

THE PRECURSOR CHEMICALS ACT

REGULATIONS

(under section 40)

The Precursor Chemicals, Regulations, 2013

L N 269A/2013

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(Made by the Minister on the 3rd day of December, 2013)

L.N. 269A/2013

PART I. Preliminary

1. These Regulations may be cited as the Precursor Chemicals Regulations, 2013. Citation

2. In these Regulations— Interpretation

“Act” means the Precursor Chemicals Act No. 33 of 1999;

“appointed day” means the date of coming into operation of these Regulations;

“disposal” means the act or process as approved by the competent authority, of getting rid of chemicals, chemical waste, containers, and other materials associated with the manufacture of precursor chemicals;

“extract” means in respect of a precursor, to isolate the precursor from a preparation or mixture by any physical or chemical process, including distillation;

“Harmonized System Code” means the numeric identifier set out for goods in the Harmonized Commodity Description and Coding System published by the World Customs Organization;

“International Maritime Dangerous Drugs Code” means the Code adapted in 1965 at the Safety of Life at Sea Convention (SOLAS) which provides for the safe transportation of hazardous materials by vessel, the protection of crew members, and the prevention of marine pollution;

“manufacturer” means a person who manufactures precursor chemicals for his own use or for the use of others, whether for profit or not;

“records” includes documents kept in electronic form;

“responsible officer” means the person designated by a licensee under regulation 5(2), with the responsibility for supervising prescribed activities carried out on the premises of the licensee.

PART II. *Licensing and Permits*

Application for
licence
Form 1
First Schedule
Second Schedule

3.—(1) Pursuant to section 6 of the Act, an application for a licence to engage in a prescribed activity shall be made in the form set out as Form 1 in the First Schedule and shall be accompanied by the appropriate fee specified in the Second Schedule.

(2) A person who is carrying on a prescribed activity on the appointed day shall, within thirty days after the appointed day, make an application for a licence, in the manner provided for in paragraph (1).

(3) Where an application is made by a company, the application shall be accompanied by the documents of incorporation of the company.

(4) Upon receipt of an application, the competent authority may, by notice in writing, request the applicant to furnish, within the time specified in the notice, further additional information as the competent authority considers necessary, within the time specified in the notice.

Inspection and
investigation of
premises

4.—(1) Pursuant to section 6(3) of the Act, the competent authority shall cause an inspection of the premises on which the applicant engages or intends to engage in a prescribed activity, to be carried out by an authorized officer.

(2) In carrying out an inspection of the premises, the authorized officer shall ascertain whether—

- (a) the conditions under which the specified chemical substance to be used in relation to the prescribed activity is or is to be stored, meet the standards approved by the competent authority;
- (b) there is compliance with safety standards as required by any enactment relating to factories;
- (c) the measures taken to provide security for the premises are adequate;
- (d) provision is made for the limited access to any area in which specified chemical substances are stored; and
- (e) any other condition which the competent authority may require is satisfied.

(3) In addition to carrying out an inspection of the premises under paragraph (1), the competent authority may cause an authorized officer to carry out such investigation as may be necessary, in order to ascertain whether the applicant is a fit and proper person to be engaged in the prescribed activity to which his application relates.

5.—(1) Subject to paragraph (2), the competent authority shall grant a licence to an applicant in the form set out as Form 2 in the First Schedule if it is satisfied that the applicant—

Grant and
condition of
licence
Form 2
First Schedule

(a) has met the requirements specified in regulation 4; and

(b) has paid the appropriate licence fee specified in the Second Schedule.

Second
Schedule

(2) It shall be a condition of every licence that—

(a) the licensee designates a responsible officer to work on the premises on which the prescribed activity is carried out, who shall have the responsibility for supervising, on behalf of the licensee, any prescribed activity that is carried out on the premises, and for ensuring that such prescribed activity is carried out in compliance with the Act and these Regulations;

(b) an employee of the licensee shall not have control of specified chemical substances at—

(i) more than one premises owned or controlled by the licensee; or

(ii) the premises of any other licensee.

