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THE SINDH IMMUNIZATION AND EPIDEMICS CONTROL ACT, 2023.

SINDH ACT NO. XLV OF 2023.

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[02ND OCTOBER, 2023.]

AN ACT to provide for the prevention and control of diseases and epidemics in the province of Sindh through immunization, vaccination, scientific and social means and methods.

WHEREAS it is expedient to provide for and consolidate the laws relating to immunization, vaccination and control of epidemics in the Province of Sindh and to provide for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:-

PART- I PRELIMINARY

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| 1. | <p>(1) This Act may be called the Sindh Immunization and Epidemics Control Act, 2023.</p> <p>(2) It shall come into force at once.</p> <p>(3) It extends to the whole of the Sindh Province.</p> | <p>Short title, commencement and extent.</p> |
| 2. | <p>In this Act, unless there is anything repugnant in the subject or context—</p> <p>(i) “authorized officer” includes District Health Officer, EPI Coordinator, District Focal Person, District Epidemiologist or any other officer so authorized or appointed by the Department through notification in the official gazette to perform the duties and functions of such designated officers for immunization and control of epidemic, communicable or infectious diseases or otherwise and taking such measures for the prevention thereof at the district level under this Act;</p> <p>(ii) “Department” means the Health Department, Government of Sindh;</p> <p>(iii) “disease” includes every human disease contiguous or otherwise which affects and impairs human health, public safety which is required to be checked, contained and eliminated through health care innovations, methodology and vaccinations specified in the First Schedule or any other diseases as may be notified by the Department in consultation with EPI;</p> | <p>Definitions.</p> |

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- (iv) “District Administration” includes the Deputy Commissioner and Assistant Commissioner or any officer authorized in this behalf by Government;
- (v) “EPI” means the Expanded Program on Immunization, established for combating the disease by procuring and supplying the vaccines, syringes, safety boxes and other logistics **including Sindh Electronic Immunization Registry (SEIR) wherein all child Immunization registration shall be reported and recorded by the public and private sector;**
- (vi) “epidemic” means and includes any such disease which is contiguous or otherwise hazardous to public health and causing threat to public safety and which is considered to be over and above normal amenable disease with all its repercussions and has substantially increased in abnormal proportion;
- (vii) “Government” means the Government of Sindh;
- (viii) “guardian” in relation to any person, juvenile or otherwise, includes any person who has for the time being accepted or assumed the care or custody of any such person;
- (ix) “immunization” means immunization from any disease whether epidemic or otherwise through administration and application of vaccines specified in the Schedule, from time to time, for public health care and safety of human habitation;
- (x) “juvenile” means a person less than 18 years of age;
- (xi) “local authority” includes the District Health Officer, the **Additional**/Deputy District Health Officer and the Coordinators working or serving thereunder;
- (xii) “parent” includes the natural guardian or the guardian defined heretofore;

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- (xiii) “person” means a person of every age eligible for a vaccination in terms of the vaccination specified in the **Frist & Second** Schedule;
- (xiv) “prescribed” means prescribed by rules made under this Act;
- (xv) “public place” includes every open place, premises, tent, or enclosure where public has free access and not prohibited by any government, authority or under any law for the time being in force;
- (xvi) “public servant” means a public servant within the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860);
- (xvii) **“Sindh Electronic Immunization Registry database means (SEIR) controlled by EPI Sindh, Health Department;**
- (xviii) “Schedule” means a Schedule appended to this Act;
- (xix) “unprotected person” means a person who has not been **fully** vaccinated in accordance with the vaccination of preventable disease so specified in the **First & Second** Schedule;
- (xx) “vaccine” means a vaccine invented through research, prepared or manufactured, tested and approved by World Health Organization for the prevention of disease or immunization thereof as specified by Government in the **Frist & Second** Schedule;
- (xxi) “vaccination” means the introduction, administration or an application of a vaccine into the body for the purpose of inducing immunity against preventable disease;
- (xxii) “Vaccination Officer” means an officer appointed by Department to perform the function and duties of the Vaccination Officer under this Act to oversee the function of vaccinators and technicians;

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(xxiii) “Vaccinator” means any person appointed to perform vaccination to a person against the immunization process.

(xxiv) “Vaccine Preventable Disease” means any disease preventable by vaccination including Tuberculosis (TB), Polio (Routine and Special Polio Drive), Diphtheria, Pertussis, Tetanus, Typhoid, Hepatitis B, Infections caused by pneumococcus, meningococcus, and any other disease so declared/included in the vaccination program by the government;

PART-II VACCINATION

3. (1) It shall be the duty of every concerned local authority or Vaccination Officer to enforce the provisions of this Act within their jurisdiction so that all unprotected persons are vaccinated.
Duty of every Local Authority to carry out the provisions of this Act.

