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PUBLIC HEALTH LAW

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CHAPTER P16**A LAW TO PROVIDE FOR PUBLIC HEALTH IN LAGOS STATE AND FOR CONNECTED PURPOSES.**

THE LAGOS STATE HOUSE OF ASSEMBLY enacts as follows:

1. General directives relating to Public Health

(1) The Commissioner may give to a medical officer of health, a head of Department for Environmental Sanitation Services and Waste Management or any other State or Council Official directives of a general or special nature relating to matters of policy or with regard to any matter concerning the implementation of the provisions of this Law as it relates to their speciality.

(2) The medical officer of health or any other State or Council Official must comply with the directives or cause the directive to be complied with.

2. Enforcement Officers

(1) The following officers will be responsible for the enforcement of the provisions of this Law as it relates to their speciality—

- (a) a medical officer of health appointed by the Commissioner for any area within the State;
- (b) head of the Department for Environmental Sanitation Services and Waste Management; and
- (c) any other State or Council Official with responsibility over any matter pertaining to public health covered by the provisions of this Law.

(2) Any other State or Council Official with responsibility over any matter pertaining to public health must comply with any directives issued by the enforcement officers in pursuance of the provisions of this Law.

(3) The minimum qualification of—

- (a) medical officer of health shall be the first degree in medicine and a master's degree in public health;
- (b) head of the Department for Environmental Sanitation Services and Waste Management shall be a first degree in Environmental Health/ Environmental Health Science and a master's degree in Public Health, Environmental Health or Environmental Management, and be registered with and possess a licence of Environmental Health.

3. Duties of Enforcement Officers

The duties of enforcement officers are—

- (1) inspecting the areas of public health covered by their schedule of duties;
- (2) abating nuisance and enforcing all the powers conferred by this Law relating to public health;
- (3) inspecting schools within the State for sanitation and public hygiene purposes;
- (4) inspecting businesses, offices and other places of employment in order to ensure the health and safety of employee;
- (5) ensuring implementation of the provisions of Smoking (The Regulation of) Law with respect to public health;
- (6) collaborating with agencies of the Federal Government of Nigeria with respect to the implementation of public health policies and public health Laws and other Laws which may have implications on public health; and
- (7) discharging responsibilities relating to public health as served by their schedule of duties.

4. Role of Community

Every member of the community has the following responsibilities in relation to the preservation of public health in their community—

- (a) mobilise residents to comply with the provisions of the public health Law and the maintenance of public sanitation and hygiene;
- (b) report cases of outbreak of diseases and violation of any provision of this law to relevant enforcement officers; and
- (c) arrest and hand over to enforcement officers and law enforcement agencies any person violating the provisions of this Law.

5. Public Hygiene

(1) Any person who urinates, defecates or passes human excreta or spits in any public place commits an offence and is liable on conviction to a fine of One Hundred Thousand Naira (₦100,000.00) or six (6) months imprisonment or to any non-custodial sentence.

- (2) It will be the duty of the owner or occupier of any premises to ensure that—

- (a) refuse is either put into securely tied plastic bags or leak proof dustbins with tightly fitting lids that are covered at all times; and
- (b) waste, litter or ashes are not thrown or swept unto any street, public space or vacant plot.

6. Nuisance

The following will be deemed to be a nuisance—

- (a) any sound emanating from vehicles, sound systems or machinery that is excessively noisy and constitutes a health hazard, distraction or is physically harmful;
- (b) any smoke emanating from vehicles, machinery or any other device that is hazardous or injurious to health;
- (c) any premises in such condition that is injurious to health;
- (d) any premises which is so dark, poorly-ventilated, damp or in such a condition of dilapidation that it is dangerous or prejudicial to the health of the occupiers;
- (e) any premises which is infested with rats, contains rat holes, rat runs and other similar holes or in which the ventilating openings are not protected by gratings in such a manner as to exclude rats;
- (f) any pool, ditch, gutter, watercourse, sewage tank, drain, ashpit, refuse pit, dust-bin, washing place, well, water tank, barrel, sink, vessel containing stagnant water, or other thing in such a state or condition, which serves as a breeding ground for malaria and other water-borne diseases;
- (g) any animal or bird that is kept in a manner that is—
 - (i) injurious to health;
 - (ii) molesting to neighbours; or
 - (iii) suffering from a noxious or contagious disease;
- (h) any hole or excavation, well, pond or quarry in or near any street which is or is likely to become dangerous to the public;
- (i) any stable, cow house, pigsty, poultry or other premises for the use of animals or birds which are in such a condition that is injurious to public health or of such animals or birds;

- (j) matter in the form of refuse, manure, decayed or tainted food, or in any other form;
- (k) any accumulation or deposit of rubbish of any kind, or any decaying animal or vegetable matter, in the form of refuse, manure, decayed or tainted food, or in any form whatsoever;
- (l) any growth of weeds, cactus, long grass, reeds or wild bush of any kind which may be injurious to health, and any vegetable that of itself is dangerous to children or others either by its smell or through eating its leaves, seeds, fruits or flowers;
- (m) any premises certified by the health officer to be overcrowded and injurious or dangerous to the health of the occupier;
- (n) any premises on which people are employed, and suitable and adequate sanitary conveniences are not provided;
- (o) any act, omission, place or thing which is or may be dangerous to life, or injurious to health or property;
- (p) any plant or tree in any area favourable to the breeding of mosquitoes;
- (q) any act, omission, place or thing specified by the Commissioner by a notice published in the *State Gazette* on the recommendation of an enforcement officer, as being dangerous to life or injurious to health or property.

7. Notice regarding abatement of nuisance

(1) An enforcement officer if satisfied of the existence of a nuisance, shall serve an abatement notice on the—

- (a) person or company by whose act or omission the nuisance arises or continues; or
- (b) occupier or owner of the premises or any officer of the company on which the nuisance arose if such person in subsection (a) cannot be found, requiring the person to abate the nuisance within forty-eight (48) hours or such longer period as may be stated in the notice and to execute such works and do other things as may be specified by the enforcement officer as being necessary.

(2) The enforcement officer may also by the same or another notice served on such person, occupier or owner required to do what is necessary for preventing the recurrence

of the nuisance, specify any works to be executed for that purpose, and may serve that notice regardless that the nuisance may have been temporarily abated if the officer is of the opinion that the nuisance is likely to recur on the same premises.

(3) Where the nuisance arises from any want or defect of a structural character, or where the premises are unoccupied, the notice will be served on the owner.

(4) Where a notice has been served on any person under this section and either—

- (a) the nuisance arose from the willful act or omission of such person; or
- (b) such person fails to comply with any of the requirements of the notice within the time specified, the person commits an offence and is liable on conviction to a fine of One Hundred Thousand Naira (₦100,000.00) for every such nuisance or to any non-custodial sentence and if a corporate body, to a fine of Five Hundred Thousand Naira (₦500,000.00).

8. Court may make nuisance order

(1) If either—

- (a) the person on whom an abatement notice has been served does not comply with any of the requirements within the time specified; or
- (b) the nuisance, although abated since the service of the notice, is in the opinion of the enforcement officer, likely to recur on the same premises, the enforcement officer will make a complaint and the court hearing the complaint may make on such person a summary order, in this Law referred to as a nuisance order.

(2) A nuisance order may be an abatement order, a prohibition order, a closing order, or a combination of such orders.

(3) An abatement order may require a person to comply with any of the requirements of the notice.

(4) A prohibition order may prohibit the recurrence of a nuisance.

(5) An abatement order or prohibition order will if the—

- (a) person on whom the order is made so requires; or
- (b) court considers it desirable, specify the work to be executed by such person for the purpose of abating or preventing the recurrence of the nuisance.

(6) A closing order may prohibit any premises from being used for human habitation.

(7) A closing order will only be made where it is proved to the satisfaction of the court that, by reason of a nuisance, the premises are unfit for human habitation, and, if such proof is given, the court will make a closing order, and may impose a fine of One Hundred Thousand Naira (₦100,000.00) or any non-custodial sentence.

(8) The court when satisfied that the premises have been rendered fit for human habitation, may declare that it is so satisfied and cancel the closing order.

(9) Where a person knowingly and wilfully acts contrary to a prohibition or closing order, the person commits an offence and is liable on conviction to a fine of Ten Thousand Naira (₦10,000.00) each day during such contrary action or any non-custodial sentence; moreover the enforcement officer may enter the premises to which a nuisance order relates, and abate or remove the nuisance, and do whatever may be necessary in execution of such order.

9. Power to sell premises

(1) If an order of the court or notice of the enforcement officer for the abatement of a nuisance by the occupier or owner is not complied with because the occupier or owner cannot be found or because the occupier or owner is imprisoned, the enforcement officer may apply to the court for an order to have the nuisance abated, and all costs incurred will be paid to the State/Council treasury by the occupier or owner, and may be recovered as a debt.

(2) If the owner or occupier cannot be found or if the expenses are not paid within six (6) months after the completion of the abatement of such nuisance, the court may order that the premises on which the work was done, any part of it, or any movable property found there, belonging to such occupier or owner be sold to cover the expenses.

(3) The rules of court relating to sales in execution of decrees will apply to such sale.

10. Right of entry

- (1) (a) It will be lawful for an enforcement officer to enter any premises at any time between 6.00am and 6.00pm for the purpose of ascertaining the existence of any nuisance, or until a nuisance found to exist has been abated or the works ordered to be done are completed or the closing order is cancelled as the case may be, and when a nuisance order has not been complied with or has been infringed, to enter premises at all reasonable hours for the purpose of securing the execution of the order.

- (b) If the admission to premises is refused, the court may require the person in custody of the premises to admit the enforcement officer into the premises during the prescribed hours, and if a person in custody of the premises is not found, the court may authorize the enforcement officer to forcibly enter such premises.

(2) Any such order will continue in force until the work for which the entry was necessary has been done.

(3) An enforcement officer may apply for an ex-parte order of a court to enter any premises anytime outside the stipulated hours in subsection (1)(a).

(4) Any person who refuses to obey such order hinders or obstructs the execution of the order commits an offence and is liable on conviction to a fine of One Hundred Thousand Naira (₦100,000.00) or six (6) months imprisonment or any non-custodial sentence.

11. Cost of execution relating to nuisance

All reasonable costs and expenses incurred in serving the notice, making a complaint or obtaining an order or in carrying the order into effect will be deemed to be money paid at the request of the person on whom the order is made, or if no order is made, but the nuisance is proved to have existed when a notice was served or the complaint made, then of the person by whose act or omission the nuisance was caused; and in the case of nuisance caused by the act or omission of the owner of the premises, such costs and expenses may be recovered from any person who is for the time being the owner of such premises.

12. Polluting water

(1) Any person who by any act or omission causes any harmful substance to be brought or to flow into any well, stream, tank, reservoir, aqueduct or pond used or intended for supplying water to people or animals or into any conduit or does any act that causes such water to be polluted commits an offence and is liable on conviction to a fine of One Hundred Thousand Naira (₦100,000.00) or six (6) months imprisonment or any non-custodial sentence and a further sum of Five Thousand Naira (₦5,000.00) for every day during which the offence is continued.

(2) Such penalties may be recovered during the continuance of the offence or within one (1) calendar month after it has ceased.

13. Stagnant Water

Any person who by any act or omission causes water to remain stagnant in any open receptacle, storage, container, drainage or refuse, creating a breeding ground for malaria parasites, cholera or other water-borne diseases will be required to disperse same, failing

which the person commits an offence and is liable on conviction to a fine of One Hundred Thousand Naira (₦100,000.00) and a further sum of Five Thousand Naira (₦5,000.00) for every day during which the offence is continued or any non-custodial sentence.

14. Enforcement officer may inspect food exposed for sale

The enforcement officer may, at all reasonable hours, inspect any meat, poultry, game, fish, vegetables, corn, bread, flour, or other provisions exposed for sale or deposited in any place for the purpose of sale or preparation for sale and intended for human consumption, the proof that the same was not exposed for sale or deposited for purpose of sale or preparation for sale and was not intended for human consumption rest with the party charged; and if any such article appears to the enforcement officer to be diseased or unwholesome or unfit for human consumption, the enforcement officer may condemn the same and order it to be destroyed or disposed of as to prevent it from being used, and the person to whom it belongs or in whose possession or premises it was found commits an offence and is liable on conviction to a fine of Ten Thousand Naira (₦10,000.00) for every article condemned, and for any subsequent conviction, to a fine of Twenty Thousand Naira (₦20,000.00) for every article condemned or to any non-custodial sentence.

15. Restrictions on sale of Alcohol to Children

(1) A person shall not—

- (a) sell, give, supply or offer to sell or supply alcohol to a child; and
- (b) send a child to purchase, give, supply or sell alcohol.

(2) Anyone who violates any of the provisions of this Section commits an offence and is liable on conviction to a fine of One Hundred Thousand Naira (₦100,000.00) and a further sum of Five Thousand Naira (₦5,000.00) for every day during which the offence is continued or to any non-custodial sentence.

