

Malawi

## Iodization of Salt Act

Chapter 52:02

Legislation as at 31 December 2014

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## Iodization of Salt Act

### Chapter 52:02

Commenced on 15 February 1999

*[This is the version of this document at 31 December 2014 and includes any amendments published up to 31 December 2017.]*

*[Note: This version of the Act was revised and consolidated in the Fourth Revised Edition of the Laws of Malawi (L.R.O. 1/2015), by the Solicitor General and Secretary for Justice under the authority of the Revision of the Laws Act.]*

#### An Act to control the iodization of common salt and for matters incidental thereto and connected therewith

#### 1. Short title

This Act may be cited as the Iodization of Salt Act.

#### 2. Interpretation

In this Act, unless the context otherwise requires—

“**iodize**” means to treat salt with iodine or a compound of iodine;

“**salt**” means salt in any form commonly used for domestic purposes or in the manufacture or processing of food for human or animal consumption.

#### 3. Salt to be iodized

- (1) Salt shall, before it is sold or distributed to the public or used in the manufacture or processing of food for human or animal consumption, be iodized to such specification as the Minister may, by Order published in the *Gazette*, prescribe.
- (2) The Order made under subsection (1) may further prescribe the manner of labelling, packaging, storing, transporting or otherwise treating iodized salt.

#### 4. Registration

Every person who is engaged in the business of salt iodization in accordance with this Act shall register such particulars thereof as the name and address of the business and every change thereof and for this purpose the Minister shall keep and maintain an appropriate register.

#### 5. Restriction on iodization of salt

- (1) No person shall iodize salt or permit or cause any other person to iodize salt nor continue to do so after the expiry of a period of ninety days from the date of commencement of this Act otherwise than in accordance with this Act and unless that person is registered under [section 4](#).
- (2) The Minister may, once only, extend the period prescribed in subsection (1) by a further period not exceeding a period so prescribed and shall cause notice of the extension to be published in the *Gazette*.

## 6. Inspection

- (1) The Minister may in writing appoint any public officer to be an inspector for the purposes of this Act.
- (2) Every inspector shall be furnished with a certificate verifying his appointment and authorizing him to exercise the powers conferred on an inspector.
- (3) When an inspector seeks to exercise power conferred under this Act, he shall, if requested by any person in relation to whom the power is sought to be exercised, produce to that person his certificate issued under subsection (2).
- (4) An inspector may, for the purposes of this Act—
  - (a) without previous notice, at any time during business hours, enter upon any premises in or upon which any salt is or is reasonably suspected to be iodized or intended to be sold or distributed to the public;
  - (b) inspect and take samples of any such salt or any material or substance in or on such premises used or suspected to be intended for use in the iodization of salt and open any package or container in or on such premises which contains, or he reasonably suspects to contain, any quantity of any such salt, material or substance;
  - (c) inspect any operations carried out in or upon any such premises in connexion with the iodization of salt;
  - (d) at any time require any person to produce there and then or at a time and place to be fixed by the inspector any book, notice, record, list or other document which relates to the iodization, sale or distribution of salt and is in the possession or custody, or under the control, of that person or of any other person on his behalf;
  - (e) examine any such book, notice, record, list or document and make copies of, or take extracts from any such book, notice, record, list or document which relates to the iodization, sale or distribution of salt and require from any person an explanation of any entries therein and seize any such book, notice, record, list or document which, in the opinion of the inspector, may afford evidence of any offence under this Act;
  - (f) in regard to any matter which is being investigated by the inspector, question, either alone or in the presence of any other person, as the inspector thinks fit, every person whom he finds on the premises which he has entered under this subsection or who he has reasonable grounds for believing is, or has been employed on any such premises, or is in possession, custody or control of anything referred to in this subsection;
  - (g) order any person referred to in paragraph (d), (e) or (f) to appear before him at a time and place fixed by him, and at such time and place question that person concerning any matter which is being investigated by him pursuant to this Act.
- (5) Any person who is in charge of any premises referred to in this section shall, at all times, furnish such facilities as are required by an inspector for the purpose of exercising his powers under this section and shall not obstruct or hinder an inspector while exercising such powers.

## 7. Offences and penalties

- (1) Any person who contravenes sections 4, 5 and 6 shall be guilty of an offence and shall be liable—
  - (a) in respect of an offence contrary to [section 4](#) to a fine of K10,000 and to imprisonment for two years;

- (b) in respect of an offence contrary to section 5—
  - (i) for a first offence, to a fine of K10,000 and to imprisonment for two years;
  - (ii) for a second or subsequent offence, to a fine of K20,000 and to imprisonment for five years;
- (c) in respect of an offence contrary to section 6, to a fine of K10,000 and to imprisonment for two years.

## **8. Regulations**

The Minister may make regulations for giving effect to the provisions of this Act.