


Assented to by me this 05th day July 2017


.....
Senator Abiola Ajimobi
His Excellency, The Executive Governor



OYO STATE OF NIGERIA

No. 12

A LAW TO AMEND HOSPITALS (PRIVATE) REGISTRATION LAW, 1946

Date of Commencement: ()

Enactment: ENACTED by the House of Assembly of Oyo State of Nigeria as follows:

Short Title: 1. This Law is cited as Hospitals (Private) Registration (Amendment) Law, 2017.

Interpretation: 2. In this Law –
“Principal Law” means Hospitals (Private) Registration Law, 1946 as revised in 2000.

Amendment to the Long title of the Principal Law: 3. The Long title of the Principal Law is amended by inserting after the word “Hospitals” the words “and other Health Facilities”.

43/17 -

Amendment
to section 2
of the
Principal Law.

4. Section 2 of the Principal Law is amended, as follows by-

(1) deleting the interpretation of "Medical Practitioner".

(2) inserting-

- (a) the word "Commissioner" means the Commissioner in charge of Health or any other person charged with the responsibility of the Ministry of Health before the interpretation of "company";
- (b) the words "health care practitioner" includes a health practitioner in the medical, dental, nursing, medical laboratory, community health, optical services and any person whose services are related to health care delivery" before the interpretation of "infectious disease";
- (c) "health institutions" mean hospitals and other health facilities" before the interpretation of "infectious disease";
- (d) the words "other health facilities" include medical laboratory, diagnostics centre, pharmacy, mortuary services and dental technology laboratory" after the interpretation of "medical practitioner";
- (e) the words "Permanent Secretary" means the Permanent Secretary of the Ministry of Health" before the Interpretation of "Private Hospital";
- (f) the words "secondary health care and training department" means the department in the Ministry of Health charged with the responsibility of overseeing the activities of private hospitals and other health care facilities" after the interpretation of "private hospital";

Amendment
to the Principal
Law.

5. The Principal Law is amended as follows by deleting the words-
- (i) "Medical Services" and substituting with the words "Secondary Health Care and Training" wherever they appear;
 - (ii) "medical practitioner" and substituting with the words "health care practitioner" wherever they appear".

Amendment to
sections 3,5,9
and 11 of the
Principal Law.

6. The Principal Law is amended in sections 3,5,9 and 11 by inserting the words "or other health facility" after the word "hospital".

Amendment to
section 4 of
the Principal
Law.

7. Section 4 of the Principal Law is amended by inserting the words "and other health facilities" after the word "hospitals".

Amendment
to section 6
of the
Principal Law.

8. Section 6 of the Principal Law is amended as follows by -

- (a) deleting subsection (1) and substituting it with a new subsection (1) as follows -

"Application for the initial registration of a private hospital or other health facility shall be made to the Director of Secondary Health Care and Training in the prescribed form and in the sum prescribed in the third column of the Schedule hereto opposite each of the health institutions in the first column of the Schedule and shall be accompanied with a receipt issued by the Ministry of Health";

- (b) inserting subsection (4) as follows-
"mandatory submission of data on annual health activities by private health care providers shall be a prerequisite for the yearly renewal of certificate of registration".

Amendment
to section 7
of the
Principal Law.

9. Section 7 of the Principal Law is amended as follows by-

- (a) inserting the words "or other health facility" after the word "hospital" in paragraphs "(a)" "(e)" "(f)" and "(g)"
(b) deleting the word "and" after the semi-colon in paragraphs "(a)" to "(f)";
(c) renumbering paragraph "(g)" as paragraph "(h)";
(d) inserting paragraph "(g)" thus-

"(g) the distance between a Private hospital or other health facility and any Public hospital or health facility should be at least 200 meters apart; and".

Amendment
to section 8
of the
Principal Law.

10. Section 8 of the Principal Law is amended by inserting the following after the full stop "(.)" after figure "1988"-
"In case the hospital or health facility is closed down or the owner travelled outside of the country, the Director of Secondary Health Care and Training must be communicated".

Amendment
to section 12
of the
Principal Law.

11. Section 12 of the Principal Law is amended by deleting the words "one hundred naira or to imprisonment for three months" and substituting with the words "one

hundred thousand naira or to imprisonment for six months" and also substituting the words "twenty naira" with the words "twenty five thousand naira".