(3) Pursuant to paragraph (2)(a), a licensee shall, in the absence of the responsible officer, designate an alternate responsible officer, and such officer shall have the same duties and responsibilities as the responsible officer.

(4) A responsible officer and an alternate responsible officer shall—

(a) be familiar with the provisions of the Act and these Regulations and any conditions that apply to the licence held by the licensee;

(b) be trained and certified in the use and handling of the specified chemical substances listed in the First Schedule of the Act, including the risk of such chemical substances being diverted to an illicit market for use; and

First Schedule

(c) not have been convicted within the previous ten years of—

- (i) a drug offence or a criminal offence designated by the Minister by notice published in the *Gazette*; or
- (ii) an offence committed outside Jamaica which, if committed in Jamaica would constitute an offence under subparagraph (i).

Renewal of licence

6. A licensee shall, within three months prior to the expiration of his licence, apply to the competent authority for a renewal of the licence and regulations 3, 4 and 5 shall apply *mutatis mutandi* to an application for such renewal.

Application for
permit
Form 3
First Schedule

7.—(1) Pursuant to section 7 of the Act, an application for an import permit or an export permit shall be made in the form set out as Form 3 in the First Schedule and shall be made at least fifteen days before the applicant proposes to import or export, as the case may be, a specified chemical substance.

Second Schedule

(2) An application under paragraph (1) shall be accompanied by the application fee specified in the Second Schedule and—

- (a) in the case of an import permit—
 - (i) a copy of the purchase order;
 - (ii) a copy of the original supplier's invoice and the bill of lading, indicating the arrival date;
 - (iii) a declaration setting out in detail, measures to be taken to meet safety standards in relation to the storage and handling of the specified chemical substance;
- (b) in the case of an export permit, a copy of the purchase order and a declaration—
 - (i) setting out the measures to be taken in relation to packaging and transportation of the specified chemical substance to the port of exit; and
 - (ii) stating that the applicant has taken the necessary steps to verify that the substances to which the application relates are in compliance with the laws of the importing country.

(3) The competent authority may, on receipt of an application under paragraph (1), by notice in writing, request the applicant to furnish, within the time specified in the notice, such additional information, as the competent authority considers to be relevant to the application.

8.—(1) The competent authority shall grant a permit, if it is satisfied that the applicant has complied with the provisions of regulation 7. Grant of permit

(2) An import permit shall be in the form set out as Form 4 in the First Schedule and an export permit shall be in the form set out as Form 5 in the First Schedule. Form 4 and 5
First Schedule

(3) A permit granted under paragraph (1) shall be valid for a period of six months from the date of issue or if the permit is rectified pursuant to regulation 9, from the date of rectification.

(4) The competent authority shall, within seven days of the grant of a permit under paragraph (1), forward a copy of the permit to the central authority.

9.—(1) Where an applicant receives a permit which contains an error, the applicant shall make an application in writing to the competent authority, to have the error rectified and shall return the permit with the application. Rectification of
error in permit

(2) On receipt of the application and permit, the competent authority shall, subject to paragraph (3), rectify the error, stating the date of rectification and return the permit to the applicant.

(3) The competent authority shall only rectify an error—

(a) in the case of an import permit, before the arrival of a shipment of the specified chemical substance for which the permit was granted; or

(b) in the case of an export permit, before the departure of the specified chemical substance for which the permit was granted.

(4) The competent authority shall within seven days of the rectification of the error inform the central authority in writing of the nature of the rectification.

10.—(1) Where a permit which has been granted under regulation 9 is lost, destroyed, defaced or stolen, the holder of the permit shall within twenty-four hours of the incident occurring, or of him becoming aware of the incident, make a report to the competent authority, stating all the relevant details relating to the incident. Loss or
destruction of
permit

(2) On receipt of a report under paragraph (1), the competent authority shall carry out an investigation of the matter and shall grant a duplicate permit, only if it is satisfied as to the facts concerning the incident and upon payment of the replacement fee provided for in the Second Schedule. Second
Schedule

(3) The competent authority shall, on receipt of a report of the incident under paragraph (1), immediately inform the central authority and the Commissioner of Customs of the contents of the report.