(2) If the District Administration receives any information that a concerned local authority or Vaccination Officer has failed to execute or enforce any of the provisions of this Act relating to the vaccination of unprotected persons, he may, after making such enquiry as he thinks fit, by order, empower any public servant to execute or enforce the said provisions or to procure the execution or enforcement thereof.
4. (1) When the vaccination of the unprotected person becomes due as per his or her vaccination schedule, the parent or guardian of such person shall cause him or her to be taken to a Vaccinator or any authorized **officer**, to be vaccinated.
Duty of every parent or guardian of the unprotected person to cause her/his vaccination.

(2) The Vaccinator or any other **authorized officer** shall vaccinate the unprotected person and deliver to its parent or guardian a schedule or memorandum stating the name of vaccine or vaccines and its dose so administered with the date on which the vaccination has been administered and the due date for further vaccination in compliance with the schedule of vaccination.
5. (1) After completion of vaccination as provided in the vaccination schedule, a certificate of vaccination shall be delivered by the Vaccinator or any authorized **officer** to the parent or guardian of such person to that effect and such person, thereafter, is deemed to be protected.
Certificate of vaccination, unfitness and insusceptibility.

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(2) If the Vaccinator or any other **authorized officer** finds that the person to be vaccinated is not fit for vaccination, he shall deliver to the person or his parent or guardian a certificate under his hand to the effect that the person is not fit for vaccination for the whole or part of the vaccination scheduled, and shall require him to revisit for vaccination on next due date, whereupon, on the given due date, the parent or guardian of such person shall take that person or cause him to be taken to a Vaccinator for vaccination:

Provided that if the person is still found unfit for vaccination, the certificate so granted shall be renewed, or, if the Vaccination Officer or any other **authorized officer** is of the opinion that a person who has been for three times unsuccessfully vaccinated and is insusceptible of successful vaccination, he shall deliver to the person or his parent or guardian of such person, a certificate under his hand to that effect.

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| 6. | Where it is ascertained under section 5 that the vaccination has been unsuccessful, the person or his parent or guardian shall, if the Vaccinator or any other authorized officer so directs, cause the person to be re-vaccinated and subsequently inspected in the manner provided there against. | Re-vaccination in case of unsuccessful vaccination. |
| 7. | Every person who has been partially vaccinated and to whom a certificate of insusceptibility has not been issued under sub-section (2) of section 5, shall complete the remaining vaccination schedule, starting from the due dose if within the applicable age group by a vaccinator or other authorized officer . | Vaccination of partially vaccinated person. |
| 8. | No fee shall be charged by any Vaccinator, health care provider, institution or organization whether in public or private sector for vaccination with vaccines supplied by Department or EPI. | Fees. |
| 9. | If the local authority or any other authorized officer after an on the spot enquiry, has reason to believe that an unprotected person or the parent or a guardian of an unprotected person has contravened the provisions of this Act, he shall deliver a notice in the prescribed manner to such person, parent or guardian requiring him to comply with such provisions of the Act so contravened. | Contravention of provisions of this Act. |
| 10. | (1) If the notice delivered under section 9 is not complied with, the local authority or any authorized officer shall report the matter to a Deputy Commissioner of the District having jurisdiction who shall thereupon summon the person, parent or guardian to whom the notice was issued to comply with the notice within a time to be fixed by the Deputy Commissioner. | Report to the Deputy Commissioner and Punishment. |

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(2) If such person, parent or guardian fails to comply with the orders of the Deputy Commissioner passed under sub-section (1), then the Deputy Commissioner may punish such person, parent or guardian with simple imprisonment for a term which may extend to one month or with fine which may extend to fifty thousand, or with both.

PART III SPECIAL MEASURE TO PREVENT AND CURTAIL EPIDEMICS

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| 11. | (1) The Department may by notification in the official Gazette, from time to time, constitute and establish as many Epidemic Committees or Cells as may be necessary for the prevention and control of diseases including investigations and elimination of all epidemics, especially vaccine related preventable diseases. | Establishment of Epidemic Committees and Cells. |
| | (2) Epidemic Committees or Cells so constituted under sub-section (1) may, in so far as may be practicable, have the representation from public health sector, EPI, technical stake holders and public representatives from respective Districts and such epidemic committees or Cells, as the case may be, shall be responsible for investigations of outbreak of diseases and formulate and recommend measures for its control. | |
| 12. | Where the Government is satisfied that the Province or any part thereof is visited by, or threatened by an outbreak of any dangerous epidemic disease, and have sufficient reasons to believe that extraordinary measures are required to combat any severe situation, it may through public notices and proclamations issue warnings and impose or prescribe such temporary or permanent rules or regulations or issue orders to be observed by the public or by any person or class of persons as it shall deem necessary to prevent the outbreak of such disease or the spread thereof. | Outbreak of Epidemic. |
| 13. | The Department may take measures for the inspection or examination of persons travelling by any means, and the segregation in hospital, temporary accommodation or otherwise of persons suspected by the Vaccination Officer or any other authorized officer, of being infected with any such disease. | Special checks and measures. |
| 14. | Any person disobeying any regulation or order made under this Act shall be deemed to have committed an offence punishable under section 188 of the Pakistan Penal Code. | Offence under this Act. |

