



New South Wales

Public Health Amendment (Vaccination of Children Attending Child Care Facilities) Bill 2017

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Public Health Act 2010* to prevent unvaccinated children being enrolled at child care facilities if the only reason that they are unvaccinated is a parent's conscientious beliefs.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 amends the *Public Health Act 2010* with the effect that the principal of a child care facility must not enrol, or permit to be enrolled, an unvaccinated child at the facility if the only reason provided for failure to vaccinate the child is that the parent of the child has a conscientious belief that the child should not be vaccinated in respect of specified vaccine preventable diseases. The proposed amendments also make it an offence (with a maximum penalty of \$5,500) for the principal of a child care facility to enrol a child at the facility if the principal has not been provided with a vaccination certificate or a medical contraindication certificate.



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Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Public Health Act 2010 No 127	2



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No. , 2017

A Bill for

An Act to amend the *Public Health Act 2010* to prevent unvaccinated children being enrolled at child care facilities if the only reason that they are unvaccinated is a parent's conscientious beliefs.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Public Health Amendment (Vaccination of Children Attending Child Care Facilities) Act 2017</i> .	3 4
2 Commencement	5
This Act commences on the date of assent to this Act.	6
3 Amendment of Public Health Act 2010 No 127	7
(1) Section 87 Responsibilities of principals of child care facilities with respect to immunisation	8 9
Omit “a certificate of a kind specified in subsection (2)” wherever occurring in section 87 (1) (b) and (c).	10 11
Insert instead “a medical contraindication certificate”.	12
(2) Section 87 (1)	13
Insert at the end of the subsection:	14
Maximum penalty: 50 penalty units.	15
(3) Section 87 (2)	16
Omit the subsection.	17
(4) Section 87 (9)	18
Insert after section 87 (8):	19
(9) In this section:	20
<i>medical contraindication certificate</i> means a certificate in the approved form by an authorised practitioner certifying that a specified child should have an exemption for one or more vaccines for specified vaccine preventable diseases due to a medical contraindication to vaccination.	21 22 23 24 25