16. Search warrant

Where an enforcement officer or police officer shows reasonable cause, the court may grant a warrant to enter any building in which there is reason to believe that any animal, carcass, meat, poultry, game, fish, vegetables, corn, bread, flour, or other provisions intended for sale to persons as food, which are diseased, or unwholesome, or unfit for consumption is kept and to search for, seize, and carry away any such animal or other article for destruction.

17. Penalty for obstructing officer with search warrant

Any person who obstructs any enforcement officer or police officer in the performance of the duty under the search warrant commits an offence and is liable on conviction to a fine of One Hundred Thousand Naira (₦100,000.00) or to any non-custodial sentence.

18. Owner or occupier to clear streets near his premises

(a) Every owner or occupier of any tenement will clear and keep the streets at the front, back, or either side of such tenement, with the drains, gutters, or channels on such streets, free from all undergrowth, weeds, filth, rubbish, and refuse of any description;

Provided that when there are two (2) tenements adjacent to any street, drain, gutter, or channel facing each other, the owner or occupier of each such tenement will be jointly responsible for keeping clean such drain, gutter, or channel.

(b) Every owner or occupier who fails to comply with the provisions of this section will for each offence commits an offence and is liable on conviction to a fine of One Hundred Thousand Naira (₦100,000.00) or to any non-custodial sentence.

19. Penalties on certain offences

(1) Any person who—

- (a) throws or lays on any open space, street or tenement, whether occupied or not, (except at such places as may be set apart by the proper authority for such purpose) any rubbish, offensive or unwholesome matter; or
- (b) commits any nuisance in any open space, street or in any place that is an appurtenance of or adjoining a dwelling-house, will for each act commit an offence and in addition to any liability for damage at the suit of any person aggrieved, be liable to a fine of One Hundred Thousand Naira (₦100,000.00) or to any non-custodial sentence.

(2) Any person found committing any offence under this section may be taken into custody without warrant by any police officer or enforcement officer:

Provided that a person arrested under this section must not be detained by any police officer or enforcement officer longer than is necessary for bringing him before the court.

20. Notification of infectious disease

(1) When an occupant of any house, place of worship, school, shop or any other building or structure is suspected of suffering from an infectious disease, the family member, the person caring for the patient, the occupier or owner of the building or place must give notice orally and in writing to the medical officer of health.

(2) Every medical practitioner consulting or caring for any patient suffering from an infectious disease must give notice orally or in writing to the medical officer of health.

(3) A person who fails to give the notice in subsection (1) of this Section commits an offence and is liable on conviction to a fine of One Million Naira (₦1,000,000.00) or any non-custodial sentence, however, in the case of a medical practitioner or health institution, the penalty will be Two Million Naira (₦2,000,000.00).

21. Declaration of infected area and order for evacuation

(1) Whenever an infectious disease breaks out in any place, the Commissioner may by notice or announcement declare such place or any portion of it to be an infected area and may order the evacuation of the whole or any part of such infected area.

(2) It will be unlawful for any person to reside or carry on business within any infected area or portion which is comprised in an order for evacuation, or to enter or remain there, without an order in writing to that effect signed by a medical officer, and on such conditions as such medical officer may direct except when passing along a thoroughfare allowed to remain open to the public.

(3) A person who finds any person residing or carrying on business within any infected area or portion which is comprised in an order for evacuation must bring it to the notice of a medical officer.

(4) A person who contravenes the provision of subsection (2) of this Section commits an offence and is liable on conviction to a fine of One Hundred Thousand Naira (₦100,000.00) for a first offence and for subsequent offences, a fine of Two Hundred Thousand Naira (₦200,000.00) or to any non-custodial sentence or both.

22. Marking of premises where infectious disease has occurred

An enforcement officer may cause to be placed any mark on or about a premises in which any case of infectious disease has occurred for the purpose of denoting the occurrence of such disease, and may keep such mark affixed for such time as necessary, and any person removing or obliterating any such mark without the authority of a enforcement officer commits an offence and is liable on conviction to a fine of One Hundred Thousand Naira (₦100,000.00) or to any non-custodial sentence.

23. Removal and detention of infected persons and suspects

(1) A medical officer of health may cause any person suffering or reasonably suspected to be suffering from an infectious disease to be removed and detained at a State hospital or such other place provided by the State or by a Council until the person can be safely discharged to the public.

(2) A person under watch or quarantine in accordance with subsection (1) of this Section who escapes from the place of confinement commits an offence and is liable on conviction to a fine of Two Hundred and Fifty Thousand Naira of (₦250,000.00).

(3) Any person mentioned in subsection (2) of this Section who causes another person to be infected, commits an offence and is liable on conviction to a fine of One Million Naira (₦1,000,000.00).

(4) Any person who aids, counsels, or facilitates the escape of any person under watch or quarantine in accordance with subsection (1) of this Section commits an offence and is liable on conviction to a fine of Five Hundred Thousand Naira (₦500,000.00) or three (3) years imprisonment.

(5) Where another person is infected by the person assisted to escape, the person who aided, counselled or facilitated the escape commits an offence and is liable on conviction to a fine of One Million Naira (₦1,000,000.00) or seven (7) years imprisonment.

24. Detention and removal of infected persons in private health facilities

(1) The owner of a private health facility or any medical practitioner employed in such facility may cause any person suffering or reasonably suspected to be suffering from an infectious or communicable disease to be detained at such health facility pending removal to a State hospital or such other place provided by the State or by a Council to be detained there until the person can be safely discharged to the public.

(2) A private health facility for the purpose of this section includes traditional medical homes, institutions and spiritual healing homes.

25. Compulsory medical treatment

Any person certified after examination and inquiry to have contracted an infectious or communicable disease may be compelled to receive any available medical treatment necessary to prevent transmission of the disease to any other person.

26. Isolation of contacts

A medical officer of health may order any person living in the same house, compound or who has been in contact with any person suffering or suspected to be suffering from an infectious or communicable disease, to be isolated in such place as the Government may provide, until the person can be safely discharged, and every person authorized by the medical officer of health to carry out such order may use such force as is necessary to compel obedience to such order.

27. Obtaining blood samples, tissues and other relevant samples

Whenever there is an outbreak of infectious or communicable disease, the Commissioner or his designate may obtain blood samples, tissues and any other relevant samples from any person reasonably suspected to have contracted the disease for the purpose of conducting investigation and research to manage the outbreak of the disease.

28. Power to order fumigation, sanitization and disinfection of houses, buildings or any premises

(1) The enforcement officer may order the fumigation, sanitization and disinfection of any building or of any article or thing in which a case of infectious or communicable disease has occurred or suspected to have occurred which may be considered necessary in the interest of public health.

(2) Any such order will be carried out in such manner and by such person as the enforcement officer may direct.

29. Acts contributing to the spread of disease

Any person who—

- (a) does any act or thing which contributing the spread of the disease while suffering from an infectious or communicable disease or being in charge of a person suffering from such disease; or
- (b) gives, lends, sells, transmits, or exposes without previously disinfecting any article which has been exposed to infection, commits an offence and is liable on conviction to a fine of Five Hundred Thousand Naira (₦500,000.00) or one (1) year imprisonment or both.

30. Letting infected houses

A person who intentionally lets out a house that had been occupied by someone who suffered from any infectious or communicable disease without having had such house and its contents properly disinfected to the satisfaction of the medical officer of health, commits an offence and is liable on conviction to a fine of Two Hundred Thousand Naira (₦200,000.00) or to any non-custodial sentence.

31. Apprehension of persons on the streets suffering from infectious diseases

Every enforcement officer, police officer or any authorized officer may apprehend and take, any person suffering from any infectious disease whom the officer finds on any street, public, place, shop or public transportation to a hospital.

32. Infected persons entering public means of Transportation without notice to the person in charge

A person who, while suffering from any infectious disease, enters any public means of transportation without previously notifying the person in charge, commits an offence and is liable to a fine of One Hundred Thousand Naira (₦100,000.00) or to any non-custodial sentence and in addition, may be ordered to pay to the owner, the amount of any expense such owner incurs in disinfecting the means of transportation.

33. Disinfection of public means of Transportation

A person in charge/owner of any public means of transportation will to the satisfaction of the enforcement officer immediately provide for the disinfection of such public transportation after knowingly conveying a person suffering from any infectious disease, and in default commits an offence and is liable on conviction to a fine of One Hundred Thousand Naira (₦100,000.00) or to any non-custodial sentence:

Provided that where the person in charge/owner of such public transportation is unable in the opinion of the enforcement officer to adequately disinfect such transportation, it may be disinfected by the medical officer of health at the expense of the person in charge.

34. Liquor licences in area ordered to be evacuated

Any person licensed to sell intoxicating liquors in premises situated in any infected area comprised in an order for evacuation will be entitled to a transfer of the licence to premises situated outside the infected area where no higher licence fee is payable except the Commissioner will orders a refund of the whole or any portion of the fee paid for the licence.

35. Power of enforcement officer to order destruction of house, building or anything

(1) The enforcement officer may obtain an order of court to destroy any building in which a case of infectious disease has occurred, or of any article or thing which may be considered necessary in the interest of the public health.

(2) Any such order will be carried out in such manner and by such person as the enforcement officer may direct.

36. Destruction of animals

A enforcement officer may order the destruction of any animal which is reasonably believed to likely transmit an infectious disease and to dispose of the carcass of such animal in a proper manner.

37. Appointment of house visitors in case of Epidemics

(1) When an infectious disease is epidemic in any place, the Commissioner may appoint medical or other officers to be house visitors.

(2) Such officers may enter any premises in which there may be, or is suspected to be, any case of infectious disease to examine such premises and give such order as to the disinfection as is necessary.

38. Power to order post-mortem examination

Whenever in the opinion of the medical officer of health there is reason to suspect that a person has died of an infectious or communicable disease, the medical officer of health will order that the body of the deceased person be conveyed to the District Medical Examiner in the appropriate Coroner's District for such examination as may be considered necessary.

39. Burials, Cremations and Disposals of Bodies

(1) The District Medical Examiner may order cremation where there is a likelihood of an epidemic outbreak as a result of the death of a person with an infectious or communicable disease.

(2) Any corpse identified as having an infectious or communicable disease shall not be transported outside the State without due authorization from the State Ministry of Health.

(3) A residential premises shall not be used as a morgue or embalmment centres.

(4) Notwithstanding any provision contained in any other Law, burials in any residential premises or any other location other than any public burial grounds is prohibited.

(5) Any person who contravenes or fails to comply with any of the provisions of this section commits an offence and is liable on conviction to a fine of Two Hundred and Fifty Thousand Naira (₦250,000.00) or to any non-custodial sentence or both.

40. Compensation

(1) The owner of any building, article or thing destroyed under an order made in pursuance of Section 35, and the owner of any animal killed under an order made in accordance with Section 36, will be entitled to compensation to be paid either out of general revenue of the State or out of the funds of a local government council as may be prescribed or as the Commissioner may direct.

[L.N. 257 of 1959.]

(2) The owner of business or private health facility closed down for the purpose of disinfecting the premises to stop or prevent the spread of infectious or communicable diseases is entitled to compensation.

(3) All claims for compensation under this section or under any rules under Section 43 will be heard and determined by a compensation board which the Commissioner is empowered to appoint, consisting of two (2) persons, one (1) of whom must be unconnected with the Government service.

[L.N. 257 of 1959.]

(4) The unofficial member of the board will be entitled his actual out-of-pocket expenses, and the Commissioner may, allow such further remuneration as necessary.

[L.N. 257 of 1959.]

(5) In appointing any compensation board the Commissioner may—

[L.N. 257 of 1959.]

- (a) define the limits of the jurisdiction of the board;
- (b) appoint any member by name or by office;
- (c) in case any person appointed is unable or unwilling to act or dies, appoint another member in his place.

(6) Every appointment made under this section must be published in the State Gazette.

(7) A compensation board will have the powers to summon witnesses, and to call for the production of books, plans or documents and to examine witnesses parties on oath and all persons summoned to attend and give evidence or to produce books, plans or documents must obey the summonses served on them as fully in all respects as if the summons had been issued by the High Court, and will be entitled to like expenses as if they had been summoned to attend such court on a criminal trial, if the same will be allowed by the board, but the board may disallow the whole or any part of such expenses in any case if they deem fit.

(8) If the two members of a compensation board are unable to agree on the amount of compensation to be awarded (or on any point of practice or procedure arising before them) the amount of such compensation (and the point of practice or procedure) will be referred for decision to a judge of the High Court, who will for purposes of the reference be deemed to be a member of the compensation board, and whose decision will be deemed to be the decision of the board.

(9) The award of the compensation will be in writing and signed by the members of the board or by the judge, as the case may be, and will be final.

(10) Any witness who wilfully gives false evidence in any proceedings before a compensation board commits perjury and on conviction will be liable to be punished accordingly.