Return of permit

11.—(1) Any permit which is not used within the period of its validity shall be returned by the holder of the permit to the competent authority within seven days of the expiry thereof.

(2) The competent authority shall cancel a permit which is returned under paragraph (1).

PART III. *Additional Particulars and Reporting Procedures*

Additional
particulars to be
kept in Register

12.—(1) A licensee shall, in addition to the particulars that are required to be kept pursuant to section 16 of the Act, ensure that the following additional particulars are entered into the Register—

- (a) the name and address of the importer;
- (b) the name and address of the person to whom the specified chemical substance is exported;
- (c) the name and amount of the specified chemical substance sold at the licensee's premises;
- (d) the name and amount of the specified chemical substance sold to another licensee;
- (e) the name, address and registration number of the licensee referred to in sub-paragraph (d).

(2) Every licensee shall cause to be recorded—

- (a) the type and licence number of the motor vehicle transporting any specified chemical substance leaving or coming into his premises; and
- (b) the name and identification of the person in charge of receiving or dispatching the specified chemical substance.

(3) A licensee shall ensure that every record kept electronically or manually is easily retrievable for examination by an authorized officer.

Keeping of
Register by the
competent
authority

13. Pursuant to section 15 of the Act, the Register to be kept by the competent authority shall contain the following information:—

- (a) the name and address of every person who makes an application for a licence;

- (b) the grant or refusal of a licence and the reasons for such refusal;
- (c) the number and date of the licence;
- (d) the date of renewal of a licence;
- (e) the period of suspension of a licence;
- (f) the date of revocation of a licence;
- (g) the grounds for such suspension or revocation;
- (h) the name and address of every person who makes an application for a permit and the type of such permit;
- (i) the name of the specified chemical substance in respect of which the application for the permit is made;
- (j) the grant or refusal of the permit;
- (k) the number and date of the permit;
- (l) the number and date of rectification of permit;
- (m) the loss or destruction of permit;
- (n) the number and date of a duplicate permit;
- (o) the date of cancellation of a permit.

14. Every licensee shall submit to the competent authority, a report within three months after the end of each calendar year, specifying in relation to each specified chemical substance, the use to which the substance was put. Annual report

15.—(1) A licensee shall, within fourteen days after an accident involving a specified chemical substance or the discovery of the pilferage of a specified chemical substance takes place on his premises, forward to the competent authority a written report of the accident or pilferage, as the case may be, giving details thereof. Report of accident or pilferage

(2) The competent authority shall—

- (a) on receipt of a report under paragraph (1), cause an investigation to be carried out into the accident or pilferage; and
- (b) where it thinks desirable, inform the competent authority of the country of export.

16.—(1) The competent authority may at any time in writing, request a licensee to submit— Request for report or information by competent authority re stocks

- (a) a report regarding the licensee's stocks of specified chemical substances at a specified date; or
- (b) such other information relating to the specified chemical substances as the competent authority may require.

(2) A licensee shall forward the information requested to the competent authority within thirty days of the date of the request.

Report of transaction which gives rise to reasonable suspicion of illegal use

17.—(1) Where in relation to a transaction concerning a specified chemical substance, a licensee has reason to suspect that, the chemical substance is being used in the extraction, preparation or manufacturing of narcotic drugs, psychotropic substances or other like substances, the licensee shall immediately make a report thereof, to the competent authority.

(2) For the purposes of paragraph (1), the factors to be considered by the licensee in assessing whether or not a transaction gives rise to reasonable suspicion includes—

- (a) the composition and chemical properties of the specified chemical substance involved, the illicit use that may be made of it and the risk of its diversion to an illicit market or use having regard to those factors;
- (b) the quantity of the specified chemical substance involved and, in the case of a preparation or mixture, the quantity of all precursors and other chemical substances set out in Table I or II, respectively of the First Schedule to the Act that it contains;
- (c) the intended use of the specified chemical substance as stated by the other party to the transaction;
- (d) the proposed means of transportation, route of delivery, place of origin or place of destination;
- (e) the method of payment involved; and
- (f) in the case of prior dealings between the licensee and the other party to the transaction, any departure which appears suspicious from the pattern of the prior dealings.