Amendment to section 13 of the Principal Law.

12. Section 13 of the Principal Law is amended as follows-

- (a) by inserting the words-
 - (i) "and other health facilities after the word "hospitals" in line 5;
 - (ii) "or other health facility" after the word "hospital" in paragraph "(i)";
- (b) by deleting paragraph "(p)" and substituting with new paragraph "(p)" as follows-
 "prescribing penalties and fines for offences against any of the regulations made hereunder".

Amendment to the Schedule of the Principal Law.

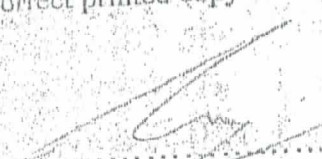
13. The Principal Law is amended by deleting the Schedule and substituting with a new Schedule as follows-

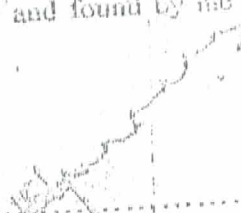
SCHEDULE
(Section 6)

S/N	Private Health Institution	No. of Beds	Registration Fees		Renewal Fees	
			#	k	#	k
1.	Industrial Hospital		200,000.00		100,000.00	
2.	Specialist Hospital	1-25	100,000.00		50,000.00	
		26-50	200,000.00		100,000.00	
3.	Non Specialist Hospital	1-25	50,000.00		25,000.00	
		26-50	100,000.00		50,000.00	
4.	Clinic/Maternity/ Nursing/Convalesant home	1-25	25,000.00		15,000.00	
		26-50	100,000.00		40,000.00	

5	Medical Laboratory/ Diagnostic x-tray centre, Dental Technology Laboratory, physiotherapy and Mortuary Services		50,000.00		25,000.00
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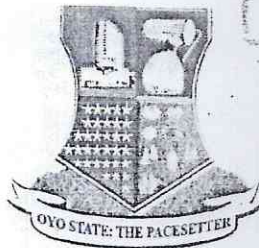
This printed impression has been carefully compared with the Law which has been passed by the Oyo State House of Assembly and found by me to be a true and correct printed copy of the Law.


Paul Ishola Bankole mni
Clerk of the State
House of Assembly


Rt. Hon. Adesina Michael Adeyemo
Speaker of the State
House of Assembly

Extraordinary

OYO STATE GOVT.
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*New
Public Health Law
(Cap. 184)*

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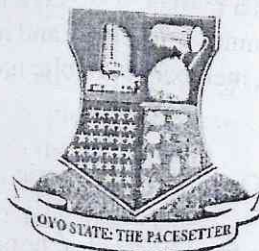
OYO STATE NOTICE NO. 08

The following are notified for general information:

By the Governor's Command
ALHAJI WAHEED AKINOLAJIDE
Secretary to the State Government

Ibadan, 4th February, 2013

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OYO STATE OF NIGERIA

No. 01

2013

**PUBLIC HEALTH LAW (CAP. 135)
FOOD, WATER AND WATER-RELATED PRODUCTS
(REGISTRATION AND QUALITY CONTROL)
REGULATIONS, 2012**

In exercise of the powers conferred by section 33 of the Public Health Law Cap. 135 Laws of Oyo State 2000 and all other powers enabling me in that behalf, I, Dr. Muyiwa Gbadegesin, the Commissioner for Health, Oyo State, hereby make the following Regulations:

(14 day of March, 2012)

Date of
Commence-
ment

1. These regulations may be cited as Food, Water and Water-related Products (Registration and Quality Control) Regulations, 2012.

