

## **CHAPTER 36**

### **DOGS LAW**

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### **CHAPTER 36**

#### **DOGS LAW**

**A Law to regulate the licensing of dogs and to provide for the suppression of rabies and for related matters.**

### **PART I — PRELIMINARY**

1. This Law may be cited as the Dogs Law. Short title

2. In this Law: Interpretation

"Authority" means a person or local government appointed to be the authority for any district or place for the purpose of this Law by the Commissioner. The expression shall include all persons authorized in writing to act on his behalf.

"Court" includes a customary court.

"Disease" and "diseased" mean rabies and infected with rabies.

"Medical officer of health" and "health officer" mean any person appointed as such under the Public Health Law.

"Suspected dog" means any dog which 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.

"Veterinary officer" means a veterinary officer of the Veterinary Division of the Ministry of Agriculture.

### **PART II — LICENSING OF DOGS**

3. The provisions of this Part of this Law shall apply to such areas, districts, or places as the Commissioner may by order direct, and such order shall be published in the Enugu State Gazette.

Appointment  
of this part

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

Person  
deemed to  
keep a dog

Any person who keeps a dog over the age of three months without a license issued by the authority for the area, township, district, or place in which he resides authorizing him to keep such dog shall be guilty of an offense. Where such person changes residence to another area, township, district, or place to which this Part has been applied, he shall obtain a fresh license from the authority concerned at the end of the current quarter year. He shall pay a proportion of the yearly fee equal to the proportion of the year for which the license is issued, and the former license shall be deemed to have expired.

5. Any person who keeps a dog over the age three months without a licence issued by the authority for the area, township, district, or place in which he resides authorizing him to keep such dog shall be guilty of an offence, save that where such person changes such residence for another in any area, township, district or place to which this Part has been applied he shall obtain a fresh licence from the authority concerned at the end of the quarter year then current paying therefor a proportion of the yearly fee equal to the proportion of the year for which the licence is issued and the former licence shall be deemed to have expired.

Form of licence

6. A licence shall be in the form set out in the Schedule and shall expire on 31<sup>st</sup> December in the year in which it is issued

Issue and  
return of  
badges

7. (1 ) The authority shall issue, free of charge, a suitable badge, differing each year, bearing letters or numbers or other distinguishing marks, to be secured to the collar or collar harness of the dog in respect of which a licence has been issued

(2) Badges issued under the provisions of subsection (1) shall be returned forthwith to the authority issuing the same by the person registered in accordance with the provisions of section 8 —

(a) on the expiration of the licence; or

(b) if the dog dies during the currency of the licence.

Register to  
be kept

8. The authority shall enter in a register to be kept for that purpose the name, address and occupation of the person keeping each dog 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 parts with the possession of such dog to another person, such other person shall notify the authority concerned giving the particulars set out in subsection (1) and the register shall be rectified accordingly in respect of the unexpired period for which the licence was issued.

Power to  
inspect licence

9. Every licence shall be produced for inspection on demand being made

10. 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 dog 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 dogs and may from time to time vary the same;

(b) alter the form of the licence set out in the Schedule;

(c) place restrictions upon dogs during such periods as the authority may deem fit;

(d) provide for the muzzling of dogs being in or upon 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 naira or imprisonment for one month,

Power of  
authority to  
make orders

### **PART III —PREVENTION OF DISEASE AND DISEASED AREAS**

11. For the purposes of Pan III. IV and V of this Low the expression “owner” includes the person having charge or custody of a dog.

Owned  
defined

12. (1) Every owner of a diseased dog shall forthwith cause the same to be killed and shall give notice thereof immediately to the authority.

Dates of  
owner

(2) Every owner of a suspected dog shall forthwith cause the same to be killed or securely lied or otherwise confined and shall give notice thereof immediately the authority

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

Dates of  
authority

14. The authority may, with the approval of the Local Government Secretary, 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, make rules providing for—

Power of  
authority to  
make a rule

Provided that any such delegation shall be revocable at will and no delegation shall prevent the exercise of such powers by the Commissioner

### **PART IV—SEIZURE AND DETENTION**

(16) In any area, district, or place to which Part 1 of this Law has been applied, the authority, a police officer or health officer may seize and detain any dog —

Power to  
seize and  
detain

(a) found in or upon any place, other than private premises, without a badge secured in accordance with the provisions of section 7 and valid In the area concerned.

(b) found with a badge which has been issued in respect of another dog or a badge having the appearance of a badge issued by any authority but not so issued.

17. (1) Every dog seized in accordance with the provisions of section 16 shall be detained in such place as may be appointed in that behalf by the authority, for a period of seven clear days unless the owner or person registered under the provisions of section 8 shall have claimed the dog and paid all expenses incurred by reason of such detention within such period

Place of  
detention  
and  
procedure

(2) In every case in which the owner of any dog seized or the person registered as aforesaid 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 subsection (I) without any claim being made and expenses being paid in accordance with the provisions of that subsection, the authority may cause the dog to be sold or destroyed.

### **PART V —PENALTIES AND COURT PROCEEDINGS**

18. Any person who contravenes or fails to comply with the provisions of Part II of this Law for which no special penalty is provided therein shall be liable, on conviction, to a fine of two naira.

Penalties  
under part  
III

19. Any person who contravenes or fails to comply with the provisions of Part III of this Law or any rule or order made thereunder shall be liable, on conviction, to a fine of two hundred naira or imprisonment for six months or to both such fine and imprisonment.

Special  
penalty  
regarding  
badges

20. In any case in which a dog is seized and detained in accordance with the provisions of paragraph (b) of section 16 the person keeping such dog within the meaning of section 4 shall be liable, on conviction, to a fine of four naira.

Special  
powers of a  
court

21. (1) A court may, if satisfied on complaint made by any person that a dog is dangerous or not kept under proper control, and after affording a hearing to the owner of such dog or to the person keeping such dog within the meaning of section 4, make an order directed to such proper control or if proved to be dangerous, that such dog be destroyed

(2) Any person who fails to comply with any order made under the provisions of subsection (1) shall be liable, on conviction, to a fine of ten naira or to imprisonment for one month and the dog in respect of which the order is made, may be seized in any place destroyed in such manner as the court may think fit.

Power to  
reward  
informer

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

## **PART VI — MISCELLANEOUS**

Power to make  
regulation

23. The Commissioner may make regulations —

(a) Providing for the detention of dogs in quarantine at prescribed places and the length of the period of such detention, the manner of carrying dogs to and from such places and the charges to be made therefor

(b) Prescribing the amount to be paid for the upkeep of dogs during quarantine and for any medicines supplied for their use during detention;

(c) prescribing the conditions under which dogs undergoing quarantine may be killed;

(d) providing for the proper supervision of places of detention or quarantine and the appointment of persons to ensure that the provisions of this Law are carried into effect: and

(e) generally for the carrying out of the provisions of this Law

24. Licence fees and all sums paid for the upkeep of dogs and for medicines supplied for their use during detention or quarantine shall —

(a) within an area in respect of which a Local Government is appointed the authority, be credited to the revenue of such Local Government: and

(b) elsewhere be credited to the Consolidated Revenue Fund of Enugu State of Nigeria

## **SCHEDULE**

*Form of Licence*

Date -----

Licence is hereby granted to ----- of ----- to keep the dog (or dogs) following

[set out a description of the dog (dogs/ sufficient for identification, and against each dog the distinguishing mark of the badge provided for dog].

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Fee paid:

The authority for -----

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Note - This licence expires on 31<sup>st</sup> December 19 -----