

Control of Plants (Registration of Pesticides) (Amendment) Rules 2004

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No. S 356

CONTROL OF PLANTS ACT (CHAPTER 57A)

CONTROL OF PLANTS (REGISTRATION OF PESTICIDES) (AMENDMENT)
RULES 2004

In exercise of the powers conferred by section 49 of the Control of Plants Act, the Minister for National Development hereby makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Control of Plants (Registration of Pesticides) (Amendment) Rules 2004 and shall come into operation on 1st July 2004.

Amendment of rule 2

2. Rule 2 of the Control of Plants (Registration of Pesticides) Rules (R 3) (referred to in these Rules as the principal Rules) is amended by inserting, immediately after the definition of “active ingredient”, the following definition:

““cultivation of plants” has the same meaning as in the Control of Plants (Cultivation of Plants) (Licensing and Certification) Rules (R 2);”.

Deletion and substitution of rule 3

3. Rule 3 of the principal Rules is deleted and the following rule substituted therefor:

“Applicant for registration of pesticide

3.—(1) An application for the registration under these Rules of a pesticide for use in the cultivation of plants in Singapore may be made by any person who —

- (a) manufactures, imports, distributes, supplies or sells the pesticide;
- (b) carries on business in Singapore; and
- (c) is —
 - (i) registered under the Business Registration Act (Cap. 32); or
 - (ii) a company incorporated or a corporation registered under the Companies Act (Cap. 50).

(2) No person shall distribute, supply, sell or expose or offer for sale any pesticide for use in the cultivation of plants in Singapore unless the pesticide has been registered under these Rules.

(3) Any person who contravenes paragraph (2) shall be guilty of an offence.”.

Amendment of rule 4

4. Rule 4 of the principal Rules is amended —

(a) by deleting paragraph (1) and substituting the following paragraph:

“(1) Every application for the registration of a pesticide under these Rules shall be made in such form as the Director-General may provide and shall be accompanied by a fee of \$465.”; and

(b) by deleting the word “Director” in paragraphs (2)(p) and (3) and substituting in each case the word “Director-General”.

Amendment of rule 7

5. Rule 7 of the principal Rules is amended —

(a) by deleting the words “The Director” in paragraph (1) and substituting the words “Subject to paragraphs (1A) and (1B), the Director-General”;

(b) by inserting, immediately after paragraph (1), the following paragraphs:

“(1A) Where —

- (a) a registrant of a pesticide has provided the Director-General with information relating to the safety or efficacy of the pesticide under rule 4, 5 or 6; and
- (b) the Director-General has registered the pesticide under this rule,

the Director-General shall not, for a period of 10 years from the date on which he registered the pesticide, when considering an application by any other person to register any other pesticide with the same or a similar chemical composition, treat the registration of the pesticide as a factor favourable to the granting of the other person’s application, except with the consent of the registrant.

(1B) Where —

- (a) a registrant of a pesticide has —
 - (i) provided the Director-General with information relating to the safety or efficacy of a pesticide under rule 4, 5 or 6;
 - (ii) made an application in a foreign country for the pesticide to be registered or