

# A BILL

ENTITLED

AN ACT to Amend the Food Storage and Prevention of Infestation Act; and for connected matters.

[ ]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:—

1.—(1) This Act may be cited as the Food Storage and Prevention of Infestation (Amendment) Act, 2018, and shall be read and construed as one with the Food Storage and Prevention of Infestation Act (hereinafter referred to as the “principal Act”) and all amendments thereto.

Short title,  
construction  
and  
commence-  
ment.

(2) This Act shall come into operation on a day appointed by the Minister by notice published in the *Gazette*.

Amendment  
of section 2  
of principal  
Act.

2. Section 2 of the principal Act is amended—

(a) in the definition of “article to which this Act applies” by inserting immediately after the word “storing” the word “, transporting”;

(b) by inserting immediately before the definition of “container” the following definition—

““Chief Food Storage Officer” means the person for the time being in charge of the operations of the Division;”;

(c) by inserting next after the definition of “container”, the following definitions—

““contamination” means any unsanitary condition including the presence of bacteria, pesticide residues, mycotoxins, bacterial toxins, pathogenic micro-organisms or any biological, physical or chemical hazard in numbers or under conditions which involve an immediate or potential risk to the health of consuming individuals;

“device” includes compact discs and any other readable electronic item;

“Division” means the entity responsible for the food storage and prevention of infestation in the Ministry responsible for the administration of this Act;

“document” means, in addition to a document in writing, anything or manner in which information of any description is recorded or stored;”;

(d) by deleting the definitions of “food” and “infestation” and inserting, next after the definition of “document” the following definitions—

““equipment” includes sampling equipment and pesticide application equipment;

“food” means any substance ingested by man or animal to provide for their biological needs, including any substance used in the composition of feeds, or the preparation of food or animal feed, but does not include crops before they are harvested;

“infestation” means the presence of fungi, insects, arachnids, rodents or other animals in numbers or under conditions, which involve an immediate or potential risk of loss or damage to or contamination of food, and including all other pests so identified as being capable of causing infestation;”;

- (e) by deleting the definition of “place” and substituting therefor the following—

““place” includes any premises, building, or shipping container;”.

**3. Section 4 of the principal Act is amended—**

- (a) in subsection (1), by—

- (i) inserting in paragraph (a) immediately after the words “any place” the words “(wherever situated)”;
- (ii) inserting in paragraph (b) immediately after the word “applies”, the words “and may charge and recover from the owner or person in possession of the article the expenses reasonably incurred in opening and examining such container”;
- (iii) inserting in paragraph (c) immediately after the word “food” the words “(wherever situated)”;
- (iv) inserting in paragraph (d) immediately before the word “article” the words, “defective equipment, or any device or document or”;

Amendment  
of section 4  
of principal  
Act.

- (v) deleting from paragraph (e) the word “article” and substituting therefor the words, “equipment, device or article found to be in a dangerous state or injurious to the health of human beings, animals or plants, which has been”;
  - (vi) inserting in paragraph (f) immediately after the word “infested” the words, “or contaminated”;
  - (vii) deleting from paragraph (g) the words “liable to infestation” and substituting therefor the words “, contaminated or liable to such infestation or contamination”;
  - (viii) inserting in paragraph (h) immediately after the word “infestation”, wherever it appears, the words, “or contamination”;
  - (ix) deleting the full stop appearing at the end of paragraph (i), substituting therefor a semicolon, and inserting next after paragraph (i) the following as paragraph (j)—
    - “ (j) prohibit any place, which is found to be infested or contaminated, from being used to sell, store, manufacture or transport food.”;
- (b) by inserting next after subsection (2), the following as subsection (2A)—
- “ (2A) Subject to subsection (3), an inspector may charge and recover from the owner or person who has responsibility for an article referred to in subsection (2), the amount of any expenses reasonably incurred in connection with the seizure or removal of such article.”.

Amendment  
of section 5  
of principal  
Act.

**4.** Section 5 of the principal Act is amended in subsection (1) by deleting the words “are rodents, insects, mites or fungi in numbers or under conditions which involve” and substituting therefor the words “is infestation or contamination which involves”.

5. Section 6 of the principal Act is amended in subsection (1)(b) by deleting the words “liable to infestation” and substituting therefor the words “contaminated or liable to such infestation or contamination”.

Amendment  
of section 6  
of principal  
Act.

6. Section 7 of the principal Act is amended by inserting immediately after the word—

Amendment  
of section 7  
of principal  
Act.

(a) “Minister” the words “and the Chief Food Storage Officer”;

(b) “infestation” the words “or contamination”.

7. Section 8 of the principal Act is amended in—

Amendment  
of section 8  
of principal  
Act.

(a) paragraph (a), by inserting immediately after the word “infestation” the words “or contamination”;

(b) paragraph (f), by inserting immediately after the word “infestation” the words “or contamination”;

(c) paragraph (g), by inserting immediately after the word “infestation” the words “or contamination”.

8. Section 9 of the principal Act is amended—

Amendment  
of section 9  
of principal  
Act.

(a) by deleting subsection (1) and substituting therefor the following—

“ (1) Subject to the provisions of section 10, a person who contravenes any of the provisions of this Act or any regulations made or directions given thereunder, shall be liable upon—

(a) summary conviction before a Parish Judge to—

(i) in the case of a first offence, a fine not exceeding three million dollars or imprisonment for a term not exceeding three years;

(ii) if any damage is caused as a result of the commission of the offence, a fine not

exceeding four million dollars or imprisonment for a term not exceeding four years;

- (iii) in the case of a second or subsequent offence, regardless of whether or not any damage is caused, a fine not exceeding five million dollars or imprisonment for a term not exceeding five years;

(b) conviction on indictment before a Circuit Court to—

- (i) in the case of a first offence, a fine or imprisonment for a term not exceeding seven years;
- (ii) if any damage is caused as a result of the commission of the offence, a fine or imprisonment for a term not exceeding ten years; or
- (iii) in the case of a second or subsequent offence, regardless of whether or not any damage is caused, a fine or imprisonment for a term not exceeding fifteen years.”;

(b) by deleting subsection (2) and inserting next after subsection (1) the following—

“ (1A) Where the health of any person is harmed or endangered due to the commission of an offence

under subsection (1), the offender shall be tried on indictment in the Circuit Court and shall be liable upon conviction to a fine or imprisonment for a term not exceeding twenty-five years.

(2) Any person who—

- (a) assaults or obstructs any officer appointed under this Act and acting in the execution of such officer’s duties; or
- (b) removes from any container any seal affixed by an officer under this Act,

commits an offence.

(2A) An officer who—

- (a) purposefully fails to discharge that officer’s functions under this Act; or
- (b) uses any power afforded to that officer under this Act, for personal gain,

commits an offence.”.

9. The principal Act is amended by inserting next after section 9, the following as section 9A—

Insertion of new section 9A in principal Act.

“ Minister may amend monetary penalties. 9A. The Minister may by order subject to affirmative resolution amend the monetary penalties prescribed in this Act.”.

10. Section 10 of the principal Act is amended in subsection (2) by deleting the word “inspector” and substituting therefor the words “Chief Food Storage Officer”.

Amendment of section 10 of principal Act.

11.—(1) The provisions of the Food Storage and Prevention of Infestation (Amendment) Regulations, 1973, specified in the first column of the Schedule to this Act are amended in the manner set out in relation thereto in the second column of that Schedule.

Amendment of the Food Storage and Prevention of Infestation (Amendment) Regulations, 2018.

(2) The amendments specified in the second column of the Schedule to this Act shall be read and construed as one with the said Regulations.

## SCHEDULE

(Section 11)

*Amendment of Food Storage and Prevention  
of Infestation Regulations, 1973*

<u>Provision</u>	<u>Amendment</u>
Regulation 2	<p>1. Delete from the definition of "operator" the word "licensed" and substitute therefor the word "certified";</p> <p>2. Insert next after the definition of "operator" the following definition—</p> <p style="padding-left: 40px;">“ “pest” includes insects, arachnids, fungi, bacteria, viruses or other micro-organisms, rodents or other animals, which pose an immediate or potential risk of loss, damage or contamination of any article to which the Act applies;”.</p>
New regulation 2A	<p>Insert next after regulation 2 the following—</p> <p style="padding-left: 40px;">“ PART IA.—<i>Transportation</i></p> <p style="padding-left: 40px;">2A.—(1) Food shall not be transported in a manner that allows any toxic substance to contaminate the food.</p> <p style="padding-left: 40px;">(2) Prior to use for transportation of food any container previously used for the transportation of a toxic substance, shall be cleaned by a method prescribed by the Chief Food Storage Officer.”.</p>
New regulation 2B	<p>Insert immediately after the heading in Part II the following as regulation 2B—</p> <p style="padding-left: 40px;">“ 2B.—(1) Food shall not be stored in a storage area with a toxic substance, unless there is an impermeable partition between the food and the toxic substance.</p> <p style="padding-left: 40px;">(2) Every container used in the storage of food shall be properly labeled.”.</p>
Regulation 3	<p>1. In paragraph (1), delete the words “four inches” and substitute therefor the words “ten centimeters”.</p> <p>2. In paragraph (2), delete—</p> <p style="padding-left: 40px;">(a) from subparagraph (a) the words “two feet” and substitute therefor the words “sixty centimetres”;</p>



