

CHAPTER VI - VENEREAL DISEASES LAW

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VENEREAL DISEASES LAW

A Law relating to venereal diseases.

[NN 1963, Cap135.No. 4 of 2006]

1. Short title, commencement and application

- (1) This Law may be cited as the Venereal Diseases Law.
- (2) The Governor may by order direct that the whole Law or any section or part of a section thereof shall apply with such exceptions, adaptations and modifications as may be specified in any such Order, to the State or to any part thereof.

. Not yet in operation on the 1st day of January 1991 in any State.

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2. Interpretation

Definitions—

"an approved place" includes any Government hospital, Government place of accommodation, Government clinic and any other place approved by a Principal Medical Officer for the examination or treatment of persons suffering from venereal disease;

"child" means a person under fourteen years of age;

"Commissioner" means the State Commissioner for the time being charged with responsibility for health;

"Government institution" means an institution established or maintained by Government;

"medical officer of health" means a medical officer in the service of the Government and includes a qualified medical practitioner employed by the Government or by a local government council for the purposes of this Law;

"private institution" means an institution not established or maintained by Government;

"qualified medical practitioner" does not include a qualified medical practitioner employed by the Government for the purposes of this Law;

"venereal disease" means gonorrhoea, gonorrhoeal ophthalmia syphilis, soft chancre, venereal warts and venereal granuloma.

3. Persons suffering from venereal diseases to have themselves treated till cured

(1) Every person suffering from any venereal disease or suspecting that he is so suffering shall, on becoming aware of his condition, immediately consult—

- (a) the medical officer of health for the area in which he is residing; or
- (b) a qualified medical practitioner,

and shall place himself under treatment by that medical officer of health or qualified medical practitioner, who may direct that such person shall attend for treatment at an approved place.

(2) Every person undergoing treatment for any venereal disease in accordance with the provisions of subsection (1) shall, until free from such disease in a communicable form, continue to submit himself to such treatment at such intervals as may be directed by such medical officer of health or qualified medical practitioner.

(3) Any person who fails to comply with the provisions of this section shall be guilty of an offence

(4) Subject to the provisions of section 6 treatment for a venereal disease in accordance with the provisions of this section shall not of itself be a ground for the termination of the employment of a person so being treated

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4. Duties of medical officer of health and qualified medical practitioners

(1) Every medical officer of health and every qualified medical practitioner who attends or advises any person in respect of any venereal disease from which that person is suffering shall—

(a) direct the attention of the person to the infectious nature of the disease and to the penalties prescribed by this Law for infecting any other person with such disease;

(b) warn the person against contracting marriage unless and until he has been cured of such disease or is free from such disease in a communicable form;

(c) give to the person such printed information relating to the treatment of venereal disease and to the duties of persons suffering therefrom as may be supplied by the Government.

(2) Every qualified medical practitioner who knows or has reason to believe that any

person is suffering from a venereal disease in a communicable form and is not under treatment therefore or is not attending regularly for such treatment shall report the matter in writing to the medical officer of health of the area concerned.

(3) A medical officer of health or qualified medical practitioner who fails to comply with the provisions of this section shall be guilty of an offence.

5. Duties of parents or guardians of infected children

(1) Every parent or guardian of a child who knows or has reason to believe that such child is suffering from any venereal disease shall cause such child to be treated for such disease by a medical officer of health or by a qualified medical practitioner until such child is cured or free from such disease in a communicable form.

(2) Every parent or guardian of any such child who fails or neglects to have that child treated as aforesaid shall be guilty of an offence.

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7. Duty of medical officer of health to report to, and powers of, magistrates

(1) Every medical officer of health who knows or has reason to believe either of his own knowledge or by consequence of any reports sent to him in accordance with the provisions of section 4 or 10 that any person is suffering from a venereal disease and is not under treatment or is not attending regularly for treatment shall give written notice to such person of the requirements of this Law in regard to attendance for treatment of persons suffering from venereal disease and if thereafter such person does not comply with those requirements shall report the matter to a magistrate.

