

PUBLIC HEALTH EMERGENCY BILL, 2020

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A BILL

FOR

AN ACT TO PROVIDE FOR AN EFFECTIVE NATIONAL FRAMEWORK FOR THE CONTROL OF OUTBREAKS OF INFECTIOUS DISEASES ENDANGERING PUBLIC HEALTH DURING PERIODS OF PUBLIC HEALTH EMERGENCIES AND FOR OTHER RELATED MATTERS

Sponsors:

Senator Chukwuka Utazi, Senator Oloriegbe Ibrahim Yahaya

And 102 Other Co-Sponsors

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

- 1 PART I - OBJECTIVES
- 2 1.-(1) The objectives of this Act are to - Objectives
- 3 (a) provide for an effective and efficient legal and administrative
- 4 machinery to address the challenges posed by any sudden outbreak of
- 5 infectious diseases endangering public health in Nigeria;
- 6 (b) ensure timely response to the treatment and prevention of the
- 7 spread of infectious diseases during periods of public health emergencies.
- 8 (c) channel available national human and other resources during
- 9 periods of public health emergencies towards the mitigation or eradication
- 10 of the infectious diseases;
- 11 (d) streamline all existing rules and regulations for the control of
- 12 public health during periods of public emergencies for their early
- 13 containment;
- 14 (e) maintain appropriate balance between emergency measures
- 15 required to be taken by appropriate authorities under any declaration of
- 16 public health emergency and the constitutionally guaranteed rights of

1 citizens and the general public in the overriding national public health interest;
2 (f) ensure proper coordination in the administration and management
3 of public health during periods of public health emergencies with necessary
4 checks and balances, accountability and control;
5 (g) provide an appropriate legal platform for a concerted and effective
6 inter-action among Federal and State Governments during periods of public
7 health emergencies; and
8 (h) ensure coordination and organised national responses during
9 periods of public health emergencies with relevant international bodies on
10 disease control to enable Nigeria meet international obligations in the
11 management of public health emergencies.

12 (2) In this Act "appropriate authorities" includes-

13 (a) the President of the Federal Republic of Nigeria;
14 (b) the Minister in charge of matters pertaining to health;
15 (c) the Minister in charge of matters pertaining to agriculture;
16 (d) the Minister in charge of matters pertaining to aviation;
17 (e) the Minister in charge of matters pertaining to transportation;
18 (f) any committee or body charged with any responsibility under this
19 Act or under any existing legislation to carry out any specific duty under this
20 Act;
21 (g) the Director General, Nigeria Centre for Disease Control and
22 Prevention;
23 (h) the Director of Port Health Services;
24 (i) a Health Officer or a Port Health Officer authorised to carry out
25 responsibilities under this Act; and
26 (j) such other persons or authorities as may be prescribed in
27 regulations made under this Act.

28 PART II - DECLARATION OF PUBLIC HEALTH EMERGENCY AND

29 APPOINTMENT OF TASK FORCE, ETC

30 2.-(1) The President shall, if satisfied that there is an outbreak or

1 imminent outbreak of an infectious disease that poses a substantial risk of a
2 significant number of human fatalities or incidents of serious disability in
3 Nigeria, he may, by an order, published in the Gazette, declare a public
4 health emergency in respect of the infectious disease specified in the First
5 and Second Schedules to this Act.

6 (2) The President may, if it appears necessary or expedient for the
7 securing of public health or safety during a public health emergency, by
8 order published in the Gazette declare the whole of or such area in Nigeria to
9 be a restricted area and may in such order prohibit or restrict, subject to such
10 conditions as he may think fit-

11 (a) the entry, stay and movement of persons in any place, building
12 or other premises (whether public or private) within the restricted area; and

13 (b) the holding of, or the attendance of persons at any meeting,
14 reception, procession or other gathering within the restricted area.

15 (3) Subject to subsection (4) of this section, every order made
16 under subsection (1) or (2) of this section shall remain in force until it is
17 revoked by the President.

18 (4) The President may, from time to time, by notice published in the
19 Gazette, extend an order made under subsection (1) or (2) of this section for
20 such period, not exceeding fourteen days at a time, as may be specified in the
21 notice.

22 (5) An order made under subsection (1) or (2) of this section shall
23 be published in such manner as the President thinks necessary for bringing it
24 to the notice of all persons who in his opinion ought to have notice of it and
25 shall have effect as soon as the order or notice is so published.

26 (6) A copy of every order made under subsection (1) or (2) of this
27 section shall be presented to the National Assembly as soon as possible after
28 it has been made and if a resolution is passed by the National Assembly
29 annulling the order or declaration, it shall cease to have effect,
30 notwithstanding subsection (3), but without prejudice to anything

1 previously done under an order or notice.

2 (7) Where an order referred to in subsection (2) (b) of this section is in
3 force, any authorized officer may direct the persons at any meeting, reception,
4 procession or other gathering within the restricted area to disperse and the
5 persons so directed shall disperse accordingly.

6 (8) A person who refuses or fails, without reasonable excuse, to
7 comply with an order made under subsection (2) of this section or with any
8 direction given by an authorised officer under subsection (7) of this section-

9 (a) commits an offence and is liable on conviction to the punishment
10 as specified in this Act; and

11 (b) may-

12 (i) without prejudice to any proceedings which may be taken against
13 him, be arrested without a warrant, and

14 (ii) be removed by an authorized officer from the place in respect of
15 which the order or direction applies.

Declaration of
public health
emergency in
a State

16 3. If and to the extent that any declaration has not been made by the
17 President under section 2 of this Act and to the extent that regulations under
18 sections 69 and 70 of this Act have not been made by the President or Minister,
19 power to make any such declaration or regulations may be exercised, in respect
20 of a State, by the Governor of a State as fully as such power may be exercisable
21 by the President or Minister, and subject to the same conditions and limitations.

Appointment of
Task Force

22 4.-(1) The President shall appoint a Task Force upon the declaration
23 of a state of emergency to be charged with the following duties -

24 (a) coordinate and oversee multi-sectoral intergovernmental efforts
25 to contain the spread of the infectious disease during a period of public health
26 emergency;

27 (b) subject to the powers conferred on the President under section 2
28 this Act, ensure that appropriate regulations, orders and notices relating to the
29 protection of public health, are made or given, as the case may be, by the
30 Minister, Department or Agency of Government that is empowered under

1 existing legislation to do so;

2 (c) monitor the implementation of all administrative and other
3 decisions relating to the public health emergency, including the
4 implementation of the regulations, orders and notices referred to in
5 paragraph (b) of this subsection;

6 (d) carry out such other functions as the President may specify.

7 (2) The Task Force established under subsection (1) of this section
8 shall consist of-

9 (a) the Federal Minister of Health;

10 (b) the Federal Minister of Environment;

11 (c) the Director General of Nigerian Centre for Disease Control
12 and Prevention;

13 (d) the Federal Minister of Agriculture;

14 (e) and such other members as the President may determine.

15 (3) The President shall appoint the Chairman of the Task Force and
16 its secretariat shall be domiciled at the Nigeria Centre for Disease Control
17 and Prevention.

18 **5.-(1)** The President shall establish, for the purpose of financing Funding
19 activities relating to any period of public health emergency a fund which
20 shall consist of-

21 (a) moneys appropriated by the National Assembly specifically for
22 that purpose;

23 (b) such moneys as may be provided by the Federal and State
24 Governments;

25 (c) such moneys as may be granted or received from-

26 (i) the organised private sector,

27 (ii) international or donor organisations and Non-Governmental
28 Organisations; and

29 (d) gifts, grants-in-aid, testamentary dispositions or otherwise,
30 where the terms and conditions, if any, attached to any of them are not

1 inconsistent with the objectives of this Act.

2 (2) The President may accept, for the purposes of this Act, gifts of land
3 and other property from any person or organisation where the terms and
4 conditions, if any, attached to it are not inconsistent with objectives of this Act.

5 (3) The President shall cause to be defrayed from the fund-

6 (a) expenses of administration of the Task Force or other body
7 established by the President under section 4 of the Act;

8 (b) sums approved to be paid as incentives to health officers and other
9 persons directly involved in the treatment and prevention of the spread of
10 infectious diseases during periods of public health emergencies;

11 (c) expenses for the provision and maintenance of facilities and other
12 places required for treatment of infectious diseases during period of public
13 health emergencies;

14 (d) such other expenses approved by the President for the carrying out
15 of the objectives of this Act.

16 (4) The Minister charged with responsibility for finance shall submit
17 to the Federal Executive Council and the National Assembly, during the period
18 of public health emergency, a monthly report of all moneys received and
19 expenses incurred during the month and publish the said report on the website
20 of the Ministry of Finance.

21 PART III - ADMINISTRATION

Responsibility
for administration
under this Act

22 6.-(1) Except as otherwise provided in this Act, the Task Force shall
23 be responsible for the administration of this Act.

24 (2) The Task Force shall ensure the relevant agencies perform their
25 statutory functions in accordance with their enabling laws.

26 (3) The Task Force may, subject to such conditions or restrictions as it
27 thinks fit, delegate to the Centre any of the powers conferred on it by this Act.

Secondment
and deployment
of relevant
personnel

28 7. The Task Force may, subject to such conditions or restrictions as it
29 thinks fit, and in order to meet the public health human resource requirements
30 and any increased demand of health personnel during the period of any public

1 health emergency-

2 (a) request for deployment or secondment of any public officer or
3 employee from any Ministry, Department or Agency of Government or from
4 any prescribed institution; and

5 (b) appoint other qualified persons as Health Officers.

6 **8.**-(1) Subject to the provisions of sections 3 (1) and 4 of this Act,
7 the Task Force may formulate and implement emergency measures for the
8 control of an infectious disease in any area and such measures shall be
9 published in the Gazette.

Extraordinary
powers in relation
to emergency
measures

10 (2) A person who wilfully neglects or refuses to carry out or
11 obstructs the execution of any emergency measure formulated and
12 implemented under subsection (1) of this section, commits an offence and is
13 liable on conviction to a fine not exceeding one hundred thousand Naira.

14 PART IV - CONTROL OF PUBLIC HEALTH EMERGENCIES

15 WITHIN NIGERIA

16 **9.**-(1) A medical practitioner who has reason to believe or suspect
17 that any person attended to or treated by him is suffering from a declared
18 infectious disease or is a carrier of that disease shall notify the Centre within
19 the prescribed time using the Integrated Diseases Surveillance and
20 Response System or in such form or manner as the Centre may prescribe.

Notification of
declared infectious
diseases

21 (2) A person-in-charge of a laboratory used for the diagnosis of
22 disease who becomes aware of the existence of a declared infectious disease
23 in the course of his work shall notify the Centre within the prescribed time
24 using the Integrated Diseases Surveillance and Response System or in such
25 form or manner as the Centre may prescribe.

