



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS MADE IN TERMS OF

Hazardous Substances Ordinance 14 of 1974
sections 3 and 27

General Regulations

Government Notice 99 of 1979

(OG 3980)

came into force on date of publication: 25 June 1979

as amended by

Government Notice 173 of 1979 (OG 3980)

came into force on date of publication: 1 September 1979

ARRANGEMENT OF REGULATIONS

[Some regulations do not have headings.]

SCHEDULE I

SCHEDULE II

**REGULATIONS CONCERNING THE CONTROL OF GROUP I-HAZARDOUS
SUBSTANCES**

1. Definitions
2. Licences
- 3.
4. Conditions of sale and safe keeping of Group I-hazardous substances
5. Keeping of records and supply of statistics and returns
- 6.
7. Group I-hazardous substances shall not be sold to persons under 16 years of age except on order
8. Labelling
9. Duties of inspectors and analysts
10. Disposal of empty containers

REGULATIONS
Hazardous Substances Ordinance 14 of 1974
General Regulations

11. Offences and penalties

ANNEXURE A

APPLICATION FOR A LICENCE TO CARRY ON BUSINESS AS A SUPPLIER OF
GROUP I-HAZARDOUS SUBSTANCES - HAZARDOUS SUBSTANCES ORDINANCE,
1974 (ORDINANCE 14 OF 1974)

ANNEXURE B

LICENCE UNDER SECTION 5 OF THE HAZARDOUS SUBSTANCES ORDINANCE, 1974
(ORDINANCE 14 OF 1974) TO CARRY ON BUSINESS AS A SUPPLIER OF GROUP I-
HAZARDOUS SUBSTANCES

ANNEXURE C

REPORT IN ACCORDANCE WITH REGULATION 9(2)(a) OF THE REGULATIONS IN
TERMS OF THE HAZARDOUS SUBSTANCES ORDINANCE, 1974 (ORDINANCE 14 OF
1974)

ANNEXURE D

SYMBOLS FOR LABELS OF CATEGORY A GROUP I-HAZARDOUS SUBSTANCES

ANNEXURE E

REGISTER OF GROUP I-HAZARDOUS SUBSTANCES IN ACCORDANCE WITH
REGULATION 6(1) OF THE REGULATIONS IN TERMS OF THE HAZARDOUS
SUBSTANCES ORDINANCE, 1974 (ORDINANCE 14 OF 1974)

SCHEDULE I

Group I - Hazardous substances

Category A

Aluminium phosphide;

[The word "Aluminium" is misspelt *Official Gazette*, as reproduced above.]

arsenic and its salts;

antimony potassium tartrate;

antimony sodium tartrate;

barium and its salts except barium sulphate;

cantharidin;

cyanides of potassium and sodium;

other poisonous cyanide substances, preparations and admixtures containing or yielding the equivalent of one-tenth per cent or more of hydrocyanic acid; fluoroacetic acid (mono), its salts and derivatives;

REGULATIONS
Hazardous Substances Ordinance 14 of 1974
General Regulations

hydrocyanic acid;

lead acetate;

mercuric ammonium chloride;

phosphorus, yellow;

strychnine;

thallium;

zinc phosphide;

and any mixture containing any such substance except -

[The word "mixture" is misspelt *Official Gazette*, as reproduced above.]

- (i) those mixtures and preparations made from such substances mentioned in the Schedules to the Medicines and Related Substances Control Act, 1965 (Act 101 of 1965); and
- (ii) such mixtures containing aluminium phosphide antimony potassium tartrate, cyanide of potassium and sodium or zinc phosphide, which is registered by the Registrar of Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies, in accordance with section 3 of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act 36 of 1947).

