



I assent.

[L.S.]

**R. S. FOSTER,**

Governor-General.

**12th August, 1971**

**AN ACT**

**TO REGULATE THE REGISTRATION AND SALE OF PESTICIDES**

ENACTED by the Parliament of Fiji ---

1. This Act may be cited as the Pesticides Act, 1971, and shall come into force on a date to be notified by the Minister in the Gazette.

2. In this Act, unless the context otherwise requires-

" adjuvant " means any product intended for use or used as an aid to the application or effectiveness of a pesticide and includes stickers, spreaders, emulsifying agents and synergists ;

" crops II includes trees ;

" Director II means the Director of Agriculture;

" pest " means any insect, rodent, bird, fish, mollusc, nematode, fungus, weed, micro-organism, virus or any other kind of plant or animal life which is injurious, troublesome or undesirable to crops and stores products ;

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" pesticide" means any Product intended for use or used for controlling a pest, or any adjuvant intended for use or used in connection with any such product ;

" Register, " means the Register of Pesticides;

" Registrar " means the Registrar of Pesticides.

Register of 3. -(1) The Registrar shall keep a Register of Pesticides, Pesticides. in which shall be entered the trade name of all registered pesticides, their chemical names and percentages of active ingredients or acid equivalents as appropriate, the name and place of business of the manufacturer and the name and place of business of the importer .

(2) Every pesticide entered in the Register shall be given a number to be known as the registered number .

(3) The Director shall be the Registrar of Pesticides. Registration.

4. No pesticide may be used, offered for sale or sold in Fiji unless such pesticide has been registered with the Registrar.

5. -- (1) Upon application being made for registration of a Registrar pesticide, the Registrar may in his discretion-

(a) register the pesticide With or without conditions; or (b) refuse registration of the pesticide and shall, if requested by the manufacturer, state the reasons for refusal.

(2) The Registrar may at any time require a change in the label on any container of pesticide offered for sale.

(3) No change in the formulation of any registered pesticide may be made without prior application to the Registrar who may require a fresh application for registration to be made. Any such application shall be dealt with as if it were an entirely new application.

(4) No change in an approved label may be made without the prior approval of the Registrar.

6. The Registrar shall cause the trade name, chemical identity of the active ingredients, the name of the manufacturers and the registered number of any pesticide registered under this Act to be published in the Gazette as soon as practicable after registration.

7.-(1) Every registration made under this Act shall remain registration. in force until such time as the Registrar shall direct that it be cancelled, which he may do upon giving written notice to the holder of the registration and publishing notice of his intention to cancel such registration.

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(2) Such notice shall be served on the holder of the registration and published in the Gazette not less than six calendar months prior to the proposed date of cancellation unless, in the opinion of the Registrar, special circumstances exist to require earlier cancellation.

8. In the event of notice being given under the last preceding Objection section, the holder of a registration may lodge an objection in writing to the Minister within one calendar month of the date of service of such notice upon him and the Minister may uphold or reject such objection or prescribe a fresh date upon which registration shall be cancelled.

9. Every pesticide shall be sold in its original container Repacking except with the prior written permission of the Registrar, and in accordance with any written instructions given by the Registrar.

10. Any person who contravenes any of the provisions of Offences sections 4, 5 or 9 of this Act or of the regulations made there- under shall be guilty of an offence and shall be liable on conviction to have any registration held by him cancelled and to a fine not exceeding two hundred dollars and in the case of a continuing offence to a further fine not exceeding ten dollars for every day during which the offence has continued.

11. The Minister may make regulations for the purpose of Regulations carrying out the provisions of this Act and in particular, without prejudice to the generality of the foregoing, for- (a) prescribing forms to be used;

(b) prohibiting or controlling the use of any pesticide ;

(c) prescribing any other matter which may be desirable or expedient for the better regulation and control of the sale of pesticides.

**12.** Section 7 of the Noxious Weeds, Pests and Diseases of Repeal. Plants Ordinance is hereby repealed, and all registrations Cap. 133. issued under the provisions thereof are hereby revoked.

Passed by the House of Representatives this twenty-third day of July, in the year of our Lord one thousand nine hundred and seventy-one.

Passed by the Senate this thirtieth day of July, in the year of our Lord one thousand nine hundred and seventy-one.

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