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REGULATORY FRAMEWORK FOR MANAGEMENT OF INDUSTRIAL AND CONSUMERS CHEMICAL



Government Chemist Laboratory Authority (GCLA)



Kemikali ni nini

- Ni kitu chochote kinachoweza ***kujibadili*** hali yake kikiwa chenyewe au kikichangamana na kingine.
- ***Kujibadili*** huko kunatumika kwa manufaa mbalimbali.
- Pamoja na manufaa pia huweza kuleta madhara mbalimbali

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INDUSTRIAL AND CONSUMERS CHEMICAL (MANAGEMENT AND CONTROL) ACT (ICCA), REGULATIONS (ICCR), GUIDELINES

The overall aim is to protect human health and environment from adverse effects of chemicals





Introduction



Chemical Under ICCA;

*refer to **industrial (Malighafi) or consumers chemical (Bidhaa)** (which may be a substance itself or mixture or preparation weather manufactured or obtained natural excluding **medicines, pesticides, radioactive, food additives and any other substance that has therapeutic effects.***

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1. Legal framework- ICCA

1.0 Industrial and Consumers Chemicals (Management and Control) Acts (ICCA 2003)

CAP 182

- Amended in 2019 and 2020
- ICCA contain 63 Sections (Vifungu 63) arranged in six chapters (Sehemu 6)
- There 1 to 10 Schedules to support implementations

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1. Legal framework -ICCR

2.0 Industrial and Consumers Chemical (Management and Control) Regulations ICCR 2020

- is a set of 62 Regulations (Kanuni) prepared under Section 62 of the ICCA, Cap 182

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1. Legal framework – Guidelines

Derived from ICCR Its purpose is to provide smooth implementation of Handling Bulk Sulphur as per ICCA to meet its intended goal of protecting human health and the environment.

- **Guideline in Management of Bulk Sulphur April 2020**
- **Guideline in Management of Ammonium Nitrate**
- **Guidelines in Management of Dangerous Goods**

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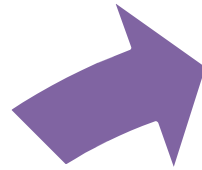
2. ICCA-Overview

Part 2 Administration and Function (3-10)

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Implement all matter as per law including those approved by Board or advised by TC (Sect. 7-10)

MKEMIA
MKUU
Registrar



Technical Committee(TC)
(Kamati ya wataalam)



Approve all matter related to Control and management of chemicals (Sect.5-6)

Board
BODI



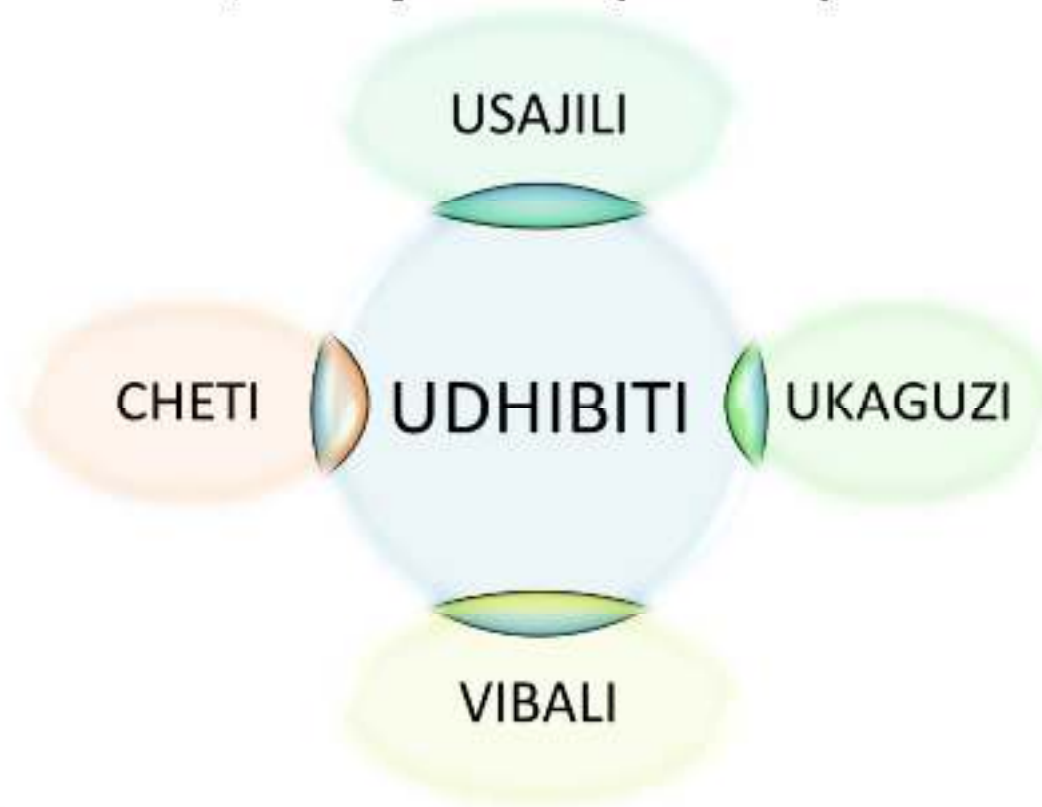
Advisor all matter related to control and management of chemicals (sect.4)