Provision <hr style="width: 50px; margin-left: 0;"/>	Amendment <hr style="width: 50px; margin-left: 0;"/>
	<ul style="list-style-type: none"> <li>(b) from subparagraph (b) the words “one foot” and substitute therefor the words “thirty centimetres”;</li> <li>(c) from subparagraph (c) the words “four feet” and substitute therefor the words “1.2 metres”;</li> <li>(d) from subparagraph (d) the words “two feet” and substitute therefor the words “sixty centimetres”.</li> </ul>
Regulation 4	<p>1. Delete paragraph (1) and substitute therefor the following—</p> <p>“ (1) Any building in which food is kept for sale or used for the manufacture or storage of food, shall—</p> <ul style="list-style-type: none"> <li>(a) be of sound construction;</li> <li>(b) be maintained in sound condition;</li> <li>(c) be, in the case of— <ul style="list-style-type: none"> <li>(i) fabrication of the walls (other than partition walls), weather proof; and</li> <li>(ii) the floors, impermeable; and</li> </ul> </li> <li>(d) in the case of all interior wall surfaces and floors be— <ul style="list-style-type: none"> <li>(i) finished so as to provide a reasonably smooth surface;</li> <li>(ii) maintained in good condition;</li> <li>(iii) free from open cracks, crevices, holes or any other conditions of disrepair, whether similar to the foregoing or not, such as might induce pests to harbor therein;</li> </ul> </li> </ul>

<u>Provision</u>	<u>Amendment</u>
	<p>(e) in the case of walls and other partitions, be painted from floor to ceiling in white or any other colour approved by the Chief Food Storage Officer;</p> <p>(f) as respects any opening for ventilation, be covered on the inside with mesh wire having no more than twenty openings for every twenty-five millimetres.”.</p>
	<p>2. In subsection (4), delete the words “quarter inch” and substitute therefor the words “six millimeters”.</p>
New regulation 5A	<p>Insert immediately after the heading with respect to Part IV, the following as regulation 5A—</p> <p>“ 5A. Any person who intends to conduct disinfestation operations in or around any article to which this Act applies, shall be certified by the Chief Food Storage Officer.”.</p>
Regulation 6	<p>Delete the regulation and substitute therefor the following—</p> <p>“ 6.—(1) All containers in which food is packed, stored or kept and which are not destroyed immediately after use, shall forthwith after use be properly cleaned and, if necessary, disinfested.</p> <p>(2) Subject to paragraph (1), any destruction, cleaning and disinfestation of a container shall be carried out in such manner and within such time, as the Chief Food Storage Officer may determine.”.</p>
Regulation 8	<p>1. In paragraph (2)(a)(ii), insert immediately after the word “used” the words “and the active ingredients and formulation”.</p> <p>2. In paragraph (2)(b), delete the word “licence” and substitute therefor the word “certificate”.</p>

<u>Provision</u>	<u>Amendment</u>
	<p>3. Insert next after paragraph (2), the following as paragraph (3)—</p> <p style="padding-left: 40px;">“ (3) The Chief Food Storage Officer shall issue to an owner of any place where disinfection is carried out under this regulation a certificate in the form prescribed as Form 1 in the Fifth Schedule.”.</p>
Regulation 10	Delete the word “licence” and substitute therefor the word “certificate”.
Regulation 14	<p>Delete the word—</p> <p style="padding-left: 40px;">(a) “licence” wherever it appears and substitute therefor in each case, the word “certificate”;</p> <p style="padding-left: 40px;">(b) “licensed” in paragraph (2)(d) and substitute therefor the word “certified”.</p>
Regulation 16	<p>In paragraph (2)—</p> <p style="padding-left: 40px;">(a) insert immediately after the words “sent by telegraph”, the words “electronic mail or facsimile”;</p> <p style="padding-left: 40px;">(b) delete the words “given by telegraph”, and substitute therefor the words “such telegraph, electronic mail or facsimile”.</p>
Regulation 18	<p>1. In the marginal note, delete the words “No. 1” and substitute therefor the numeral “3”.</p> <p>2. Delete the words “Form No. 1” and substitute therefor the words “Form 3”.</p>
Regulation 19	<p>1. Delete from the marginal note the words “Form No. 2”, “Form No. 3”, “Form No. 4”, “Form No. 5” and “Form No. 6” and substitute therefor, respectively, the words “Form 4”, “Form 5”, “Form 6”, “Form 7” and “Form 8”.</p> <p>2. In paragraph (1), delete—</p> <p style="padding-left: 40px;">(a) from subparagraph (a) the words “Form No. 2” and substitute therefor the words “Form 4”;</p>

<u>Provision</u>	<u>Amendment</u>
	<ul style="list-style-type: none"> <li>(b) from subparagraph (b) the words “Form No. 3” and substitute therefor the words “Form 5”;</li> <li>(c) from subparagraph (c) the words “Form No. 4” and substitute therefor the words “Form 6”;</li> <li>(d) from subparagraph (d) the words “Form No. 5” and substitute therefor the words “Form 7”.</li> </ul>
	3. In paragraph (2), delete the words “Form No. 6” and substitute therefor the words “Form 8”.
Regulation 20	<p>Delete the regulation and substitute therefor the following—</p> <p>“ 20.—(1) An Inspector may, with the written authority of the Chief Food Storage Officer, take photographs of any part of any place or vehicle or use a recording device to record images of any part of any place or vehicle, entered by such Inspector under section 4(1) or 5(2) of the Act.</p> <p>(2) Subject to paragraph (1), a written authority given by the Chief Food Storage Officer under paragraph (1), may relate to the taking of photographs or the use of a recording device on one particular occasion or generally.”.</p>
New regulations 22 and 23	<p>Insert next after regulation 21, the following as regulations 22 and 23—</p> <p>“ 22.—(1) The Chief Food Storage Officer shall issue a certificate of compliance in the form prescribed as Form 9 in the Fifth Schedule to the owner of the premises, where it is determined that the owner of the premises has complied with the provisions of these Regulations.</p> <p>(2) The owner of the premises shall display the certificate referred to in paragraph (1) in a conspicuous place on the premises.</p> <p>(3) An owner of the premises who fails to display the certificate referred to in paragraph (1) commits an offence.</p>

Provision

Amendment

23.—(1) The Chief Food Storage Officer may suspend a certificate issued under regulation 22, where there is any contravention of the provision of these Regulations.

(2) Where there is a breach of these Regulations the Chief Food Storage Officer shall issue a notice to the owner of the premises in the form prescribed as Form 10 in the Fifth Schedule no later than the time stated in the notice.

(3) The owner of the premises, who receives a notice under paragraph (2), shall adhere to the recommendations for remedying the breach referred to in the notice within the time stated in the notice.

(4) Where an owner to whom a notice is issued under paragraph (2) fails to remedy the breach concerned, within the time specified in the notice, the Chief Food Storage Officer shall revoke the certificate issued under regulation 22.

(5) An owner or occupier may on revocation of a certificate issued to that owner or occupier under this regulation reapply in the form prescribed.”.

First Schedule

1. Delete paragraph 1(2) and substitute therefor the following—

“ (2) For the purposes of this Schedule, the Local Authority in respect of any parish shall be the Municipal Corporation of that parish.”.

2. In paragraph 3, delete—

(a) from subparagraph (a)—

- (i) the words “2 feet 4 inches” wherever they appear and substitute therefor, in each case, the words “70 centimetres”;
- (ii) the words “12 inches” and substitute therefor the words “30 centimetres”;

Provision

---

Amendment

---

- (iii) the words “4 inches” and substitute therefor the words “10 centimetres”;
    - (b) from subparagraph (b), the words “24 inches” and substitute therefor the words “60 centimetres”.
- 3. In paragraph 4(1), delete the words “24 inches” and substitute therefor the words “60 centimetres”.
- 4. In paragraph 5, delete—
  - (a) the words “6 inches” and substitute therefor the words “15 centimetres”;
  - (b) the words “2 inches” and substitute therefor the words “5 centimetres”.
- 5. In paragraph 6, delete—
  - (a) from subparagraph (1)—
    - (i) the words “2 inches” and substitute therefor the words “5 centimetres”;
    - (ii) the words “6 inches” and substitute therefor the words “15 centimetres”;
  - (b) from subparagraph (3), the words “one-quarter inch” and substitute therefor the words “6 millimetres”.
- 6. In paragraph 7, delete—
  - (a) the words “6 inches” wherever they appear and substitute therefor, in each case, the words “15 centimetres”;
  - (b) the words “2 inches” and substitute therefor the words “5 centimetres”.
- 7. In paragraph 9, delete the words “one-quarter inch” and substitute therefor the words “6 millimetres”.

## Provision

## Amendment

8. In paragraph 10, delete the words “one-quarter inch” and substitute therefor the words “6 millimetres”.

9. In paragraph 11, delete the words—

- (a) “one quarter inch” and substitute therefor the words “6 millimetres”;
- (b) “12 inches” and substitute therefor the words “30 centimetres”.

10. Delete paragraph 13 and substitute therefor the following—

“ 13. All windows capable of being operated shall be covered with metal formed hardware cloth screens or tight-fitting metal screens.”.

