

*Extraordinary*



# Federal Republic of Nigeria

## Official Gazette

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No. 155

Lagos - 26th August, 2022

Vol. 109

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*Government Notice No. 94*

The following is published as supplement to this *Gazette* :

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Printed and Published by The Federal Government Printer, Lagos, Nigeria  
FGP 130/82022/1,200

Annual Subscription from 1st January, 2022 is Local : ₦50,000.00 Overseas : ₦65,000.00 [Surface Mail] ₦80,000.00 [Second Class Air Mail]. Present issue ₦3,000 per copy. Subscribers who wish to obtain *Gazette* after 1st January should apply to the Federal Government Printer, Lagos for amended Subscriptions.

**A 852**      **2022 No. 27**      *Environmental Health Officers (Registration, etc.)  
(Amendment) Act, 2022*

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**ENVIRONMENTAL HEALTH OFFICERS (REGISTRATION, ETC.)  
(AMENDMENT) ACT, 2022**



ARRANGEMENT OF SECTIONS

*Section :*

1. Amendment of Act No. 11, 2002.
2. Substitution for section 1.
3. Insertion of new section 1A.
4. Amendment of section 2.
5. Substitution for section 3.
6. Amendment of section 6.
7. Amendment of section 8.
8. Amendment of section 10.
9. Amendment of section 13.
10. Substitution for section 17.
11. Amendment of section 19.
12. Substitution for section 20.
13. Substitution for section 27.
14. Amendment of section 28.
15. Amendment of First Schedule.
16. Amendment of Third Schedule.
17. Citation.

SCHEDULE

**A 854**      **2022 No. 27**      *Environmental Health Officers (Registration, etc.)  
(Amendment) Act, 2022*

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**ENVIRONMENTAL HEALTH OFFICERS (REGISTRATION, ETC.)  
(AMENDMENT) ACT, 2022**

**ACT No. 27**

AN ACT TO AMEND THE ENVIRONMENTAL HEALTH OFFICERS (REGISTRATION, ETC.) ACT,  
No. 11, 2002, TO RE-DESIGNATE THE COUNCIL, ENHANCE ITS POWERS AND  
PROFESSIONALISE THE PRACTICE OF ENVIRONMENTAL HEALTH PROFESSION IN NIGERIA ;  
AND FOR RELATED MATTERS

[25th Day of August , 2022]

Commence-  
ment.

ENACTED by the National Assembly of the Federal Republic of Nigeria—

**1.** The Environmental Health Officers (Registration, etc.) Act No. 11, 2002 (in this Act referred to as the “Principal Act”) is amended as set out in this Act.

Amendment  
of Act No.  
11, 2002.

**2.** Substitute for section 1 of the Principal Act, a new section “1”—

Substitution  
for  
section 1.

“(1) There is established the Environmental Health Council of Nigeria (in this Act referred to as “the Council” ) charged with the duty of —

(a) determining the standards of knowledge and skill to be attained by persons seeking to become members of the profession of environmental health (in this Act referred to as “the profession”) and improving those standards as circumstances may permit ;

(b) securing, in accordance with the provisions of this Act, the establishment and maintenance of register of persons entitled to practise as members of the profession and the publication of the list of those persons ;

(c) establishing and reviewing a code of conduct as the Council considers desirable for the effective practice of environmental health profession ;

(d) charging practising fees as may be determined by the Council ;

(e) registering and licensing individual and corporate environmental health practitioners in all aspects and ramifications of environmental health practice ;

(f) conducting examinations in the profession and awarding certificates or diplomas to successful candidates as appropriate and for such purpose, the Council shall prescribe fees to be paid in that respect ;

(g) setting professional environmental health practice standards and working with stakeholders to ensure compliance ;

(h) initiating and approving training programmes desirable for the improvement of the profession ; and

(i) performing other functions conferred on the Council by this Act.

(2) Reference to the Environmental Health Officers Registration Council of Nigeria under this Act is construed as reference to the Environmental Health Council of Nigeria.

(3) The designation of the body specified in subsection (1) shall not affect anything done or purported to be done under the designated body.”

Insertion  
of new  
section 1A.

**3.** Insert after section 1 of the Principal Act, a new section “1A” —  
“Corporate recognition of the Council

1A. The Council —

(a) shall function on rules and regulations made by the Minister ;

(b) is a body corporate with perpetual succession and a common seal ;

(c) may sue or be sued in its corporate name ; and

(d) may acquire, hold or dispose of any property, movable or immovable for the purpose of carrying out its functions under this Act.”

Amendment  
of section 2.

**4.** Section 2 (1) of the Principal Act is amended by—

(a) substituting for paragraph (c), a new paragraph “(c)” —

“(c) six Environmental Health Officers, one each from the six geopolitical zones of the Federation in rotation” ; and

(b) inserting after paragraph (g), new paragraphs “(h)” and “(i)”—

“(h) one person who shall be the most Senior Licensed Environmental Health Officer from the armed forces or para-military representing the armed forces and para-military institutions in rotation ; and

(i) the Coordinator of the National Institute of Environmental Health”.

Substitution  
for section 3.