First Schedule

(3) A report under paragraph (1) shall include—

- (a) the name, address and telephone number of the licensee making the report;
- (b) the identification of the other party to the transaction;
- (c) details of the transaction involved, including—
 - (i) the date and time of the transaction;

- (ii) the type of transaction; and
 - (iii) the name and quantity of the precursor and, in the case of a preparation or mixture, the quantity of all precursors set out in Table I or II of the First Schedule to the Act that it contains; and
- (d) a detailed description of the reasons for suspicion.

(4) A licensee shall not disclose that he made a report under this regulation or the contents of the report, with the intent to prejudice any investigation, whether or not such investigation has commenced.

(5) No criminal or civil proceedings shall lie against a licensee for making a report under this regulation, if the report was made in good faith.

(6) Where the competent authority receives a report under paragraph (1), it shall cause an investigation to be carried out into the matter and shall take such action as it deems necessary.

PART IV. *General Provisions*

18.—(1) A licensee shall not destroy a precursor chemical except in accordance with the provisions of this Part.

Destruction of precursor chemical

(2) Subject to paragraph (3), the disposal of a precursor chemical—

- (a) not greater than one gallon or four litres, shall be carried out in a laboratory;
- (b) of a greater volume than that specified in sub-paragraph (a), shall be carried out at a site selected by the competent authority that is most suitable to the precursor chemical to be destroyed.

(3) The destruction referred to in paragraphs (1) and (2) may be done by using any of the procedures provided for in the Third Schedule, taking into account the health, safety and environmental conditions mentioned therein.

Third Schedule

19.—(1) Where a specified chemical substance is to be trans-shipped within or through Jamaica, the person responsible for the trans-shipment in Jamaica, shall notify the competent authority and the central authority of the trans-shipment, no later than fifteen days before the date of the proposed trans-shipment.

Trans-shipment of precursor chemicals

(2) A notification under paragraph (1) shall contain the following information—

- (a) the date of trans-shipment;
- (b) the description and name of the specified chemical substance;
- (c) the net and gross weight and volume of the specified chemical substance;

- (d) the name, address and telephone number of the person responsible for the shipment;
- (e) the name, address and telephone number of the person who is responsible for the trans-shipment;
- (f) the foreign port or exportation;
- (g) an accurate description of the carrier of the specified chemical substance for identification purposes;
- (h) the date of entry; and
- (i) the date of intended departure.

Licensee to notify competent authority of changes

20. A licensee shall notify the competent authority of any change—

- (a) in the physical structure of the area where a specified chemical is stored;
- (b) in the appointment of his responsible officer or any other person authorized to carry out functions at the licensee's premises with respect to specified chemical substances;
- (c) in the licensee's existing stock of specified chemical substances.

Labelling

21. Any container in which a specified chemical substance is shipped shall be—

- (a) properly labelled with the name, identification number, description, volume or weight and storage conditions of the specified chemical substance; and
- (b) clearly marked with the appropriate warnings in compliance with the International Maritime Dangerous Goods Code.

Competent authority to inform licensee of information relating to specified chemical substances

22. The competent authority shall, as soon as practicable after the receipt of new information relating to a specified chemical substance, forward the information to all licensees who engage in a prescribed activity relating to that substance.

Specified chemical substance to be stored in accordance with specifications of the material safety data sheets

23. Every person who imports or any person in charge of a warehouse facility (including a port of entry) which stores any specified chemical substance shall ensure that the substance is stored in accordance with specifications of the material safety data sheets which are provided by the manufacturer of the substance.

Inspections

24.—(1) The competent authority may at any time, during the business hours of the licensee, cause an authorized officer to carry out an inspection of the operations of a licensee, and such inspection may be carried out, as is deemed necessary, in conjunction with any other agency which monitors specified chemical substances.

(2) An authorized officer may, on the directions of the competent authority, seize any record or stock from a licensee if, on such an inspection, discrepancies appear in the records of the licensee.