11. In paragraph 14, delete—

- (a) from subparagraph (c)(ii)—
  - (i) the words “12 inches” and substitute therefor the words “30 centimetres”;
  - (ii) the words “9 inches” and substitute therefor the words “23 centimetres”;
  - (iii) the words “one-quarter inch” and substitute therefor the words “6 millimetres”;
- (b) from subparagraph (c)(iii)—
  - (i) the words “18 inches” and substitute therefor the words “45 centimetres”;
  - (ii) the words “one-quarter inch” and substitute therefor the words “6 millimetres”;
- (c) from subparagraph (c)(iv)—
  - (i) the words “18 inches” and substitute therefor the words “45 centimetres”;

ProvisionAmendment

- (ii) the words “9 inches” and substitute therefor the words “23 centimetres”;
  - (iii) the words “one-quarter inch” and substitute therefor the words “6 millimetres”;
- (d) from subparagraph (c)(v)—
- (i) the words “1 inch” and substitute therefor the words “25 millimetres”;
  - (ii) the words “one-quarter inch” and substitute therefor the words “6 millimetres”;
  - (iii) the words “18 inches” wherever they appear and substitute therefor, in each case, the words “45 centimetres”;
- (e) from subparagraph (c)(vi)—
- (i) the words “1 inch” and substitute therefor the words “25 millimetres”;
  - (ii) the words “24 inches” and substitute therefor the words “60 centimetres”;
  - (iii) the words “one-quarter inch” and substitute therefor the words “6 millimetres”;
  - (iv) the words “18 inches” and substitute therefor the words “45 centimetres”;



Provision

---

Amendment

---

- (f) from subparagraph (c)(vii)—
  - (i) the words “18 inches” and substitute therefor the words “45 centimetres”;
  - (ii) the words “one-quarter inch” and substitute therefor the words “6 millimetres”;
- (g) from subparagraph (c)(viii), the words “one-quarter inch” and substitute therefor the words “6 millimetres”.

12. In paragraph 15, delete the words “one-quarter inch” and substitute therefor the words “6 millimetres”.

13. In paragraph 16, delete the words “3 feet” and substitute therefor the words “90 centimetres”.

14. In paragraph 17, delete the words “one-quarter inch” and substitute therefor the words “6 millimetres”.

15. In paragraph 18, delete—

- (a) the words “3 feet” and substitute therefor the words “90 centimetres”;
- (b) the words “one-quarter inch” and substitute therefor the words “6 millimetres”.

16. In paragraph 19, delete the words “one-quarter inch” and substitute therefor the words “6 millimetres”.

17. In paragraph 25(2), delete the words “twelve inches” and substitute therefor the words “30 centimetres”.

18. In paragraph 26, delete the words “6 inches” and substitute therefor the words “15 centimetres”.

Provision <hr style="width: 10%; margin: 0 auto;"/>	Amendment <hr style="width: 10%; margin: 0 auto;"/>
	19. In paragraph 27(2), delete the words “one-quarter inch” and substitute therefor the words “6 millimetres”.
Second Schedule	Delete the Second Schedule and substitute therefor the following—
	SECOND SCHEDULE (Regulations 9 and 19)
	<i>Part I</i>
	Phosphine
	Mixtures of phosphine and carbon dioxide
	<i>Part II</i>
	Pirimiphos-methyl
	Pyrethrins and synergized pyrethrins
	<i>Part III</i>
	Bendiocarb
	Chlorpyrifos-methyl
	Cyfluthrin
	lambda-Cyhalothrin
	Deltamethrin
	Diazinon
	Permethrin
	Pirimiphos-methyl
	Propoxur
	Pyrethrins and pyrethroid combinations
	Synergized pyrethrins and pyrethroids
	<i>Part IV</i>
	<i>Rodenticides</i>
	Brodifacoum
	Bromodialone
	Chlorophacinone
	Coumatetralyl
	Diphacinone
	Difenacoum
	Flocoumafen
	Pindone
	Warfarin

*Insecticides*

Abamectin  
Borax  
Boric acid  
Hydramethylnon  
Imidachloprid

*Part V*

Pirimiphos-methyl

*Part VI*

Phosphine  
Mixtures of phosphine and carbon dioxide

*Part VII*

*Rodenticides*

Brodifacoum  
Bromodialone  
Chlorophacinone  
Coumatetralyl  
Diphacinone  
Difenacoum  
Flocoumafen  
Pindone  
Warfarin

*Insecticides*

Abamectin  
Borax  
Boric acid  
Hydramethylnon  
Imidachloprid

*Part VIII*

Bendiocarb  
Chlorpyrifos-methyl  
Cyfluthrin  
lambda-Cyhalothrin  
Deltamethrin  
Diazinon  
Permethrin

Pirimiphos-methyl

Propoxur

Pyrethrin and pyrethroid combinations

Synergized pyrethrins and pyrethroids

Note: All substances shall be used in accordance with the manufacturer's label."

Third Schedule

1. In paragraph 4(1)(h), delete the words "Part IX of the Second Schedule to be dry-cleaned at least once every six days in which it has been so worn" and substitute therefor the words "the Second Schedule to be cleaned in the manner, and at intervals, approved by the Chief Food Storage Officer".
2. In paragraph 14(i)(b), insert immediately after the word "used", the words "and the active ingredients and formulation, in respect thereof".
3. In paragraph 15(1)(iii), insert immediately after the words "telephone numbers" the words "or identifying any other means of communication".
4. In paragraph 16, delete subparagraphs (3) and (4).
5. In paragraph 17, delete subparagraphs (a) and (b).

Fourth Schedule

1. Delete from the heading, the word "Licences" and substitute therefor the word "Certificates".
2. In paragraph 1, delete the word "licence" wherever it appears and substitute therefor in each case the word "certificate".
3. In paragraph 2, delete—
  - (a) the word "licences" and substitute therefor the word "certificates";
  - (b) from column (1), the word "licence" and substitute therefor the word "certificate".
4. Renumber paragraph 2 as paragraph 2(1) and insert the following as subparagraph (2)—
  - " (2) Any person authorized by the Chief Food Storage Officer as an operator shall be issued with a certificate as specified in column (1) of this paragraph."

5. In column (1), insert in item A, immediately after the word "spraying," the words "dusting or insect-baiting,".

6. Delete from column (2), in relation to item A—

- (a) the proviso in relation to (a), (b), (c) and (d) and substitute therefor the following—

“ Provided that the treatments specified in paragraphs (a), (b), (c) and (d) above may be carried out as specified in the certificate of the substances specified in Part I of the Second Schedule;”;

- (b) paragraph (e);

- (c) paragraph (g) and substitute therefor the following—

“ (g) treatment of buildings, places or vehicles in which food is, or is likely to be kept for sale or stored or manufactured—

- (i) with any of the insecticides specified in paragraph (f), applied as a thermally-generated fog or mechanically-generated mist-spray; or

- (ii) with any of the insecticides specified in Parts III and IV of the Second Schedule;”;

- (d) from paragraph (h), the word “licence” and all the words appearing thereafter and substitute therefor the word “certificate”.

7. Delete from column 2 in relation to item B, paragraph (d) and substitute therefor the following—

“ (d) fumigation of grain storage bins:

Provided that the treatments specified at paragraphs (a), (b), (c) and this paragraph may be carried out with any one of the substances specified in Part I of the Second Schedule as specified in the certificate;”.

8. Delete items C, D, E, F and G and insert the following as items C, D and E—

- “ C— Authorized operator— spraying, dusting, insect-baiting, misting and fogging of food or buildings or both and rodent baiting
- (a) treatment of food contained in unlined and unprotected cloth bags or sacks or similar permeable containers with any of the substances specified in Part II of the Second Schedule;
- (b) treatment of buildings, places or vehicles in which food is or is likely to be kept for—
- (i) sale; or
- (ii) stored or manufactured, with any of the—
- (A) substances specified in Part II of the Second Schedule, applied as a thermally-generated fog or mechanically-generated mist-spray;
- (B) insecti-cides specified in Parts III and IV of the Second Schedule;
- (c) rodent-baiting treatments employing any of the rodenticides listed in Part IV of the Second Schedule.

- D— Authorized operator — spraying, dusting, insect baiting, misting and fogging of food or buildings or both
- (a) treatment of food contained in unlined and unprotected cloth bags or sacks or similar permeable containers with any of the substances specified in Part II of the Second Schedule;
- (b) treatment of buildings, places or vehicles in which food is or is likely to be kept for sale or stored or manufactured, with any of the—
- (i) substances specified in Part II of the Second Schedule, applied as a thermally-generated fog or mechanically-generated mist-spray;
- (ii) insecticides specified in Part III and IV of the Second Schedule.
- E— Authorized operator-rodent baiting
- rodent-baiting treatments employing any of the rodenticides listed in Part IV of the Second Schedule.”.

9. Delete paragraph 3(1) and substitute therefor the following—

“ 3.—(1) The minimum qualifications required of the applicant for the certificates above respectively referred to, or of persons to be named in the certificates as operators shall be as follows—

- (a) certificate A—
- (i) a science degree obtained in a relevant area of study

at a university approved by the Minister, and a subsequent period of special training including practical experience;

- (ii) a special diploma in a relevant area of study approved by the Minister and a period of twelve months' practical experience;
- (iii) a period of training not shorter than eighteen months with a commercial organization; or
- (iv) training in a relevant area of study approved by the Chief Food Storage Officer;

(b) certificate B—

- (i) extensive experience of a wide variety of fumigation work with the fumigants specified in Part I of the Second Schedule, obtained during a period not shorter than eighteen months; or
- (ii) training from a body approved by the Chief Food Storage Officer;

(c) certificate C—

- (i) seven days' intensive training in the use of spraying equipment and an additional like period of detailed instruction in the principles underlying the safe use of insecticides on



food or in any place or vehicles in which food is or is likely to be kept for sale or stored or manufactured;

- (ii) for rodent baiting, not less than three months' practical experience, or a training period not shorter than one month, including detailed instruction in the use of a variety of rodenticides; or
- (iii) training from a body approved by the Chief Food Storage Officer;

(d) certificate D—

- (i) seven days' intensive training in the use of spraying equipment and an additional like period of detailed instruction in the principles underlying the safe use of insecticides on food or in any place or vehicles in which food is or is likely to be kept for sale or stored or manufactured; or
- (ii) training from a body approved by the Chief Food Storage Officer;

(e) certificate E—

- (i) not less than three months' practical experience in rodent-baiting, or a training period not shorter than one month, including detailed instruction in the use of a variety of rodenticides; or

- (ii) training from a body approved by the Chief Food Storage Officer.”.