**5.** Substitute for section 3 of the Principal Act, a new section “3”—

“3.—(1) Subject to subsection (2) and any direction of the Minister under this Act, the Council shall have powers to do such things which, in its opinion, is calculated to facilitate the carrying on of its activities under this Act.”

(2) The Council shall not have power to borrow or to dispose of any property except with the prior consent of the Minister”.

Amendment  
of section 6.

**6.** Section 6 of the Principal Act is amended—

(a) by substituting for subsection (1), a new subsection “(1)”—

“(1) The Council shall appoint a Registrar and chief executive officer who shall be a licensed Environmental Health Officer with at least 15 years cognate experience, and for the purpose of this Act —

(a) the Registrar and chief executive officer shall hold office for a term of four years and may be re-appointed for a further term of four years and no more ;

(b) on such terms and conditions as may be specified in his letter of appointment ;” and

(c) in subsection (2), by substituting for the word, “Registrar”, in line 1, and wherever it appears in the Principal Act, the words, “Registrar and chief executive officer”.

7. Section 8 of the Principal Act is amended by inserting, after subsection (1), new subsections “(1A)” - “(1C)”—

Amendment  
of section 8.

“(1A) A person shall not hold an appointment or practise as an Environmental Health Officer, Environmental Health Technician or Environmental Health Assistant or perform the duties of those offices in Nigeria unless he is registered and licensed with the Council under the provisions of this Act.

(1B) A registered and licensed Environmental Health Officer is entitled to practise as an Environmental Health Officer anywhere in Nigeria.

(1C) A person registered under this Act as Environmental Health Assistant, Environmental Health Technician or Environmental Health Technologist may apply to transfer from a lower register to a higher register if he obtains an academic qualification or approved equivalent educational qualification commensurate to the requirement of the higher register he desires to transfer to and in addition he shall have had the required experience as well as passed the prescribed examination and other conditions as may be set out by the Council.”

8. Section 10 of the Principal Act is amended—

Amendment  
of  
section 10.

(a) in subsection (1) (a), by inserting, after the word, “attended” in line 1, the words, “and successfully completed” ;

(b) by inserting after subsection (3), new subsections “(3A)” - “(3D)”—

“(3A) A body corporate desirous of practising in the environmental health field shall be entitled to be registered under this Act as an environmental health service provider in the appropriate corporate practice areas and being so registered, to receive a registration certificate from the Council if the body corporate satisfies the Council that it has requisite staff and equipment to practice and shall abide by the rules made by the Council and pays the prescribed fee.

(3B) No registered person or body corporate shall practise in any year unless he has renewed his licence in respect of that year and this renewal shall be due every January and not later than 31st March in every licensing cycle, as prescribed by the Council.

(3C) A licensed Environmental Health Officer shall supervise Environmental Health Technicians and Environmental Health Assistants in his area of jurisdiction.

(3D) An Environmental Health Officer, Environmental Health Technician, Environmental Health Assistant or Environmental Health Service Provider who, in respect of any year, practises without renewing his practice or operational licence or permit, commits an offence and is liable on conviction—

(a) in the case of first time offender, to a fine of twice the prescribed practicing fee ;

(b) in the case of a second or subsequent offender to a fine of at least 10 times the prescribed practicing fee” ; and

(c) by inserting, after subsection (6), a new subsection “(7)—

“(7) A registered Environmental Health Officer shall be issued a practicing seal, subject to the rules, guidelines and direction made by the Council.”

Amendment  
of  
section 13.

**9.** Section 13 of the Principal Act is amended by inserting, after subsection (3), a new subsection “(4)—

“(4) The head of every faculty, department, institute or school of environmental health in tertiary educational institutions in Nigeria shall furnish the Council with the list of candidates admitted or enrolled into a programme in environmental health and the list of candidates successful at the final environmental health examination immediately after the release of the result within three months of each event respectively”.

Substitution  
for  
section 17.

**10.** Substitute for section 17 of the Principal Act, a new section “17”—

“17. A person or firm who holds himself out to be registered or uses any name, title, description, dress or symbol calculated to lead any person to infer that he is so registered, commits an offence and is liable on conviction for —

(a) a first time offender, to a fine of at least ₦50,000 or imprisonment for a term of six months or both ; and

(b) a second or subsequent offender, to a fine of at least ₦100,000 or imprisonment for a term of at least one year but not more than three years”.



**11.** Section 19 of the Principal Act is amended by substituting for subsections (3) and (4), new subsections “(3)” and “(4)” — Amendment of section 19.

“(3) A person who commits an offence under this section is liable on conviction to a fine not more than ₦100,000 or imprisonment for a term not more than two years or both.

(4) Where the offence under section 17 of this Act or any other offence under this Act is committed by a body corporate and is proved to have been committed with the connivance of or to be attributable to any neglect on the part of any head, director, manager, secretary or other similar officer of the body corporate or any person purporting to act in any such capacity, he, as well as the body corporate, commits an offence and is liable on conviction to a fine of at least ₦500,000 or imprisonment for a term of six months for the head, director, manager, secretary or other similar officer of the body corporate”.

