

PEST CONTROL PRODUCTS (DISPOSAL) REGULATIONS, 2006

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation.
2. Disposal of pest control products for commercial purpose.
3. Application for disposal licence.
4. Cancellation or suspension of licence.

SCHEDULE

[Subsidiary]

PEST CONTROL PRODUCTS (DISPOSAL) REGULATIONS, 2006

[LN. 126/2006.]

1. Citation

These Regulations may be cited as the Pest Control Products (Disposal) Regulations, 2006.

2. Disposal of pest control products for commercial purpose

(1) No person shall dispose of any pest control product or their containers in a manner that shall be detrimental to man, animal and the environment.

(2) No person shall carry out any disposal of pest control product or containers for commercial purposes unless that person or institution is in possession of a licence under these Regulations and all provisions of the Act have been complied with.

(3) The use of any pest control product disposal method shall be approved by the Board subject to specific requirements laid down by the Board.

(4) The transboundary movements of pesticides for disposal shall be subject to ratified conventions, protocols, treaties or agreements to which Kenya is a party.

(5) Without prejudice to the provisions of the Environmental Management and Co-ordination Act, any person or institution desiring a licence for disposal of pest control products for commercial purposes shall apply to the Board for a licence in the prescribed Form A set out in the Schedule and shall be accompanied by the prescribed fees.

3. Application for disposal licence

(1) The Board may approve an application made under Regulation 2 and shall issue a licence as set out in Form B in the Schedule if it is satisfied that—

- (a) the application contains the information required under these Regulations;
- (b) approved methods of disposal would be used or applied; (c) the applicant has sufficient expertise to dispose of the pest control products in question

(2) Disposal for commercial purposes shall be supervised by the Board which shall issue a certificate of disposal in the prescribed Form C in the Schedule after successful disposal.

(3) Where the Board does not approve an application it shall not be obliged to give any reason thereof.

(4) The Board may attach to a licence such conditions as it deems fit.

(5) No person or institution to which a licence has been issued under these Regulations shall lend, hire, sell, transfer or otherwise dispose of that licence to any person or institution without the approval of the Board, which approval shall be endorsed on the licence.

4. Cancellation or suspension of licence

(1) The Board may cancel or suspend for a period it deems fit the licence issued under these Regulations if satisfied that—

- (a) the licensee, his servant or agent has been convicted of an offence under the Act; or
- (b) the licensee, his servant or agent has breached any of the terms or conditions of the licence; or

(c) for any other reason, that it is in public interest to do so.

(2) Before cancelling or suspending a licence under this Regulation, the Board shall give the licensee twenty-one days ' notice to show cause why the licence should not be cancelled or suspended and the Board ' s decision in the matter shall be final.

SCHEDULE

FORM A

PEST CONTROL PRODUCTS ACT
(CAP. 346)

PEST CONTROL PRODUCTS (DISPOSAL) REGULATIONS, 2006
APPLICATION FOR THE DISPOSAL OF PEST CONTROL PRODUCTS FOR
COMMERCIAL PURPOSE

(to be typed or printed)

To: The Managing Director
Pest Control Products Board
Waiyaki Way
P.O. BOX 13794-00800
Westlands-Nairobi

- 1. Applicant ' s full Name/Address
-
-
-
- 2. The company directors
-
-
- 3. Types of waste / (products, formulations, state etc)
- 4. Quantity in details
- 5. Source(s) of wastes
- 6. Reasons for disposal
- 7. Methods of disposal to be used
- (attach the details or the methods)
- 8. Qualifications and experience of personnel
- 9. Disposal site (attach details)
-
- 10. Transportation to the disposal site
-
-
- 11. Environmental Impact Assessment Report
-

Dated Sign/Stamp

Applicant

Pest Control Products

[Subsidiary]

SCHEDULE—continued

FORM B

PEST CONTROL PRODUCTS ACT

(CAP. 346)

PEST CONTROL PRODUCTS (DISPOSAL) REGULATIONS, 2006

LICENCE NO.

This licence is granted to
to dispose the following pest control products wastes
using the following methods
at

Date Signature

Managing Director
Pest Control Products Board

This licence is not transferable to any other person or institution.

FORM C

PEST CONTROL PRODUCTS ACT

(CAP. 346)

PEST CONTROL PRODUCTS (DISPOSAL) REGULATIONS

CERTIFICATE OF DISPOSAL NO.

This is to certify that on
satisfactorily disposed of the following pest control products;

- 1.
2.
3.
4.
5.

Methods used for disposal

- 1.
2.
3.
4.

Comments from the Board

Managing Director

Date

Stamp

The disposal certificate is not transferable.