Fifth Schedule

In Forms 1, 2, 3, 4, 5 and 6—

- (a) delete the words “Ministry of Marketing and Commerce” and substitute therefor the words “Ministry responsible for Commerce”;
- (b) renumber the forms as Forms 3, 4, 5, 6, 7 and 8, respectively; and
- (c) insert immediately before Form 3, as renumbered, the following as Forms 1, 2A, 2B, 2C, 2D and 2E—

“ FORM 1 (Regulation 8(3))

*The Food Storage and Prevention of Infestation Act*

*Certificate of Disinfestation*

To: .....

Address:.....

With reference to ..... you are hereby notified that the article(s) was/ were hereby .... by Inspector ... at ...

Parish..... Date.....

.....

*Inspector*

.....

*Date*

“ FORM 2A (Regulation  
14(1))

*Government of Jamaica*  
*Food Storage and Prevention of*  
*Infestation Division*

hereby awards this

Certificate A to

---

an authorized operator, for fumigation,  
spraying, dusting, insect-baiting,  
misting, fogging and rodent-baiting  
under the Food Storage and Prevention  
of Infestation Act and Regulations, 1973

---

*Chief Food Storage*  
*Officer*

---

*Date*

This certificate shall bear the seal of the  
Food Storage and Prevention of  
Infestation Division

FORM 2B (Regulation  
14(1))

*Government of Jamaica*  
*Food Storage and Prevention of*  
*Infestation Division*

hereby awards this

Certificate B to

---

an authorized operator—fumigation  
(General) under the Food Storage and  
Prevention of Infestation Act and  
Regulations, 1973

---

*Date*

---

*Chief Food Storage*  
*Officer*

This certificate shall bear the seal of the  
Food Storage and Prevention of  
Infestation Division

FORM 2C (Regulation  
14(1))

*Government of Jamaica*  
*Food Storage and Prevention of*  
*Infestation Division*

hereby awards this  
Certificate C to

\_\_\_\_\_

an authorized operator—spraying,  
dusting, insect-baiting, misting and  
fogging of food or buildings or both and  
rodent-baiting under the Food Storage  
and Prevention of Infestation Act and  
Regulations, 1973

\_\_\_\_\_  
*Date*      *Chief Food Storage Officer*

This certificate shall bear the seal of the  
Food Storage and Prevention of  
Infestation Division

FORM 2D (Regulation  
14(1))

*Government of Jamaica*  
*Food Storage and Prevention of*  
*Infestation Division*

hereby awards this  
Certificate D to

\_\_\_\_\_

an authorized operator—spraying,  
dusting, insect-baiting, misting and  
fogging of food or buildings or both  
under the Food Storage and Prevention  
of Infestation Act and Regulations, 1973

\_\_\_\_\_  
*Date*      *Chief Food Storage Officer*

This certificate shall bear the seal of the  
Food Storage and Prevention of  
Infestation Division

FORM 2E (Regulation  
14(1))

*Government of Jamaica*  
*Food Storage and Prevention of*  
*Infestation Division*

hereby awards this  
Certificate E to

---

an authorized operator—rodent-baiting  
under the Food Storage and Prevention  
of Infestation Act and Regulations, 1973

---

*Date*      *Chief Food Storage Officer*

This certificate shall bear the seal of the  
Food Storage and Prevention of  
Infestation Division”.

2. Insert next after Form 8, as re-  
numbered, the following as Forms 9 and  
10—

FORM 9 (Regulation  
22)

Food Storage and Prevention of  
Infestation Act

*Certificate of Compliance*

For compliance with the Food Storage  
and Prevention of Infestation Act, 1958  
and Food Storage and Prevention of  
Infestation Regulations, 1973

---

*Chief Food Storage Officer*

Date issued:

This certificate expires on: \*

\*Any breach of the FSPI Act and  
Regulations may result in the revocation  
of this certificate

This certificate shall bear the seal of the  
Food Storage and Prevention of  
Infestation Division

FORM 10 (Regulation 23(2))

FOOD STORAGE AND PREVENTION OF INFESTATION ACT

Notice of Suspension or Revocation of Certificate of Compliance (Under regulation 23(2))

Licence No.

TO:

(Name of Holder of Certificate)

(Address) or (registered office)

WHEREAS the Minister pursuant to the Food Storage and Prevention and Infestation Act, 1958 and the Food Storage and Prevention of Infestation Regulations, 1973, authorize and issued a certificate of compliance to you indicating that you being the owner of the premises has complied with the provisions of the Act and Regulations:

AND WHEREAS the Minister is satisfied that there has been a breach of the conditions (s) subject to which the certificate is granted, as specified in the Regulations:

AND WHEREAS on the ..... day of ..... 20....., the Minister gave notice of the breach of the conditions and required herein that such action be taken or work carried out as should remedy the breach:

AND WHEREAS the Minister is satisfied that the breach has not been satisfactorily remedied:

THE MINISTER HEREBY SUSPENDS Certificate No. ....until such time as the breach has been remedied to the satisfaction of the Minister.

OR

THE MINISTER HEREBY REVOKES Certificate No. .... with effect from the

.....day of....., 20.....

You may apply in writing, to the Minister to be heard on the matter within 14 days of the day of this Notice.

Dated this.....day of....., 20.....

The effective date of this Notice is the.....day of....., 20.....

*(Signature of Minister)*

MEMORANDUM OF OBJECTS AND REASONS

A decision has been taken to amend the Food Storage and Prevention of Infestation Act, 1958, so as to—

- (a) strengthen the existing legislation including the Food Storage and Prevention Regulations, 1973, in order to ensure the safety and wholesomeness of food, in light of developments in the relevant industries;
- (b) modernize the legislation in keeping with the advancement in technologies and other changes.

This Bill, therefore, seeks to give effect to that decision.

AUDLEY SHAW  
Minister of Industry, Commerce,  
Agriculture and Fisheries





# ABILL

ENTITLED

AN ACT to Amend the Food Storage and  
Prevention of Infestation Act; and for  
connected matters.

---

As introduced by the Honourable Minister of Industry,  
Commerce, Agriculture and Fisheries.

---

---

PRINTED BY JAMAICA PRINTING SERVICES (1992) LTD.,  
(GOVERNMENT PRINTERS), DUKE STREET, KINGSTON, JAMAICA.

---

PARAGRAPHS 1, 3, 4, 5, 6, 7, 9, 10 AND 11 OF THE FIRST SCHEDULE TO  
THE FOOD STORAGE AND PREVENTION OF INFESTATION  
REGULATIONS WHICH IT IS PROPOSED TO AMEND

A. GENERAL REQUIREMENTS

1.—(1) All plans, sections, elevations, and specifications for construction repair, remodelling, or any other structural alterations to building to which this Schedule applies shall be in accordance with the building regulations of the local authority in which such buildings are situated or such proposed buildings are to be constructed.

(2) For the purposes of this Schedule the local authority in respect of the parishes of Kingston and St. Andrew shall be the Council of the Kingston and St. Andrew Corporation as constituted under the Kingston and St. Andrew Corporation Act, and in respect of any other parish, the Parish Council of that parish as constituted under the Parish Councils Act.

3.—(a) Where foundation walls do not extend more than 2 feet 4 inches below the ground level, a concrete curtain wall shall be provided (unless the foundation are seated directly on hard rock) which shall extend 2 feet 4 inches below ground level and shall have an exterior lip projecting at least 12 inches and at least 4 inches thick.

(b) Buildings erected on piers shall either have a clearance of at least 24 inches at every point between the underside of the lowest floor and the surface of the ground, or shall have the space under the lowest floor enclosed by a continuous screen of wire gauze or perforated or expanded metal of the gauge and dimensions required by sub-paragraph (c)(viii) of paragraph 14.

4.—(1) Where loading platforms are apart from a building, their supports shall not be boxed in and there shall be a clearance of at least 24 inches between the underside of the platform and the surface of the ground, or the space length beneath the platform shall be enclosed as required by sub-paragraph (b) of paragraph 3.

(2) Loading platforms which are part of a building shall as the circumstances may require comply with the requirements of sub-paragraph (a) or (b) of paragraph 3.

*Enclosed Spaces between Upper Ceilings and Roofs*

5. Enclosed spaces between upper ceilings and roofs shall be rodent-proofed and shall also be easily accessible for inspection by way of a trap-door or similar means. If the walls are not built up between ceiling joists and rafters, the ceiling boards (or attic floor boards) shall be protected by continuous sheet metal

flashing, extending at least 6 inches inwards from the edge of the floor or ceiling, downwards from the edge between the joists or rafters, and turned in 2 inches into the wall.

6. (1) Unless external walls are built up by concreting to the level of the underside of the roof, the junction between the roofs and walls shall be rodent-proofed by the use of continuous metal flashing, so, however, that such metal flashing shall be turned in at least 2 inches under the roof plate and shall extend at least 6 inches along the underside of the roof.

(2) Where there are enclosed eave spaces all gnawing edges at the eaves shall be flashed with continuous metal sheeting, and such spaces shall be completely rodent-proofed.

