

**ACTS SUPPLEMENT**

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**Act 7**

*Immunisation Act*

**2017**

**THE IMMUNISATION ACT, 2017**

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**THE IMMUNISATION ACT, 2017.**

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

DATE OF ASSENT: 10th March, 2016.

*Date of Commencement:* 19th June, 2017.

BE IT ENACTED by Parliament as follows:

PART I—PRELIMINARY

**1. Short title.**

This Act may be cited as the Immunisation Act, 2017.

**2. Interpretation.**

In this Act, unless the context otherwise requires—

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

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

“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;

- “Fund” means the Immunisation Fund established under section 13;
- “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 six 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.

(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 shall keep it for at least fifteen 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 shall be produced by the parent showing that the child has undergone immunisation with respect to other immunisable diseases in accordance with the Second Schedule.

(3) A person responsible for admission of a child under subsection (1) shall keep a copy of an immunisation card of every child who is admitted to day care centre, pre-primary or primary education.

#### **5. Tetanus immunisation for women.**

(1) Subject to subsection (2), every female from age 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 ensure that the child is appropriately immunised against tetanus in accordance with the Third Schedule.

(3) Notwithstanding subsection (2), an educational institution to which a female child from the age of fifteen years to seventeen years attends school shall ensure 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 in accordance with the Fourth Schedule.

#### **7. Free provision of vaccines and other related services.**

The State shall provide free vaccines and other related services to every Ugandan required to receive vaccination under sections 3, 5 and 6.

**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. Penalties.**

(1) Subject to sections 7 and 8, a person, who without lawful excuse contravenes sections 3 (1), 5 or 6 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.

(2) A person who contravenes section 4 (1) 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) shall be mandatory or not.

**11. Information about other vaccines.**

The Minister may issue guidelines regarding the accessibility to and administration of vaccines for other immunisable diseases of public health interest.

**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 — IMMUNISATION FUND

**13. Establishment of the Immunisation Fund.**

(1) There is established an Immunisation Fund.

(2) The Fund shall be housed in the Ministry of Health.

**14. Object of the Fund.**

The object of the Fund is to purchase vaccines and related supplies, cold chains, and funding of immunisation outreach activities.

**15. Sources of moneys of the Fund.**

The monies of the Fund shall consist of-

- (a) monies appropriated by Parliament for the purposes of the Fund ;
- (b) donations; and
- (c) money received by the Fund by way of voluntary contributions.

**16. Administration of the Fund.**

(1) The Fund shall be administered and governed by an Immunisation Board.



(2) The Board shall consist of the following—

- (a) a representative of the Ministry responsible for health, who shall be the chairperson;
- (b) a representative of the Ministry responsible for finance;
- (c) a representative of the Ministry responsible for education;
- (d) a representative of the Ministry responsible for local government;
- (e) a representative of the National Medical Store;
- (f) a representative of the Private Sector;
- (g) a representative of the health development partners; and
- (h) a representative of the civil society organisations.

(3) All members of the Board shall be appointed by the Minister on the recommendation of their respective institutions.

(4) The Minister shall, in making the appointments to the Board, take into consideration gender equity.

#### **17. Vacating office of members of the Board.**

A member of the Board shall vacate office, if the member—

- (a) is continuously and persistently unable to discharge the functions of the office of a member of the Board;
- (b) ceases to belong to the institution which he or she represents on the Board; or
- (c) misbehaves or abuses the office of a member of the Board.

#### **18. Meetings of the Board.**

(1) The Board shall meet at least once every three months for the purposes of discharging its functions.

(2) The Minister shall, by regulation provide for the procedure and conduct of the meetings of the Board.

### **19. Secretary to the Board.**

(1) The Minister shall designate an officer from the Ministry of health not below the rank of a commissioner to be the secretary to the Board.

(2) The secretary to the Board shall be responsible for taking all the minutes of the meetings of the Board.

(3) The secretary to the Board shall perform all other duties and functions that the Board may assign to him or her.

