

VCH 602: ORGANIZATION AND REGULATION OF VETERINARY SERVICES (2 UNITS)

Course Synopses

Organization of Veterinary Services in Nigeria

Legislations governing Veterinary Practice in Nigeria

Professional and legal responsibilities of Veterinary Surgeons in the control of animal movement and diseases

Disease reporting systems

Regulation of trans-boundary animal trafficking and international trade

Veterinary Extension services

LEGISLATIONS GOVERNING VETERINARY PRACTICE IN NIGERIA

VETERINARY JURISPRUDENCE

JURISPRUDENCE: This is the study of the laws having to do with relationship between one human being and the other.

Veterinary Jurisprudence: Laws that deal with relationship between the vets and the clients, patients and neighbors.

(2) Refers to the knowledge of legal rights, responsibilities and liabilities for practicing veterinarians,

A person is a legal entity on which legal rights, privileges and powers are conferred, liberties are recognized and on whom duties and responsibilities are imposed.

Legal right: A capacity of ascertaining a legally secured interest before judicial and administrative agencies or government e.g. you have the right to practice veterinary medicine in Nigeria if you registered with the Vet. Council of Nigeria as a qualified Veterinary doctor.

Privileges: are exceptions from duties and liabilities in certain situations and conditions e.g. you may pay tuition fee that is less than what non indigenes pay in a state owned institution if you are from such state.

Power: is a legally conferred or recognized capacity of creating, directing or of altering legal relations e.g. as a vet. Working in an abattoir, you have the power to pass an animal; for slaughtering or otherwise (ante mortem), and you also have the power to condemn such a carcass that had been passed after post mortem examination.

Duty: A legal duty is a legal obligations and flows from legal rights.

Legal liability is a legally imposed risk of likely to repair injury where the law imposes a risk, where no duty is enjoyed e.g. you can be sued as a vet for wrong diagnosis, leading to castration of a stud.

LAWS GOVERNING VETERINARY PRACTICE IN NIGERIA

- (1) Veterinary Surgeons Acts of 1969
- (2) Veterinary Surgeons Amendment Acts of 1987
- (3) Veterinary Ethics
- (4) Business and Professional Premises Registration Edicts of 1984
- (5) Animal Disease Control Decree of 1995
- (6) Private Veterinary Clinic Registration Edicts of 1981
- (7) Private Practice Prohibition Decree of 1984

Vet. Surgeons Act: this legalizes the practice of the profession in the country. It establishes the vet profession in Nigeria. It used to be called Veterinary Ordinance of 1950. Many sections were re-enacted and called vet surgeons act of 1969.

A Profession is a vocation, especially one involving training and formal qualification that is regulated by a body, and that cannot just be practiced by anyone. The regulating body is backed by law to regulate the number of entrance into and activities of the practice

Quotas by VCN should be effective, and control people within the profession as well as lay a standard which members should follow.

The VCN also disciplines any member that kicks against the principles or ethics of the profession or misbehaves in the society e.g. involvement in fraudulent activity.

Section 1C of Vet. Surgeons act: if any body that is not in the Vet. Profession comes out and claims to be a vet., he should be tried and prosecuted.

- Issue of Consultant grade – any vet officer can be referred to as a consultant having practiced for a specified number of years with at least post graduate qualification.
- Business premises or professional premises registration Edict – Every premise used must be registered. It is an offence to put up a premise without registration.

- Animal disease control was promulgated by Ondo State in 1995. Any private vet who intends to set up a practice in the state shall register such practice. Every vet shall also register 3 months before commencement of the practice. After registration a permit is given to practice. A vet. should render quarterly reports/record of vaccination and diseases and outbreak of any disease should be reported.
- Private vet clinic edict of Lagos State, 1991. Anybody setting up a clinic, i.e. a registered vet surgeon can manage a vet. Clinic.
- The private practices regulated prohibition degree of 1984.

Veterinary Surgeons Act of 1969.