(2) Upon receipt of any such report the magistrate shall make such further inquiry, or shall make such order or orders, or shall institute such proceedings, as he may deem necessary for the proper enforcement of the provisions and for the attainment of the objects of this Law

(3) An order under this section may require the person named therein—

Where the Commissioner has reason to believe that venereal disease is prevalent amongst the residents in any premises or locality he may issue an order requiring the examination by a medical officer of health of any person or of persons of any specified class or description residing therein. Any person who refuses to comply with such an order or with any lawful instruction given thereunder or who obstructs any medical officer of health in the carrying out of such order shall be guilty of an offence.

10. Duty of qualified medical practitioner to report to medical officer of health

(1) Every qualified medical practitioner who is consulted by any person in accordance with the provisions of section 3 or 5 shall, not more than ten days thereafter report in writing to the medical officer of health for the area concerned giving full details of such consultation the treatment advised and attendances required and shall continue to advise the medical officer of health at suitable intervals with regard to the case until such time as the person is cured or free from the disease in a communicable form.

(2) In the event of any person failing to attend or to carry out the directions of the qualified medical practitioner such failure shall be notified immediately to the aforesaid medical officer of health.

(3) Any qualified medical practitioner failing to comply with the provisions of this section shall be guilty of an offence.

11. Free treatment by Government

Every person consulting or attending and being treated by a medical officer of health and every person attending, either voluntarily or by consequence of any order made under section 7, a Government hospital, other Government place of accommodation, Government clinic or other approved place being a Government institution, provided or established under the provisions of this Law, shall receive such consultation, attendance or treatment, as the case may be, free of all charge of any description.

12. Rights of persons detained in an approved place to have independent medical advice

(1) Any person detained in an approved place under the provisions of this Law shall be entitled to arrange, at his own expense, for his examination by any qualified medical practitioner, and a report of such examination shall, after being submitted to the medical officer of health, be transmitted together with his observations thereon to the magistrate who may thereupon cause to be made any further examination of such person which he may deem necessary.

- (2) When a person detained in an approved place desires to be medically examined in accordance with the provisions of subsection (1) the person in charge of such approved place or his agent shall give all such facilities as may be required for such examination and if either such person in charge or his agent fails to do so they shall respectively be guilty of an offence under this Law.

(3) No person shall be detained under this Law in an approved place who is not, or is no longer, suffering from venereal disease in a communicable form.

13. Judicial proceedings to be in camera

Inquiries and proceedings before a magistrate or any court of law under this Law shall be secret and conducted in camera and the records thereof shall be kept in the manner and form prescribed anything to the contrary notwithstanding in any other law.

14. Information not to be divulged

Any person publishing or divulging the name of any person dealt with under this Law or the nature of the charge or evidence or the results of such inquiries or proceedings or the contents of any report, certificate, document or order in connection therewith or any other matter coming to his knowledge in connection with anything arising under this Law to any unauthorised person, and any person who without lawful justification or excuse falsely alleges that any person is suffering or has suffered from venereal disease, shall be guilty of an offence.

15. Power to make rules

The Governor may make rules—

- (a) for prescribing forms of certificates, notices, orders or returns and books of record to be used in connection with venereal disease, and defining the in

formation to be furnished therein and requiring the furnishing and prescribing the manner of use thereof by magistrates, medical officers of health and qualified medical practitioners;

- (b) prescribing the precautions to be taken by persons suffering from, or attending on or having the care or charge of persons suffering from, venereal disease;

prescribing the conditions under which places being private institutions may be approved by a Principal Medical Officer as being suitable for the examination or treatment of persons suffering from venereal disease;

(b)

(d) generally for the better carrying out the provisions and attaining the objects and purposes of this Law.

16. Penalties

Any person guilty of an offence under this Law shall be liable, on conviction, to a fine of five thousand naira or to imprisonment for six months or to both such fine and imprisonment.

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SUBSIDIARY LEGISLATION

No Subsidiary Legislation
