



THE GOVERNMENT CHEMIST LABORATORY AUTHORITY (GCLA)

THE GOVERNMENT CHEMIST LABORATORY AUTHORITY ACT.NO.8 OF 2016 AND ITS REGULATIONS 2017

***PRESENTED TO SUPERVISORS OF MANAGEMENT AND
CONTROL OF CHEMICALS AND THEIR PRODUCTS***

BY: MUSA KUZUMILA

MCCLR

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COVERAGE

1. INTRODUCTION
2. COVERAGE OF THE ACT
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1. INTRODUCTION

- ❖ An Act to provide for the Establishment of the Government Chemist Laboratory Authority; to provide for its powers and functions and to provide for matters related thereto.
- ❖ The Act was established in year 2016 and signed by the President on the 23rd September 2016.
- ❖ Government Gazette No. 41 Vol.97 dated 30th September 2016
- ❖ Came in operation on 5th April, 2017
- ❖ The Act has 10 Parts, 56 sections and 5 Schedules

2. COVERAGE

PART	DESCRIPTION
Part 1	Preliminary Provisions - Section 1 -3: Short title & commencement, Application, interpretation
Part 2	The Government Chemist Laboratory Authority: Section 4-6 The GCLA, Functions of the Authority, Directorate, Zones, Units and Sections
Part 3	Administration and Institutional Arrangement: Section 7 – 15: Establishment of the Board, Functions and powers of the Board, Establishment of TCs, Appointment of CGC, Functions & powers of CGC, Powers to delegate, Appointment & Functions of Government Lab. Analysts, Appointment of Inspectors, Powers of Inspectors
Part 4	Management of Samples and Analytical Results – Sect.16 -19: Management of samples, Laboratory Analytical R Expert witness

2. COVERAGE...

PART	DESCRIPTION
Part 5	Authority Services – Section 20 – 23: Forensic Science & DNA Laboratory, Product Quality Services, Chemical mgt services
Part 6	Regulation of Laboratories – Registration of Laboratories, Inspection of Laboratories, Record keeping and Reporting,
Part 7	National Human DNA Database: Section 32 – 33: National Human DNA Database, Access to information
Part 8	National Poison Control Centre: Section 34 – 35: National Poison Control Centre, Designation of Information nodes
Part 9	Financial Provisions – Section 36 – 43 Sources of funds, submission of annual reports and accounts, Management & Control of funds, powers to invest

2. COVERAGE...

PART	DESCRIPTION
Part 10	General Provisions – Section 44 – 56 Powers of the Minister to make Regulations, Protection of members of the Board and officers of the Authority, transfer of staff & their rights, welfare & safety of staff, conflict of interest, confidentiality and disclosure of information, offence against tempering with documents or reports, powers of minister to make Regulations, Powers to compound offences, General penalty

SCHEDULES

Schedule 1	Tenure of members, proceedings of the Board and other matters relating to the Board
Schedule 2	Appointment, composition, tenure and procedures of the forensic science technical committee
Schedule 3	Appointment, composition, functions and procedures of the poison control technical committee

2. COVERAGE...

PART	DESCRIPTION
Schedule 4	Application form for registration of laboratory
Schedule 5	Information to be contained in the HDNA Database

3. IMPORTANT ISSUES TO NOTE

- ❖ Establishment of the GCLA as a supreme and referral laboratory of the Government of the URT
- ❖ Functions of the Authority: 17 functions as per the Act
 - ✓ Conduct Research, Lab Analysis and advice the Government on matters relating to the functions of the Authority
 - ✓ Regulate Chemical, forensic science and HDNA Labs to ensure compliance with prescribed standards
 - ✓ Conduct inspection for premises or services regulated by the Authority
 - ✓ Registration, suspension or cancellation of chemical, forensic science, HDNA Labs, Industrial Chem & Consumer Chem or chem dealers
 - ✓ Advice the Minister on appointment of inspectors
 - ✓ Make laboratory analysis on issues of public interest

3. IMPORTANT ISSUES TO NOTE ...

❖ **Functions and powers of the Board:**

- ✓ Make guidelines, rules and orders to facilitate implementation of the Act
- ✓ Exempt payment of any fees for the services rendered by the Authority
- ✓ Approve fees payable for the services rendered by the Authority
- ✓

The Board may delegate its functions to the CGC, Committee of the Board or employee of the Authority.