(11) In determining whether a person is entitled to compensation under this section the board may in addition to any other relevant factor have regard to any of the following:

- (a) whether the claimant took all necessary precaution to ensure that persons suffering from infectious diseases are not admitted into the facility;
- (b) whether the claimant promptly informed relevant authorities of the presence of the person suffering from infectious disease; and
- (c) whether other circumstances exist that make it unconscionable to award compensation to the claimant.

41. Pre-action notice of civil proceedings

(1) A person who intends to bring a civil action against another for damages or compensation in respect of any measure taken or to be taken under this law to prevent the spread of any infectious disease shall give a month's written notice of intention to commence the action on the Attorney-General of the State.

(2) Such notice must state the cause of action, the name and place of abode of the intending claimant and the relief sort.

42. Presumption of knowledge

Where a person in charge of, caring for or living with a person suffering from an infectious disease is charged with an offence in respect to such infectious disease under this Law, it shall be presumed that the person knew of the existence of such disease in the person unless it is shown to the satisfaction of the court that the person had no such knowledge and could not with reasonable diligence have obtained such knowledge.

43. Power to make regulations

The Commissioner may make regulations—

- (a) for isolating all persons suffering or suspected to be suffering from infectious diseases;
- (b) for anyone brought into contact with any such person;
- (c) for inspecting and granting permits to persons travelling by sea or land from a place where an infectious disease has occurred, and for disinfecting their clothes and personal effects;
- (d) for closing, destroying, disinfecting, cleaning or otherwise rendering harmless, houses, buildings, latrines, wells, dust-bins, dumping grounds and any place that by reason of the existence of infectious disease may be deemed advisable to so deal with;
- (e) for prohibiting the removal of property from infected houses;
- (f) for prescribing the mode of burial or disposal of the bodies of persons dying from infectious diseases;
- (g) for the removal of persons from an infected area(s) in which the Commissioner has ordered evacuation;
- (h) for establishing a cordon around any place where an infectious disease has occurred or otherwise preventing persons departing from or going to any such place;
- (i) for prescribing the reporting of cases of sickness and death;
- (j) for the erection of temporary huts, mortuaries and similar buildings;
- (k) prescribing the acts or things, done under any rule, in respect of which compensation may be paid;
- (l) prescribing a list of ingredients that are hazardous to human consumption;

- (m) for declaring whether compensation shall be paid out of the general revenue of the State or out of the funds of a Council;
- (n) for the publication within the area affected of any notice under Section 21 or rule made under this Section; and
- (o) generally for the enforcement of any of the provisions of this Law relating to infectious diseases.

44. Market Sanitation

(1) Every market owner, group of owners, associations, State or Local Government authority must ensure that every market:

- (a) is registered with licensed refuse collectors;
- (b) is sectionalized based on the particular item of trade; and
- (c) has—
 - (i) adequate and potable water supply;
 - (ii) good and functional drainage system;
 - (iii) adequate functional toilet facilities; and
 - (iv) perimeter fencing of the market.

45. Restriction on venue of sale of live animals

Any person found selling any live animal, fresh or dried meat by the road side or in traffic commits an offence and is liable on conviction to a fine of One Hundred Thousand Naira (₦100,000.00) or to a non-custodial sentence.

46. Nutritional information

(1) Public food vendors, eateries, restaurants and fast food outlets producing packaged food and drinks in the State must specify all nutritional information on a label affixed to the packaged food or drinks.

(2) Public food vendors, eateries, restaurants and fast food outlets in the State are prohibited from using any ingredient that has been declared by the Commissioner to be injurious and hazardous to human health.

(3) Any false or misleading nutritional information on labels of packaged food or drinks is prohibited.

(4) Enforcement officers may inspect at all reasonable hours food vendors, eateries, restaurants and fast food outlets to ensure compliance with the provisions of this Section.

(5) Any person who contravenes the provision of this Section commits an offence and is liable on conviction to a fine of Two Hundred Thousand Naira (₦200,000.00) or to a non-custodial sentence and if a corporate body, to a fine of ₦1,000,000.00(One Million Naira).

47. Advertisements of products not scientifically proven

(1) Any person who advertises products that have not been scientifically proven must provide the following information conspicuously on the product “the efficacy of this product has not been scientifically proven”.

(2) Any person who contravenes the provision of this Section commits an offence and is liable on conviction to a fine of Two Hundred and Fifty Thousand Naira (₦250,000.00) or to a non-custodial sentence and if a corporate body, to a fine of One Million Naira (₦1,000,000.00).

48. Role of Commissioner

The Commissioner will ensure the implementation in the State of the National Policy on Integrated Disease Surveillance and Response (referred to as“IDSR”) as follows—

- (a) conduct training and provide technical support for planning, implementation and monitoring of disease trends at Councils;
- (b) establish a Disease Surveillance and Response Committee;
- (c) ensure timely receipt and analysis of IDSR data from all Councils in the State and prompt transmission to the Federal Ministry of Health;
- (d) coordinate all IDSR activities in the Councils and provide timely response and support to Councils in emergency situations;
- (e) ensure proper pre-positioning of adequate vaccines, medicines and supplies;
- (f) mobilize resources for IDSR in the state and Councils through advocacy to policy and decision makers;
- (g) reproduce and provide training materials, IDSR reporting forms and guidelines to Councils;

- (h) provide regular feedback to councils through monthly newsletter and review meetings;
- (i) create a budget line for IDSR activities; and
- (j) implement any other programmes and policies to ensure the realisation of the objectives of IDSR in the State.

49. State Disease Surveillance and Response Committee

The State Disease Surveillance and Response Committee will—

- (a) provide technical advice on IDSR to the Ministry;
- (b) provide technical support to, and build capacity of Councils on disease surveillance and response;
- (c) monitor IDSR implementation at Council level;
- (d) review periodically health-related data to determine the frequency of occurrence of communicable diseases particularly epidemic prone diseases;
- (e) plan and coordinate epidemic response activities;
- (f) mobilize resources for IDSR activities;
- (g) establish an Epidemic Rapid Response Team;
- (h) review response plan where necessary; and
- (i) provide feedback through monthly newsletter and review meetings.

50. Role of Councils

Councils in the State are the primary level for IDSR implementation and will—

- (a) create a budget line for IDSR activities;
- (b) report on weekly basis, cases of epidemic prone diseases, and monthly for all other priority diseases;
- (c) monitor disease trends and detect impending epidemics within the Council;

- (d) ensure that IDSR forms, medicines and other supplies are available to health facilities;
- (e) establish Council Disease Surveillance and Response Committee;
- (f) notify the Commissioner immediately of any disease outbreaks within twenty-four (24) hours of detection;
- (g) conduct training and retraining of health personnel on IDSR;
- (h) provide feedback to the health facilities and communities;
- (i) ensure collection of data from all public and private health facilities within the Councils; and
- (j) provide logistics support and communication facilities for IDSR operations in the Councils.

51. Role of Health facilities

All Tertiary, Secondary and Primary health facilities in the State will—

- (a) ensure weekly provision of disease data to the Councils where they are located using approved IDSR reporting format;
- (b) conduct training and retraining of health personnel on IDSR;
- (c) assist in Laboratory diagnosis and effective case management using standardized management guidelines;
- (d) provide technical and logistic support for epidemic response;
- (e) provide regular routine immunization services; and
- (f) provide regular feedback to the communities.

52. Role of Private Health Sector

The private health sector will discharge the following functions to ensure the implementation in the State of IDSR—

- (a) delivery of immunization services and disease surveillance in the country;
- (b) collaboration with government by—

- (i) weekly provision of disease data to Councils where they are located using approved IDSR reporting format;
- (ii) participation in routine immunization services by collecting vaccines from Council cold stores and making proper returns on its utilization to the Councils;
- (iii) training of health personnel on IDSR; and
- (iv) complementing government laboratories in the diagnosis of suspected cases of priority diseases in their catchment's area using approved format.

53. General purposes for which Regulations and Bye-laws may be made

The Commissioner may make regulations and the council may make bye-laws with regard to—

- (a) the maintenance of public toilets; urinals, dust-bins, manure and human waste depots in sanitary condition;
- (b) surface scavenging, the removal and disposal of human waste;
- (c) the cleaning of streets;
- (d) the provision and proper construction of rubbish receptacles on private premises;
- (e) sanitation and ventilation of public and private buildings;
- (f) the prevention of overcrowding in premises or rooms either in respect of human beings or animals, including the designation of an officer to fix the maximum number of human beings or animals which may occupy any particular premises or room within laid down guidelines;
- (g) for preventing in any place where an infectious disease exists, the holding of public meetings, the performance of funerals or other native customs likely to tend to the dissemination of such infectious disease;
- (h) for the destruction of rats, mice and other kinds of vermin, and of fleas, bugs, or any other such parasites as may be deemed advisable to destroy and for rendering houses rat-proof;
- (i) the regulation and sanitary maintenance of factories, workshops, breweries and places of public instruction, recreation or assembly;

- (j) the regulation of the sanitary conditions of bakeries, warehouses, dairies, aerated water factories, eating houses and food-preparing or food-preserving establishments;
- (k) the regulation of the sanitary conditions of laundries and wash-houses;
- (l) the admission of cattle or other animals into urban areas;
- (m) the construction, position and proper sanitary maintenance of all places where animals are kept;
- (n) the methods to be adopted in disinfecting places which have been occupied by any animal suffering from a contagious or infectious disease;
- (o) prescribing the duties of any person employed in connection with any of the purposes of this Law;
- (p) prohibiting or regulating the making of borrow pits or excavations;
- (q) prohibiting, regulating or prescribing such matters or things as may be deemed necessary or advisable in the interest of public health, and generally for carrying out and giving effect to the objects and purposes of this Law;
- (r) regulating the sale, preparation, storing and exposure for sale of food; and
- (s) preventing the sale, preparation, manufacture, conveying or exposure for sale of food which is unwholesome or diseased.

54. Building Regulations

Council authorities will draw the attention of relevant statutory authorities in the State to any building or structure contravening physical and urban planning laws and regulations designed to safeguard public health.

55. Powers of the Attorney-General

(1) The Attorney-General may file an action on behalf of the public or any class of citizens for any loss or injury suffered and for compensation arising from violations of the provisions of this Law.

(2) The Attorney-General may apply to the Magistrates' Court or High Court for a closing, prohibition or abatement order or any other order as may be deemed necessary against any person or corporation to prevent violation or enforce compliance with the provisions of this Law.

(3) The Attorney-General may bring an action to recover any sum of money incurred by the State or any Local Government to remedy any violation of the provisions of this Law from any person or corporation responsible for creating or causing the violations.

56. Obstruction of owner by occupier

If the occupier of any premises prevents the owner from obeying any order made under the provisions of this Law, the court, on complaint, and on proof of such prevention, will by order require such occupier to permit the execution of any works which appear to the court necessary for the purpose of obeying such provision, and if, within twenty-four (24) hours after service of the order, such occupier fails to comply, the occupier commits an offence and is liable on conviction to a fine of Five Thousand Naira (₦5,000.00) for every day during the continuance of such non-compliance or to any non-custodial sentence in the case of a corporate body to a fine of Twenty Thousand Naira (₦20,000.00).

57. Obstruction of enforcement officers

Any person who willfully hinders, prevents, or obstructs any enforcement officer or other person in the execution of this Law commits an offence and is liable on conviction to a fine of Two Hundred and Fifty Thousand Naira (₦250,000.00) or to any non-custodial sentence and in the case of a corporate body to a fine of One Million Naira (₦1,000,000.00).

58. General penalties

For any contravention of the provisions of this Law or any Regulation made under this Law for which no other penalty is provided, the offender commits an offence and is liable on conviction to a fine of One Hundred Thousand Naira (₦100,000.00) or to any non-custodial sentence and if a corporate body, to a fine of Five Hundred Thousand Naira (₦500,000.00).

60. Recovery of penalties

(1) All penalties, fines, costs and expenses, the recovery of which is not otherwise provided for, will be recoverable on summary trial.

(2) Penalties, fines, costs and expenses imposed by or recoverable under any by-law made by a Council under this Law may, as against persons subject to the jurisdiction of a customary court, be sued for and enforced in a customary court.

61. Service of notices

(1) A notice, order or document required or authorized by this Law to be served on the owner or occupier of any premises will be deemed to be properly addressed if addressed by the description of the “owner” or “occupier” of such premises without

further description, and be deemed to be properly served if it is delivered to some adult person on the premises, or, if there is no such person on the premises to whom the same can with reasonable diligence be delivered, by fixing the notice on some conspicuous part of the premises.

(2) A notice, order or document required or authorized by this Law to be served on any person (including an owner or occupier) may be served—

- (a) by delivering the same to such person;
- (b) by delivering the same, at the usual or last known place of abode of such person, to some adult member of the family or an employee.

62. Occupier to give information

(1) The occupier of any premises must, if required by any enforcement officer or any police officer, give name and the name and address of the owner of the premises if known.