25. A person who contravenes any of the provisions of these Regulations, shall be liable on summary conviction to a fine not exceeding one million dollars or imprisonment for a term not exceeding six months.

Penalty for
contravention of
Regulations

FIRST SCHEDULE

(Regulation 3(1))

FORM 1

THE PRECURSOR CHEMICALS ACT

The Precursor Chemicals Regulations, 2013

STANDARDS AND REGULATION DIVISION

Ministry of Health—Competent Authority

APPLICATION FORM FOR LICENCE TO ENGAGE
IN A PRESCRIBED ACTIVITY

Fill out each section of this form completely. All information is required, except where indicated (Form should be typewritten or completed in block capitals)

SECTION I APPLICANT'S INFORMATION

Name of Applicant (company) _____
Address _____
City _____
Address of Warehouse (if different from above) _____
Telephone _____ Fax _____
Email Address _____
Applicant's TRN _____
Type of Activity (Please check all that apply)
<input type="checkbox"/> Importer <input type="checkbox"/> Manufacturer <input type="checkbox"/> Distributor <input type="checkbox"/> Retailer <input type="checkbox"/> Exporter

Precursor licensing Form

FIRST SCHEDULE, *cont'd*

(IF APPLICANT IS A BODY CORPORATE)

SECTION II MANAGEMENT INFORMATION

<u>Board of Directors</u> (Names and TRN)	<u>Any Previous Conviction</u>
_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
Principal Management	

Managing Director _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
Purchasing Director _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
Sales Director _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
Financial Controller _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
Quality Control Personnel _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
Operations Manager _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
Warehouse Manager _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
Pharmacist/Responsible Officer _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
Academic Qualification _____	

Please submit certified copies (Pharmacists except from submission of academic qualification and work experience)	
Word Experience _____	

Name and address of two (2) references	
1 _____	
2 _____	

Precursor Company Licensing Form

FIRST SCHEDULE, *cont'd*

SECTION III PRODUCT INFORMATION
(Complete One Activity Per Form)

- Importer Manufacturer Distributor Retailer Exporter

Product 1 Name _____ Name and Address of Manufacturer _____ Name and Address of Supplier _____ Intended use(s) _____ Components (Name and concentration of each) _____ Annual estimates _____
Product 2 Name _____ Name and Address of Manufacturer _____ Name and Address of Supplier _____ Intended use(s) _____ Components (Name and concentration of each) _____ Annual estimates _____

Please attach Material Safety Data Sheet for each product

Precursor Company licensing Form

FIRST SCHEDULE, cont'd

SECTION IV SAFETY EQUIPMENT OBSERVED

Equipment	Yes	No
Eye Wash		
Industrial Shower		
Goggles		
Gloves		
Respiratory Apparatus		
Hard Hats		
Safety Shoes		
Coveralls		
Fire Extinguisher(s)		
Air Quality Measurement Device		
Other		

If there are other equipment, please state (may use additional paper)

SECTION V CUSTOMS BROKER INFORMATION

Port of Entry	<input type="checkbox"/> Kingston	<input type="checkbox"/> Montego Bay
Name of Custom Broker	_____	
Name of Company	_____	
Address	_____	
Contact Number	_____	
Email Address	_____	
Custom Broker Licence Number:	_____	
<i>(Please attach copy of licence)</i>		

FIRST SCHEDULE, *cont'd*

(Regulation 5 (1))

FORM 2

THE PRECUSOR CHEMICALS ACT

The Precursor Chemicals Regulations, 2013

LICENCE TO ENGAGE IN PRESCRIBED ACTIVITY

The Pharmaceutical Services Division of the Ministry of Health

The Competent Authority

Name of Licensee

of _____
Address of licensee

is hereby granted licence No _____ to engage in _____

specify prescribed activity

at

address at which prescribed activity to be carried on

[This licence is granted subject to the conditions specified in the attached Schedule]

Signature of authorized officer, Competent Authority

Date

FIRST SCHEDULE, *cont'd.*

FORM 3

(Regulation 7)