**12.** Substitute for section 20 of the Principal Act, a new section “20” — Substitution for section 20.

“Commencement of suit

20. (1) A suit shall not commence against the Council before the expiration of a period of three months, after a written notice of intention to commence the suit shall have been served on the Council by the intending plaintiff or his agent and the notice shall clearly state the —

- (a) cause of action ;
- (b) particulars of the claim ;
- (c) name and place of abode of the intending plaintiff ; and
- (d) relief which the plaintiff claims.

(2) The notice referred to in subsection (1) and summons, notice or other document required or authorised to be served on the Council under the provisions of this Act or any other enactment or law may be served by delivering the same to the registered office of the Council.

(3) In all litigations against the Council, the provisions of the Public Officer’s Protection Act, Cap. P41, Laws of the Federation of Nigeria, 2004 shall apply.”

**13.** Substitute for section 27 of the Principal Act, a new section “27” — Substitution for section 27.

“27. The Minister may make rules and regulations on the advice of the Council as are necessary or expedient for efficient regulation of environmental health and sanitation practice to prescribe —

- (a) the professional methodologies and standards for private sector participation in the work of the Council ;

- (b) the fees to be paid for services rendered by the Council ; or  
(c) generally for the purpose of carrying out or giving full effect to the functions of the Council under this Act.”
- Amendment of section 28.      **14.** Section 28 of the Principal Act is amended by inserting, in alphabetical order, the definitions of —  
“*environmental health*” —  
(a) means the control of those aspects of human health and disease that are determined by factors in the environment ; and  
(b) includes the theory and practice of assessing and controlling factors in the environment that can potentially affect health ;  
“*environmental health officer*” means any person registered in accordance with the relevant sections of this Act and holding a valid practice licence ; and  
“*environmental health service provider*” means any company registered to provide environmental health services by the Council and holding a valid practice licence.
- Amendment of First Schedule.      **15.** The First Schedule to the Principal Act is amended, by substituting for paragraph 2 (1), a new paragraph “2 (1)”—  
“2. (1) Subject to the provisions of this paragraph, a member of the Council, other than those in section 2 (1) (c), (e), (f), and (h), shall hold office for a term of four years from the date of his appointment and may be eligible for re-appointment for another term of four years and no more”.
- Amendment of Third Schedule.      **16.** The Third Schedule to the Principal Act is amended by inserting, after paragraph (d), new paragraphs “(e)”-“(h)”—  
“(e) Bachelor of Environmental Health Science or Bachelor of Technology in Environmental Health from an institution recognised by the Council, for Environmental Health Officer ;  
(f) Higher National Diploma in Environmental Health from an institution recognised by the Council, for Environmental Health Technologist ;  
(g) National Certificate for Environmental Health Technicians from an institution recognised by the Council, for Environmental Health Technician ; and  
(h) National Certificate for Environmental Health Assistants from an institution recognised by the Council, for Environmental Health Assistant”.
- Citation.      **17.** This Act may be cited as the Environmental Health Officers (Registration, etc.) (Amendment) Act, 2022.

I, certify, in accordance with Section 2 (1) of the Acts Authentication Act, Cap. A2, Laws of the Federation of Nigeria 2004, that this is a true copy of the Bill passed by both Houses of the National Assembly.

OJO O. A., fnia, fcia  
*Clerk to the National Assembly*  
*28th Day of July, 2022.*

EXPLANATORY MEMORANDUM

This Act amends the Environmental Health Officers (Registration, etc.) Act No. 11, 2002 to re-designate the Council, enhance its powers and professionalise the practice of environmental health profession in Nigeria.

**SCHEDULE TO THE ENVIRONMENTAL HEALTH OFFICERS (REGISTRATION, ETC.)  
(AMENDMENT) BILL, 2022**

| (1)<br><i>Short Title<br/>of the Bill</i>                                  | (2)<br><i>Long Title of the<br/>Bill</i>  | (3)<br><i>Summary of the<br/>Contents of the Bill</i>  | (4)<br><i>Date Passed by<br/>the Senate</i> | (5)<br><i>Date Passed by<br/>the House of<br/>Representatives</i> |
|--|---|--|---|---|
| Environmental Health Officers (Registration, Etc.) (Amendment) Bill, 2022. | An Act to amend the Environmental Health Officers (Registration, etc.) Act, No. 11, 2002, to re-designate the Council, enhance its powers and professionalise the practice of environmental health profession in Nigeria ; and for related matters. | This Bill amends the Environmental Health Officers (Registration, etc.) Act, No. 11, 2002, to re-designate the Council, enhance its powers and professionalise the practice of environmental health profession in Nigeria. | 15th June, 2022.                            | 14th December, 2021.  |

I certify that this Bill has been carefully compared by me with the decision reached by the National Assembly and found by me to be true and correct decision of the Houses and is in accordance with the provisions of the Acts Authentication Act Cap. A2, Laws of the Federation of Nigeria, 2004.

I ASSENT



Ojo O. A., fnia, fcia  
*Clerk to the National Assembly*  
28th Day of July, 2022.

MUHAMMADU BUHARI, GCFR  
*President of the Federal Republic of Nigeria*  
25th Day of August, 2022.