



A Summary of the Lagos State Infectious Diseases (Emergency Prevention) Regulations 2020

3rd April 2020



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1.0 Introduction

The Lagos State Infectious Diseases (Emergency Prevention) Regulations 2020 (“the Regulation”) was issued to prevent and contain the spread of the severe respiratory syndrome, coronavirus 2 (“COVID-19”), within Lagos State. It declares COVID-19 a dangerous infectious disease which constitutes a serious and imminent threat to the public health of the people in Lagos State.

The Regulation was issued further to the powers of the Governor under the Quarantine Act 2004¹ and the Lagos State Public Health Law 2015,² and took effect on the 27th of March 2020.

The Regulation ratifies all acts done prior to its issuance and empowers the Governor to exercise his powers directly or through other persons designated by him by an instrument in writing.

The Governor is authorised to impose restrictions, issue directives or take all necessary action to prevent, control or contain the incidence of COVID-19 within the State, including but not limited to stay at home orders, deployment of law enforcement officers to enforce directives, construction and allocation of spaces as isolation centres or sanitary anchorages, and temporary possession of property for use as isolation centres or to store pharmaceuticals, medical equipment or other products.

¹ Cap. Q2 Laws of the Federation of Nigeria 2004.

² Cap. P16 Vol. 9 Laws of Lagos State 2015

The Governor may exercise his powers via oral or written declarations, notices or other medium as the Governor deems necessary.

2.0 What Should Residents Know?

2.1 Screening, Testing and Isolation

The Governor has the power to direct any person deemed potentially infectious to immediately go to a designated place for screening and assessment, or to go into isolation for an initial period of 14 days.

If a potentially infectious person fails/refuses to go for screening and assessment as directed, the Governor can direct the removal of such person for screening and assessment.

If the potentially infectious person is below 18 years ("a Child"), the Governor will direct the parent or guardian to take the Child for the specified screening or assessment, and secure compliance with any restrictions ordered.

If a Child is not accompanied by a parent or guardian, efforts will be made to notify the parent or guardian of the screening, assessment or ordered isolation before it is executed. Where not practicable, the parent or guardian will be notified afterwards.

Where a potentially infectious person fails/refuses to go into or remain in isolation for the prescribed period, the Governor can direct the removal of such a person to an isolation centre within the State and hold the person for an initial period of 14 days. In such a case, the cost of removal and isolation shall be borne by the person. If the person is under 18, the cost shall be borne by his/her parent or guardian.

2.2 Restriction of Movement

The Governor has the power to restrict the movement of persons and vehicles (on land, air and water) within the State.

However, personnel involved in the transportation/movement of essential supplies like food, water, pharmaceutical products, medicine and medical supplies are allowed free movement.

2.3 Events, Gatherings and Commercial Activities

The Governor has the power to restrict trade, business and commercial activities within Lagos State for such period as may be deemed necessary.

The Governor has the power to restrict or prohibit the gathering of persons within the State i.e., for meetings, conferences, festivals, religious services, private events. The

Governor can also impose requirements for obtaining written approval for such gatherings, as well as, restrictions on the number of persons that may be present.

The Governor has the power to order the temporary closure of bars, event centres, places of worship, public, educational and vocational institutions or place restrictions on the number of persons that may be present there for such period as may be required.

The Governor has the power to direct relevant security agencies to break up gatherings, take persons in such gatherings into custody for screening and assessment, and isolation, if necessary.

Manufacturers of food, water, pharmaceutical, medical supplies and medicine, food and water markets or stores and providers of essential services are exempt from such restrictions.

2.4 Hoarding of Food, Drugs and Other Essential Supplies

It is an offence to hoard or artificially inflate the prices of food, drugs and other essential goods and services within the State.

The Governor can direct that no person shall hoard food, drugs and other essential goods and services or refuse to provide them within the State.

Where any person is in breach, the Governor can order the seizure and forfeiture of the foods, drugs and other essential goods to the State and may order that they be utilised within the State.

2.5 Transportation, Storage and Disposal of the Remains of COVID-19 Victims

The Governor has the power to specify the conditions for transporting, storing, cremating or otherwise disposing of the remains of persons who died from the COVID-19 infection.

2.6 Transmission of False Information

The Governor has the power to prohibit the transmission or sharing of false information regarding COVID-19 generally or regarding details of the outbreak (or possibility of an outbreak) within the State.

The Governor also has the power to prohibit persons from promoting unverified, untested or unapproved cures, vaccines or medicinal items that purport to cure, alleviate or reduce the likelihood of a COVID-19 infection.

2.7 Notification

The Governor has the power to direct medical practitioners and health workers to notify the Governor (through the Ministry of Health or other Health Officer charged with the responsibility), of any person that shows the symptoms of COVID-19 within the State.

2.8 Offences

Any person who fails to comply with a restriction or prohibition order, or who provides false or misleading information intentionally or recklessly, or obstructs the carrying out of duties under the Regulation, or does anything contrary to the Regulations, shall be liable to fine or imprisonment or to both, in accordance with the Quarantine Act, the Public Health Law, and any other existing laws. The Quarantine Act, for instance, imposes a fine of ₦200 (two hundred Naira) or six months imprisonment or both for contravention of any of its provisions.

3.0 Conclusion

The Regulations provide legal backing for executive actions required to contain and eliminate incidences of the COVID-19 infection within the State. It is instructive to note that the restrictions in the Regulation are not a breach of the fundamental human rights of persons in Lagos State, but a limit on these rights, to an extent that enables the State curb the spread of the COVID-19 virus.

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