<p>MINISTRY OF HEALTH AND ENVIRONMENT – STANDARDS AND REGULATION DIVISION PHARMACEUTICAL AND REGULATORY AFFAIRS DEPARTMENT</p> <p>APPLICATION FOR PERMIT TO IMPORT/EXPORT A SPECIFIED CHEMICAL SUBSTANCE</p> <p>(Application is to be made in respect of only one(1) specified chemical substance)</p> <p>(COMPLETE IN BLOCK CAPITALS)</p>	
<p>CHECK ONE <input type="checkbox"/> IMPORT DECLARATION Chemical Substances in Schedule I (Tables I and II)</p> <p> <input type="checkbox"/> EXPORT DECLARATION Chemical Substances in Schedule I (Tables I and II)</p>	<p>DATE _____</p>
<p>IMPORTER/EXPORTER</p>	<p>BROKER OR FORWARDING AGENT</p>
<p>(Name, Address, Telephone, Fax and Email)</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Company Licence No _____</p>	<p>(Name, Address, Telephone, Fax and Email)</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Company Licence No _____</p>

FIRST SCHEDULE, *cont'd.*

SUPPLIER/CONSIGNEE (Name, Address, telephone Number, Fax and Email) <hr/> <hr/> <hr/> <hr/>		MANUFACTURER (Name, Address, telephone Number, Fax and Email) <hr/> <hr/> <hr/> <hr/>	
PORT OF EXPORTATION/ORIGIN EXPORTED TO		PORT OF DESTINATION CONSIGNEE	
MODE OF TRANSPORT VESSEL (IF KNOWN)		NAME IF INTERMEDIATE CARRIERS	
CHEMICAL SUBSTANCES (SCHEDULE 1) TO BE IMPORTED OR EXPORTED			
CHEMICAL SUBSTANCES/PRODUCTS (Enter names shown on labels, numbers and sizes of packages, strength)	CHEMICAL SUBSTANCES (Give details) (Enter names of ingredients where necessary)	DATE, IMPORTED/EXPORTED AND ACTUAL QUANTITY	

I hereby certify that the above named substance to be Imported Exported, are intended for
 Legitimate medical need Scientific research and other

Please specify _____

As soon as the invoices are received you should return two (2) copies for the necessary processing.

The item should be imported/exported before _____

FIRST SCHEDULE, *cont'd.*

FORM 4

(Regulation 8 (2))

THE PRECURSOR CHEMICALS ACT

The Precursor Chemicals Regulations, 2013

IMPORT PERMIT

To The Pharmaceutical Services Division of the Ministry of Health

The Competent Authority

Permit No _____

Name of permit holder

of _____
Address of permit holder

is hereby granted a Permit to import the amount the specified chemical substance specified below

Description and quantity. _____

Name and address of supplier: _____

To be stored at: _____
State address

This Permit is valid for on shipment only and expires six(6) months from the date of issue.

Signature of authorized officer, Competent Authority

FIRST SCHEDULE, *cont'd*

If this Permit is rectified it is valid for a period of six (6) months from the date of ratification

Date of ratification/issue _____
Signature of authorized officer Competent Authority

[This permit is granted subject to the undermentioned condition(s)]

The importer shall furnish the competent authority with a detached monthly report of the use/disposal of the specified chemical substance]

FIRST SCHEDULE, *cont'd*

FORM 5

(Regulation 8 (2))

THE PRECURSOR CHEMICALS ACT

The Precursor Chemicals Regulations, 2013

EXPORT PERMIT

To The Pharmaceutical Services Division of the Ministry of Health

The Competent Authority

Permit No _____

Name of permit holder _____

Is hereby granted a Permit to export the amount the specified chemical substance specified below

Description and quantity of specified chemical substance

Country of Destination _____

Name and Address of Cosignee _____

Name of vessel/aircraft _____

Departing from _____

FIRST SCHEDULE, *cont'd.*

This Permit is valid for one shipment only and expires six (6) months from the date of issue.