26 (3) A person in a prescribed class, who is aware or suspects that
27 another person-

28 (a) is suffering from, or is a carrier of, a prescribed infectious
29 disease; or

30 (b) has died whilst suffering from, or being a carrier of, a declared

1 infectious disease, shall notify the Centre within the prescribed time and in
2 such form or manner as the Centre may require, of the fact in paragraph (a) or
3 (b) of this subsection, as the case may be.

4 (4) A person who is required to notify the Centre under this section
5 shall give any other particulars required by the Centre in so far as they can be
6 reasonably ascertained by him or are within his knowledge.

7 (5) A person who fails, to comply with the requirement of subsections
8 (1), (2) and (3) of this section commits an offence and is liable on conviction to
9 a fine of not less than fifty thousand naira.

10 (6) In this Part, "prescribed class" means prescribed by regulations or
11 order, as the case may be.

Public health
surveillance
programmes, etc.

12 **10.** Where there is an outbreak of a declared infectious diseases
13 constituting a danger to public health, the Centre may direct that public health
14 surveillance programmes or epidemiological investigations or surveys of
15 people, animals or vectors, be carried out as may be required under this Act in
16 order to determine the existence, prevalence or incidence, or to determine the
17 likelihood of a possible outbreak, of any infectious disease.

Medical
examination

18 **11.**-(1) A person who-

19 (a) is, or has been confirmed to have been exposed to a public health
20 risk that could be a possible source of the spread of an infectious disease; or

21 (b) is a case or carrier or contact of an infectious disease,
22 may be required to submit to medical examination within or at such time, and at
23 such place, as the Centre may determine.

24 (2) Where the person who is, or has been confirmed to have been
25 exposed to a public health risk that could be a possible source of the spread of
26 an infectious disease is a child, the Centre may require the parent or guardian of
27 the child to have the child medically examined or treated at such times and at
28 such hospital or other place as the Centre may determine.

29 (3) The cost of any medical examination under this section shall be at
30 the expense of the State.

1 (4) A person who fails, without reasonable excuse, to comply with
2 the requirement under this section commits an offence and is liable on
3 conviction to a fine of not less than fifty thousand naira.

4 **12.** Where a person has died whilst being, or suspected of being, a
5 case, carrier or contact of a declared infectious disease, the Centre may
6 request the Coroner to issue an order for a post-mortem examination of the
7 body of that person for the purpose of-

Post-mortem
examination

8 (a) determining the cause or circumstances of the death of that
9 person; or

10 (b) investigating into any outbreak or suspected outbreak of, or
11 preventing the spread or possible outbreak of, that disease.

12 **13.-(1)** For the purpose of investigating into any outbreak or
13 suspected outbreak of an infectious disease, preventing the spread or
14 possible outbreak of an infectious disease, or treating any person who is, or
15 is suspected to be a case or carrier or contact of a declared infectious disease
16 the Centre may-

Information to
be provided by
healthcare
professionals, etc.

17 (a) require any healthcare professional to obtain from his patient
18 such information as the Centre may reasonably require for that purpose and
19 transmit the information to the Centre; and

20 (b) request the Minister to prescribe, by order published in the
21 Gazette, any general or specific measures or procedures for that purpose for
22 compliance by a healthcare professional, hospital, medical clinic, clinical
23 laboratory or healthcare establishment.

24 (2) A healthcare professional shall comply with a requirement
25 under subsection (1) (a) of this section to the extent provided under any
26 existing law, rule or regulation on the disclosure by a healthcare professional
27 of a patient's confidential information where the transmission of such
28 information to the Centre is required in the overriding public interest.

29 (3) A healthcare professional shall not by furnishing to the Centre
30 the information transmitted under subsection (2) of this section be treated as

1 being in breach of any law, rule or contract.

Duty of healthcare
professional
relating to blood
at a blood bank
or hospital

2 **14.**-(1) Where any blood or blood product is donated or otherwise
3 obtained from any person for the purpose of this Act, a healthcare professional
4 shall ensure that the blood or blood product meets all laid out screening
5 standards before supplying for the purpose of administration to any other
6 person.

7 (2) A healthcare professional working at any blood bank or hospital in
8 Nigeria who-

9 (a) supplies any blood or blood product for any use or purpose; and

10 (b) directly in connection with the supply of the blood or blood
11 product, supplies any material information which he knows to be false or
12 misleading;

13 (c) fails to meet the prescribed screening standards before supplying
14 blood for the purpose of administration to any other person,
15 commits an offence under this section and is liable on conviction to a fine not
16 exceeding five hundred thousand naira or to imprisonment for a term not
17 exceeding one year or to both.

18 (3) In this section, "material information" means any information
19 directly relating to the likelihood of transmission of an infectious disease by the
20 use of any blood or blood product.

Decontamination
of premises or
conveyances

21 **15.**-(1) If based on an examination of premises by authorised officers,
22 the relevant agency finds that the condition of the premises is likely to lead to
23 the outbreak or spread of an infectious disease, the relevant agency may, by
24 written notice, require the owner or occupier of any premises or conveyance to
25 cleanse or disinfect it or take any remedial action in the manner and within the
26 time specified in the notice.

27 (2) The owner or occupier of the premises or conveyance who fails to
28 comply with the requirements of the notice served under subsection (1) of this
29 section commits an offence and is liable on conviction to the punishment as
30 provided for under this Act.

1 (3) Without prejudice to any proceedings under subsection (2) of
2 this section, where a notice issued by the relevant agency under subsection
3 (1) of this section has not been complied with, a person authorised in that
4 behalf by the agency may, under the authority of a court order obtained ex
5 parte, enter the premises or conveyances to which the notice relates and take
6 or cause to be taken such measures as have been specified in the notice.

7 (4) The cost and expenses incurred by the relevant agency or
8 authorised officer under subsection (3) of this section shall be borne by the
9 Government.

10 **16.**-(1) Where a public health emergency requires the immediate
11 destruction and disposal of infected animals, food or water which is
12 established to be a source for the transmission of an infectious disease, the
13 Centre shall notify the owner of the infected animals, food or water or the
14 occupier of the premises where the infected animals, food or water is found
15 of the infection and the plan for their destruction.

Destruction and
disposal of infected
animals, food and
water

16 (2) The Centre shall by a motion ex parte, obtain a court order for
17 the destruction or disposal of the animal, food or water wherever found on
18 the terms and conditions as may be contained in the court order.

19 (3) In carrying out the terms of the court order obtained under
20 subsection (2) of this section, the Centre, a Health Officer or a police officer
21 shall take or cause to be taken such measures as have been specified in the
22 court order for the destruction of the animal or the disposal of the food or
23 water.

24 (4) The Task Force shall take steps, based on the value of the
25 animals, food or water to pay reasonable compensation to the owner
26 provided that the infection of the animals, food or water did not arise as a
27 result of the wilful conduct or negligence of the owner.

28 **17.**-(1) The Task Force shall make regulations for the burial, wake
29 keep and other pre burial rites and disposal of corpses of persons who die
30 whilst being, or suspected of being, cases or carriers or contacts of an

Wake-keeping or
other pre-burial
rites and disposal
of corpse

1 infectious disease.

2 (2) A person who contravenes an order made under subsection (1) of
3 this section commits an offence and is liable on conviction to the punishment as
4 provided in this Act.

Isolation and
quarantine of
certain persons
and animals

5 **18.**-(1) The Centre may, for the protection of the community, as
6 provided under section 35 (1) (e) of Chapter IV of the Constitution of the
7 Federal Republic of Nigeria, 1999 (as amended), order any person who is, or is
8 suspected to be, a case or carrier or contact of a declared infectious disease to be
9 isolated or quarantined in a hospital or other place for such period of time and
10 subject to such conditions as the Centre may determine.

11 (2) The Centre may order any person who is, or is suspected or
12 continues to be suspected to be, a case or carrier or contact of an infectious
13 disease, or who has recently recovered from or been treated for an infectious
14 disease, to remain and to be isolated or quarantined and, if considered
15 necessary, be treated, in his own dwelling place-

16 (a) for such period of time as may be necessary for the protection of
17 the community; and

18 (b) subject to such conditions as the Centre may consider necessary
19 for that purpose.

20 (3) Where the person who is to be isolated under subsection (1) or (2)
21 of this section is a child, the Centre may order the parent or guardian of the child
22 to-

23 (a) take the child, within the time specified in the order, to the place in
24 which he is to be isolated; or

25 (b) ensure that the child remains in isolation in his own dwelling
26 place, for such period of time and subject to such conditions as may be
27 specified by the Centre.

28 (4) Isolation shall apply to a person who is a case or a carrier of a
29 declared infectious disease while quarantine applies to contacts of declared
30 infectious diseases who have not shown symptoms of the disease.

1 (5) In all relevant circumstances including zoonotic infectious
2 diseases, animals shall be subject to isolation and quarantine and the owner
3 or custodian of the animal shall be under obligation to carry out the relevant
4 orders issued by authorised officers.

5 (6) A person against whom an order under subsection (1) or (2) of
6 this section is made commits an offence and is liable on conviction to the
7 punishment as provided in this Act if he-

8 (a) fails, without reasonable excuse, to proceed to the place in
9 which he is to be isolated within the time specified in the order;

10 (b) without the permission of the Centre, leaves or attempts to
11 leave the place in which he is being isolated; or

12 (c) fails, without reasonable excuse, to comply with any condition
13 to which he is subjected.

14 (7) A person, being the parent or guardian of a child, who fails,
15 without reasonable excuse, to comply with an order of the Centre under
16 subsection (3) of this section commits an offence under this section and is
17 liable on conviction to the punishment as provided in this Act.

18 (8) A person, being the owner or custodian of an animal, who fails,
19 without reasonable excuse, to comply with an order of the authorised officer
20 under subsection (5) of this section commits an offence under this section
21 and is liable on conviction to the punishment as provided in this Act.

22 **19.-(1)** Where there is any cause requiring the carrying out of any
23 surveillance under this Act, the surveillance shall be carried out by the
24 Centre or authorised officer in accordance with guidelines established for
25 this purpose on any person who is, or is suspected to be a case or carrier or
26 contact of a person with an infectious disease for such period of time and
27 subject to such conditions as contained in the guidelines.

28 (2) Where the person who is to undergo surveillance under
29 subsection (1) of this section is a child, the Centre may order the parent or
30 guardian of the child to have the child undergo surveillance for such period

1 of time and subject to such conditions as contained in the guidelines.

2 (3) Where an animal is to undergo surveillance, the authorised officer
3 may order the owner or custodian to have the animal undergo surveillance for
4 such period and subject to such conditions as contained in the guidelines.

5 (4) A person to undergo surveillance under subsection (1) of this
6 section who fails, without reasonable excuse, to comply with any condition
7 relating to the surveillance commits an offence and liable on conviction to the
8 punishment provided in this Act.

