



GUYANA

ACT No. 13 of 2007

**PESTICIDES AND TOXIC CHEMICALS CONTROL (AMENDMENT)
ACT 2007**

I assent.

**Bharrat Jagdeo,
President.
23rd March, 2007.**

ARRANGEMENT OF SECTIONS

**PART I
PRELIMINARY**

SECTION

1. Short title.
2. Amendment of long title of Principal Act.
3. Amendment of section 7 of Principal Act.
4. Amendment of section 11 of Principal Act.
5. Amendment of section 12 of Principal Act.
6. Amendment of section 15 of Principal Act.
7. Amendment of section 16 of Principal Act.
8. Amendment of section 18 of Principal Act.
9. Amendment of section 19 of Principal Act.
10. Amendment of section 29 of Principal Act.
11. Amendment of section 32 of Principal Act.
12. Amendment of section 34 of Principal Act.

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AN ACT to amend the Pesticides and Toxic Chemicals Control Act 2000.

A.D. 2007 Enacted by the Parliament of Guyana:-

Short title. 1. This Act, which amends the Pesticides and Toxic Chemicals Control Act 2000, may be cited as the Pesticides and Toxic Chemicals Control (Amendment) Act 2007.

Amendment of long title of Principal Act. 2. The long title of the Principal Act is amended by inserting, immediately after the word "importation", a comma followed by the word "exportation"

**Amendment of
section 7 of
Principal Act.**

3. Section 7 of the principal Act is amended -

- (a) by renumbering it "7(1)";
- (b) by inserting in paragraph (b), immediately after the word "import", a comma followed by the word "export";
- (c) by inserting in paragraph (f), immediately after the word "importation", a comma followed by the word "exportation";
- (d) by inserting, immediately after paragraph (i), the following paragraphs -

"(ia) to provide information and advice as required to fulfill Guyana's obligations under international agreements;

(ib) to oversee Guyana's implementation of international agreements"; and

- (e) by adding the following subsection -

"(2) In subsection (1)(ia) and (ib), "international agreements" means international agreements to which Guyana is a party concerning the manufacture, importation, exportation, transportation, storage, sale, use, or disposal of pesticides or toxic chemicals."

**Amendment of
section 11 of
Principal Act.**

4. Section 11 of the Principal Act is amended by inserting, immediately after the word "import", a comma followed by the word "export".

**Amendment of
section 12 of
Principal Act.**

5. Section 12 of the Principal Act and the marginal note are amended by substituting, for the words "or import" in both places where they occur, the words "import or export".

**Amendment of
section 15 of
Principal Act.**

6. Section 15 of the Principal Act is amended by inserting, immediately after the word "import", a comma followed by the word "export".

**Amendment of
section 16 of
Principal Act.**

7. Section 16(1) of the Principal Act is amended by inserting, immediately after the word "import", a comma followed by the word "export".

**Amendment of
section 18 of
Principal Act.**

8. Section 18 of the Principal Act is amended -

- (a) by inserting in the marginal note, immediately after the word "imported", the words "or exported": and
- (b) by inserting, immediately after subsection (2), the following subsection-

"(3) Except as provided by the regulations, no controlled product shall be exported from Guyana unless the product wholly conforms to the law of Guyana and is accompanied by a certificate from the Board in the form determined by the Board that the product does not contravene any known requirement of Guyana."

**Amendment of
section 19 of
Principal Act.**

9. Section 19 of the Principal Act is amended -

(a) by substituting, for subsection (1), the following subsection -

“(1) The Minister may, by order made after consultation with the Board, specify either or both of the following for the purposes of this Act-

- (a) pesticides that shall not be imported into or used in Guyana;
- (b) pesticides that shall not be exported from Guyana”;

(b) by substituting for the words “the list of specified prohibited pesticides” in subsection (2), the words “any order made under subsection (1)”;

(c) by substituting for subsection (3) the following subsection-

“(3) An order made under this section may provide for the withdrawal from sale or use, and for the disposal of, any pesticide specified in the order.”

**Amendment of
section 29 of
Principal Act.**

10. Section 29 of the Principal Act is amended -

(a) by inserting in subsection (1), immediately after the words “imported into”, the words “or to be exported from”;

(b) by inserting in subsection (2), immediately after the word “importer”, the words “or exporter (as the case may be)”;

(c) by substituting, for subsection (3), the following subsections -

“(3) In the case of a product to be imported into Guyana, -

- (a) if it appears from the report of the inspector or analyst that the sale or use of the product in Guyana would contravene this Act, the product shall not be admitted into Guyana; and
- (b) otherwise, the product shall, subject to any other law, be admitted into Guyana.

(3A) In the case of a product to be exported from Guyana to another country, -

- (a) if it appears from the report of the inspector or analyst that exportation of the product to the country concerned is not authorized by an export licence issued by the Board, the product shall not be exported from Guyana; and
- (b) otherwise, the product shall, subject to any other law, be permitted to be exported to that country”.

**Amendment of
section 32 of
Principal Act.**

11. Section 32 of the Principal Act is amended –

- (a) by inserting in paragraph (a), immediately after the word “importation”, a comma followed by the word “exportation”;
- (b) by inserting in paragraph (i), immediately after the word “imported”, a comma followed by the word “exported”;
and
- (c) by inserting in paragraph (w), immediately after the word “importers”, a comma followed by the word “exporters”.

**Amendment of
section 34 of
Principal Act.**

12. Section 34(1) of the Principal Act is amended by inserting in paragraph (a), immediately after the word “imports”, a comma followed by the word “exports”.

Passed by the National Assembly on 13th March, 2007.

S. E. Isaacs,
Clerk of the National Assembly.

(BILL No. 4/2007)