Category B:

<i>Common name</i>	<i>Chemical designation</i>
Aldicarb	2-methyl- (methylthio) propionaldehyde-O-(methyl carbomoyl) oxime.
*Aluminium phosphide	Aluminium phosphide.
Arsenic pentoxide	Arsenic pentoxide.
Azimphos-ethyl	S-(3,4-dihydro-4-oxobenzo (d)-(1,2,3)-triazin-3-ylmethyl) diethyl phosphorothiolothionate.
Azinphos-methyl	S-(3,4-dihydro-4-oxobenzo (d)-(1,2,3)-triazin-3-ylmethyl) dimethyl phosphorothiolothionate.
Calcium cyanide	Calcium cyanide.
Carbon disulphide	Carbon disulphide.
Chlordane	1,2,4,5,6,7,10,10-octachloro-4,7,8,9-tetrahydro-4-:7 methyleneindane.
Chlorfenvinphos	2-chloro- 1-(2,4 dichlorophenyl) vinyl deithyl phosphate.
Chlorophacinone	2-(a-p-chlorophenyl-a-phenylacetyl) indane- 1,3-dione.
Chloropicrin	Trichloronitromethane.
Coumachlor	3-(a-acetonyl-4-chlorobenzyl)-4-hydroxycoumarin.
Coumatetralyl	4-hydroxy-3-(1,2,3,4,-tetrahydro-1-naphthyl)coumarin.
*Cyclohexamide	3-2-(3,5 dimethyl-2-2 oxo cyclohexzyl)-2-hydroxyethylglutarimide.
Demeton-S-methyl	S-12-(ethylthio) ethyl dimethyl phosphorothiolate.

REGULATIONS
Hazardous Substances Ordinance 14 of 1974

General Regulations

Dialifor	O,O-diethyl-S-(2-chloro-1-phthalimidoethyl) phosphorodilthioate.
Dicrotophos	Dimethyl cis-2-dimethylcarbonyl-1-1-methylvinyl phosphate.
Dieldrin	1,2,3,4,10,10-hexachloro-6,7 -epoxy-1,4,4a,5,6,7,8,8a-octahydro-exo-1,4-endo-5,8 dimethanonaphthalene.
Dioxathion	SS-1,4-dioxan-2,3-ylidene bis-(OO-diethylphosphorothiolothionate).
Diphacinone	2-diphenylacetylindane-1,3-dione.
Disulfoton	Diethyl S [2-(ethylthio) ethyl] phosphorothiololthionate.
DNOC	2-methyl-4,6-dinitrophenol
Endosulfan	6,7,8,9,10,10-hexachloro- 1,5,5a,6,9,9a-hexahydro-6,9-methano-2,4,3-benzo (e)-dioxathiepin-3-oxide.
HHDN	1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-exo-1,4-endo-5,8-dimethanonaphthalene.
*Hydrogen cyanide and its potassium and sodium salts	Hydrocyanic acid and its potassium and sodium salts.
Mecarbam	S-(n-ethoxycarbonyl-N-methyl-carbomoylmethyl) diethyl phosphorothiolothionate.
Methamidophos	O,S-dimethyl ester of thiophosphoric acid.
Methidathion	S-(2,3-dihydro-5-methoxy-2-oxo-1,3,4,-thiadiazol-3-ylmethyl) dimethyl phosphorothiolothionate.
Methomyl	S-methyl-N [(methylcarbamoyl) oxy] thioacetimidate
Methyl bromide	Methyl bromide.
Methyl formate	Methyl formate
Mevinphos	2-methoxycarbonyl-1-methylvinyl dimethyl phosphate methyl 3-(dimethoxyphosphinyloxy crotonatei).
Monocrotophos	3-hidroxy-N-methyl crotonamide dimethyl phosphate.
Nendrin	1,2,3,4,10,10-hexachloro-6, 7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-exo, 1,4-exo-5,8-dimethanonaphthalene.
Omethoate	Dimethyl-S-(N-methyl carbamoyl methyl) phosphorothiolate.
Oxamyl	S-methyl- I-dimethylcarbamoyl-N-[(methylcarbamoyl) oxy] thiformimidate.
Parathion	Diethyl-4-nitrophenyl phosphorothionate.
Phenamiphos	4-(methylthio)-m-tolyl isopropylphosphoroamidate
Phorate	DiethylS-) (ethylthiomethyl) phosphorothiolothionate
Phosphamidon	2-chloro-2-diethylcarbamoyl-1-methylvinyl dimethyl phosphate.
Pindone	2-pivaloylindane-1,3-dione.
Sodium fluoride	Sodium nuoride.
*Tartar emetic	Antimony potassium tartrate.
Warfarin	3-(a-acctonylbenzyl) -4-hidroxy coumarin.
Warfarin sodium salt	Sodium salt of 3-(a-acetonylbenzyl)-4-hydroxy-coumarin.
*Zinc phosphide	Zinc phosphide

* When included in a product which is registered with the Registrar of Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies, in accordance with the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act 36 of 1947).