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| 15. | Any person disobeying any rule or order made under this Act (except the punishment provided in Section-19 of the Act), shall be deemed to have committed an offence punishable and is liable punishment for a term which may extend to one months or with fine which may extend to fifty thousand rupees or with both. | Penalty. |
| 16. | <p>(1) The provisions of the West Pakistan Essential Services (Maintenance) Act, 1958 (West Pakistan Act XXXIV of 1958), in its application to the Province of Sindh, in so far as may not be inconsistent with the provisions of this Act, shall mutatis mutandis apply to all the services rendered under this Act.</p> <p>(2) Without prejudice to sub-section(1), any officer or functionary performing his duties and functions under this Act, violates any provision of the said Act shall, apart from any disciplinary proceedings to which he may be liable, be prosecuted under this Act and shall be punished with simple imprisonment for a term which may extend to six months or with fine not exceeding one hundred thousand Pakistan Rupees, or with both.</p> | Application of essential services under this Act. |
| 17. | No medical center, hospital, maternity home or clinic whether in public or private sector where a new born has taken birth or has been registered as such, shall issue or cause the issuance of birth certificate in respect of the new born unless he/she has been administered the required vaccine which shall be reported and recorded in the Sindh Electronic immunization Registry (SEIR) and schedule of vaccine has been delivered to his parent or guardian, as the case may be. | Recording & Reporting and Issuance of birth certificate for the new born person. |
| 18. | No suit or other legal proceedings shall lie against any person for anything done or in good faith intended to be done under this Act. | Protection to Persons Acting under the Act. |
| 19. | Whosoever propagates against the validity of immunization measures taken under this Act or disseminating negative impact or information or fear in the public, or obstructing, refusing or distributing expired vaccines against the immunization program under this Act, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to Hundred Thousand Rupees, or with both. | Propaganda and obstruction in the discharge of duties. |

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20. Government may, by general or special order, empower a Deputy Commissioner to exercise in relation to the relevant District, the powers to take cognizance of the offence provided in the Act and impose penalty (ies). **Cognizance of Offence.**
21. (1) Government may, by notification in the official Gazette, make rules for the purpose of carrying out the provisions of this Act. **Power to make rules.**
- (2) Without prejudice to sub-section (1), making of such rules may provide –
- (a) terms and conditions of service of employees working in connection with this Act and for such other employees serving on temporary basis or on deputation;
 - (b) mechanism and precautionary measures for preventing diseases through mass awareness through any mode of communication; and
 - (c) combating epidemics and health hazards affecting human health.
22. (1) The West Pakistan Vaccination Ordinance, 1958 shall, on commencement of this Act, stand repealed. **Repeal and Savings.**
- (2) Notwithstanding the repeal under sub-section (1), everything done, orders passed, action taken, obligation, liability, penalty or punishment incurred, enquiry or proceeding commenced, officer appointed or person authorized, jurisdiction or power conferred, rules orders regulations made or notification issued, under any of the provisions of the said Act, shall continue to remain in force and shall be deemed to have been done, passed, taken, incurred, commenced, appointed, authorized, conferred, made or issued under the provisions of this Act.

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SCHEDULE-I
[(See section 2(iii) & (ix))]

Vaccination Schedule for children

S No	Age	Vaccination
1.	Birth	BCG, Hep B and OPV0 Birth Dose
2.	6 weeks	Pentavalent-1 (Diphtheria, Tetanus, Pertussis, HepB, HIB) PCV 1, OPV-1, Rota 1
3.	10 weeks	Pentavalent-2, PCV 2, OPV-2, Rota 2
4.	14 weeks	Pentavalent-3, PCV 3, OPV-3, IPV1
5.	9 months	Measles-1, IPV2, TCV
6.	15 months	Measles-2- Booster DPT

SCHEDULE-II
[(See section 2(xiii) & (xix))]

Vaccination schedule for Child Bearing Aged Women (15 – 49 years)

Vaccine	When to give
Tetanus Toxoid 1	First contact during first pregnancy
Tetanus Toxoid 2	At least 4 weeks after TT 1
Tetanus Toxoid 3	At least 6 months after TT 2

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Tetanus Toxoid 4	At least 1 year after TT 3
Tetanus Toxoid 5	At least 1 year after TT 4