

## THE PUBLIC HEALTH ACT, 2022

### ARRANGEMENT OF SECTIONS

#### Sections.

#### PART I – PRELIMINARY

1. Interpretation.

#### PART II – PUBLIC HEALTH SYSTEM ADMINISTRATION

2. Ministry.
3. Local Councils.
4. District Health Area.
5. Chief Medical Officer.
6. Deputy Chief Medical Officer (Public Health)
7. Deputy Chief Medical Officer (Clinical Services)
8. Health Officers.
9. District Medical Officers.
10. Public Health Superintendents.
11. Public Health Inspectors.
12. National Public Health Agency.
13. Public Health Emergency Response Fund.

#### PART III - HEALTH AREAS, HEALTH AUTHORITIES AND ENDEMIC CONTROL AUTHORITIES

14. Minister may declare Health Area.
15. Minister may appoint Health Authorities.
16. Transfer of functions of defaulting Health Authority.
17. Minister may declare Endemic Control Area.
18. Minister may appoint Endemic Control Authority.

#### PART IV - NUISANCES, OFFENSIVE AND INSANITARY CONDUCT OR ACTIVITY

19. Inspection of Health Area for statutory nuisance.
20. Issue of Intimation Notice of statutory nuisance.
21. Service of Abatement Notice.
22. Court may issue Nuisance Order.
23. Individual may make complaint of statutory nuisance.
24. Offensive or insanitary activity or conduct.

#### PART V - PREVENTION, NOTIFICATION AND TREATMENT OF DISEASE

25. Prevention of disease.
26. Occupant of premises to give notice of notifiable disease.
27. Medical practitioner or traditional healer to give notice of notifiable disease.
28. Declaration of infected areas and evacuation.
29. Prohibition of entry to, and exit from, infected area.
30. Post mortem examination of death by notifiable disease or unknown cause.
31. Power to perform diagnostic tests.
32. Health Officer may mark premises of notifiable disease.

33. Destruction of animal vector.
34. Compulsory isolation of person suffering from notifiable disease.
35. Temporary Isolation accommodation.
36. Surveillance, isolation of persons.
37. Evacuation, disinfection, etc., of infected premises.
38. Penalty for letting house in which infected persons had been lodging.
39. Penalty for exposure of infected persons or things.
40. Infected persons in public places.
41. Disinfection of public places.
42. Apprehension of persons suffering from a notifiable disease.
43. Compensation.

#### PART VI - BURIALS AND BURIAL GROUNDS

44. Burial of corpses.
45. Re-opening of graves.
46. Functions of Health Officer at re-opening of graves.
47. Closing of cemeteries.
48. Time limit for burials.
49. Burial where corpse is a danger.
50. Removal of body of person dying in hospital of notifiable disease.
51. Prohibition of unnecessary contact with body of person dying from notifiable disease.
52. Burial of still-born.
53. Cremation.
54. Register of burials.

#### PART VII – DRAINAGE, SANITATION, WATER SUPPLIES AND HOUSING

55. Construction of public drains.
56. Interference with drains.
57. Responsibility to clean and empty drains.
58. Discharge of private drains into public drains.
59. Notice of intended construction of private drains in certain Health Areas.
60. Construction of private drains.
61. Health Authority may require provision for drainage to be made.
62. Defective drains, etc., in Urban Health Areas.
63. Sanitary services in Health Areas
64. Provision in Health Areas of places for deposit of refuse.
65. Prohibition of interference with refuse deposited for removal.
66. Public toilets.
67. Water supply.
68. Protection of public from polluted water.
69. Penalty for damaging or contaminating water supply.
70. Water-gathering areas.
71. Control of wells.
72. Declaration of overcrowded areas.
73. Publication of schedule of overcrowded areas.
74. Powers of Health Officer inspecting over-crowded areas.
75. Overcrowded dwelling house.
76. Notice to abate over-crowding.
77. Penalties for failing to abate over-crowding.

**PART VIII - FILTHY OR VERMINOUS PREMISES, ARTICLES AND PERSONS**

78. Cleaning of filthy or verminous premises.  
79. Cleansing or destruction of filthy or verminous articles.  
80. Cleansing of verminous persons and their clothing.

**PART IX - FOOD, SLAUGHTERHOUSES AND MARKETS**

81. Sale, etc. of unsound food prohibited.  
82. Examination, seizure and removal of unsound food.  
83. Notification of cases of food poisoning or food borne illnesses.  
84. Notice of suspected food poisoning or food borne illnesses  
85. Power to take food sample.  
86. Public slaughter- houses.  
87. Slaughter of animals for human consumption.  
88. Public markets.  
89. Sale of meat and fish.  
90. Inspection of meat.

**PART X - PROCEDURE AND GENERAL**

91. Powers of entry.  
92. Vessels and aircrafts.  
93. Police Officer to give information.  
94. Health Officer to have powers of police officer.  
95. Penalty for obstructing execution of Act, etc.  
96. Proceedings for offences, expenses, etc.  
97. Surplus of distress to be returned.  
98. Distress not unlawful for want of form of warrant.  
99. Proceedings for fines, etc. to be taken within 6 months.  
100. Procedure.  
101. Recovery of expenses from owner and occupier.  
102. Health Authority may institute proceedings.  
103. Protection from personal liability of Health Authorities and officers.  
104. Appeals.  
105. Authentication of notices.  
106. Service of notices.  
107. Forms.  
108. Expenses of Health Authority.  
109. Regulations.  
110. Repeal and savings.  
111. Transitional provisions.

**SCHEDULES**

**A BILL ENTITLED**

**Short title.**

**THE PUBLIC HEALTH ACT, 2021**

Being an Act to repeal and replace the Public Health Act, 1960, to provide for the promotion, protection and improvement of public health and wellbeing in Sierra Leone, to provide for the protection of individuals and communities from public health risks, to provide for the prevention and control of the spread of infectious diseases, to provide for local government and community participation in protecting public health, to provide for early detection of and prompt response to diseases and public health threats and to provide for other related matters.

**Date of Commencement.** [ ]

**ENACTED by the President and Members of Parliament in this present Parliament assembled.**

**PART I – PRELIMINARY**

**Interpretation.**

1. In this Act, unless the context otherwise requires-

"Board" means the National Public Health Agency Board referred to in section 12;

"building" includes any structure whatsoever for whatever purpose used;

"burial" means burial in earth, or any other form of grave, or cremation or any other mode of disposal of a dead body;

"carcass" includes any part of a cadaver;

"Chief Medical Officer" means the person appointed under section 5;

"child" means a person less than 18 years of age;

"communicable disease" means an illness or disease resulting from an infection due to pathogenic agents or toxins, following the direct or indirect transmission of the agent from the source to the host;

"food or article of food" means a substance whether processed, semi processed or raw; which is intended for human consumption and includes an animal product, fish, fruit, vegetables, additives, condiments, confectionery, beverages, water and other article or thing other than drugs

and tobacco in a form, state or stage of preparation;

"food animal" means a mammal or bird declared by the Minister, by notice in the Gazette, to be an food animal to which this Act applies;

"health area" means an area designated by the Minister to be a health area for public health services;

"Health Authority" means the Health Authority appointed for a health area under section 15, and, in an area which has not been declared to be a Health Area, and also the District Medical Officer for that area;

"Health Officer" includes a District Medical Officer, Medical Officer, Medical Superintendent, Public Health Superintendent and Public Health Inspector;

"infectious disease" means a communicable disease caused by pathogenic microorganisms, such as bacteria, viruses, parasites or fungi that can be spread, directly or indirectly, from one person to another;

"local council" means a local council established under paragraph (c) of subsection (2) of section 2 of the Local Government Act, 2004 (Act No. 1 of 2004);

"locality" means the administrative area of a local council and includes a district, town, city or metropolis;

"meat" means a portion of an animal which is intended for human consumption, whether fresh, chilled, frozen or otherwise processed by any means whatsoever or included in any article of food for human consumption;

"Medical Officer" means a Medical Officer appointed by the Sierra Leone Health Service Commission;

"medical practitioner" means a person who is registered as such under the Medical and Dental Surgeons Act, 1994 (Act No 12 of 1994);

"medical officer of health" means—

- (a) the Chief Medical Officer;
- (b) the Deputy Chief Medical Officer;
- (c) the public health officer, appointed or seconded to a health area;

"medical officer" means a medical practitioner in public service;

"Minister" means the Minister responsible for health and sanitation and Ministry shall be construed accordingly;

"non-communicable disease" means a disease which is not contagious or passed from person to person;

"notifiable", in relation to disease, means a disease for which notification is required under this Act;

"occupier", in relation to a premise, means a person –

- (a) in actual occupation of the premises;
- (b) legally entitled to occupy the premises; or
- (c) having the charge or management of the premises and includes the agent of such person when he is absent from Sierra Leone or his whereabouts are unknown;

"owner", in relation to a premises, means–

- (a) the person in whose name the title to the premises is registered; or
- (b) if such person or holder is dead, insolvent, mentally disordered or defective or a minor or under a legal disability, the person in whom the administration of that person's or holder's estate is vested, whether as executor, guardian or in any other capacity whatsoever; or
- (c) if the premises is under lease, the registration whereof is in law necessary for the validity of such lease, the lessee; when the owner as herein defined is absent from Sierra Leone or his whereabouts are unknown, owner includes an agent of the owner or a person receiving or entitled to receive rent in respect of the premises;

"place of isolation" means a special hospital or premises or portion thereof set apart and used solely for the admission and accommodation of persons suffering from infectious disease;

"point of entry" means a geographical point of entrance or official gateway to a country;

"premises" means a building or part of a building usually with its land and outbuildings;

"public health risks" means –

- (a) an animal, structure, substance or other thing or conduct that –

- (i) is, or is likely to become, a breeding ground or source of food for designated organisms ; or
- (ii) harbours, or is likely to become something that harbours, designated organisms;
- (b) a substance, organism or any other thing that is, or is likely to be, hazardous to human health, that contributes to, or is likely to contribute to communicable or non-communicable disease in humans or the transmission of an infectious condition to humans;

"rural district", in relation to a rural local authority, means an area outside an urban district which is under the jurisdiction of that rural local authority, and "rural area" has a corresponding meaning;

"sanitary convenience" includes toilet, urinal, water-closet, aqua-privy, earth-closet, pit-closet, borchole-toilet or chemical-closet or other device intended to be used for the disposal of human waste;

"Sierra Leone Health Service Commission" means the Sierra Leone Health Service Commission established by section 2 of the Sierra Leone Health Service Commission Act, 2011 (Act No. 5 of 2011);

"traditional medicine" means sum total of knowledge, skills and practices of an indigenous culture, developed and handed down from generation to generation, recognised and accepted by the community for the maintenance of health and the treatment of diseases;

"traditional healer" means a duly registered person by the Ministry responsible for health who has knowledge, skills and practices on traditional medicine and also include herbalists;

"urban district", in relation to an urban local authority, means the area under the jurisdiction of that urban local authority, and "urban area" has a corresponding meaning.