This is the law that legalized the practice of Vet as a profession in Nigeria. This was dated back in 1952, when it used to be called "Vet Ordinance: However, the re enacted/ amended law came out in 1969 and was named Vet Surgeons Act 1969 (Decree No. 37 of 1969 and amended by Decree 40 of 1987).

Profession is a vocation that is regulated and controlled. There is statutory control, a law setting up a body that will control entrance into such a profession.

The syllabus controlling the entrance should be strictly monitored; the setting up body should lay up standards that anyone willing to practice the profession must comply with.

Constant visitations to schools, to update the standard laid and keep it moving; the conduct of those inside is also strictly checked by the body.

N. B. Section 14 of Nigeria vet law states that anybody pretending or proclaiming himself as one of the professionals is a criminal.

The Vet surgeons act established the VCN and also stipulates the membership. The law mandates the director of Nigerian Veterinary Research Institute, Vom to be the President, but this was later amended. The issue of consultant grade was also addressed. The law states that

consultancy is a statutory post. Length for consultancy post is equal to 5 years post DVM qualification in addition to a post-graduate qualification.

N.B: Any additional degree obtained should be registered with VCN.

Veterinary Ethics: this spelt out what a registered vet should do. A vet should not stop a client from consulting a second opinion from other vets (among other things)

Business premises Registration edict 1984 came out when government found out that people were just springing up premises. It is an offence to set up a clinic without registering. This law does not cover the personality but only the premises. You need to be a vet to set up a veterinary clinic.

Animal Disease Control Decree Adoption edicts, 1995 – Promulgated by Ondo State 1995: any private vet who intends to set up a private clinic in Ondo State/Ekiti State after the commencement of the edict should register such practice forthwith. However those already practicing before the commencement of the edicts shall register within 3 months of commencement of the edict. Any vet employed on a farm has statutory regulation of reporting quarterly to the State records of veterinary activities, e.g. vaccination records.

Private Vet Clinic Edicts of Lagos State, 1991: Anybody setting up a clinic should be only a registered Vet surgeon. Anybody managing a vet clinic should be a vet surgeon.

Animal Disease control Decree of 1988: 1st promulgated on Oct. 17, 1961 as Disease of Animal Ordinance but was amended several times. In 1962, it was changed to Disease of Animal Act of 1962. It is the law backing Vet Preventive Medicine activities, preventive medicine can be achieved by persuasive means and cohesive means or approach.

- Prevention of diseases
- In prevention you look at host, agent environment.

N.B. Only Ondo State seems to be implementing this decree effectively. The law has provision for importation and exportation of animal and animal by-products.

- Provision for the country from which the animal comes from
- Provision or the species of the animal to be imported
- Current certificate of the animal being free from disease.

The above regulation on importation is to be confirmed by the Director of Veterinary services.

There is also regulation on exportation.

- (1) The Vet. under this regulation sort of protects the image of the country, i.e. the country will be protected from being blacklisted.
- (2) Permission should be obtained by any one who wishes to export.
- (3) The law has provision on notification of disease, making sure that there are records on prevailing diseases in the country, so as to prevent spread and consequently control of such diseases.

Provision for national Vet. quarantine services; to prevent diseases from coming into or going out of the country.

Quarantine Status: Where suspected animals are sent for inspection, and ultimately such animals may be slaughtered or treated. Also Trade Animals Permit is given under this provision.

- Provision for registration of farms, hatchery and poultry houses: Before any farm is established, it must be registered and must have evidence of certificate of registration.

N.B. Due to weakness of the above law in terms of penalty imposed, Ondo State made an upward adoption review of the decree.

(8)Laws on meat:

(a) Meat Edict, 1968

Background information: Before independence, only sanitary inspectors had power to inspect meat for human consumption until 1966. In 1962 W.H.O directed that any where in the world vets should be in control of meat inspection and, and such duty to be transferred to vet department. The law on meat inspection was amended. The concept was unanimously adopted by all the states but the implementation of the law took place at different times in different states. In old Bendel State, it started in 1966, in Northern States, 1968 and 1978 in Oyo State.

