

CHAPTER 128

PUBLIC HEALTH LAW

Arrangement of sections

Section.

PART I— PRELIMINARY

1. Short title
2. Application
3. Interpretation

PART II— PUBLIC HEALTH GENERALLY

4. Appointment of medical officers of health
5. Senior health officers
6. Duties of medical officers of health
7. Nuisances which may be abated summarily
8. Notice regarding abatement of nuisance
9. On non-compliance with notice, court may make nuisance order
10. Power to sell premises
11. Right of entry
12. Cost of execution relating to nuisance
13. Fouling water
14. Health officer may inspect food exposed for sale and condemn unsound food
15. Search warrant
16. Penalty for obstructing officer with search warrant.
17. Declaration of infected area and order for evacuation
18. Spirit and wine and beer licences in area ordered to be evacuated
19. Power to order post-mortem examination
20. Marking of premises where infectious disease has occurred.
21. Disinfection
22. Power of health officer to order the destruction of house, building, or any other thing.
23. Destruction of animals
24. Removal and detention of infected persons and suspects
25. Isolation of persons suffering or suspected to be suffering from an infectious disease.
26. Notification of infectious disease
27. Removal of bedding and clothing for disinfection
28. Letting infected houses
29. Acts tending to the spread of disease
30. Infected persons entering public conveyance without notice to the person in charge.
31. Disinfection of public conveyances.
32. Apprehension of persons in public streets suffering from infectious disease.
33. Appointment of house visitors.
34. Compensation.
35. Time within which claims for compensation shall be made.
36. Restriction on civil proceedings.
37. Presumption of knowledge.

- 38. Power to make rules.
- 39. Penalty for obstructing the execution of this Law.
- 40. Obstruction of owner by occupier.
- 41. General penalties.
- 42. Recovery of penalties.
- 43. Service of notices.
- 44. Occupier to give information.
- 45. Duties of Police.
- 46. Sanitary inspectors to have the power of constables.
- 47. Joinder of parties.
- 48. Burden of proof.
- 49. Protection of health officers.

PART III—DESTRUCTION OF MOSQUITOES

- 50. Commencement and application of this Part.
- 51. Interpretation.

GENERAL PROVISIONS

- 52. Power to appoint Sanitary Authorities for particular areas.
- 53. Entry and inspection by Sanitary Authority or authorized person.
- 54. General power of Sanitary to order action.
- 55. Prohibition of clearing undergrowth.
- 56. Power of Sanitary Authority to order the covering of tanks and receptacles.
- 57. Power of Sanitary Authority to take preventive measures.
- 58. Sanitary Authority may perform work and recover costs.
- 59. Penalty for default.
- 60. Appeal.
- 61. Persons unable to meet necessary expenditure.
- 62. No compensation.
- 63. Service of orders.
- 65. Penalty for injuring works executed by Sanitary Authority.
- 66. Premises not to be used in a manner deleterious to anti-mosquito works.
- 67. General direction of Chief Medical Adviser.
- 68. Power to make regulations.

Anti-Malaria Schemes

- 69. Power of Commissioner to approve schemes.
- 70. Management of an area.
- 71. Maintenance of such works.
- 72. Recovery of yearly sums.

PART IV—MEAT INSPECTION

- 73. Commencement date of this Part.
- 74. Interpretation.
- 75. Animal fit for slaughter.
- 76. Veterinary officer to examine.
- 77. Prohibition of sale of meat.

- 78. Instruments to be approved.
- 79. Carcasses of slaughtered animals.
- 80. Inspection of meat.
- 81. Regulations.
- 82. Penalties.

PART V.—SALE OF FOOD

- 83. Interpretation.
- 84. Prohibition of the sale of articles of food not of the proper nature, substance, and quality.
- 85. Provision for the sale of compounded articles of food.
- 86. Protection from offenses by giving of label.
- 87. Prohibition of the abstraction of any part of an article of food before sale, without notice.
- 88. Appointment of analysts.
- 89. Purchaser may have food analyzed.
- 90. Officers named may procure a sample of food to be analyzed.
- 91. Provision for dealing with the sample when purchased.
- 92. Provision when the sample is not divided.
- 93. Person refusing to sell any article to any officer liable to a penalty.
- 94. Form of the certificate.
- 95. Proceedings against officers.
- 96. Analyst's certificate to be prima facie evidence.
- 97. Defendant in any prosecution to prove that he is protected by exception or provision.
- 98. Defendant to be discharged if he proves that he bought the article in the same state as sold and with a written warranty.
- 99. (a) Misapplication of warranty.
(b) False warranty.
(c) False label.
- 100. Proceedings and contracts not to be affected.
- 101. Certificate of analyst to be evidence in proceedings for offenses under section 241 of the Criminal Code.

CHAPTER 128 PUBLIC HEALTH LAW

A Law relating to public health and matters connected therewith, including the destruction of mosquitoes, meat inspection, and sale of food. ANSL Cap 111

[27th August 1991]

PART I.—PRELIMINARY

- 1. This Law may be cited as the Public Health Law. Short title
- 2. This Law shall apply to and be in force in the area of authority of any local government council in the State. Application
- 3. In this Part of this Law— Interpretation

“dairy” includes any farmhouse, cowshed, milk store, milk shop, or other place from which milk, other than such imported milk, is kept for sale;

“health officer” includes a medical officer of health, a sanitary superintendent, a medical inspector, or another person acting under the authority, whether general or special, of the medical officer of health, and whether or not such a sanitary inspector or another person is serving in the Ministry of Health or is in the service of a local government;

"infectious disease" in relation to human beings, includes any disease of an infectious or contagious nature which the Commissioner may, by public notice, declare to be an infectious disease within the meaning of this Law;

"medical officer" includes a medical officer in the service of the Government and a qualified medical practitioner employed by the Government or by a Local Government for purposes of this Law;

"premises" includes messages, buildings, lands, tenements, hereditaments, vehicles, tents, vans, structures of any kind, drains, ditches, or places open, covered, or enclosed, and any shop or vessel in any port or on any inland waters;

"dangerous building" means a building or anything attached to a building in such a state as to cause the risk of injury either to the occupiers of such building or of any neighboring building or to the public;

"offensive trade" means any trade, business, or manufacture which is noxious or offensive and includes any trade, business, or manufacture which the Governor may, by order, declare to be an offensive trade;

"owner," "occupier," "tenement," "capital value," "annual value," and "unimproved value" have the meanings assigned to those terms in the Assessment Law;

"stage play" means any dramatic performance, pantomime, cinematograph display, exhibition of dancing, conjuring, juggling, acrobatic performance, boxing contest, circus, concert, or other entertainment of the stage;

"street" includes all roads, bridges, carriageways, cartways, horseways, footways, causeways, and pavements;

PART II. —PUBLIC HEALTH GENERALLY

Medical Officers of Health

4. The Commissioner may appoint any medical officer to be the medical officer of health for any area, and in the absence of any such appointment for any area, the medical officer in charge of the area shall be the medical officer of health for the area.

Appointment of medical officers of health.

5. Every senior health officer shall be a medical officer of health, and whilst on duty in any place, shall have the power to direct the sanitary work of such place and to give instructions to all sanitary inspectors, whether in the employment of the Government or not.

Senior health officers.

6. It shall be the duty of every medical officer of health to inspect the area to which he is appointed and to abate nuisances and otherwise to enforce the powers vested in him relating to public health.

Duties of medical officers of health.

Nuisances

7. The following shall be deemed to be nuisances—

- | | | |
|---|-----|--|
| Nuisances which may be stated summarily | (a) | any premises in such a condition as to be injurious to health; |
| | (b) | any premises which are so dark or so ill-ventilated or so damp or in such a condition of dilapidation as to be dangerous or prejudicial to the health of the persons living or employed therein; |

- (c) any premises which contain rat holes or rat runs or other similar holes or which are infested with rats or in which the ventilating openings are not protected by gratings in such a manner as to exclude rats therefrom;
- (d) any pool, ditch, gutter, watercourse, cesspool, drain, ashpit, refuse pit, latrine, dustbin, washing place, well, water tank, barrel, sink, collection of sullage water, receptacle containing stagnant water, or other thing in such a state or condition as to be injurious to health;
- (e) any animal or bird so kept as to be injurious to the health of man or molesting to neighbor and any animal or bird suffering from a noxious or contagious disease;
- (f) any hole or excavation, well, pond, or quarry in or near any street which is or is likely to become dangerous to the public;
- (g) any stable, cowhouse, pigsty, or other premises for the use of animals or birds which are in such a condition as to be injurious to the health of man or of such animals or birds;
- (h) any noxious matter or water flowing or discharged from any premises into any public street or into any gutter or side channel of any street;
- (i) any accumulation or deposit of rubbish of any kind whatsoever, or any decaying animal or vegetable matter, whether in the form of refuse, manure, decayed or tainted food, or in any form whatsoever;
- (j) 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 effluvia or through eating its leaves, seeds, fruits, or flowers;
- (k) any premises certified by the health officer to be so overcrowded as to be injurious or dangerous to the health of the inmates;
- (l) any premises on which servants or workmen are employed and suitable and adequate sanitary conveniences are not provided;
- (m) any act, omission, place, or thing which is or may be dangerous to life or injurious to health or property;
- (n) any plant or tree which may be specified by the Commissioner, by a notice published in the Enugu State Gazette on the recommendation of a medical officer of health, as being favorable to the breeding of mosquitoes, found in any area which may be specified in the said notice.