(3) Any opening for ventilation in the eaves shall be continuously protected by hardware cloth or expanded metal so that no openings are greater than one-quarter inch.

#### *Parapet Walls*

7. Parapet walls shall be rodent-proofed by the use of metal flashing which shall enter the parapet wall at a distance of at least 6 inches above the roof cap, extend at least 2 inches into the parapet wall and shall extend at least 6 inches along the roof away from the parapet wall.

#### *Foundation Vents*

9. Foundation vents shall be covered for their entire length and width with metal grills metal gratings, or perforated sheet metal and openings shall not be greater than one-quarter inch, however measured.

### C. REQUIREMENTS NOT AFFECTING PRIMARY CONSTRUCTION METHODS

#### *Floor Drain Plates*

10. Floor drains and all other drains shall be fitted with grind plates installed so that no openings are greater than one-quarter inch.

#### *Exterior doors*

11. All exterior doors shall fit to within one-quarter inch at the top, bottom and sides and where constructed of wood, shall be fitted with metal kick-plates at least 12 inches high and wooden door frames shall be similarly protected. All rolling, sliding or curtain doors shall have continuous double guides at the sides and bottoms and all exterior doors other than the main loading or unloading doors of warehouses shall be fitted with automatic closing devices.

PARAGRAPHS 13, 14, AND 15 OF THE FIRST SCHEDULE TO THE FOOD STORAGE AND PREVENTION OF INFESTATION REGULATIONS WHICH IT IS PROPOSED TO AMEND

*Windows*

13. All windows capable of being opened shall be covered with metal framed hardware cloth screens or tight-fitting metal screens if

- (a) the window sill is less than 3 feet above ground level or the level of any adjacent structure;
- (b) there are or are likely to be trees or shrubbery nearby;
- (c) there is any roof or ledge of any building within 8 feet of the window sill, measured in a horizontal direction;
- (d) there are service wires nearby;
- (e) there are any other possible ways by which rodents could reach the window;

except that in cases covered by sub-paragraphs (d) and (e) rodent guards adequate to prevent the passage of rodents along these routes may be provided as an alternative.

*Rodent Guards*

14. Where rodent guards are used for preventing the passage of rodents along cables, wires or the outsides of pipes—

- (a) such guards shall not be used on high voltage wires or cables;
- (b) all other electrical wires shall be adequately insulated from such guards; and
- (c) such guards shall conform to the following specifications, that is to say—
  - (i) cone, half-cone, barrel and collar guards shall be of metal steel of 24 gauge or heavier, and flat guards shall be of sheet metal at least as heavy as 26 gauge;
  - (ii) half-cone guards may be used on vertical pipes or wires running along wall surfaces but shall be at least 12 inches from base to apex, and at the base shall stand out at least 9 inches from the pipe or wire. The apex shall fit to within one-quarter inch of the pipe or wire, and the sides, where attached to the wall, shall fit tightly against the surface of the wall;

- (iii) cone guards may be used on a horizontal pipe or wire at the point at which the pipe or wire meets the wall but shall stand out at least 18 inches from the pipe or wire, and shall fit at the apex to within one-quarter inch of the pipe or wire;
- (iv) cylindrical (otherwise known as "barrel") guards may be used on pipes or wires running vertically along a wall surface but shall be at least 18 inches long, and shall stand out at least 9 inches from the pipe or wire, and shall be closed at the top to within one-quarter inch of the pipe or wire;
- (v) flat guards may be fitted to pipes smaller than 1 inch in diameter or wires running vertically on a wall surface but shall be at least 18 inches high and shall fit to within one-quarter inch of the pipe or wire, and shall extend at least 13 inches on either side of the pipe or wire, which extensions shall fit tightly against the wall and be fastened to it by nails, bolts or screws along top and bottom edges only;
- (vi) flat guards may be fitted to a pipe smaller than 1 inch in diameter or wire running horizontally on a wall surface but shall extend at least 24 inches along the pipe or wire and shall fit to within one-quarter inch of the pipe or wire, and shall extend at least 18 inches on either side of the pipe or wire, which extensions shall fit tightly against the wall and be fastened to it by nails, bolts or screws along vertical edges only;
- (vii) where collar guards are used for rodent-proofing holes in floors or walls through which pipes, cables or wires pass, such guards shall extend outwards at least 18 inches from the pipes, cables or wires, and shall fit at the neck to within one-quarter inch of the pipes, cables or wires, and shall be securely fastened tightly against the floor or wall; and
- (viii) where perforated screens are used to exclude rodents, such screens shall be constructed of expanded or perforated metal or of wire gauze of the required gauge respectively, and shall be such, or shall be so used, that perforations or openings in the screens do not exceed one-quarter inch, however measured.

*Exhaust fan openings*

15. All exhaust fans openings that can be reached by rodents shall be protected by the use of wire gauze screening having openings not greater than one-quarter inch, however measured or by movable louvres that close automatically when the fan ceases operation.

PARAGRAPHS 16, 17, 18, 19, 25, 26 AND 27 OF THE FIRST SCHEDULE TO  
THE FOOD STORAGE AND PREVENTION OF INFESTATION  
REGULATIONS WHICH IT IS PROPOSED TO AMEND

*Fire escapes*

16. Fire escapes of the swinging type shall terminate at least 3 feet above the surface of the ground.

*Mail Slots*

17. Where any mail slot is wider than one-quarter inch, a hinged spring cover shall be installed.

*Water and sewer vent stacks*

18. Water and sewer vent stacks shall extend at least 3 feet vertically above the nearest building projection or shall be capped with wire gauze having a mesh not wider than one-quarter inch, however measured.

*Skylights, trapdoors and ventilators*

19. Skylights and trapdoors shall fit snugly into a rabbeted or rebated frame, which shall be constructed of metal or be metal-covered. Adjustable skylights which can be opened for ventilation and ventilators shall be screened with perforated or expanded metal or wire gauze having a mesh not greater than one-quarter inch, however measured.

*Shelves and other fixtures*

25.—(1) Shelves and fixtures shall consist of rodent-proofed material or be devoid of boxed-in spaces and fixtures, if of metal and of the enclosed type, shall be fitted tightly against the adjoining walls and floors.

(2) Counters and display fixtures shall be devoid of enclosed spaces either by being elevated twelve inches above the floor, or by being installed in rodent-proof sanitary bases.

*Partition walls*

26. Whenever possible, partition walls shall be solid and where any double-cased wooden partition wall is used, the bottom of the wall shall be protected by a continuous sheet metal flashing extending across the bottom and for at least 6 inches up either side and the top of the wall and all exposed corners and edges shall be similarly protected.

*Opening for service pipes, etc.*

27.—(1) Any openings made in external walls, double walls, floors or ceilings for the passage of pipes, wires or other service lines shall be closed by—

- (a) the installation of approved metal collars securely fastened to the adjoining structure; or
- (b) building in the pipes, wires or other service lines with cement mortar.

(2) Where metal hot water pipes, or other pipes subject to marked expansion and contraction are built in as under sub-paragraph (1)(b), they shall be enclosed, where they pass through the wall, floor or ceiling, in metal sleeves allowing a clearance not exceeding one-quarter inch.

SECOND SCHEDULE TO THE FOOD STORAGE AND PREVENTION OF  
INFESTATION REGULATIONS WHICH IT IS PROPOSED TO AMEND

SECOND SCHEDULE

(Regulations 9  
and 19)

*Part I*

Methyl bromide  
Ethylene dibromide  
Ethylene dichloride  
Ethylene oxide  
Carbon tetrachloride  
Chloropicrin  
Hydrogen cyanide  
Phosphine  
Sulphur dioxide  
Carbon bisulphide  
Mixtures containing any of the substances specified in this Part

*Part II*

Lindane  
Pyrethrins and synergised pyrethrins  
Malathion

*Part III*

Chlordane  
Diazinon  
Dicapthon  
Silica-based sorptive dusts  
Bromophos  
Bichlorvos  
Fenchlorophos  
Fenitrothion  
Gardona  
Iodofenphos



*Part IV*

Blood anti-coagulants  
 Red Squill  
 Barium carbonate  
 Arsenicals  
 Zinc phosphide  
 Phosphorus  
 Sodium Fluoroacetate ("1080")  
 Strychnine  
 Thallium sulphate  
 Alpha naphthyl thiourea ("Antu")  
 Mixtures containing any of the substances specified in this Part

*Part V*

<u>Substances</u>	<u>Permitted Use</u>
Lindane:	<p>(a) The treatment of raw whole grains or pulses, at application rates leaving a total active residue not exceeding [2.5] parts per million by weight; or</p> <p>(b) as a space treatment (where all food present during the treatment is covered or enclosed) applied by means of a proprietary brand of thermal smoke-generator in strict accordance with the directions of the manufacturers.</p>
Malathion:	The treatment of raw whole grains, pulses or oilseeds, at application rates leaving a total active residue not exceeding 10 parts per million by weight.

