

ANIMALS (DISEASES) LAW

SUBSIDIARY LEGISLATION

List of Subsidiary Legislation

- 1. Subsidiary Legislation made under section 3 of the Animals (Diseases) Law.
- 2. Animals (Diseases) Regulations.
- 3. Control of Trade Cattle Regulations.
- 4. The Animals (Diseases) (Prevention of Trypanosomiasis) Regulations.

ANIMAL DISEASES LAW

- Subsidiary legislation made under section 3 of the Animals (Diseases) Law declaring certain animals and diseases to be included in those terms for the purposes of the Law.

Subsidiary legislation	Animals to be included in the term “animal” for the purposes of the Law	Diseases to be included in the term “disease ” for the purposes of the Law
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Order in Council 47 of 1930.	Cat.	—
Order in Council 34 of 1937.	Domestic fowls, ducks and turkeys.	Bacillary white diarrhoea, fowl pox, fowl typhoid, fowl cholera, fowl plague and Newcastle disease.
Public Notice 33 of 1938.	Parrots and any birds of the parrots family.	Psittacosis.
Public Notice 237 of 1946.	—	East Coast Fever and African Horse Sickness.
Public Notice 14 of 1950.	Geese, guinea fowl, pheasants and partridges.	Avian Tuberculosis, Pullorum disease, Avian Leucosis Complex, Infectious Laryngo-Tracheitis, Infectious Bronchitis, Avian Listerellosis.

ANIMALS (DISEASES) REGULATIONS*

- [Section 3.] [Regs. 7 of 1918, 25 of 1930, 26 of 1930, 36 of 1937, 32 of 1938, 41 of 1938. Order in Council 53 of 1951. LN 39 of 1954, 131 of 1954. NR LN 19 of 1958.] [Date of commencement: 21st February, 1918]

1. These regulations may be cited as the Animals (Diseases) Regulations.
2. Definitions—

- **“Permanent Secretary”** means the Permanent Secretary having supervision over the departments of government which are under the control of the Ministry charged with responsibility for matters relating to animal health;
- [NR LN 19 of 1958.]
- **“veterinary officer”** means a veterinary officer in the service of the Government;

- **“veterinary surgeon”** means any person who possesses a veterinary qualification recognised by the Government.
- [Reg. 25 of 1930.]
- **Notification of Disease**
- 4. (1) Any person having in his charge or under his control any animal infected or suspected to be infected with disease shall keep such animal separate from animals not so infected or suspected, and shall forthwith give notice of the fact of the animal being so infected or suspected to a veterinary officer or to the nearest magistrate or Local Government authority.
- (2) When the animal so infected or suspected is travelling, neither such animal nor any animal with which it has been in contact shall be moved except in so far as may be necessary for effecting isolation or for procuring food or water, pending the directions of a veterinary officer.
- 5. Every Local Government authority receiving a notification under regulation 4 or otherwise becoming aware that any animal within the limits of its jurisdiction is infected with disease shall forthwith notify the nearest magistrate, and shall take measures to enforce the provision of the said regulation with regard to the isolation and non-movement of the animal.
- 6. A magistrate receiving a notification under regulation 4 or 5 or otherwise becoming aware of the presence of disease within the area of his jurisdiction shall communicate with the nearest veterinary officer and shall, pending the instruction of a veterinary officer, issue such orders, directions or prohibitions as he may deem proper for the prevention of the spread of the disease:
- Provided that a magistrate shall not order any animal to be slaughtered except on the instruction of a veterinary officer, or if it should appear to the magistrate that an animal should be slaughtered before the instruction of a veterinary officer can be obtained, he may appoint a committee of not less than three persons, two at least of whom shall be officers in the service of the Government, to inquire into and to advise as to the necessity for slaughtering such animal, and if the majority of the members of such committee shall advise that the animal should be slaughtered, he may order the animal to be slaughtered.
- 7. A veterinary officer shall, if he is of opinion that any animal is infected with any disease, or if he has reason to believe that any animal has been exposed to infection, issue such orders, directions or prohibitions as he may consider necessary or advisable to prevent the spread of the disease and may cause any such animal to be slaughtered if he shall consider that the slaughter of the animal is necessary for the prevention of the spread of the disease.
- 8. (1) Where any animal—
- (a) dies of disease or is slaughtered in accordance with orders issued under these regulations; or
- (b) is slaughtered otherwise than in accordance with orders issued under these regulations and its carcass is in the opinion of a veterinary officer infected with disease, the carcass shall be disposed of by burning or in such manner as the veterinary officer may direct. [Reg. 41 of 1938.]

