

CHAPTER 36

DISEASES OF ANIMALS LAW

Arrangement of Sections

Section

1. Short title.
2. Interpretation.
3. Power to make regulations.
4. Presumption.
5. Protection of officers.
6. Special power regarding proceedings for offence.

CHAPTER 36

DISEASES OF ANIMALS LAW

L. of N. 1948,
Cap. 55, N.L.N.
131 of 1954,
L.E.N. Cap. 35,
1963.

A Law to make provision for Preventing the Introduction and Spread of Infectious or Contagious Disease amongst Animals.

(25th October, 1917)

Short title.

1. This Law may be cited as the Diseases of Animals Law.

Interpretation.

2. In this Law:
 "animal" includes stock, camels, dogs and ostriches, and any animal or bird which the Commissioner may by notice in the *Ebonyi State of Nigeria Gazette* declare to be included in the term "animal" for the purpose of this Law;
 "carcass" includes the carcass of an animal and part of a carcass and the meat, bones, hide, skin, hooves, horns, offal or other part of an animal, separately or otherwise or any part thereof;
 "cattle" includes bulls, cows, oxen, heifers and calves;
 "commissioner" means the commissioner responsible for health matters;
 "disease" includes African coast fever, anthrax, black-quarter, cattle plague (trinderpest), farcy, foot and mouth disease, glanders, lymphangitis (epizootic and uncerative), mange piroplasmosis, pleuro-pneumonia, rabies, scab, sheep pox, swine erysipelas, swine fever, trypanosomiasis and tuberculosis, and any other disease of an infectious or contagious nature which the Commissioner may by notice in the *Ebonyi State of Nigeria Gazette* declare to be included in the term "disease" for the purpose of this Law;
 "fodder" means grass or any other substance used for food for an animal;
 "litter" means straw or any other substance used for bedding or otherwise for or about an animal.
 "stock" includes horses, mules, donkeys, cattle, sheep, goats, antelopes (domesticated) and swine.

Power to make regulations.

3. (1) The Commissioner may make regulations for all or any of the following purposes:

- (a) for providing for the examination, testing, isolation, inoculation, removal, disinfection, branding, and slaughter of animals infected or suspected of being infected with any disease or which have been in contact with any such animal;
- (b) for prescribing and regulating the destruction, burial, digging up, disposal or treatment of any carcass or of any fodder, litter, utensils, pens, hurdles, dung or other thing being in an infected place or area or removed thereout;
- (c) for regulating the movement of animals within Ebonyi State of Nigeria;
- (d) for prohibiting the movement of animals into any area in which there is or is suspected to be any disease, and for prohibiting or restricting the removal from any such area of any animal, carcass, hide, skin, hair, wool, leather or any other thing by means of which disease may be carried;
- (e) for the disinfection of persons and their clothing who have been in contact with or employed about animals which are suffering or are suspected to be suffering from disease;
- (f) for the reporting of cases of disease or death amongst animals;
- (g) for the disinfection of buildings and places wherein animals infected with disease have been stalled or kept, and the disinfection and cleaning of public markets, private sale yards, railway premises, railway vans, trucks or carriages, wherein any animal shall have been placed, kept or carried;
- (h) for prohibiting in any place where disease exists the performance of any local custom likely to tend to the dissemination of such disease;
- (i) for requiring or regulating the branding of stock, prescribing the brands which may or shall be used and providing for the registration of brands;
- (j) for the appointment of officers to carry out the provisions of any regulations under this Law, and conferring upon them all necessary powers;
- (k) for prescribing and regulating the seizure, detention, disposal and forfeiture of any animal in relation to which any breach of any regulation under this Law or of any order or instructions under any such regulation has been committed and for determining the person who shall be liable to defray the expenses of such seizure, detention and disposal;

- (l) for prescribing the fees to be paid for any examination, inoculation, testing or disinfection, or for any certificate, licence, permit or other thing issued or done under any regulation under this Law and the payments to be made for the feeding and stabling of animals in quarantine;
- (m) for prescribing the cases in which compensation may be paid to the owners of any animal slaughtered, or to the owners of any carcass destroyed because it is suspected of being infected with disease, under the powers conferred by any regulation under this Law and determining the amount of such compensation and the funds out of which such compensation shall be paid;
- (n) for prescribing the proof required that an animal or carcass is infected with disease or is suspected of being infected with disease;
- (o) for prescribing and regulating the construction, position and proper sanitary maintenance of any place where an animal is kept; and
- (p) generally for the prevention of the introduction and spread of disease and for giving effect to the purposes of this Law.

Application.

(2) Any regulation made under this section may be applied to the whole of Ebonyi State of Nigeria or to any part thereof.

4. When the owner or person in charge of any animal suffering from disease is charged with an offence against any regulation under this Law he shall be presumed to have known of the existence of such disease in such animal unless he satisfies the court that he had not such knowledge and could not with reasonable diligence have obtained such knowledge.

Protection of officers.

5. No action shall lie against any officer for any act done in good faith in execution or intended execution of the powers conferred upon him by any regulation under this Law and, except as otherwise provided by the regulation, no compensation shall be payable to any person for any act done under the powers conferred by any such regulation.

6. Proceedings in respect of an offence against any regulations under this Law alleged to have been committed by any person may be taken before the appropriate Court having jurisdiction in the place where that person is for the time being.

Special power
regarding
proceedings for
offence.