(2) Any occupier declining to give or willfully misstating the name or address either of the occupier or of the owner or occupiers will be liable to a fine of Twenty-Five Thousand Naira (₦25,000.00) or to any non-custodial sentence.

63. Duties of the police

Every police officer will give information to the enforcement officer of any offence which such officer knows or has reason to believe has been committed in contravention of this Law.

64. Enforcement Officers to have assistance of Police Officers

Every enforcement officer will have the full co-operation and assistance of a police officer or any other law enforcement officer while carrying out their duties under this Law.

65. Joinder of parties

Where any nuisance appears to be wholly or partially caused or contributed to by the acts or omissions of two (2) or more persons (including an owner or occupier), any order may be served on one or several or all of such persons and proceedings may be instituted against one or several or all of such persons, whether in one proceeding or not, and one or several or all such persons may be ordered to abate such nuisance so far as the same appears to the court to be caused by such person acts or omissions or may be prohibited from continuing any acts or omissions which the court finds contribute to such nuisance,

or may be fined or otherwise punished notwithstanding that the acts or omissions of anyone or such persons would not separately have caused a nuisance, and the costs may be distributed as may appear fair and reasonable to the court.

66. Burden of proof

Where in any proceeding under this Law any person is summoned or otherwise dealt with as the occupier of premises, if such person denies being the occupier, the proof of such denial will be on the person.

67. Protection of enforcement officers

An enforcement officer or other person will not be liable to any action, liability or demand on account of anything done by such officer in good faith for the purpose of executing this Law.

68. Repeal

The Public Health Law Cap. P25, Laws of Lagos State 2003 is repealed.

69. Interpretation

In this Law, unless the context otherwise requires—

“**Attorney General**” means the Attorney General of Lagos State;

“**child**” means a person under the age of eighteen (18) years;

“**Council**” includes any Local Government Area (LGA) or Local Council Development Area (LCDA) upon which the functions of a council and local government under this Law are conferred by Instrument made under any Local Government Administration Law applicable to the State;

“**Commissioner**” means the Commissioner for Health or any member of the State Executive Council for the time being charged with the responsibility for public health;

“**District Medical Examiner**” will be any person appointed by the Chief Medical Examiner for a particular Coroner’s District in the State;

“**enforcement officers**” includes a medical officer of health, medical practitioner, health officer, environmental health officer, nurses, veterinary officers, kick against indiscipline (KAI) officer, school health officer or any other State or Local Government Official with responsibility over any matter pertaining to public health ;

“**infectious disease**” in relation to human beings, means cholera, yellow fever, cerebro-spinal meningitis, diphtheria, scarlet fever, lassa fever, typhoid, tuberculosis, Leprosy, sleeping sickness, Ebola virus, HIV, AIDS, Avian influenza and includes any disease of an infectious or communicable nature and other haemorrhagic fever which the Commissioner may by notice declare to be an infectious disease within the meaning of this Law;

“**livestock**” means animals raised for use or sale;

“**Ministry**” means Ministry of Health;

“**occupier**” means the person in occupation of the tenement in respect of which the word is used or of any part of such tenement, but does not include a lodger;

“**owner**” includes the person for the time being receiving the rent of the tenement in connection with which the word is used, whether on his own account or as agent or trustee for some other person, or who would receive the same if such tenement were let to a tenant, and the holder of a tenement direct from the State whether under lease, licence or otherwise;

“**person**” includes a company or establishment;

“**premises**” means and includes messages, buildings, lands, tenements, hereditaments, vehicles, tents, vans, structures of any kind, drains, ditches or places open, covered, or closed, and any ship or vessel in any port or on any inland water;

“**public**” means for the use of all people;

“**public place**” means an indoor or outdoor area, whether privately or publicly owned, to which the public have access by right or by invitation;

“**State**” means Lagos State of Nigeria;

“**street**” includes all roads, bridges and pavements;

“**tenement**” means any land with or without buildings which is held or occupied as a distinct or separate holding or tenancy, or any wharf or pier in the waters of the Lagos State;

“**waste**” includes refuse, rubbish, garbage, disused, abandoned or leftover materials whether of vegetable, animal, solid, liquid or gaseous nature;

70. Citation and Commencement

This Law may be cited as the Public Health Law 2015 and will come into force on the day of, 2015.

THE PUBLIC HEALTH REGULATIONS

Made under Sections 43

1. These regulations may be cited as the Public Health Regulations.

PART I

Infectious or Communicable Diseases

2. When the medical officer of health is notified of any case of infectious disease or suspected infectious disease, the officer must immediately inspect, or appoint some fit and proper person to inspect the person alleged to be suffering from the infectious disease; and if satisfied that the person is suffering from the infectious disease, may order such person and any other person who has been in contact with him to remain on the premises where the person was at the time of the infection, or may cause them to be moved to infectious diseases hospital, or other suitable place provided for the reception of people suffering from an infectious disease, or for the separation of contacts.

3. A medical officer of health or any environmental health officer, police officer or other person acting on the instructions of a medical officer of health may enter any premises to search for any person suffering from an infectious disease, or to inquire whether there is or has been on such premises any person suffering from an infectious disease. If such an environmental health officer, police officer or other person finds any person suffering from an infectious disease or any person suspected of suffering from infectious diseases, the officer must report the same to the medical officer of health.

4. The officer in charge of the police in any place will give necessary assistance to a medical officer of health in effecting the isolation of infected persons, suspects or contacts.

5. In case of yellow fever, all persons infected or suspected of such infection must be protected from mosquitoes by mosquito nets and moved to an isolated place in a screened ambulance or litter.

6. (1) Every person travelling by land or sea from a declared infected area may, if considered necessary by the medical officer of health, be subjected to medical inspection and examination prior to being permitted to proceed on his journey.
- (2) A person who refuses to submit to medical examination will not leave the infected area.
- (3) Any person discovered with suspicious symptoms will be detained and dealt with as the medical officer of health may direct.

7. The clothing and personal effects of any person proceeding from a declared infected area may be disinfected at the discretion of a health officer.

8. All persons residing in a declared infected area will undergo such medical inspection or examination as the medical officer of health may direct. The medical officer of health may place all or any persons in such area under observation in designated area, or under surveillance, as may considered necessary.

9. (1) Every person permitted to leave a declared infected area under surveillance shall comply with the following conditions—

(a) will provide the medical officer of health the name, intended destination and place of residence, and that such place is conveniently situated for medical supervision;

(b) will be presented for medical supervision during the prescribed period; and may be required by the medical officer of health to deposit a sum, not exceeding Four Thousand Naira (~~₦~~4000.00) which may be forfeited if such person fails to be presented.

(2) If the medical officer of health is not satisfied, or if the person fails to comply with sub-paragraphs (a) and (b) of regulation (1), the medical officer of health will detain the person for observation, or direct to proceed to a specified place and remain there under observation during the prescribed period. In the latter case, the provisions of sub-paragraphs (b) of regulation (1) may, at the discretion of the medical officer of health, be applied to such person.

10. When any person, from a declared infected area or area suspected to have been infected is placed under observation, or surveillance, the period of observation, or surveillance, will be as follows—

(a) in the case of observation, the period will not exceed 5 (five) days, in the case of an epidemic and cholera; six (6) days, in the case of yellow fever or cerebro-spinal meningitis;

(b) in the case of surveillance, the period will be the same as that of observation; except in the case of an epidemic, when it may be extended to a period not exceeding ten (10) days. In applying these measures, the period of observation or surveillance will extend from the date of removal from the infected area; provided that among those under observation no subsequent case has occurred. If any further case of the same disease occurs, the period of observation will date from the day of the isolation of the last case;

(c) the medical officer of health will prescribe the periods of observation and surveillance in the event of any other infectious disease.

11. On all premises where there has been a case of infectious disease, whether the patient dies, recovers, is moved or remains on such premises, a small red flag of not less than 304.8mm square or some conspicuous mark approved by a health officer will be displayed on the side of such premises nearest to a public street, and the flag or mark will remain displayed until the premises, with their contents have been cleansed and disinfected to the satisfaction of a health officer. Provision for the supply of such flags or marks will be made by the medical officer of health. Any person who removes such flag or mark without the permission of a health officer commits an offence and is liable on conviction to a fine of Twenty-Five Thousand Naira (₦25,000.00).

12. The medical officer of health may close any premises where there has been a case or suspected case of infectious disease until such premises is considered fit for human occupation. The medical officer may also close, any buildings, latrines, wells, dustbins, dumping grounds and any place which, by reason of the existence of infectious disease, it is advisable to close until same has been disinfected.

13. A person must not remove any property from any infected premises, or from any premises where a suspected case of infectious disease has occurred, without the written permission of a health officer.

14. All bodies of persons who have died from an infectious disease will be disposed of in conformity with the directions of the medical officer of health.

15. All clothings, beddings and any other articles worn or taken by the persons ordered to evacuate an infected area will be disinfected.

16. The police will give necessary assistance to the health officer in effecting the evacuation of any infected area and in all related matters.

17. When there is an outbreak of an infectious disease in any place, the police, or other law enforcement agencies at the disposal of the Council will assist the health officer, if in his opinion it is necessary, by establishing a cordon round any declared area for the purpose of preventing persons departing from or going to any such place.

18. When there is an outbreak of an infectious disease, the community leaders of any town, village or district, as well as all its residents, whether such town, village or district is within an infected area or not, will, if so directed, report or cause to be reported all cases of sickness and death occurring in their town, village or district.

19. When the infectious disease is an epidemic, the community leaders of any town, village or district as well as all its residents will also report or cause to be reported any undue sickness or mortality amongst rats or mice which may be observed.

20. For the implementation of rules 18 and 19, the Council adviser will, if required by a health officer, notify the community leaders and people residing in any town, village or district that it is their duty to report all cases of sickness or death in human beings, or any excessive mortality among rats or mice, and inform them of the officer to whom such report will be made.

21. (1) When it appears to the medical officer of health that the holding of public meetings, funeral ceremonies, or other native customs is likely to spread any infectious disease, any magistrate or Council will at the request of the medical officer of health, prohibit such meetings, funeral ceremonies, or other native customs.
- (2) Any person who is present at or takes part in any meeting, ceremony or native custom which has been prohibited commits an offence and is liable on conviction to a fine of Twenty-Five Thousand Naira (₦25,000.00).

22. When an infectious disease occurs, an enforcement officer may prescribe any measure which the officer considers necessary to ensure the destruction of rats, mice and other kinds of vermin, mosquitoes, their larvae and pupae, fleas, bugs or any other such parasites.

23. (1) To prevent the spread of any infectious disease, the owner or occupier of any premises will, if required by a health officer, make all roofs, partitions, floors and plinths of houses rat-proof.
- (2) When an epidemic is present in any place all foodstuffs should be effectively protected against rats and mice to the satisfaction of an enforcement officer.

24. In the case of an epidemic, all rats and mice which have been caught or killed or found dead on any premises will, as soon as possible, be placed by the owner or occupier in a strong solution of disinfectant which will be provided by the health officer and the bodies of such rats or mice will be subsequently removed and disposed of by the enforcement officer.

25. When an infectious disease occurs in any place, the occupants will comply with any directions given by an enforcement officer with regard to the disposal of refuse and sewage.

26. When there is an outbreak of an infectious disease, an administrative officer may, if requested by the medical officer of health, require the chairman of any Council within the jurisdiction to make an order for the erection of temporary huts, mortuaries and similar buildings as may be necessary.

PART 2**Sanitation, etc.**

27. All plans for public toilets, urinals, dustbins, manure, human waste depots and the sites must be approved by the enforcement officer before construction is commenced.

28. The enforcement officer will give instructions for the sanitary maintenance of all public toilets, urinals, dustbins and manure and human waste depots.

30. The enforcement officer will advise the Council on the measures to be taken with regards to scavenging, removal and disposal of all human waste depots, other refuse and the cleaning of streets.

31. Occupiers of all premises will provide covered receptacles for rubbish, the number, size and structure of such receptacles will be approved by the enforcement officer.

32. Every occupier will collect all refuse on the occupier premises and deposit it in the approved receptacle.

33. The occupiers of premises must daily remove all refuse from the receptacles and dispose of it in such a way and at such place as the enforcement officer will approve.

34. A plan, section or specification showing the arrangements for the sanitation or ventilation of any new building will not be passed by the statutory authorities regulating physical planning until the medical officer of health has had an opportunity of examining the same and stating any objections which may have to any such proposed arrangements.

35. Where the statutory authorities regulating physical planning does not agree to the alteration or amendment of such plans or sections as advised by the medical officer of health, they may pass the plan or section concerned only with the approval of the Commissioner.

36. The medical officer of health will, when necessary, prescribe the maximum number of persons that may occupy any given room or premises.

37. A room used exclusively or partially as a dwelling room will be deemed to be overcrowded when the vacant floor space available for each adult is less than 4.6452m^2 , or the cubic capacity less than 11.3268m^3 of free air; two (2) children under ten (10) years of age counting as one adult.