### **20. Annual reports.**

The Board shall, not later than three months after the end of each financial year, make and submit to the Minister, a report on the Fund's activities during that financial year.

### **21. Audit reports.**

The annual statement of account of the Fund shall be audited within four months after the end of each financial year by the Auditor General or an auditor appointed by him or her who shall be entitled to have access to all books of account, vouchers and other financial records of the Fund and to require such information and explanation on them as he or she thinks fit.

## **PART V — MISCELLANEOUS**

### **22. 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.

### **23. Misleading information about vaccines.**

(1) A person shall not make, cause to be made, or publish any misleading statement or information regarding the use or effect of any vaccine.

(2) A person who contravenes this section commits an offence and is liable, on conviction, to a fine not exceeding forty eight currency points or imprisonment not exceeding two years or to both.

#### **24. Protection of medical practitioner against immunisable diseases.**

A health institution shall ensure that every medical practitioner who, by virtue of his or her occupation may be exposed to an immunisable disease, is immunised against the disease free of cost.

#### **25. State obligations.**

The State shall devise measures to—

- (a) provide every child with a serialised immunisation card upon first immunisation contact;
- (b) put in place a system that enables a medical practitioner to capture data on each immunisation card and to be able to easily retrieve the information in case of damage to the card or loss of card; and
- (c) put in place a system for replacing destroyed or lost immunisation cards.

#### **26. Regulations.**

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

#### **27. Amendment of Schedules.**

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

#### **28. 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.

**Act 7**

*Immunisation Act*

**2017**

**FIRST SCHEDULE**

*section 2*

**CURRENCY POINT**

One currency point is equivalent to twenty thousand shillings.

## SECOND SCHEDULE

sections 3, 4

**Diseases for which immunisation is compulsory.**

| <i>Vaccine</i>                                 | <i>Targeted Disease</i>   | <i>Period within which to administer the vaccine</i>   | <i>Administration</i> | <i>Site of administration</i>     |
|--|---|--|-----------------------|-----------------------------------|
| BCG  | Tuberculosis  | At birth (or first contact)  | Intra-dermal          | Right Upper Arm                   |
| DPT<br>Heb+Hib                                 | Whooping Cough,<br>Tetanus,<br>Hepatitis B<br>and<br>Heamophilus<br>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                    |
| PCV 10   | Pneumococcal Conjugate Vaccine  | At 6 weeks or first contact after that age   | Intra-Muscularly      | Outer Upper Aspect of Right Thigh |
| Any other immunisable disease that may emerge. |   |  |                       |                                   |

## THIRD SCHEDULE

section 5

## Immunisation schedule for Tetanus Toxoid vaccine

| <i>Vaccine</i> | <i>Targeted diseases</i> | <i>Doses required</i> | <i>Minimum interval between doses</i>  | <i>Minimum age at start</i>  | <i>Administration mode</i> | <i>Site of administration</i> |
|----------------|--------------------------|-----------------------|--|--|----------------------------|-------------------------------|
| Tetanus Toxoid | Tetanus                  | 5                     | TT1 First Contact<br>TT2 4 weeks after TT1<br>TT3 6 months after TT2<br>TT4 1 year after TT3<br>TT5 1 year after TT4 | At first contact with a pregnant women or women of child bearing age (15-45 years) | Intra-Muscularly           | Upper arm deltoid             |

## FOURTH SCHEDULE

section 6

**Immunisation Schedule for Human Papillomavirus (HPV).**

| <i>Vaccine</i> | <i>Targeted diseases</i> | <i>Doses required</i> | <i>Minimum interval between doses</i>   | <i>Minimum age at start</i> | <i>Admini-<br/>stration mode</i> | <i>Site of admini-<br/>stration</i> |
|----------------|--------------------------|-----------------------|---|-----------------------------|----------------------------------|-------------------------------------|
| HPV            | Human Papillomavirus     | 3                     | HPV1 at first contact,<br><br>HPV2 4 weeks after HPV1<br><br>HPV3 5 months after HPV2 | Female aged 10-12 years     | Intra-Muscularly                 | Upper arm deltoid                   |