9 (5) A person, being the parent or guardian of a child, who fails,
10 without reasonable excuse, to comply with an order of the Centre under
11 subsection (2) of this section commits an offence and is liable on conviction to
12 the punishment as provided in this Act.

13 (6) A person, being the owner or custodian of an animal, who fails,
14 without reasonable excuse, to comply with an order of the authorised officer
15 under subsection (3) of this section commits an offence and is liable on
16 conviction to the punishment as provided in this Act.

Abatement of
overcrowding

17 **20.**-(1) If, based on an examination of a building, the Centre or an
18 authorised officer is of the opinion that the building is overcrowded as to
19 expose the occupants of the building to the risk of infection by infectious
20 diseases, the Centre may, by written notice, direct the owner or occupier of the
21 building to abate the overcrowding or to close the building or any part of the
22 building within the time specified in the notice.

23 (2) The closure or evacuation of any building or a part of a building in
24 accordance with a written notice in subsection (1) shall be subject to the
25 provision by the government, of alternative accommodation for the period of
26 the closure.

27 (3) The owner or occupier of a building who fails to comply with a
28 notice given to him by the Centre under subsection (1) of this section and after
29 the provision of alternative accommodation commits an offence and is liable
30 on conviction to the punishment as provided in this Act.

1 (4) When a building or any part of it has been directed to be closed
2 under subsection (1) of this section and after the provision of alternative
3 accommodation, any person who enters the building or any part of it without
4 the permission of the Centre commits an offence and is liable on conviction
5 to the punishment as provided in this Act.

6 (5) Without prejudice to any proceedings under subsection (3) of
7 this section, where a notice issued by the Centre under subsection (1) has not
8 been complied with and alternative accommodation has been provided, the
9 Centre shall obtain a court order and with the assistance of a police officer
10 may enter the building and take or cause to be taken such measures as are
11 necessary to abate the overcrowding or to close the building or any part of
12 the building as may have been specified in the notice.

13 **21.** The Task Force shall prescribe regulations for contact tracing
14 measures and these measures shall be implemented by authorised officers in
15 relevant agencies.

Contact tracing
measures

16 **22.**-(1) Where during the period of an order made under section 2
17 of this Act declaring any public health emergency or any period extending
18 the order as provided under that section, the Task Force finds that the
19 holding of any meeting, gathering or any public entertainment in any place
20 is likely to increase the spread of any infectious disease, the Centre may by
21 order prohibit or restrict the holding of the meeting, gathering or public
22 entertainment, subject to such conditions as it may think fit, for a period of
23 time as the case may be.

Restriction of
meetings, gatherings
and public
entertainment

24 (2) An order under subsection (1) of this section may be renewed
25 by the Centre from time to time for such period, not exceeding fourteen
26 days, as it may, by written notice, specify.

27 (3) A person who holds, is present at or has taken part in any
28 meeting, gathering or public entertainment in contravention of an order by
29 the Centre under subsection (1) of this section commits an offence and is
30 liable on conviction to the punishment as provided under this Act.

Control of
occupation, trade
or business

1 (4) An authorised officer, may take such action as considered
2 necessary to give effect to an order issued under subsection (1) of this section.

3 23.-(1) The Task Force shall issue regulations published in the
4 Gazette for effective operation of the provisions of this section.

5 (2) The Centre may give a direction to-

6 (a) any person who is a case or a carrier or contact of an infectious
7 disease and is carrying on or may carry on any occupation, trade or business; or

8 (b) any person carrying on any occupation, trade or business in a
9 manner as is likely to cause the spread of any infectious disease, to take any
10 preventive action that the Centre reasonably believes is necessary to prevent
11 the possible outbreak or prevent or reduce the spread of the infectious disease.

12 (3) Subject to the provision of subsection (1) of this section,
13 "preventive action", in the case of a direction given to a person carrying on or
14 who may carry on any occupation, trade or business, includes requiring the
15 person to do any one or more of the following-

16 (a) stop carrying on, or not carry on, the occupation, trade or business
17 during a period of time specified in the direction;

18 (b) take specified steps within a period of time specified in the
19 direction, to ensure that the occupation, trade or business is conducted in
20 compliance with conditions specified in the direction.

21 (4) If a person refuses or fails to comply with any requirement of a
22 direction given to him under subsection (1) of this section, the Centre may
23 apply to Court for an order to-

24 (a) take control of any vehicle, plant, article, machinery or equipment
25 on the premises;

26 (b) take such other steps as are necessary to ensure control of the
27 premises at which an occupation, trade or business is or may be conducted and
28 to prevent the spread of the infectious disease.

Certain persons
not to act in manner
likely to spread
disease

29 24.-(1) A person who knows that he is a case or carrier or contact of an
30 infectious disease shall not expose other persons to the risk of infection by his

1 presence or conduct in any public place or any other place used in common
2 by the public.

3 (2) A person having the care of another person whom he knows, is a
4 case or carrier or contact of an infectious disease shall not cause or permit
5 that person to expose other persons to the risk of infection by that person's
6 presence or conduct in any public place or any other place used in common
7 by the public.

8 (3) A person shall not lend, sell, transmit or expose, without
9 previous disinfection, any substance or material which he knows to have
10 been exposed to infection from a declared infectious disease, or any other
11 article which he knows to have been so exposed and which is liable to carry
12 such infection.

13 (4) A person who contravenes subsection (1), (2) or (3) of this
14 section commits an offence and is liable on conviction to the punishment as
15 provided under this Act.

16 (5) In proceedings for an offence under subsection (4) of this
17 section for contravening the provisions of subsection (1) or (2) of this
18 section, it is a defence for the person charged with the offence to prove, on a
19 balance of probabilities, that his presence or conduct in the place mentioned
20 in subsection (1) or (2) of this section, as the case may be-

21 (a) was necessary for the purpose of obtaining medical treatment;

22 (b) was authorised by the Centre.

23 (6) Where the Centre has designated a hospital or other place for
24 the treatment of an infectious disease, subsection (5) (a) of this section shall
25 only apply in relation to the obtaining of medical treatment at the designated
26 hospital or place for that disease.

27 (7) A person shall not incur any liability for contravening the
28 provision of subsection (3) of this section by transmitting with proper
29 precautions any substance or material for the purpose of having it
30 disinfected.

Evacuation of
persons suffering
from declared
infectious diseases
in public places

1 **25-**(1) The Task Force may make regulations prescribing-
2 (a) the type of infectious diseases; and
3 (b) the means of identification of persons suffering from any of the
4 declared infectious disease who if found in public place, may be evacuated by
5 authorised officers into designated hospitals, isolation or quarantine centres.

6 (2) Regulations made under subsection (1) of this section shall also
7 provide that authorized officers in carrying out the duty under the subsection
8 are adequately protected from exposure to declared infectious diseases.

9 (3) In subsection (1) of this section, "public place" includes any street,
10 shop, public transportation, market place, park and such other places as may be
11 specified in the regulations.

Dissemination
of health advisory
and notification
of a declared
infectious diseases

12 **26-**(1) The Task Force may, for the purpose of preventing the spread
13 or possible outbreak of any declared infectious disease in Nigeria, or the spread
14 of any infectious disease within Nigeria or from Nigeria to outside of Nigeria,
15 by order, direct any relevant operator to disseminate any health advisory, in
16 such form and manner as may be specified.

17 (2) For the purpose of this section-

18 (a) "a relevant operator" includes any government agency or authority
19 closely monitoring an epidemic or pandemic outbreak of diseases, providing
20 daily updates on the outbreak, issuing health advisory, answering questions
21 about current outbreak, and providing up-to-date facts and figures about the
22 outbreak;

23 (b) "a public health advisory" means a statement containing a finding
24 that a release of hazardous substances or diseases poses a significant risk to
25 human health, recommending measures to be taken to avoid exposure and
26 eliminate or substantially mitigate the risk to human health.

27 (3) A relevant operator who, without reasonable excuse, refuses or
28 fails to comply with an order under subsection (1) of this section commits an
29 offence and is liable on conviction to the punishment as provided in this Act.

30 (4) This section does not affect any other right of disclosure a relevant

1 operator may have under any other law, rule or regulation.

2 PART V - PREVENTION AND CONTROL OF SPREAD OF INFECTIOUS

3 DISEASES FROM AN INFECTED AREA OUTSIDE OF NIGERIA

4 27.-(1) Where the President has reason to believe that a dangerous Infected area
5 infectious disease may be introduced into Nigeria or any place in Nigeria
6 from within or outside Nigeria, he may, upon the advice of the Minister, by
7 notification in the Gazette, declare that area to be an infected area.

8 (2) The President may, in his discretion, issue an order prohibiting
9 the entry into Nigeria of any person or class of persons from an infected area
10 declared under subsection (1) except under such conditions as he may
11 specify.

12 (3) Nothing contained under subsections (1) or (2) of this section
13 shall preclude the entry into Nigeria of a citizen of Nigeria from an infected
14 area outside Nigeria provided that upon entry into Nigeria the person may be
15 subjected to quarantine, isolation, and treatment, as may be specified in
16 regulations made under this Act or any relevant law.

17 28.-(1) For the purpose of this Part, all conveyances including any Conveyance,
18 form of private or public transport, persons and articles coming from an
19 infected area shall be deemed to be infected unless otherwise declared by the
20 Task Force upon the advice of the relevant agency.
person and articles
from infected area

21 (2) A conveyance and any person and article on board shall also be
22 deemed to be infected if a declared infectious disease is found on board or if
23 such infection was present amongst the crew, passengers, rodents or vectors
24 on board the conveyance.

25 29.-(1) The owner, pilot, captain, master or the surgeon, if there is Information
26 one on board, or the agent of any conveyance arriving in Nigeria shall
27 provide such particulars as may be required by the authorised officer in such
28 form or manner as the authorised officer may require.
required on arrival
of conveyance

29 (2) Any owner, master, pilot, captain, surgeon or agent who fails to
30 comply with subsection (1) of this section or who provides any information

1 which is false or misleading, commits an offence and is liable on conviction to
2 a fine not exceeding one million naira or to imprisonment for a term not
3 exceeding two years or to both the fine and imprisonment.

Measures required
of conveyance on
arrival in Nigeria

4 **30.**-(1) The Port Health Officer shall in collaboration with other
5 authorised officers-

6 (a) inspect any conveyance, person, animal or goods on board a
7 conveyance when it arrives in Nigeria;

8 (b) subject persons on board a conveyance upon arrival, to medical
9 examination only in accordance with the domestic and international rules and
10 regulations where there are reasonable grounds for suspecting that the persons
11 to be examined are suffering from or exposed to a declared infectious disease;

12 (c) direct health and sanitary measures to be taken in respect of a
13 conveyance;

14 (d) obtain from the master, or any other person on board the
15 conveyance, all necessary information that he requires to ascertain the health
16 of persons on board, the sanitary condition of the vessel and cargo and of the
17 port last visited by that conveyance and any other information that he may
18 require;

19 (e) inspect the journal or log-book of the conveyance or the
20 conveyance's papers; and

21 (f) direct the master, owner or agent of any conveyance to forward a
22 copy of the conveyance's passenger and crew list and cargo manifest
23 immediately after the conveyance's arrival in Nigeria.