38. For areas in which building rules or by-laws have been or are in operation, a person must not use or permit to be used as a dwelling-house or sleeping place any building or part of a building approved under the said rules or by-laws for non-residential purposes only except with the written permission of a medical officer of health.

39. The enforcement officer will inspect all factories, workshops, breweries, and all places of public instruction, recreation or assembly, as may deem necessary for the purpose of their sanitary maintenance, and will ascertain that—

- (a) all doors open outwards;
 - (b) the drainage is effective and adequate;
 - (c) the minimum free air space per head is 8.6m^3 ; but the local authority will have power, in any case, to raise this minimum on the recommendation of the medical officer of health;
 - (d) there is a sufficiency of sanitary conveniences of the approved type, with separate accommodation for females;
 - (e) the water supply is wholesome and sufficient;
 - (f) the ventilation is adequate; and
 - (g) the disposal of waste products is satisfactory.
40. (1) All bakeries, dairies, water factories, eating-houses, food preserving and food preparing establishments must be registered annually in the office of the Council by the proprietor or owner of such businesses.
- (2) A council will not register such premises under this rule until the premises has been inspected and approved by the enforcement officer.
- (3) Any such premises, which are not re-registered in the month of January in each year, will be deemed to be unregistered premises.

41. All bakeries, dairies or water factories must be paved or concreted, and drained to the satisfaction of the enforcement officer. The area of such premises must not be less than 18.5806m^2 .

42. All bakeries, dairies and water factories must be lime-washed inside throughout once every six (6) months, or thoroughly cleaned periodically to the satisfaction of the enforcement officer.

43. Animals or birds will not be allowed on premises used as bakeries, dairies or water factories, and all such premises will be made fly-proof to the satisfaction of the enforcement officer.

44. The sanitary arrangements and conveniences on all premises mentioned in rule 41 must be to the satisfaction of the enforcement officer.

45. Water must not be used on any of the premises mentioned in rule 41 except that obtained from a source approved by the enforcement officer.

46. All flour, foodstuffs and water used, must be kept adequately covered and all pans, moulds and other utensils must be maintained and kept clean to the satisfaction of the enforcement officer.

47. The owners or occupiers of premises mentioned in rule 41 must take measures to keep down vermin, to the satisfaction of the enforcement officer.

48. The enforcement officer may prohibit any person suffering from any disease from entering or remaining on any of the premises mentioned in rule 41, if deemed necessary for sanitary reasons.

49. If the enforcement officer believes that any premises used for the purposes mentioned in rule 41 should, in the interest of the public health, be closed, the medical officer may by notice in writing prohibit the proprietor or occupier from using such premises for any such purposes until such time as such prohibition will be withdrawn.

Laundries and Wash-houses

50. Each user of a public laundry or wash-house will be responsible for the cleanliness, both during and after use, of the portion of platform occupied and for that of the adjoining unoccupied area to a distance of 3.658m².

51. Water barrels after each day's use will be inverted and left in that position until used again.

52. Refuse or solid material will not be thrown into the drains.

53. Each user of a public laundry or wash-house will be responsible for keeping clear of obstruction that portion of any drain adjoining his part of the washing platform.

54. In private laundries or wash-houses, the occupier will ensure that the general cleanliness and drainage conforms to the requirements of the enforcement officer.

PART 3

Animals

55. The Council may by public notice prohibit the bringing into, or keeping within the state, of any animal or bird.

56. The site, structure, drainage and cleanliness of all stables, sheds, or areas assigned for the keeping of any animals within the state will conform to the requirements of the enforcement officer.

57. The site, plan and construction of any stable or shed and any area assigned for keeping horses and cattle in the state must be submitted to the medical officer of health for approval, before construction is commenced.

58. The minimum floor space in a stable or shed for each horse must be 6.6890m²; and for each head of cattle, 4.4593m².

59. The floor surface of each stable or shed must be laid to a fall of 1 inch in 50 and built up so that any portion of the floor space must not be less than 50.8mm above the ground level of the surrounding open space and must be so constructed that it will be drained to the satisfaction of the medical officer of health into a slum, catch pit or other place set apart for such purpose.

60. All dung, litter and refuse from stables and sheds must be disposed off to the satisfaction of the enforcement officer.

61. A medical officer of health may prescribe the number of animals that can be kept on any premises and must not exceed the number so prescribed.

62. The following diseases will constitute infectious or communicable diseases in animals—

- (a) rinderpest or cattle epidemic;
- (b) contagious pleuro-pneumonia of cattle;
- (c) foot and mouth disease;
- (d) swine fever;
- (e) epizootic lymphangitis;
- (f) anthrax;
- (g) glanders and farcy;
- (h) scabies;
- (i) tuberculosis;
- (j) ebola virus;
- (k) brucella and brucellosis; and
- (l) any other infectious or communicable disease which the Commissioner for health may by notice in the State *Gazette* declares as such.

63. When an animal is suffering from an infectious or communicable disease, whether the animal has died or been slaughtered, or a carcass has been found on examination to be infected with such disease, the place occupied by such animal when ill or when it died or any place where the animal was slaughtered or any place the carcass was found, must be immediately disinfected, by and at the expense of the owner or occupier of such place, to the satisfaction of the health officer, and the owner of the infected animal or the owner of the place which such animal occupied and the person, if any, who slaughtered the animal will each be bound to inform the health officer if they are aware of the presence of such disease.

64. Disinfection of the infected stable, shed or place will be carried out as follows—

- (a) in the case of a temporary grass hut, the hut will be burnt;
- (b) in the case of a permanent building, the walls and floor will be scraped and all scrapings will be burnt, and when possible the ceilings, walls and floors will be painted with a strong solution of chloride of lime and thereafter with a five (5) per cent solution of carbolic acid or other strong disinfectant;
- (c) all ropes, straw, dung and litter will be burnt;
- (d) all butcher's implements and outfit, utensils and stable gear or fixtures will be disinfected with a strong solution of carbolic acid , or other disinfectant.

65. (1) The carcass of an animal infected with glanders or farcy will be burnt.
- (2) In the case of anthrax the carcass will be buried immediately and as close as possible to the place where the animal died or was killed, at a depth of six (6) feet, with, when possible, layers of lime one (1) foot below and one (1) foot above the carcass; all the natural orifices of the body will be plugged.
 - (3) In the case of rinderpest the whole carcass, and in the case of pleuropneumonia or tuberculosis the diseased organs or part will be buried.
 - (4) In all cases the owner of the carcass will be liable to pay the expense of the disposal of the carcass.

66. All enclosures, fields or areas occupied by infected animals and all places where infected animals have been buried shall be fenced by the owner and any animal will not be permitted to occupy the same for a period of two (2) months.

PART 4**General Proceedings**

67. It will be the duty of all enforcement officers to make periodic inspections of their districts, with a view to ascertaining what nuisance exist which call for abatement under the powers of this Law, and to carry out the provisions of the Law for the purpose of abating the same, and otherwise to enforce the powers vested in them relating to public health.

68. A person must not make any borrow-pit or excavation for building or other purposes in the state without the approval of the enforcement officer which must be obtained through the Council. The enforcement officer will, give approval, fix a suitable place for such borrow-pits and excavations and give instructions for filling in or efficiently draining the same.

69. Any person who commits a breach or fails to comply with any of the provisions of these rules, or of any directions, instructions or prohibitions of an enforcement officer given under any of these regulations commits an offence and is liable on conviction to a fine of Fifty Thousand Naira (₦50,000.00) or any non-custodial sentence.

FORM A

The Public Health Law

**REGISTRATION OF BAKERIES, DAIRIES, AERATED WATER
MANUFACTORIES, EATING-HOUSES, FOOD PRESERVING AND
FOOD PREPARING HOUSES**

The premises described below and in the control of
is licensed as a private..... from theday of ,
20 to..... day of , 20
Date this..... day of , 20
Fees Paid, N

.....
Council

THE LAGOS PUBLIC HEALTH BYE-LAWS

[F. & L. 1958, IX. 2002]

made under section 53 and section 50

- 1. These by-laws may be cited as the Lagos Public Health bye-laws.

Wells

2. A person must not dig any new well within a radius of one hundred (100) yards from any water main or street fountain or a public water supply.

3. A person must not dig any new well outside such radius until the health officer will have approved of the position of such well, which must also be rendered mosquito proof.

4. Any existing well within such radius which the health officer will certify to be in such a condition as to be injurious or likely to become injurious to health may be filled in by the Council.

-
5. (1) All existing wells not rendered mosquito proof to the satisfaction of the health officer must be filled in by the owners.
 - (2) If the owner of any such well cannot be found, the Lagos Island Local Government Council may cause the well to be filled in after thirty (30) days from the date of posting a written notice of their intention to do so on the premises on which such well is situated.
 6. (1) A mosquito-proof cover provided for any well will not be removed at any time except when water is being drawn from the well.
 - (2) For any infringement of this by-law the occupier of the premises on which the well is situated will be held responsible.
 7. Bye-laws 2–6 inclusive will not apply to any temporary well constructed for the purpose of obtaining water required for the erection of any building provided that—
 - (a) the divisional engineer, Lagos, of the Public Works Department, certifies to the medical officer of health that it is undesirable to install a pipe-borne water supply to the building site; and
 - (b) the medical officer of health is satisfied that it is unnecessary for the provisions of bye-laws 2–6 inclusive to be applied.

THE LAGOS PUBLIC HEALTH (MEAT) BYE-LAWS

[F. & L. 1958, IX, 2006, L.S.L.N. 19 of 1972]

made under Section 53

1. These bye-laws may be cited as the Lagos Public Health (Meat) Bye-laws.

2. Definitions

In these Bye-laws—

“approved butcher’s shop” means premises approved by virtue of the provisions of bye-law 15;

“council” means the Lagos Island Local Government Council;

“lairage” means any enclosed premises designed and used for the keeping of animals immediately prior to slaughter;

3. Sale of meat

Meat must not be exposed for sale except in a public market or in an approved butcher's shop.

4. Butchers' shops

- (1) Subject to the provisions of this by-law the council may approve for the sale of meat any premises which it considers suitable for the purpose and, on the approval of such premises, a permit will be issued by the enforcement officer to the person intending to carry on the business of a butcher therein.
- (2) A premises must not be approved unless every room in it in which meat is to be kept and the fittings and appliances in such room comply with the following conditions—
 - (a) the room will have a floor area of One Hundred (100) square feet at least and an average minimum height of ten (10) feet;
 - (b) the floor of the room will be of concrete and the walls surfaced with glazed tiles or other approved material to a height of not less than eight (8) feet and all corners of walls will be rounded in such a manner as, in the opinion of the enforcement officer, will facilitate the removal of dirt;
 - (c) a pipe-borne water supply will be installed together with a suitable drainage system, the whole so arranged that, in the opinion of the enforcement officer, the cleansing of all parts of the room and its fittings by swilling with water from a hose is facilitated;
 - (d) the room will not connect directly with any living quarters;
 - (e) the tables and counters will have tops of impervious material.
- (3) A premises will not be approved unless the door used by customers is fitted with a glass window so placed as to enable the interior of the room in which the meat is sold to be inspected at any time from the outside.
- (4) The council may order the endorsement on any permit issued under this by-law of any conditions it may deem fit to impose including inter alia conditions relating to the use of scales, cold storage plant, the painting and whitewashing of the premises and the hours during which meat may be sold.

5. Protection from flies

When the enforcement officer considers it is in the interests of public health so to do he may require that any meat exposed for sale will be protected from flies by the use of fly-proof storage facilities or coverings which will be provided by the vendor, and such vendors will comply with such instructions relating to it as may be given by the enforcement officer.

6. Handling of meat

Every person engaged in handling meat intended for sale to the public in a public market or in an approved butcher's shop will—

- (a) wear a clean and washable head covering and overall made of white or khaki material;
- (b) not permit any part of the meat to come into contact with the ground; and
- (c) take all such other precautions as may be necessary to prevent any flies and dirt from getting on to the meat.

7. Inspection by health officer

The enforcement officer may inspect all vehicles and canoes used for the conveyance of meat and the clothing worn by persons handling meat, and such directions given for ensuring the cleanliness of it shall be complied with.

8. Penalties

Any person who contravenes or fails to comply with any of the provisions of these by-laws or any condition of any licence or permit or any order or direction given by the enforcement officer commits an offence and is liable on conviction to a fine of Fifteen Thousand Naira (₦15,000.00) or to imprisonment for six (6) months or both.

THE LAGOS (PUBLIC CONVENIENCES) BYE-LAWS

[F. & L. 1958, IX, 2012]

made under section 53

1. These bye-laws may be cited as the Lagos (Public Conveniences) Bye-laws and will apply to the City of Lagos.

2. A person must not void any excrement or urine on the floor of any public convenience or on any other portion of the convenience other than into the receptacles furnished for that purpose.

3. A person must not wash any linen, clothes, or other such articles, or any pots, pans, or domestic utensils, or any animals in any public convenience.