Short Title:

2. In these regulations:

Interpreta-
tion:

“Analyst or inspecting Officer” means Officer designated as such by the department;

“Department” means the Department of Food, Water and Laboratory Services of the Ministry;

“Scientific Officer” means an Officer designated as such by the department;

“Science Laboratory Technologist” means a Laboratory Technologist appointed by the department;

“Public place” means a market, a street, a motor park, garden, School premises, a commercial vehicle and include any open space or enclosure to which members of public have or are permitted to have access;

“The State” means Oyo State of Nigeria

“Water” means water from boreholes, pond, stream, well, spring water or pipe borne water intended for human consumption;

“Water-related products” means water in sachets, bottled or packaged Water, ice-llies, soya beans drinks, chocolate drinks, yoghurt drinks, ice cream, sweetened and coloured drinks, alcoholic and non-alcoholic beverages;

“Food” means processed, packaged, or regulated food items different from raw foods including sausages, sardines, daily products, oil and fats and other related foods;

“Producer” means a person whether corporate or otherwise engaged in producing regulated products;

“Tobacco” means all types of plants, raw or processed used chiefly in smoking cigarettes, pipes, snuffs, or for chewing;

“Cosmetics” means creams and other make-up products and kits with chemical base;

“Soaps” means soaps made from chemical base either liquid, gel, detergents and bar soaps;

“Regulated products” include water, water-related items, food, tobacco, cosmetics and soaps;

“Ministry” means the Ministry of Health, Oyo State;

“Commissioner” means Commissioner for Health.

Functions of
Department.

3. The Department shall, in addition to any other function, perform

the following functions:

- (a) monitor and control of quality of food, water and water-related products produced for consumption of the members of the public in the state;
- (b) inspect the premises where food, water and water-related products are to be prepared, preserved, packaged and stored such as factories, markets, canteens, restaurants or hotels to ensure compliance with hygienic and good manufacturing practices;
- (c) carry out analytical studies of products to ensure quality and safety;
- (d) carry out regular studies and preparing situation reports on food control matters in the state;
- (e) ensure the enforcement of food regulations and National policy on food hygiene and safety;
- (f) ensure medical fitness of food producers and vendors and factory workers;
- (g) organize training workshop for food producers from time to time to raise their level of awareness on health issues;
- (h) advise the State Government on public health management issues and policies;
- (i) promote cooperation in public health affairs with similar bodies in other countries and international bodies connected with the protection of public health;
- (j) cooperate with the Federal, other States and Local Government Statutory Bodies and Research Agencies on matters and facilities relating to public health protection consultancy and analysis;
- (k) Registration of all consultants, analysts, and producers of packaged food, water and water-related products, tobacco, soaps and medical devices in the state.

Power of
Department.

4. In carrying out the functions prescribed in Section 3 of these regulations, the Department shall have power to:

- (a) register consultants, analysts and producers of food, water and water related products;
- (b) require to be produced, examine and take copy of any license, certificate, permit or any other documents required under this regulation;

- (c) require to be produced, examine any appliance, device or other item used in relation to manufacturing practices;
- (d) enter into programme agreements of technical assistance with public or private bodies concerning good manufacturing practices;
- (e) apply enforcement measures to combat unhygienic and bad manufacturing practices as well as unhealthy premises;
- (f) enter and search equipment, vehicles, tents and other structures in any premises engaged in carrying out manufacturing operations or business of food, water and water-related products;
- (g) perform tests and take samples of any substances found in any premises searched; and
- (h) accept donations of vehicles, money, books, or other properties from philanthropist, Non Governmental Organizations, upon such terms and conditions as may be specified by the persons making the gifts if such terms and conditions are not inconsistent with the functions of the Department.
- Power to Prescribe Standards
5. The Commissioner may by notice prescribe:
- (a) acceptable standards or criteria to control contamination of manufactured products in conformity with the Federal Government guidelines and policies and criteria on the public health safety;
- (b) basic standard requirements for hygienic and good manufacturing practices, based on International Standard;
- (c) standard on industrial discharges or effluents;
- (d) basic standards on the hygiene of the premises used for production.
- Protection of officer of the Department
6. No officer of the Department shall be liable to be prosecuted or sued for any act done or ordered to be done by him in good faith in the discharge of his functions under these regulations.
- Notification of new companies Schemes of practices.
7. The owner of Company where Foods, water, water-related products, soaps, cosmetics, tobacco and medical devices are produced for public consumption or use shall notify the Department for the purpose of quality surveillance.
- Producer to submit sample
8. Producers of regulated products shall submit samples of the products to the Department for analysis, testing or examination.