Notice
regarding
abatement
of nuisance

8. (1) A health officer shall, if satisfied of the existence of a nuisance, serve a notice, hereinafter called an abatement notice, on the person by whose act, default, or sufferance the nuisance arises or continues, or, if such person cannot be found, on the occupier or owner of the premises on which the nuisance arises, requiring him to abate the same within the time specified in the notice, and to execute such works, and to do such things as may be necessary for that purpose, and if the health officer thinks it desirable (but not otherwise), specifying any works to be executed.

(2) The health officer may also, by the same or another notice served on such person, occupier, or owner, require him to do what is necessary for preventing the recurrence of the nuisance, and if he thinks it desirable, specify any works to be executed for that purpose, and may serve that notice notwithstanding that the nuisance may, for the time being, have been abated if the health officer considers that it 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 shall be served on the owner.

(4) Where a notice has been served on any person (including an occupier or owner) under this section and either-

- (a) the nuisance arose from the willful act or default of such a person; or
 - (b) such a person fails to comply with any of the requisitions of the notice within the time specified.
- he shall be liable to a fine of N20.

9. (1) If either-

- (a) the person (including the occupier or owner) on whom an abatement notice has been served as aforesaid makes default in complying with any of the requisitions thereof within the time specified; or
 - (b) the nuisance, although abated since the service of notice, is, in the opinion of the health officer, likely to recur on the same premises,
- the health officer shall make a complaint and the court hearing the complaint may make on such a 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, or a closing order, or a combination of such orders.

(3) An abatement order may require a person to comply with any of the requisitions of the notice or otherwise to abate the nuisance within the time specified in such order.

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

(5) An abatement order or prohibition order shall, if the person on whom the order is made so requires, or the 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 shall only be made where it is proved to the satisfaction of the court that, by reason of a nuisance, premises are unfit for human habitation, and if such proof is given, the court shall make a closing order, and may impose a fine of N40.

(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) If a person fails to comply with the provisions of a nuisance order with respect to the abatement of a nuisance, he shall, unless he satisfies the court that he has used all due diligence to carry out such order, be liable to a fine of N2 a day during his default; and if a person knowingly and willfully acts contrary to a prohibition or closing order, he shall be liable to a fine of four naira a day during such contrary action; moreover, the health 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.

10. (1) If an order of the court or notice of the health officer for the abatement of a occupier or owner cannot be found or because the occupier or owner is imprisoned, the health officer may apply to the court for an order to have the nuisance abated, and all costs of and expenses incurred in connection therewith shall be paid to the health officer by the occupier or owner and may be recovered as a debt.

(2) If no owner or occupier can be found or if the expenses are not paid within six months after the completion of the abatement of such nuisance, the court may order the premises upon which the work shall have been done, or any part thereof, or any movable property found thereon belonging to such occupier or owner to be sold to defray the said cost and expenses.

(3) The rules of court relating to sales in execution of decree shall *mutatis mutandis* apply to such sale.

11. (1) It shall be lawful for the health officer to enter any premises at any time between the hours of six in the morning and six in the evening for the purpose of examining as to the

On non
compliance
with
notice,
court may
make
nuisance
order

Power to
sell
premises.

Right of
entry

existence thereon 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 canceled 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.

(2) If admission to premises is refused, the court may require the person having the custody of the premises to admit the health officer into the premises during the prescribed hours, and if no person having the custody of the premises is found, the court may authorize the health officer forcibly to enter such premises.

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

(4) Any person who refuses to obey such order or in any way hinders, prevents, or obstructs the execution of the order shall be liable to a fine of twenty naira.

- 12.** All reasonable costs and expenses incurred in serving the notice, making a complaint or obtaining an order or in carrying the order into effect shall 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, default, or sufferance the nuisance was caused: and in the case of nuisances caused by the act or default of the owner of the premises, such cost and expenses may be recovered from any person who is for the time being the owner of such premises.

Cost of
execution
relating to
nuisance

Fouling water

- 13.**(1) Whoever, by any act or default causes or suffers to be brought or to flow into any well, stream, tank, reservoir, aqueduct, or pond used or intended for supplying water to man or beast or into any conduit communicating therewith any deleterious substance or does any act whereby such water is or may be fouled, shall be liable to a fine of N20 and a further sum of N4 for every day during which the offense is continued after conviction.

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

Health officer
may inspect
food exposed
for sale and
condemn
unsound
food.

- 14.** The health officer may, at all reasonable hours, inspect any carcass, meat, poultry, game, fish, vegetables, corn, bread, flour, or other provisions exposed for sale or deposited in any place for the purposes of sale or of preparation for sale and intended for the food of man, the proof that same was not exposed for sale or deposited for the purpose of sale or preparation for sale and was not intended for the food of man resting with the party charged; and if any such article appears to the health officer to be diseased or unwholesome or unfit for the food of man, he may condemn the same and order it to be destroyed or so disposed of as to prevent it from being used for the food of man, and the person to whom it belongs or in whose possession or premises it was found shall be liable to a fine of N20 for every article condemned, and for any subsequent conviction, to a fine of N100 or to imprisonment for 6 months.

Search warrant.

- 15.** If any health officer or police officer shall show reasonable cause, the court may grant a warrant to enter any building in which there is reason for believing that there is kept any animal, carcass, meat, poultry, game, fish, vegetables, corn, bread, flour, or other provisions intended for sale for the food of man, which are diseased, or unwholesome, or unfit for the food of man, and to search for, seize, and carry away any such animal or other article in order to have the same dealt with by the court.

Right of
entry

Penalty for obstructing officer with search warrant.

16. Any person who hinders, prevents, or obstructs any such officer in the performance of his duty under such search warrant shall be liable to a fine of N20.

Declaration of infected area and order for evacuation.

17. (1) Whenever an infectious disease shall have broken out in any place, the Commissioner may, by public notice, declare such place or any portion thereof to be an infected area and may, in like manner, order the evacuation of the whole or any part of such infected area.

(2) It shall not be lawful for any person to reside or carry on business within any infected area or portion thereof which is comprised in any order for evacuation, or to enter or be therein, except when passing along a thoroughfare allowed to remain open to the public, without an order in writing to that effect signed by a medical officer, and upon such conditions as such medical officer may in such order direct.

(3) Penalty: for a first offense a fine of N40 or three months' imprisonment and for subsequent offenses a fine of N100 or 6 months' imprisonment, or both.

Spirit and wine and beer licenses in area ordered to be evacuated.

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

Power to order post mortem examination.

19. Whenever, in the opinion of the medical officer of health, there is reason to suspect that a person has died of an infectious disease, it shall be lawful for the medical officer of health to order that the body of the deceased person shall be conveyed to such a place as the medical officer of health shall appoint, for such an examination as he may consider necessary.

Marking of premises where an infectious disease has occurred

20. A health officer may cause to be placed on or about any premises in which any case of infectious disease has occurred, any mark which he may deem advisable for the purpose of denoting the occurrence of such disease, and may keep such a mark affixed for such time as he may deem necessary, and any person removing or obliterating any such mark without the authority of a health officer shall be liable to a fine of N10.

21. A health officer may order the disinfection of any building in which any case or suspected case of infectious disease has occurred and of any article or thing in such building.

22. (1) The medical officer of health may order the destruction of any building in which a case of infectious disease has occurred, or of any article or any other thing which may be considered necessary' in the interest of the public health.

(2) Any such order shall be carried out in such manner and by such person as the medical officer of health may direct.

Disinfection.

Power of health officer to order destruction of house, building or any other thing.

23. A medical officer of health may order the destruction of any animals which he has reason to believe are likely to be agents in the transmission of an infectious disease, and may dispose of the carcasses of any animals so destroyed in such manner as he may think proper.

Destruction of animals.

24. A medical officer of health may cause any person suffering or suspected to be suffering from an infectious disease to be removed to a Government hospital or other place provided by the Government or by a Local Government to be detained there until he can be discharged with safety to the public.

Removal and detention of infected person and suspects.

25. A medical officer of health may order any person living in the same house or compound, or otherwise brought into contact, with any person suffering or suspected to be suffering from an infectious disease, to be isolated in such place as the Government may provide, until he can be discharged with safety to the public, 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.

Isolation of person suffering or suspected to be suffering from infectious disease.

26. (1) When an inmate of any house is suffering from an infectious disease, the head of the family and in his default the person in attendance on the patient and in default of such person the occupier or owner of the building shall, as soon as he becomes aware that the patient is suffering from an infectious disease, give notice thereof orally or in writing to the medical officer of health.

Notification of infectious disease.

(2) It is incumbent also upon every medical practitioner consulted by or in attendance on, any patient suffering from an infectious disease to give such notice.

(3) If anyone liable to give notice fails to give the notice required, he shall be liable to a fine of N10 or to imprisonment for 2 months.

Provided that where a person is not liable to give notice in the first instance but only in default of some other person, he shall not be liable to a penalty if he satisfies the court that he had reasonable cause to suppose that the notice had been duly given.

27. (1) A health officer may by notice in writing require the owner of any bedding, clothing or other articles, which have been exposed to infection to cause the same to be delivered to such health officer for removal for the purpose of disinfection.

(2) The bedding, clothing and articles shall be disinfected by the health officer, and shall be brought back and delivered to the owner free of cost.