SCHEDULE II

REGULATIONS
Hazardous Substances Ordinance 14 of 1974
General Regulations

REGULATIONS CONCERNING THE CONTROL OF GROUP I-HAZARDOUS
SUBSTANCES

Definitions

1. In these regulations, unless the context otherwise indicates -

“container” means the container or package in which a product is offered for sale but does not include any outer wrapping or box that is not customarily displayed;

“identity document” means an identity document referred to in section I of the Population Registration Act, 1950 (Act 30 of 1950) or in section 1 of the Identity Documents in South West Africa Act, 1970 (Act 37 of 1970), or a registration document referred to in paragraph 13 of the Schedule to the Development of Self-government for Native Nations in South West Africa Act, 1968 (Act 54 of 1968);”

“inspector” means a person appointed as such under section 9(1) of the Ordinance as an inspector for Group I-and Group II-hazardous substances and also includes a person who may in terms of section 9(4) execute or perform the powers, duties and functions of such inspector;

“licence” means a licence to carry on business as a seller of Group I-hazardous substances or any class or category of Group I-hazardous substances and “licensee” means the holder of such a licence;

“seal” means to seal a sample or container, containing a Group I-hazardous substance, with an official seal, on which appears a distinctive mark or number, by affixing it in sealing wax in such a manner that nobody will secretly be able to reach or tamper with the contents thereof without damaging the seal;

“the Ordinance” means the Hazardous Substances Ordinance, 1974 (Ordinance 14 of 1974);

“wholesale” means sale or supply for the purposes of resale and not for use by the purchaser;

and any other word or expression to which the Ordinance assigns a meaning, has a corresponding meaning.

Licences

2. (1) An application for a licence shall be made in the form set out in Annexure A hereto and shall be submitted to the Director.

(2) A licence shall be issued in the form set out in Annexure B hereto.

(3) (i) A licence shall not be issued unless in the opinion of the Director its issue is desirable in the public interest.

(ii) A licence shall not be issued to any person unless he is able to read and write one of the official languages and in the opinion of the Director is otherwise fit to be licensed in terms of these regulations.

(4) An application for a licence shall be accompanied by an amount of R20 as a licence fee.

REGULATIONS
Hazardous Substances Ordinance 14 of 1974
General Regulations

(5) (a) A licence shall be valid only until the following 31st day of March after the date on which it was issued.

[The word "until" is misspelt *Official Gazette*, as reproduced above.]

(b) A licence shall be returned to the Director forthwith by registered post if it is withdrawn or suspended in terms of section 8 of the Ordinance or if the licensee ceases for any other reason to carry on business as a supplier of Group I-hazardous substances.

(6) An applicant whose application for a licence or for the renewal of a licence has been refused may, within 30 days of being notified thereof, appeal to the Executive Committee in writing furnishing full reasons against such refusal.

3. A licence shall not be issued except -

(a) to an importer of Group I-hazardous substances exclusively for the sale thereof -

(i) for mining or industrial purposes:

[Incorrect punctuation mark used above, reproduced as per *Official Gazette*.]

(ii) to a wholesale distributor in possession of a licence;

(iii) to a registered pharmacist in possession of a licence;

(iv) to a Government Department or the Administration;

(v) to a *bona fide* laboratory or research institution;

(vi) to a *bona fide* educational institution;

(b) to a manufacturer of Group I-hazardous substances exclusively for the sale thereof -

(i) for mining or industrial purposes;

(ii) to a wholesale distributor in possession of a licence;

(iii) to a registered pharmacist in possession of a licence;

(iv) to a Government Department or the Administration;

(v) to a *bona fide* laboratory or research institution;

(vi) to a *bona fide* educational institution;

(c) to a wholesale distributor of Group I-hazardous substances exclusively for the sale thereof -

(i) for mining or industrial purposes;