## PART II –PUBLIC HEALTH SYSTEM ADMINISTRATION

### Ministry.

#### 2. The Ministry shall be responsible to –

- (a) improve, promote and safeguard public health in Sierra Leone;
- (b) provide technical guidance to local councils and monitor performance in their functions;
- (c) monitor and evaluate the effective functioning of the public health system;
- (d) develop a national health management information system;
- (e) provide guidelines for all public health facilities;
- (f) investigate complaints by duty bearers concerning public health service provision under this Act and ensure that timely and appropriate processing of such complaints in a just and fair manner is undertaken and decisions made in the best interest of the public;
- (g) prevent and guard against the introduction of disease within and from outside Sierra Leone;
- (h) supervise and coordinate the efficient and effective mobilisation, allocation and distribution of resources to the public health system;
- (i) coordinate and ensure that donor interventions strengthen and do not undermine local capacity or result in fragmentation;
- (j) prepare and publish reports and statistical and other information pertaining to public health;
- (k) cooperate and collaborate with other Ministries, departments and agencies of government in the event of a public health emergency or disaster;
- (l) collaborate and coordinate with other Ministries, departments and agencies of government, national and international

**Local  
Councils.**

- organisations on matters of public health;  
and
- (m) generally to administer this Act.
3. (1) A Local Council shall be responsible for -
- (a) promotion of community involvement in health issues and providing information, education and communication to promote healthy lifestyles in the locality;
  - (b) environmental health care within its locality including, preventing the occurrence of health nuisance, unhygienic, offensive or insanitary condition or other condition which could be harmful or dangerous to human health;
  - (c) provision and protection of access to safe drinking water, control food quality and safety, adequate drainage, sewage and solid waste disposal services, adequate vector control measures;
  - (d) primary health care including the prevention, surveillance and control of communicable and non-communicable disease, protection of the environment and promotion of health;
  - (e) procurement of equipment and medicines;
  - (f) preventing the occurrence or dealing with the outbreak or prevalence of infectious, communicable, non-communicable or contagious diseases;
  - (g) preventing the pollution of water intended for human and animal consumption irrespective of whether the water is obtained out of its locality; and
  - (h) any other function assigned to it by the Minister under this Act or any other law.

(2) A local council shall, for the effective performance of its functions under subsection (1), -

- (a) cause its locality or health area or a part thereof to be inspected, from time to time, by health officers; and
- (b) Appoint health committees which shall be responsible for supervising and monitoring the execution of its functions its within locality.

(3) The Minister may, on the advice of the Chief Medical Officer and in consultation with the Minister for Local Government, delegate any of the functions of the Ministry to a local council.

4. The Minister shall, on the advice of the Chief Medical Officer, from time to time, divide Sierra Leone into as many District Health Areas as he may consider expedient for the effective administration of this Act.

**District  
Health  
Area.**

**Chief  
Medical  
Officer.**

5.(1) There shall be a Chief Medical Officer of the Ministry who shall be appointed by the President on the recommendation of the Sierra Leone Health Service Commission in consultation with the Minister.

(2) A person shall not be eligible for appointment as Chief Medical Officer under subsection (1), unless he -

- (a) is fully qualified for registration as a medical practitioner under the Medical Practitioners and Dental Surgeons Act, 1994 (Act No. 12 of 1994); and
- (b) holds a post graduate qualification in public health.

(3) The Chief Medical Officer shall be responsible to-

- (a) advise the Minister in the formulation of health policies and strategies;
- (b) integrate considerations of health and well-being in the development, implementation and evaluation of Government policies and services;
- (c) collaborate with the health authorities of other countries and with regional and international bodies in the field of public health;
- (d) strengthen inter-sectorial collaboration on public health issues;

	<p>(e) prepare and publish reports, statistical data or other information on health care in Sierra Leone;</p> <p>(f) obtain and publish periodically, information on infectious diseases and other health matters including information on epidemic diseases in territories adjacent to Sierra Leone or in other countries as may be required in the interest of public health;</p> <p>(g) prepare and submit a report on the state of public health in Sierra Leone, identifying issues, gaps and challenges affecting public health, to the Minister, for laying in Parliament, not later than 6 months after the end of the year.</p>
<b>Deputy Chief Medical Officer (Public Health)</b>	<p>6.(1) There shall be a Deputy Chief Medical Officer (Public Health) in the Ministry of Health who shall be appointed by the President on the recommendation of the Sierra Leone Health Service Commission in consultation with the Minister.</p> <p>(2) A person shall not be eligible for appointment as Deputy Chief Medical Officer (Public Health) under subsection (1), unless he has relevant medical training and significant experience in public health in both urban and rural areas.</p> <p>(3) The Deputy Chief Medical Officer (Public Health) shall deputise the Chief Medical Officer on all matters related to public health.</p>
<b>Deputy Chief Medical Officer (Clinical Services)</b>	<p>7.(1) There shall be a Deputy Chief Medical Officer (Clinical Services) in the Ministry of Health who shall be appointed by the President on the recommendation of the Sierra Leone Health Service Commission in consultation with the Minister.</p> <p>(2) A person shall not be eligible for appointment as Deputy Chief Medical Officer (Clinical Services) under subsection (1), unless he has relevant medical training and significant experience in clinical services in both urban and rural areas.</p> <p>(3) The Deputy Chief Medical Officer (Clinical Services) shall deputise the Chief Medical Officer on all matters related to clinical services.</p>
<b>Health Officers.</b>	<p>8. (1) The Chief Medical Officer shall deploy Health Officers to Health Areas in Sierra Leone.</p> <p>(2) A Medical Officer appointed under subsection (1) shall be responsible to supervise the Health Officers employed by or seconded to the Health Authority of that area and shall ensure that all the duties imposed upon Health Authorities are duly performed by the Health Authority.</p>

	<p>(3) The Minister may, on the recommendation of the Chief Medical Officer, prescribe the qualifications to be held and the duties to be performed by Health Officers.</p>
<b>District Medical Officers.</b>	<p>9.(1) The Chief Medical Officer shall deploy a Medical Officer who shall be referred to as District Medical Officer, to head a District Health Area.</p> <p>(2) A person shall not be deployed as a District Medical Officer under subsection (1) unless he holds a post graduate diploma in public health, public health science or other similar qualification.</p> <p>(3) A District Medical Officer shall, within the district and under the direction of the Chief Medical Officer, -</p> <ol style="list-style-type: none"> <li>supervise, advise and direct Medical Officers and other Health Officers;</li> <li>advise Health Authorities on all matters affecting public health;</li> <li>pay regular visits to Health Areas and other areas within the district;</li> <li>perform all other duties imposed upon him by this Act.</li> </ol>
<b>Public Health Superintendents.</b>	<p>10. A Health Authority shall have Public Health Superintendents carry out the relevant provisions of this Act under the supervision of a District Medical Officer."</p>
<b>Public Health Inspectors.</b>	<p>11. A Health Authority shall have Public Health Inspectors to carry out the relevant provisions of this Act and to be supervised by Public health Superintendents under the direction of the District Medical Officer.</p>
<b>National Public Health Agency</b>	<p>12. (1) The former Directorate of Health Securities and Emergency in the Ministry shall be a body Corporate which to be known as the National Public Health Agency.</p> <p>(2) The National Public Health Agency shall be governed by a Board consisting of a Chairman, appointed by the President upon the recommendation of the Minister, from among persons of the highest calibre of personal integrity and demonstrated professional knowledge and experience in public health and matters related to the functions of the Agency, subject to the approval of Parliament and the following other members -</p> <ol style="list-style-type: none"> <li>the Chief Medical Officer;</li> </ol>

- (b) the Permanent Secretary;
- (c) the Financial Secretary;
- (d) 4 persons with professional knowledge and each having not less than 10 years' experience respectively in –
  - (i) pandemic preparedness and response;
  - (ii) veterinary, wildlife and livestock;
  - (iii) environment;
  - (iv) finance and administration; and
  - (v) human resource management.
- (e) the Executive Director of the Agency who will serve as Secretary to the Board and a non-voting member.

(3) The Agency shall be responsible to –

- (a) predict, plan for and prevent endemic public health problems;
- (b) prepare and respond to public health emergencies;
- (c) predict, prevent, detect, respond and control disease in a timely manner;
- (d) strengthen and upgrade the public health system at national, regional and local government level;
- (d) conduct research, collect, collate and analyze data to better public health challenges and come up with answers to public health problems;
- (e) direct and coordinate all groups of actors in a public health emergency; and
- (f) ensure that Sierra Leone is compliant with the International Health Regulations.

(4) The Agency shall have an Executive Director, who shall be appointed by the President on recommendation of the Minister subject to approval by Parliament from amongst persons of high integrity having qualifications not below a Master's Degree in Public Health and at least 10 years' experience in senior management position in the public health

(5) The Agency shall establish such departments or Divisions headed by a Director appointed by the Board on the recommendation of the Executive Director, as maybe necessary for the effective performance of its functions including, a Technical and Operational Services Department, Planning, Policy and Research Department, Finance and Administration Department and Internal Audit Department.

(6) The Executive Director shall be responsible to the Board for –

- (a) the day-to-day administration and management of the Agency;
- (b) Overseeing the activities of the Departments or Divisions of the Agency;
- (c) the formulation and execution of operational policies, programmes and plans relating to the functions of the Agency as may be approved by the Board;
- (d) the supervision and discipline of other employees of the Agency;
- (e) preparing and submitting operational reports and plans;
- (f) preparing the annual budget and the timely submission of financial reports;
- (g) preparing the agenda, recording and maintaining minutes of the meetings of the Board;
- (h) performing such other duties as the Board may determine.

(7) The Board shall, on the recommendation of the Executive Director, -

- (a) appoint such other staff of the Agency, as maybe necessary for the performance of the functions of the Agency, on such terms and conditions as the Board may determine;
- (b) engage the services of professionals, consultants or advisers as may be necessary for the performance of the functions of the Agency;

(8) Public Officers may, at the instance of the Agency, be seconded or otherwise render assistance to the Authority but the Agency may request the withdrawal of seconded staff unable to carry out assigned functions in a manner satisfactory to the Agency.

9) The activities of the Agency shall be financed by funds consisting of -

(a) monies appropriated by Parliament for the purposes of the Agency; and

(b) grants, gifts or donations from persons or organizations for the purposes of the Agency.

(c) The management of the funds is within the ambit of the The National Public Health Agency Board provided for in Sub-section (1) of this Section.

**Public Health Emergency Response Fund.** 13.(1) There is hereby established, a fund to be known as the Public Health Emergency Response Fund shall be financed by subventions from Government; gifts, donations and grants from persons or organisation for the purposes of the fund and shall be applied exclusively for addressing public emergency response.

(2) The management of the Fund will be entrusted in a Board of Trustees which shall have powers to -

(a) maintain, manage or invest monies in the Fund;

(b) act as trustees of monies or other property vested in the Fund.

(3) The Board of Trustees shall comprise of the Chairman of the Board, the Financial Secretary, the Chief Medical Officer, the Executive Director and one other member of the National Public Health Agency Board

(4) The exercise of the powers of the Board of Trustees under paragraph (2) shall be regulated and supervised by the Minister and for that purpose the Executive Director shall submit a plan of proposed activities for the approval of the Minister

**PART III - HEALTH AREAS, HEALTH AUTHORITIES AND ENDEMIC CONTROL AUTHORITIES**

**Minister may declare health area.** 14. (1) The Minister may, by statutory instrument, declare an area in Sierra Leone-

(a) under the jurisdiction of a local council, to be an urban or a rural health area;

(b) to be a labour health area; or

(c) that is a port or a border point of entry, to be a Port Health Area.

(2) A declaration made by the Minister under subsection (1), may be amended as he may deem necessary.

**Minister may appoint Health Authorities** 15.(1) The Minister may, on the advice of the Chief Medical Officer, appoint a person or body of persons to be the Health Authority for a health Area: Provided that the National Public Health Agency shall be the Health Authority for a Port Health Area.

