

CHAPTER 129 - SLEEPING SICKNESS

A LAW TO MAKE PROVISION FOR PREVENTING THE SPREAD OF SLEEPING SICKNESS AND FOR THE COMPULSORY TREATMENT OF THOSE PERSONS INFECTED WITH SLEEPING SICKNESS 1983.

[21 January 1937]

1. This Law may be cited as the Sleeping Sickness Law.

2. Definitions:-

"cattle" includes sheep and goats and the young of any sheep and goats;

"Commissioner" means the State Commissioner for the time being responsible for sleeping sickness control, "employee" includes tributers working on any area the subject of a mining title;

"examining officer" means any medical officer appointed to carry out the duties imposed by this Law upon an examining officer and includes any person whom such medical officer authorises to carry out any such duties;

"*Glossina*" means any species of tsetse fly; "holder of a mining right" includes any representative of the holder in charge of the property;

"holder of a right of occupancy" includes any person in occupation of the property;

"invalid document" is a document which under this Law or any regulation hereunder is cancelled, or which is no longer required to be retained or which is not genuine; "lessee of a mining lease" includes any representative of the lessee in charge of the property;

"local government" means the local government council have jurisdiction in the area concerned;

"road" includes any path or track;

"sleeping sickness" means any form of human trypanosomiasis.

Sleeping Sickness

Compulsory Medical Examination.

3. Any examining officer may require any person whom he knows or suspects to be infected with sleeping sickness to submit himself for medical examination at such place and time as the examining officer may prescribe and any person who neglects or refuses to present himself shall be guilty of an offence.

Compulsory Medical Treatment

4. Any examining officer who finds any person to be infected with sleeping sickness may require such person to submit himself for treatment at such time and place as the examining officer may prescribe and any person who on being so required refuses or neglects to submit

himself or to continue so to submit himself shall be guilty of an offence.

Sleeping Sickness Areas

5. When sleeping sickness is found or is likely to break out in any part of the State the Governor may by order define such part and declare it to be a sleeping sickness area.

6. In any part of a sleeping sickness area an examining officer may enter upon and inspect such part irrespective of the fact that the land may be the subject of a right of occupancy, mining lease or mining right.

7. In any sleeping sickness area an examining officer may require any employer to grant reasonable facilities for the examination and treatment of his employees and any employer who refuses or fails to grant such facilities shall be guilty of an offence.

8. —(1) When any local government is informed in writing by the Permanent Secretary or any medical officer authorised in that behalf by the Permanent Secretary that conditions conducive to an outbreak of or the spread of sleeping sickness exist on any land in its area situated within a sleeping sickness area he may serve or cause to be served on the holder of a right of occupancy or the occupier or the lessee of a mining lease or the holder of a mining right a notice requiring him to remedy such conditions or to take such action as may be prescribed to remedy them.

(2) If the holder of the right of occupancy or the occupier or the mining lessee or the holder of a mining right upon whom any notice authorised by subsection (1) has been served refuses or fails without reasonable excuse to carry out any of the measures therein prescribed he shall be guilty of an offence and the local government may enter or authorise any person to enter upon the land there to carry out the prescribed measures and the expenses incurred shall be recoverable from the person upon whom the notice was served.

Provided that a mining lessee or holder of a mining right shall not be required to remedy any conditions other than those produced in the course of mining operations on the area subject to his title.

9.—(1) Subject to the provisions of any law for the time being in force, any local government within the area of its jurisdiction may governments for the purpose of arresting or preventing the outbreak or spread of for the sup-sleeping sickness in any sleeping sickness area issue orders:—

(a) directing the making and maintenance of protective clearings;

(b) prohibiting persons from residing in, assembling at, resorting to or frequenting particular places;

(c) prohibiting persons from journeying along any specified road or along any other than a specified road;

(d) directing persons resident within or visiting the area to move either temporarily or permanently outside the area or from any one place to any other place within the area. Provided that in the case of a local authority issuing any such order the provisions thereof shall apply only to persons subject to the jurisdiction of the said local authority.

(2) Any person who in disregard of any order issued under this section and applicable to himself does any act which he is prohibited from doing or omits to do any act he is required to do thereunder shall be guilty of an offence.

Restricted Areas

10.—(1) When the Governor is satisfied that permanent residence in or frequent resort to any sleeping sickness area or any part thereof is undesirable on account of the difficulty of protecting persons therein from contact with *Glossina* he may by Order declare such sleeping sickness area or any part thereof defined in such Order to be a restricted area.

(2) Any such Order may be declared to apply to persons engaged in any occupation specified in the order, or to any class or classes of persons so specified, and in such case the provisions of sections 11 to 15 herein shall apply to such persons or class or classes of persons only.

11. Any person who enters or resides in a restricted area without a permit issued to him by a local government or by an examining officer authorising such entry or residence shall be guilty of an offence.

12. —(1) If any person desires to enter a restricted area he shall, not more than one month before the date of his intended entry, present himself for examination to an examining officer.

(2) If the examining officer is of opinion that the condition of the person examined justifies the issue of a permit the local government or the examining officer may, subject to the provisions of section 13, issue the permit, but if the examining officer is of the contrary opinion, no permit shall be issued.

13.—(1) Any person applying for a permit to enter a restricted area shall furnish such information as to the purpose of his entry into the restricted area as the local government or examining officer to whom he makes his application may require.

(2) If any person on being required as aforesaid to furnish information states what he knows to be false or does not believe to be true the local government or examining officer may refuse to issue the permit or if such permit has already been issued the Commissioner may cancel the same and it shall be deemed not to have been issued. Any person aggrieved by a refusal on the part of a local government or examining officer may appeal to the Commissioner.

14. The issue of a permit may be made subject to such issue of per-conditions as the local government thinks fit for the purpose of preventing the spread of sleeping sickness and, in particular, may conditions, include a direction that the holder shall present himself to an

examining officer for examination within seven days of leaving the restricted area.

15. Every permit to enter a restricted area shall be retained by the person to whom it has been issued until that person leaves the area or obtains a fresh permit.

16. Any person who:—

- (a) without authority alters or causes to be altered any document with intent that it should appear to have been issued under this Law or any regulations made hereunder in that altered form or uses a document so altered with that intent; or
- (b) knowingly uses an invalid document for any purpose for which a document is required under this Law or any regulations made hereunder; or
- (c) transfers any document to any person to whom such document has not been issued with intent that the transferee should use it for any purpose for which a document is required under this Law or any regulations made hereunder; or
- (d) uses any document so transferred with that intent, shall be liable in respect of each offence to a fine of one thousand naira or to imprisonment for twelve months or to both.

17. Any person who on the demand of a local government Documents authority, or any person authorised in that behalf by a local government, or a medical officer or police officer refuses or fails without reasonable excuse to produce any document of which he is required to be in possession by this Law or any regulations made hereunder shall be guilty of an offence.

18. Any person committing a breach of any of the provisions of this Law shall, where no special penalty is provided, be liable in respect of each offence to a fine of five hundred naira or to imprisonment for six months or to both.

19. Nothing in this Law shall preclude or restrict any person in the service of the Government, or any local government, and his personal servants from entering any restricted area when engaged in the performance of his official duty or similarly preclude or restrict the personal servants of such person when in attendance on their employer.

20. The Governor may make regulations:—

- (a) restricting the entry of cattle into, or movements of cattle within, a sleeping sickness area;
 - (b) prescribing the form of any notice or permit required by this Law or the regulations made hereunder; and
 - (c) generally for carrying into effect the purposes and provisions of this Law.
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