(ii) to another wholesale distributor in possession of a licence;

REGULATIONS
Hazardous Substances Ordinance 14 of 1974
General Regulations

- (iii) to a registered pharmacist in possession of a licence;
 - (iv) to a Government Department or the Administration;
 - (v) to a *bona fide* laboratory or research institution;
 - (vi) to a *bona fide* educational institution;
 - (vii) in the case of Category B, Group I-hazardous substances, to a person referred to in paragraph (e), in possession of a licence;
- (d) to a registered pharmacist running a wholesale or retail pharmacy exclusively for the sale, in accordance with the provisions of these regulations, of Group I-hazardous substances by wholesale or retail, as the case may be.
- (e) exclusively for the sale of products containing any Category B, Group I-hazardous substances and which have been registered with the Registrar of Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies, in accordance with section 3 of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act 36 of 1947), to -
- (i) a general dealer;
 - (ii) a co-operative agricultural society or company;
 - (iii) a co-operative trading society -

Provided that in the case of an importer, manufacturer, wholesale distributor, registered wholesale or retail pharmacist or general dealer who is not a natural person, in the case of a co-operative agricultural society, co-operative agricultural company, co-operative trading society and in the case of a partnership a licence shall be issued only to and in the name of a natural person designated for this purpose by the management or other controlling body or the partners in the case of a partnership

Conditions of sale and safe keeping of Group I-hazardous substances

4. (1) A licence shall authorise the selling and therefor the keeping for selling of Group I-hazardous substances or a particular class of Group I-hazardous substances and any sale shall take place only at the address mentioned in the licence and under the control of the person mentioned therein.

(2) No licensee shall supply any such substance to any other licensee unless he is furnished with the number of the licence issued to such other licensee and endorses such number on the invoice concerned and enters the details of such supply in the Register contemplated in Regulation 6(1)

(3) A licensee shall keep all Group I-hazardous substances in his possession or charge under proper care and supervision, entirely separate from foodstuffs or drink and either in a room a cupboard or an enclosure intended solely for that purpose and securely locked at all times except when stocks are added or removed.

REGULATIONS
Hazardous Substances Ordinance 14 of 1974

General Regulations

(4) No Group I-hazardous substance shall be sold over any counter or table used in connection with the handling, preparation or sale of any foodstuff or drink.

(5) No person shall sell any Group I-hazardous substance except in a container which is securely closed, free from leaks and of sufficient strength to withstand rough handling and prevent any loss of the contents.

(6) Every Category B, Group I-hazardous substance offered for sale by a person referred to in regulation 3(e) shall be kept for sale and supplied in the unbroken, original container as supplied by the manufacturer or wholesale dealer, to the licensee.

Keeping of records and supply of statistics and returns

5. (1) A licensee who is an importer, manufacturer or wholesale distributor of Group I-hazardous substances shall keep stock records showing -

- (a) in respect of such substances imported, manufactured or acquired by him -
 - (i) the name and trade name of the substance or product containing the substance;
 - (ii) the date of importation, manufacturing or acquisition thereof;
 - (iii) the full name and address of the supplier; and
 - (iv) The quantity of the substance thus acquired.
- (b) In respect of such substances sold by him for mining and industrial purposes or to a wholesale distributor in possession of a licence, a *bona fide* laboratory or research institution, a *bona fide* educational institution, a Government Department, the Administration or a pharmacist engaged in retail trade, and in respect of Category B, Group I-hazardous substances supplied by him to a general dealer, a co-operative agricultural society, a co-operative agricultural company or co-operative trading society -
 - (i) the name and trade name of the product containing the substance;
 - (ii) the date of sale thereof;
 - (iii) the full name and address of the recipient;
 - (iv) the quantity thereof;
 - (v) the declared purpose for which the substance is required; and
 - (vi) if the Ordinance requires that the recipient be in possession of a licence, the number of such licence.

[Inconsistent use of capitalisation in the above regulation, reproduced as per *Official Gazette*.]

(2) The stock records contemplated in subregulation (1) together with invoices or other appropriate documents in respect of Group I-hazardous substances imported or acquired, and copies of invoices or other appropriate documents in respect of such substances sold, shall be

REGULATIONS
Hazardous Substances Ordinance 14 of 1974
General Regulations

safely kept for a period of at least three years and shall be readily available for scrutiny by an inspector.