*Part VI*

Methyl bromide  
 Ethylene dibromide  
 Carbon bisulphide  
 Hydrogen cyanide  
 Phosphine  
 Mixtures containing any of the substances specified in this Part

*Part VII*

Arsenic or Arsenicals  
Zinc phosphide  
Phosphorus  
Sodium Fluoroacetate ("1080")  
Strychnine  
Thallium Sulphate  
Alpha naphthyl thiourea ("Antu")  
Mixtures containing any of the substances specified in this Part

*Part VIII*

Chlordane  
Diazinon  
Dicapthon  
Bromophos  
Dichlorvos  
Fenchlorophos  
Fenitrothion  
Gardona  
Iodofenphos

*Part IX*

Chlordane  
Lindane

PARAGRAPHS 4 AND 14 OF THE THIRD SCHEDULE TO THE FOOD  
STORAGE AND PREVENTION OF INFESTATION REGULATIONS WHICH  
IT IS PROPOSED TO AMEND

*Provision of Washing Facilities*

- 4.—(1) The employer of a worker who carries out specified operations—
- (a) shall, at a place which is conveniently accessible but is outside the area in which the worker might be in danger of poisoning by any specified substance used by him, provide adequate and suitable washing facilities including soap and clean towels and either a supply of piped water or clean water in containers (clearly marked "Personal washing only") for the personal use of the worker;
  - (b) shall require each of his workers to make appropriate use of the washing facilities provided and in particular to wash the whole body at the end of each working day in which the worker has been engaged in work which involves the handling or application of specified substances and for which the worker is required by this Schedule to wear overalls;

- (c) shall provide a supply of wholesome drinking water, clean drinking vessels and suitable facilities for keeping any food or drink intended for the workers' consumption free from risk of contamination by a specified substance;
- (d) shall (except where a supply of piped water is available) provide clean water in a container for the washing or cleaning of the protective clothing (other than overalls, hoods, respirators, or dust-masks) which the worker has worn;
- (e) shall at the end of each day's operations cause to be washed with water (or where appropriate with water and a suitable detergent) all protective clothing (other than overalls, hoods, respirators, or dust-masks) which the worker has worn during the day's operations in connection with the use of a specified substance and shall as respects—
  - (i) rubber gloves, cause the insides as well as the outsides to be so washed;
  - (ii) respirators and dust masks, cause them to be both cleaned and ventilated;
- (f) so far as it is practicable so to do, shall keep the exterior of all spraying apparatus, tanks and containers which contain or have contained a specified substance, free from contamination by any such substance;
- (g) shall keep securely closed or covered the openings of all tanks or containers in which a specified substance is stored when not in use; and
- (h) shall cause every overall which has been worn in connection with the use of a substance specified in Part IX of the Second Schedule to be dry-cleaned at least once in every six days in which it has been so worn and also whenever by reason of the presence of stains of such substance thereon there are reasonable grounds for apprehending that a worker may be in danger of poisoning.

(2) For the purpose of sub-paragraph (1)(a), in considering whether a place is conveniently accessible account may be taken of any transport provided for workers at appropriate times; and in considering whether washing facilities are adequate and suitable at any time and place regard shall be had to the number of workers for whom such facilities are required at that time and place.

*Duty of operator*

14. In every case where any food is treated with any of the substances in Parts I, II, III and IV of the Second Schedule (being substances which may be used by licensed operators only) it shall be the duty of the person responsible for the execution of the treatment—

- (i) to give to the owner or person in charge of the food a written notice giving the following details of the treatment—
  - (a) information identifying the place, or vehicles concerned and the food treated;
  - (b) the name of the substance used;
  - (c) the method and rate of application;
  - (d) in the case of a fumigant, the dosage rate, the period of duration of the fumigation and the method of fumigation (that is to say, whether under gas-proof sheets, or in a gas-tight chamber, or as a general fumigation of a building or part of a building);
  - (e) the date of the treatment; and
- (ii) to keep among his own records a true copy of that notice and to produce that copy and all such records, if so required by an inspector.

PARAGRAPHS 15, 16 AND 17 OF THE THIRD SCHEDULE TO THE FOOD STORAGE AND PREVENTION OF INFESTATION REGULATIONS WHICH IT IS PROPOSED TO AMEND

*Treatment of food by fumigation with any fumigant*

15.—(1) Any person responsible for the execution of any such treatment shall cause a warning notice in an approved form—

- (i) specifying the fumigant used;
- (ii) bearing the name and address of the operator; and
- (iii) bearing any other addresses and telephone numbers at or by means of which the operator may be found,

to be conspicuously displayed throughout the treatment and until the fumigated space and any surrounding or adjacent enclosed space is sufficiently clear of the fumigant as to permit persons not wearing gas-masks to enter such space without danger to them.

*Treatment by fogging or misting of places or vehicles in which food is present*

16.—(1) Except where the active pesticidal ingredient is pyrethrin alone or a mixture of pyrethrin with piperronyl-butoxide or any other synergist which does not increase the mammalian toxicity of the mixture such a treatment shall not be carried out in any place or vehicle in which any food is exposed to the treatment, other than raw unprocessed cereal grains or food contained in closely-woven jute sacks or in other containers not more permeable than such sacks.

(2) Except where the substance used is pyrethrin alone or synergised pyrethrin as provided above, the treatment shall be carried out as a space treatment and not as a surface treatment, and in particular the fog or mist-spray shall not be directed from a distance of less than 10 feet at the surface of any stack or heap of food (other than food in completely impermeable containers).

(3) Where malathion is used by means of mechanical mist generators for these treatments, the dosage rate per 10,000 cu. ft. of free space shall not exceed in any week one pint of a 2½ % solution.

(4) The application rate for any mixture shall not exceed 1 gallon per 40,000 cu. ft. of free space unless the mixture contains at least 50 % non-inflammable additives.

(5) The operator responsible for carrying out the treatment shall take steps to ensure that no person unless equipped with the appropriate clothing enters the treated building or place until—

- (a) a period of twelve hours has elapsed since the treatment was carried out; or
- (b) the treated building or place has been thoroughly ventilated for at least one hour;

and where thermal fog generators are used, shall ensure that during the treatment and until the fog has settled or dispersed approved warning notices are conspicuously displayed outside any treated place or vehicle, stating the nature of the treatment and that the treatment may result in visible leakage of the fog.

*Insecticidal Smoke Generators*

17. In the use of insecticidal smoke generators in accordance with these Regulations, the following precautions shall be observed—

- (a) generators shall not be used at dosage rates higher than those recommended by the manufacturers;
- (b) all safety precautions recommended by the manufacturers shall be observed;

- (c) food shall not be permitted to be present during the treatment unless protected by being in a closed container or by being completely under a covering, and such container or covering to be not more permeable than closely-woven sack-cloth;
- (d) during the treatment and until the smoke has settled or dispersed, approved warning notices shall be conspicuously displayed outside any treated place or vehicle, stating the nature of the treatment and that the treatment may result in visible leakage of smoke;
- (e) the operator responsible for carrying out the treatment shall take steps to ensure that no person not equipped with the appropriate clothing enters the treated building or part of a building until—
  - (i) a period of twelve hours has elapsed since the treatment was carried out; or
  - (ii) the treated building or part of a building has been thoroughly ventilated for at least one hour.

FOURTH SCHEDULE TO THE FOOD STORAGE AND PREVENTION OF  
INFESTATION REGULATIONS WHICH IT IS PROPOSED TO AMEND

FOURTH SCHEDULE (Regulation 14)

*Licences Authorizing Operators to carry out Certain Disinfestation  
Treatments*

1. Any person named as an operator in any licence specified in this Schedule is empowered, subject to the Act and these Regulations, to carry out, by himself or by a servant or agent on his behalf in or upon any place where any article to which the Act applies is kept for sale, stored or manufactured, any treatment specified in the relevant licence and, except as otherwise provided by these Regulations, no other treatment.

2. The licences specified in column (1) of this paragraph shall empower the holders thereof respectively to carry out all or any of the treatments specified in column (2) of this paragraph.

(1)	(2)
<i>Designation and nature of licence</i>	<i>Particulars of operations authorized</i>
A— Authorized operator, for fumigation, spraying, misting, fogging and rodent-baiting	(a) fumigation of empty buildings or vehicles, or of buildings or vehicles containing food or other infested material;

(1)  
*Designation and  
nature of licence*

---

(2)  
*Particulars of  
operations authorized*

---

- (b) fumigation of food or other in-fested material in a specially designed fumigation plant approved by the Chief Food Storage Officer;
- (c) fumigation of food under gas-proof sheets;
- (d) fumigation of grain in storage bins:

Provided that the treatments specified in paragraphs (a), (b), (c) and (d) above may be carried out, as specified in the licence, with any one or more than one of the following fumigants—

- (i) methyl bromide or non-inflammable mixtures containing methyl bromide;
- (ii) hydrogen cyanide;
- (iii) phosphine;
- (iv) non-inflammable, mixtures containing carbon bisulphide;
- (v) carbon tetrachloride, ethylene dichloride or mixture of these,

(except that neither phosphine nor carbon bisulphide shall be used for the purposes specified at (a) above);

- (e) fumigation of parts of buildings or vehicles, or enclosed machinery (such as mill machinery) with fumigants

(1)

*Designation and  
nature of licence*

---

(2)

*Particulars of  
operations authorized*

---

- containing ethylene dibromide, so, however, that all food other than unavoidable small residues shall be cleared from the part or parts of the building and any machinery to be treated prior to such fumigation;
- (f) treatment of food contained in unlined and unprotected cloth bags or sacks or other similarly permeable containers with any of the following contact insecticides—
- (i) lindane;
  - (ii) malathion;
  - (iii) pyrethrins and synergised pyrethrins;
- (g) treatment of buildings, places or vehicles in which food is or is likely to be kept for sale or stored or manufactured, with any of the insecticides specified at (f) above, applied as a thermally-generated fog or mechanically-generated mist-spray;
- (h) rodent-baiting treatments involving the use of any rodenticide listed in Part IV of the Second Schedule if specified in the licence, or any of the following rodenticides—
- (i) arsenicals;
  - (ii) blood anti-coagulants;
  - (iii) zinc phosphide;
  - (iv) phosphorus pastes;



SECTION 2 OF THE CHILD CARE AND PROTECTION ACT  
WHICH IT IS PROPOSED TO AMEND

2.—(1) In this Act—

“adult” means a person who has attained the age of eighteen years;

“adult correctional centre” has the meaning assigned to it by section 2 of the Corrections Act;

“child” means a person under the age of eighteen years;

... ..

