EFFECT.
Clause 1. Short title.	s. 1. Short title.	—
Clause 2. Interpretation.	s. 2. Interpretation of terms.	(1) Re-arranged. (2) Definition of "Guardian" amended. (3) Definition of "Parent" deleted. (4) Definitions of "Medical Officer of Health", "Health Officer of Port", "Medical Practitioner", "Public Vaccinator", "Superintendent" and "Deputy Superintendent" added.
<i>General.</i>		
Clause 3. Appointment of officers and vaccination stations.	s. 3. Appointment of Public Vaccinators. s. 4. Appointment of Inspector of Vaccination.	(1) Appointment of Superintendent and Deputy Superintendents <i>vice</i> Inspector of Vaccination. Appointment of quarantine stations (sub-clause (1)). (2) Appointment of other vaccinators in time of emergency (sub-clause (2)). (3) Power of Governor to cancel or revoke appointments (sub-clause (3)).
Clause 4. Vaccinations to be performed by certain persons only.		New: Vaccinations to be performed only by medical practitioners, public vaccinators, and persons authorised by the Governor under clause 3 (2).
Clause 5. Inoculation.	s. 14. Penalty for inoculation.	Re-arranged and penalty removed to general penalty clause (clause 26).
Clause 6. Regulations.	s. 5. Making of regulations.	(1) Substitution of "fee" for "remuneration", and addition of "the method of payment thereof" in s. 5 (2) of Ordinance No. 2 of 1890. (2) Additional power for Governor in Council to determine by regulations the forms of certificates. (3) Regulations and forms in schedules to be in force until altered by regulations (sub-clauses (2) and (3)). (4) Regulations to be laid before Legislative Council (sub-clause (4)).
Clause 7. Signatures on forms.		New: Signatures to be written personally and the use of chops, etc., prohibited.
Clause 8. Display of notices by hotel or boarding-house keepers.		New: Notices relating to vaccination sent to hotel or boarding-house keepers by the Secretary for Chinese Affairs to be conspicuously displayed in hotel or boarding-house.
<i>Certificates of vaccination or of successful vaccination for use within or without the Colony.</i>		
Clause 9. Certificates to be given by certain persons only.		New: to be given by medical practitioners and public vaccinators only (subject to regulations that may be made).

BILL.	ORDINANCE NO. 2 OF 1890.	EFFECT.
Clause 10. Certificates of vaccination.		New : to be given only by person performing the operation.
Clause 11. Certificates of successful vaccination.		New : to be given only after personal operation and personal inspection.
Clause 12. Forms of certificates.		New : to be in forms 1, 2 and 3 in the second schedule.
Clause 13. Application of clauses 9, 10, 11, and 12.		New : to apply to all certificates given for use within or without the Colony.
<i>Vaccination of Children.</i>		
Clause 14.		Consolidation and amplification of the provisions of Ordinance No. 2 of 1890 regarding child vaccination. The following points are new :—
(1) Vaccination of all children.		
(2) Children born within the Colony.		(1) Obligation placed on guardian of child born in or brought within the Colony to have child successfully vaccinated within six months of birth or within one month of first arrival in the Colony (sub-clauses (1), (2), and (3)).
(3) Children brought within the Colony.	s. 6. Parent or guardian to have child 6 months old vaccinated (omitting last 24 words).	(2) Obligation placed on guardian obtaining custody of unvaccinated child after time allowed for vaccination to have child successfully vaccinated forthwith (sub-clause (4)).
(4) Duty of guardian obtaining custody of unvaccinated child after time allowed for vaccination.		(3) Vaccinated children to be taken for inspection as directed, and certificate to be given only after such inspection (sub-clauses (5) and (6)).
(5) Procedure for vaccination of children.		
(6) Certificate of successful vaccination.		(4) Certificates of unfitness for and insusceptibility of successful vaccination to be given by medical practitioners or Superintendent or Deputy Superintendent, and not by public vaccinators (sub-clauses (7) and (8)).
(7) Giving and effect of certificate of unfitness for successful vaccination.	s. 7. Giving and effect of certificate of unfitness for successful vaccination (omitting sub-section (4)).	(5) Exception of period May 1 to September 30 not to prevent time running against guardian in reckoning the latest date for vaccination. If time expires during this period, child to be vaccinated by November 1 (sub-clause (9)).
(8) Giving and effect of certificate of insusceptibility of successful vaccination.	s. 9. Giving and effect of certificate of insusceptibility of successful vaccination.	(6) Failure to comply with the provisions of this clause to be a continuing offence (sub-clause (10)).
(9) Exception of period from May 1 to September 30 in any year.	s. 13 (2). Proviso.	
(10) Continuing offence.		
Clause 15. Presumptions and Onus.		New : presumptions as to age, custody and length of residence of child. Onus of proving alleged successful vaccination.