6. (1) Except for the provisions of regulation 5, a licensee who is licensed to sell Group I-hazardous substances shall not acquire or sell any such substances unless he enters in a register to be kept exclusively for that purpose (hereinafter called the Group I-hazardous substances Register and which shall be kept in the form prescribed in Annexure E hereof) and on a separate page for each such hazardous substance -

- (a) the name and trade name of the product containing the substance;
- (b) the date of acquisition of the substance;
- (c) the full name and address of the supplier;
- (d) the quantity of the substance acquired;
- (e) the date of sale;
- (f) the full name and address of the seller and, if the purchaser does not himself receive it, the recipient;
- (g) the quantity of the substance sold;
- (h) the declared purpose for which the substance is required;
- (i) the number of the licence (where applicable): and

[Incorrect punctuation mark used above, reproduced as per *Official Gazette*.]

he shall cause the purchaser or recipient to sign such entry and, if such purchaser or recipient is not already known to him, also a person whom he knows and who knows the purchaser or recipient to sign it: Provided that where the purchaser himself receives, and identifies himself to the licensee by means of an identity document, such purchaser shall be deemed to be known to the licensee: Provided, further, that where the purchase of such a substance is made by means of a written order disclosing the purpose for which it is to be used and signed by a person known to the licensee who is over the age of 16 years or older, the licensee may sell the substance without the recipient's signing the said Register, but in such a case he shall retain and keep the order and shall enter all particulars of the sale in the said Register.

(2) If there exists a standing written order or contract with regard to the sale by a licensee referred to in subregulation (1) of a Category A, Group I-hazardous substance, the licensee concerned shall enter all particulars thereof in the said Register, and he shall not supply any such substance in fulfilment of any written order under such order or contract, unless the recipient is known to him or the signature on the said written request has been attested by a magistrate or a commissioner of oaths.

(3) Every Register contemplated in this regulation shall be kept up to date and in proper order and shall be balanced quarterly, so as to show clearly the quantity of each Category A and B Group I-hazardous substance remaining in stock on the last day of March, June, September and December of each year, and this shall be completed, within three days of each of the aforesaid dates.

REGULATIONS
Hazardous Substances Ordinance 14 of 1974

General Regulations

(4) (a) A licensee referred to in this regulation shall retain the Group I-hazardous substances Register for a period of at least three years from the date of the last entry therein, and he shall retain every invoice relating to the acquisition of Group I-hazardous substances and every written order relating to the sale of such substances for a period of at least three years.

(b) A licensee shall retain such Register, and every invoice and written order on the premises to which his licence relates and render it available for inspection on demand by an inspector in accordance with the Ordinance.

Group I-hazardous substances shall not be sold to persons under 16 years of age except on order

7. No Group I-hazardous substance shall be sold or supplied to any person appearing to be younger than 16 years: Provided that such substance may be supplied to a person apparently under the age of 16 years on a written order which discloses the purpose for which the substance is to be used and which bears the signature of a person known to the seller and who is 16 years or older.

Labelling

8. (1) (a) Except for the provisions of this regulation, each container containing a Category A, group I-hazardous substance imported into, manufactured or packed in the Territory for sale shall be clearly and conspicuously labelled with -

- (i) the name of the product and the chemical name of the specific hazardous substance or substances contained therein;
- (ii) the name and address of the supplier;
- (iii) a skull and crossbones symbol as described and represented in Annexure D, together with the words "Poison" and "Vergif".

[Incorrect punctuation mark used above, reproduced as per *Official Gazette*.]

- (iv) the words "Ordinance 14 of 1974 Group I" and "Ordonnansie 14 van 1974 - Groep I"; and
 - (v) the words "Keep out of reach of children" and "Hou buite bereik van kinders".
- (b) The symbol intended in paragraph (a)(iii) shall conform to one of the two symbols appearing in Annexure D of the regulations and shall cover at least one-tenth of the surface area of the label on which it appears and be at least 1 cm² in size.
- (c) A label contemplated in this subregulation shall be placed on so much of the surface of the container that the wording thereon can be read horizontally irrespective of how the container is normally put down.
- (d) An outer package containing more than one inner container as referred to in this subregulation shall bear at least one label with the skull and crossbones symbol prescribed in paragraph (a)(iii) as well as the words "Poison" and "Vergif" and the chemical name of the hazardous substance or substances.