(2) A person shall not be appointed a Health Authority under subsection (1), unless he is -

(a) a suitably qualified Medical Officer employed by the local council; or

(b) designated by the Minister, in the absence of a suitably qualified Medical Officer employed by the local council under paragraph (a), to serve as Health Authority.

(3) A Health Authority appointed by the Minister under subsection (1) shall be responsible for the execution of relevant provisions of this Act in the health area for which it has been appointed and in the case of the National Public Health Agency, it shall be responsible for the execution of relevant provisions of this Act in a Port Health Area.

**Transfer of functions of defaulting Health Authority.** 16.(1)The Minister may transfer the functions of a defaulting Health Authority to another person or body of persons and the expenses incurred in discharging those transferred functions shall be a debt due from the defaulting health authority to that person or body of persons.

(2) The Minister may by statutory instrument, make provision for the custody, control, ownership or disposal of property leased, held by or in the control of a Health Authority whose functions has been transferred to another person or body of persons under subsection (1).

**Minister may declare Endemic Control Area.** 17. (1) The Minister may, by statutory instrument, declare an area in Sierra Leone to be an Endemic Control Area.

(2) A declaration made by the Minister under subsection (1), may be amended as he may deem necessary.

**Minister may appoints Endemic Control Authority.**

18. (1) The Minister may, appoint a person or body of persons to be the Endemic Control Authority for a health Area.

(2) A person or body of persons shall not be appointed an Endemic Control Authority under subsection (1), unless he is -

- (a) a suitably qualified Medical Officer employed by the local council; or
- (b) designated by the Minister, in the absence of a suitably qualified Medical Officer employed by the local council under paragraph (a), to serve as Endemic Control Authority.

(3) An Endemic Control Authority appointed under subsection (1)

shall –

- (a) be responsible for the notification, treatment and prevention of epidemic, endemic or infectious diseases including the construction of drainage and other works necessary for the control of endemic diseases or the elimination of insects or animal carriers of endemic diseases;
- (b) have such rights, powers and immunities conferred on Health Authorities and Health Officers under this Act, including powers of entry, recovery of expenses from owners and occupiers of property and protection from personal liability in the performance of their duties.

**PART IV - NUISANCES, OFFENSIVE AND INSANITARY CONDUCT OR ACTIVITY**

**Inspection of Health Area For statutory nuisance.**

19.(1) A Health Authority shall cause its Health Area to be inspected from time to time for the detection of statutory nuisances.

(2) Conditions constituting statutory nuisance under subsection (1) include -

- (a) a premises kept in such a state as to be prejudicial to health;
- (b) an animal or bird kept in such a place or manner as to be prejudicial to health;
- (c) an accumulation or deposit which is prejudicial to health;

- (d) dust or effluvia caused by trade, business, manufacture or process and being prejudicial to health;
- (e) a pool, ditch, gutter, sanitary convenience, cesspool, drain that is so foul as to be prejudicial to health;
- (f) a collection of water or water vessel found to contain eggs or larvae of mosquitoes or premises that is in such condition to cause the propagation or harbouring of mosquitoes; and
- (g) a chimney emitting black smoke in such a quantity as to be prejudicial to health.

**Issue of Intimation Notice of statutory nuisance.**

20. A Health Officer shall inform the Health Authority of statutory nuisance within his Health Area and immediately notify the person responsible for the nuisance by issuing to that person an Intimation Notice in the form specified in Form A in the First Schedule.

**Service of Abatement Notice.**

21.(1)Where a Health Authority is satisfied that a statutory nuisance has occurred in its Health Area, it shall serve on –

- (a) the person by whose act, default or tolerance, the nuisance arose or continues, or
- (b) the owner or occupier of the premises, if that person cannot be found,

an Abatement Notice in the form specified in Form B in the First Schedule, requiring him to abate the nuisance and to execute such works and take such steps as may be necessary for that purpose.

(2) Notwithstanding subsection (1), where –

- (a) nuisance arises from a structural defect, the Abatement Notice shall be served on the owner of the premises;
- (b) the person responsible for the nuisance cannot be found and it is clear that the nuisance does not arise or continue by the act, default or sufferance of the owner or occupier of the premises, the Health Authority may do what it considers necessary to abate the nuisance and prevent a recurrence;

**Court may  
issue Nuisance  
Order.**

- (c) the eggs or larvae of mosquitoes are found in a collection of water or water vessel, a Health Authority may abate the nuisance immediately and take reasonable steps to prevent its recurrence;
- (d) there is an accumulation of noxious matter and the person responsible for the nuisance fails to comply with the terms of an Intimation Notice, the Health Authority may remove the noxious matter and the costs of such removal shall be a debt due by that person to the Health Authority.

(3) The powers conferred on a Health Authority under paragraph (d) of subsection (2) shall not apply to destruction of crops, trees or plants grown for use or commerce, unless a Medical Officer certifies that such destruction is urgently necessary to control an outbreak of disease or of an epidemic.

**22.(1)** Where it is proved that an abated nuisance is likely to recur on a premises, the Court may issue a Nuisance Order requiring the person responsible for the nuisance or the owner or occupier of the premises to comply with all or any of the requirements of an Abatement Notice or order the execution of any works to prevent recurrence of the nuisance and where the person responsible for the nuisance or the owner or occupier of the premises, cannot be found, the Nuisance Order may be addressed to and executed by the Health Authority.

(2) A Nuisance Order issued under subsection (1), may prohibit the use of a building where, in the opinion of the Court, a nuisance exists which renders the building unfit for human habitation, until the Court is satisfied that it has been rendered fit for human habitation.

(3) A person who fails, without reasonable excuse, to comply with or knowingly contravenes, a Nuisance Order under subsection (1), commits an offence and is liable to a fine not exceeding 5,000,000 Leones and to a further fine not exceeding five hundred thousand Leones for each day on which the offence continues.

**Individual  
may make  
complaint  
of statutory  
nuisance.**

**23.** Complaint of the existence of a statutory nuisance may be made to the court by a person aggrieved by the nuisance, and thereupon the like proceedings shall be held with the like incidents and consequences as to the making of orders, penalties for disobedience of orders and otherwise, as in the case of a complaint by the Health Authority, but an order made in such proceedings may, if the court after giving the Health Authority an opportunity of being heard thinks fit, direct the Authority to abate the nuisance.

**Offensive or  
insanitary  
activity or  
conduct.**

**24.** A person shall not carry out, in a Health Area, an activity or conduct which the Minister may, by statutory instrument prescribe as offensive or insanitary including -

- (a) littering street or public place;
- (b) depositing waste or refuse outside public garbage dumps or in any other place not approved by the Health Authority or local authority for that purpose;
- (c) deposit or cause to be deposited urine, excreta or any foul substance in a public place except a place approved for that purpose.

#### **PART V - PREVENTION, NOTIFICATION AND TREATMENT OF DISEASE**

**Prevention  
of disease.**

**25.(1)** A health officer, officer of a port or marine department or A customs officer may -

- (a) enter and examine premises or vehicle; or
- (b) inoculate or vaccinate a person,

for the purpose of executing or superintending the prevention of disease.

(2) A person who obstructs a health officer in the execution of his duty under subsection (1) commits an offence and is liable to a fine not exceeding 5,000,000 Leones.

**Occupant of  
premises to  
give notice  
notifiable  
disease.**

**26. (1)** Where an occupant of a premises is suffering or appears to be suffering from a notifiable disease, as specified in the Second Schedule -

- (a) the head of the family or household;
- (b) the person in charge of or attending the occupant;
- (c) the occupier of the premises;
- (d) any other person living in the premises; or
- (e) any person who is aware of, or has reasonable ground for suspecting that an occupant of a premises is suffering of a notifiable disease,

shall inform the local authority, Health Officer, or District Medical Officer who shall without delay inform the Chief Medical Officer.

(2) A person who wilfully conceals which he has reason to believe is a notifiable disease commits an offence and is liable on conviction

	to a fine not exceeding 5,000,000 Leones or to imprisonment for a term not exceeding 2 months or to both such fine and imprisonment.				the production of evidence of vaccination or inoculation, or of freedom of contact from infected persons, or on any other conditions.
	(3) The Minister may, on the advice of the Chief Medical Officer, add a disease to or remove a disease from the list of notifiable diseases in the Second Schedule and may provide that a disease so added shall be a notifiable disease only in a specified part or parts of Sierra Leone or that a disease so removed shall cease to be a notifiable disease only in a specified part or parts of Sierra Leone.				(2) Prohibitions, restrictions, and conditions under subsection (1) shall not be imposed unless they are approved by the Medical Officer as adequate and necessary for the effective prevention of the spread of infection, and are published in the Gazette and in some other manner whether orally or in writing within the Health Area as the Medical Officer may direct.
<b>Medical practitioner or traditional healer to give notice of notifiable disease.</b>	27.(1) A medical practitioner or traditional healer, attending on, or called in to visit a patient suffering from a notifiable disease, shall as soon as he becomes aware that the patient is suffering from a notifiable disease, send to the Medical Officer of the health area in which the patient is ill, a certificate stating the full name, age, sex and address of the house or place of the patient and the notifiable disease from which, in the opinion of that medical practitioner or traditional healer, the patient is suffering and where the patient is in a hospital the certificate shall specify the place from which, and the date at which the patient was brought to the hospital and it shall be sent to the Medical Officer of the area in which the said place is situated or the District Medical Officer of that area.  (2) A medical practitioner or traditional healer, who fails to send a certificate as required under subsection (1) commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones.			(3) A person who fails to comply with a prohibition, restriction or conditions made by a Health Authority under subsection (1), commits an offence and is liable, for a first offence, to a fine not exceeding 5,000,000 Leones and for a second or subsequent offence, to a fine not exceeding 10,000,000 Leones or to imprisonment for a term not exceeding 6 months or to both such fine and imprisonment.	
		<b>Post mortem examination of death by notifiable disease or unknown cause.</b>		30. (1) Whenever in the opinion of a Medical Officer -  (a) a person has died of a notifiable disease; or  (b) the cause of death of a person is unknown,  the Medical Officer shall order that a post mortem examination be conducted on the body of the deceased person.  (2) A person who obstructs or interferes with another person in carrying out of an order given by a Medical Officer under subsection (1) or who prevents another person from carrying out a duty under such order or who fails to carry out or obey an order given to him by a Medical Officer under subsection (1) commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones or to imprisonment for a term not exceeding 6 months.	
<b>Declaration of infected areas and evacuation.</b>	28. (1) Whenever there is an outbreak of a modifiable disease in a place in Sierra Leone, the Minister may, on the advice of the Chief Medical Officer, by statutory instrument -  (a) declare place or a part of it or an area in which the place is located, to be an infected area, and  (b) order the evacuation of the whole or a part of an infected area by such time as shall be stated in the order.  (2) Whenever an order for the evacuation of an area has been made under subsection (1), a person who resides or carries on business in that area commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones or to a term of imprisonment not exceeding 6 months or to both such and imprisonment and for a second or subsequent offence, to a fine not exceeding 10,000,000 Leones or to imprisonment for a term not exceeding 12 months, or to both such fine and imprisonment.			<b>Power to perform diagnostic tests.</b>	31. (1) A Medical Officer may perform or authorize -  (a) a laboratory scientist or technician, radiologist or radiographer, or any other qualified health professional under his supervision; or  (b) a Medical Practitioner,  to perform a diagnostic test on a person for the detection of infection with, or immunity to a notifiable disease, or the presence or prevalence of an endemic disease.  (2) A person who fails to submit to having a diagnostic test performed on him under subsection (1), commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones.
<b>Prohibition of entry to, and exit from, infected area.</b>	29. (1) A Health Authority may prohibit the entry to, or exit from an infected area in its Health Area and may, in like manner, prohibit an inhabitant of its Health Area from entering or approaching an infected area, or, alternatively, may restrict such entry or exit, or make it conditional on				

**Health Officer  
may mark  
premises of  
notifiable  
disease.**

32.(1) A Health Officer may place or cause to be placed on or about a premises in which a notifiable disease has occurred a mark for the purpose denoting the occurrence of the disease and may keep such mark affixed for such time as he may deem necessary.