2. ICCA-Overview

Part 3 Control of Importation, Exportation, Storage, Distribution, Production, Transportation, Disposal (11-41)



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2. ICCA-Overview

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1. Control through Registration

Registration of Chemical, Sect. 11-14

Registration of Certificate holder Sect 15

Registration of Premise Sect. 16-19

Type of registration Sect. 20

Registration exemption Sect 21

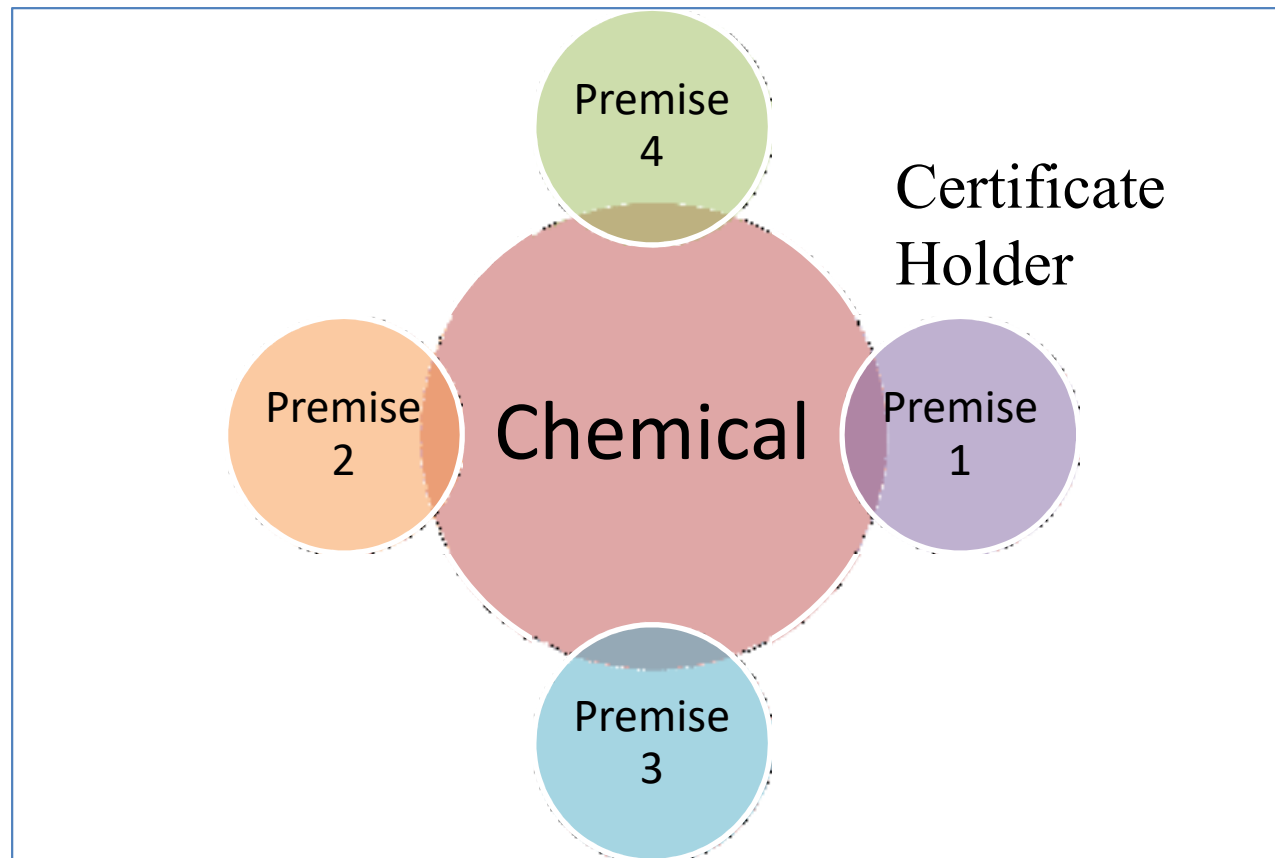
Duration Sect. 22

Cancellation of Registration Sect. 23

Variation of Registration Sect. 25

Maintenances of Registration Sect. 26

2. ICCA-Overview





ICCA-Overview

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Part 3. Control of Importation, Exportation, Storage, Distribution, Production, Transportation, Disposal (11-41)

2. Control through Inspection

Chemical Inspectors
appointment Sect. 36

Duties of Inspectors Sect 37

Power of Inspector Sect. 38

Procedures for taking samples
Sect. 39



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Part 3. Control of Importation, Exportation, Storage, Distribution, Production, Transportation, Disposal (11- 41)

3. Control through Certificate	Certificate for dealing with chemicals Sect. 29
4. Control through Restriction/Banning /and elimination	Dangerous/Toxic and highly hazardous Sect 30 and Schedule 8
	Precursor Chemical Sect. 31
	Prohibition on Production or dealing with counterfeit or adulterated Sect 35



2.ICCA-Overview

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Part 4
section
(42-50)

Issued Directives to all dealers

Labeling and safe handling, Sect. 42

Necessity to conduct medical surveillance to workers Sect 42(2)

Employer to provide PPE Sect. 42(3)

No Importation of Chemical Waste Sect. 43(1)

Avoid Accumulation of waste Sect 43(3)

No Person shall dispose chemical, chemical waste, or chemical container without certificate Sect 43(8)



2. ICCA-Overview

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Part 4
section
(42-50)

issue directives to producer, distributors, seller, transporter exporter, stores and disposal

Prevention and management of accident, Sect. 45

Risk assessment and Risk Management 45(2)

Management of Spills and Contaminated site Sect. 46

Decommissioning o the plant . 47(1)

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2.ICCA-Overview

Part 6. Miscellaneous Provisions (51-63)-

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	Provisions
Miscellaneous Provisions (51-63)-	Notification of death and Injury , Sect. 51