Date of issue

Competent Authority

[This permit is granted subject to the undermentioned conditions[s]:

- 1 The exporter shall produce a landing certificate from a competent authority in the country of destination
- 2 The exporter shall furnish to the competent authority a quantity report of goods exported by him in relation to specified substances.]

SECOND SCHEDULE

(Regulation 3, 5, 7
and 10)

1 Application Fee for Licence—

(a) Distributor	\$20,000 00
(b) Exporter	\$20,000 00
(c) Importer	\$20,000 00
(d) Manufacturer	\$20,000 00
(e) Retailer	\$15,000 00

2. Application Fee for Permit—

(a) Import Permit	\$1,500 00
(b) Export Permit	\$1,500 00

3. Replacement of permit which is lost,
destroyed, defaced or stolen—

(a) Import Permit	\$2,000 00
(b) Export Permit	\$2,000 00

THIRD SCHEDULE

(Regulation 18)

Disposal will take place by one of the following procedures

- (a) *Trench Incineration* This includes the burning up of chemicals in a trench that has been dug to contain them during incineration. This applies to quantities larger than four (4) litres or one (1) gallon but smaller than four hundred and eighteen (418) litres or one hundred and ten (110) gallons per trench
- Each trench must be large enough to hold at least three (3) times more than the amount of liquid to be incinerated
 - At least fifty (50) feet around the trench must be cleared of combustible materials such as roots, leaves and paper
 - There must be a low spot with higher elevation upwind of the trench (this will decrease the exposure during ignition)
 - If several trenches are necessary, they must be separated by 100 feet
 - Each trench must be individually controlled and observed
 - Ignition must be done immediately after pouring
 - Before leaving the area all fires and hot ember must be completely extinguished
- (b) *Dilution and Neutralization* This process involves decreasing the dangers and hazards of the chemicals by adding water or other chemicals that would make the chemicals or both chemicals less hazardous or harmless
- Strong acids should be diluted at a ratio of 1 to 10 litres that is 1 litre to 10 litres of water
 - Acids should be neutralized by only those bases recommended in the standard operation procedure or by using naturally occurring agents like limestone or gypsum
 - After neutralization the solution must again be diluted using a ratio of 1 to 10 before discarding into ground, trench or into running surface water (moving stream)
- (c) *Permanganate* The chemical must be in liquid form, if solid, the chemical must be transferred into a solution by adding 450 grams to 7.5 litres of water. The rules applicable to trench preparation should be applied and the chemical poured into the trench following standard operation procedures provided by laboratory responsible for disposal.

THIRD SCHEDULE, *cont'd*

- (d) *Evaporation* Small amounts of volatile chemicals can be left open in a secure area until all the liquid has disappeared from the container
- (e) *Recycling* Transferring of chemicals seized to a legitimate user who has proper requirement for the chemicals for eg. Government laboratories, schools or industries. User must fill out necessary paper work to comply with a written chain of custody procedure developed by the dispensing body
- (f) *Waste Hauling* Transferring of chemicals seized to a private firm that has a permit for the transfer. The waste hauler may dispose of it or recycle it. User must meet the requirements set out by the Regulations to have in their possession the applicable chemicals. The user must show proof of permit to transfer chemicals and must fill out the necessary paper work to comply with a written chain of custody procedure developed by the dispensing body
- (g) *Health and Safety* All officers participating in the seizure and destruction of precursor chemicals must be fully protected as the chemicals encountered are highly flammable, explosive and/or corrosive

Required Personal Protective Equipment (PPEs)

- (1) Coveralls or fatigues rated as chemical and flame resistant
 - (2) Chemical splash/Impact goggles
 - (3) Chemical resistant gloves
 - (4) Protective footwear
 - (5) Respirators
- (h) *Environmental Consideration.* Area where incineration or disposal of a specified substance into running water will occur must be approved by the National Environmental and Planning Agency and an environmental assessment impact be carried out prior to this type of disposal procedure
- (1) What is to be disposed of
 - (2) Quantity
 - (3) Overall advantage of choosing the means of disposal
 - (4) Reasons for selecting the proposed area.