4. A person must not drop or place into the pans, gullies, or other openings into the drains in or of any public latrine any materials such as bricks, tins, sticks, corn-cobs, and rags, which such drains are not intended to receive, or which may cause blockage in the pans, drains or tanks.

5. A person without the authority of the council must not damage, remove, block up, or in any way alter the fixing position or arrangement of any pan, pipe, valve, tank, or any other fitting or appliance in any public convenience or shall wilfully destroy, deface or damage any wall, floor, roof or any part of the structure of such convenience.

6. A person without the authority of the council must not enter any part of any public convenience set apart for the use of persons of the opposite sex or any public convenience or part of it which may for the time being be closed or barred from use.

7. A person must not wilfully molest, obstruct or interfere with any attendant, watcher or custodian of any public convenience whilst in the execution of his duties, nor disobey the legitimate order of any such attendant, watcher or custodian.

8. A person must not frequent or remain in any public convenience except for the purpose for which such convenience has been provided.

9. A person suffering from any infectious disease must not enter a public convenience.

10. A person must not expose any fire or naked light whilst inside any public convenience.

11. Any person who contravenes any of the provisions of these bye-laws commits an offence and is liable on conviction to a penalty not exceeding Fifteen Thousand Naira (₦15,000.00).

**THE FOODSTUFFS AND REGULATED
PREMISES ADOPTIVE BYE-LAWS**

[W.R.L.N. 356 of 1957]

<i>made by</i>	
<i>Council</i>	<i>Instrument</i>
Epe Local Government Council	W.R.L.N.218 of 1959
Ikeja Local Government Council	W.N.L.N. 53 of 1961
	L.S.L.N. 14 of 1970
Mushin Local Government Council	W.R.L.N. 468 of 1958
	W.N.L.N. 128 of 1961

PART 1

Preliminary

1. Citation

These bye-laws may be cited as the Foodstuffs and Regulated Premises Adoptive Bye-laws.

2. Interpretation

In these bye-laws—

“**aerated water factory**” means any premises in which aerated and mineral waters, and fruit drinks other than imported ones are prepared and stored for sale;

“**bakehouse**” means any premises set apart or intended for the preparation or baking of bread and similar foodstuffs for sale;

“**corn-mill**” means any premises set apart or intended for the preparation of flour and similar food for sale;

“**the council**” means the council which has adopted these bye-laws;

“**dairy**” means any premises in which milk other than imported preserved milk is produced or kept for sale;

“**eating house**” means any premises where food is sold for human consumption on the premises;

“food preparing and food preserving establishment” means any premises where foodstuffs are prepared or preserved or exposed for sale for human consumption off the premises;

“enforcement officer” means a enforcement officer having authority in the area of the council in accordance with Section 2 of the Public Health Law;

“regulated premises” includes bakehouses, corn-mills, rice-mills, aerated water factories, dairies, eating houses and food-preparing and food-preserving establishments;

“rice-mill” means any premises set apart for the cleaning and preparation of rice for sale.

3. Foodstuffs for sale to be kept in containers

A person must not display or offer for sale to the public in any or at any market, regulated premises or any other public place—

[First Schedule.]

- (a) any of the foodstuffs specified in the first column of the First Schedule to these by-laws, unless these foodstuffs are suitably protected from contamination and kept in any one of the appropriate containers specified in the second column of the First Schedule opposite the particular foodstuffs;
- (b) any aerated or other mineral water unless the aerated or other mineral water is retained in the container in which the manufacturer has produced it.

4. Containers to be kept clean

All cooking pots, calabashes, bottles, trays or other receptacles and all utensils used in or for the preparation, display or offering for sale of any foodstuffs, whether used in regulated premises or otherwise will be kept in a clean and sanitary condition; and all coverings of any kind used for protecting such foodstuffs shall be kept reasonably clean.

5. Licensing of regulated premises

(1) The proprietor or occupier of any regulated premises who desires to carry on business on those premises will obtain a licence in respect of it from the council before the regulated premises are put into use.

(2) The council will not grant a licence in respect of any regulated premises unless the premises comply with the provisions of these bye-laws and the enforcement officer has inspected and approved the same.

(3) There will be paid in respect of each licence the appropriate fee set out in the Second Schedule:

[Second Schedule.]

Provided that where a baker uses machinery for baking, the licence fee in respect of the regulated premises in which the machinery is housed will be the appropriate fee set out in the Second Schedule.

(4) A licence granted by the council under these bye-laws will be in the form set out in the Third Schedule.

[Third Schedule.]

6. Renewal of licence

The licensing of all regulated premises will be renewed yearly, half-yearly or quarterly in the month of January, April, July or October and the fees and conditions of any such renewal will be the same as those specified in the case of an original licence under bye-law 5.

7. Situation and form of building

(1) A regulated premises will not disturb the use of other premises around it.

(2) The oven of any bake house will not be situated in the kneading room or the store room in which pans, flour and other foodstuffs are kept.

8. Dimensions

All regulated premises will have—

- (a) an area of not less than two hundred (200) square feet;
- (b) an average height of not less than ten (10) feet;
- (c) an average width of not less than ten (10) feet;
- (d) a smooth floor paved with not less than two (2) inches of concrete and drained to carry off all waste water.

9. Maintenance

The interior of all regulated premises shall be lime-washed at least once every twelve (12) months.

10. Premises not to be used as dwelling or for keeping animals

(1) A person must not sleep in any regulated premises or use the same in any manner as a dwelling house.

(2) An animal, bird or reptile will not be allowed or kept on any regulated premises.

11. Sanitary precautions on regulated premises

Every reasonable precaution will be taken by the proprietor or occupier of regulated premises—

- (a) to render the same fly-proof;
- (b) to keep down vermin;
- (c) to provide adequate means of escape to the open air from any exhaust fumes engendered by any machinery or engine in use on the regulated premises.

12. Water supply

All water used on any regulated premises will be obtained from a source approved by an enforcement officer.

13. Sanitary facilities

All regulated premises will have adequate sanitary toilet facilities approved by an enforcement officer.

14. Infected persons not to be employed

A person suffering from an infectious disease will not be employed on any regulated premises.

15. Permitted hours of corn-mill

A person will not use or permit a corn-mill to be used between the hours of 7.00pm and 6.00am.

16. Inspection

An enforcement officer will have the right to inspect any regulated premises at all reasonable times.

17. Revocation of licence

Where any proprietor or occupier of any regulated premises has been prosecuted to conviction for a second or subsequent offence against these by-laws, the council may, if it considers it necessary in the interest of public health, revoke the licence under which the regulated premises are in use.

18. Penalties

Any person who contravenes or fails to comply with any of the provisions of these bye-laws commits an offence and is liable on conviction to a fine not exceeding Twenty Five Thousand Naira (₦25,000.00) or in default of payment, to imprisonment not exceeding three (3) months.

19. Variation of Schedules

The Schedules to these by-laws may be varied by a resolution of the council to be published in the State Gazette.

FIRST SCHEDULE

Bye-law 3

<i>Various Foodstuffs</i>	<i>Container and Covering</i>
(1) Akara (all varieties) ojojo, mosa or masa (all varieties), moyinmoyin, abala, idele, igbalao, abodo, boiled or roasted maize (all varieties), boiled or fried plantain (all varieties), roasted or boiled or fried yam, cocoyam, sweet potatoes, puff-puff, boiled, fried or roasted meat, fish or poultry, peeled and/or sliced fruits, chinchin (pastry), adun, fura (all varieties), ogi (all varieties), milgao, bread, rice, bread-cakes, (all varieties), buns, gurudi, biscuits (all varieties), sugar, sliced coconut or coconut-cake, ground nut cake, shelled, boiled, or roasted groundnuts, tuo, stews, and soups (all varieties).	To be kept in a calabash bowl, dish or similar container fitted with a close-fitting lid or cover in basket or trays (metal or wooden) covered by a white cloth.

(2) All varieties of stews or soups and all other foodstuffs referred to in (1) above in the course of preparation for sale by cooking.	To be prepared in earthenware or metal cooking pots fitted with a suitable close-fitting lid or cover.
(3) Sugar, sweet meats and other sugar products.	To be kept in covered glass jars or containers.

SECOND SCHEDULE

Bye-law 5

<i>Type of Regulated Premises</i>	<i>Fees</i>
	₦k
Aerated Water factory and Bakehouse	₦5,000.00 yearly
	₦2,500.00 half-yearly
	₦1,500.00 quarterly
Other regulated premises	₦2,500.00 yearly
	₦1,500.00 half-yearly
	₦1,000.00 quarterly
Bakehouse with baking machinery installed	₦10,000.00 yearly
	₦5,000.00 half-yearly
	₦3,000.00 quarterly

THIRD SCHEDULE

Bye-law 5

LICENCE

THECOUNCIL

THE FOODSTUFFS AND REGULATED PREMISES ADOPTIVE BY-LAWS

Licence No. 20

The premises situate at No.

Street, are hereby licensed as regulated

premises in accordance with the provisions of the Foodstuffs and Regulated Premises Adoptive By-laws.

Proprietor's or Occupier's Name

Address.

This licence expires on the 31st December, 20

Ch.P16

Public Health Law

DATED this day of, 20

.....

Secretary

..... Council

LEPROSY REGULATIONS

ARRANGEMENT OF SECTIONS

SECTION

1. Establishment of asylums.
2. Establishment of settlements.
3. General supervision.
4. Appointment of officers.
5. Prohibition of certain callings to lepers.
6. Leper entering public conveyance, offence.
7. Detention of leper after inquiry.
8. Isolation in lieu of removal.
9. Compulsory notification of suspected leper.
10. Detention of leper by direction of State Commissioner.
11. Detention of leper upon his own application.
12. Removal of lepers from one asylum to another.
13. Power of a State commissioner to discharge persons detained as lepers.
14. Detention and capture of escaped lepers.
15. Proof of leprosy.
16. Voluntarily or negligently suffering leper to escape.
17. Aiding escape of leper.
18. Resisting apprehension of leper.
19. Prohibition of dealings with inmates of asylum.
20. Detention of vagrant leper.
21. Power of the Commissioner.
22. Jurisdiction.
23. Recovery of costs of maintenance of leper.
24. Powers of magistrate at inquiries.
25. Interpretation
26. Citation.

**IN EXERCISE OF THE POWERS CONFERRED BY SECTION 43
OF THE PUBLIC HEALTH LAW, AND ALL OTHER POWERS
ENABLING IN THAT BEHALF, THE COMMISSIONER FOR
HEALTH IN LAGOS STATE, MAKES THE FOLLOWING
REGULATIONS**

1. Establishment of asylums

The Commissioner may establish asylums and settlements at such places as deemed proper, and may declare any place used for the treatment and segregation of lepers to be an asylum or settlement within the meaning of this regulation.

[L.N. 257 of 1959.]

2. Establishment of settlements

The Commissioner may direct native communities in the State to establish settlements at such places as deemed proper for their respective lepers.

3. General supervision

Every asylum and settlement must be under the general control and supervision of the enforcement officer or any person duly authorised for that purpose.

4. Appointment of officers

There may be appointed persons to be in charge of each asylum and settlement and also such other officers as necessary for their management.

[L.N. 112 of 1964.]

5. Prohibition of certain callings to lepers

(1) Any leper who carries on any of the trades or callings enumerated in the Schedule and any person who knowingly employs a leper to carry on any such trade or calling commits an offence and is liable on conviction to a fine of One Hundred Thousand Naira (₦100,000.00) or to imprisonment for six (6) months.

(2) The Commissioner may by order declare that the provisions of subsection (1) will apply to any trade or calling not specified in the Schedule or that the provisions of subsection (1) must cease to apply to any trade or calling specified in the Schedule, or may by order make exceptions, qualifications, and condition relating to any trade or calling to which the provisions of this regulation apply, and the Schedule will be read and construed subject to any such order.

[L.N. 257 of 1959.]

6. Leper entering public conveyance, offence

(1) Any leper who enters any public conveyance, or lodge in public lodging house, or bathe in a public bath or in any pool used by the public as a bathing place commits an offence and is liable on conviction to a fine of One Hundred Thousand Naira (₦100,000.00).

(2) Any person in charge of a public conveyance, public lodging house, bath or pool who knowingly permits a leper to enter into, lodge or bathe as mentioned in subsection (1) commits an offence and is liable on conviction to a fine of One Hundred Thousand Naira (₦100,000.00) or to imprisonment for six (6) months.

7. Detention of leper after inquiry

- (1) A leper must not reside or be within any community unless the leper—
- (a) is in an asylum or settlement; or
 - (b) is otherwise isolated to the satisfaction of the enforcement officer.
- (2) (a) When an enforcement officer reasonably suspects and certifies that a person is a leper, an enforcement officer may detain such person in an asylum or settlement until discharged by the Commissioner under the provisions of regulation 13.
- (b) The person or native community bound by customary law to maintain the leper will pay every month during the detention of the leper, the sum for his maintenance as prescribed by the asylum or settlement, having regard to the circumstances of the case.