PROVISION OF THE LAW

- (a) Compulsory Registration of any place where animals are to be slaughtered (Abattoir)
Vet. department will come to inspect the site and see if it is suitable, look at the plan for drainage waste or refuse disposal, location e.tc.
- (b) Meat inspection in any registered abattoir should be carried out by a Vet Officer (Doctor). Any meat that is not inspected by a vet should be condemned.
- (c) Vets ensure that the abattoir is well maintained, the sanitary condition is also maintained.

Exception – only ceremonial slaughter is exempted.

- It is an offence for anyone to interfere with vets while carrying out his duty.
- Vets should stamp the inspected animal signifying it as fit for human consumption.

Meat edict amendment in Borno

Due to the fact that many pregnant animals were being slaughtered. The law was amended in 1975 to prevent such slaughtering. In 1985 Oyo State made amendment to extend the services of Vet Officer to inspect meat in any place outside the abattoir.

Meat Edict of Lagos State: fish is properly included in Lagos State Meat Edict.

(b) HIDES AND SKIN ACT: 6th OCT 1942 ORDINANCE

It is an enabling law that made provision for hides and skin; Methods of flaying, drying, preservation, marketing, how to handle hides and skin meant for export.

Northern State: In the Dec. 1958 hides and skin regulation, method of slaughtering, specify the type of abattoir than can handle hides and skin for trade, e.g. Kano abattoir.

LAWS ON DOGS

(a) Dogs Act Cap. 35 law of federation

(b) Dogs law

Importation of dogs is covered under Dogs Act as well as disease control.

Dogs Act: enforceable in Southern States.

Dogs Law: enforceable in Northern States.

A dog keeper: Somebody who is in charge of a dog is supposed to ensure that every dog to be handled is vaccinated, duty controlled, should not be set loose to bite passer-by. Anything outside your yard (fence) is not your house, i.e. if any dog gets loose and bites anybody outside the compound, this is an offence.

'Beware of dogs' sign/post cannot work in a premise where you have an article of trade, i.e. a business premise. Dog keeper should ensure that his dog does not constitute a nuisance to the neighbors, e.g. excessive barking.

Responsibilities of vet surgeon under these laws:

- To vaccinate any dog brought to him
- In case of suspected dog for rabies, Vets are supposed to observe and use their expertise to make necessary diagnoses.
- Vets are suppose to quarantine the dog
- Vets may need to euthanize the dog where necessary.

Responsibility of Medical Doctor:

The medical doctor may refer the bitten patients to the vets. Vets suppose to assess the dog for signs of rabies, make enquiries about certificate of vaccination, and probably provide information on the likely cause of the attack. The medical doctors will examine human patients and administer human antirabies vaccine (if need be), based on the vet's report on the dog. He may also administer Anti Tetanus Vaccine and dress the wound site depending on the extent of the wound.

An area with an outbreak of rabies may be declared as disease area.

Under the dogs act: Any dog found roaming, straying around will be arrested, taken to a vet, quarantine for examination, and either killed or released (if confirmed free of rabies). A dog without tag or label is regarded as a stray dog.

Dogs Law: This law states that any stray dog should be shot at sight.

Under dogs act, the minimum age for licensing is 3 months. Under dogs law, it is 6 months..

There is correlation between licensing and vaccination in dogs law.

LAWS REGULATING HANDLING OF DRUGS

- (a) Food and drug Acts (NAFDAC Decree)
- (b) Dangerous drug Acts.
- (c) NAFDAC Decree 1993
- (d) Pharmacy Act of 1946

(a) Food and Drugs Acts.

Promulgated as decree No. 35 of 1934. This law defined the word drug.

