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THE PLANT HEALTH ACT,
(CAP.133)

REGULATIONS

(Made under section 64)

THE PLANT HEALTH (AMENDMENT) REGULATIONS, 2023

ARRANGEMENT OF REGULATIONS

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ARRANGEMENT OF REGULATIONS

Citation
GN No.
284 of
2023

1. These Regulations may be cited as the Plant Health (Amendment) Regulations, 2023 and shall be read as one with Plant Health Regulations, hereinafter referred to as the “principal Regulations”.

Amendmen
t of
regulation
2

2. The principal Regulations are amended in regulation 2 by adding in the appropriate alphabetical order the following definitions:

“Authority” has a meaning ascribed to it under the Act;
“laboratory” means the plant health laboratory and pesticides laboratory;
“partner state” means countries with which Tanzania has harmonised its plant health and pesticides regulations, guidelines, standards and protocols;
“Registrar” has a meaning ascribed to it under the Act;
“United Republic” has a meaning ascribed to it under the Interpretation of Laws Act;

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Amendmen
t of
regulation
4

3. The principal Regulations are amended in regulation 4-

(a) in subparagraph (1), by deleting paragraph (g) and substituting for it the following:

“(g) a receipt of a non-refundable application fee for registration prescribed in the Second Schedule to these Regulations;”

(b) deleting the words “person concern” appearing in subregulations (8) and (9) and substituting for them the word “applicant”

Amendment
of
regulation
9

4. The principal Regulations are amended in regulation 9 by adding immediately after subregulation (2) the following:

“(3) An experimental use permit shall be valid for one year from the date of its issuance and may be renewed where the pesticide continues to be used for purposes of research.”

Amendment
of
regulation
11

5. The principal Regulations are amended in regulation 11(2) by deleting paragraph (h) and substituting for it the following:

“(h) any new scientific finding which disqualifies the application;”

Amendment
of
regulation
14

6. The principal Regulations are amended in regulations 14 by deleting subregulation (3) and substituting for it the following:

“3. -(1) The Authority shall issue full registration of biological control agent as set out in the First Schedule to these Regulations where the biological control agent: -

(a) is sufficiently effective against the targeted organism;

(b) does not pose adverse effects to the biodiversity under normal conditions of use;

(c) is not harmful to human or non-target fauna under normal conditions of use;

(d) has no unacceptable risks on the environment;

- (e) has an acceptable biological efficacy; and
- (f) has a contaminant, such contaminant can be determined by recognized evaluation methods.”

Amendmen
t of
regulation
22

7. The principal Regulations are amended in regulation 22, by-

- (a) adding immediately after subregulation (1) the following-
“(2) For purposes of this regulation, “public interest” means interests affecting political, economic, social, environmental and health matters of the general public.”
- (b) renumbering subregulations (2) to (5) as subregulations (3) to (6) respectively.

Designatio
n of
regulation
29A

8. The principal Regulations are amended by designating the repeated regulation 29 as regulation 29A.

Amendmen
t of
regulation
30

9. The principal Regulations are amended in regulation 30 by deleting the words “expire on thirty first of December of every year” and substituting for them the words “be valid for one year from the date of its issuance”

Amendmen
t of
regulation
31

10. The principal Regulations are amended in regulation 31(2), by-

- (a) deleting the semicolon and the word “and” appearing at the end of paragraph (d); and
- (b) deleting paragraph (e).

Amendmen
t of
regulation
51

11. The principal Regulations are amended in regulation 51 by deleting subregulation (2) and substituting for it the following-

- “(2) Notwithstanding subregulation (1), the dimensions and other requirements for a constructed structure for retail shops or bulk storage areas shall be as indicated in the

guidelines developed by the Authority.”

Amendment of regulation 55 12. The principal Regulations are amended in regulation 55(3) by deleting the word “save” appearing in paragraphs (a) and (b) and substituting for it the word “serve”.

Amendment of regulation 70 13. The principal Regulations are amended in regulation 70 (2) by deleting the word “Service” and substituting for it the word “Authority”.

Amendment of regulation 95 14. The principal Regulations are amended in regulation 95 (1) by deleting the word “Fifty-first” and substituting for it the words “the First”.

Amendment of regulation 96 15. The principal Regulations are amended in regulation 96(1)(c) by deleting the words “Fifty second” and substituting for it the words “the First”.

Amendment of regulation 97 16. The principal Regulations are amended in regulation 97(2) by deleting the word “Fifty-seventh” and substituting for it “Second”.

Amendment of regulation 114 17. The principal Regulations are amended in regulation 114 by deleting paragraph (d).

Amendment of regulation 117 18. The principal Regulations are amended in regulation 117 -
(a) in subregulation (1) by adding the words “from the date of receipt of the decision” immediately after the word “days”.
(b) in subregulation (5) by deleting the word “Authority” and substituting for it the word “Minister”

Amendment of First 19. The principal Regulations are amended in the enabling provision of the First Schedule by-

Schedule

- (a) deleting figure “29(1)” and substituting for it figure “29(2)”; and
- (b) deleting the words “92 and (6)” and substituting for them the words “92(2) and (6), 95 (1)”.

Dodoma,
....., 2023

HUSSEIN M. BASHE
Minister for Agriculture