28. Any person who knowingly lets for hire any house in which any person has been suffering from any infectious disease without having had such house and the articles therein properly disinfected to the satisfaction of the medical officer of health, shall be liable to a fine of N20.

29. Any person who-

(a) while suffering from an infectious disease or being in charge of any person so suffering, does any act or thing which tends to spread the disease; or

Removal of bedding and clothing for disinfection

Letting infected houses.

Acts tending to the spread of disease.

(b) gives, lends, sells, transmits or exposes without previous disinfection any bedding, clothing or other article which has been exposed to infection, shall be liable to a fine of N20 or to imprisonment for 3 months

Infected person entering public conveyance without notice to the person in charge.

30. Any person who, while suffering from any infectious disease, enters any ship or public conveyance without previously notifying the person in charge thereof that he is so suffering, shall be liable to a fine of ten naira or imprisonment for one month, and in addition may be ordered to pay to the owner of the ship or public conveyance the amount of any expense such owner may incur in disinfecting such ship or public conveyance.

Disinfection of public conveyance.

31. Every person in charge of any ship or public conveyance shall to the satisfaction of the medical officer of health immediately provide for the disinfection of such ship or public conveyance after it has to his knowledge conveyed any person suffering from any infectious disease, and if he fails to do so, shall be liable to 3 fine of N10;

Provided that where the person in charge or owner of any such ship or public conveyance is unable in the opinion of the medical officer of health effectually to cleanse and disinfect such ship or public conveyance, the same may be cleansed and disinfected by the medical officer of health at the expense of the person or owner.

Appointment of house visitors.

32. Every health officer, administrative officer, or police officer may apprehend and take, or cause to be apprehended or taken, to a hospital any person who he shall find in any public street, public place, shop or public conveyance suffering from any infectious disease.

Apprehension of persons in public street suffering from infectious disease.

33. (1) When any infectious disease is epidemic in any place, the Commissioner may appoint whatever medical or other officers he may think fit to be visitor therein.

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

34. (1) The owner of any building, article or thing destroyed under an order made in pursuance of section 22, and the owner of any animal killed under an order made in pursuance of section 23, shall be entitled to compensation to be paid either out of general revenue or out of the funds of a Local Government as may be prescribed or as the Commissioner may direct.

Compensation

(2) All claims for compensation under this section or under any rules under section 38 shall be heard and determined by a compensation board which the Commissioner is hereby empowered to appoint, consisting of 2 persons, one of whom shall be unconnected with the public service.

(3) The unofficial member of the board shall be entitled to his actual out-of-pocket expenses, and the Commissioner may, at his discretion, allow to him such further remuneration as he may think fit.

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

(a) define the limits of the jurisdiction of the board;

(b) appoint any member by name or *ex officio*;

(c) in case any person appointed shall be or become unable or unwilling to act, or shall die, appoint another member in his place.

(5) Every appointment made under this section shall be notified in the *Enugu State Gazette*.

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

(7) 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) shall be referred for decision to a Judge of the High Court, who shall for purposes of the reference be deemed to be a member of the compensation board, and whose decision shall be deemed to be the decision of the board.

(8) The award of the compensation board shall be in writing, signed by the members or by the Judge, as the case may be, and shall be final.

(9) Any witness who shall wilfully give false evidence in any proceedings before a compensation board shall be guilty of perjury and be liable to be prosecuted and punished accordingly.

Time within which claims for compensation shall be made

35. Every claim for compensation shall, within 2 months after the happening of the event in respect of which the claim is made, be sent either directly to the compensation board or to an administrative officer for transmission to such board; and no claim which has not been sent to either such board or officer within the said period of 2 months shall be entertained unless with the consent of the Commissioner.

Restriction on civil proceedings.

36. No civil proceeding of any kind whatsoever shall, without the written consent of the Attorney-General, be brought against any person for damages or compensation in respect of any measures taken or to be taken under this Law to prevent the spread of any disease.

Presumption of knowledge.

37. Where a person in charge of or in attendance on or living with a person suffering from any infectious disease is charged with an offence against this Law relative to such infectious disease, he shall be presumed to have known of the existence of such disease in such person unless and until he shows to the satisfaction of the court that he had not such knowledge and could not with reasonable diligence have obtained such knowledge.

Power to make rules.

38. The Commissioner may make rules—

- (a) for isolating all persons suffering or suspected to be suffering from an infectious disease, or brought into contact with any person so suffering, or suspected;
- (b) 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 effects;
- (c) for closing, destroying, disinfecting, cleaning or otherwise rendering harmless, houses, buildings, latrines, wells, dustbins, dumping grounds and any place that by reason of the existence of infectious disease it may be deemed advisable so to deal with;
- (d) for prohibiting the removal of property from infected houses'

(e) for prescribing the mode of burial or disposal of the bodies of persons dying from an infectious disease;

(f) for the removal of persons from an infected area the evacuation of which has been ordered by the Commissioner;

(g) for establishing a cordon around any place where an infectious disease has occurred or otherwise preventing persons departing from or going to such place;

(h) for prescribing the reporting of cases of sickness and death;

(i) for the disposal or destruction of refuse and sewage;

(j) for the erection of temporary huts, mortuaries and similar buildings by the chiefs or headmen of towns or villages;

(k) prescribing the act or things, done under any rule, in respect of which compensation may be paid;

(l) for declaring whether compensation shall be paid out of general revenue, or out of the funds of a Local Government;

(m) for the publication within the area effected of any notice under section 17 or rule made under this section;

(n) for prescribing the procedure to be adopted by a compensation board; and

(o) generally for the better carrying into effect of any of the provisions of this Law relating to infectious diseases.

39. Any person who willfully hinders, prevents, or obstructs any health officer or other person in the execution of this Law shall be liable to a fine of N10.

Penalty for obstructing execution of the Law

40. If the occupier of any premises, prevents the owner thereof from obeying any order made under or carrying into effect any of the provisions of this Law, the court, on complaint, and on proof of such prevention, shall by order require such occupier to permit the execution of any works which appear to the court necessary for the purpose of obeying such order or carrying into effect such provision, and if, within 24 hours after service on him of the order such occupier fails to comply therewith, he shall be liable to a fine of N10 for every day during the continuance of such non-compliance.

Obstruction of owner by occupier.

41. For every contravention of the provisions of this Law and for every omission to do anything required to be done by or under this Law for which no other penalty is provided the offender shall be liable to a fine of N20.

General penalties.

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

Recovery of penalties.

(2) Penalties, fines, costs and expenses imposed by or recoverable under any rule made by a Local Government 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.

(3) The Governor may by order confer upon all or any customary court jurisdiction to impose penalties, and to order the payment of costs and expenses, under this Law, upon or by persons subject to the jurisdiction of such court, subject to such restrictions and limitations, if any, as may be specified in such order.

43. (1) A notice, order or document required or authorized by this Law to be served on the owner or occupier of any premises shall be deemed to be properly addressed or addressed by the description of the "owner" or "occupier" of such premises without further

Services of notices.

description, and shall 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 or servant of his family.

Occupier to
give
information

44. (1) The occupier of any premises shall, if required by any health officer or any police officer, give his 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 himself or of the owner shall be liable to a fine of N10.

Duties of
Police.

45. Every police officer shall give information to the health officer of any offence which he knows or has reason to believe has been committed against this Law.

Sanitary
inspectors to
have power
or constable.

46. Every sanitary inspector while acting as such shall, by virtue of his appointment and without being sworn in, be deemed to be a police officer and have all powers and privileges of a police officer for the purpose of the execution of his duty under this Law.

Joinder of
parties.

47. Where any nuisance appears to be wholly or partially caused or contributed to by the acts or defaults of two or more persons (including an owner or occupier), an 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 his or their acts or defaults or may be prohibited from continuing any acts or defaults which the court finds as a matter of fact contribute to such nuisance, or may be fined or otherwise punished notwithstanding that the acts or defaults of any one of such persons would not separately have caused a nuisance, and the costs may be distributed as the court may appear fair and reasonable.

Burden of
proof.

48. Where in any proceeding under this Law any person is summoned or otherwise dealt with as the occupier of premises, if he alleges that he is not the occupier, the proof of such allegation shall be on him.

Prosecution of
health officer.

49. A health officer or other person shall not be liable to any action, liability or demand on account of anything done by him *bona fide* for the purpose of executing this Law.

PART III— DESTRUCTION OF MOSQUITOES

Commencem
ent and
application of
this Part.

50. (1) This Part of this Law comes into force on the 27th August, 1991.

(2) The provisions of this Part of this Law shall apply to all property of every description including that belonging to or vested in or maintained by the State or any Local Government, and shall be in addition to and not in derogation of any of the provisions of this Law relating to the powers and duties of medical officers of health.

51. In this Part—

“house” includes dwelling-house, warehouse, office, shop, school and any other building in which persons are employed;

“mosquito” includes the insect, its eggs, larvae or pupae;

“occupier” means the person in occupation of any premises or having the charge, management or control thereof either on his own account or as agent of another person but not a lodger.

“owner” includes the person for the time being receiving the rent of any premises whether on his own account or as agent or trustee or as receiver, or who would receive the same if such land or house were let to a tenant and includes the State and any local government;

“premises” includes messages, buildings, lands tenements and hereditaments of any description or tenure, vehicles, tents, vans, structures of any kind, drains, ditches and places whether open or enclosed, whether built or not, whether public or private and whether or not maintained under authority and any ship, vessel, small craft, canoe or other boat in a port or on any inland waters.