	Inquest or Investigation Sect 52
	Liability of body corporate partnership agent principle and employer Sect. 53
	Offence and Penalty Sect. 59
	Compounding offence 61
	Power to Make regulations Sect 62 and Sect 63



ICCA-Overview

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No.	Schedules
1	Appointment Composition of Technical Committee
2	Application form for Registrations of Chemical
3	List of Chemicals Requiring Registration (Amended 2020) by add Table 1 existed and Table 2 With threshold quantity for non hazardous
4	Application form for Registrations of Certificate Holder
5	Application form for Registrations of Premises
6	List of Highly Hazardous Chemical
7	List of Precursor Chemicals amended by GN 1049 of 25/12/2020
8	List o Severely Restricted Banned /Eliminated Chemical
9	Dealer Registration Certificate Template
10	Registration Certificate Template

2. ICCA- Ammendment 2019

33. The principal Act is amended by adding immediately after section 27 the following:

“Prohibition
from dealing
in chemicals
listed in Third,
Sixth, Seventh
and Eighth
Schedules

27A.-(1) A person shall not possess, use, distribute, buy or sell chemicals specified under the Third, Sixth, Seventh and Eighth Schedules unless that person is registered under this Act.

**Buy chemical was not mentioned in previous version*

2.ICCA- Ammendment 2019

Amendment
of section 42

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35. The principal Act is amended in section 42, by-
- (a) deleting the words "international or foreign" appearing in subsection (1)(a) and substituting for them the words "or international"; and
 - (b) adding immediately after subsection (5) the following:

“(6) Any person who imports unlabelled, obsolete or expired chemical commits an offence and shall, upon conviction, be liable to a fine of not less than five million shillings or to imprisonment for a term of six months or both.”

2.ICCA- Ammendment 2019

40. The principal Act is amended by adding immediately after section 61 the following:

"Compounding
of offences

61A.-(1) Notwithstanding the provisions of this Act relating to penalties, where a person admits in writing that he has committed an offence under this Act or any other sector legislation, the Registrar or a person authorised by him in writing may, at any time prior to the commencement of the proceedings by a court of competent jurisdiction compound such offence and order such person to pay a sum of money not exceeding one half of the amount of fine to which such person would otherwise have been liable to pay if he had been convicted of such offence.