BILL.	ORDINANCE No. 2 OF 1890.	EFFECT.
<p align="center"><i>Vaccination of persons subjected to the risk of infection, and of persons desiring to land in the Colony.</i></p>		
<p>Clause 16. Vaccination of persons subjected to the risk of infection.</p>		<p>New: Straits Settlements Quarantine and Prevention of Disease Ordinance (No. XXXIII of 1915) ss. 42 and 43, modified. Medical Officer of Health and Health Officer of Port to have power to require vaccination of persons subjected to the risk of infection and persons arriving in the Colony and desiring to land respectively, and, in the event of refusal on the part of such persons, to order detention in a Government quarantine station.</p>
<p>Clause 17. Vaccination of persons desiring to land in the Colony.</p>		
<p>Clause 18. Detention in Government quarantine station.</p>		
<p>Clause 19. Exemption.</p>		
<p align="center"><i>Vaccination of inmates of Reformatories, Prisons, etc.</i></p>		
<p>Clause 20. Vaccination of inmates of reformatories, prisons, schools, etc.</p>		<p>New: Straits Settlements Quarantine and Prevention of Disease Ordinance (No. XXXIII of 1915) s. 44, modified. Inmates of reformatories, prisons, etc., to be successfully vaccinated (sub-clause (1)). Exceptions (sub-clause (2)).</p>
<p align="center"><i>Vaccination of pupils attending schools.</i></p>		
<p>Clause 21.</p>		<p>New: Straits Settlements Quarantine and Prevention of Disease Ordinance (No. XXXIII of 1915), section 45, modified and amplified. Unvaccinated pupils (a) attending schools at the commencement of the Ordinance, or (b) admitted to schools after commencement of the Ordinance, to be successfully vaccinated (a) within 6 months of such commencement, or (b) within 6 months of such admission, and not to attend schools unless so vaccinated (sub-clauses (1), (2), (3)). Provisions of the Ordinance relating to certificates of unfitness, etc., to apply for purposes of this clause.</p>
<p>(1) Vaccination of pupils attending schools at commencement of Ordinance.</p>		
<p>(2) Vaccination of pupils admitted to schools after commencement of Ordinance.</p>		
<p>(3) Pupils liable to be vaccinated not to attend schools.</p>		
<p>(4) Application of previous provisions of the Ordinance.</p>		
<p align="center"><i>Registration.</i></p>		
<p>Clause 22. Registration of certificate of successful vaccination.</p>	<p>s. 11. Registration of child vaccinations, and s. 6. (last 24 words).</p>	<p>Additional proviso to meet the case of a person vaccinating a child and being prevented subsequently from giving a certificate of successful vaccination.</p>
<p>Clause 23. Registration of certificate of unfitness for successful vaccination.</p>	<p>s. 8. Registration of certificate of unfitness for successful vaccination.</p>	
<p>Clause 24. Registration of certificate of insusceptibility of successful vaccination.</p>	<p>s. 10. Registration of certificate of insusceptibility of successful vaccination (omitting last 11 words).</p>	