9. (1) No person shall engage in water-tanker distribution, water packaging, tap water operation, restaurant business or sweetened drinks production without obtaining a Licence from the Department. Certificate of operation
- (2) Persons employed in any of the transactions mentioned in sub-regulation (1) of this Regulation or in the production of regulated products shall undergo handler medical test in a government hospital and the result thereof shall be attached to application for Licence.
10. (1) As from the commencement of these regulations, no person shall establish, carry on or run a consultancy on Public Health Safety and Quality Control of the products mentioned herein within the State except such consultancy is registered with the Department under this regulation. Registration of Practicing Consultant on Public Health Safety and Quality Control.
- (2) The registration referred to in Sub-Regulation (1) of this Regulation shall be in such form and manner as may be prescribed by the Department.
- (3) Fees for the registration under this regulation shall be as prescribed by the Department.
11. As from the commencement of this regulation, no person shall operate the business of production of any regulated product in residential or commercial area within the State for the purpose of commercial terms, actions or public consumption except a written permission and certificate of fitness is obtained from the Department. Prohibition of operation without permission
12. (1) An application for permission referred to in Regulation 11 of these regulations shall be made in such form as may be prescribed or designed by the Department. Application for Permission fees and renewal of permission
- (2) Fees for any application made under sub-Regulation (1) of this Regulation shall be as prescribed by the Department.
- (3) The Department shall issue written permission to any person who applies under this regulation and has satisfied the conditions prescribed by the Department.

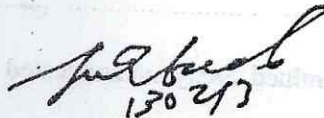
- (4) A written permission granted under sub-section (3) of this section shall be renewed annually.
- (5) A written permission granted under sub-section (3) of this regulation shall be displayed in conspicuous place on the premises where production is being carried out.
- Inspection and supervision 13. The Department or its duly authorized officer may at all reasonable time enter premises in respect of which the Department has received application for written permission for purposes of inspection, and to ensure that the conditions for a permission under these regulations are being complied with.
- Authority of Officer of the Department 14. Any duly authorized officer, where he has reasonable grounds for believing that an offence has been committed against the provisions of these regulations may without warrant:
- (a) enter, search and seize any item or substance which he reasonably believes is being used for commission of an offence;
 - (b) arrest or cause to be arrested any person reasonably suspected to have committed an offence; and
 - (c) cause the premises to be sealed off until when the Department is satisfied that there is a measure of compliance with these regulations.
- Obstruction of authorized person by the Department 15. Any person who willfully delays or obstructs a person duly authorized by the Department in the performance of his functions under these regulations or fails without reasonable excuse to give any information which he is duly required to give commits an offence and is liable on conviction to a fine of N100,000.00 or a term of imprisonment not exceeding 6 months or both.
- Offence and Penalties 16. (1) Any person who contravenes or fails to comply with any of the provisions of these regulations commits an offence and shall be liable on conviction to a fine of N200,000.00 or a term of 1 year imprisonment in case of individual, and in case of a company or corporate body, a sum of N500,000.00 or prohibition for a period of 3 years.
- (2) Where an offence is committed against these regulations by

a company or corporate body, the person in charge of such establishment, or in the case of a company or corporate body, every Director, Manager, secretary and other officer knowingly being a party to such offence shall be guilty of offence and liable to the same punishment.

- (3) Any person who contravenes or fail to comply with any of the provisions of these regulations for which no penalty has been provided shall on conviction be liable to a fine of N200,000.00 or a term of 3 years imprisonment or both in case of an individual, but in case of an establishment, company or corporate body, it shall be liable to a fine of N500,000.00

17. As from the commencement of these regulations any person engaged in any form of production or activities specified herein shall pay, not later than 1st day of March of every year, its renewal fee prescribed in these Regulations.
- Payment of
renewal not
Later than
1st March

Made in Ibadan this 14th day of March 2012.



Dr. Muyiwa Gbadegesin
Commissioner for Health,
Oyo State.

**OYO STATE MINISTRY OF HEALTH
FOOD, WATER AND WATER-RELATED PRODUCTS
(REGISTRATION AND QUALITY CONTROL)
REGULATIONS, 2012.**

CERTIFICATE OF FITNESS

I, (Full Name).....

declared that on:.....

collected sample (s) of:.....

from:.....

for analysis, testing, or examination.

That the sample(s) was/were marked as follows:.....

.....and quality is.....

.....