REGULATIONS
Hazardous Substances Ordinance 14 of 1974

General Regulations

(2) (a) The containers and outer packages of Category B, Group I-hazardous substances, imported into the Territory for sale *from any other country or territory than the Republic of South Africa*, shall be labelled in accordance with subregulation 1, in the same manner as the containers and outer packages of Category A, Group I-hazardous substances.

(b) (i) A Category B, Group I-hazardous substance, which is manufactured or packed for sale in the Territory, or *which is manufactured or packed in the Republic of South Africa and imported into the Territory for sale*, shall bear a label which has been approved by the Registrar of Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies, in accordance with the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act 36 of 1947).

(ii) The manufacturers or packers shall include on the label intended in subparagraph (i) directions regarding the disposal of the container of the substance when empty.

(3) A Group I-hazardous substance acquired for mining or industrial purposes and packed in smaller containers for transfer from one section to another within an establishment, may, if there is a wall-chart in the latter section indicating the risks involved in using the substance, the precautions to be observed and first-aid treatment, be conspicuously labelled only with the name of the substance.

(4) A Group I-hazardous substance acquired for a *bona fide* laboratory and placed in smaller containers for transfer from one section to another section of such laboratory may be labelled only with the name of the substance.

Duties of inspectors and analysts

9. (1) The following procedure shall be followed when a sample of a Group I-hazardous substance is obtained by an inspector in terms of the powers conferred on inspectors under section 10(1) of the Ordinance -

(a) The licensee or person in charge of the premises on which the substance is found shall be notified by the inspector of the sampling and of the purpose thereof and if the sample is not paid for, such notification shall be in writing.

(b) (i) In the case where the opening of the container of a substance would not hamper the analysis or examination, the inspector shall offer to divide the substance from which the sample is taken into three approximately equal portions and to deliver one portion to the licensee or person in charge of the premises.

(ii) (aa) If the offer referred to in subparagraph (i) is accepted, the substance from which the sample is taken shall be divided and each portion packed separately, sealed and supplied with a description to indicate its nature and to identify it as a portion of the original substance from which the sample was taken.

(bb) In the case of such division one of the portions shall be handed to the licensee or the person in charge of the premises referred to, one sent to an analyst for analysis or examination and one kept by the inspector until the case has been finalised.

REGULATIONS
Hazardous Substances Ordinance 14 of 1974**General Regulations**

[The word “premises” is misspelt *Official Gazette*, as reproduced above.]

(cc) If the contents of one container containing the substance is insufficient for analysis or examination, when divided as aforesaid, additional packages containing the substance and similarly labelled according to the prescription and purporting to contain a similar article (which description indicates that it contains the same substance), shall be obtained from the licensee or the person in charge of the premises, and the contents of two or more such containers containing the said substance, shall then and there, in the presence of the licensee or the person in charge of the premises, be mixed by the inspector and the mixture divided and dealt with as indicated in subparagraph (bb).

[The word “mixture” is misspelt *Official Gazette*, as reproduced above.]

- (iii) If the offer referred to in subparagraph (i) is not accepted, or if there is only one container containing the substance concerned and if it is too little to divide, the undivided sample of the substance shall be packed by the inspector, and if necessary, sealed and provided with a special description, indicating its nature and by means of which it can be identified, and be sent to an analyst for analysis or examination.
- (c) (i) In the case of a substance which is indivisible, the inspector shall offer to take three individual random samples from the stock of the substance present and to furnish the licensee or the person in charge of the premises with one sample.
- (ii) (aa) If the offer referred to in subparagraph (i) is accepted, each individual sample of the substance shall be packed separately by the inspector and if necessary be sealed and supplied with a description indicating the nature thereof and identifying each sample of the substance as a sample of the substance taken from the stock present.
- (bb) One such sample of the substance shall be handed to the licensee or the person in charge of the premises, one sent to the analyst for analysis or examination and one kept by the inspector until the case has been finalised.
- (iii) If the offer referred to in paragraph (i) is not accepted, the indivisible sample of the substance shall be packed by the inspector sealed and supplied with a special description to indicate its nature and by which it can be identified and sent to an analyst for analysis or examination.
- (d) The description of every sample of the substance submitted for analysis, shall indicate whether or not the sample was divided and whether it is an indivisible sample of the substance.
- (e) The original label of the container of the substance, if any, or a copy thereof, shall accompany the sample sent to the analyst.
- (f) The sample of the substance may be delivered by the inspector to the analyst by handing it over personally or by registered post.