(2) A person who removes or obliterates, without authority, a mark placed on or about a premises in which a notifiable disease has occurred under subsection (1), commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones.

**Destruction  
of animal  
vector.**

33. (1) Subject to section 31, a Medical Officer may order the destruction of an animal, which he has reason to believe is likely to be the agent in the transmission of infectious disease to man, and dispose of the carcasses of the animal destroyed in such manner as may be appropriate.

(2) A person who –

- (a) obstructs, interferes or prevents another person in the performance of his duties; or
- (b) fails to carry out or obey an order given by a Medical Officer,

under subsection (1), commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones and, in the case of a continuing offence, to a further fine not exceeding 10,000,000 Leones for every day on which the offence continues.

**Compulsory  
isolation of  
person  
suffering  
from  
notifiable  
disease.**

34. (1) A Medical Officer may order a person suffering or suspected to be suffering from a notifiable disease to be kept in isolation in a hospital or other place, to be detained until he can be safely discharged to the public.

(2) Where a person is kept in isolation under subsection (1), no person, other than those specially detailed by the Health Authority or Medical Officer to attend that person, shall visit or approach the hospital or other place of confinement and the confined person shall not leave without the permission of the Medical Officer.

(3) A person who –

- (a) obstructs, interferes or prevents another person in the performance of his duties; or
- (b) fails to carry out or obey an order given by a Medical Officer,

under subsection (1), commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones and, in the case of a continuing offence, to a further fine not exceeding 10,000,000 Leones for every day on which the offence continues.

**Temporary  
isolation  
accommodation.**

35. (1) A Health Authority may provide temporary accommodation for the care and maintenance of persons to be kept in isolation under subsection (1) of section 34.

(2) As soon as the emergency requiring such accommodation is over, the Medical Officer shall order the removal of the temporary emergency accommodation which shall be dismantled or destroyed under the supervision of a Health Officer and any materials used in their construction shall be burnt, buried or disinfected and the whole area shall be rendered innocuous to the satisfaction of the Health Officer.

**Surveillance,  
isolation of  
persons.**

36. (1) A Medical Officer may order a person having had personal communication or contact with a person suffering from a notifiable disease, or whom he suspects, on reasonable grounds, to have had such communication or contact to –

- (a) be placed under surveillance; or
- (b) be kept in isolation,

if the Medical Officer considers the risk of transmission of the infection by such person to be exceptionally serious.

(2) A person placed under surveillance under subsection (1) shall be permitted to move about freely but shall make such reports or notifications and submit to such medical examination as the Medical Officer may reasonably require or as may be prescribed.

(3) A person kept in isolation under subsection (1) shall remain in such place, as the Medical Officer shall order, and shall not leave the precincts of such place without the permission of the Medical officer.

(4) A person –

- (a) placed under surveillance under paragraph (a) of subsection (1) who fails to comply with the requirements of subsection (2); and
- (b) kept in isolation under paragraph (b) of subsection (1) who leaves the place where he is isolated without the permission of the Medical Officer,

commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones.

**Evacuation,  
disinfection,  
etc., of  
infected  
premises.**

37. (1) Subject to section 31, a Medical Officer being aware of, or reasonably suspecting the presence of a notifiable disease in his area may, by notice in writing, order the evacuation, disinfection, fumigation or demolition of an infected premises or a premises reasonably suspected of being infected, or the disinfection, fumigation or destruction of articles, including bedding and clothing suspect to be infected.

	(2) A person who –	<ul style="list-style-type: none"> <li>(a) obstructs, interferes or prevents an authorized official in the performance of his duties; or</li> <li>(b) fails to carry out or obey an order given by a Medical Officer,</li> </ul>
	under subsection (1), commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones and, in the case of a continuing offence, to a further fine not exceeding 10,000,000 Leones for every day on which the offence continues.	
	(3) An order for the evacuation, disinfection, fumigation or demolition of an infected premises under subsection (1), shall be carried out in such manner and by such person as the Medical officer may direct, and any expenses incurred in carrying out the order shall be borne by the Health Authority in a health Area and elsewhere by the Government.	
<b>Penalty for letting house in which infected persons had been lodging.</b>	<b>38.</b>	A person who knowingly lets for hire a house or part of a house, in which a person has been suffering from a notifiable disease without having had such house, or part of such house and the articles therein properly disinfected to the satisfaction of the Medical officer for the health area in which such house is situated, commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones or to imprisonment for a term not exceeding 6 months.
<b>Penalty for exposure of infected persons or things.</b>	<b>39.</b> A person who –	<ul style="list-style-type: none"> <li>(a) knowing that he is suffering from a notifiable disease, willfully exposes himself, without proper precaution against spreading the disease, in a street, public place, shop or inn, or does an act or thing which he knows will spread the disease; or</li> <li>(b) being in charge of a person suffering from a notifiable, exposes such sufferer;</li> <li>(c) gives, lends, sells, transmit removes or exposes, without previous disinfection, a bedding, clothing or other article which he knows has been exposed to a notifiable disease,</li> </ul>
	commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones or to imprisonment for a term not exceeding 6months.	
<b>Infected personsin public places.</b>	<b>40.</b> A person who, knowing that he is suffering from a notifiable disease, enters a ship, aircraft, public conveyance, public place, place of entertainment or public meeting place, without previously notifying the personin charge, commits an offence and is liable on conviction to a fine not exceeding5,000,000 Leones or to imprisonment for a term not exceeding 6	

	months, and in addition may be ordered to pay to the owner of the ship, aircraft, public transport public place or place of entertainment, the amount of any expenses which such owner may incur in disinfecting the ship, aircraft, public transport, public place or place of entertainment.	
<b>Disinfection of public places.</b>	<b>41.</b> (1) A person in charge of a ship, aircraft, public conveyance, public place, place of entertainment or public meeting place shall, to the satisfaction of the Medical Officer, immediately cleanse and disinfect the ship, public place, place of entertainment or public meeting place, after a person suffering from a notifiable disease enters such ship, public place, place of entertainment or public meeting place:	
	Provided that where the person in charge, or owner, of such ship or public place is unable, in the opinion of the Medical Officer, to effectively cleanse and disinfect the ship or public place, the same may be cleansed and disinfected by the Medical Officer at the expense of the owner.	
	(2) A person in charge of a ship, aircraft, public transport public place, place of entertainment or public meeting place who fails to comply with subsection(1), commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones or to imprisonment for a term not exceeding 6 months.	
<b>Apprehension of persons suffering from a notifiable disease.</b>	<b>42.</b> (1) A Health Officer, Paramount Chief, police officer or a magistrate may, without warrant, apprehend or cause to be apprehended and take and keep under isolation in a hospital or other place, a person whom he finds ina street, public place, shop or lodging, whom he believes, on reasonable grounds, to be suffering from a notifiable disease.	
	(2) A person kept in isolation in a hospital or other place under subsection (1) who leaves the hospital or other place without the permission of the Medical Officer, in whose area the hospital or other place is situated, commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones or to imprisonment for a term not exceeding 6months.	
<b>Compensation.</b>	<b>43.</b> (1) The owner of an animal destroyed in pursuance of an order made under section 33, or the owner of a building, article or thing destroyed in pursuance of an order made under section 37, shallbe entitled to compensation to be paid by the state or out of the funds of a Health Authority or both as the Minister shall direct.	
	(2) A claim for compensation under subsection (1), shall be made to the Chief Medical Officer within 12 months of the happening of the event in respect of which the claim is made and action shall not be taken in respect of a claim for compensation which is not received by the Chief Medical officer.	
	(3) Where the amount claimed as compensation under subsection (1) is disputed, the claimant may sue for the compensation claimed by him.	

<b>Burial of corpses.</b>	<p style="text-align: center;"><b>PART VI - BURIALS AND BURIAL GROUNDS</b></p> <p><b>44.</b> (1) A person shall not bury the body of a human being –</p> <p style="padding-left: 40px;">(a) in a place other than a cemetery; or</p> <p style="padding-left: 40px;">(b) at a depth less than 6 feet from the surface of the ground.</p> <p>(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones or to imprisonment for a term not exceeding 6 months.</p>
<b>Re-opening graves.</b>	<p><b>45.</b> (1) A grave in which a human body has been buried shall not be of re-opened for the purpose of the burial of another body unless by authorization, in writing, by the Health Authority.</p> <p>(2) An authorisation under subsection (1) shall not be given –</p> <p style="padding-left: 40px;">(a) within 2 years of a previous burial; and</p> <p style="padding-left: 40px;">(b) without the consent of the local government authority.</p> <p>(3) A person who re-opens a grave, in which a human body has been buried in contravention of subsection (1), commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones or to imprisonment for a term not exceeding 6 months.</p>
<b>Functions of Health Officer at re-opening of graves.</b>	<p><b>46.</b> (1) The re-opening of a grave shall be supervised by a Health Officer, who shall take all necessary measures for the prevention of nuisance or danger to health.</p> <p>(2) A person who fails to comply with measures for the prevention of nuisance or danger to health as instructed by a Health Officer under subsection (1) or who obstructs a Health Officer in the performance of his duties under subsection (1), commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones or to imprisonment for a term not exceeding 6 months.</p>
<b>Closing of cemeteries.</b>	<p><b>47.</b> (1) The Minister may, upon representation made in the interest of the protection of public health, that burials in a cemetery or part thereof in a Health Area should be discontinued, by statutory instrument, order that burials in a cemetery or part thereof should be discontinued or discontinued subject to such exception or qualification specified in the order.</p> <p>(2) A person who contravenes an order made by the Minister under subsection (1), commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones.</p>

<b>Time limit burials.</b>	<p><b>48.</b> (1) A person shall not keep or cause to be kept a human corpse for unburied beyond the space of 36 hours unless the time for burial or interment be extended by licence in writing by the Health Authority or by order of the Chief Medical Examiner Government Pathologist.</p> <p>(2) It shall be the duty of the nearest relatives of a deceased person or in default, the owner or occupier of the house in which a deceased person was normally resident at the time of his death to bury the dead body or cause it to be buried.</p> <p>(3) Where the relatives or the owner or occupier of the residence of a deceased person cannot be found the Health Authority shall, subject to an order or instruction of a Chief Medical Examiner Government Pathologist, bury the body and the expenses incurred on such burial may be recovered from the nearest relative or relatives of the deceased.</p>
<b>Burial where corpse is a danger.</b>	<p>(4) A person whose duty it is pursuant to this section to bury the dead body or cause it to be buried in accordance with this section, commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones.</p> <p><b>49.</b> (1) Where the retention of a human corpse in a building would endanger the health of the occupiers of the building or the public health, the body shall be removed by the Health Authority or a local government authority to a mortuary or other place and that authority shall take necessary steps to ensure that the body is buried.</p> <p>(2) A person who obstructs or interferes with the Health Authority or a local government authority in the exercise of its duty under subsection (1), commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones.</p>
<b>Removal of body of person dying in hospital of notifiable disease.</b>	<p><b>50.</b> (1) Where a person dies in a hospital while suffering from a notifiable disease and the Medical officer for the area in which such hospital is situated or some other registered medical practitioner certifies that in his opinion it is desirable in order to prevent the spread of infection, that the body should not be removed from the hospital except for the purpose of being taken direct to a mortuary or to be buried, the body shall not be removed from the hospital except for such a purpose.</p> <p>(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones.</p>
<b>Prohibition of unnecessary contact with body of person dying from notifiable disease.</b>	<p><b>51.</b> (1) A person in charge of, or in control of premises in which is lying the body of a person who is known to have died while suffering from a notifiable disease shall take such steps as maybe reasonably practicable to prevent persons coming unnecessarily into contact with or in proximity to the body.</p> <p>(2) A person shall not remove the body of a person who has died from a notifiable disease from one area in Sierra Leone to another area whether by land, air, sea, or any other means of transportation, without the</p>

written permission of the Health Authority of the Area where the person died.