“the Council” means the Advisory Council established under this Act;

... ..

“juvenile remand centre” has the meaning assigned to it by section 2 of the Corrections Act;

“place of safety” means any place appointed by the Minister to be a place of safety for the purposes of this Act;

“Registry” means the Children’s Registry established under section 5;

... ..

SECTION 14 OF THE CHILD CARE AND PROTECTION ACT  
WHICH IT IS PROPOSED TO AMEND

14.—(1) ... ..

(2) An order under subsection (1) may—

(a) ... ..

(f) where any person found guilty of such offence is a person having the custody, charge, or care of the child, require—

(i) that person; or

(ii) the child or any other child who resides with that person,

to receive counselling for a specified period from a fit person, qualified by his knowledge of psychology or psychiatry, appointed by the court.

SECTION 24 OF THE CHILD CARE AND PROTECTION ACT  
WHICH IT IS PROPOSED TO AMEND

24.—(1) ...

(2) An order under subsection (1) may—

- (a) be a correctional order; or
- (b) provide for the child—
  - (i) to be committed to the care of any fit person, whether a relative or not, who is willing to undertake the care of the child; or
  - (ii) to be placed for a specified period, not exceeding three years, under the supervision of a probation and after-care officer, a children’s officer or of some other person to be selected for the purpose by the Minister.

SECTION 67 OF THE CHILD CARE AND PROTECTION ACT  
WHICH IT IS PROPOSED TO AMEND

67.—(1) Where a person who is apparently a child is apprehended, with or without warrant, and cannot be brought forthwith before a court, the officer or sub-officer of police in charge of the police station to which the person is brought shall act in accordance with subsection (2).

...

SECTION 76 OF THE CHILD CARE AND PROTECTION ACT  
WHICH IT IS PROPOSED TO AMEND

76.—(1) Where a child has been found guilty of any offence before a Children’s Court, that court may, subject to the provisions of this Act, make an order—

- (a) ...
- (i) under section 16B(2) of the Criminal Justice (Reform) Act (restorative justice order).

...

(8) The following provisions of the Criminal Justice (Reform) Act shall apply, with the necessary modifications, to an order under subsection (7)—

- (a) in the case of a curfew order, sections 13(2) to (6) and 14;
- (b) in the case of a mediation order, section 16(2) to (7), so, however, that the child’s parent or guardian shall be the participating party in the mediation on behalf of the child;

- (c) in the case of a community service order, section 10(2) to (5) and the proviso to section 10(1).

... ..

SECTION 91 OF THE CHILD CARE AND PROTECTION ACT  
WHICH IT IS PROPOSED TO AMEND

91.—(1) ... ..

(2) Notwithstanding the provisions of section 29 of the Interpretation Act, regulations made under this section may provide in respect of a breach of any of the provisions thereof that the offender be liable to such fine not exceeding two hundred and fifty thousand dollars or to such term of imprisonment with hard labour not exceeding three months or to both such fine and imprisonment as maybe prescribed therein.

SECTION 25 OF THE CONSTABULARY FORCE ACT  
WHICH IT IS PROPOSED TO AMEND

25. If any Officer or Sub-Officer in charge of a Police Station or lock-up shall refuse to grant bail to any person in his custody and such person shall so require, it shall be the duty of such Officer or Sub-Officer in charge of the Police Station or lock-up forthwith after being so required, to take or cause to be taken, such person before some Justice conveniently near, for the purpose of having such person dealt with by such Justice accordingly to law; and all recognizances taken before any Justice for the appearance of persons apprehended without warrant shall be taken without fee or reward by any Justice or other person whatever.

SECTION 2 OF THE CORRECTIONS ACT  
WHICH IT IS PROPOSED TO AMEND

2.—(1) In this Act unless the context otherwise requires—

“adult correctional centre” means any house, building, enclosure, or place, or any part thereof, declared to be an adult correctional centre under section 6;

... ..

“child” means a person under the age of eighteen years;

“the Commissioner” means the public officer referred to in section 3;

... ..

“functions” includes powers and duties;

... ..

“remand centre” means any house, building, enclosure, or place, or part thereof, declared to be a remand centre under section 6.

SECTION 31 OF THE CORRECTIONS ACT  
WHICH IT IS PROPOSED TO AMEND

31.—(1) Except in the circumstances mentioned in sub-section (2), where any person apparently under the age of eighteen years has been committed to any adult correctional centre, the Minister shall order such person to be transferred to a juvenile correctional centre to be kept there as if he had been committed to such centre under a correctional order.

(2) The circumstances referred to in subsection (1) are—

- (a) where under the Child Care and Protection Act a court may commit a child to such place as may be specified in the commitment warrant; or
- (b) where pursuant to that Act the Minister may direct that a child be detained in such place and under such conditions as he thinks fit; or
- (c) where a child who has not attained the age of twelve years is sentenced to imprisonment under the Gun Court Act.

SECTION 48 OF THE CORRECTIONS ACT WHICH IT IS  
PROPOSED TO AMEND

48.—(1) The managers of any institution intended for the education and training of persons to be sent there pursuant to the Child Care and Protection Act, may apply to the Minister to declare the institution to be a juvenile correctional centre, and the Minister may, after making such enquiries as he thinks fit, by order published in the Gazette declare that institution to be a juvenile correctional centre.

SECTION 50 OF THE CORRECTIONS ACT WHICH IT IS  
PROPOSED TO AMEND

50.—(1) The Minister may classify juvenile correctional centres according to—

- (a) the ages of the persons for whom they are intended;
- (b) the character of the education and training given in such centres.

and to any other considerations as he thinks will best ensure that a person sent to a juvenile correctional centre is sent to a centre that is appropriate to his case or that is necessary for the purposes of this Part.

(2) The managers of a juvenile correctional centre are obliged to accept any person who, under this Act, is sent or transferred to that centre or otherwise to their care, unless they satisfy the Minister that there are already as many persons detained in that centre or, as the case may be otherwise under their care, as is desirable.

(3) The provisions set out in the Second Schedule shall have effect in relation to the administration of juvenile correctional centres and the treatment of persons sent to them.

SECTIONS 52, 53 AND 54 OF THE CORRECTIONS ACT WHICH  
IT IS PROPOSED TO AMEND

52.—(1) A person sent to a juvenile correctional centre shall, after the expiration of the period of detention, be under the supervision of the managers of that centre until he attains the age of eighteen years.

(2) Subject to subsection (3), the managers may, and, if the Minister so directs, shall by notice in writing recall to the juvenile correctional centre any person under supervision who is, at the date of the recall, under the age of eighteen years.

(3) A person shall not be recalled pursuant to subsection (2) unless, in the opinion of the managers or, as the case may be, of the Minister, it is necessary in his interests to recall him.

(4) A person who has been recalled under subsection (2) shall be released as soon as the managers think that he can properly be released, and in no case shall be detained—

- (a) after the expiration of three months, or of such longer period not exceeding six months as the Minister may, after considering the circumstances of his case, direct; or
- (b) after attaining the age of eighteen years.

(5) The managers shall forthwith notify the Minister of the recall of any person and shall state the reasons for his recall, and when the managers release any person so recalled, they shall forthwith notify the Minister that they have done so.

(6) For the purposes of this Part—

- (a) a person who is out under supervision from a juvenile correctional centre shall be deemed to be under the care of the managers of the centre;
- (b) a person who has been recalled to a juvenile correctional centre shall be deemed to be detained there under a correctional order.

53.—(1) The Minister may, by order in writing addressed to the managers of a juvenile correctional centre, direct the release from such centre, on such conditions, if any, as may be contained in the order, of any person detained therein under a correctional order, and where the Minister has directed the release of any such person, the powers of recall conferred on the managers under section 52 shall not be exercised without the approval of the Minister.

54.—(1) The expenses of all juvenile correctional centres declared as such under section 47, including—

- (a) the salaries of the officers, inspectors and other employees of such centres;
- (b) the maintenance and clothing of persons detained therein;
- (c) the cost of conveying such persons to and from the centres; and

... ..

SECTION 56 OF THE CORRECTIONS ACT WHICH IT IS PROPOSED TO AMEND

56.—(1) Any person who has been ordered to be sent to a juvenile correctional centre and who—

- (a) ... ..
- (b) being absent from the juvenile correctional centre on temporary leave of absence or on licence, runs away from the person in whose charge he is, or fails to return to the centre at the expiration of his leave, or on the revocation of his licence as provided in the Second Schedule; or

... ..

(2) Any person who knowing—

- (a) assists or induces a person to commit any such offence as is mentioned in subsection (1);
- (b) harbours or conceals a person who has committed such an offence or prevents him from returning; or

SECTION 58A OF THE CORRECTIONS ACT WHICH IT IS PROPOSED TO AMEND

58A.—(1) ... ..

(4) In this section—

“guardian”, in relation to a child, includes any person who has for the time being the charge of, or control over, the child;

... ..

SECOND SCHEDULE FOR THE CORRECTIONS ACT WHICH  
IT IS PROPOSED TO AMEND

SECOND SCHEDULE (Section 50(3))

*Provisions as to Administration of Juvenile Correctional Centres  
and Treatment of Persons sent to such Centres*

1. No substantial addition to or diminution or alteration of the buildings or grounds of a juvenile correctional centre is to be made without the approval in writing of the Minister.

