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HAZARDOUS SUBSTANCES ACT, 1973 (ACT NO 15 OF 1973)

REGULATIONS REGARDING THE AERIAL APPLICATION OF AGRICULTURAL REMEDIES

Definitions

1. In these regulations **the Act** means the Hazardous Substances Act, 1973 (Act No 15 of 1973), and any expression to which a meaning has been assigned in the Act, shall have such meaning, and, unless the context otherwise indicates-

aerial application in relation to a agricultural remedy, means the application of that agricultural remedy from an aircraft;

agricultural remedy means an agricultural remedy referred to in regulation 2;

employee means an employee as defined in section 1(1) of the Occupational health and Safety Act, 1993;

employer means an employer as defined in section 1(1) of the Occupational Health and Safety Act, 1993;

SABS means the South African Bureau of Standards.

Aerial application of agricultural remedies

2. Every aerial application of any agricultural remedy which-
 - (a) is a Group II hazardous substance; and
 - (b) is specified in the SABS Code of Practice 0228, entitled *The Identification and Classification of Dangerous Goods and Substances*

shall take place in accordance with the provisions of the SABS Code of Practice 0118 entitled *The Aerial Application of Agricultural Remedies*.

Particulars of aerial applications

3. Any employee who carries out aerial application referred to in regulation 2, or causes it to be carried out shall, at the request of an inspector, furnish the inspector with the following information:
 - (a) the name and business address of the aerial application firm;
 - (b) the date of the aerial application;

- (c) the trade name or if indistinct or unknown, the active ingredient of the agricultural remedy used, the quantity used and the application rate;
- (d) the name and address of the supplier of such agricultural remedy;
- (e) the names and addresses of the employees involved in the aerial application;
- (f) the protective clothing used during the aerial application by such employees.

Medical surveillance

4. Every employer shall ensure that any employee who has run the risk of exposing himself or herself to any agricultural remedy submits himself or herself to medical surveillance as defined in section 1(1) of the Occupational Health and Safety Act, 1993.

Offenses

5. Any person who fails to comply with a provision of these regulations, shall be guilty of an offense.