[L.N. 257 of 1959.L.N. 112 of 1964.]

8. Isolation in lieu of removal

The removal or detention of any leper under this regulation will be suspended if the leper can provide an effective isolation in his place of abode to the satisfaction of the enforcement officer and will observe such rules as the enforcement officer with the consent of the Commissioner may prescribe in order to secure such isolation.

[L.N. 257 of 1959.]

9. Compulsory notification of suspected leper

Every person residing in a house used for human habitation who knows or has reason to suspect that any occupier is a leper, and every person who knows or reasonably suspects that a person employed by him is a leper will give notice to the nearest enforcement officer failure of the person commits an offence and is liable on conviction to a fine of One Hundred Thousand Naira (₦100,000.00).

10. Detention of leper by direction of Commissioner

Whenever it appears to the Commissioner that a person alleged to be a leper is a source of danger to the public health, the Commissioner may direct any enforcement officer having regard to his condition, to inspect his mode of living and all the circumstances of the case and whether his detention in an asylum or settlement is necessary for the preservation of the public health, and if confirmed the leper will be detained in an asylum or settlement until discharged by the Commissioner under the provisions of regulation 13.

[L.N. 257 of 1959.]

11. Detention of leper upon his own application

Any leper desirous of being admitted into an asylum or settlement may make application to the nearest asylum or settlement.

[L.N. 257 of 1959.]

12. Transfer of lepers from one asylum to another

The Commissioner may in writing direct the transfer of any leper from any asylum or settlement to another and such direction will be sufficient authority for the removal of the leper and also for the reception into the other asylum or settlement.

[L.N. 257 of 1959.]

13. Power of Commissioner to discharge persons detained as lepers

The Commissioner may in writing direct the discharge from any asylum or settlement in the State of any person detained as a leper under the provisions of this regulation when an enforcement officer certifies in writing that any person detained is cured of the leprosy.

[L.N. 257 of 1959.]

14. Detention and capture of escaped lepers

Every person received into an asylum or settlement under the provisions of this regulation may be detained until removed or discharged, and in case of escape, may be captured by any person, and conveyed and detained in the asylum or settlement.

15. Proof of leprosy

An alleged leper must not be convicted of an offence under this regulation but must be committed to an asylum or settlement under the provisions of this regulation, and no costs must be recovered with respect to the detention of an alleged leper, except on the certificate of a qualified medical practitioner, which must be accepted as prima facie evidence in all courts without proof of signature or other thing, that the alleged leper is a leper.

16. Voluntarily or negligently suffering leper to escape

Any person who, having the custody of a leper detained in an asylum or settlement, either by act or omission allows such leper to escape from detention commits an offence and is liable to a fine of One Hundred Thousand Naira (₦100,000.00) or to imprisonment for six (6) months.

17. Aiding escape of leper

Any person who knowingly assists a leper to escape from lawful detention or rescues or attempts to rescue or harbours or conceals any leper who has escaped from lawful detention or attempts to offer any resistance to the recapture of such leper commits an offence and is liable to a fine of Two Hundred Thousand Naira (₦200,000.00) or to imprisonment for one (1) year.

18. Resisting apprehension of leper

Any person who resists or attempts to resist any person lawfully apprehending under the provisions of this regulation any person alleged to be a leper commits an offence and is liable to a fine of Fifty Thousand Naira (₦50,000.00) or to three (3) months imprisonment.

19. Prohibition of dealings with inmates of asylum

Any person who, without the consent of the officer in charge of an asylum or settlement or contrary to any provision of this regulation, conveys or attempts to convey or permits or suffers to be conveyed out of an asylum or settlement or purchases or accepts from an occupant of an asylum or settlement any liquor, food, clothing or other article, commits an offence and is liable to a fine of Fifty Thousand Naira (₦50,000.00) or to three (3) months imprisonment.

20. Detention of vagrant leper

A leper convicted of an offence under this regulation may be committed by a magistrate by warrant to an asylum or settlement to be detained there until discharged by the Commissioner under the provisions of regulation 13.

[L.N. 257 of 1959.]

21. Power of the Commissioner

The Commissioner has power with respect to the following matters—

[Schedule 2; L.N. 112 of 1964.]

- (a) the forms of certificates, warrants and orders to be used under this regulation;
- (b) the management, inspection and control of asylums and settlements; the visiting of lepers in asylums and settlements by their relations and friends and the communication of lepers with persons outside;
- (c) the visiting of asylums and settlements by visitors appointed by the Commissioner;

[L.N. 257 of 1959.]

- (d) relating to lepers who provide suitable accommodation and live in a manner satisfactory to the medical officer of the district outside asylums and settlements;
- (e) the fees to be charged for the maintenance of lepers in asylums and settlements; and
- (g) generally for the purposes of this regulation.

22. Jurisdiction

Every offence under this regulation may, where the offender is a person subject to the jurisdiction of a magistrate court, be tried and determined by a magistrate court.

[L.N. 112 of 1964.]

23. Recovery of costs of maintenance of leper

(1) All sums due to the Government or to a council under the provisions of this regulation for the maintenance of a leper detained in an asylum or settlement are recoverable as a debt at the suit of the officer in charge of the asylum or settlement or of any prescribed officer.

(2) A certificate signed by the officer in charge stating the amount of any sum due to the Government or council may, without proof of the signature or any other matter or thing, be deemed prima facie evidence in all courts in Nigeria that the sum specified is due to the Government or council.

(3) When a leper detained in an asylum or settlement is a native of Nigeria, any community bound by customary law to support such leper must pay to the Government or to the council such sum for maintenance of the leper as may be prescribed.

[L.N. 112 of 1964.]

(4) The head of the community may be sued for any sum due for the maintenance of the leper and must be deemed to be personally liable, but will have the right to recover the amounts from the members of the community as the court may direct in satisfaction of the whole or part of any sum paid by the member of the community under any judgment of the court in respect of such maintenance.

24. Powers of magistrate at inquiries

For the purpose of any inquiry under this regulation every magistrate will have the same powers of summoning and examining witnesses, enforcing their attendance, administering oaths, taking affirmations and issuing and serving process.

25. Interpretation

In these Regulations, unless the context otherwise requires—

“**asylum**” means a place established by Government for the temporary or permanent detention of lepers;

“**council**” means local government council and local council development areas;

“**leper**” means any person suffering from any kind of leprosy, and including any person lawfully detained as a leper;

“**native community**” includes house, family, town, village and quarter of a town or village;

“**settlement**” means a suitable number of native dwellings established and supported by Government or by a native community for the isolation and detention of lepers.

26. Citation

This Law may be cited as the Leprosy Regulations.

SCHEDULE 1

(Under Reg.5)

TRADES OR CALLINGS PROHIBITED TO LEPERS

Baker;

Butcher;

Cook, or any trade or calling in which the person employed handles or comes in contact with articles of food or drink, drugs, medicines, or tobacco in any form;

Fishmonger;

Washer;

Bootmaker;

Tailor, or any trade or calling in which the person employed manufactures, handles, or comes in contact with wearing apparel or bedding;

Barber, or any other similar trade or calling in which the person employed necessarily comes in contact with other persons;

Domestic servant;

Nurse;

Dairyman, or any trade or calling in which the person employed comes in contact with cows or other animals kept for the purpose of furnishing milk.

SCHEDULE 2

(Under Reg.21)

MEDICAL OFFICER OF HEALTH IN CHARGE OF A LEPER, ASYLUM OR SETTLEMENT

1. The medical officer of health of the council in which any asylum or settlement is situated, or a medical officer of health specially appointed for the purpose, will have the general management and be responsible to the Commissioner for the professional care of the patients and other relevant enforcement officers will be responsible for the discipline, cleanliness and good order of the asylum or settlement; and subject to the provisions of

this regulation, all officers and servants attached to, or employed in connection with, an asylum or settlement will be bound to obey directions from the relevant enforcement officer.

2. In the case of an asylum the medical officer of health will visit it at least once daily between the hours of 7am and 4pm, and in the case of settlements as often as circumstances permit. Every visit will be recorded in a book to be kept for the purpose at each asylum or settlement.

3. The medical officer of health will report immediately to the Commissioner in the case of asylums and to the Officer in the case of settlements, any serious irregularities in the conduct of any officer or servant or any unusual occurrence of interest or importance.

ATTENDANTS AND OTHER STAFF

4. Attendants and other staff for asylums will be appointed by the Commissioner and for settlements by the Officer.

5. The chief attendant will carry out all instructions received from the enforcement officer in charge; and will be responsible to the enforcement office in charge for the cleanliness of the buildings, latrines and compound; and for preservation of discipline and order.

6. An attendant or staff must not, in any circumstances, take any money or other present from a patient or friend of a patient under treatment.

HOME-LIFE OF MARRIED LEPERS

7. Husband and wife being lepers, and patients of an asylum or settlement will be permitted to live together in "home-life" as far as possible if they so desire.

SEGREGATION OF LEPER PARENTS FROM NON-LEPROUS CHILDREN

8. If a leper, having non-leprous children, is admitted into an asylum or settlement the children will not be admitted, except occasionally as visitors after their conditions have been observed for some years.

LEPERS IN PROCLAIMED DISTRICT

9. Every leper in a proclaimed district who is permitted to live outside an asylum or settlement—

- (a) will be registered in a register to be kept by the medical officer of health in charge of such local government;

- (b) will receive a permit from the medical officer of health, valid for three (3) months, which may be cancelled if effective isolation is not to the satisfaction of the medical officer of health;
- (c) will avoid coming into direct contact with any other person and not expose the leprosy to public view;
- (d) will see that his clothes are washed separately from those of other persons, and within the precincts of his residence;
- (e) will use no other utensils but his own for cooking, eating, drinking or washing;
- (f) will destroy by fire all dressings for ulcers that have been used by him.

FEES

10. Fees at the rate of Two Thousand Naira (₦2,000.00) a day may be charged for the maintenance of a leper detained in an asylum or settlement.

11. The magistrate when committing a leper to an asylum or settlement under the powers conferred by regulations 7 or 10 of the Regulations will ascertain and set out in the warrant the person or community who or which by customary law is bound to support such leper and will (subject to the power conferred to vary in any special case the fees to be paid in respect of a leper committed under regulation 7) direct that such person or community after the prescribed fee in regulation 10 monthly and in advance.

12. The fees to be paid for the maintenance of a leper will be paid to the nearest local treasury or to the officer in charge of the asylum or settlement who will give a receipt for every such payment and pay the moneys received in the case of an asylum or settlement established by the Government into the nearest local treasury, and in other cases to the person authorised to receive the same on behalf of the council or community.

FORMS

13. The forms set out in the Schedule may be used with such variations or additions as the circumstances may require.

[Schedule.]

- 14. (1) The officer in charge of an asylum or settlement will be responsible for the filing or safe custody of all warrants under which lepers are committed to the asylum or settlement.
- (2) The medical officer of health must keep a register in the Form B in the Schedule and enter or cause to be entered the particulars required to be

registered in respect of every leper as soon as possible after admission and will record in the remarks column the discharge, removal or death of the leper and the date.

SCHEDULE 3

FORM A

[Reg. 15; Para. 13 and 14 (2)]

Medical Certificate

THE LEPROSY LAW

I, A.B, a duly qualified practitioner hereby certify that I, on the day of at in the district of personally examined C.D of and I hereby certify that the said C.D is suffering from leprosy.

Dated this day of 20 at

.....

Signature of qualified medical practitioner

FORM B

[Reg.7]

Warrant Committing a leper to an Asylum or Settlement

THE LEPROSY LAW

In the Court of district of

1. Whereas on the day of 20 I, A.B a magistrate of the district of having reason to believe that C.D of being then at in a proclaimed district was a leper who was not isolated to the satisfaction of the medical officer did hold an inquiry in the matter; and whereas I am satisfied that the said C.D is a leper and is not isolated to the satisfaction of the medical officer, I the said Magistrate do hereby order that the said C.D be taken to. (set out the name of the asylum or settlement) and there detained subject to the provisions of the Leprosy Law.

2. AND WHEREAS after inquiry I have ascertained that (set out name of person or community) is by customary law bound to maintain the said C.D; I do hereby direct that the said (person or community) shall pay fees at the rate of a day for the maintenance of the said C.D in the said asylum (or settlement).

Dated this day of 20 at A.B.

.....
(Signature and title of Magistrate)

FORM C

[Reg.10]

Warrant Committing a Leper to an Asylum or Settlement

The Leprosy Law

1. **WHEREAS** on theday of 20, I, A.B, a magistrate of the district of Was directed by the State Commissioner to summon C.D of And to inquire whether the said C.D is a leper and whether his detention in an asylum or settlement is necessary for the preservation of the public health; and whereas I did summon the said C.D and did inquire into the matters aforesaid; and whereas the medical certificate hereto annexed of the fact that the said C,D is a leper has been given; and whereas I am satisfied that the said C.D is a leper and that his detention in an asylum or settlement is necessary for the preservation of the public health. I, the said Magistrate do hereby order that the said C.D shall be taken to

(set out the name of the Asylum or settlement) and there detained subject to the provisions of the Leprosy Law.