24 (2) A person who fails to comply with any direction or requirement of
25 the Port Health Officer or authorised officer under subsection (1) of this section
26 commits an offence and is liable on conviction to a fine not exceeding one
27 million naira or to imprisonment for a term not exceeding two years or to both
28 the fine and imprisonment.

Decontamination
and treatment of
a conveyance

29 **31.**-(1) A Port Health Officer or an authorised officer shall, where
30 there is evidence that there was an infected person on board a conveyance order

1 the decontamination and treatment of the clothes and personal effects of any
2 infected person arriving in Nigeria.

3 (2) A conveyance which has conveyed an infected person shall be
4 cleaned, decontaminated or treated in such manner as may be directed by a
5 Port Health Officer or an authorised officer.

6 32.-(1) An infected ship shall anchor at a quarantine anchorage
7 unless otherwise directed by a Port Health Officer and shall remain there
8 until it has been granted pratique by a Port Health Officer. Arrival of infected
conveyance

9 (2) An infected ship lying within the waters of Nigeria shall show
10 the appropriate quarantine signal prescribed by regulations unless otherwise
11 directed by a Port Health Officer.

12 (3) A person shall not board or disembark from the ship while it lies
13 at a quarantine anchorage, without obtaining the prior written permission of
14 a Port Health Officer.

15 (4) No baggage, cargo or article may be discharged from a ship
16 while it lies at a quarantine anchorage without the prior written permission
17 of a Port Health Officer.

18 (5) A master or any other person who contravenes the provisions of
19 this section commits an offence and is liable on conviction to a fine not
20 exceeding one million naira or to imprisonment for a term not exceeding two
21 years or to both the fine and imprisonment.

22 33.-(1) The master of an infected conveyance shall, while the
23 conveyance is subject to quarantine- Unauthorised
boarding or
disembarking
from infected
conveyance

24 (a) prevent and, if necessary, detain any person disembarking from
25 the conveyance without being authorised by a Port Health Officer;

26 (b) detain any person from Nigeria who without the permission of a
27 Port Health Officer boards the conveyance;

28 (c) deliver any person detained to a Port Health Officer;

29 (d) prevent any baggage or cargo from being discharged from the
30 conveyance; and

1 (e) prevent any rodent or vector from leaving or entering the
2 conveyance.

3 (2) A master of an infected conveyance who fails to comply with any
4 of the provisions of subsection (1) of this section and any person who aids or
5 abets a master of an infected conveyance in contravention of the provisions of
6 subsection (1) of this section commits an offence and is liable on conviction to
7 a fine not exceeding one million naira or to imprisonment for a term not
8 exceeding twelve months or to both the fine and imprisonment.

Pratique

9 **34.**-(1) A ship not granted pratique shall remain in the quarantine
10 anchorage while in the waters of Nigeria or may continue its voyage to other
11 ports.

12 (2) The master or agent of a ship which has not been granted pratique
13 who suffers or permits the ship to be anchored or berthed in contravention of
14 subsection (1) of this section commits an offence and is liable on conviction to
15 a fine not exceeding one million naira or to imprisonment for a term not
16 exceeding two years or to both the fine and imprisonment.

Discharge of
waste or matter

17 **35.** The discharge of human dejecta, solid or liquid waste or any
18 matter, which a Port Health Officer considers to be contaminated, from any
19 conveyance shall be subject to such measures as may be specified in guidelines
20 issued by the Task Force under this Act.

Conveyance
within waters
of Nigeria

21 **36.**-(1) The master, owner or agent of any conveyance whilst in
22 Nigeria shall-

23 (a) take such precautions as may be directed by a Port Health Officer
24 to prevent vectors from leaving or entering the conveyance, and take such
25 measures for the destruction of vectors on board the conveyance;

26 (b) take all measures directed by a Port Health Officer to abate any
27 nuisance that may be present on board the conveyance within such time as may
28 be specified by the Port Health Officer; and

29 (c) take such measures to clean, disinfect, whitewash or any other
30 measures which a Port Health Officer may direct to improve the condition of

1 the water tanks, living spaces or any other part of the conveyance.

2 (d) Any master, owner or agent who fails to comply with any
3 directions of the Port Health Officer under subsection (1) of this section
4 within the specified time commits an offence and is liable on conviction to a
5 fine not exceeding five hundred thousand naira and to a further fine not
6 exceeding fifty thousand naira for every day during which the offence
7 continues after conviction.

8 37.-(1) The master, owner or agent of every conveyance and any
9 person supplying food and water to the conveyance shall ensure that the
10 food and water supplied to the conveyance is fit for human consumption.

Supply of food
and water to
conveyance

11 (2) The master, owner or any person in charge of any conveyance
12 employed for carrying food or water intended for human consumption shall
13 ensure that his conveyance and the food and water receptacles in them are in
14 a clean and sanitary condition.

15 (3) A person who contravenes the provision of this section commits
16 an offence and is liable on conviction to a fine not exceeding five hundred
17 thousand naira.

18 38.-(1) The Port Health Officer and authorised officer may-

19 (a) take samples of any food and water intended for human or
20 animal consumption or for sale to a conveyance;

Powers of Port
Health Officer
and authorised
officer regarding
food and water

21 (b) carry out an analysis of the samples of food and water taken
22 pursuant to paragraph (a) above;

23 (c) if found that any food intended for human or animal
24 consumption is in anyway unwholesome, liable to be contaminated or is
25 unfit for human or animal consumption, order the food to be destroyed; and

26 (d) order the owner, master or agent of any conveyance to
27 immediately clean the water tanks of the conveyance to his satisfaction.

28 (2) A person who fails to comply with an order of a Port Health
29 Officer or an authorised officer under subsection (1) of this section within
30 the time specified in the order commits an offence and is liable on conviction

	1	to a fine not exceeding one million naira or to imprisonment for a term not
	2	exceeding twelve months or to both the fine and imprisonment.
Importation of vectors of diseases	3	39. -(1) A person shall not import or bring or cause to be imported or
	4	brought into Nigeria any vector capable of transmitting an infectious disease.
	5	(2) A person may, with the written permission of the Task Force,
	6	import or bring into Nigeria any vector for research purposes.
	7	(3) Any person who contravenes the provision of subsections (1) and
	8	(2) of this section commits an offence and is liable on conviction to a fine not
	9	exceeding five hundred thousand naira or to imprisonment for a term not
	10	exceeding twelve months or to both the fine and imprisonment.
Power to inspect merchandise, etc., on board conveyance	11	40. -(1) A Port Health Officer or an authorised officer may inspect and
	12	examine any article, merchandise, baggage or cargo, on board any conveyance,
	13	which are in his opinion infected or likely to be infected.
	14	(2) A Port Health Officer or an authorised officer may order any
	15	infected article, merchandise, baggage or cargo found on board the conveyance
	16	to be-
	17	(a) seized and treated or disposed of in accordance with the relevant
	18	law; and
	19	(b) prohibited from being unloaded or stored in Nigeria.
	20	(3) A person who fails to comply with an order of the Port Health
	21	Officer or an authorised officer under subsection (2) of this section or hinders
	22	or obstructs the execution of that order commits an offence and is liable on
	23	conviction to a fine not exceeding two million naira.
	24	(4) Any article, merchandise, baggage or cargo to which the order
	25	relates may be confiscated, treated or disposed of in accordance with the
	26	relevant law.
Corpse	27	41. -(1) No corpse, human or animal remains or bones, other than
	28	cremated ashes, shall be brought into or transhipped or exported from Nigeria,
	29	unless accompanied by a medical certificate or other evidence showing the
	30	name of the deceased, the date and cause of death and the measures adopted to

1 preserve the body.

2 (2) The corpse, human or animal remains or bones shall not be
3 landed or transhipped or exported without the written permission of a Port
4 Health Officer.

5 (3) The owner, master or agent of any conveyance shall ensure
6 compliance with the provisions of subsections (1) and (2) of this section.

7 (4) A person who contravenes the provisions of subsection (1) or
8 (2) of this section commits an offence and is liable on conviction to a fine not
9 exceeding two million naira.

10 (5) In addition to the penalty specified under subsection (4) of this
11 section, the corpse or human or animal remains or bones brought into or
12 transhipped or exported from Nigeria in contravention of the provision of
13 this section shall be confiscated and disposed of in the prescribed manner by
14 the Port Health Officer.

15 **42.-(1)** The master, owner or agent of a conveyance shall provide
16 such facilities and render such assistance as may be required by the Port
17 Health Officer or an authorised officer in the exercise of any of the powers or
18 duties conferred upon him in carrying out the provisions of this Act.

Master, etc. of
conveyance to
assist Port Health
Officer, etc.

19 (2) The master, owner or agent of a conveyance shall-

20 (a) grant the Port Health Officer, a Health Officer and any person
21 authorised officer acting under his direction unimpeded access;

22 (b) provide them with proper guidelines about the berths of the
23 conveyance; and

24 (c) take all reasonable measures and exercise due and proper care,
25 to ensure their safety in the course of their work on board the conveyance.

26 (3) A person who contravenes the provision of this section commits
27 an offence and is liable on conviction to a fine not exceeding five hundred
28 thousand naira or to imprisonment for a term not exceeding twelve months
29 or to both the fine and imprisonment.

Liability of master,
owner or agent
for expenses

1 **43.**-(1) The master, pilot, captain, owner and agent of any conveyance
2 which has been ordered into quarantine or of any conveyance from which any
3 person is removed for quarantine shall be responsible for the provision of such
4 services as the Port Health Officer or an authorised officer considers necessary
5 to ensure the satisfactory performance of the quarantine of the conveyance and
6 the persons on board.

7 (2) The master, pilot, captain, owner and agent of any conveyance
8 which has been ordered into quarantine or to be cleansed, fumigated,
9 disinfected or otherwise treated, shall pay the costs and expenses of removal of
10 any cargo and goods from the conveyance and other expenses incurred in the
11 cleaning, fumigation, disinfection or treatment of the conveyance.

12 (3) The master, owner or agent of the conveyance may make
13 arrangement with a Port Health Officer or an authorised officer for the carrying
14 out of any of the responsibilities under this section and for the payment of the
15 associated costs and expenses.

