

CHAPTER 139

PUBLIC HEALTH LAW

SUBSIDIARY LEGISLATION

Public Health Rules

made under sections 40 (and also 41 and 42 of the Public Health Ordinance formerly Chapter 183 of the Laws of Nigeria, 1948)

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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.

PART I.—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. A medical officer of health or any sanitary inspector, police officer or other person acting on the instructions of a medical officer of

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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.

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 council shall afford every assistance to the medical officer of health in effecting the isolation of infected 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 traveling 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 and examination 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 persons 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.

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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 three hundred naira, which may be forfeited if he fail so to present himself.
- (2) If the medical officer of health be not satisfied as herein required, or if the person fail to comply with paragraphs (a) and (6) 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 ten 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 five days, in the case of *plague and cholera*; six days, in the case of *yellow fever or cerebro-spinal meningitis*; twelve 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 ten days. In applying these measures, the period of observation or surveillance shall extend from the date of removal from
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- the infected area; provided that among those under observation no subsequent case has occurred. If any further case of the same disease occur, the period of observation shall date from the day of the isolation of 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 premises, there shall be displayed a small red flag not less than a foot 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 seven hundred and fifty naira.
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, wells, 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.

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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 in any place, the police, or the means of enforcing compliance at the disposal of the local government council, 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 as 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 council 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 seven hundred and fifty naira.
- 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 of mosquitoes, their larvae and pupae, fleas, bugs or any other such parasites, and all persons 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, floors 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 or found dead 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 mortuaries and similar buildings as he may deem necessary.

PART 2. SLAUGHTER-HOUSES 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 animal 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 the 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 one hundred naira 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 to 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 provisions 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 and 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... | ... | 100 |
| Sheep and swine per head | ... | 20 |
| Goats per head... | ... | - |
31. The holder of a licence for a private slaughterhouse shall at all times keep his slaughter-house clean and in a good state to 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 slaughterhouse, 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-houses 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. Every animal which has been inspected, and for which a certificate has been issued under these rules, shall be slaughtered within twenty-four hours; or the certificate of fitness for slaughter shall become invalid.
37. All instruments used for the slaughter of animals shall be approved by the health officer.
38.
 - (1) After slaughter, the carcass of each animal shall be subject to examination and the whole or any part of any such carcass found to be diseased shall be seized and subsequently destroyed under the written instructions 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.

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39. (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 meat as may be specified in such permit.
40. When the council, on the representation of the medical officer of health, considers it is to the interests 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.

PART 3.— SANITATION, ETC

41. 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.
42. 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.
43. 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 cleansing of streets.
44. 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.
45. Every occupier shall collect all refuse on his premises and deposit it in the approved receptacles.
46. The occupiers 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.

47. (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.
48. The medical officer of health shall, when necessary, prescribe the maximum number of persons that may occupy any given room or premises.
49. A room used exclusively or partially as a dwelling room shall be deemed to be overcrowded when the vacant floor space available for each adult is less than fifty square feet, or the cubic capacity less than four hundred cubic feet of free air; two children under ten years of age counting as one adult.
50. 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.
51. 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 three hundred cubic feet; but the council shall have power, in any case, to raise this minimum on the recommendation of the medical officer of health;

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- (d) there is a sufficiency of sanitary conveniences 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.
52. (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 one hundred naira and the council shall issue a certificate of registration in the 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.
53. 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 no case, be less than two hundred square feet.
54. All bake-houses, dairies and aerated water manufactories shall be lime-washed inside throughout once every six months, or thoroughly cleaned periodically to the satisfaction of the health officer.
55. 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.
56. No room used for any purpose mentioned in rule 55 shall be used as a sleeping apartment.

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57. The sanitary arrangements and conveniences on all premises mentioned in rule 52 shall be to the satisfaction of the medical officer of health.
58. No water shall be used on any of the premises mentioned in rule 52 except that obtained from a source approved by the medical officer of health.
59. All flour, foodstuffs and water used in connexion 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.
60. Measures, to the satisfaction of the health officer, shall be taken by the owners or occupiers of the premises mentioned in rule 52 to keep down vermin.
61. 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 52, should he for sanitary reasons deem it necessary.
62. If the medical officer of health shall consider that any premises used for any of the purposes mentioned in rule 52 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.

Laundries and Wash-houses

63. 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 twelve feet.
64. Water barrels after each day's use shall be inverted and left so until used again.
65. No refuse or solid material shall be thrown into the drains.

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66. Each user is responsible for keeping clear of obstruction that portion of any drain adjoining his part of the washing platform.
67. In private laundries or wash-houses, the occupier shall ensure that the general cleanliness and drainage conforms to the requirements of the health officer.

PART 4.—ANIMALS

68. A council may by public notice prohibit the bringing into, or keeping, within any municipality or urban county or part thereof, of any animals.
69. 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 half a mile from the boundary of the municipality, shall conform to the requirements of the medical officer of health.
70. The site, plan and construction of any stable or shed and the site of any area assigned for keeping horses and cattle in an urban area shall be submitted to the medical officer of health for approval, before construction is commenced.
71. The minimum floor space in a stable or shed for each horse shall be seventy-two square feet; and for each head of cattle, forty-eight square feet.
72. 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 two inches above the ground level of 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.
73. All dung, litter and refuse from stables and sheds shall be disposed of to the satisfaction of the health officer.
74. 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.

75. The following diseases shall constitute contagious or infectious disease in animals-
- (a) Rinderpest or cattle plague.
 - (b) Contagious pleuro-pneumonia of cattle.
 - (c) Foot and mouth disease.
 - (d) Swine fever.
 - (e) Epizootic Lymphangitis.
 - (f) Anthrax.
 - (g) Glanders and Farcy.
 - (h) Scabies.
 - (i) Tuberculosis.
 - (j) Any other contagious or infectious disease which the Commissioner may by notice in the *Abia State Gazette* declare as such.
76. 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.
77. Disinfections 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 scrapings 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

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five per centum solution of carbolic acid or other strong disinfectant;

- (c) all ropes, straw, dung and litter shall be burnt;
 - (d) all butchers' implements and outfit, utensils and stable gear or fixtures shall be disinfected with a strong solution of carbolic acid, or other disinfectant.
78. (1) The carcass of an animal infected with glanders or farcy 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 six feet, 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.
79. All enclosure, 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 animal shall be permitted to occupy the same for a period of two months.

PART 5.—GENERAL PROVISIONS

80. It shall be the duty of all medical officers to cause to be made from time to time inspection of their districts, 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.

81. 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.
82. No person shall in any urban area make any borrow-pit or excavation 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 borrow-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 four thousand naira.

SCHEDULE

FORM A

THE PUBLIC HEALTH LAW (CHAPTER 139)

Private Slaughter-house Licence

The premises described hereunder and in the control of.....
are licensed as a private slaughter-house from.....20.....
to....., 20.....
Date....., 20.....

Fee paid, N.....

.....
Secretary to Local Government

FORM B

THE PUBLIC HEALTH LAW (CHAPTER 139)

Registration of Rake-houses, Dairies, Aerated Water Manufactories, 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 N.....

.....
Secretary to Local Government