2. ICCA- Ammendment 2020

Amendment of
the Third
Schedule

by-

2. The principal Act amended in the Third Schedule
 - (a) deleting the enabling provision and substituting for it the following-

"(Made under sections 15(2) and 34 (2))"
 - (b) designating the contents of the existing table as "Table 1.0"; and
 - (c) adding immediately after Table 1.0 as designated the following:

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ICCA- Ammendment 2020

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NON HAZARDOUS CHEMICALS - QUANTITY **BELOW MAXIMUM THRESHOLD AS PER TABLE 2 OF AMMENDED SCHEDULE 3. GN 1049, 2020**

IMPORTER/EXPORTER	NO REGISTRATION CERTIFICATE	TEMPORARY PERMIT
TRANSPORTER		TEMPORARY PERMIT
DISTRIBUTER/SALE		NO REGISTRATION
USER/PRODUCER (
STORAGE		





2. ICCA- Ammendment 2020

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NON HAZARDOUS CHEMICALS - QUANTITY **ABOVE MAXIMUM THRESHOLD AS PER TABLE 2 OF AMMENDED SCHEDULE 3. GN 1049, 2020**

IMPORTER/EXPORTER	1.CREATE AWARENESS OF SAFE HANDLING, 2. SUPERVISOR 3. SUBMIT PRECURSOR CHEMICAL RECORS	CERTIFICATE AND PERMIT
TRANSPORTER		CERTIFICATE AND PERMIT
DISTRIBUTER/SALE		CERTIFICATE
USER/PRODUCER		CERTIFICATE
STORAGE		CERTIFICATE



2. ICCA- Ammendment 2020

HAZARDOUS/PRECURSOR CHEMICALS - NO THRESHOLD

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IMPORTER/EXPORTER	1.CREATE AWARENESS OF SAFE HANDLING, 2.SUPERVISORS, 3. SUBMIT TRANSACTION RECORDS (3 MONTH), 4. PREPARE CONTINGENCY PLAN 5.CONDUCT RISK ASSEMENT AND MANAGEMENT PLAN	CERTIFICATE AND PERMIT
TRANSPORTER		
DISTRIBUTOR/SALE		CERTIFICATE
USER/PRODUCER		
STORAGE		
WASTE DISPOSAL FACILITY		



2. ICCA- Ammendment 2020

Amendment
of the
Seventh
Schedule

3. The principal Act is amended by deleting the Seventh Schedule and substituting for it the following:

"SEVENTH SCHEDULE

CATEGORY I: LIST OF HIGHLY CONTROLLED
PRECURSOR CHEMICALS/SUBSTANCES
those used as ingredients in the manufacturing of
drugs of abuse.

1. Acetic Acid Anyhydride
2. Potassium Permanganate
3. Sodium Permanganate





2. ICCA- Ammendment 2020

CATEGORY II: LIST OF OTHER CONTROLLED PRECURSOR CHEMICALS/SUBSTANCES

are those used as solvents in the manufacturing of drugs of abuse."

1. Aceton
2. Ethyl Ether (diethyl Ether)
3. Hydrochloric acid (Hydrogen Chloride)
4. Methyl Ethyl Ketone
5. Bromine
6. Sulphuric Acid
7. Toluene
8. Chroloform
9. Ethyl Alcvohol
10. Iodine

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3.ICCR 2020-Overview

Part I-II, (1-4);Provide interpretation and administration details

Part III-VII, (5-29);Provide Regulations for controlling dealers of chemicals

Part VIII-XI, (29-50) Provide Specific Regulations on management of chemicals

Part XII, (51-56) Provide Regulations for non compliance

Part XIII, (57-62) Provide General Regulations for controlling and Management

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3.ICCR 2020-Overview

FORM, TEMPLATE AND FEES FOR REGISTRATION AND PERMIT SCHEDULES 1-16

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NO.	SCHEDULES
1	DOCUMENTS REQUIRED FOR REGISTRATIONS (1-6)
2	THRESHOLD FOR REGISTRATIONS
3	APPLICATION FORM FOR IMPORT AND EXPORT PERMIT
4	FEES OF VARIOUS SERVICE OFFERED BY GCLA
5	TEMPLATE FOR IMPORT PERMIT
6	TEMPLATE FOR EXPORT PERMIT
7	STORAGE REQUIREMENTS FOR HAZARDOUS CHEMICALS
8	APPLICATION FORM FOR TRANSPORT PERMIT
9	TEMPLATE FOR TRANSPORT PERMIT