(3) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones.

**Burial of still-born.**

52. (1) A person shall not bury or cause to be buried the body of a still-born unless on the authority of -

- (a) a written certificate stating that the child was not born alive, signed by a registered medical practitioner, who was in attendance at the birth, or has examined the body of the child; or
- (b) a declaration stating that a registered medical practitioner was not present at the birth or that his certificate cannot be obtained and that the child was not born alive, signed by a person required by the National Civil Registration Act, 2016 (Act No. 14 of 2016) to give information on the required particulars of a birth.
- (c) an order of the Chief Medical Examiner, Government pathologist, in the case of a reportable death, authorising the burial of the child.

**Cremation.**

53. A Health Authority may permit the cremation of a deceased person on such conditions as may be deemed fit.

**Register of burials.**

54. The Health authority of a Health Area shall keep a register of burials for every cemetery in its health Area.

**PART VII – DRAINAGE, SANITATION, WATER SUPPLIES AND HOUSING**

**Construction of public drains.**

55. The Ministry of Works and Public Assets shall be responsible, through its agencies, for the construction and maintenance of public drains in each Health Area.

**Interference with drains.**

56.(1) A person shall not interfere with a drain in a Health Area by the construction of a road, path, drain, water pipe or by any other means block or interfere with the proper working of the drainage of surface water from a premises.

(2) The Health Authority shall serve a notice in writing upon a person who causes blockage or interference with drainage in contravention of subsection (1), requiring him within a specified time to restore the drainage to its former state or to make such alternative provision for drainage as the Health Authority shall approve.

(3) A person who fails without reasonable excuse to comply with a notice under subsection (2) commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones.

(4) Notwithstanding subsection (3) the Health Authority may restore a drainage, which has been blocked or interfered with, and recover the costs of the restoration from the person on whom the notice was served,

**Responsibility to clean and empty drains.**

57. (1) A Health Authority shall be responsible to clean and empty all drains within its Health Area.

(2) Notwithstanding subsection (1) the Ministry of Works and Public Assets shall be responsible to empty a public drain constructed by it as part of a street.

**Discharge of private drains into public drains.**

58. (1) The owner or occupier of premises in a Health Area shall be entitled to have his private drains discharged into a public drain managed by a Health authority under subsection (1) of section 57 or by the Ministry of Works and Public Assets under subsection (2) of section 57.

(2) Notwithstanding subsection (1) a person shall not discharge foul water into a drain provided for surface water unless such foul water has been subjected to a process of settlement or purification specifically approved by the Health Authority for the particular premises from which the foul water is to be drained.

**Notice of intended construction of private drains in certain Health Areas.**

59. (1) A person intending to construct a private drain or to join a private drain to a public drain in a Health Area shall give the Health Authority thereof notice in writing of his proposals and at any time within 21 days after receipt of such notice the Health Authority may by notice in writing serve upon him refusal to permit the construction if it appears to it that the mode of construction or condition of the drain would be prejudicial to its drainage system.

(2) A person on whom a notice of refusal has been served under subsection (1) may within 7 days of such service, appeal in writing to the Minister whose decision shall be final.

(3) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones and the Health Authority may take such steps as it considers necessary to render such private drain harmless to its drainage system and recover the costs thereof from such person.

**Construction of private drains.**

60.(1) Where a person proposes to construct a private drain in a Health Area the Health Authority may by notice in writing serve upon him, require him to construct the drain in such a manner as regards material, or size of pipes, depth, fall, direction or outfall or otherwise, that it may form part of any general system of drainage or any public drain that the Health Authority has provided or proposes to provide.

	<p>(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones and the Health Authority may construct such private drain in the manner and with the materials specified in the said notice and recover the costs thereof from such person.</p>
<b>Health Authority may require provision for drainage to be made.</b>	<p>61.(1) Where it appears to a Health Authority in a Health Area that satisfactory provision has not been made for drainage in a premises it shall by notice in writing require the owner of the premises to make provision within such period as shall be specified in the notice and may for that purpose direct the owner to construct a private drain to connect with a public drain, or to discharge into a settlement tank, septic tank, a soak away pit or into some other appropriate place.</p> <p>(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones and the Health Authority may itself make such provision and may recover the costs thereof from such person..</p>
<b>Defective drains, etc. in Urban Health Areas.</b>	<p>62. (1) Where it appears to a Health Authority in a Health Area that a private drain, combined drain, settlement tank, septic tank, soil pipe, soak away pit, main water pipe, spout, sink or other necessary appliances for the drainage of a premises is defective or is in such a condition that is prejudicial to health or a nuisance, the Health Authority shall by notice in writing require the owner or owners of the premises to do or cause to be done such work as maybe necessary to remove the defect to abate the nuisance within such period as shall be specified in the notice.</p> <p>(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones and the Health Authority may itself remove the defect and recover the costs thereof from such person.</p>
<b>Sanitary services in Health Areas.</b>	<p>63. (1) A Health Authority may, if required by the local authority, undertake all or any of the following services -</p> <ol style="list-style-type: none"> <li>removal of house refuse from premises;</li> <li>cleansing of earth closets, privies, and cesspools,</li> </ol> <p>in the whole or any part of its Health Area.</p> <p>(2) A Health Authority shall make reasonable charges for the services provided under subsection (1), which services maybe performed either r at the request of the occupier of a premises requiring them or at the requirement of the Health Authority, who may require an occupier to accept such services.</p>
<b>Provision in Health Areas of places for</b>	<p>64.A Health Authority shall provide and maintain, in any part of a Health Area where there are premises that are not serviced by the Health Authority, in accordance with subsection (1) of section 72, the places for the deposit of house refuse, so situated that such places shall not be a nuisance or</p>

<b>deposit of refuse.</b>	be injurious to the public health.
<b>Prohibition of interference with refuse deposited removal.</b>	<p>65.(1) A person, other than an officer or employee of a Health Authority responsible for the removal and disposal of refuse, shall not sort out or disturb -</p> <ol style="list-style-type: none"> <li>the contents of a dustbin when placed in <b>afor</b> street or forecourt for the purpose of its contents being removed by a Health Authority;</li> <li>the material deposited in a place provided by the Health Authority for the deposit of refuse.</li> </ol> <p>(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones.</p>
<b>Public toilets.</b>	<p>66. (1) A Health Authority shall provide public sanitary conveniences in proper and convenient situations for the use of persons visiting markets, wharves, ferries or any other public places where such conveniences may be needed to prevent nuisance.</p> <p>(2) All public toilets provided under subsection (1) shall be of a design and type approved by a Medical Officer.</p>
<b>Water supply.</b>	<p>67. (1) A Health Authority shall, as far as is reasonably practicable, ensure that every house and school in its Health Area has available within a reasonable distance, sufficient supply of safe water for domestic purposes.</p> <p>(2) A Health Authority shall ensure that its Health Area is provided with a supply of safe drinking water and if no such supply is otherwise provided, the Health Authority shall itself provide the supply.</p>
<b>Protection of public from polluted</b>	<p>68. (1) Where a Health Authority is of the opinion that water obtained from a well, tank or other supply in its Health Area is, or is likely to be used for domestic purposes, or in the preparation of food or drink for <b>water</b>, human consumption, and is likely to become polluted and would be prejudicial to health, the Health Authority may make an order directing the source of supply to be permanently or temporarily closed or cut off, or the water is to be used for certain purposes only, or such other order necessary to prevent injury or danger to the health of persons using the water or consuming food or drink prepared with the water.</p> <p>(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones.</p>
<b>Penalty for damaging or contaminating water supply.</b>	<p>69. A person who does an act whereby -</p> <ol style="list-style-type: none"> <li>a well, pipe main, fountain, pump, standpipe or reservoir is willfully or maliciously damaged;</li> <li>water used or likely to be used solely or partly as drinking water or for domestic purposes is</li> </ol>

	contaminated, or rendered likely to be contaminated, either by washing himself or other persons or animals, clothes, or other articles in or near such water or by depositing human or animal excreta, or refuse, filth, rubbish or dead animal or other noxious substance in or near such water or in any other way whatsoever,
	commits an offence and is liable on conviction to a fine not exceeding 5, 000, 000 Leones.
<b>Water-gathering areas.</b>	<p>70. (1) A Health Authority may, by statutory instrument, declare an area within its Health Area to be a water gathering area.</p> <p>(2) A person who does an act whereby a water gathering area declared under subsection (1), or the water gathered from it, is contaminated or rendered likely to be contaminated commits an offence and is liable on conviction to a fine not exceeding 5, 000, 000 Leones.</p>
<b>Control of wells.</b>	<p>71. (1) A well or water hole shall not be dug in a Health Area without the consent in writing of the Health Authority.</p> <p>(2) A well shall be protected from contamination or other forms of pollution by linings, copings including drainage of surface area or preventing other means of pollution.</p> <p>(3) A Health Authority shall not approve the digging of a well or water-hole within the distance of 100 feet of a cesspit, or place used for the disposal or deposit of filth, refuse or rubbish, or within 400 yards of a place of burial of the bodies of humans or animals.</p> <p>(4) A person who digs or causes to be dug a well or water-hole in contravention of subsection (1) commits an offence and is liable on conviction to a fine not exceeding 5, 000, 000 Leones and the Health Authority may fill in or otherwise close such well or water-hole in order to protect the well or water-hole from contamination and recover the costs thereof from that person.</p>
<b>Declaration of overcrowded areas.</b>	<p>72. (1) The Medical Officer of a Health Area shall cause inspections to be made from time to time in his Health Area to ascertain the number of dwelling houses therein which are overcrowded and to report annually to the Minister the number or proportion of overcrowded houses in his Health Area.</p> <p>(2) Where, in the opinion of a Medical Officer making a report under subsection (1), there is overcrowding in his Health Area or a part of his health Area that can only be abated, in the absence of relocation of occupants, the construction of new houses, the Medical Officer shall state in the report the number of new houses that he estimates would be required for that purpose and shall recommend that his Health Area or such part thereof as he may specify should be declared an overcrowded area.</p>

