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Third Session Eighth Parliament Republic of
Trinidad and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 7 of 2005

[L.S.]

AN ACT to amend the Pesticides and Toxic Chemicals
Act, 1979

[Assented to 29th March, 2005]

- Enactment ENACTED by the Parliament of Trinidad and Tobago as follows:—
- Short title **1.** This Act may be cited as the Pesticides and Toxic Chemicals (Amendment) Act, 2005.
- Interpretation Act No. 42 of 1979 **2.** In this Act “the Act” means the Pesticides and Toxic Chemicals Act, 1979.
- Amendment to long title **3.** The long title to the Act is amended by inserting after the word “importation” the word “exportation” and a comma.
- Section 2 amended **4.** The Act is amended in section 2 by—
(a) deleting the definition of “toxic chemical” and substituting the following definition:
“toxic chemical” means any chemical, other than a pesticide, antiseptic, disinfectant, drug or preservative, which through its chemical action on life processes can cause death, temporary incapacitation or permanent harm to humans or animals, and includes all such chemicals irrespective of their origin or method of production or use;”; and
(b) inserting in the appropriate alphabetical sequence the following definition:
“exporter” in relation to any article to be exported includes any person who whether as owner, consignor, agent or broker is in possession of the article or in any way entitled to the custody or control of it;”.
- Section 3 amended **5.** Section 3 of the Act is amended—
(a) in subsection (2), in paragraph (f) by—
(i) deleting the word “five” and substituting the word “eight”;

- (ii) deleting the word “and” at the end of subparagraph (iii);
- (iii) deleting the full stop at the end of subparagraph (iv) and substituting a semicolon; and
- (iv) inserting after subparagraph (iv), the following subparagraphs:
 - “(v) one shall be a person with specialized knowledge of wildlife and its management;
 - (vi) one shall be a representative of the Environmental Management Authority; and
 - (vii) one shall be a representative of the Ministry with responsibility for consumer affairs.”; and

(b) in subsection (7), by deleting the word “four” and substituting the word “seven”.

6. The Act is amended in section 4A(1)—

Section 4A amended

- (a) in paragraph (a), by inserting after the word “import,” the word “export” and a comma;
- (b) by inserting after paragraph (b), the following paragraph:
 - “(ba) export a controlled product unless the person is the holder of an export licence obtained in the manner prescribed.”; and

(c) in paragraph (d), by inserting after the word “import” the word “export” and a comma.

Section 5 amended

7. The Act is amended in section 5—

(a) by inserting after subsection (2) the following subsection:

“ (2A) The Registrar shall be responsible for the general supervision of inspectors.”; and

(b) in subsection (3)(c), by inserting after the word “information” the words “instructions and directions”.

Section 6 amended

8. The Act is amended in section 6(1)(b) by inserting after the words “Medical Board”, the words “or the Veterinary Registration Board”.

Section 12 amended

9. The Act is amended in section 12—

(a) in subsection (1)(a), by inserting after the word “importation,” the word “exportation” and a comma;

(b) in subsection (1)(b), by inserting after the word “importation,” the word “exportation” and a comma;

(c) in subsection (1)(w), by inserting after the word “importation,” the word “exportation”;

(d) in subsection (2)(a), by inserting after the word “importation,” the word “exportation” and a comma; and

(e) in subsection (4), by deleting the words “two hundred and fifty” and “twenty-five” and substituting the words “one thousand” and “one hundred” respectively.

10. The Act is amended in section 13—

Section 13 amended

- (a) in subsection (3)(a), by deleting the words “five hundred” and “one thousand” and substituting the words “two thousand” and “four thousand” respectively; and
- (b) in subsection (3)(b), by deleting the words “five thousand” and substituting the words “twenty thousand”.

Passed in the Senate this 7th day of December, 2004.

N. JAGGASSAR
Acting Clerk of the Senate

Passed in the House of Representatives this 4th day of March, 2005.

J. SAMPSON-JACENT
Clerk of the House

House of Representatives Amendments agreed to by the Senate this 9th day of March, 2005.

N. JAGGASSAR
Acting Clerk of the Senate