16 (4) The Port Health Officer may take any action he considers
17 necessary to ensure that the conveyance or any person or articles on board
18 performs the quarantine satisfactorily and any expenses incurred shall be
19 recoverable from the owner or agent of the conveyance as a debt due to the
20 Agency or the Government, as the case may be.

21 (5) The Port Health Officer may require the master, owner or agent of
22 the conveyance to give such security as he thinks necessary to ensure that the
23 master, owner or agent of the conveyance will carry out his responsibilities
24 under this section satisfactorily.

Medical
examination of
persons and
animals arriving
in Nigeria

25 **44.**-(1) The Centre may, for the purpose of preventing the spread or
26 possible outbreak of any infectious disease in Nigeria, by written order, require
27 all or any persons arriving in Nigeria to undergo any medical examination
28 specified in the order provided that such medical examination shall not involve
29 invasive sample collection.

30 (2) A person given an order under subsection (1) of this section who,

1 refuses or fails to comply with the order commits an offence and is liable on
2 conviction to a fine not exceeding five hundred thousand naira or to
3 imprisonment for a term not exceeding six months or to both the fine and
4 imprisonment.

5 (3) The medical examination of animals shall be in accordance
6 with the relevant law.

7 **45.**-(1) During a public health emergency relating to an outbreak of
8 an infectious disease declared under section 2 (1) of this Act, the Minister
9 may, for the purpose of preventing the spread of the infectious disease
10 outside Nigeria, by written order, require all or any persons leaving Nigeria
11 to undergo any medical examination specified in the order in accordance
12 with international standards and procedures.

Medical
examination of
persons leaving
Nigeria during
public health
emergency

13 (2) A person given an order under subsection (1) of this section
14 who, without reasonable excuse, refuses or fails to comply with the order
15 commits an offence and is liable on conviction to a fine not exceeding five
16 hundred thousand naira or to imprisonment for a term not exceeding six
17 months or to both the fine and imprisonment.

18 (3) Notice of the Minister's written order shall be published in the
19 Gazette for general information.

20 PART VI - ENFORCEMENT

21 **46.**-(1) For the purpose of investigating into any outbreak or
22 suspected outbreak of a declared infectious disease or for the purpose of
23 preventing the spread or possible outbreak of a declared infectious disease,
24 the Centre or any authorised officer may-

Powers of the
Centre or any
authorised officer
in dealing with
outbreaks and
suspected outbreaks
of infectious
diseases

25 (a) stop, board, inspect and search any conveyance;

26 (b) at any time with a warrant and notice enter, inspect and search
27 any premises;

28 (c) take samples of any substance or matter, wherever found, if the
29 Centre or authorised officer has reason to believe that the substance or
30 matter is the cause of, is contributory to or is otherwise connected with, the

1 occurrence of the outbreak or suspected outbreak, and send such samples for
2 such test, examination or analysis as the Centre or authorised officer may
3 consider necessary or expedient;

4 (d) on the authority of a court order seize any substance or matter,
5 wherever found, if the Centre or authorised officer has reason to believe that
6 the substance or matter is the cause of, is contributory to or is otherwise
7 connected with, the occurrence of the outbreak or suspected outbreak;

8 (e) require any person-

9 (i) to furnish any information within his knowledge; or

10 (ii) to produce any book, document or other record which may be in
11 his custody or possession for inspection by the Centre or authorised officer and
12 the making of copies of them; or

13 (iii) to provide the Centre or authorised officer with copies of any
14 book, document or other record specified in sub-paragraph (ii) of this
15 paragraph, within such time and in such form or manner as the Centre or
16 authorised officer may specify, and if necessary, further require the person to
17 attend at a specified time and place for the purposes of complying with sub-
18 paragraph (i), (ii) or (iii) of this paragraph;

19 (f) on the authority of a court order, subject to subsection (5) of this
20 section, order the closure or cordoning off of any public place in which the
21 outbreak or suspected outbreak, or the transmission or suspected transmission,
22 of an infectious disease has taken place;

23 (g) by order prohibit or restrict the movement of persons, animals and
24 conveyance into, within or out of any public place.

25 (2) Where the Centre or an authorised officer seizes any substance or
26 matter under subsection (1) (d) of this section-

27 (a) the Centre or an authorised officer shall immediately give written
28 notice of the seizure to the owner of, or to the person from whom, the substance
29 or matter was seized and may-

30 (i) direct that the substance or matter under seizure be kept or stored in

1 the premises or conveyance where it was seized or be removed to any other
2 place to be kept or stored thereat, or

3 (ii) dispose of the substance or matter immediately if the Centre or
4 authorised officer is of the view that the substance or matter is decayed,
5 putrefied or harmful to health;

6 (b) a person aggrieved by the seizure of any matter or substance
7 made under the provisions of this section may complain to appropriate court
8 and the court may-

9 (i) confirm the seizure wholly or in part,

10 (ii) disallow the seizure wholly or in part,

11 (iii) order that any substance or matter that has been seized be
12 returned to its owner, subject to any condition which the court may think fit
13 to impose to ensure that the substance or matter is preserved for any purpose
14 for which it may subsequently be required, or

15 (iv) order payment to be made to the owner of or person entitled to
16 the substance or matter seized of such amount as the court considers
17 reasonable compensation to him for any loss or depreciation resulting from
18 the seizure.

19 (3) Where the appropriate court confirms the seizure of the
20 substance or matter under subsection (2) (b) (i) of this section, the substance
21 or matter seized in its entirety or to the extent to which its seizure was
22 confirmed by the appropriate court, as the case may be, shall become the
23 property of the Government and shall be disposed of in accordance with the
24 law.

25 (4) A person who fails to comply with any requirement or order
26 made by the Centre or an authorised officer under subsection (1) (d) and (f)
27 of this section commits an offence and is liable on conviction to a fine not
28 exceeding one million naira or to imprisonment for a term not exceeding two
29 years or to both the fine and imprisonment.

30 (5) For the purposes of subsection (1) (e) of this section, where any

1 document or record required by the Centre is kept in electronic form, then-

2 (a) the power of the Centre to require the document or record to be
3 produced for inspection includes the power to require a copy of the document
4 or record to be made available for inspection in legible form; and

5 (b) the power of the Centre to inspect such document or record
6 includes the power to require any person on the premises in question to give the
7 Centre or an authorised officer such assistance as the Centre may reasonably
8 require to enable it to inspect and make copies of the document or record in
9 legible form or to make records of the information contained in it.

Powers of
investigation

10 **47.-(1)** For the purposes of an investigation into an offence
11 punishable under this Act, an authorised officer may-

12 (a) require any person to-

13 (i) furnish any information within his knowledge; or

14 (ii) produce any book, document or other record which may be in his
15 custody or possession for inspection by the authorised officer and the making
16 of copies of the book, document or other record, or provide the authorised
17 officer with copies of such book, document or other record, and may, if
18 necessary, further require the person to attend at a specified time and place for
19 the purposes of complying with sub-paragraph (i) or (ii) of this paragraph;

20 (b) at any time with a warrant, stop, board, enter, inspect and search
21 any premises or conveyance;

22 (c) with an appropriate court order-

23 (i) take samples of or seize any substance or matter found in any
24 premises or conveyance mentioned in paragraph (b) of this subsection unless
25 delay in obtaining an order of court can lead to the spread of the declared
26 infectious disease in which case a validating court order shall be obtained
27 thereafter; and

28 (ii) seize any book, document or record produced under paragraph (a)
29 of this subsection or found in any premises or conveyance mentioned in
30 paragraph (b) of this subsection.

1 (2) A statement made by any person giving evidence under
2 subsection (1) (a) of this section shall-

3 (a) be reduced to writing and read over to him; and

4 (b) after correction, if any, be signed by him.

5 (3) A person who, without reasonable excuse-

6 (a) refuses or fails to comply with any requirement of an authorised
7 officer under subsection (1) of this section; or

8 (b) refuses to answer or gives a false answer to any question put to
9 him by the authorised officer,

10 commits an offence and is liable on conviction to a fine not exceeding two
11 hundred thousand naira or to imprisonment for a term not exceeding six
12 months or to both the fine and imprisonment.

13 (4) For the purposes of subsection (3) of this section, it is a
14 reasonable excuse for a person to refuse or fail to furnish any information,
15 produce any book, document or other record or answer any question if doing
16 so might tend to incriminate him.

17 (5) For the purposes of subsection (1) (a) (i) of this section, where
18 any document or record required by an authorised officer is kept in
19 electronic form, then the power of the authorised officer to-

20 (a) require such document or record to be produced for inspection
21 includes the power to require a copy of the document or record to be made
22 available for inspection in legible form; and

23 (b) inspect such document or record includes the power to require
24 any person on the premises in question to give the authorised officer such
25 assistance as the authorised officer may reasonably require to enable him to
26 inspect and make copies of the document or record in legible form or to
27 make records of the information contained in the document.

28 **48.**-(1) Any book, document, record, sample, substance or matter
29 produced, taken or seized under this Act shall-

30 (a) where the book, document, record, sample, substance or matter

Disposal of
document, substance
or matters

1 is produced in any criminal trial, be dealt with in accordance with the
2 provisions of any relevant law on the administration of criminal justice;

3 (b) where the owner of the book, document, record, sample, substance
4 or matter consents to its disposal, be disposed of accordingly; or

5 (c) in any other case, be returned to the owner or reported to an
6 appropriate court.

7 (2) Where any book, document, record, sample, substance or matter is
8 reported to appropriate court under subsection (1) (c) of this section, the
9 appropriate court may order the document, substance or matter to be-

10 (a) forfeited;

11 (b) disposed of in such manner as the appropriate court thinks fit.

12 (3) Subject to any order to the contrary by the appropriate court, at the
13 conclusion of a case, any book, document, record, sample, substance or matter
14 shall be returned to the owner or destroyed.

15 (4) Where the court order is for the forfeiture of a book, document,
16 record, sample, substance or matter, the forfeited items shall be retained by the
17 State.

18 (5) This section does not affect any right to retain or dispose of
19 property which may exist in law apart from this section.

Powers of arrest

20 **49.**-(1) A law enforcement officer, or any authorised officer may
21 arrest with or without warrant any person committing or who he has reason to
22 believe has committed any offence under this Act for the purpose of bringing
23 the person before a court of law within a reasonable time for trial and release
24 the person unconditionally or upon such conditions as are reasonably
25 necessary to ensure that he appears for trial at a later date.

26 (2) Subject to subsection (6) of this section, a law enforcement officer,
27 or any authorised officer may arrest without warrant any person who being
28 required to-

29 (a) be isolated in any place under the provisions of this Act, has failed
30 to proceed to that place or has left or attempted to leave that place;

1 (b) undergo or submit to any surveillance, quarantine, medical
2 examination under the provisions of this Act, has failed to undergo or submit
3 to the surveillance, examination or comply with any condition relating to his
4 surveillance; or

5 (c) comply with any requirement mentioned in paragraph (a) or (b)
6 of this subsection, attempts to leave Nigeria without the approval of the
7 Centre.

