

Interpretation

2. For the purposes of the Animal Diseases Law (hereinafter referred to as "Law") the following are hereby declared to be included in the term "animal"—

Cats;  
 Domestic fowls, ducks and turkeys;  
 Parrots and any birds of the parrot family;  
 Geese;  
 Guinea fowl;  
 Pheasants;  
 Partridges.

Additional  
diseases  
schedule

3. The diseases set forth in the Schedule hereto are hereby declared to be included in the term "disease" for the purpose of the Law.

## SCHEDULE

## LIST OF DISEASES

Bacillary white diarrhea  
 Fowlpox  
 Fowl typhoid  
 Fowl choera  
 Fowl plague  
 Newcastle disease  
 Psittacosis  
 East Coast Fever  
 African horse sickness  
 Avian tuberculosis  
 Pullorum disease  
 Avian leucosis complex

## DISEASES OF ANIMAL REGULATIONS

*made under section 3*

1. These regulations may be cited as the Animal Diseases Regulations.
2. In the these regulations—  
 "veterinary officer" means a veterinary officer in the service of the Government;  
 "veterinary surgeon" means any person who is a fellow or member of the Royal College of Veterinary Surgeons, or who possesses a veterinary qualification recognized by the Veterinary Surgeons Act.

*Notification of Disease*

3. (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

(2) When the animal so infected or suspected is travelling, neither such animal nor any animal which it has been in contact with 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.

4. Every local government receiving a notification under the last preceding regulation 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 provisions of the said regulations with regard to isolation and non movement of the animal.

5. A Magistrate receiving a notification under either 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.

6. 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.

7. (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 burying or in such manner as the veterinary officer shall direct.

8. 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 test as he may consider necessary.

9. An administrative, veterinary or police officer may —

- (a) arrest without warrant any person whom he has reasonable ground for believing that he has otherwise contravened any of these regulations or any order or direction given under any such regulations;
- (b) seize and detain any animal in relation to which any such breach, non-compliance 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.

10. (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 hundred 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 connexion 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**

11. Subject to the provisions of regulations 14, 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.

12. 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 or hide or skin or other part of any carcass which is certified by a veterinary officer to be infected with disease.

13. 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.

14. The compensation which may be paid in respect of any animal slaughtered or any hide or skin or part of a carcass destroyed under 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 and in no case shall the compensation paid in respect of a horse exceed thirty naira.

15. Claims for compensation shall be made in writing to the Chief Veterinary Officer through a Magistrate having jurisdiction in the area in which the animal was slaughtered, and the Chief Veterinary Officer if, after such inquiry as he may think proper, is satisfied that compensation may be paid in the circumstance of the claim, may assess the compensation thereof and direct the payment thereof.

Provided that any person who is dissatisfied with the decision of the Chief Veterinary Officer, may appeal to the Commissioner, whose decision shall be final.