3. ICCR 2020-Overview

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NO.	SCHEDULES
10	APPLICATION FORM FOR TRANSIT TRANSPORT PERMIT
11	TEMPLATE FOR TRANSIT TRANSPORT PERMIT
12	CHEMICAL TRANSACTION REPORTING FORM
13	INFORMATION ON OBSOLETE OR WASTE CHEMICALS
14	APPLICATION TO OPERATE WASTE DISPOSAL FACILITY
15	CLOSURE OR SEIZURE FORM
16	APPLICATION FORM FOR REGISTRATION TO CONDUCT CONSULTANCY SERVICE IN CHEMICAL MANAGEMENT



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NO.	SCHEDULES
17	CHEMICAL ACCIDENT REPORTING FORMAT
18	OFFENCE AND PENALTY COMPOUNDED
19	NOTIFICATION FOR AN OFFENCE FORM
20	OUTLINE OF CONTINGENCY PLAN
21	LABELLING REQUIREMENTS



3. ICCR 2020-Overview

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**PART IX
MANAGEMENT
OF WASTE
CHEMICALS (34-
45)**

NOTIFY REGISTRAR (34)

EMPLOYEE AWARENESS (34)

AVAILABILITY OF PPE FOR SAFE HANDLING (34)

SEGREGATION AND PROPER STORAGE WASTE
(35) WASTE INVENTORY (36)
(SCHEDULE 13)

TRANSPORTED AFTER ISSUED PERMIT (37)

DISPOSED AT REGISTERED FACILITY (37,38,39)

WASTE CHEMICAL CONTAINER DISPOSAL (42,43)

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3. ICCR 2020-Overview

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PART X PROVISION OF CONSULTANCY SERVICE IN MANAGEMENT OF CHEMICALS (46)	FILL REGISTRATION FORM (46) (SCHEDULE(16)
	QUALIFIED WITH MINIMUM DIPLOMA IN SCIENCE RELATED SUBJECTS (46)
	FIVE YEARS EXPERIENCE (46)



3. ICCR 2020 -Overview

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**PART XI
CHEMICAL ACCIDENT
REPORTING (47-50)

MANAGEMENT OF
ACCIDENT**

SUPERVISOR TO REPORT TO
OWNER AND REGISTRAL
IMMEDIATE AFTER ACCIDENT
ANDA DETAILED REPORT AFTER
SEVEN DAYS (47)

KEEP RECORDS ON ALL ACCIDENT
(48)

INVESTIGATION O ACCIDENTS 49





3. ICCR-Overview

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**PART XII
OFFENCE AND
PENALTY(51-
56)**

ISSUANCE OF WARNING (52)

COMPOUNDING OFFENCE (53)
SCHEDULE 18

NOTIFICATION OF OFFENCE (54)-
PART A AND PART B

PAYMENT OF AN OFFENCE 55)-

FAILURE TO PAY AN OFFENCE (56)





3.ICCR-Overview

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**PART XIII
GENERAL
PROVISION
(57-62)**

MAINTANANCE FEE (57) SCHEDULE 4

CONTINGENCY PLAN (53) SCHEDULE 12

REQUIREMENTS FOR LABELS (59)
SCHEDULE 21

SAFETY POLICY 60)

RENEWAL OF REGISTRATIONS (61)



4.Guidelines

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GOVERNMENT CHEMIST LABORATORY AUTHORITY



**GUIDELINES FOR MANAGEMENT OF
BULK SULPHUR**

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4.Guidelines

Guidelines requirements for management of sulphur

- **Designation of a Port or Area for Handling of Sulphur**
- **Loading and Repackaging of Bulk Sulphur**
- **Conditions for Transportation of Loaded or Repacked Sulphur**

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Draft Guideline for Management of Ammonium Nitrate

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- Safe handling, loading and unloading of Ammonium Nitrate
- Safe storage
- Safe transportation of Ammonium Nitrate
- Prevention, preparedness, response and recovery plan
- Requirements for reporting incidents
- Management of spills and disposal of waste

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THE END

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THANK YOU VERY MUCH