	<p>(3) The Minister may, on receipt of the recommendation of a Medical Officer under subsection (2), by statutory instrument, declare that Health Area, or such part of it as shall be defined in the statutory instrument, an overcrowded area.</p>
<b>Publication of schedule of overcrowded areas</b>	<p>73. A schedule of overcrowded areas shall be kept by the Minister and published at the beginning of each year in the Gazette and an area shall not be removed from the schedule except on the report of a medical officer that by reason of relocation of some occupants or increase of new houses no further new houses are required for the abatement of overcrowding in his Health Area.</p>
<b>Powers of Health Officer inspecting over-crowded areas.</b>	<p>74. (1) For the purpose of carrying an inspection under section 72 a Health Officer may require the occupier of a dwelling house in a Health Area, to inform him of the number, ages and sex of all the persons sleeping in the dwelling house.</p> <p>(2) An occupier who fails to furnish information required by a Health Officer under subsection (1) or willfully furnishes information which he knows to be false commits an offence and is liable on conviction to a fine not exceeding 5, 000, 000 Leones.</p>
<b>Overcrowded dwelling house.</b>	<p>75. (1) A dwelling house in a Health Area shall be deemed to be overcrowded when the number of persons sleeping in the dwelling house is in excess of the number permitted in the Second Schedule for a house of that size.</p> <p>(2) For the purpose of ascertaining the number of persons sleeping in a house no account shall be taken of a child under one year old and a child who has attained the age of one year and is under ten years old shall be reckoned as one-half of a unit.</p>
<b>Notice to abate over-crowding.</b>	<p>76. (1) On the receipt of a report from the Medical Officer of Health that a dwelling house in a Health Area is overcrowded the Health Authority of the Health Area shall give notice in writing to the occupier or the owner of such dwelling house ordering him to abate the overcrowding within a time, not be less than one month.</p> <p>(2) A notice ordering an occupier or owner of a dwelling house to abate overcrowding under subsection (1) shall inform the person to whom it is delivered of the total number of persons permitted to occupy a dwelling house.</p> <p>(3) Where an area has been declared to be an overcrowded area under section 72, the Minister shall by statutory instrument stipulate for the overcrowded area the number of persons permitted per dwelling house in accordance with the Second schedule.</p>
<b>Penalties for failing to abate over-</b>	<p>77. (1) An occupier of a dwelling house who fails to comply with notice to abate overcrowding under section 76 commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones and to a further</p>

**crowding.**

fine not exceeding 1,000,000Leones for each day on which the overcrowding continues.

(2) The owner of a dwelling house in a Health Area who causes or permits a dwelling house to be overcrowded commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones and to a further fine not exceeding 1,000,000Leones for each day on which the overcrowding continues.

(3) The owner of an overcrowded dwelling house in a Health Area shall be deemed to cause or permit such dwelling house to be overcrowded where -

- (a) after service upon him of a notice under section 76, he fails to take such steps as are reasonably open to him for securing abatement of the overcrowding within the time specified in the notice, including if necessary, legal proceedings; or
- (b) when letting such dwelling house, the owner or a person effecting the letting on his behalf, had reasonable cause to believe that it would become overcrowded, or failed to make enquiries of the proposed occupier as to the number, ages and sex of the persons who would be allowed to sleep in the dwelling house.

**PART VIII - FILTHY OR VERMINOUS PREMISES, ARTICLES AND PERSONS**

**Cleaning of filthy or verminous premises.**

78. (1) Where it appears to a Health Authority, upon a certificate of a Medical Officer or a Public Health Superintendent that a premises used for human habitation in its Health Area is -

- (a) in a filthy or unwholesome condition as to be prejudicial to health; or
- (b) verminous,

the Health Authority shall give notice to the owner or occupier of the premises requiring him, within such time as shall be specified in the notice, to take such steps to remedy the condition of the premises by cleansing, disinfecting, white-washing or as shall otherwise be specified in the notice and in the case of verminous premises the notice may require, among other things, the removal of wall-paper or other covering on the walls and the taking of such other steps as are necessary for the purpose of destroying or removing vermin within the time specified in the notice.

(2) A person on whom a notice under is served under subsection (1), who fails to comply with the notice commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones and to a further fine not exceeding 1,000,000 Leones for each day on which the offence continues and

the Health Authority may remedy the condition of the premises and recover the expenses incurred from that person.

**Cleansing or destruction of filthy or verminous articles.**

79. Where it appears to a Health Authority, on the certificate of a Medical Officer or a Public Health Superintendent, that an article in a premises in its Health Area is -

- (a) in filthy a condition as to render its cleansing, purification or destruction necessary in order to prevent injury or danger of injury, to the health of a person in the premises; or
- (b) verminous, or by reason of its having been used by or having been in contact with a verminous person is likely to be verminous,

the Health Authority shall cause that article to be cleansed, purified, disinfected or destroyed, as the case may be, at its own expense and if necessary for that purpose, to be removed from the premises.

**Cleansing of verminous persons and their clothing.**

80. (1) Where it appears to a Health Authority, upon a report from a Medical Officer or a Public Health superintendent, that a person in its Health Area or the clothing of a person in its Health Area is verminous, then if that person consents to be removed to a cleansing station, the said Health Authority cause him to be removed to such a station and, if he does not so consent, application may be made to magistrate, and the magistrate, if satisfied that it is necessary that he or his clothing should be cleansed, may make an order for his removal to such a station and for his detention therein for such period and subject to such conditions as may be specified in the order.

(2) Where a person has been removed to a cleansing station under subsection (1), the Health Authority shall cause measures to be taken as may, in the opinion of the Medical Officer or Public Health Superintendent, be necessary to free him or his clothing from vermin.

(3) The cleansing of females under this section shall be carried out only by a registered Medical Practitioner or by a qualified female health professional duly authorised by the Medical Officer.

(4) Consent required to be given under subsection (1) may, in the case of a person under the age of 16 or a person with no legal capacity, be given on his behalf by his parent or guardian.

(5) No charge shall be made in respect of the cleansing of a person or his clothing under this section.

**PART IX - FOOD, SLAUGHTERHOUSES AND MARKETS**

**Sale, etc. of unsound**

81. (1) A person shall not -

**food prohibited.**

- (a) sell, offer or expose for sale;
- (b) have in his possession for the purpose of sale or of preparation for sale, or
- (c) deposit with, or consign to, another person for the purpose of sale or of preparation for sale,

food unfit for human consumption, having reasonable cause to believe that it was unfit.

(2) A person who contravenes subsection (1), commits an offence and is liable on conviction to a fine not exceeding 5, 000, 000 Leones.

**Examination, seizure and removal of unsound**

**82.** (1) A Health Officer may, examine food intended for human consumption which has been sold, offered or exposed for sale, is in the possession of, is deposited with or consigned to a person for the purpose of sale or preparation for sale, that appears to him to be unfit for human food. consumption and seize and remove it.

(2) A Health Officer who seizes or removes food under subsection (1) shall inform the person in whose possession it was found, that the food is unfit for human consumption and he/she shall condemn it and order it to be destroyed or to be disposed of so as to prevent it from being consumed.

**Notification of cases of food poisoning or food borne illnesses.**

**83.** Where a registered medical practitioner becomes aware of or suspects that a patient whom he is treating is suffering from food poisoning, or food borne illnesses, he shall notify the Medical Officer or surveillance officer upon a certificate stating -

- (a) the name, age and sex of the patient and the address of the premises where the patient is being treated; and
- (b) the particulars of the food poisoning from which the patient is, or is suspected to be suffering.

**Notice of suspected food poisoning or food borne illnesses**

**84.** (1) Where a Medical Officer or a registered medical practitioner has reasonable ground for suspecting that food, of which he has procured a sample, is likely to cause food poisoning, he may give notice to the person in charge of the food that, until his investigations are completed, the food or a specified portion of it, is not fit for human consumption and is not to be removed except to some place specified in the notice.

(2) Where as a result of his investigations, the Medical Officer or registered medical practitioner is satisfied that the food in question or a portion of it, is likely to cause food poisoning, he may seize and remove in accordance with subsection (1) of section 82 and inform the person in whose possession it was found that the food is unfit for human consumption in accordance with subsection (2) of section 82.

**Power to take food sample.**

(3) A person who contravenes the requirement of a notice given under subsection (1), commits an offence and is liable on conviction to a fine not exceeding 5, 000, 000 Leones.

**85.** (1) A Medical Officer or a Health Officer may take sample of food which he reasonably suspects to be the cause of an outbreak of food poisoning for analysis or for bacteriological and other examination.

(2) A Medical Officer or Health Officer who takes a sample under subsection (1), shall inform the person from whom the sample is taken of his intention to have the sample analysed or otherwise examined and shall pack the sample and seal it in his presence.

**Public slaughter-houses.**

**86.** (1) A Health Authority shall provide public slaughter-houses or public slaughter-places for the slaughter of animals intended for human consumption.

(2) The Minister may, by statutory instrument make regulations relating to the establishment, management, site and design of public slaughter-houses or public slaughter-places for the slaughter of animals intended for human consumption.

**Slaughter of animals for human consumption.**

**87.** (1) A person shall not slaughter an animal intended for human consumption except at a public slaughter-house, public slaughter place or otherwise in accordance with this Act.

(2) Notwithstanding subsection (1), the slaughtering of animals for domestic consumption shall be subject to rules on basic hygiene for domestic slaughtering of animals under this Act.

(3) A Health Authority shall, within its Health Area, make provision for the proper inspection of -

- (a) meat at public slaughter-houses or public slaughter places,
- (b) live animals by a veterinary officer;
- (c) slaughtered animals by a health officer designated to carry out that function.

(5) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine not exceeding 5, 000, 000 Leones and the carcasses or meat may be seized and removed in accordance with subsection (1) of section 82.

**Public markets.**

**88.** (1) A Health Authority may appoint places to be public markets within its health area.

(2) The appointment of a place to be a public market under subsection (1) and the design of a market building shall be subject to the approval of the Minister after consultation with the Minister of Agriculture, Forestry and Food security and the Minister of the Environment.

**Sale of meat and fish.**

**89.** (1) A person shall not expose or offer for sale fresh meat or fish, at an open public market or such other place except in approved and licensed premises by the health Authority

(2) Subsection (1) shall not apply to canned, bottled meat or fish.

(3) Sale of meat which is dried, salted, smoked or otherwise preserved shall not be exposed to open public places except in approved and licensed premises by the health Authority.

(4) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine not exceeding 5, 000, 000 Leones.

**Inspection of meat.**

**90.**(1) A person in a Health Area shall not expose, offer for sale or sell meat which has not been inspected and found fit for human consumption by a Health Officer.

(2) Subsection (1) shall not apply to frozen imported meat of gazetted food animals which has been inspected on importation into Sierra Leone and found fit for human consumption by a Health Officer.

(3) Meat inspection shall be carried out at all times along the food chain to any meat and meat products whether fresh, frozen, canned, smoked, pickled, cured in any form or otherwise preserved in any manner.

(4) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine not exceeding 5, 000, 000 Leones.

(5) The Minister shall by statutory instrument make rules on game meat or bush meat intended for human consumption and statutory instruments issued to that effect shall apply to specified jurisdictions or localities within Sierra Leone.

(6) Game meat or bush meat shall not be slaughtered except in approved and licensed premises by the health Authority designed for slaughter of game meat or bush meat.

(7) For the purpose of this Act, slaughter includes -

- (a) stunning;
- (b) bleeding;
- (c) flaying or scalding and defeathering or
- defurring;
- (d) evisceration;
- (e) inspection.

**PARTX - PROCEDUREANDGENERAL**

**Powers of entry.**

**91.** (1) A Health Officer shall have power to enter premises in his Health Area for the purpose of ascertaining-

- (a) whether there is, or has been, a contravention of this Act, on or in connection with the premises;
- (b) whether or not circumstances exist which would authorize or require the Minister, a Health Authority or a Health Officer to take action under this Act; or
- (c) the performance of the functions of the Minister, Health Authority or Health Officer under this Act.