2. A minister of the religious persuasion to which a person in a juvenile correctional centre belongs may visit him at the centre on such days, at such times and on such conditions, as may be fixed by rules pursuant to section 81 for the purpose of affording him religious assistance and instruction.

3. If it appears to the managers of a juvenile correctional centre—

- (a) that a person who has been ordered to be sent to that centre requires medical attention before he can properly be received into the centre; or
- (b) that a person detained in the centre requires such attention, they may make arrangements for him to be received into and detained in any hospital, home or other institution where he can receive the necessary attention, and while so detained that person shall be regarded as being under the care of the managers of the centre.

4. At any time during the period of a person's detention in a juvenile correctional centre, the managers of the centre may grant leave to him to be absent from the centre in the charge of such person and for such period as they may think, fit, but during such leave he shall, for the purposes of this Act, be regarded as being under the care of the managers of the centre, and the managers may at any time require him to return to the centre.

5.—(1) At any time during the period of a person's detention in a juvenile correctional centre the Minister may, by licence in writing, permit him to live with his parent or with any trustworthy and respectable person (to be named in the licence) who is willing to receive and take charge of him.

(2) The Minister may at any time by order in writing revoke any licence and require the person to whom it relates to return to the centre.

(3) For the purposes of this Act, a person who is out on licence from a juvenile correctional centre shall be regarded as being under the care of the managers of the centre.

6.—(1) If a person under the care of the managers of the juvenile correctional centre conducts himself well, the managers of that centre may, with his written consent and with the written consent of the Minister, apprentice or place him in any trade, calling or service.

(2) Before exercising their powers under sub-paragraph (1), the managers shall, where it is practicable to do so, consult with the parents of the person concerned.

7.—(1) The Minister may at any time order a person under the care of the managers of a juvenile correctional centre to be transferred to the care of the managers of another such centre.

(2) On a person being transferred in accordance with sub-paragraph (1), the Minister shall cause notice of the transfer to be sent to the person liable to make contributions in respect of him.

8. Section 51(3) of this Act (which relates to religious persuasion) shall apply in relation to the transfer of persons to juvenile correctional centres.)

9. Where a person detained in a juvenile correctional centre is transferred to the care of the managers of another juvenile correctional centre he shall be conveyed to his new centre by, and at the expense of, the managers of the centre from which he is being transferred.

10.—(1) Subject to sub-paragraphs (2) and (3) all rights, powers and duties exercisable by law by a parent shall, as respects any person under the care of the managers of a juvenile correctional centre, be vested in such managers.

(2) Where a person out on licence or under supervision from a juvenile correctional centre is lawfully living with his parents or either of them the rights and powers mentioned in sub-paragraph (1) are exercisable by the parents or, as the case may be, by the parent with whom he is living; but such parent shall exercise those rights and powers so as to assist the managers to exercise control over him.

(3) The managers of a juvenile correctional centre are under an obligation to provide for the clothing, maintenance, upbringing and education of the persons under their care, except that while such a person is out on licence or under supervision, their obligation is to cause him to be visited, advised and befriended and to give him assistance (including, if they think fit, financial assistance) in maintaining himself and finding suitable employment.

11. Every person who is authorized by the Minister to take to a juvenile correctional centre a person in respect of whom a correctional order has been made shall, for that purpose, have all the powers, protection and privileges of a constable.



RULE 177 OF THE CORRECTIONAL INSTITUTION (ADULT  
CORRECTIONAL CENTRE) RULES, 1991

177.—(1) With a view to facilitating the classification of convicted inmates sentenced to imprisonment with hard labour and to minimizing the risk of contamination, the Superintendent shall classify them in accordance with the following provisions—

- (a) *young inmates' class*—Inmates under twenty-one years of age;
- (b) *star class*—Inmates of twenty-one years or over who have been sentenced to the adult correctional centre for the first time, or who, in the opinion of the Superintendent, have not been sentenced to the adult correctional centre for any serious crime, or are not habitually criminal or of corrupt habits;
- (c) *ordinary class*—Inmates not placed in the young inmates class or star class.

(2) The Superintendent may, in his discretion, exclude or remove from the young inmates class, or the star class, any inmate whose character in his opinion renders him unfit to associate with other inmates of that class.

SECTION 2 OF THE GUN COURT ACT WHICH IT IS  
PROPOSED TO AMEND

2.—(1) In this Act—

“Clerk”, “Deputy Clerk” and “Assistant Clerk” mean respectively a person appointed to be a Clerk of the Courts, a Deputy Clerk of the Courts, or an Assistant Clerk of the Courts or to act in any one of those capacities (as the case may be) under the Judicature (Resident Magistrates) Act;

SECTION 8 OF THE GUN COURT ACT WHICH IT IS  
PROPOSED TO AMEND

8.—(1) ...

(4) If a young person is, pursuant to subsection (1), sentenced to imprisonment, the Court may order that he be detained in such place, other than an adult correctional centre, and on such conditions, as the Minister may direct and, while so detained, he shall be regarded as being in legal custody.

(7) In this section the expression “child” has the meaning assigned to it in the Child Care and Protection Act.

SECTION 19 OF THE GUN COURT ACT WHICH IT IS  
PROPOSED TO AMEND

19.—(1) Nothing in the foregoing provisions of this Act shall be construed to divest any court of any jurisdiction, except such provisions of section 8 as relate to the jurisdiction of the Court affecting a young person.

SECTION 2 OF THE PAROLE ACT WHICH IT IS  
PROPOSED TO AMEND

2. In this Act, unless the context otherwise requires—

“the Board” means the Parole Board established under section 3;

“chairman” means the chairman of the Board;

“functions” includes powers and duties;

“parish parole committee” means a committee appointed pursuant to section 5;

“parole” means the authority granted to an inmate under the provisions of this Act to leave the adult correctional centre in which he is serving a sentence and to spend a portion of the period of that sentence outside of the adult correctional centre;

“parolee” means any person to whom parole is granted under this Act;

“parole officer” means any person assigned to perform the duties of parole officer pursuant to section 19;

“parole order” means an order made by the Parole Board under section 7;

“parole period” means the period during which an inmate is placed on parole;

“sentence” means any sentence of imprisonment, whether with or without hard labour, but does not include a sentence of preventive detention or the detention of a person sentenced under the Juveniles Act, whether or not serving the sentence in an adult correctional centre;

“the Superintendent” means the Superintendent of the adult correctional centre in which an applicant for parole is serving a sentence.

SECTIONS 6, 7, 8, 9 AND 10 OF THE PAROLE ACT  
WHICH IT IS PROPOSED TO AMEND

6.—(1)

(6) In relation to a person who had been convicted of murder committed before the 18th February, 2005, and sentenced to imprisonment for life, the Board shall, upon the expiration of—

- (a) a period of ten years; or
- (b) the period specified by the court as the period which that person should serve before becoming eligible for parole,

whichever is the greater, review the case for purpose of deciding whether or not to grant parole to him.

7.—(1) An inmate eligible for parole pursuant to section 6, may make written application to the Board for the grant of parole and may make such written representations in support thereof as he thinks fit.

(2) Every such application shall be forwarded to the Board by the Superintendent and shall state—

- (a) ... ..
- (c) any other information on which the applicant relies in support of his application; and
- (d) such other information as may be prescribed.

(3) The Superintendent shall furnish to the Board—

- (a) a case history of the applicant; and
- (b) a copy of a report by a correctional officer on the conduct of the applicant while in the adult correctional centre; and
- (c) a copy of a report containing an opinion by a psychiatrist or psychologist or such other person as may be designated by the Minister, as to whether the applicant is, at the time of his application, fit to be released on parole.

(4) The Board shall, for the purposes of this section—

- (a) ... ..
- (c) send to members if the appropriate parish parole committee, not less than seven days before the date of such hearing, written notice of the hearing and copies of the case history of, and reports on, the applicant.

... ..

(6) The Board shall, for the purpose of deciding whether or not to grant parole to an applicant, take into account the following—

- (a) the nature and circumstances of the offence for which the applicant was convicted and sentenced;

- (b) remarks (if any) made by the Judge at the time of sentencing;
- (c) the information contained in the reports mentioned in subsection (3); and
- (d) any report made by a parish parole committee.

... ..

(9) In this section "appropriate parish parole committee" means the parish parole committee which, in the opinion of the Board, is likely to have the closest connection with the applicant if he is released on parole.

8. A parole order shall have effect for the parole period which shall be specified therein, and shall require the parolee to submit during that period to the supervision of a parole officer appointed for or assigned to the parish in which the parolee will reside during the parole period, and shall contain such requirements as the Board considers necessary for securing the supervision of the parolee, and such additional requirements as to residence and other matters as the Board considers necessary for securing the reform and rehabilitation of the parolee.

9.—(1) ... ..

(4) Where the Board intends to suspend parole the Board shall, within a reasonable time, give written notice of such intention to—

- (a) the Commissioner of Corrections;
- (b) the parolee in respect of whom an order for the suspension of parole is to be made; and
- (c) the Superintendent.

10.—(1) ... ..

(3) Where the Board decides to revoke the parole granted to a parolee, the Board shall give written notice of such decision to the parolee.

RULE 9 OF THE PAROLE RULE, 1978 WHICH IT IS  
PROPOSED TO AMEND

9.—(1) ... ..

(2D) In this rule—

"guardian", in relation to a child, includes any person who has for the time being the charge of, or control over, the child;

... ..