“Sanitary Authority” means a medical officer within the meaning of Part II of this Law appointed for any area and any person appointed under the provisions of section 3

General Provisions

52. (1) The Commissioner may, by notice in the Enugu State *Gazette*, appoint such person as he may think fit to be Sanitary Authorities for such areas and for such periods as may be set out in the said notice.

Power to appoint Sanitary Authorities for particular areas.

(2) Subject to the provisions of section 18 where a Sanitary Authority is appointed for any area under the provisions of subsection (1) such Sanitary Authority shall have and exercise the powers and duties conferred upon a Sanitary Authority by this Law.

53. (1) The Sanitary Authority or any person authorized by him either generally or specially in that behalf in writing may, between the hours of 6 in the morning and 6 in the evening, with or without assistant, enter and examine any premises in order to ascertain whether they or anything thereon is in a condition favourable to the propagation or harbouring of mosquitoes and take immediate steps to destroy mosquitoes and may take such action as may be necessary to render any accumulations of water unfit to be breeding places for mosquitoes.

Entry and inspection by Sanitary Authority or authorized person.

(2) The owner and the occupier of any premises shall permit the Sanitary Authority or any person so authorized by him as aforesaid with or without assistants to have access thereto and to any part thereof for the purpose of subsection (1), and shall supply all such information as the Sanitary Authority requires and as is reasonably necessary for that purpose.

54. (1) The Sanitary Authority, if as a result of any such examination it appears to him that any premises or anything thereon is favourable to the propagation or harbouring of mosquitoes, may, by order in writing addressed to the owner or occupier of such premises, direct him within a specified time to take such specified measures with regard to the premises or for the treatment, destruction or removal of anything thereon as may bring them into a condition not favourable to the propagation or harbouring of mosquitoes.

General power of Sanitary Authority to order action.

(2) In particular and without prejudice to the generality of the powers aforesaid, the Sanitary Authority may in such order direct the owner or occupier to drain any land or fill up

inequalities in the surface thereof or to constrict other works so as to keep the land permanently free from standing water to the extent required by the order, and to refrain from doing such things or keeping such animals as may damage the work done or increase the cost of maintenance thereof.

Prohibition of clearing under growth

55. (1) Where on any land a stream or standing water is afforded shade by undergrowth and other vegetation, no person shall cut down or clear or cause to be cut down or cleared such undergrowth or vegetation without the previous written sanction of the Sanitary Authority.

(2) Any person guilty of an offence under the provisions of this section shall be liable to a fine of N100 or to 6 months' imprisonment or to both such fine and imprisonment.

Power of Sanitary Authority to order covering of tanks and receptacles.

56. (1) The Sanitary Authority may, by order in writing, direct the occupier of any premises so to cover within a specified time and keep continuously covered any specified vessel or receptacle, including any tank, cistern, or well, on or appertaining on the premises that mosquitoes shall be unable to enter such vessel or receptacle.

(2) Where any premises are unoccupied such order may be addressed to the owner thereof as if he were the occupier.

Power of Sanitary Authority to take preventive measure.

57. (1) The owner or occupier of any premises shall take such measures as are reasonably necessary—

(a) to destroy mosquitoes wherever found;

(b) to collect and remove empty tins, cans, bottles or other receptacles in which mosquitoes may breed;

(c) to cut down and remove any grass, bamboo stumps, fern, undergrowth or other vegetation in which mosquitoes are likely to breed or be harboured;

(d) to bring any water or swamp into a condition not favourable to the propagation or harbouring of mosquitoes;

(e) to fill with concrete or otherwise treat holes or hollows or trees which hold or are likely to hold water

(2) The Sanitary Authority or any person authorized by him either generally or specially in that behalf in writing may, with the consent of the owner or occupier, and upon such terms as the Sanitary Authority may think reasonable, take all reasonable measures on behalf of such owner or occupier to carry out the provisions of subsection (1).

(3) If in any prosecution for contravention of any of the provisions of subsection (1) it is proved that eggs, larvae or pupae of the mosquito were found in any premises the onus of proof of compliance with all or any of the provisions of subsection (1) shall lie upon the person charged with the contravention.

Sanitary Authority may perform work and recover cost.

58. (1) If the owner or occupier of any premises on whom an order under the provisions of section 54 or 56 has been served fails to comply with the terms thereof, the Sanitary Authority, or any person authorized by him either generally or specially in that behalf in writing, may enter upon or into the said premises with such assistants and things as are necessary and may perform and do thereon or therein all acts and things required by the said order to be performed or done, and the cost thereof shall be recoverable from the owner or occupier by the Sanitary Authority.

(2) If the amount of such cost is not paid by the party liable to pay the same within 7 days after demand, such amount may be reported to a court and recovered in the same way as if judgment had been obtained in that court for such amount.

(3) Nothing in this section shall affect any liability of any person to prosecution and punishment under the provisions of section 10.

59. (1) Any owner or occupier or any premises, on whom an order under sections 54 and 56 has been served, who fails to comply with the terms thereof and any owner or occupier of any premises who contravenes or fails to comply with all or any of the provisions of subsection (1) of section 57 shall be liable on summary conviction to a fine of N100 or to imprisonment for 6 months or to both such fine and imprisonment.

Penalty for default.

(2) No person shall be punishable under this section for neglect to comply with any order in respect whereof he has appealed as hereinafter provided unless such order has been confirmed on appeal.

60. (1) An owner or occupier of any premises, who is of the opinion that any order affecting him or anything proposed to be done thereon is unreasonable or unnecessary may appeal to a Magistrate and thereupon the execution of the order or the doing of the thing required to be done shall be stayed.

Appeal

(2) The Magistrate confirm, vary or rescind the order or direct that the thing shall be proceeded with, varied or abandoned, as the case may be, or make any other order which the Sanitary Authority is competent to make under this Law, and the decision of the Magistrate shall be final.

(3) At the hearing of any appeal the owner, occupier and Sanitary Authority, as the case may be, shall be entitled to be represented by a legal practitioner.

61. (1) If it appears to the Sanitary Authority after due inquiry that any person has not the means to meet the necessary expenses of doing anything required to be done by him under this Law, such necessary expenses may be met in the prescribed manner.

Persons unable to meet necessary expenditure.

(2) Any persons dissatisfied with a decision of the Sanitary Authority made under this section may appeal to a Magistrate whose decision shall be final

62. No person shall be entitled to compensation for any expense incurred or damage occasioned by any order given to or act done in pursuance of this Law or of any rule made thereunder unless such damage has been occasioned maliciously or without reasonable cause.

No compensation

63. (1) When an order is required by this Law to be served on the owner or occupier of any premises, such order addressed to the owner or occupier may be served by delivering the same to the owner or occupier or by leaving the same with some male adult member of his family, other than a servant, residing with him or if there is no known owner or occupier of the premises the order may be posted on some conspicuous place thereon.

Service of orders.

(2) It shall not be necessary in any such order to name the owner or occupier if the premises to which the order relates are therein specified.

Penalty for obstructing Sanitary Authority.

64. Any person, who obstructs the Sanitary Authority or any person authorized by him or any person engaged in carrying out the provisions of this Law in any act authorized by this Law shall be liable to a fine of N100 or to imprisonment for 6 months or to both such fine and imprisonment.

Penalty for injuring works executed by Sanitary Authority.

65. (1) Any person who, without the consent of the Sanitary Authority, interferes with, injures, destroys or renders useless any works executed or any materials or things placed in, under or upon any premises by or under the order of the Sanitary Authority, shall be liable to a fine of N200 or to imprisonment for 12 months or to both such fine and imprisonment.

(2) In addition the Sanitary Authority may recover from such person such sum as may be assessed by the court to cover costs and expense incurred in re-executing the works or replacing the materials or things so interfered with, injured, destroyed or rendered useless as if the Sanitary Authority had obtained judgment in that amount in a court of competent jurisdiction.

Premises not to be used in manner deleterious to anti-mosquito works.

66. (1) Where the Sanitary Authority or any department of Government or any Local Government has constructed any works with the object of preventing breeding of mosquitoes whether before, on or after the date of the commencement of this Law, the owner and the occupier of the premises on which such works stand shall prevent such premises being used in any manner whatsoever that is likely to cause or has caused the deterioration or to lessen the efficiency of such works.

(2) Where such premises are used in such a manner as to lessen the full efficiency of such works, the owner and the occupier of such premises shall, subject to subsection (4), be liable to a fine of N200 or to imprisonment for 12 months or to both such fine and imprisonment and the Sanitary Authority may enter upon the premises and execute any necessary repairs or work thereon and recover from such person such sum as may be assessed by the court to cover such costs and expenses as he thereby incurs as if the Sanitary Authority had obtained judgment for that amount in a court of competent jurisdiction.

(3) Before any proceedings are taken under this section, written notice shall be given by the Sanitary Authority or by the Local Government to the owner or occupier, as the case may be, specifying what the Sanitary Authority or local government requires to be done or not to be done and giving a reasonable time for compliance therewith.

(4) If the owner of such premises is by reason of any legal contract, not being a contract made with an intention to evade liability under the provisions of this section, prevented from entering upon such premises to carry out the duties and obligations mentioned in subsection (1), he shall not be liable to any of the penalties mentioned in subsection (2), unless it can be shown that he has contributed in any way to the refusal or failure of the occupier to carry out such duties and obligations.

