

AGRICULTURAL CHEMISTS ACT
Act 20 of 1979 – 17 November 1979

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Interpretation
3. Committee
4. Meetings of Committee
5. Register of agricultural chemists
6. Registration of agricultural chemists
7. Title of registered agricultural chemist
- 7A. Register of approved laboratories
- 7B. Registration of approved laboratories
8. Regulations
9. Offences

AGRICULTURAL CHEMISTS ACT

1. Short title

This Act may be cited as the Agricultural Chemists Act.

2. Interpretation

In this Act—

“approved laboratory” means a laboratory registered under section 7B;

“Committee” means the Committee set up under section 3;

“Minister” means the Minister to whom responsibility for the subject of agriculture is assigned;

“Permanent Secretary” means the Permanent Secretary of the Ministry responsible for the subject of agriculture;

“recognised university or institution” means a university or institution recognised by the Tertiary Education Commission;

“register” means the register of the names of all registered agricultural chemists kept under section 5;

“Tertiary Education Commission” means the Tertiary Education Commission established under the Tertiary Education Commission Act.

[S. 2 amended by Act 7 of 1999.]

3. Committee

(1) —

(2) The Committee shall exercise such powers and perform such duties as are conferred or imposed upon it by this Act.

(3) The Committee shall consist of—

- (a) the Chief Agricultural Officer or, in his absence, any officer of the Ministry responsible for the subject of agriculture to be appointed by the Minister, as Chairperson;
- (b) the Chief Executive Officer of the Mauritius Cane Industry Authority;
- (c) the officer in charge of the Agricultural Chemistry Division of the Ministry responsible for the subject of agriculture;
- (d) one representative of the Food and Agricultural Research and Extension Institute;
- (e) —
- (f) a representative of the University of Mauritius;
- (g) a representative of the *Société de Technologie Agricole et Sucrière de Maurice*.

(4) The members specified in subsection (3) (d), (e), (f) and (g) shall be appointed by the Minister on such terms and conditions as he may determine.

[S. 3 amended by Act 7 of 1999; s. 22 (1) of Act 21 of 2013 w.e.f. 14 February 2014.]

4. Meetings of Committee

(1) The Committee shall meet as often as may be required and at such time and place as the Chairperson may appoint.

(2) The Chairperson shall preside at all meetings of the Committee and, in his absence from a meeting, the members present shall elect from among themselves a member to preside at that meeting and the member so elected shall, in relation to that meeting, exercise the functions and have all the powers of the Chairperson.

(3) At any meeting of the Committee, 4 members, including the Chairperson, shall constitute a quorum.

(4) Everything authorised or required to be done by the Committee shall be decided by a simple majority of the members present and voting.

(5) At any meeting of the Committee, every member shall have one vote on the matter in question and, in the event of an equality of votes, the person presiding shall have a casting vote.

(6) Subject to this section, the Committee shall regulate its proceedings in such manner as it may determine.

[S. 4 amended by Act 7 of 1999.]

5. Register of agricultural chemists

(1) The Permanent Secretary shall keep a register in which he shall enter the names of all registered agricultural chemists.

(2) Where the Committee is satisfied that the name of any person has been wrongly inserted in the register mentioned in subsection (1), it shall cause that name to be struck off.

[S. 5 amended by Act 7 of 1999.]

6. Registration of agricultural chemists

(1) Every person who—

- (a) (i) holds from a recognised university or institution a degree or diploma in natural or agricultural science with chemistry or agricultural chemistry as the main subject or one of the main subjects in which he has qualified at the final examination for such degree or diploma; and
- (ii) has worked for a minimum of one year in an approved laboratory under the supervision of a registered agricultural chemist; or
- (b) holds the Licentiate, Membership or Fellowship of the Royal Society of Chemistry,

may apply to the Committee for registration as an agricultural chemist.

(2) Where the Committee—

- (a) grants an application under subsection (1), the applicant shall, on payment of the prescribed fee, be registered as an agricultural chemist;
- (b) refuses an application under subsection (1), it shall notify the applicant of the refusal and of the reasons for the refusal.

(3) A registration under subsection (2) (a) shall be valid for a period of 5 years and may, with the approval of the Committee and on payment of the prescribed fee, be renewed for further periods of 5 years.

[S. 6 amended by Act 7 of 1999 and reprinted by Reprint 4 of 2001.]

7. Title of registered agricultural chemist

(1) A registered agricultural chemist may add after his name the words "Agricultural Chemist, registered in Mauritius" or "A.C.R. Mauritius".

(2) No person shall, unless he is a registered agricultural chemist, add after his name the words "Agricultural Chemist, registered in Mauritius" or "A.C.R. Mauritius".

7A. Register of approved laboratories

The Permanent Secretary shall keep a register in which he shall enter a list of all approved laboratories.

[S. 7A inserted by Act 7 of 1999.]

7B. Registration of approved laboratories

(1) Any person who wishes to register a laboratory as an approved laboratory shall make an application in writing to the Committee.

(2) On receipt of an application under subsection (1), the Committee may grant the application where, in its opinion, the laboratory has the necessary facilities for the analysis of—

- (a) agricultural products and by-products; and
- (b) substances used in agriculture or in any industry dealing with agricultural products.

(3) Where the Committee—

- (a) grants an application under subsection (2), it shall issue to the applicant, on payment of the prescribed fee, a certificate in the prescribed form;
- (b) refuses an application under subsection (1), it shall notify the applicant of the refusal and of the reasons for the refusal.

(4) A certificate granted under subsection (3) (a) shall be valid for a period of one year and may, with the approval of the Committee and on payment of the prescribed fee, be renewed for further periods of one year.

[S. 7B inserted by Act 7 of 1999.]

8. Regulations

(1) The Minister may make such regulations as he thinks fit for the purposes of this Act.

(2) Regulations made under subsection (1) may provide—

- (a) for the fees payable for the registration, and renewal of registration, of an agricultural chemist;
- (b) for the fees payable for a certificate, or the renewal of a certificate, of registration as an approved laboratory.

[S. 8 amended by 7 of 1999.]

9. Offences

(1) Any person who, not being a registered agricultural chemist, makes any analysis of—

- (a) any agricultural product or by-product; or
- (b) any substance used in agriculture or in any industry dealing with agricultural products,

shall commit an offence.

(2) Any registered agricultural chemist who makes any analysis of any product or substance specified in subsection (1) otherwise than in an approved laboratory shall commit an offence.

(3) Any person who commits an offence under subsection (1) or (2) shall, on conviction, be liable to a fine not exceeding 10,000 rupees and to imprisonment for a term not exceeding 6 months.

[S. 9 amended by 7 of 1999.]
