

THE PESTICIDES CONTROL (AMENDMENT) ACT 1988

Act No. 48 of 1988

I assent,

29 December 1988

V Ringadoo
Governor-General

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Interpretation.
3. Section 2 of the principal Act amended.
4. Section 4 of the principal Act amended.
5. Section 9 of the principal Act amended.
6. Section 11 of the principal Act amended.
7. Section 33 of the principal Act amended.

To amend the Pesticides Control Act

ENACTED by the Parliament of Mauritius, as follows-

1. Short title.

This Act may be cited as the Pesticides Control (Amendment) Act 1988.

2. Interpretation.

In this Act-

principal Act " means the Pesticides Control Act.

3. Section 2 of the principal Act amended.

Section 2 of the principal Act is amended by deleting the definition of " pesticide " and replacing it by the following definition-

"pesticide" means any product, substance or mixture used for preventing or controlling pests and includes ripeners as well as plant growth regulators, defoliants and dessicants.

4. Section 4 of the principal Act amended.

Section 4 of the principal Act is amended by-

(a) adding after paragraph (k) the following new paragraph-

(1) a representative of the Ministry of Housing, Lands and the Environment;

(b) relettering the remaining paragraphs accordingly.

5. Section 9 of the principal Act amended.

Section 9 of the principal Act is amended-

- (a) by numbering the existing provision as subsection (1);
- (b) by adding the following subsection immediately after the new subsection (1)-
- (2) It shall be the duty of the manufacturer, importer, seller or distributor of any pesticide to ensure that-
 - (i) the pesticide is fit for the purpose for which it is intended;
 - (ii) the purchaser is properly informed of all precautions which require to be observed in the use of the pesticide and of the frequency of use;
 - (iii) the pesticide is not otherwise harmful to the biosphere if used in accordance with the instructions specified in subparagraph (ii).

6. Section 11 of the principal Act amended.

Section 11 of the principal Act is amended by adding immediately after subsection (2) the following subsections-

- (3) The manufacturer, importer, seller or distributor of pesticides shall make an annual return to the Minister, not later than January 31, specifying the nature and quantity of pesticides in his possession and the amount he has sold.
- (4) The Minister may, upon application made by a retailer, exempt him from complying with subsection (3) upon such terms and conditions as the Minister may think fit.

7. Section 33 of the principal Act amended.

Section 33 of the principal Act is amended by-

- (a) numbering the existing provision as subsection (1); and
- (b) adding the following as subsection (2)-
 - (2) Regulations made under subsection (1) may provide for the levy of a fee in respect of any permit issued under this Act.

Passed by the Legislative Assembly on the twenty-third day of December one thousand nine hundred and eighty-eight.

L Rivaltz Quenette
Clerk of the Legislative Assembly