That I have examined, analyzed and tested the sample and found the results which
are as follows:.....

.....

.....

.....

.....

.....

.....
Analyst's full Name and Signature

Date:.....

**OYO STATE MINISTRY OF HEALTH
FOOD, WATER AND WATER-RELATED PRODUCTS
(REGISTRATION AND QUALITY CONTROL)
REGULATIONS, 2012.**

**APPLICATION FOR PERMIT TO OPERATE WATER-TANKER
FOR DISTRIBUTION OF DRINKING WATER IN OYO STATE**

Name of Owner.....

Residential Address:.....

Make of Vehicle:.....

Vehicle Registration Number:.....

Previous Registration Number (if any):.....

.....
Signature of Owner

Dated this.....day of.....20.....

**OYO STATE MINISTRY OF HEALTH
FOOD, WATER AND WATER-RELATED PRODUCTS
(REGISTRATION AND QUALITY CONTROL)
REGULATIONS, 2012.**

PERMIT TO OPERATE A WATER TANKER

Permit is hereby granted to:.....

of.....

To operate a water-tank Registration Number.....in Oyo State

Date granted.....

Fee paid.....

Expiry Date.....

.....
For: Honourable Commissioner for Health

**OYO STATE MINISTRY OF HEALTH
FOOD, WATER AND WATER-RELATED PRODUCTS
(REGISTRATION AND QUALITY CONTROL)
REGULATIONS, 2012.**

REGISTRATION OF PREMISES

The premises at:.....

is hereby registered for preparation, packaging and production of.....

in Oyo State subject to the provisions of the Food, Water and Water-related Products
Regulations 2012

Date this.....day of....., 20.....

.....
REGISTRATION OFFICER
For: Honourable Commissioner

**OYO STATE MINISTRY OF HEALTH
FOOD, WATER AND WATER-RELATED PRODUCTS
(REGISTRATION AND QUALITY CONTROL)
REGULATIONS, 2012.**

REGISTRATION OF PRODUCT

License is hereby granted to:.....

to produce, prepare, package, distribute or offer for sale:.....

in Oyo State subject to the provision of the Food, Water and water-related Products
Regulation, 2012

Date granted.....

Fee paid.....

.....
LICENSING AUTHORITY
For: Honourable Commissioner

Food, Water and Water-related Products (Registration and Quality Control) Regulations, 2012

**OYO STATE MINISTRY OF HEALTH
FOOD, WATER AND WATER-RELATED PRODUCTS
(REGISTRATION AND QUALITY CONTROL)
REGULATIONS, 2012.**

CERTIFICATE OF CONDEMNATION

This is to certify that.....
.....
has been found to be unfit for human consumption.

From.....
Of.....
At.....
On.....

.....
Analyst full Name and Signature

Date.....

**OYO STATE MINISTRY OF HEALTH
FOOD, WATER AND WATER-RELATED PRODUCTS
(REGISTRATION AND QUALITY CONTROL)
REGULATIONS, 2012.**

SPECIFIED FEES

Categories	Fees (Yearly)
(a) Certificate of fitness or analysis for Food products	25,000.00
(b) Quality Assurance Test for Pure or Packaged water	10,000.00
(c) Licence to operate in Oyo State	10,000.00
(d) Food Premises Hygiene and Safety Status Certificate	25,000.00
(e) Permits to operate a Water Tanker	10,000.00
(f) Renewal of Licence to operate	5,000.00
(g) Permit to operate as consultant in Oyo State:	
(i) Individual	50,000.00
(ii) Corporate Body	150,000.00
(h) Medical Examination Certificate per person	5,000.00

B 12

Food, Water and Water-related Products (Registration and Quality Control) Regulations, 2012

**OYO STATE MINISTRY OF HEALTH
FOOD, WATER AND WATER-RELATED PRODUCTS
(REGISTRATION AND QUALITY CONTROL)
REGULATIONS, 2012.**

QUALITY ASSURANCE TEST CERTIFICATE

The sample(s) of.....received or collected
on.....from.....

for analysis, testing or examination was or were found to be satisfactory/unsatisfactory and
therefore certified fit/unfit for human consumption.

This certificate is issued on.....day of.....20.....and expires on
31st December, 20.....

.....
For: Honourable Commissioner for Health