(2) A Health Officer may, by warrant, enter a premises by force where it is confirmed, in writing that the premises pose a public health threat and that-

- (a) admission to a premises has been refused;
- (b) refusal was withheld;
- (c) an occupier is temporarily absent;
- (d) the case is one of urgency; or
- (e) an application for admission would defeat the object of the entry.

(3) A warrant under subsection (2) shall not be granted unless the Court is satisfied that notice of the intention to apply for a warrant has been given to the occupier.

(4) A Health Officer entering a premises under subsection (2), may take with him such other persons as maybe necessary to assist him and shall leave the unoccupied premises as secured against trespassers as he found it.

(5) A warrant granted under this section shall continue in force until the purpose for which entry is necessary has been satisfied.

**Vessels and aircrafts.**

**92.** (1) A vessel lying in a river or other waterway within a health area and an aircraft in a health area shall be subject to the jurisdiction of the Health Authority, in the same manner as if it were a house within the Health Area.

(2) The master of a vessel or the pilot of an aircraft in a health area shall be deemed, for the purpose of this Act, to be the occupier of such vessel or aircraft.

**Police Officer to give information.**

**93.** A Police Officer shall give information to a Health Authority or Medical Officer of an offence which he knows or has reason to believe has been committed under this Act within the area of jurisdiction of the Health Authority.

**Health Officer to have powers of police officer.**

**Penalty for obstructing execution of Act, etc.**

**Proceedings for offences, expenses, etc**

94. A Health Officer shall, for the purpose of the execution of his duties under this Act, have all the powers and privileges of a police officer.

- 95.(1) A person who –
- (a) willfully obstructs an authorized officer acting in the execution of this Act;
  - (b) destroys, pulls down, injures or defaces a notice put up by the Ministry or by a Health Authority under this Act; or
  - (c) wilfully damages, interferes with, destroys or renders useless works executed, materials or things placed in, under or upon a premises by or under the orders of the Minister or a Health Authority or property belonging to the Ministry or a Health Authority,

commits an offence and is liable on conviction to a fine not exceeding 5, 000, 000 Leones or to a term of imprisonment not exceeding 12 months or to both such fine and imprisonment.

(2) The Minister or Health Authority may recover from a person who contravenes paragraph (c) of subsection (1), as a debt due to the Minister or Health Authority, as the case may be, all costs and expenses incurred in re-executing the works or replacing the materials or things or property so interfered with or damaged, destroyed or rendered useless.

(3) An occupier of premises who fails to comply with an order of the court, requiring him to permit the owner to carry out works required to be done under this Act, within 24 hours after service of the order on him, commits an offence and is liable on conviction to a fine not exceeding 5, 000, 000 Leones for every day during which the non-compliance continues.

(4) An occupier of a premises who refuses or willfully omits to disclose the name and address of the owner of a premises, when requested by, or on behalf of the Health Authority, unless he shows cause for his refusal or omission, commits an offence and is liable on conviction to a fine not exceeding 5, 000, 000 Leones.

96. An offence, fine, penalty, forfeiture, costs and expenses under this Act, or any rules or order made under this Act, directed to be prosecuted or recovered in a court or prosecution or recovery of which is not otherwise provided for, may be prosecuted and recovered before a court of competent jurisdiction together with costs.

**Surplus of distress to be returned.**

**Distress not unlawful for want of form of warrant.**

**Proceedings fines, etc. to be taken within 6 months.**

**Procedure.**

**Recovery of expenses from owner and occupier.**

**Health Authority may institute proceedings.**

97. Where, in this Act, a sum of money is directed to be levied by distress and sale of goods and chattels of a person, the surplus, if any, arising from such sale shall, after satisfying such sum, costs and expenses of distress and sale, be returned to such person.

98. Distress, levies under this Act, shall be lawful, nor shall a person making the same be a trespasser, on account of a defect, or want of form in the summons, conviction, warrant of distress or other proceeding relating thereto, nor shall he be a trespasser *ab initio* on account of a irregularity afterwards committed by him.

99. A fine of penalty shall not be recovered or forfeiture incurred for under this Act, unless proceedings for the recovery of the same shall have been commenced within 6 months after the commission or the occurrence of the offence to which the fine, penalty, or forfeiture attaches.

100. (1) Where nuisance under this Act appears to be wholly or partially caused or committed by the acts or defaults of 2 or more persons, the Health Authority or other complainant may institute proceedings against any one of such persons or may include all or any 2 or more of them in one proceeding and any one or more of such persons may be ordered to abate the nuisance, so far as it appears to the court to be caused by his or their acts or defaults, or may be prohibited from continuing an act or default which in the opinion of the court, contributed to the nuisance or maybe fined or otherwise punished, notwithstanding that the acts or defaults of any one of such persons would not separately, have caused a nuisance and the costs may be distributed as the court may consider fair and reasonable.

(2) Proceedings against several persons, included in one complaint, shall not abate by reason of the death of any among the persons so included, but all such proceedings may be carried on as if the deceased person had not been originally so included.

(3) Where only some of the persons, by whose act or default, a nuisance has been caused, have been proceeded against under this Act, they shall, without prejudice to any other remedy be entitled to recover from the other persons who were not proceeded against, a proportionate part of the costs of, and incidental to such proceedings and stating the nuisance, and of any fine and costs ordered by the court to be paid in such proceedings.

101. Costs and expenses which are recoverable under this Act by a Health Authority from an owner of premises, may be recovered from the occupier of such premises and the owner shall allow the occupier to deduct money paid out of the rent.

102. A Health Authority may institute and carry on proceedings which it is authorised under this Act, by an officer of the authority or such other person duly authorised in such behalf.

<b>Protection from personal liability of Health Authorities and officers.</b>	<p><b>103.</b> (1) An officer or employee of a Health Authority or a person acting on the directions of an officer or employee of a Health Authority shall not be liable in respect of any matter or thing done by him in good faith under this Act.</p> <p>(2) A member of a Health Authority or a person acting on the directions of an officer or employee of a Health Authority shall not be personally liable for any debt or obligation of the Health Authority.</p>
<b>Appeals.</b>	<b>104.</b> A person aggrieved by a conviction or order made by a Court on determining an information or complaint under this Act, may, save as otherwise provided in this Act appeal to the High Court.
<b>Authentication of notices.</b>	<b>105.</b> Notices, orders, and other documents under this Act, shall be in writing, and shall be signed by the person issuing such notice or other document, or by such other person duly authorised in that behalf.
<b>Service of notices.</b>	<p><b>106.</b> (1) A notice, order, or other document required or authorized to be served under this Act may be served by delivering the same, or a true copy thereof, either to or at, the usual or last known residence of the person to whom it is addressed, or, where addressed to the owner or occupier of premises, then to some person on the premises, or if there is no person on the premises who can be so served, then by fixing the same, or a true copy thereof, on some conspicuous part of the premises; it may also be served by sending the same, or a true copy thereof, by registered post, addressed to a person at such residence or premises as above mentioned.</p> <p>(2) A notice required or authorised for the purposes of this Act to be service on a Health Authority, may be serviced by delivering it in writing at, or by sending it by registered post to, the office of the Health Authority, addressed to such Health Authority.</p> <p>(3) Any notice by this Act, required to be given to, or served on, the owner or occupier of a premises, may be addressed by the description of the "owner" or "occupier" of the premises (naming them) in respect of which the notice is given or served without further name or description.</p>
<b>Forms.</b>	<b>107.</b> The forms in the First Schedule or forms to the like effect, varied as circumstances may require, may, unless other forms are prescribed by the Minister, be used, and shall be sufficient for all purposes.
<b>Expenses of Health Authority.</b>	<p><b>108.</b> (1) Where a local authority has been appointed a Health Authority under this Act, expenses incurred by that Health Authority in carrying out its functions under this Act shall be a lawful expense against the funds of that local authority.</p> <p>(2) Where the Minister has appointed representative of a local authority to be a health Authority under section 8 of this Act, he may prescribe by order in consultation with the Minister responsible for finance what contribution, if any, shall be made by each such local authority to the expenses of the Health Authority in carrying out its functions under this ordinance.</p>

<b>Regulations.</b>	<p><b>109.</b> (1) The Minister may by statutory instrument make Regulations as it considers necessary or expedient for giving effect to this Act.</p> <p>(2) Notwithstanding the generality of subsection the Minister may, make Regulations for the whole or any part of Sierra Leone for all or any of the following purposes –</p> <ul style="list-style-type: none"> <li>(a) the treatment of persons affected with an epidemic, endemic or infectious disease and for preventing the spread of such diseases;</li> <li>(b) preventing danger to public health from a vessel, aircraft or vehicle arriving in Sierra Leone</li> <li>(c) preventing the spread of infection by means of a vessel, aircraft or vehicle leaving Sierra Leone, so far as may be necessary or expedient for the purpose of carrying out a treaty, convention, arrangement or engagement with any other country; and</li> <li>(d) the vaccination and immunization of persons against epidemic, endemic or infectious diseases and for the proper regulation and control of vaccination and immunization</li> <li>(e) signals to be displayed by vessel, aircraft or vehicle having on board a case of epidemic, endemic, or infectious disease;</li> <li>(f) questions to be answered by masters, pilots, and other persons on board a vessel, aircraft to vehicle as to cases of such disease on board during the voyage or journey or on arrival</li> <li>(g) detention of a vessel, aircraft or vehicle and of persons on board thereof;</li> <li>(h) duties to be performed in cases of epidemic, endemic, or infectious disease by masters, pilots and other persons on board vessels aircraft or vehicles;</li> <li>(i) charges to be made in respect of service rendered under these rules and the recovery and disposal of such charges;</li> <li>(j) penalties for infringement of these rules</li> </ul>
---------------------	--

**Repeal and savings.** 110.(1)The Public health Act, 1960 (Act No. 23 of 1960 is hereby repealed.

(2) Notwithstanding subsection (1) orders, regulations or other statutory instruments made under the repealed Act shall remain in force and be deemed to have been made under the corresponding provisions of this Act until such time as the orders regulations or other statutory instruments are amended, revoked, or replaced by orders, regulations or instruments made under this Act

**Transitional provisions.** 111. (1) Upon the date of coming into operation of this Act the former Emergency Operation Centre shall be dissolved and –

(a) all assets and liabilities, including agreements and to which the former Emergency Operation Centre was a party shall be transferred to and vest in the Agency without further assurance and the Agency shall have all powers necessary to take possession of, recover and deal with such assets and discharge such liabilities;

**SCHEDULES**

**FIRST SCHEDULE** (Section 20)

**FORM A.**

Form of Intimation

.....Health Authority

To:.....

This is to inform you that at the premises situated at:..... the nuisance or offence against the Public Health Act, 2022, or rules, numbered..... and marked in the following list exists and you should abate it by:..... within.....days.

The officer who delivers this form will show you how to abate it or you may enquire at the Health Office between the hours of:.....

Signed:..... Health Officer

**LIST**

1. Mosquito breeding in.....

2. Conditions likely to breed mosquitoes.....

3. Domestic water supply liable to contamination in a well, tank, etc. ....

4. Foul pool, ditch, gutter, drain, sanitary convenience etc.....

5. Dust, smell or effluvia caused by.....

6. Accumulation or deposit of dirt, etc.....

7. Animal or bird causing nuisance by.....

8. Premises defective or prejudicial to health because.....

9. Defective drainage.....

10. Defective or unauthorized well.....

11. House overcrowded.....

12. Premises filthy or verminous.....

FORM B

(Section 21)

FORM OF NOTICE REQUIRING ABATEMENT OF NUISANCE.