Drug includes any substance, or mixture of substances, manufactured or sold or advertised for use in the diagnoses, prevention, mitigation or control of any disease, disorder, abnormal physical state or the symptoms thereof in man or animal.

The law regulates the manufacturing and packaging of drugs. Anybody that wishes to manufacture drugs will apply and the premise to be used is inspected, examined, and certified suitable for being up to standard and fit for carrying out manufacturing activities.

The law prohibits misleading practices, e.g. outlets, labeling packages, processing, advertising drugs, cosmetics, food or device in a manner that is false. There should be correct labeling e.tc. no person should sell any article or drug which is adulterated or expired.

Law prohibits Adverts: No person should advertise to the public that 'this drug' can cure such diseases as diabetes, cholera, glaucoma, high B.P. measles, meningitis, syphilis and heart problems.

The law also prohibits indiscriminate importation of drugs. Anybody who wants to import drugs should obtain permission, e. g. Pentobarbitone.

(b) NAFDAC DECREE

This was promulgated in 1993. The NAFDAC decree No. 15 dissolved the food and drug administration and control dept in the Federal Ministry of Health and substituted it for NAFDAC.

(c) DRUG AND RELATED DECREE 1993

Says that; anybody that wants to manufacture any drug should register such with NAFDAC. If you are marketing any drug in Nigeria, even if it is imported you must register the drug. Anybody who contravenes this law will pay a fine of N150.00.

(d) PHARMACY ACT 1946

Definition: Drug includes any substance of plant, animal or mineral origin, the mixture that is used for the treatment and control or prevention of disease in humans or animals. The law recognizes those who can sell drugs. This includes druggists, although dispensers may also sell some drugs.

Pharmacy law authorizes certain groups of people to handle and prescribe drugs .e.g. medical doctors, dental and Vet Surgeons. However if any Vet Surgeon is doing that, he should put 'for animal use'. No other can do this than a Vet, the law has provision for controlling poisons. Poisonous drugs are kept in a separate room or box. The door of the room/box should be painted red and the word "poisons" written on it or painted white. Keep the drugs under lock and key, e.g. Berenil chlorahydrate, Cyanide, Digitals, Emetin. The list of poisons you are keeping should be well written, with the list of antidote written against each of them: This should be kept attached to the door of the room in which poisonous drugs are kept, or attached to the box. A pharmacist should keep a copy of the list too.

DANGEROUS DRUGS, a.k.a. psychoactive drugs

Drugs that affect the mind, e.g. Indian hemp, cocaine, heroine e.t.c. (that affect the psyche of the person) should be kept out of reach. They are not usually taken. The consumption, handling or exportation of any of these drugs is prohibited by law, because the damage cause to public is enormous. They cause addiction and drug dependence.

Addiction: urge to always take the drug to survive.

Drug tolerance: Is the urge to consume more quality of certain drug.

Drug dependence: is a state in which any abstinence or withdrawal will lead to visible physical sign (symptoms) seen in the individual, e.g. salivation, sweating, swollen eye, sneezing.

Penalty: In the past, it used to be imprisonment for 10 years without option of fine before 1976. After 1976, it was reduced to 3months. General Buhari changed the penalty to death.

METHOD OF LEGISLATION

Civilian regime:

Executive : President, Country Ministers,
Governor, State Commissioner

Local Government Chairman, Supervisory councilors

Judiciary : Attorney General, Judges

Legislature : Senate, House of Rep.

State House of Assembly

Councilors

Executive makes the law and passes it to the legislature who will debate and send it back for signing and approval. The people too can also make a law and pass to the legislature who will approve and then send it to the executive for signing. Military on the other hand took over the legislature functions. They make law to protect themselves in some cases, they enforce laws that do not exist.

Trespass: Unauthorized access. This has no claim of compensation.

Negligence: Failure or omission to do what a reasonable man will do in that circumstances or doing what a reasonable man will not do in the circumstances.

Nuisance: When you are constituting yourself as a problem to a community, e.g. barking of dog, allowing dog to stray.