2. And whereas after inquiry I have ascertained that (set out name of person or community) is by customary law bound to maintain the said C.D; do hereby direct that the said

(person or community) shall pay fees at the rate of N100.00 a day for the maintenance of the said C.D, in the said asylum (or settlement)

Dated this Day of 20 at

.....A.B

(Signature and title of Magistrate)

FORM D

[Reg.11]

Warrant Committing a leper to an Asylum or Settlement

I, Whereas on theday of20
 A.B an alleged leper was brought before me C.D, a magistrate of the district
 of by E.F a medical certificate hereto annexed
 of the fact that the said A.B is a leper has been given; and whereas I am satisfied that
 the said A.B is a leper and that he desires to be admitted to an asylum or settlement
 to be there detained subject to the provisions of the Leprosy Law; and whereas provision
 has been made for his maintenance whilst so detained as follows
 (set out provision made).

I, the said Magistrate do hereby order that the said A.B. be taken to
 (set out the name of the Asylum or settlement) and there detained subject to the provisions
 of the Leprosy Law.

Dated this day of 20at

.....C.D

(Signature and Title of Magistrate)

FORM E

[Para.14]

Register of Inmates of the Leper Asylum (Settlement) at.

Name	Sex	Age	Tribe and place of residence of his family	Date of admission	Date of warrant and Court by which granted	Persons or community responsible for payment of fees	Remarks

PETS REGULATION

ARRANGEMENT OF SECTIONS

Part 1

Licensing of Pets

Section

1. Application of this Part
2. Person deemed to keep a Pet
3. Prohibition on keeping Pets without licence
4. Form of licence
5. Issue and return of badges
6. Register to be kept
7. Power to inspect licences
8. Power of authority to make orders

Part 2

Prevention of Disease and Diseased Areas

9. "Owner" defined
10. Duties of owner
11. Duties of authority
12. Power of authority to make rules
13. Power to make orders

Part 3

Seizure and Detention

14. Power to seize and detain
15. Place of detention and procedures

Part 4

Penalties and Court Proceedings

16. Penalties under Part 2
17. Penalties under Part 3
18. Special penalty regarding badges
19. Special powers of a court
20. Power to reward informer

Part 5

Miscellaneous

21. Disposal of fees and sums paid
22. Owner of pet liable for injury caused by the pet.
23. Interpretation
24. Citation

PETS REGULATION

IN EXERCISE OF THE POWERS CONFERRED BY SECTION 43 OF THE PUBLIC HEALTH LAW, AND ALL OTHER POWERS ENABLING IN THAT BEHALF, THE COMMISSIONER FOR HEALTH IN LAGOS STATE, MAKES THE FOLLOWING REGULATIONS

PART 1

Licensing of Pets

1. Application of the Part

The provisions of this Part of this regulation will apply to all the Local Governments and Local Council Development Areas (LCDAs) and to such other areas or places in the State as the Commissioner may, by order, direct. Any such order must be published in the State Gazette.

2. Person deemed to keep a pet

Every person in whose custody, charge or possession or in whose house or premises any pet be found or seen will be deemed for the purposes of this Part to keep such pet unless the contrary be proved.

3. Prohibition on keeping pets without licence

(a) Any person who keeps a pet over the age of six (6) months without a licence issued by the authority for the area, council or place in which the person resides authorising the person to keep such, commits an offence.

(b) Where a person who has obtained a licence in an area, council or place changes such residence for any area, council or place to which this Part applies, the person will obtain a fresh licence from the authority concerned at the end of that quarter of the current year, the payment shall be the proportion of the yearly fee equal to the proportion of the remaining part of that year to which the licence will be issued and the former licence will be deemed expired.

4. Form of licence Schedule

Licences will be in the form set out in the attached Schedule and will expire on the 31st day of December in the year in which they are issued.

5. Issue and return of badges

(1) The authority will issue, a suitable badge differing each year and bearing letters or numbers or other distinguishing marks to be secured to the collar or other harness of the pets in respect of which a licence has been issued.

(2) Badges issued under the provisions of subregulation (1) will be returned forthwith to the issuing authority by the person registered in accordance with the provisions of Regulation 7—

- (a) on the expiration of the licence; or
- (b) if the pet dies during the currency of the licence.

6. Register to be kept

(1) The authority will enter in a register to be kept for that purpose the name, address and occupation of the person keeping each pet in respect of which a licence is issued and also particulars of the letters or other distinguishing mark of the badge issued therefor.

(2) Where any person so registered transfers possession of such pet to another person, such other person will notify the authority concerned, giving the particulars set out in subregulation (1) and the register will be rectified accordingly in respect of the unexpired period for which the licence was issued.

7. Power to inspect licences

Licences must be produced for inspection on the demand of by the authority, a police officer or an enforcement officer.

8. Power of authority to make orders

The authority, with the approval of the Commissioner may, by order published in such manner as may be directed by the Commissioner—

- (a) fix the licence fee to be paid in respect of each pet included in a licence, either generally or in regard to any place within the jurisdiction of the authority or with regard to any class of pets and may vary the same;
- (b) alter the form of the licence set out in the Schedule;
- (c) place restrictions on pets when necessary;
- (d) provide for the muzzling of pets being in or on any place, other than private premises within the jurisdiction of the authority; and may attach to

the breach of any such order a fine of Twenty-Five Thousand Naira (₦25,000.00) and one hundred and sixty (160) hours of community service, or Twenty-Five Thousand Naira (₦25,000.00) and imprisonment for one (1) month.

PART 2

Prevention of Disease and Diseased Areas

9. “Owner” defined

For the purposes of Parts 4, 5 and 6 of this regulation the expression “owner” includes the person having charge or custody of pets.

10. Duties of owner

(1) The owner of a pet suspected to have contracted an infectious or communicable disease must securely confine the pet and give notice immediately to the authority.

(2) The owner of a pet must cause the same to be killed after a medical officer of health or a veterinary officer certifies that the pet has contracted an infectious or communicable disease.

11. Duties of authority

The authority receiving credible information of, or having reasonable grounds for suspecting the existence of disease, will cause the matter to be investigated, and for such purpose may cause any pets to be examined, and thereafter, on the advice of a medical officer of health or of a veterinary officer, may cause any diseased pets to be killed and any suspected pets to be killed or otherwise dealt with as may be considered necessary.

12. Power of authority to make rules

(1) The authority may, with the approval of the Commissioner, in case of an outbreak or expected outbreak of disease, or to guard against the possibility of such an outbreak within the jurisdiction of the authority, provide for—

- (a) the keeping of pets under control by the owner in such manner as may be prescribed in such rules and prohibiting or restricting the movement of any such pet;
- (b) the seizure, detention and disposal, including the destruction of pets not being kept under control in the manner prescribed in such rules;

- (c) the recovery by the authority from the owner of pets the expenses incurred in respect of the detention of any pet seized, detained and disposed of by virtue of such rules, and such rules will be notified in such manner as the authority may think fit.

(2) Rules made under subregulation (1) may provide that an owner or person having the custody, control or care of pets will ensure that such pets are inoculated against rabies and any other disease, and may provide for the production of a certificate of such inoculation before a licence may be issued in accordance with Part 1.

13. Power to make orders

- (1) The Commissioner may at any time, by order published in the *State Gazette*—
 - (a) declare any area to be a diseased area;
 - (b) extend, diminish or otherwise alter the limit of an area declared to be a diseased area;
 - (c) declare an area to be free from disease;
 - (d) prohibit the removal of pets from one area, district or place to any other area, district or place whether within or outside a diseased area;
 - (e) direct the destruction within any area, council or place, whether such area, council or place be within or outside a diseased area of any animal satisfactorily shown to be capable of carrying or otherwise spreading the disease;
 - (f) direct any authority to make rules in respect of all or any of the matters referred to in Regulation 12;
 - (g) in the event of the failure of any of the measures previously taken effectively to control the disease require the destruction of all pets within a diseased area.

(2) The Commissioner may delegate in writing all or any of the powers under subsection (1) to a medical officer of health or veterinary officer and on such delegation, such officer will have and exercise such powers and perform such duties subject to such conditions, exceptions and qualifications as may be contained in any such delegation: Provided that any such delegation will be revocable at will and no delegation will prevent the exercise of such powers by the Commissioner.

PART 3

Seizure and Detention

14. Power to seize and detain

A police officer or enforcement officer may seize and detain any pet found—

- (a) found in or on any place other than private premises without a badge secured in accordance with the provisions of Section 5 and valid in the area concerned;
- (b) found with a badge which has been issued in respect of another pet; and
- (c) with a badge having the appearance of a badge issued by any authority but not so issued.

15. Place of detention and procedure

(1) Every pet seized in accordance with the provisions of regulation 14 shall be detained in such place as may be appointed in that behalf by the authority, for a period of seven (7) clear days unless the owner or person registered under the provisions of regulation 6 claims the pets and pay all expenses incurred by reason of such detention within such period.

(2) In every case in which the owner of any pet so seized or the person registered as mentioned is known he shall be notified immediately of such seizure and the place of detention.

(3) On the expiry of the seven clear days provided for in subregulation (1) without any claim being made and expenses being paid in accordance with the provisions of that subsection, the authority may cause the pet to be sold or destroyed.

PART 4

Penalties and Court Proceedings

16. Penalties under Part 1

Any person who contravenes or fails to comply with the provisions of Part 1 of this regulation for which no special penalty is provided commits an offence and is liable on conviction to a fine of One Hundred Thousand Naira (₦100,000.00) or any non-custodial sentence provided by Law.

17. Penalties under Part 2

Any person who contravenes or fails to comply with the provisions of Part 2 of this regulation or any rule or order made in this regulation commits an offence and is liable on conviction to a fine of One Fifty Thousand Naira (₦150,000.00) or six (6) months imprisonment.

18. Special penalty regarding badges

In any case in which a pet is seized and detained in accordance with the provisions of paragraph (b) of Regulation 14 the person keeping such pet within the meaning of Regulation 2 commits an offence and is liable on conviction to a fine of Fifty Thousand Naira (₦50,000.00) commits an offence and is liable on conviction or any non-custodial sentence provided by Law.

19. Special powers of a court

(1) A court may, if satisfied on complaint made by any person that a pet is dangerous or not kept under proper control, and after affording a hearing to the owner of such a pet or to the person keeping such pet within the meaning of Regulation 2, make an order directed to such owner or person requiring that such pet be kept under proper control or if proved to be dangerous, that such pet be destroyed.

(2) Every person who fails to comply with any order made under the provisions of subsection (1) commits an offence and is liable on conviction to a fine of One Fifty Thousand Naira (₦150,000.00) or six (6) months imprisonment and the pet in respect of which the order was made may be seized in any place and destroyed in such manner as the court may deem fit.

20. Power to reward informer

A court may, when imposing any fine under the provisions of this regulation, award the informer a sum not exceeding one-half of the fine recovered.

PART 5

Miscellaneous

21. Disposal of fees and sums paid

Licence fees and all sums paid for the keeping of pets and medicines supplied for their use during detention or quarantine must—

- (a) within an area in respect of which a council is appointed the authority, be credited to the revenue of such council; and

(b) elsewhere, be credited to general revenue.

22. Owner of pet liable for injury caused by the pet

The owner of a pet is liable for any harm caused to a person by the pet, except in the case of a trespasser provided that adequate notice of the presence of the pet is displayed on the premises.

PART 6

23. Interpretation

In these Regulations unless the context otherwise requires—

“**court**” includes a customary court;

“**disease**” and “**diseased**” means rabies and infected with rabies or other diseases that are harmful to human beings;

“**medical officer of health**” and “**enforcement officer**” means any person appointed as such under the provisions of this Law;

“**Commissioner**” means the Commissioner charged with responsibility for health;

“**Council**” means Local Government Council and Local Council Development Area;

“**Pet**” means dog, cat, sheep, goat and other tamed animals;

“**suspected pet**” means any pet that has been bitten by or has been in contact with any diseased or suspected animal, or which has been otherwise exposed to the infection of rabies or other diseases that are harmful to human beings;

“**the authority**” means the principal health officer of a local government council, enforcement officer and the expression will include all persons authorised in writing to act on his behalf;

“**veterinary officer**” means a veterinary officer of the Veterinary Department of the Lagos State Government.

24. Citation

These Regulations may be cited as the Pets Regulations.

SCHEDULE
THE PETS REGULATION
FORM OF LICENCE

Date

Licence is hereby granted to
keep the pet (or pets) following [set out a description of the pet (or pets) sufficient for
identification, and against each pet the distinguishing mark of the badge provided for the
pet].

..... **Naira.**

Licence.

Fee paid the authority for

Note: This licence expires on 31st day of December 20