67. The powers conferred and the duties imposed upon a Sanitary Authority under sections 54 and 56 shall be exercised and performed under and in accordance with the general directions of the Chief Medical Adviser.

General direction of Chief Medical Adviser.

68. The Commissioner may make regulations—

- (a) prescribing anything which is to be prescribed; and
- (b) generally for giving effect to the provisions of this Law.

Power to make regulations.

69. (1) The Commissioner may by written notice in the *State Gazette* declare any area specified in such notice to be an area in respect to which an anti-malaria scheme has been approved by him and particulars of such scheme shall be contained in such notice.

Power of Commissioner to approve schemes

(2) Any owner of premises included in such area may within one month of the publication of such notice serve upon the Chief Medical Officer in writing any objection he may have to the inclusion of his premises or any part thereof in the proposed area and the Chief Medical Officer shall forward such objections with his comments thereon to the Commissioner, whose decision shall be final.

(3) The Commissioner may at any time by subsequent notice in the *State Gazette* cancel any such scheme or extend or otherwise vary the specified area or exclude therefrom any premises previously included therein.

70. (1) Every area in respect of which a scheme has been approved and the work to be done therein, shall be in the control of the Chief Medical Officer.

Management of an area.

(2) The Chief Medical Officer may, with all necessary assistants, workmen, and things, enter upon the area in respect of which a scheme has been approved and there construct such drainage and other works as appear to him to be necessary for the elimination of mosquitoes in that area.

71. (1) When the works have been completed in any area—

(a) the maintenance of such works may with the agreement of the owners and occupiers of the area be performed by them and their successors in title to the satisfaction of the Chief Medical Officer; or

Maintenance of such works.

(b) the Commissioner may direct that a yearly sum be paid by any person being an owner or occupier within that area and such sum may be payable in respect of any building thereon or in respect of any area of land, and such sum shall be credited to the consolidated Revenue Fund Enugu State of Nigeria.

(2) Where any sum is fixed by the Commissioner under paragraph (b) of subsection (1) such sum shall be deemed to be a charge upon the buildings or land in respect of which it was imposed and shall be paid by the owner.

(3) When the maintenance of such works is to be performed by the owners and occupiers and such works are not maintained to the satisfaction of the Chief Medical Officer, he, with all necessary assistants, workmen and things, may re-enter the area and do all necessary maintenance works and upon completion of such works shall report to the Commissioner who may thereupon direct that the owners and occupiers shall no longer maintain such works and in substitution therefore impose a yearly sum upon the owners and occupiers under the provision of paragraph (b) of subsection (1) and the provisions of subsection (2) shall thereupon apply,

Recovery of yearly sums. 72. When an owner or occupier fails to pay any sum due by him under the pensions of section 71 the sum so due may be recovered as a debt due to the Government.

PART IV - MEAT INSPECTION

Commencement date of this Part. 73. This Part of this Law shall take effect on the 27th August, 1991.

Interpretation 74. In this Part of this Law—
“animal” means animal specified in the First Schedule to this Law;
“Governor” means Governor of State;
“health officer” includes a medical officer of health, sanitary inspector and other person acting under the authority of the medical officer of health and serving in the Ministry of Health and Social Welfare.
“veterinary officer” includes livestock superintendent, assistant livestock superintendent and other person acting under the authority of the Chief Veterinary Officer of the Ministry of Agriculture.

Animal fit for slaughter. 75. A person shall not slaughter any animal intended for sale for human consumption or dress the carcass of such animal unless—
(a) in a registered slaughter-house or under special licence; and
(b) such animal has been examined by a veterinary officer and passed fit for slaughter.

Veterinary officer to examine. 76. (1) The veterinary officer shall at such reasonable hours and places as he may appoint, inspect and examine all animals intended for slaughter.

(2) There shall be paid for the inspection and examination of an animal intended for slaughter the fee specified opposite such animal in the Third Schedule to this Part.

(3) If after inspection and examination an animal is passed as fit for slaughter, the veterinary officer shall issue a certificate of fitness in respect of that animal.

(4) Every animal which has been inspected and for which a certificate of fitness for slaughter has been issued shall be slaughtered within 24 hours of the issue of such certificate otherwise the certificate of fitness for slaughter shall become invalid.

77. A person shall not sell or offer or expose for sale or have in his possession for the purpose, of sale or preparation for sale, for human consumption, any meat—
(a) which is derived wholly or partly from an animal which has not been—
(i) slaughtered in a registered slaughter-house or under special licence; and
(ii) examined by a veterinary officer and passed as fit for slaughter; or
(b) which is unwholesome or unfit for human consumption.

Prohibition of sale of meat.

78. All instruments used for the slaughter of animals shall be approved by the veterinary officer.

Instruments to be approved.

79. (1) The carcass of each animal shall after slaughter, be examined by a veterinary officer and the whole or any part of each carcass found to be diseased shall be condemned by the veterinary officer and disposed of in such manner as the veterinary officer may in writing approve.

Carcasses of
slaughtered
animals.

(2) The cost of such disposal shall be borne by the owner of such carcass.

(3) An animal shall be deemed to be diseased if it is found by a veterinary officer to be suffering from any of the diseases specified in the Second Schedule to this Law.

80. A health officer may, at all reasonable hours inspect any meat exposed for sale or deposited in anyplace for the purpose of sale or of preparation for sale and intended for human consumption and any such meat found by the health officer to be unwholesome or unfit for human consumption, shall be condemned by him and disposed of in such manner as he may in writing approve:

Inspection of
meat.

Provided that such meat is prevented from being used as food for man

81. The Governor may make regulations for carrying into effect the provisions of this Law and in particular, notwithstanding the generality of the foregoing, the Governor may make regulations for—

Regulations.

- (a) the registration of slaughter-houses;
- (b) the grant of special licences under this Law;
- (c) the inspection of animals and carcasses intended for sale for human consumption;
- (d) the inspection of meat derived from such animals and carcasses for purposes of ascertaining whether or not it is fit for human consumption;
- (e) the Inspection of slaughter-houses and lairages and conveyances used for carriage of animals, carcasses or meat;
- (f) the branding, marking, grading of meat, hides or skins or any other products derived from slaughtered animals;
- (g) the sanitation, construction, lighting, ventilation, clearing, drainage, water supply, maintenance and good management of slaughter-houses and lairages and the construction, maintenance and clearing of fixtures thereto or appliances, instruments and utensils connected therewith;
- (h) the storage and treatment of meat intended for human consumption;
- (i) the destruction or other disposal of any animal carcass or meat which is diseased or unfit for human consumption; and
- (j) the methods of slaughter of animals and the prohibition of methods which are inhuman.

Penalties

82. Any person who contravenes any of the provisions of this Law is guilty of an offence and liable to a fine of N100 or imprisonment for 6 months or to both such fine and imprisonment.

PART V — SALE OF FOOD

Interpretation

83. In this Part—

“analyst” includes an analyst appointed by the State Commissioner for Health under section 7 and any analyst in the service of the Government;

“food” includes any article used for food or drink by man other than drugs and water and aerated and mineral waters.

Prohibition of the sale of articles of food not of the proper nature substance and quality.

84. (1) No person shall sell, to the prejudice of the purchaser, any article of food which is not of the nature, substance and quality of the article demanded by such purchaser.

(2) Any person who contravene the provisions of this section shall be liable to a fine of N40.

Provided that an offence shall not be deemed to be committed under this section in the following cases—

- (a) where any matter or ingredient not injurious to health has been added to the article of food because the same is required for the production or preparation thereof as an article of commerce, in a state fit for carriage or consumption not fraudulently to increase the bulk, weight or measure of the food, or conceal the inferior quality thereof;
- (b) where the article of food is the subject of a patent in force, and is supplied in the state required by the specification of the patent;
- (c) where the food is unavoidably mixed with some extraneous matter in the process of collection or preparation.

Provision for the sale of compounded articles of food.

85. (1) No person shall sell any compound article of food which is not composed of ingredients in accordance with the demand of the purchaser.

(2) Any person who contravene the provisions of this section shall be liable to a fine of N40.

Protection from offences by giving of label.

86. No person shall be guilty of an offence under section 84 or 85 in respect of the sale of an article of food mixed with any matter or ingredient not injurious to health, and not intended fraudulently to increase its bulk, weight or measure, or conceal its inferior quality, if at the time of delivering such article he shall supply to the person receiving the same a notice, by a label distinctly and legibly written or printed on or with the article, to the effect that the same is mixed.

Prohibition of the abstraction of any part of an article of food before sales without notice.

87. (1) No person shall, with the intent that the same may be sold in its altered state without notice, abstract from an article of food any part of it so as to affect injuriously its quality, substance or nature, and no person shall sell any article so altered without making disclosure of the alterations.

(2) Any person who contravene the provisions of this section shall be liable to a fine of N40.

Appointment of analysts.

88. The Commissioner responsible for matters relating to health may appoint analysts of all articles of food.

Purchaser may have food analysed

89. Any vendor or purchaser of an article of food in any place where there is any analyst appointed under this Law may on payment of a sum of N2, have such article analysed by such analyst, and may receive from him a certificate of the result of his analysis.

Officers named may procure sample of food to be analysed.