- (2) Any fodder, litter, utensils, pens or other thing which may in the opinion of a veterinary officer have become infected by such animal or its carcass shall be treated or disposed of as the veterinary officer shall direct.
- 9. A veterinary officer may for the purpose of examining any animal enter at any time any building or upon any land, and may, for the purpose of diagnosing disease, take blood smears or cause them to be taken, from any animal, or apply such tests as he may consider necessary.
- 10. Any administrative, veterinary or police officer may—
 - (a) arrest without warrant any person whom he has reasonable ground for believing has been guilty of any breach, non-compliance with or contravention of any of these regulations or of any order or direction given under any such regulation;
 - (b) seize and detain any animal in relation to which any such breach, noncompliance or contravention has been committed:
- Provided that such seizure and detention shall be reported, without delay, to a magistrate having jurisdiction in the area in which the animal has been seized.

11. (1) Any person who is guilty of any such breach, non-compliance or contravention as aforesaid, shall be guilty of an offence and shall be liable to a fine of one thousand naira or to imprisonment for six months, and any animal in relation to which the offence has been committed may be forfeited.

- (2) Whenever a magistrate is satisfied by evidence on oath that there is reason to believe that an offence has been committed in relation to any animal which has been seized and detained but that the offender is unknown or cannot be found, he may order the forfeiture of such animal:
- Provided that no order shall be made under this paragraph unless the owner (if his name and whereabouts be known) of such animal shall have had an opportunity of appearing before the magistrate to show cause why the order should not be made.
- (3) Whenever a magistrate is satisfied by evidence on oath that there is reason to believe that an offence has been committed in relation to any animal which has been seized and detained, he may order the owner of such animal to pay into court such sum as he may consider reasonable to cover the expenses of and in connection with the seizure, removal and detention of the animal, and, unless such sum be paid within such time as may be specified in the order, the animal shall be forfeited.

• **Compensation**

- 12. Subject to the provisions of regulations 13 and 15, compensation may be paid to the owner of any animal which is slaughtered, or any hide or skin or other part of a carcass which is destroyed under the provisions of these regulations. [Reg. 41 of 1938.]
- 13. Compensation shall not be paid in respect of any dog which is, or is suspected of being, infected with rabies, or in respect of any animal in relation to which any offence under these or any other regulations

under the Law has been committed, or in respect of any animal which was infected with disease, or in respect of any hide or skin or other part of any carcass which is certified by a veterinary officer to be infected with disease. [Reg. 41 of 1938.]

- 14. Where any animal is slaughtered or any hide or skin or other part of any carcass is destroyed by orders given under these regulations a certificate by a veterinary officer that such animal or hide or skin or other part of the carcass was infected with disease shall be accepted as conclusive proof thereof in any legal proceedings.[Reg. 41 of 1938.]
 - 15. The compensation which may be paid in respect of any animal slaughtered or any hide or skin or part of a carcass destroyed under the provisions of these regulations shall not exceed the value of the animal or hide or skin or part of the carcass immediately before it was slaughtered or destroyed.[Reg. 41 of 1938.]
 - 16. Claims for compensation shall be made in writing to the Permanent Secretary through a magistrate having jurisdiction in the area in which the animal was slaughtered, and the Permanent Secretary if, after such inquiry as he may think proper, he is satisfied that compensation may be paid in the circumstances of the claim, may assess the compensation and direct the payment thereof:
 - Provided that any person who is dissatisfied with the decision of the Permanent Secretary may appeal to the Governor, whose decision shall be final
 - [Order in Council 53 of 1951, LN 131 of 1954, NR LN 19 of 1958.]
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CONTROL OF TRADE CATTLE REGULATIONS

- [Section 3.]
 - [Regs. 12 of 1943, 31 of 1944, 8 of 1951, LN 131 of 1954, NR LN 30 of 1958, NN 27 of 1963.]
 - [Date of commencement: 18th March, 1943]
1. These regulations may be cited as the Control of Trade Cattle Regulations.
 2. Definitions—
- **“area”** means an area to which these regulations have been applied;
 - **“disease”** means rinderpest, contagious pleuro-pneumonia, black-quarter, haemor-rhagic septicaemia, anthrax, tuberculosis, and foot and mouth disease;
 - **“Commissioner”** means the Commissioner who is assigned responsibility for animal health;
 - **“prescribed officer”** means a person duly authorised by the Commissioner to exercise a power or perform a duty in relation to which the expression is used, or, where such power or duty is exercised or performed by a Local Government, the person duly authorised by a Local Government; [NR LN 30 of 1958.]
 - **“trade cattle”** means all cattle intended for slaughter or for use as pack animals whether coming over land from any place outside Nigeria or purchased in and intended to be moved out of an area. It does not include cattle proceeding to grazing grounds and not intended for sale or for use as pack animals.