**REGULATIONS
Hazardous Substances Ordinance 14 of 1974**

General Regulations

(2) (a) Reports by an analyst regarding the results of an analysis or examination of a sample in terms of subregulation (1) shall be in the form indicated in Annexure C.

(b) In the case of a sample of a substance which is found on analysis or examination to be falsely described or which otherwise does not conform to the requirements of the Ordinance and which was not divided by the inspector, the unused portion of the sample of such a substance, if any, shall be closed, sealed and retained by the analyst until after the conclusion of any prosecution in connection therewith.

(3) A fee of R50 shall be deposited with the court by an accused person in respect of a further analysis or examination carried out at his request in terms of section 12(1) of the Ordinance.

Disposal of empty containers

10. (1) Every container of a Category B, Group I-hazardous substance which must be returned to a supplier, and which will be sent back by the receiver thereof, shall, before being so returned, be securely closed so as to prevent any loss of its remaining contents.

(2) Every container thus sent back shall, after being cleaned, be used only as a Category B, Group I-hazardous substances container.

(3) Every empty container of a Category B Group I-hazardous substance which has no indication on the label that the container must be returned to the supplier, shall be perforated and flattened and then buried in the ground 1.5 m deep and at least 150 m away from any water source which it may pollute, or disposed of in another safe manner.

(4) No container that at any time has contained a Group I-hazardous substance may be used as a container for water, any foodstuff or medicine as defined by the Food, Drugs and Disinfectants Ordinance, 1952 (Ordinance 36 of 1952).

(5) No empty container that has contained water, a foodstuff or medicine as defined by the Food, Drugs and Disinfectants Ordinance, 1952 (Ordinance 36 of 1952), shall be used as a container for any Group I-hazardous substance.

Offences and penalties

11. Any person who contravenes or fails to comply with any provision of these regulations shall be guilty of an offence and liable on conviction to the penalties laid down in section 20 of the Ordinance.

ANNEXURE A

SWA 1393

SOUTH WEST AFRICA ADMINISTRATION

**APPLICATION FOR A LICENCE TO CARRY ON BUSINESS AS A SUPPLIER OF
GROUP I-HAZARDOUS SUBSTANCES - HAZARDOUS SUBSTANCES ORDINANCE,
1974 (ORDINANCE 14 OF 1974)**

1. (a) Full name (in block letters)

**REGULATIONS
Hazardous Substances Ordinance 14 of 1974**

General Regulations

om sake te doen as 'n verskaffer van ondergenoemde
Group I-hazardous substances until 31 March 19
Groep I-gevaarhoudende stowwe tot 31 Maart 19
subject to the provisions of the Hazardous Substances
onderworpe aan die bepalings van die Ordonnansie op
Ordinance, 1974, the regulations made thereunder, and
Gevaarhoudende Stowwe, 1974, die regulasies daarkragtens
the general and specific conditions indicated here-under.
uit -gevaardig, en die algemene spesifieke voorwaardes hieronder aangedui.

GENERAL CONTITIONS

ALGEMENE VOORWAARDES

- 1. The Group I-hazardous substances mentioned hereunder shall only be kept in stock and sold at the address mentioned in this licence.

Die Groep I-gevaarhoudende stowwe hieronder genoem mag slegs by die adres op hierdie lisensie genoem in voorraad gehou en verkoop word.

- 2. The Group I-hazardous substances mentioned hereunder shall only be kept in stock for sale by or under the supervision of the person to whom this licence has been issued.