❖ **Appointment, Functions and powers of the CGC**

Appointed by the President of the URT amongst public servant. The functions of CGC:

- ✓ Registrar of Chemicals under ICCA, Registrar of Chemical, forensic science & HDNA Labs – issue registration certificate upon approval of the Board.

3. IMPORTANT ISSUES TO NOTE ...

❖ Appointment of inspectors

- ✓ Appointed by Minister upon advice of the Board
- ✓ Inspectors appointed under ICCA, HDNA Regulation Act are deemed to be appointed under this Act

❖ Powers of Inspectors:

- ✓ To enter any premise dealing with services regulated by the Authority for proper performance of such duty or making inspection
- ✓ Issue directives after inspection on areas requiring correction
- ✓ Order temporary closure of the premise pending correction or Boards directives
- ✓ Seize anything or property used in the commission of an offence
- ✓ Upon Board approval impose fines on several offences at such rates as may be determined by the Minister
- ✓ In collaboration with any other Authority, supervise proper disposal of samples, chemicals or any article regulated by the Act.
- ✓ Where necessary, with assistance of Police, arrest any person

3. IMPORTANT ISSUES TO NOTE ...

❖ Powers of Inspectors:.....

- ✓ Provide advice or recommendation on the proper implementation of the provisions of the Act as per the practice
- ✓ Adduce evidence before the Court

❖ Regulation of Laboratories:

- ✓ A Chemical, forensic science or HDNA Laboratory shall not offer lab. Services without being registered
- ✓ A Chemical, forensic science or HDNA Laboratory shall not be registered unless it has staff who possess relevant qualifications, laboratory with facilities that meets standards prescribed in the Regulation.
- ✓ The CGC shall conduct or cause to be conducted inspection of laboratory by Gazzetted inspectors
- ✓ Owner of Laboratory shall keep records of services offered, recommendations from the previous inspection, if any; and submit to the Registrar twice per year

THE GCLA ACT. REGULATIONS, 2017

1. INTRODUCTION

- ❖ These Regulations were made under section 44 of the GCLA Act.No.8 of 2016
- ❖ Gazette of the URT No. 19 Vol.98 dated 12th May, 2017
- ❖ Government Notice No.212 published on 12th May, 2017
- ❖ The Regulations has 5 Parts, 27 Regulations and 16 Schedules

2. IMPORTANT ISSUES TO NOTE

PART IV: REGULATION OF LABORATORIES

❖ **Qualifications and functions of Laboratory Staff:**

- ✓ Laboratory Manager – At least a BSC. Degree majoring either in Chemistry, CPE, Toxicology, Forensic Science, Environmental Science, FST, Human Nutrition, Lab.Technology or any other related discipline from accredited institution.
- ✓ An Analyst – with BSC. Degree majoring either in Chemistry, CPE, Toxicology, Forensic Science, Environmental Science, FST, Human Nutrition, Lab.Technology or any other related discipline from accredited institution

2. IMPORTANT ISSUES TO NOTE ...

❖ Standards for Laboratory:

Every Lab shall be required to meet the following minimum requirements:

- ✓ A premise of facility which allows operations of the intended lab. Services
- ✓ Adequate Lab. equipment to allow lab analysis to be undertaken according to the scope
- ✓ Adequate space and conducive environment to allow lab. Analysis to be undertaken without compromising quality of results
- ✓ A known physical address - secured and easily accessible; have necessary utilities to ensure quality of services, health & safety; have emergence response plan including EHS management systems.

Every registered laboratory shall have QMS in place

THE END OF PRESENTATION

