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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1655/7 - 2010 මැයි 25 වැනි අඟහරුවාදා - 2010.05.25
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(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

L.D. – B. 5/83.

CONTROL OF PESTICIDES ACT, No. 33 OF 1980

REGULATIONS made by the Minister of Agricultural Development and Agrarian Services under Section 26 of the Control of Pesticides Act, No. 33 of 1980.

,
Ministry of Agriculture,
Colombo 05,
May 07, 2010.

MAHINDA YAPA ABEYWARDENE,
Minister of Agriculture.

Regulations

1. These Regulations may be cited as Control of Pesticides (Pest Control Services) Regulations No. 01 of 2010.
2. No “Pest Control Service” shall conduct pest control activities without a license issued by the Registrar.
3. Every application for a license to carry out pest control activities shall be in the prescribed form and shall be accompanied by a fee of Rupees Twenty Thousand.
4. (1) The Registrar shall on receipt of an application and with the fee submit the application to the committee for its approval.
(2) The registrar shall when submitting an application to the committee, submit a report in relation thereto, in respect of the following :-
 - (a) the technical competence of the applicant ;
 - (b) Whether the applicant is properly equipped to provide such services.
 - (c) The applicant is aware of the nature of the toxicity of the pesticides, the risks involved in use, handling and disposal of pesticides ;

(3) The Registrar may where he has grounds to believe the matters set out in sub paragraphs (a), (b), (c) of paragraph (2) are not present refuse to grant a license. Where a license is refused, the Registrar shall notify the applicant the grounds for refuse.

5. Every license shall —

- (a) be valid for a period of one year and may be renewed upon an application being submitted on that behalf in the prescribed form of request, three months prior to the lapse of the current license together with a renewal fee of Rupees Five Thousand ;
- (b) specify the approved categories of work a license holder shall be authorized to undertake ;
- (c) specify the registered place of business and the premises where the pesticides are to be stored and ;
- (d) authorize the use of registered pesticides as specified in the label which shall be affixed to the container.

6. The license holder shall —

- (a) keep for a period of five years records of purchases, the quantity of pesticides used and pests intended to be eradicated and make the same available to the Registrar or any authorized officer for inspection whenever required ;
- (b) ensure that safety measures are adopted by the staff and adequate warning signs are displayed during transport, storage and operations ;
- (c) ensure that protective clothing and equipment are used by the staff during operation, transport, storage and disposal of pesticides ;
- (d) ensure that protective clothing and equipment are maintained in proper condition and promptly replaced if found to be damaged ;
- (e) ensure that staff are required to undergo a comprehensive health check up by a medical practitioner registered with the Sri Lanka Medical Council at least once a year and the records shall be available for inspection by the Registrar or any authorized officer ;
- (f) provide annual training to the employees and inform them of the dangerous nature of pesticides and danger to the health of a person and environment and educate them on measures required to be adopted to ensure safety at all times.

7. Any Authorized Officer may enter, inspect and investigate any public or private premises where the pest control activities are carried out or property of Pest Control Service, by prior notice at all reasonable hours of the day —

- (a) to ascertain whether any person has contravened or in contravening any of the provisions of the Act ;
- (b) to inspect, or investigate the use or application of pesticides ;
- (c) to inspect any equipment or machinery used for pest control ;
- (d) to inspect storage or disposal sites of any pesticide ;
- (e) to inspect and investigate complaints of injury to humans damage to any property or the environment due to pesticides ;
- (f) to obtain samples of pesticides ;
- (g) to seize, detain or remove —
 - (i) any pesticide unfit for use for prescribed activities ;
 - (ii) any equipment, records, reports, invoices or other documents relating to pest control activities carried on by them.

8. Where the license holder —

- (a) fails, refuses or neglects to comply with the conditions ; or
- (b) make false claims or reports ; or
- (c) contravenes any regulation or any provisions of the Act.

the Registrar shall in consultation with the “Committee”—

- (i) issue a written warning to the license holder requiring him to show cause or explain the matters stated within a reasonable time ;
- (ii) suspend the license on reasonable grounds ;
- (iii) refuse to renew the license ;
- (iv) cancel the license.

9. Any person carrying on Pest Control Services, on the day of coming into operation of these regulations, shall within twelve months of the date of coming into operation of these regulations, obtain a license in terms of these regulations.

10. The Registrar shall maintain register of all licenses with details of the name and address of license holder, period of which license is valid.

11. Unless the context otherwise requires—

“Act” means Control of Pesticides Act, No. 33 of 1980.

“Pest Control Service” means any person carrying out pest control activities by using —

- (a) restricted pesticides including fumigants ; or
- (b) pesticides including fumigants ; or
- (c) pesticide other than restricted pesticides.

“Committee” ; means Pesticides technical and Advisory Committee established under the Control of Pesticides Act, No. 33 of 1980.

“Registrar” means Registrar of Pesticides appointed under the control of Pesticides Act, No. 33 of 1980.