Die Groep I-gevaarhoudende stowwe hieronder genoem mag slegs deur of onder taesig van die person aan wie hierdie lisensie uitgereik word in voorraad gehou en verkoop word.

Specific Conditions (if any):

Spesifieke voorwaardes (indien enige):

.....
.....
.....
.....

GROUP I-HAZARDOUS SUBSTANCES TO WHICH THIS LICENCE REFERS

GROEP I-GEVAARHOUDENDE STOWWE WAAROP HIERDIE LISENSIE BETREKKING HET

.....
.....
.....

DIRECTOR: HEALTH SERVICES
DIREKTEUR: GESONDHEIDSDIENSTE

PLACE:

PLEK:

DATE:

DATUM:

ANNEXURE C

SWA 1395

SOUTH WEST AFRICA ADMINISTRATION

**REPORT IN ACCORDANCE WITH REGULATION 9(2)(a) OF THE REGULATIONS
IN TERMS OF THE HAZARDOUS SUBSTANCES ORDINANCE, 1974
(ORDINANCE 14 OF 1974)**

Inspector's serial number of sample

REGULATIONS
Hazardous Substances Ordinance 14 of 1974
General Regulations

.....
Laboratory Number of sample

REPORT OF ANALYST

To

1. I

(Full name of analyst),

an analyst authorised under section 11(l) of the Hazardous Substances Ordinance, 1974 (Ordinance 14 of 1974), hereby certify that—

(a) I, on the day of 19.....
received a sample from
(name or the inspector),

stated by him to be a sample of
.....
(name of substance/ mixture)

(b) the sample was contained in an unopened package, bearing the inspector's serial number and impressed with the inspector's seal as follows.

(1)
which seal was intact, and with the label or copy of the label attached thereto (2); and

(c) that I have analysed the said sample and declare that the results of my analysis are as follows.
.....
.....

2. I am of the opinion that the sample

(Report in detail)

Signed

ANYLYST

PLACE:

DATE:

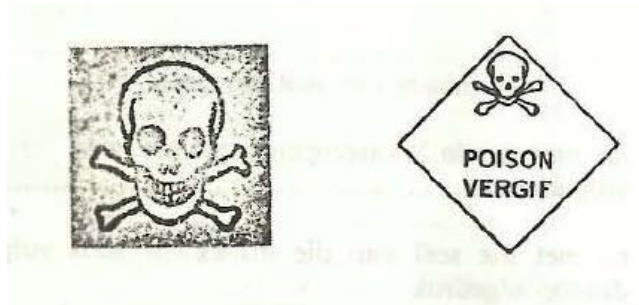
- (1) If the seal is numbered fill in the number, if not, describe the seal.
- (2) This refers to the label under which the article was sold. Delete these words if no label (original or copy) was attached.

ANNEXURE D

[Annexure D substituted by GN 173/1979]

SYMBOLS FOR LABELS OF CATEGORY A GROUP I-HAZARDOUS SUBSTANCES

REGULATIONS
Hazardous Substances Ordinance 14 of 1974
General Regulations



To be printed in black on orange-yellow background
To be printed in black on white background.

**REGULATIONS
Hazardous Substances Ordinance 14 of 1974
General Regulations**

ANNEXURE E

REGISTER OF GROUP I-HAZARDOUS SUBSTANCES
IN ACCORDANCE WITH REGULATION 6(1) OF THE REGULATIONS IN
TERMS OF THE HAZARDOUS SUBSTANCES ORDINANCE, 1974
(ORDINANCE 14 OF 1974)

Name and Trade Name of Group I-Hazardous Substance:

Details of Purchases and Receipts			Details of Sales:					
Date	Name and address of Supplier	Quantity	Date	Full name and address of purchaser and when purchaser does not personally receive, name of the recipient**	Quantity	Purpose for which it will be applied	Licence No. (where applicable)	Signature of purchaser or recipient*

* and where applicable, also the signature of the person who knows the buyer and the recipient.

** in cases where a buyer identifies himself by means of an identity document, his identity number must also be filled in here.

This Register shall be balanced quarterly so as to show clearly the quantities of each substance remaining in stock on the last day of March, June, September and December.