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## CHAPTER 36

## DOGS LAW

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

ANS L Cap 42

[27<sup>th</sup> August 1991]

## PART I —PRELIMINARY

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

Short title

2. In this Law —

Interpretation

“authority” means person or local government appointed to be the authority for any district or place for the purpose of this Law by the Commissioner and the expression shall include all persons authorized in writing to act on his behalf;

“court” includes a customary court;

“disease” and “diseased” means rabies and infected with rabies;

“medical officer of health” and “health officer” mean any person appointed as such under the Public Health Law;

“suspected dog” means any dog which has been bitten by or has been in contact with any diseased or suspected animal, or which has been otherwise exposed to the infection or rabies;

“veterinary officer” means veterinary officer of the Veterinary Division of the Ministry of Agriculture.

## PART II —LICENSING OF DOGS

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

Application of this Part.

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

Person deemed to keep a dog.

Prohibition of keeping dogs without licence.

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

Form of licence.

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

Issue and return of badges.

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

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

- (a) on the expiration of the licence; or
- (b) if the dog dies during the currency of the licence.

Register to be kept.

8. (1) The authority shall enter in a register to be kept for that purpose the name, address and occupation of the person keeping each dog in respect of which a licence is issued and also particulars of the letters or other distinguishing mark of the badge issued therefor.

(2) Where any person so registered parts with the possession of such dog to another person, such other person shall notify the authority concerned giving the particulars set out in subsection (1) and the register shall be rectified accordingly in respect of the unexpired period for which the licence was issued.

Power to inspect licence.

9. Every licence shall be produced for inspection on demand being made by the authority, a police officer or a health officer.

10. The authority, with the approval of the Commissioner, may, by order published in such manner as may be directed by the Commissioner —

Power of authority to make orders.

- (a) fix the licence fee to be paid in respect of each dog included in a licence, either generally or in regard to any place within the jurisdiction of the authority or with regard to any class of dogs and may from time to time vary the same;
  - (b) alter the form of the licence set out in the Schedule;
  - (c) place restrictions upon dogs during such periods as to the authority may deem fit;
  - (d) provide for the muzzling of dogs being in or upon any place, other than private premises within the jurisdiction of the authority;
- and may attach to the breach of any such order a fine of twenty naira or imprisonment for one month.

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

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

—Owner—  
defined.

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

Duties of  
owner.

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

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

Duties of  
authority.

14. The authority may, with the approval of the Local Government Secretary, in case of an outbreak or expected outbreak of disease, or to guard against the possibility of such an outbreak within the jurisdiction of the authority, make rules providing for —

Power of  
authority to  
make a rules.

- (a) the keeping of dogs under control by the owner in such manner as may be prescribed in such rules and for prohibiting or restricting the movement of any dog;
- (b) the seizure, detention and disposal, including the destruction of dogs not being kept under control in the manner prescribed in such rules;
- (c) the recovery by the authority from the owner of a dog the expenses incurred in respect of the detention of any dog seized, detained and disposed of by virtue of such rules.

Power of  
Commissioner  
to make orders.

**15. (1)** The Commissioner may at any time by order published in the Enugu State *Gazette* —

- (a) declare any area to be a diseased area;
- (b) extend, diminish or otherwise alter the limits of an area declared to be a diseased area;
- (c) declare an area to be free from disease;
- (d) prohibit the removal of dogs from one area, district or place to any other area, district or place whether within or without a diseased area;
- (e) direct the destruction within any area, district or place, whether such area, district or place be within or without a diseased area of any animal shown to his satisfaction to be capable of carrying or otherwise spreading the disease;
- (f) direct any authority to make rules in respect of all or any of the matters referred to in section 14;
- (g) in the event of the failure of any of the measures previously taken effectively to control the disease to require the destruction of all dogs within a diseased area.

(2) The Commissioner may delegate in writing all or any of his powers under subsection (1) to a Local Government Secretary and upon such delegation such Local Government Secretary shall exercise such powers and perform such duties subject to such conditions, exceptions and qualifications as may be contained in any such delegation:

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

#### PART IV — SEIZURE AND DETENTION

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

Power to seize and detain

- (a) found in or upon any place, other than private premises, without a badge secured in accordance with the provisions of section 7 and valid in the area concerned;
- (b) found with a badge which has been issued in respect of another dog or a badge having the appearance of a badge issued by any authority but not so issued.

