THE STRUCT ON ANTHE LIGAT SUBMICIS TOUT YRAIDALIST TH JANUARY, 2007 THE OFFICIAL GAZETTE **LEGAL SUPPLEMENT - C**

BILL No. 4 of 2007

P. M. Milling. belulisei

Thursday 25th January, 2007

21

PARLIAMENT OFFICE **Public Buildings.** Georgetown, Whit Pessicides and Exercise Cheraterist Council Vet 2009 Guyana.

Out internet user the ADD

The ferrie

instin visitationumis

This Hills

25" January, 2007.

The following Bill which will be introduced in the National Assembly is published for general information.

Fitse/Act, which analous the Residuales and Toxic Chemicals Control S. E. Isaacs, Clerk of the National Assembly. may be cited as the Peak des and T via Chemicals Control

(I Is impended by inseliging blow aft at tow find surray. L



inendiment.of to gitte unol m. Legisuin ?

GUYANA

BILL No. 4 of 2007

PESTICIDES AND TOXIC CHEMICALS CONTROL (AMENDMENT) BILL 2007

ARRANGEMENT OF SECTIONS

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

A BILL Intituled

2

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".

1.1

·);

240

Amendment of writh3. Section 7 of the principal Act is amended the to instability
section 7 of Principal Act. 10/25 10/06 . (a) if by renumbering it "7(1)": 10/2 5/10/27 10/27 10/27 10/27 10/27
(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
Amendment & Section 18 of the Francisco paragraphs - nembers
sector 18ai Ferrier a Acc. (n) "by insecting in the marginal rook finned and y after the "Ferrier a Acc.
bos (bate or a to above "(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
big not an age of (e) by adding the following subsection -
unters the product whole, conforms in any
and (ib), "international
aduated and the statements of agreements "means international agreements to which
in a manufacture, Guyana is a party concerning the manufacture,
importation, exportation, transportation, storage, sale,
use, or disposal of pesticides or toxic chemicals."
Among demonstrate of Caroling 11 - Cab. The instantian of a factor of the state of

Amendment of
section 11 of4. Section 11 of the Principal Act is amended by inserting, immediatelyPrincipal Act.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".

19

Amendment of
section 15 of6. Section 15 of the Principal Act is amended by inserting, immediately
Principal Act.Principal Act.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".

8. Section 18 of the Principal Act is amended -

section 18 of Principal Act.

Amendment of

- (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."

THE OFFICIAL GAZETTE [LEGAL SUPPLEMENT] - C

Hannass hours and ansame

AS I MO STA SUPPORT STAND TO TO DO THE

Linde and she the the month and the

at Lotters that ranking only 21 7 when

Land Colligent (Strengt (Strengt) - 2 Cold

11.14

הסל הכילו האוכל היהה (וא' הוה מתו

25" JANUARY, 2007 21

50

Amendment of 9. Section 19 of the Principal Act is amended -

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

"(I) 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 La rive alloyado una studiario francia de la or used in Guyana;
 - (b) pesticides that shall not be exported from Guvana":

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

(c) by substituting for subsection (3) the following subsectioninstant of perturbation of perturbation of

11

"(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."

10. Section 29 of the Principal Act is amended -Amendment of section 29 of

Principal Act.

section 19 of

Principal Act.

- (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)"; and

(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 fromGuyana 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 -

 neipat Act.
 (a) by inserting in paragraph (a), immediately after the word

 orf(a) 0000 to 10000 to 10000 a to in "importation", a comma followed by the word

 others about al. stool long exercision"; the orbition of the definition

- in 15:20*4 (b) s 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. paragraph (a), immediately after the word "imports", a comma followed by the word "exports".

The mean the floor vegication with export of parts and exportentiats. Compatible predocts that even as to maple in all of off in all argenerats to effect execute to an even.

Danse 4 anosity out 14 on no Principal Actro mobileit expension enginemed some that mollices. DESERVIDED AND THE SERVICE

 Convert Schlendswegten (2.0) the Principal Action provider the exploration of printiplied product theless the construct of fictories.

Entries of anythic section (a) offlice (michael 3ct (a) provide (a) many hereins (b) reading the exponence of a contract of products and to registing exporters to may avaitable and day for contract (a) defens, where such autional extern

Charke " an end, we have been offered in Pair, pare and provide to complication determine reduced on the provident of the

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Pesticides and Toxic Chemicals Control Act 2000 ("the Principal Act") in order to regulate exports of pesticides and toxic chemicals and to extend the functions of the Pesticides and Toxic Chemicals Control Board ("the Board").

Clause 1 sets out the short title of the Bill.

Clause 2 amends the long title of the Principal Act.

Clause 3 amends section 7 of the Principal Act to extend the functions of the Board to licensing and otherwise dealing with exports of pesticides and toxic chemicals ("controlled products"), as well as to implementation of international agreements to which Guyana is a party.

Clause 4 amends section 11 of the Principal Act to prohibit exports of unregistered controlled products.

Clause 5 amends section 12 of the Principal Act to prohibit the exportation of controlled product unless the exporter is licensed:

Clause 6 amends section 15 of the Principal Act to provide for regulations to regulate the exportation of controlled products and to require exporters to have available antidotes for controlled products, where such antidotes exist.

Clause 7 amends section 16 of the Principal Act to provide for applications for licences to export controlled products, and to provide for the granting, refusal, and revocation of such licences.

Clause 8 amends section 18 of the Principal Act by prohibiting exports of controlled products from Guyana to another country, except where such products comply with the laws of Gu and are accompanied by a certificate to this effect from the Board.

9

C

Clause 9 amends section 19 of the Principal Act to allow the Minister to make an order (after consulting the Board) to prohibit the exportation of controlled products specified in the order, and simultaneously to order the withdrawal from sale and the disposal of such products

Clause 10 amends section 29 of the Principal Act to allow inspectors to examine customs entries of controlled products to be exported, and to take samples from such products for analysis. It also provides for the report of the inspector or analyst concerned to determine whether or not a product may be exported from Guyana.

Clause 11 amends section 32 of the Principal Act to allow the Minister to make regulations to regulate exporters and the exportation of controlled products.

Clause 12 amends section 34 of the Principal Act to make it an offence to export controlled products in breach of the Principal Act or the regulations

1 aund

Minister of Agriculture