

LEGAL NOTICE NO. 124

THE PEST CONTROL PRODUCTS ACT (*Cap. 346*)

IN EXERCISE of the powers conferred by section 15 of the Pest Control Products Act, the Minister for Agriculture, makes the following Regulations:—

**THE PEST CONTROL PRODUCTS (LICENSING OF PREMISES) (AMENDMENT) REGULATIONS, 2006**

1. These Regulations may be cited as the Pest Control Products (Licensing of Premises ) (Amendment) Regulations, 2006.

2. The Pest Control Products (Licensing of Premises) Regulations, hereafter referred to as "principal Regulations" are amended in Regulation 2 by—

(a) inserting the following words in subparagraph (2) immediately after the word Regulations "as set out in Form C in the Schedule" ;

(b) renumbering subparagraph (2) as subparagraph (3);

(c) by inserting a new subparagraph (2) as follows—

2 (2) No person shall operate any business in pest control unless that person is in possession of a license issued under these regulations in respect of that business".

3. The principal Regulations are amended in regulation 4 by—

(a) by deleting the words "Form 8 in the Schedule" in sub-paragraph (1) and substituting the words "Form B in the Schedule" therefor;

(b) by inserting the following new subparagraph (4)-

"(4) A licence issued by the Board under regulation 4 (1) may be cancelled, suspended or revoked by the Board if the holder of such a licence contravenes the provisions of the Act or the Regulations made under it".

(c) by inserting the following new subparagraph (5)-

"(5) The information on licence cancellation, suspension or revocation under 4 (4) shall be made known to the holder in writing and the general public by gazette notice".

4. The principal Regulations are amended in regulation 5 by deleting the words "manufacturing and formulating" and substituting the words "manufacturing, formulating, packaging and storing" therefor.

5. The principal Regulations are amended in regulation 6 by deleting the words "formulating and packaging" and substituting the word§-"formulating, packaging and storing" therefor.

6. The principal Regulations are amended in regulation 7—

(a) by deleting the words "formulating, and packaging" and substituting the words "formulating packaging and storing" therefor;

(b) by inserting a new sub-paragraph (b) as follows—

"(b) premises licensed under these Regulations shall ensure that the products are packaged and labeled as required by the provisions of this Act and the Regulations and shall keep stock records for a minimum of five years";

(c) by renumbering paragraph (b) as paragraph (c) and by inserting the following after the word premises—

to the satisfaction of the Board"

(d) by inserting a new paragraph (d) as follows—

"(d) premises licensed under these Regulations shall provide adequate water and general cleanliness to facilitate safe dispensing of the products; ensure physical separation of pest control products stores from food stores and keep stock records for all pest control products in the premises".

7. The principal Regulations are amended by inserting a new regulation 8 as follows—.

"8 (1) Any person who intends to handle, use, distribute, transport or deal in a Pest Control Product under restricted class shall apply to the Board for a permit in the prescribed Form D in the Schedule.

(2) No person shall handle, use, distribute, transport or deal in a Pest Control Product under restricted class without a permit from the Board in the prescribed Form E in the Schedule".

8. The principal Regulations are amended in the First Schedule by deleting Form A and substituting the new Form A therefor.

9.:The principal Regulations are amended in the Schedule by deleting Form B and substituting the new Form B therefor .

FORM A

THE PEST CONTROL PRODUCTS ACT

(Cap. 346)

THE PEST CONTROL PRODUCTS (LICENSING OF PREMISES AND BUSINESS)  
(AMENDMENT) REGULATIONS. 2006

APPLICATION FOR A LICENCE

The Managing Director

Pest Control Products Board

Waiyaki Way

P.O. Box 13794-00800.

Westlands NAIROBI

1. Name and address of applicants .....
  2. Name and address of person, firm or company to be issued with licence .....
  3. Full names of partners and/or directors (where applicable) .....
  4. Nature of occupation for which a licence is required .....
  5. Owner of premises .....
  6. Plot No..... L.R. No .....
  7. Location..... Road/Street.....
  8. Town..... District .....
  9. General business postal address .....
  10. Name and qualifications of the person under whom processing/trading will be undertaken .....
- Fee paid .....Date.....
- Date..... Signature of applicant.....

FORM B

THE PEST CONTROL PRODUCTS ACT

(Cap. 346)

THE PEST CONTROL PRODUCTS (LICENSING OF PREMISES AND BUSINESS)  
(AMENDMENT) REGULATIONS, 2006

Receipt No .....Licence No.....

This licence is granted to.....to  
display/retail/wholesale/distribute/store/package/manufacture/ formulate/pest control products at  
Plot L.R. No.....

Situated at .....

.....

*Managing Director, Inspector,*

*Pest Control Products Board Pest Control Products Board*

*Date..... Date .....*

This licence is not transferable to any other person without the approval of the Board.

*THIS LICENCE IS NOT TRANSFERABLE TO ANY OTHER PREMISES.*

FORM C

THE PEST CONTROL PRODUCTS ACT

(Cap. 346)

THE PEST CONTROL PRODUCTS (LICENSING OF PREMISES AND BUSINESS)  
(AMENDMENT) REGULATIONS, 2006

*A. Inspection of Premises*

During inspection of pest control products premises, the following items shall be examined and comments made in order that the correct action can be taken with regard to licensing. A copy of



	formulating premises			
<input type="checkbox"/>	Qualified operators for store and dispensing premises	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*C. General Recommendations*

I certify that I have inspected the premises described above and it is my considered opinion that a licence should/should not be issued/withdrawn for the premises.

The following defects should be rectified (specify items by numbers).....

1..... 1.....

*Signature of Inspector Signature of Inspector*

2..... 2.....

*Name of Inspector Name of Inspector*

FORM D

THE PEST CONTROL PRODUCTS ACT

*(Cap. 346)*

THE PEST CONTROL PRODUCTS (LICENSING OF PREMISES AND BUSINESS)  
(AMENDMENT) REGULATIONS. 2006

APPLICATION FOR PERMIT TO DEAL IN PEST CONTROL PRODUCTS UNDER  
RESTRICTED CLASS

Name and address of applicant

.....

Status and address of applicant (Manufacturer, Agent, Registrant Distributor, User)

.....

Name and address of registrant of pest control product  
.....

Trade name, Formulation, Concentration .....

Registration No.  
.....

Target pest/diseases  
.....

Package type  
.....

Quantity .....

Signature of applicant  
.....

Date.....

FORM E

THE PEST CONTROL PRODUCTS ACT

(Cap. 346)

PERMIT NO. ....

THE PEST CONTROL PRODUCTS (LICENSING OF PREMISES AND BUSINESS)  
(AMENDMENT) REGULATIONS, 2006

**PERMIT TO DEAL IN PEST CONTROL PRODUCTS UNDER RESTRICTED CLASS**

This permit is granted to  
.....

To sell/store/transport/use product  
.....

Registration Number..... At plot number .....

L.R. No. .... Situated .....

Date .....

*Managing Director*

*Pest Control Products Board*

Made on the 6th September, 2006.

KIPRUTO ARM' KIRWA,

*Minister for Agriculture.*