90. Any customs or medical officer or sanitary inspector or any police officer of or above the rank of inspector or any police officer or other person acting on the instruction of a police officer of or above the rank of inspector may procure any sample of any article of food, and if he suspects the same to have been sold to him contrary to any provision of this Law, shall submit the same to be analysed by an analyst, and such analyst shall, with all convenient speed, analyse the same and give a certificate to such officer, wherein he shall

specify the result of the analysis.

Provision
for dealing
with the
sample
when
purchased.

91. (1) The person purchasing any article of food with the intention of submitting the same to analysis shall, after the purchase shall have been completed, forthwith notify to the seller or his agent selling the article his intention to have the same analysed by an analyst, and shall offer to divide the article into three parts to be then and there separated, and each part to be marked and sealed or fastened up in such manner as its nature will permit, and shall if required to do so, proceed accordingly, and shall deliver one of the parts to the seller or his agent.

(2) He shall afterwards retain one of the said parts for future comparison, and submit the third part, if he deems it right to have the article analysed, to the analyst.

Provision
when the
sample is not
divided.

92. If the seller or his agent does not accept the offer of the purchaser to divide the article purchased in his presence, the analyst receiving the article for analysis shall divide the same into two parts, and shall seal or fasten up one of those parts, and shall cause it to be delivered, either upon receipt of the sample or when he supplies his certificate, to the purchaser, who shall retain the same for production in case proceedings shall afterwards be taken in the matter,

93 (1) If any of the officers or persons mentioned in section 9 shall apply to purchase any article of food exposed for sale or on sale on any premises or in any shop or store, and shall tender the price for the quantity which he shall require for the purpose of analysis, not being more than shall be reasonably requisite, and the person exposing the same for sale shall refuse to sell the same to such officer or person as aforesaid, such person refusing shall be liable to a fine of N20.

Person
refusing to
sell any
article to any
officer is
liable to a
penalty

(2) All intoxicating liquor in or on any premises licensed for the sale of intoxicating liquor shall be deemed to be exposed for sale unless and until the contrary is proved.

(3) Any person licensed to sell intoxicating liquor by wholesale may sell to any of the person mentioned in section 9 the quantity of liquor required by him for analysis though such quantity be less than 36.8 litres.

94. The certificate of the analyst shall be in the form set forth in the Fourth Schedule, or to the effect.

Form of the
certificate

95. When the analyst having analysed any article of food shall have given his certificate of the result, from which it may appear that an offence against one of the provisions of this Law has been committed, the person causing the analysis to be made may take proceedings against the offender before a court having jurisdiction in the place where the article sold-was actually delivered to the purchaser.

Proceedings
against
offenders.

96. At the hearing in such proceedings the production of the certificate of the analyst shall be sufficient evidence of the facts therein stated, unless the defendant shall require that the analyst shall be called as a witness, and the parts of the article retained by the person who purchased the article shall be produced.

Analyst's
certificate to
be *prima
facie*
evidence.

97. In any prosecution under this Law, where the fact of an article of food having been sold in a mixed state has been proved, if the defendant shall desire to rely upon any exception or provision contained in this Law, it shall be incumbent upon him to prove the facts required to being the same within such exception or provision.

Defendant in any prosecution to prove that he is protected by exception or provision.

98. If the defendant in any prosecution under this Law proves to the satisfaction of the court that he had purchased within Nigeria the article in question as the some in nature, substance and quality as that demanded of him by the prosecutor, and with a written warranty to that effect, that he had no reason to believe at the time when he sold it that the article was otherwise, and that he sold it in the same state as when he purchased it, he shall be discharged from the prosecution, but shall be liable to pay the costs incurred by the prosecutor, unless he shall have given due notice to him that he will rely on the above defence.

Defendant to be discharged if he proves that he bought the article in same state as sod and with a written warranty.

99. Any person who—

- (a) wilfully applies to an article of food, in any proceedings under this Law, a certificate of warranty given in relation to any other article;
 - (b) gives a false warranty in writing to any purchaser in respect of an article of food sold by him as principal or agent; or
 - (c) willfully gives a label with any article sold by him which falsely describes the article sold;
- shall be liable to a fine of N40.

Misapplication of warranty.

100. Nothing in this Law contained shall take away any other remedy against any offender under this Law or in any way interfere with contracts and bargains between individuals, and the rights and remedies belonging thereto:

Provided that in any action brought by any person for a breach of contract on the sale of any article of food such person may recover alone or in addition to any other damages recoverable by him the amount of any penalty in which he may have been convicted under this Law, together with the costs paid by him upon such conviction, and those incurred by him in and about his defence thereto, if he proves that the article the subject of such conviction was sold to him as and for an article of the same nature, substance and quality, as that which was demanded of him, and that he purchased it not knowing it to be otherwise, and afterwards sold it in the same state in which he purchased it; the defendant in such action being nevertheless at liberty to prove that the conviction was wrongful or that the amount of costs awarded or claimed was unreasonable.

101. In any proceedings for an offence under section 241 of the Criminal Code a certificate in the Form in the Fourth Schedule or to the like effect given by the analyst who has analysed the article of food in relation to which such proceedings are taken may be produced and shall be sufficient evidence of the facts therein stated, unless the defendant shall require that the analysts be called as a witness, provided that the procedure prescribed in section 91 or 92, as the case may require, has been followed and the parts of the article retained by the person who has caused the article to be analysed are produced before the court.

Proceedings and contract not to be affected.

Certificate of analyst to be evidence in proceedings for offences under section 241 of the Criminal Code.

FIRST SCHEDULE

Cattle
Pigs
Horses

Donkeys
Goats
Sheep
Dogs

SECOND SCHEDULE

Anthrax	Mastitis
Abscesses	Melanosia
Actinobacillosis	Metritis
Actinomycosis	mucosal disease complex
Anaplasmosis	Oedema
Arthritis	Odour, associated with disease/or otherwise prejudicial to health
Babesiosis	Parturien Paresis
Blackquarter	Pericarditis
Bluetongue	Pigmentation
Bruising, extensive and severe	Pigmentation
Cysticereosis	Pleurisy
Caseous lymphadenitis	Pneumonia and Pleuro-pneumonia
Contamination	Polyarthritis
Decomposition	Pyæmia, including joint-illness
Degeneration	Rabies
Distomatosis	Rinderpest
Dropsy	Sarcocystosis
Emaciation, pathological	Septicæmia
Erysipelas	Salmonellosis
Foot-and-mouth disease	Swine fever
Heat-water	Tetanus
Immaturity-stillborn or unborn	Toxaemia
Carcass	Transit fever
Inflammation	Trichinosis
Jaundice	Trypanosomiasis
Leptospirosis	Tuberculosis
Leukaemia	Tumours
Malformation	Uraemia.
Malignant catarrhal fever	

THIRD SCHEDULE (Section 4(2))

FEES PAYABLE FOR THE INSPECTION AND EXAMINATION OF ANIMALS INTENDED FOR SLAUGHTER

							N	K
Cattle	...	...	...	...	...	...	5.	00
Horses	...	...	...	...	...	...	5.	00
Donkeys	...	...	...	...	...	...	2.	00

Sheep	...	...	...	...	...	...	2.	00
Goat	...	...	...	...	...	...	2.	00
Pigs	...	...	...	...	...	...	2.	00
Dogs	...	...	...	...	...	...	1.	00

FOURTH SCHEDULE

THE SALE OF FOOD

Form of Certificate

To,

I, the undersigned, public analyst for thedo hereby certify that I received on the.....day of 20 from a sample of for analysis (which then weighed) and have analysed the same, and declare the result of my analysis to be as follows-

I am of opinion that the same is a sample of genuine

Or

I am of opinion that the said sample contained the parts as under, or the percentage of foreign ingredients as follows (here state observations).

As witness my hand this day of20

(Signed).....

SUBSIDIARY LEGISLATION

Public Health Law

PUBLIC HEALTH RULES

1. These rules may be cited as the Public Health Rules.
- 2.” Council” in any area or place, shall mean the council for such area for the purposes of these rules.

INFECTIOUS DISEASES

3. When any case of infectious disease or suspected infectious disease is notified to the medical officer of health, he shall immediately visit and inspect, or appoint some fit and proper person to visit and inspect, the individual alleged to be suffering from the infectious disease; and, on being satisfied that the case is one of infectious disease, he may order such individual and all individuals who have been in contact with the case to remain on the premises where the case was at the time of infection, or he may cause them to be removed to an infectious diseases hospital or, other suitable place provided for the reception of cases suffering from an infectious disease, or for the segregation of contacts.

4. (1) A medical officer of health or any sanitary inspector, police officer or other person acting on the instructions of a medical officer of health may enter any premises to search for any case of infectious disease, or to inquire whether there is or has been on such premises any case of infectious disease.

(2) If a sanitary inspector, police officer or other person as aforesaid shall find any case of infectious disease or a case suspected of being one, he shall report the same to the medical officer of health.

5. The officer in charge of the police in any place and every Local Government shall afford every assistance to the medical officer of health in effecting the isolation of infested cases, suspects or contacts.

6. In case of yellow fever, all cases infected or suspected shall be protected by netting from mosquitoes and removed to the place of isolation in a screened ambulance or litter.

7. (1) every person travelling by land or sea from a declared infected area may if it be considered necessary by the medical officer of health, be subjected to medical inspection prior to being permitted to proceed on his journey.

(2) A person who refuses to submit to medical examination shall not leave the infected area.

(3) Any person discovered with suspicious symptoms shall be detained and dealt with as the medical officer of health may direct.