8 (3) A person who fails to comply with any requirement mentioned
9 in subsection (2) (a) or (b) or (c) of this section commits an offence and liable
10 on conviction to a fine not exceeding two hundred thousand naira or to
11 imprisonment for a term not exceeding six months or to both the fine and
12 imprisonment.

13 (4) A person arrested under subsection (1) or (2) of this section
14 shall within twenty-four hours from the arrest be taken before an appropriate
15 court.

16 (5) The Centre may issue any order under this section for the
17 isolation, quarantine, surveillance or medical examination of a person
18 arrested under subsection (2) of this section.

19 (6) A law enforcement officer or authorised officer may instead of
20 arresting a person referred to in subsection (3) of this section, take such
21 measures and-

22 (a) if a person is to be isolated-

23 (i) cause that person to be taken to the place where he is to be
24 isolated, or

25 (ii) ensure that the person remains in isolation in his own dwelling
26 place, for such period of time as may be necessary for the protection of the
27 public;

28 (b) if that person is to undergo surveillance or quarantine, cause the
29 person to undergo surveillance or quarantine for such period of time as may
30 be necessary for the protection of the public; or

1 (c) if the person is to undergo medical examination, cause the person
2 to be medically examined.

Law enforcement
officer or authorised
Officer may
demand names
and addresses in
certain cases

3 **50.**-(1) A person who is required by any law enforcement officer in
4 connection with any public health emergency event or by any authorised
5 officer shall on demand give his name and address and other proof of identity to
6 the law enforcement officer or authorised officer.

7 (2) The owner or occupier of any premises shall if required by any law
8 enforcement officer or by an authorised Officer give his name and address and
9 other proof of identity.

10 (3) A person who fails, without reasonable cause to comply with any
11 requirement properly made to him by a law enforcement officer or authorised
12 Officer under subsection (1) or (2) of this section, or wilfully misstates his
13 name and address or the name and address of the owner of any premises,
14 commits an offence and is liable on conviction to a fine not exceeding fifty
15 thousand naira or to imprisonment for a term not exceeding six months or to
16 both the fine and imprisonment.

Disclosure of
user information
by Centre to
prevent spread
or possible outbreak
of declared
infectious disease,
etc.

17 **51.**-(1) Subject to subsection (2) of this section, the Centre may
18 disclose any information it obtained under this Act which identifies any person
19 who is, or is suspected to be, a case or carrier or contact of a declared infectious
20 disease to any person if the disclosure is necessary for the person to take
21 measures to prevent the spread or possible outbreak of the declared infectious
22 disease.

23 (2) The Centre may, in disclosing any information to any person under
24 subsection (1) of this section, impose such conditions as it thinks fit and the
25 person to whom the information is disclosed shall comply with such
26 conditions.

27 (3) A person to whom the Centre has disclosed any information under
28 subsection (1) of this section, may only disclose or use such information to the
29 extent necessary for implementing any measure permitted by the Centre for the
30 purpose of preventing the spread or possible outbreak of that declared

1 infectious disease, but not for any unauthorised purpose.

2 (4) A person who-

3 (a) fails to comply with any condition imposed under subsection
4 (2) of this section; or

5 (b) contravenes the provision of subsection (3) of this section,
6 commits an offence and is liable on conviction to a fine not exceeding two
7 hundred thousand naira or to imprisonment for a term not exceeding six
8 months or to both the fine and imprisonment.

9 This section shall apply without prejudice to any other right of disclosure
10 under this Act or under any other law, rule or regulation.

11 **52.**-(1) The Centre may, by written notice, authorise a healthcare
12 provider to disclose to a specified recipient information, which identifies
13 any person as-

Disclosure of
user information
by Centre to
specified recipient

14 (a) a case or carrier or contact of a person or animal with a declared
15 infectious disease (in this section referred to as "the affected person"); or

16 (b) being suspected to be an affected person or animal, to enable the
17 specified recipient to take the necessary measures to prevent the spread or
18 possible outbreak of the declared infectious disease.

19 (2) The Centre may, in authorising the disclosure of any
20 information under subsection (1) of this section by a healthcare provider,
21 impose such conditions on the healthcare provider or the specified recipient
22 of that information, and the healthcare provider or specified recipient, as the
23 case may be, shall comply with the conditions.

24 (3) A specified recipient of information provided under subsection
25 (1) of this section may disclose the information to another person providing
26 a prescribed healthcare service to an affected person on behalf of the
27 specified recipient, or use that information, only to the extent necessary to
28 take the necessary measures to prevent the spread or possible outbreak of the
29 infectious disease, but not otherwise.

30 (4) A person who, without reasonable excuse-

1 (a) fails to comply with any condition imposed under subsection (2)
2 of this section; or

3 (b) contravenes subsection (3) of this section,
4 commits an offence and is liable on conviction to a fine not exceeding two
5 hundred thousand naira or to imprisonment for a term not exceeding six
6 months or to both the fine and imprisonment.

7 (5) This section does not affect any other right of disclosure under any
8 other law, rule or regulation.

9 (6) In this section-
10 "healthcare provider" means any person that provides a prescribed healthcare
11 service;

12 "prescribed healthcare service" means any healthcare service prescribed for
13 the purposes of this section; and

14 "specified recipient" means any person that provides a prescribed healthcare
15 service to an affected person.

Security assistance

16 **53.**-(1) The Inspector-General of Police in collaboration with other
17 security agencies, shall provide such security assistance as may be necessary to
18 carry out any of the provisions of this Act and for this purpose designate from
19 the Nigeria Police Force and other security agencies officers as may be
20 required by the Centre or authorised officer to carry out their duties under this
21 Act.

22 (2) The Centre shall train security officers to carry out the duties that
23 are directly conferred on security officers under this Act.

24 PART VII - RIGHTS OF PERSONS

Rights of Users

25 **54.** In addition to any other right conferred upon users by law,
26 individuals subject to a public health measure under this Act shall have the
27 following rights, including-

28 (a) the right to receive explanation on the necessity of such an order
29 made pursuant to the provisions in this Act in a language they understand;

1 (b)the right to be treated with dignity in the execution of such an
2 order;

3 (c) the right to confidentiality of their health information except in
4 circumstances where the publication of such information is required to be
5 provided to public health authorities or is otherwise essential for the
6 protection of public safety or health; and

7 (d) the right to refuse treatment, vaccination, specimen collections
8 and preventive treatment programs subject to compliance with isolation or
9 quarantine orders and public health measures; and

10 (e) the right to adequate food, shelter, clothing, washing facilities,
11 medical care, and communication with others.

12 **55.**-(1) (a) A health facility and public health authority shall adhere
13 to the following conditions when isolating or quarantining individuals or
14 groups of individuals-

Rights of Users
under a Quarantine
or an Isolation
Order

15 (i) Health officials shall closely monitor people in quarantine to
16 determine as quickly as possible if they are having symptoms, require
17 treatment, or require transfer to isolation, or release.

18 (ii) Quarantine must be by the least restrictive means necessary to
19 prevent the spread of a declared infectious disease to others and may
20 include, but are not limited to, confinement to private homes or other private
21 and public premises.

22 (b) Isolated individuals must be confined separately from
23 quarantined individuals.

24 (c) If a quarantined individual subsequently becomes infected or is
25 reasonably believed to have become infected with a declared infectious
26 disease, he or she must promptly be removed to isolation.

27 (d) Isolated and quarantined individuals must be immediately
28 discharged when they have been medically certified to pose no substantial
29 risk of transmitting the declared infectious disease to others.

30 (e) Premises used for isolation and quarantine shall be built,

1 equipped and maintained in a safe and hygienic manner to minimise the
2 likelihood of further transmission of infection or other harms to persons
3 isolated and quarantined in accordance with the standards as approved by the
4 Centre.

5 (f) To the extent possible, cultural and religious beliefs should be
6 considered in addressing the needs of individuals and establishing and
7 maintaining isolation and quarantine premises.

8 (2) Persons subject to isolation or quarantine shall obey the public
9 health authority's regulations, rules and orders; and shall not go beyond the
10 isolation or quarantine premises.

11 (3) The public health authority may authorize physicians, health care
12 workers, or others access to individuals in isolation or quarantine as necessary
13 to meet the needs of isolated or quarantined individuals.

14 (4) No person, other than a person authorised by the public health
15 authority, shall enter isolation or quarantine premises.

Privacy and
Confidentiality

16 **56.**-(1) Any health information, including personally identifiable
17 information in health facility records in paper or electronic formats, shall be
18 confidential and shall be shared only with the consent of the user or in
19 accordance with this Act, the National Health Act of 2014, and other relevant
20 law.

21 (2) Any health information that is collected, analysed, reported, or
22 stored as a consequence of this Act must be-

23 (a) processed fairly and lawfully, and not further processed in a way
24 incompatible with the purpose of this Act;

25 (b) adequate, relevant and not excessive in relation to that purpose;

26 (c) accurate and, where necessary, kept up to date;

27 (d) erased or rectified where data is inaccurate or incomplete;

28 (e) kept only for the period necessary for the protection of public
29 safety or health; and

30 (f) collected, transmitted, stored and archived in a manner that

1 protects against unauthorized access, modification, damage, loss, and
2 destruction.

3 (3) Summary of health facility reports to the health authorities on
4 prescribed diseases shall not contain users' names.

5 (4) Laboratory and health facility reports to health authorities on
6 immediately reportable cases may contain users' names or may use a unique
7 identifier number or code assigned to a user, in accordance with the National
8 Health Act 2014 and regulations made under this Act.

9 (5) Notwithstanding subsections (1) and (2), access to personally
10 identifiable information in reporting site records shall be permitted to those
11 persons having a legitimate need to acquire or use the information to-

12 (a) provide treatment to the individual who is the subject of the
13 information;

14 (b) investigate the causes of transmission; and

15 (c) follow-up with persons who may have come into contact with
16 an infected person:

17 Provided that in the case that personally identifiable information is
18 used to follow up with persons who have come in contact with a user, the
19 user's identity and other personally identifiable information shall be
20 confidential and shall be shared only by consent or in accordance with this
21 Act and the National Health Act 2014.

22 **57.** Every health care and support services provider under this Act
23 shall be entitled to adequate personal protective equipment and other safety
24 measures and facilities, full-life and medical liability insurance and special
25 allowance.

Rights of
providers and
support services

26 PART VIII - MISCELLANEOUS

27 **58.** Upon the declaration of a public health emergency under
28 sections 2 (1) and 3 of this Act, the Chief Judge of a State or of the Federal
29 Capital Territory, Abuja, as the case may be, shall set up appropriate courts at
30 such locations affected by the public health declaration as he thinks fit for

Designation of
special sittings of
appropriate courts
for trial of offences
under this Act

Service of notices,
orders or other
documents

1 the purpose of issuing appropriate court orders and warrants for the
2 implementation of this Act and speedy trial of offences.