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

Place of detention and procedure.

(2) In every case in which the owner of any dog seized or the person registered as aforesaid is known he shall be notified immediately of such seizure and the place of detention.

(3) On the expiry of the seven clear days provided for in subsection (1) without any claim being made and expenses being paid in accordance with the provisions of that subsection, the authority may cause the dog to be sold or destroyed.

#### PART V — PENALTIES AND COURT PROCEEDINGS

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

Penalties under Part II.

Penalties under Part III.

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

Special penalty regarding badges.

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

Special powers of a court.

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

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

22. Power to reward informer.

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

## PART VI — MISCELLANEOUS

Power to make regulations.

- 23.** The Commissioner may make regulations —
- (a) providing for the detention of dogs in quarantine at prescribed places and the length of the period of such detention, the manner of carrying dogs to and from such places and the charges to be made therefor;
  - (b) prescribing the amount to be paid for the upkeep of dogs during quarantine and for any medicines supplied for their use during detention;

- (c) prescribing the conditions under which dogs undergoing quarantine may be killed;
- (d) providing for the proper supervision of places of detention or quarantine and the appointment of persons to ensure that the provisions of this Law are carried into effect; and
- (e) generally for the carrying out of the provisions of this Law.

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

- (a) within an area in respect of which a Local Government is appointed the authority, be credited to the revenue of such Local Government; and
- (b) elsewhere be credited to the Consolidated Revenue Fund of Enugu State of Nigeria.

SCHEDULE

*Form of Licence*

Date.....

Licence is hereby granted to..... to keep the dog of.....

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

Fee paid:  
 The authority for.....

Note:— This licence expires on 31<sup>st</sup> December 19.....

**CHAPTER 36****DOGS LAW****SUBSIDIARY REGISTRATION****Appointments of Authorities and Application of Part II**

*made under section 2 and 3*

1. Every Local Government is hereby appointed the authority for the purposes of the Dogs Law within the area of its jurisdiction.
2. The provisions of Part II of the Dogs Law are hereby applied to the area of the jurisdiction of the following Local Governments —
  - Enugu North
  - Enugu South
  - Enugu East
  - Nsukka.

**Dogs Law**  
**DOGS (IMPORTATION AND QUARANTINE) REGULATIONS**  
*Made under sector 23*

1. These regulations may be cited as the Dogs (Importation and Quarantine) Regulations. Short title
2. Any dog imported into Enugu State of Nigeria without the certificate required by regulation 7 of the Animal Diseases Regulations may at the discretion of the authority either — Imported dogs liable to destruction or quarantine.
  - (a) be destroyed; or
  - (b) quarantined in a place appointed, and under the conditions prescribed, by the authority for a minimum period of six months.
3. The destruction of any dog shall always be effected by humane methods, and in cases where the dog is suffering from, or suspected to be suffering from, rabies, it shall be done in such a manner that the brain is not damaged or rendered useless for laboratory examination. Method of destruction.
4. A dog when being moved from the place of importation to a place of quarantine shall be effectively muzzled and securely leashed or securely confined in a suitable crate or receptacle during transit. Precautions to be taken when dogs liable to quarantine are moved.
5. All expenses incurred in the destruction or removal of a dog for the purposes of quarantine shall be borne by the owner thereof or the person in charge thereof. Expenses of quarantine to be borne by the owner.
6. The charge for the upkeep and maintenance of a dog during any period of quarantine shall be such charge as may be certified by the authority to be due and payable, but in no case shall it exceed one naira a week inclusive of the cost of all medicines and veterinary attention. Charges for dogs detained in quarantine.
7. Dogs undergoing quarantine shall be examined at least once a week by a veterinary officer, a medical officer of health or sanitary inspector. Examination of dogs undergoing quarantine.
8. Any dog undergoing quarantine which is certified by a medical officer of health or a veterinary officer to be affected with or suspected of rabies may be destroyed by the authority. Dogs affected with or suspected of rabies may be destroyed.