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

9. All persons residing in a declared infected area shall 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 a place decided upon by him, or under surveillance, as he may consider necessary.

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

(a) he shall satisfy the medical officer of health as to his name, intended destination and his place of residence thereat, and that such place is conveniently situated for medical supervision;

(b) he shall present himself for medical supervision during the prescribed period; and he may be required by the medical officer of health to deposit a sum, not exceeding N4, which may be forfeited if he fails so to present himself.

(2) If the medical officer of health be not satisfied as herein required, or if the person fails to comply with paragraph (a) and (b) hereof, the medical officer of health shall detain him under observation, or direct him to proceed to a specified place and there remain under observation during the prescribed period. In the latter case, the provisions of paragraph (b) hereof may, at the discretion of the medical officer of health, be applied to such person. In the case of plague, the period of detention under this rule may be extended to 10 days.

11. When any person from a declared infected area is placed under observation, or surveillance, the period of observation, or surveillance, shall be as follows—

(a) when observation is resorted to, the period shall not exceed 5 days, in the case of plague and cholera; 6 days, in case of yellow fever or cerebra-spinal meningitis; 12 days, in the case of smallpox;

(b) when surveillance is resorted to, the period shall be the same as that of observation; save in the case of plague, when it may be extended to a period not to exceed 10 days, to applying these measures, the period of observation or surveillance shall 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 shall date from the day of the isolation or the last case;

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

12. On all premises where there has been a case of infectious disease, whether the patient has died or recovered or been removed or is still on such premise, there shall be displayed a small red flag not less than 304.8mm. Square, or some conspicuous mark, approved by a health officer, on the side of such premises nearest to a public street, and the flag or mark shall remain displayed until the premises, with their contents, shall have been cleansed and disinfected to the satisfaction of a health officer. Provision for the supply of such flags or marks shall be made by the medical officer of health. Any person who shall remove such flag or mark without the permission of a health officer shall be liable to a fine of N10.

13. The medical officer of health may close any premises whereon there may have been a case or suspected case of infectious disease, until he considers the place fit for human occupation, and may also close, until he considers the same to be disinfected, any buildings, latrines, walls, dustbins, dumping grounds and any place which, by reason of the existence of infectious disease, he may deem it advisable to close.

14. No person shall remove any property from any infected premises, or from any premises whereon a suspected case of infectious disease has occurred, without the written permission of a health officer.

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

16. All clothing, bedding and any other articles worn or taken by the persons ordered to evacuate an infected area shall be disinfected.

17. The police shall furnish every assistance to the health officer in effecting the evacuation of any infected area and in the necessary measures pertaining thereto.

18. On the occurrence of an infectious disease to any place, the police, or the means of enforcing compliance at the disposal of the Local Government, shall assist the health officer, if in his opinion it be necessary, by establishing a cordon round any declared area, for the purpose of preventing persons departing from or going to any such place.

19. On the occurrence of an infectious disease, the chiefs and headmen of any town, village or district, as well as all persons residing therein, whether such town, village or district be within an infected area or not, shall, if so directed, report or cause to be reported all cases of sickness and death occurring in their town, village or district.

20. When the infectious disease is plague, the chiefs and headmen of any town, village or district as well as all persons residing within such town, village or district shall also report or cause to be reported any undue sickness or mortality amongst rats or mice which may be observed.

21. For the carrying into effect of the two foregoing rules, the district officer shall, if required by a health officer, notify the chiefs, headmen 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 instruct them to the officer to whom such report shall be made.

22. (1) When it may appear to the medical officer of health that the holding of public meetings, funeral ceremonies, or other customs is likely to tend to the spread of any

infectious disease, any Magistrate, or Local Government shall, if requested by the medical officer of health, prohibit such meetings, funeral ceremonies, or other customs.

(2) Any person who is present at or takes part in any meeting, ceremony or custom which has been prohibited shall be liable to a fine of N10.

23. When infectious disease occurs, a health officer may prescribe any measures which he considers necessary to ensure the destruction of rats, mice and other kinds of vermin, and the mosquitoes, their larvae and pupae, fleas, bugs or any other such parasite, and all person shall obey any instruction given by a health officer in this behalf.

24. (1) To prevent the spread of infectious disease, the owner or occupier of any premises shall, if required by a health officer, render all roofs, partitions, floor and plinths of houses rat-proof. (2) When plague is present in any place no foodstuffs attractive to rats shall be kept in inhabited premises unless such foodstuffs are effectively protected against rats and mice to the satisfaction of the medical officer of health.

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

26. When an infectious disease occurs in any place, the occupiers of premises in such place shall comply with any directions given by a health officer with regard to the disposal of refuse and sewage.

27. On the occurrence of an outbreak of infectious disease, an administrative officer may, if requested by the medical officer of health, require any council within his jurisdiction to make an order for the erection of temporary huts, mortuaries and similar buildings as he may deem necessary.

SLAUGHTERHOUSES AND SALE OF MEAT

28. No person shall slaughter any animal for the food of man except —

(a) in a public slaughter-house.

(b) in a licensed private slaughter-house; or

(c) under a special licence: and the animals has been examined by a health officer and passed by him as fit for slaughter.

29. (1) A council may, if it thinks proper, license any premises as a private slaughter-house. Every such licence shall be in Form A in the Schedule and may be granted for any period provided that every such licence shall expire not later than December 31st of the year in which it is issued.

(2) There shall be paid for every such licence a fee of fifty kobo for each month or part of a month for which the licence is to have effect. The council, in issuing any such licence may impose and endorse thereon such special conditions (if any) as the council may appear proper.

(3) Any such licence may be cancelled by the council if the holder thereof commits any breach of the conditions of the licence or of the provision of this part.

30. A council may, if it thinks proper, issue a licence authorizing the holder thereof to slaughter animals of the kind and such number as in such premises as may be specified. There shall be paid for every such licence the fees following (which fees shall include the charges for the inspection and examination of the animal by the health officer)-

N

K

Cattle per head..... 1.

00

Sheep and swine per head 0.
25
Goats per head 0.
15

31. The holder of a licence for a private slaughter-house shall at all times keep his slaughter-house clean and in a state of the satisfaction of the health officer, and shall comply with all instructions given by a health officer with regard to the disposal of blood, dirt, offal, filth and rubbish therefrom.

32. Every person who shall make use of a public or licensed slaughter-house, shall keep the same in a perfectly clean state, and shall, before leaving, brush, sweep and clean away all blood, dirt, offal, filth and rubbish from such slaughter-house and thoroughly wash and cleanse the same; and all such blood, dirt, offal, filth, rubbish and sweepings shall, by such person, immediately be conveyed to such place and disposed of in such manner as may be directed by the health officer.

33. All public or licensed slaughter-house shall be used only between the hours fixed by the council on the recommendation of the health officer.

34. The health officer shall inspect and examine daily, at such place and at such hours as he may appoint, all animals intended for slaughter.

35. If after inspection and examination an animal be passed as fit for slaughter, the health officer shall issue a certificate of fitness.

36. (1) The fees set out in the third column hereunder shall be due and payable in all municipal area for the services set out in the first column in respect of the animals specified in the second column, but such fees may be reduced by the council of any township of the second and third class to amounts not less than those set out in the fourth column.

Service for which is payable	Animal	Nominal fee, per head	Minimum to which fee may be reduced per head
For inspection, examination, and if passed for slaughter, for issuing a certificate of fitness, in respect of animals to be slaughtered in a public or licensed slaughter house.	All cattle	30k	10k
	sheep	10k	4k
	swine	10k	4k
	Goats	10k	4k

(2) The Commissioner may by notice in the Enugu State Gazette exempt any area or place from the operation of this rule.

37. Every animal which has been inspected, and for which a certificate has been issued under these rules, shall be slaughtered within 24 hours; or the certificate of fitness for slaughter shall become invalid.

38. All instruments used for the slaughter of animal shall be approved by the health officer.

39. (1) After slaughter, the carcass of each animal shall be subject to examination and the whole or any such carcass found to be diseased shall be seized and subsequently destroyed under the written instruction of the health officer if condemned by him.

(2) The health officer shall order the mode of disposal of any such condemned carcass or part thereof: and the cost shall be borne by the owner.

40. (1) No meat shall be exposed for sale except between the hours of 6 a.m. and 6 p.m. and, in places provided with a public market, the sale of meat shall be restricted thereto.

(2) Anything in paragraph (1) to the contrary notwithstanding, the council may grant a permit in writing for the sale on approved premises, not being a public market, of such descriptions of meal as may be specified in such permit.

41. When the council, on the representation of the medical officer of health, considers it is to the interest of the public health, it may require that all meat exposed for sale shall be protected from flies by placing it in fly-proof cages which shall be provided by the vendor; the size and construction of such cages shall be according to a pattern approved by the medical officer of health.

SANITATION, ETC

42. All plans for public latrines, urinals, dustbins and manure and night soil depots and the sites thereof shall be approved by the medical officer of health before construction is commenced.

43. The medical officer of health shall give instructions for the maintenance in a sanitary condition of all public latrines, urinals, dustbins and manure and night-soil depots.

44. The medical officer of health shall advise the council as to the measures to be taken with regard to scavenging and the removal and disposal of all night-soil and other refuse and the cleaning of streets.

45. Occupiers of all premises shall provide covered receptacles for rubbish; the number, size and structure of such receptacles shall be approved by the health officer.