3 **59.**-(1) Any notice, order or other document required or authorised by
4 this Act to be served on any person may be served by-

5 (a) delivering it to the person or to some adult member or employee of
6 his family or household at his usual or last known place of residence;

7 (b) leaving it at his usual or last known place of residence or business
8 in an envelope addressed to the person;

9 (c) sending it by post to him at his usual or last known place of
10 residence or place of business in Nigeria;

11 (d) in the case of a body corporate, delivering it to the secretary of the
12 body corporate at its registered or principal office or sending it by post to the
13 secretary of that body corporate at that office;

14 (e) if the document is to be served on the master of a conveyance or on
15 a person on board a conveyance, delivering it to any person being or appearing
16 to be in command or charge of the conveyance; or

17 (f) if the document is to be served on the master of a conveyance and
18 there is no master, by serving it on the owner of the conveyance or on the agent
19 of the owner or, where no such agent is known or can be found, by affixing it on
20 some conspicuous part of the conveyance.

21 (2) Any notice, order or other document required by this Act to be
22 served on the owner or occupier of any premises or conveyance or on the
23 master of any conveyance shall be deemed to be properly addressed if
24 addressed by the description of the "owner" or "occupier" or "master" or "pilot"
25 "captain", of such premises or conveyance, as the case may be, without
26 specifying any further name or description.

27 (3) Any notice, order or other document required by this Act to be
28 served on the owner or occupier of any premises may be served by delivering it
29 to some adult person on the premises or, if there is no such person on the
30 premises to whom the notice, order or other document can with reasonable

1 diligence be delivered, by affixing it on some conspicuous part of the
2 premises.

3 **60.** Where a notice, with evidence of proof of service, served in
4 accordance with the provision of section 59 of this Act requires any act to be
5 done or work to be executed by the owner or the occupier or the person in
6 charge of any premises or conveyance and there is default in complying with
7 the requirement of the notice, the owner, occupier or the person in default
8 shall, where no fine is specially provided for the default, be charged with
9 committing an offence under this section and is liable on conviction to a fine
10 of not less than one hundred thousand naira or to imprisonment for a term
11 not exceeding six months or to both the fine and imprisonment.

Default in
compliance with
notice

12 **61.**-(1) A person who commits an offence under this Act for which
13 no penalty is expressly provided is, in the case of-

General penalties

14 (a) a first offence, liable on conviction to a fine not exceeding two
15 hundred thousand naira or to imprisonment for a term not exceeding six
16 months or to both the fine and imprisonment;

17 (b) a second or subsequent offence, liable on conviction to a fine
18 not exceeding five hundred thousand naira or to imprisonment for a term not
19 exceeding two years or to both the fine and imprisonment; and

20 (c) a body corporate, liable on conviction for a first offence, to fine
21 of not less than one million naira, and for a second or subsequent offence, to
22 a fine of not less than two million naira.

23 (2) A court convicting a person under this Act may, if it thinks it
24 appropriate having regard to all the circumstances of the case, impose on the
25 offender a penalty of community service in lieu of payment of a fine or term
26 of imprisonment by the offender specified for the offence under this Act.

27 **62.** No liability shall lie personally against any authorised officer
28 who, acting in good faith and with reasonable care, does or omits to do
29 anything in the execution of this Act.

Protection from
personal liability

Immunity from liability for disclosure	1	63. No person commits an offence under any written law or any
	2	breach of confidence, incurs any civil liability or is liable to any disciplinary
	3	action by a professional body, by virtue merely of disclosing any information
	4	or providing anything, in good faith and with reasonable care-
	5	(a) in accordance with any requirement under this Act; or
	6	(b) as authorised by the Centre under section 52 of this Act.
Offences by bodies corporate, etc.	7	64. Where an offence under this Act is committed by a body
	8	corporate or firm or by a registered trustee or other similar association of
	9	individuals-
	10	(a) every director, manager, secretary or other similar officer of the
	11	body corporate;
	12	(b) every partner of the firm;
	13	(c) every trustee and person concerned in the management of the
	14	registered trustee; or
	15	(d) every person purporting to act in any management capacity in the
	16	body corporate or firm or registered trustee or similar association of
	17	individuals, is deemed to have committed the offence and is liable to be
	18	proceeded against and punished for the offence in like manner as if he had
	19	himself committed the offence, unless he proves that the act or omission
	20	constituting the offence took place without his knowledge, consent or
	21	connivance.
Fees, etc., collected by Centre	22	65. All fees, charges and moneys collected by the Centre in
	23	connection with the administration of this Act shall be paid into the
	24	Consolidated Revenue Fund.
Amendment of Schedules	25	66. The Minister may, where necessary, by notification in the
	26	Gazette, amend any of the Schedules to this Act.
Exercise of power	27	67. The powers of the President under this Act shall be exercisable by
	28	him or any person designated by him in that behalf.
Repeals and savings	29	68. -(1) The Quarantine Act, CAP. Q2 Laws of the Federation of
	30	Nigeria, 2004 is hereby repealed.

1 (2) The repeal of the enactment specified in subsection (1) of this
2 section shall not affect anything done or purported to have been done under
3 the repealed enactment

4 (3) Any regulations, orders and notices made or issued or deemed
5 to be made or issued by or for the purposes of the Quarantine Act existing
6 immediately before the commencement of this Act are deemed, if not
7 inconsistent with this Act, to have been made or issued by or for the purposes
8 of this Act and shall continue in force until revoked or amended, subject to
9 such modifications as may, from time to time, be applicable under this Act.

10 **69.**-(1) The Minister may make regulations for carrying out the
11 purposes and provisions of this Act for which he is responsible.

Regulations -
general

12 (2) Without prejudice to the generality of subsection (1) of this
13 section, the Minister may make regulations with respect to all or any of the
14 following matters-

15 (a) the establishment and maintenance of quarantine and isolation
16 stations for persons and for regulating the management of the quarantine and
17 isolation stations;

18 (b) the decontamination and treatment of conveyances and
19 premises;

20 (c) the prohibition on importation, exportation or transhipment of
21 infected materials, substances and articles;

22 (d) the prescribing of measures to be taken for the prevention of the
23 spread or transmission of infection by means of any conveyance departing
24 from any infected area of Nigeria;

25 (e) the prohibition and regulation of the removal of fodder, litter,
26 dung, human dejecta, waste water and other things;

27 (f) the prescribing of notification and supply of information by
28 medical practitioners of cases of declared infectious diseases treated by
29 them;

30 (g) the prohibition or regulation of vaccinations and other

1 prophylaxis and the issuance of certificates relating to vaccinations and other
2 prophylaxis;

3 (h) the prescribing of any measure, the prohibition of any act, or the
4 imposition of a duty to do any act, necessary to prevent or control the spread or
5 possible outbreak of a declared infectious disease; and

6 (i) the prescribing of fees and charges and of any matter which by this
7 Act is required to be prescribed.

8 (3) The Minister may, in making any regulations under this section,
9 provide that any contravention of or failure to comply with any regulation shall
10 be an offence punishable with a fine of not less than fifty thousand naira or
11 community service.

12 (4) The Minister may, in making regulations, specify-

13 (a) different prescribed times and declared infectious diseases in
14 relation to different classes of persons who are required to notify the Centre
15 under section 9 of this Act; and

16 (b) for the purposes of section 26 of this Act-

17 (i) the relevant operators;

18 (ii) the classes of relevant persons to whom a relevant operator may be
19 required to disseminate any health advisory; and

20 (iii) the types of information that may be obtained from different
21 classes of relevant operators.

Regulations for
the prevention
and treatment of
declared infectious
disease, etc, during
a pandemic or
an epidemic

22 **70.**-(1) Subject to the provisions of this Act and this section, the
23 Minister may make regulations-

24 (a) with a view to the treatment of persons affected with any pandemic
25 or epidemic of a declared infectious disease and for preventing the spread of
26 the diseases;

27 (b) regulating the nature of occupation, trade or business a person
28 who is a case or carrier or contact of a declared infectious disease can engage in
29 during the time he is afflicted with such disease;

30 (c) the protection of persons authorised under this Act for the

1 evacuation of persons on the streets suffering from declared infectious
2 diseases;

3 (d) for preventing danger to public health from conveyances
4 arriving at any place; and

5 (e) for preventing the spread of infection by means of any
6 conveyance leaving any place, so far as may be necessary or expedient for
7 the purpose of carrying out any treaty, convention, arrangement or
8 engagement with any other country in consultation, in the case of-

9 (i) vessels, the Minister of Transportation, and

10 (ii) aircraft, the Minister of Aviation,

11 (iii) land border, the Minister of Interior.

12 (2) Regulations made under this section may provide for-

13 (a) the signals to be displayed by conveyances in any case of
14 epidemic, endemic or declared infectious disease;

15 (b) the questions to be answered by masters, pilots, drivers and
16 other persons on board any conveyance as to cases of any epidemic,
17 endemic or infectious disease on board during the voyage or on arrival;

18 (c) the detention of a conveyance and of persons on board the
19 conveyance;

20 (d) the duties to be performed in cases of any declared infectious
21 diseases by masters, pilots, drivers and other persons on board conveyance,
22 and may authorise the making of charges and provide for the recovery of the
23 charges and of any expenses incurred in decontamination.

24 (3) Regulations made under this section shall-

25 (a) specify the authorities, by whom they are to be enforced and
26 executed, and may also provide for their enforcement and execution by
27 officers of customs and excise and officers and men employed in the marine
28 guard;

29 (b) require, so far as they apply to-

1 (i) officers of Customs and Excise, the consent of the Minister of
2 Finance;

3 (ii) officers or men employed in the Marine, the consent of the
4 Minister of Transportation;

5 (iii) signals, in the case of vessels, the consent of the Minister of
6 Transportation;

7 (iv) signals, in the case of aircraft, the consent of the Minister of
8 Aviation, and

9 (v) in case of land borders, the consent of the Minister of Interior.

10 (4) Authorised officers of any of the agencies listed in subsection (3)
11 of the section shall have power to enter any premises or conveyance for the
12 purpose of executing, or supervising the execution of the regulations.

13 (5) A person who wilfully, neglects or refuses to obey or carry out, or
14 obstructs the execution of any regulations made by the Minister under this
15 section shall, in a case where no provision is made by the regulations for his
16 punishment, be liable to a fine of not less than one hundred thousand naira, and
17 in the case of a continuing offence to a further fine not exceeding fifty thousand
18 naira for every day on which the offence continues after the conviction or to
19 community service.