To: *[person causing the nuisance, or owner or occupier of the premises at which the nuisance exists, as the case may be]*.

Take notice that under the provisions of the Public Health Act, 2022, the *[describe the Health Authority]*, being satisfied of the existence at *[describe premises where the nuisance exists]* of a nuisance being *[describe the nuisance, for instance, premises in such a state as to be a nuisance, or injurious or dangerous to health, or for further instance, a ditch or drain so foul as to be a nuisance of injurious or dangerous to health]*, do hereby require you within *[specify the time]* from the service of this notice to abate the same *[and to execute such works and do such things as may be necessary for that purpose, or and for that purpose to specify any works to be executed]* *[and the (Authority) do hereby require you within the said period to do what is necessary for preventing the recurrence of the nuisance, and for that purpose to, etc.]*

*[Where the nuisance has been abated, but is likely to recur, say, being satisfied that at, etc., there existed recently, to wit, on or about the.....day of..... the following nuisance, namely (describe nuisance), and that, although the said nuisance has since the last-mentioned day been abated, the same is likely to recur at the said premises, do hereby require you within (specify the time) to do what is necessary for preventing the recurrence of the nuisance and for that purpose to, etc.]*

If you make default in complying with the requisitions of this notice *[or if the said nuisance, though abated, is likely to recur]* a summons will be issued requiring your attendance before a Court to answer a complaint which will be made for the purpose of enforcing the abatement of the nuisance, or prohibiting the recurrence thereof, or both, and for recovering the costs and penalties that maybe incurred thereby.

DATED this.....day of.....20.....

Signature of Officer  
of Health Authority.

FORM C  
FORM OF SUMMONS.

(Section 98)

Summons.

To A.B., of.....*[or to the owner or occupier of] [describe premises]* situated *[insert such description of the situation as may be sufficient to identify the premises]*.

You are required to appear before *[describe the tribunal]* at the Court holden at..... on the ..... day of.....next at the hour of ..... in the ..... noon, to answer the complaint this day made to me by..... that at the premises above mentioned *[or at certain premises situated at No.....in..... street in ..... of..... [or insert any other description or reference as may be sufficient to identify the premises]* in the Health Area of *[describe the Health Authority]* the following nuisance exists *[describe the nuisance and add, where the person causing the nuisance is summoned]*, and that the said nuisance is caused by the act, default or sufferance of you A.B.

*[Where the nuisance is discontinued, but is likely to be repeated, say, to answer the complaint, etc. that at, etc, there existed recently, to wit, on or about ..... day of....., the following nuisance (describe the nuisance and add, where the person causing the nuisance is summoned, and that the nuisance was caused, etc.) and although the said nuisance has since the said last-mentioned day been abated or discontinued that the same or the like nuisance is likely to recur at the said premises]*

Given under my hand and seal this.....day of..... 20...

HEALTH AUTHORITY.

To the..... [describe the Health Authority].

WHEREAS a complaint has been made by.....that at certain premises situated at No. ....in..... street, in ..... [or insert any other description or reference as may be sufficient to identify the premises] in the Health Area of.....[describe the Health Authority] the following nuisance exists [describe the nuisance].

And it has been now proved to my[or our] satisfaction that such nuisance exists, but that no owner or occupier of the premises, or person by whose act, default or sufferance the nuisance is caused, is known or can be found [as the case may be]. Now I [or we] in pursuance of the Public Health Act, 2022, do [continue as in any of the orders in Form D, with the substitution of the name of the Health Authority for that of A.B. or the owner or occupier].

Given under the hand and seal of me (or the hands and seals of us, describing the Court)

This.....day of.....20

FORM D (Sec. 22)FORM OF NUISANCE ORDER.

To A.B.of.....[or to the owner or occupier of] (describe premises) situated [insert such description of the situation as maybe sufficient to identify the premises ]. Whereas the said A.B (or the owner or occupier of the said premises within the meaning of the Public Health Act, 2022) has this day appeared before me [or us, describing the Court] to answer the matter of a complaint made by, etc., that at, etc. [follow the words of complaint in summons ] [or in case the party charged do not appear, say, Whereas it has been now proved to my [or our] satisfaction that a summons has been duly served according to the Public Health Act, 2022, requiring the said A.B. [or the owner or occupier of the said premises] to appear this day before me [or us] to answer the matter of a complaint made by, etc., that at, etc.][Any of the following orders may be made or a combination of any of them as the case seems to require.]

**Abatement Order.** Now on proof here had before me [or us] that the nuisance so complained of does exist at the said premises {add, where the order is made on the person causing the nuisance, and that the same is caused by the act, default or sufferance of A.B. I (or we} in pursuance of the Public Health Act 2022, do order the said A.B (or the said owner or occupier) within {specify the time} from the service of this order, according to the said Act{here specify the nuisance to be abated, as for instance, to prevent the premises being a nuisance or injurious or dangerous to health, or, for further instance, to prevent the ditch or drain being a nuisance or injurious to health} [and state any works to be executed as for instance, to whitewash and disinfect the premises or, for further instance, to clean out the ditch]

**Prohibition Order No. 1.** And I [or we] being satisfied that, notwithstanding the said nuisance may be temporarily abated under this order, the same is likely to recur, do therefore prohibit the said A.B [or the said owner or occupier] from allowing the recurrence of the said or a like nuisance, and for that purpose I [or we] direct the said A.B [or the said owner or occupier] [here specify any work to be executed as for instance, to fill up the ditch].

**Prohibition Order No. 2.** Now, on proof here had before me [or us] that at or recently before the time of making the said complaint, to wit, on..... the nuisance so complained of did exist at the said premises, but that the same has since been abated [add, where the order is made on the person causing the nuisance, and that the nuisance was caused by the act, default or sufferance of A.B.], yet, notwithstanding such abatement, I [or we] being satisfied that it is likely that the same or the like nuisance will recur at the said premises, do therefore prohibit [continue as in Prohibition Order No.1].

**Closing Order.** Now, on proof here had before me [or us] that the nuisance is such as to render the dwelling house [describe the house] situated at [insert such a description of the situation as may be sufficient to identify the dwelling house] unfit in my [or our] judgment for human habitation, I [or we] in pursuance of the Public Health Act, 2022, do hereby prohibit the use of the said dwelling house for human habitation.

Given under the hand and seal of me (or the hands and seals of us, describing the Court)  
This.....day of.....20..

FORM F (Section. 91) WARRANT  
FOR ENTRY TO PREMISES.

WHEREAS A.B., being a person authorised under the Public Health Act, 2022, to enter certain premises[*describe the premises*] has made application to me, C.D. Magistrate/Justice of the Peace/Paramount Chief, having jurisdiction in and for (describe the place) to authorize the said A.B. to enter the said premises, and whereas I, C.D., am satisfied by information on oath that there is reasonable ground for such entry, and that there has been a refusal or failure to admit to such premises, and either that reasonable notice of the intention to apply to a Magistrate/Justice of the Peace/Paramount Chief for a warrant has been given, or that the giving of notice of the intention to apply to a Magistrate/Justice of the Peace/Paramount Chief for a warrant would defeat the object of the entry:

[or am satisfied by information on oath that there is reasonable cause to believe that there is on the said premises a contravention of the Public Health Act, 2022, or of a Rule made under that Act, and that an application for admission or notice of an application for a warrant would defeat the object of the entry:

Now, therefore, I, the said C.D., do hereby authorize the said A.B to enter the said premises, and if need be by force, with such assistants as he may require, and there execute his duties under this Act.

Given under the hand and seal of me (or the hands and seals of us, describing the Court]

This.....day of.....20

FORM G (Section. 98) FORM OF  
CONVICTION.

THE PUBLIC HEALTH ACT, 2022.

Be it remembered, that on the.....day of.....in the year of our Lord.....A.B. is convicted before me [or us][*here describe the offence generally and the time and place when as near thereunto as may be done*] contrary to the Public Health Act, 2021, and I [or we] adjudge that the said A.B has forfeited for his said offence the sum of Le.....[*amount of penalty adjudged*], and that he do pay to C.D. [*the person prosecuting*] the further sum of Le.....as and for his costs in this behalf.

Given under my hand and seal [or our hands and seals] the day and year first above written.

## SECOND SCHEDULE

(Sec. 26 (2))

### NOTIFIABLE DISEASES AND INFECTIOUS DISEASES OF A PUBLIC HEALTH INTEREST

The following diseases, namely -

yellow fever;  
plague;  
cholera;  
typhus;  
relapsing fever;  
typhoid;  
para-amoebic fever;  
dysentery (bacillary and amoebic);  
acute poliomyelitis and polio encephalitis;  
chicken pox;  
tuberculosis;  
trypanosomiasis,  
severe acute respiratory syndrome;  
viral hemorrhagic fevers;  
ebola;  
corona virus

### NUMBER OF PERSONS PERMITTED TO USE A HOUSE FOR SLEEPING

For the purposes of section 76 "the number permitted" means in relation to any house the number specified as follows -

Where a house consist of	Number Permitted
One room	2
Two rooms	3
Three rooms	5
Four rooms	7½
Five rooms or more	10 with an additional 2 in respect of each room in excess of five.

Provided that no regard shall be considered to any room having a floor area of less than 50 sq. ft.

### MEMORANDUM OF OBJECTS AND REASON

The purpose of this Bill is to repeal and replace the Public Health Act, 1960, to provide for the promotion, protection and improvement of public health and wellbeing in Sierra Leone, to provide for the protection of individuals and communities from public health risks, to provide for the prevention and control of the spread of infectious diseases, to provide for local government and community participation in protecting public health, to provide for early detection of and prompt response to diseases and public health threats and to provide for other related matters.

The Bill is divided into 10 parts –

**Part I** - provides for the interpretation of certain terms and expressions in the Bill.

**Part II - PUBLIC HEALTH SYSTEM ADMINISTRATION** provides for The introduction or description of the public health administration system namely, the Ministry, Local Councils, District Health Area, Chief Medical Officer, etc.

**PART III - HEALTH AREAS, HEALTH AUTHORITIES AND ENDEMIC CONTROL AUTHORITIES** makes provision for the Minister to declare Health Areas and Endemic Control Areas as well as appoint Health Authorities and Endemic Control Authorities.

**PART IV** – deals with the regulation of nuisances, offensive and insanitary conduct or activity.

**PART V** – makes provision for the prevention, notification and treatment of disease.

**PART VI** - deals with the regulation of burials and burial grounds including the burial of corpses, re-opening of graves, functions of health officer at re-opening of graves and closing of cemeteries.

**PART VII** – deals with the regulation of drainage, sanitation, water supplies and housing including construction of public drains, and interference with drains and responsibility to clean and empty drains.

**PART VIII** - provides for the Cleaning of filthy or verminous premises, persons and their clothing or destruction of filthy or verminous articles.

**PART IX** – deals with food, slaughterhouses and markets including provisions for the examination, seizure and removal of unsound food, notification of cases of food poisoning or food borne illnesses, power to take food sample, public slaughter-houses, slaughter of animals for human consumption, public markets and sale of meat.

**PART X - MISCELLANEOUS PROVISIONS** deals with a variety of issues including powers of entry, penalty, proceedings for offences, expenses, etc., protection from personal liability of health authorities and officers, regulations, repeal and savings **and transitional provisions**.

MADE this day of , 2022

Dr. Austin Demby  
Minister of Health and Sanitation

Freetown  
Sierra Leone.