46. Every occupier shall collect all refuse on his premises and deposit it in the approved receptacles.

47. The occupier of premises shall remove daily all refuse from the receptacles to a public refuse depot, or dispose of it in such way and at such place as the health officer shall approve.

48. (1) No plans or sections or specifications showing the arrangements for the sanitation or ventilation of any new building shall be passed by the council until the medical officer of health has had an opportunity of examining the same and stating any objections which he may have to any of such proposed arrangements.

(2) In the event of the council differing from, and being unable to accept any alteration or amendment to such plans or sections advised by the medical officer of health, the council shall not pass the plan or section concerned without the approval of the Commissioner.

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

50. A room used exclusively or partially as a dwelling room shall be deemed to be overcrowded when the vacant floor space available for such adult is less than 4.6452 square metres or the cubic capacity less than 11.3268 cubic metres of free air; 2 children under 10 years of age counting as one adult.

51. Except with the written permission of a medical officer of health, no person shall, in areas in which building rules or bye-laws have been or are in operation, habitually 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 bye-laws for non-residential purposes only.

52. The medical officer of health shall inspect all factories, workshops and breweries, and all places of public instruction, recreation or assembly, as he may deem necessary, for the purpose of their regulation and sanitary maintenance: and he shall ascertain that-

(a) all doors open outwards;

(b) the drainage is effective and adequate;

(c) the minimum free air space per head is 8.6 cubic metres but the council shall 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 convenience of approved type, with separate

accommodation for females;

(e) the water supply is wholesome and sufficient;

(f) the ventilation is adequate;

(g) the disposal of waste products is satisfactory.

53. (1) All bake-houses, dairies, aerated water manufactories, eating-houses and food preserving and food preparing establishments shall be registered annually in the office of the council by the proprietor or occupier carrying on the business.

(2) A council shall not register any premises under this rule until the premises have been inspected and approved by the health officer.

(3) There shall be paid in respect of every such registration a fee of 50k and the council shall issue a certificate of registration in Form B in the Schedule.

(4) Any such premises, which are not re-registered in the month of January in each year, shall be deemed to be unregistered premises.

54. All bake-houses, dairies or aerated water manufactories shall be paved or concreted, and drained to the satisfaction of the medical officer of health. The area of such premises shall, in one case, be less than 18.5806 square metres.

55. All bake-houses, dairies and aerated water manufactories shall be lime-washed inside throughout once every 6 months, or thoroughly cleaned periodically to the satisfaction of the health officer.

56. No animal or bird shall be allowed on premises used as bake-houses, dairies or aerated water manufactories, and all such premises shall be made fly-proof to the satisfaction of the medical officer of health.

57. No room used for any purpose mentioned in rule 56 shall be used as a sleeping apartment

58. The sanitary arrangements and conveniences on all premises mentioned in rule 53 shall be to the satisfaction of the medical officer of health.

59. No water shall be used on any of the premises mentioned in rule 53 except that obtained from a source approved by the medical officer of health

60. All flour, foodstuffs and water used in connection therewith shall be kept adequately covered and all pans, moulds and other utensils shall be maintained and kept clean to the satisfaction of the health officer.

61. Measures, to the satisfaction of the health officer, shall be taken by the owners or occupiers of the premises mentioned in rule 53 to keep down vermin.

62. The health officer may prohibit any person suffering from any disease or ailment from entering or remaining on any of the premises mentioned in rule 53, should be for sanitary reasons deem it necessary.

63. If the medical officer of health shall consider that any premises used for any of the purposes mentioned in rule 53 should, in the interest of the public health, be closed, he may by notice in writing prohibit the proprietor or occupier from using such premises for any such purposes until such time as such prohibition shall be withdrawn.

64. Each user of a public laundry or wash-house shall 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 3.6 square metres.

65. Water barrels, after each day's use shall be inverted and left so until used again.

66. No refuse or solid material shall be thrown into the drains.

67. Each user is responsible for keeping clear of obstruction that portion of any drain adjoining his part of the washing platform.

68. In private laundries or wash-houses, the occupier shall ensure that the general cleanliness and drainage conforms to the requirements of the health officer

ANIMALS

69. A council may by public notice prohibit the bringing into, or keeping, within any municipality or urban country or part thereof, of any animals.

70. The site, structure, drainage and cleanliness of all stables, sheds, or areas assigned for the keeping of any animals within a township, or within a radius of 8km boundary of the municipality, shall conform to the requirements of the medical officer of health.

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

72. The minimum floor space in a stable or shed for each house shall be 6.6890 square metres: and for each head of cattle, 4.4593 square metres.

73. The floor surface of each stable or shed shall be laid to a fall of 1 in 50 and built up so that no portion of the floor space be less than 50.8 millimetres above the ground level or the surrounding open space and shall be so constructed that it shall be drained to the satisfaction of the medical officer of health into a sump, catchpit or other place set apart for such purpose.

74. All dung, litter and refuse from stables and sheds shall be disposed of to the satisfaction of the health officer.

75. A medical officer of health may prescribe the number of animals which may be kept on any premises and the number so prescribed shall not be exceeded.

76. The following diseases shall constitute contagious or infectious diseases in animals—

(a) rinderpest or cattle plague;

(b) contagious pleura-pneumonia of cattle:

(c) foot and mouth disease;

(d) swine and mouth disease;

(e) epizootic lymphangitis;

(f) anthrax;

(g) glanders and farcy;

(h) scabies;

(i) tuberculosis any other contagious or infectious disease which the Commissioner may by notice in the Enugu Slate Gazette declare as such.

77. When an animal is suffering from a contagious or infectious disease, or a carcass, whether the animal has died or been slaughtered, 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 shall be forthwith 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, the owner of the place which was occupied by such animal, and the person, if any, who slaughtered the animal shall each be bound to inform the health officer if they are aware of the presence of such disease.

78. Disinfection of the infected stable, shed or place shall be carried out as follows-

(a) in the case of a temporary grass hut, the hut shall be burnt;

(b) in the case of a permanent building, the walls and floor shall be scraped and all scraping shall be burnt, and when possible the ceilings, walls and floors shall be painted with a strong solution of chloride of lime and thereafter with a five per centum solution of carbolic acid or other strong disinfection;

(c) all ropes, straw, dung and litter shall be burnt;

(d) all butcher's implements and outfit utensils and stable gear or fixture shall be disinfected with a strong solution of carbolic acid, or other disinfectant.

79. (1) the carcass of an animal infected with glanders or any shall be burnt.

(2) In the case of anthrax the carcass shall be buried immediately and as close as possible to the place where the animal died or was killed, at a depth of 1.829 metres, with, when

possible, layers of lime one foot below and one foot above the carcass; all the natural orifices of the body shall be plugged.

(3) In the case of rinderpest the whole carcass, and in the case of pleuro-pneumonia or tuberculosis, the diseased organs or part, shall be buried.

(4) In all cases the owner of the carcass shall be liable to pay the expense of the disposal of the carcass.

80. All enclosures, fields or areas occupied by infected animals and all places where infected animals have been buried shall be fenced by the owner thereof and no animals shall be permitted to occupy the same for a period of 2 months.

GENERAL PROVISIONS

81. It shall be the duty of all medical officers to cause to be made from time to time inspection of their district, with a view to ascertaining what nuisances exist which call for abatement under the powers of the 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.

82. Sanitary inspectors shall perform under the direction and supervision of the medical officer of health such duties as may be assigned to them by him for building or other purposes without the approval of the health officer which shall be obtained through the council. The health officer shall, on giving his approval, fix a suitable place for such burrow-pits and excavations and shall give instructions for filling in or efficiently draining the same.

83. Any person who shall commit a breach of or shall fail to comply with any of the provisions of these rules, or of any directions or instructions or prohibitions of a health officer given under any of these rules shall be liable to a fine of N60.

SCHEDULE

Form A

Privates Slaughter-House Licence

The premises described hereunder and in control of

.....

Are licensed as a private slaughter-house from

..... 20 To

..... 20

Date

.....

Town Clerk

Fee paid

Form B

Registration of Bake-houses, Dairies, Aerated Water Manufactures, Eating-houses, Food preserving and Food preparing Houses,

The premises described hereunder and in the control

of..... Are registered as

from 20 to

..... 20

Date 20

Fee: 50k

.....
Town Clerk

The Public Health (Infectious Diseases) Declaration

1. This declaration may be cited as the Public Health (Infectious Diseases) Declaration.
2. The diseases mentioned in the Schedule are declared to be infectious diseases within the meaning of the Law.

Schedule

Plague
Cholera
Yellow Fever
Smallpox
Typhus (Louse-borne, other)
Relapsing Fever (Louse-borne, other)
Cerebro-spinal Meningitis
Influenza
Acute Poliomyelitis
Anthrax (human)
Czhicken-pox
Dipheria
Measles
Rabies (human)
Typhoid and Paratyphoid Fevers
Whooping Cough
Infectious Yaws
Infective Hepatitis
Food Poisoning
Dysentery, (Amoebic, Bacillary, Unclassified)
Pneumonia (Broncho, Lobar, Unclassified)
Tuberculosis
Tetanus
Leprosy
Ophthalmia Nenomatorum
Gonorrhoea
Syphilis
Trachoma
Malaria
Filariasis
Onchocerciasis
Schistosomiasis (Vesical, Intestinal)
Sleeping Sickness