Interpretation

20 **71.** In this Act, unless the context otherwise requires-

21 "appropriate court" means a court of competent jurisdiction to try offences
22 under this Act;

23 "authorised officer" means all officers of government and regulatory
24 authorities who have responsibilities which may have an impact on public
25 health measures;

26 "baggage" means the personal effects of a traveller or of a crew member of a
27 conveyance;

28 "building" means any premises, house, hut, shed or roofed enclosure, whether
29 intended for the purpose of human and animal habitation or otherwise, and any
30 wall, gate, post, pillar, paling, frame, hoarding, slip, dock, wharf, pier, jetty,

- 1 landing-stage or bridge;
- 2 "carrier", in relation to any infectious disease, means any person or animal
3 that is harbouring or is likely to or is suspected to harbour the agents of that
4 disease;
- 5 "child" means a person who is under the age of eighteen years;
- 6 "Centre" means the Nigerian Centre for Disease Control and Prevention
7 established under the Nigerian Centre for Disease Control and Prevention
8 (Establishment) Act (No. 18 of 2018);
- 9 "contact", in relation to any infectious disease, means any person or animal
10 who has been exposed to the risk of infection from that disease;
- 11 "contact tracing measure" means any measure to facilitate the tracing of
12 contacts of an infectious disease;
- 13 "Conveyance" includes ships, aeroplanes, vehicles, carts, vessels, and any
14 other means of transports;
- 15 "crew" includes any person who is on board a conveyance not for the sole
16 purpose of travelling from one place to another but who is employed in the
17 conveyance's service or in connection with its cargo;
- 18 "dangerous infectious disease" means any of the diseases set out in the
19 Second Schedule to this Act;
- 20 "dejecta" includes urine, faeces, sputum, pus, mucus, skin sloughing, lochia
21 any other liquid or solid waste matter that is emanated, shed or discharged
22 from the body by nasal, aural, urethral, vaginal or any other means;
- 23 "Director-General" means the Director-General of the Nigerian Centre for
24 Disease Control and Prevention appointed under the Nigerian Centre for
25 Disease Control and Prevention (Establishment) Act (No. 18 of 2018), and
26 includes an officer of the Centre acting on his behalf;
- 27 "Director of Port Health" means the director in charge of health at the ports;
- 28 "Epidemiological Investigation" means the inquiry into the study of
29 distribution and determinants of health, disease, or injury in human
30 population and application of this study to the control of health problems.

1 "Health Officer" means a Health Officer deployed, seconded or appointed
2 under section 7 of this Act;

3 "Health Assessment" means an evaluation of the relevant medical history and
4 the travel history of a traveller and a [non-invasive] physical examination;

5 "high risk area" means an area with a confirmed case of an infectious disease
6 declared by the Centre to be a high risk area;

7 "individually-identifiable", when used to describe information or samples
8 pertaining to a person, means that the identity of that person can be readily
9 discovered or ascertained from that information or sample;

10 "infected" means infected with the micro-organism or agent of an infectious
11 disease;

12 "infectious disease" means any of the diseases specified in the First Schedule;
13 and includes any other disease that-

14 (a) is caused or is suspected to be caused by a micro-organism or any
15 agent of disease;

16 (b) is capable or is suspected to be capable of transmission by any
17 means to human beings; and

18 (c) the Centre has reason to believe, if left un-investigated or
19 unchecked, is likely to result in an epidemic of the disease;

20 "Integrated Diseases Surveillance and Response System" means the
21 framework for surveillance and laboratory data collection and usage.

22 "international standards and procedures" means the standards set in the World
23 Health Organisation's International Health Regulations;

24 "isolation", means the separation of ill or contaminated persons or affected
25 baggage, containers, conveyances, goods or postal parcels from others in such
26 a manner as to prevent the spread of infection or contamination;

27 "isolation centre" means any facility for securing and managing ill persons
28 suspected of having an infectious disease;

29 "law enforcement authorities" includes the Nigeria Armed Forces, the Nigeria

1 Police Force, Civil Defence Corps and other law enforcement agencies in
2 Nigeria;

3 "master", in relation to a vessel, means the person for the time being in
4 charge or command of the vessel;

5 "medical examination" means the preliminary assessment of a person by an
6 authorized health professional or by a person under the direct supervision of
7 the competent authority, to determine the person's health status and potential
8 public health risk to others, and may include the scrutiny of health
9 documents, a physical examination when justified by the circumstances of
10 the individual case, ascertainment of the relevant medical history and the
11 travel history of the person being examined, laboratory tests, radiographic
12 or diagnostic tests required to make a determination of whether or not such a
13 person suffers from a disease, condition, or event;

14 "medical practitioner" means a medical practitioner registered or exempted
15 from registration under the Medical and Dental Practitioners Act;

16 "Minister" means the Minister charged with the responsibility for health;

17 "nurse" means a registered nurse or enrolled nurse within the meaning of the
18 Nursing and Midwifery (Registration, etc.) Act;

19 "occupier", in relation to any premises or conveyance, means the person in
20 occupation of the premises or conveyance or having the charge or control of
21 the premises or conveyance, either on his own account or as an agent of
22 another person;

23 "Overcrowding" is a condition where more persons are located or living
24 within a given space than is considered tolerable from a safety and health
25 perspective as determined by relevant town planning authority.

26 "owner", in relation to any premises or conveyance, means the person for the
27 time being receiving the rent of the premises or conveyance whether on his
28 own account or as agent, trustee or receiver or who would receive the same if
29 the premises or the conveyance were let or chartered;

30 "port" means any place in Nigeria and any navigable river or channel

1 leading into such place declared to be a port under the Nigeria Ports Authority
2 Act and includes an airport;

3 "Port Health Officer" means any Health Officer in charge of a port and includes
4 his deputies and assistants;

5 "pratique", in relation to a vessel, means the written permission granted by a
6 Port Health Officer to the conveyance to disembark and commence operation;

7 "premises" means buildings, lands, easements and hereditaments of any tenure
8 whether open or enclosed, whether public or private and whether maintained or
9 not under statutory authority, and includes any place or structure or any part
10 thereof used or intended to be used for human habitation or for employment or
11 any other purpose;

12 "public health emergency" means an occurrence or imminent threat of an
13 illness or health condition, caused by bio terrorism, epidemic or pandemic
14 disease, or (a) novel and highly fatal infectious agent or biological toxin, that
15 poses a substantial risk of a significant number of human fatalities or incidents
16 or permanent or long-term disability;

17 "public health measures" means procedures applied to prevent the spread of
18 disease or contamination; a health measure does not include law enforcement
19 or security measures;

20 "public place" means any place or premises to which the public or any section
21 of the public has access, on payment or otherwise, as of right or by virtue of
22 express or implied permission, and includes any place or premises used by the
23 public or a section of the public for educational or recreational purposes or for
24 assemblage;

25 "quarantine" means the compulsory detention in isolation for the purpose and
26 under the provisions of this Act of any conveyance, persons, goods, things,
27 animals or plants;

28 "quarantine anchorage" means any area of the port which has been appointed
29 for the time being for the quarantine of vessels and declared to be a quarantine
30 anchorage by the Nigerian Ports Authority;

1 "quarantine station" means any island, building or place where quarantine is
2 carried out;

3 "relevant operator" includes persons in charge of health facilities,
4 laboratories, state and local government health institutions and port health
5 authorities;

6 "relevant agency" includes the Nigeria Centre for Disease Control, National
7 Agency for Food and Drug Administration and Control, animal quarantine
8 and veterinary services and such other agencies charged with matters
9 relevant to public and environmental health;

10 "surveillance" means subjecting a person or persons to medical
11 examinations or observations carried out over a period of time (whether or
12 not continuously) and includes carrying out any measures to facilitate those
13 medical examinations or observations;

14 "vessel" means any ship, boat, aircraft or a vessel of any description used in
15 navigation by sea or air.

16 **72.** This Bill may be cited as the Public Health Emergency Bill, Short title
17 2020.

18 FIRST SCHEDULE

19 *(Section 2)*

20 INFECTIOUS DISEASES

- 21 1. Diseases with high global or regional prevalence.
- 22 2. Diseases that are severe and life threatening even though risk of
23 exposure may be low.
- 24 3. Diseases involving public health risk due to transmission of
25 infection to others-
 - 26 (a) Amoebiasis;
 - 27 (b) Angiostrongyliasis;
 - 28 (c) Brucellosis;
 - 29 (d) Chikunguya;
 - 30 (e) Coccidiomycosis;

-
- 1 (f) Dengue;
 - 2 (g) dracunculiasis;
 - 3 (h) Echinococcosis;
 - 4 (i) Giardiasis;
 - 5 (j) Hemorrhagic fever;
 - 6 (k) Hantavirus diseases;
 - 7 (l) Hepatitis C;
 - 8 (m) Hepatitis E;
 - 9 (n) HIV/AIDS;
 - 10 (o) Histoplasmosis;
 - 11 (p) Legionellosis;
 - 12 (q) Leishmaniasis (cutaneous, mucosal and visceral forms);
 - 13 (r) Leprosy;
 - 14 (s) Leptospirosis (including Weil diseases);
 - 15 (t) Listeriosis;
 - 16 (u) Lyme Borreliosis (Lyme disease);
 - 17 (v) Lymphatic filariasis;
 - 18 (w) Monkey pox;
 - 19 (x) Onchocerciasis;
 - 20 (y) Plague;
 - 21 (z) Rubella;
 - 22 (aa) SARS (Severe Acute Respiratory Syndrome);
 - 23 (bb) Schistosomiasis (Alharziasis);
 - 24 (cc) Tuberculosis;
 - 25 (dd) Trypanomiasis;
 - 26 (ee) Typhoid fever (Epidemic louse-borne typhus);
 - 27 (ff) Yaws;
 - 28 (gg) Zoonotic influenza.

1	SECOND SCHEDULE	
2		<i>(Section 2)</i>
3	DANGEROUS INFECTIOUS DISEASES	
4	Dangerous (Vaccine Preventable diseases)	
5	(1) Cholera	
6	(2) Hepatitis A	
7	(3) Hepatitis E	
8	(4) Japanese Encephalitis	
9	(5) Meningococcal disease	
10	(6) Rabies	
11	(7) Tick-borne encephalitis	
12	(8) Typhoid fever	
13	(9) Yellow fever	

EXPLANATORY NOTES

This Bill seeks to repeal the Quarantine Act, Cap Q2, Laws of the Federation of Nigeria, 2004 and establishes an up-dated comprehensive legislative framework providing for the norms, basis for the making of regulations, rules and guidelines and measures to be applied in the event of any public health emergencies of outbreaks of infectious and contagious diseases within and outside Nigeria necessitating a declaration by the appropriate authority of a state of public health emergency and to provide a sound basis for the measures and actions of the appropriate authorities during the period of the public health emergencies to prevent the spread of dangerous and infectious diseases.