BILL.	ORDINANCE No. 2 OF 1890.	EFFECT.
<p>Clause 25. Public vaccinator's register of children vaccinated.</p>	<p>s. 12. Registration of persons vaccinated publicly.</p>	<p>Differs from provisions of Ordinance No. 2 of 1890, in limiting public vaccination register to children and in not requiring a return of such to the Head of the Sanitary Department.</p>
<p align="center"><i>Penalty.</i></p>		
<p>Clause 26. Penalty.</p>	<p>s. 13. (2) and s. 14. Penalty for inoculation.</p>	<p>General penalty for all offences against the Bill and any regulations made thereunder.</p>
<p align="center"><i>Cancellation of Appointments.</i></p>		
<p>Clause 27. Cancellation of appointment of all existing public vaccinators.</p>		<p>New: Appointment of all existing public vaccinators cancelled.</p>
<p align="center"><i>Repeal.</i></p>		
<p>Clause 28. Repeal of Ordinance No. 2 of 1890.</p>		<p>New: Ordinance No. 2 of 1890 repealed.</p>
<p align="center"><i>Commencement.</i></p>		
<p>Clause 29. Commencement.</p>		<p>New: To come into force on a date proclaimed by the Governor.</p>
<p align="center">First Schedule.</p>		
<p align="center">REGULATIONS.</p>		<p>Regulation 1 combines regulations 2 and 3 on p. 905 of the Regulations of Hong-kong.</p> <p>Regulation 2 reproduces G.N. 167 of 1918. The remainder are new.</p>
<p align="center">Second Schedule.</p>		
<p align="center">FORMS.</p>		
<p><i>Form 1.</i> Certificate of vaccination for an emigrant.</p>		<p>New: Form used in the Straits Settlements.</p>
<p><i>Form 2.</i> Certificate of vaccination other than for a child or an emigrant.</p>		<p>New.</p>
<p><i>Form 3.</i> Certificate of successful vaccination other than for a child.</p>		<p>New.</p>
<p><i>Form 4.</i> Certificate of successful vaccination of child.</p>	<p><i>Form No. 1.</i> Certificate of successful vaccination.</p>	<p>(1) Form altered in accordance with clause 14 (6). (2) Note added.</p>
<p><i>Form 5.</i> Certificate of unfitness for successful vaccination of child.</p>	<p><i>Form No. 2.</i> Certificate of unfitness for successful vaccination.</p>	<p>(1) Notes added. (2) To be signed by medical practitioner, Superintendent or Deputy Superintendent, not by public vaccinator.</p>

BILL.	ORDINANCE No. 2 OF 1890.	EFFECT.
<i>Form 6.</i> Certificate of insusceptibility of successful vaccination of child.	<i>Form No. 3.</i> Certificate of insusceptibility of successful vaccination.	(1) Wording altered. (2) To be signed by medical practitioner, Superintendent or Deputy Superintendent, not by public vaccinator. (3) Note added.
<i>Form 7.</i> Warrant for Detention.		New: May be issued by Medical Officer of Health against person refusing to be vaccinated after lawful order.
<i>Form 8.</i> Warrant for Detention.		New: May be issued by Health Officer of Port or magistrate against person refusing to be vaccinated after lawful order, or landing without permission.
<i>Form 9.</i> Public Vaccinator's Register.	<i>Form No. 4.</i> Register of Public Vaccinator.	Columns 3 and 4 amended. Applies only to vaccination of children.

NOTICES.

COLONIAL SECRETARY'S DEPARTMENT.

No. S. 74.—Statement of Sanitary Measures adopted against Hongkong.

Place or Port.	Nature of Measures.	Date.	Reference to Government Notification.
Newchwang.	All vessels arriving from Hongkong will be treated as Suspected Vessels.	27th May, 1919.	No. S. 86.
Singapore.	Hongkong declared an infected port on account of plague.	19th July, 1918.	No. S. 181.
Bengal.	Regulations for the prevention of the introduction of plague by sea enforced in the ports of Orissa against vessels arriving from Hongkong.	24th June, 1918.	No. S. 192.
Netherlands-India.	Hongkong declared an infected port on account of plague. Importation of the following articles from Hongkong or transhipped at this port is temporarily prohibited:—(1) wearing apparel, old and worn clothes, household effects for daily use, and used bedding, unless these goods are transported as personal luggage or in consequence of removal; (2) rags. (Refuse of new goods coming direct from the weaving-mills, from workshops where apparel is made, or from bleaching-establishments, artificial wool, and cuttings of newspaper, are not considered as rags.) Quarantine up to 21 days according to the state of health on board the ships but subject to exemption on production of certificates legalised by the Netherlands Consul-General at Hongkong.	10th Feb., 1920.	No. S. 38.