

CHEMICAL WEAPONS (PROHIBITION) ACT, 2014

No. 25



of 2014

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An Act to provide for the prohibition of the development, production, acquisition, stockpiling, retention, transfer and use of chemical weapons and other matters incidental thereto.

Date of Assent: 27.08.2014

Date of Commencement: ON NOTICE

ENACTED by the Parliament of Botswana.

Part I – *Preliminary*

Short title and commencement

1. This Act may be cited as the Chemical Weapons (Prohibition) Act, 2014 and shall come into operation on such a date as the Minister may, by Order published in the *Gazette*, appoint.

Interpretation

2. (1) In this Act, unless the context otherwise requires —
“Authority” means the Chemical Weapons Management Authority established under section 3;
“Board” means the Board established under section 5 of the Act;
“chemical weapon” means —
(a) toxic chemicals and their precursors, except where intended for —
(i) peaceful purposes,
(ii) purposes relating to protection against toxic chemicals, or
(iii) law enforcement purposes within the State,
as long as the types and quantities are consistent with such purposes;
(b) munitions and devices specifically designed to cause death or other harm through the toxic properties of those toxic chemicals defined in paragraph (a) of this definition which would be released as a result of the employment of such munitions and devices; or
(c) any equipment specifically designed for use directly in connection with the employment of those munitions or devices;

- “Convention” means the Convention on the Prohibition, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, signed by the State Parties at Paris, France on the 13th day of January, 1993, as amended from time to time;
- “Director” means the Director of the Authority appointed under section 3 (2);
- “facility” means any equipment, including any building or vessel housing the equipment, where at any stage in the production of chemicals, the material flows would contain any of the scheduled chemicals;
- “inspector” means a person appointed as such under section 21;
- “licensee” means a person to whom a licence has been issued under this Act;
- “member” means a member of the Board appointed under section 5;
- “non-State Party” means a State that is not a signatory to the Convention;
- “Organisation” means the Organisation for the Prohibition of Chemical Weapons established under the Convention;
- “precursor” means any chemical reactant which is used in the production of a chemical weapon or any toxic chemical;
- “riot control agent” means any chemical not listed in a Schedule, which can produce rapidly in humans sensory irritation or disabling physical effects disappear within a short time following termination of exposure;
- “Schedule 1 chemical” means a chemical listed in Schedule 1 to this Act;
- “Schedule 2 chemical” means a chemical listed in Schedule 2 to this Act;
- “Schedule 3 chemical” means a chemical listed in Schedule 3 to this Act;
- “scheduled chemical” means a chemical that is listed in the Schedules to this Act;
- “State Party” means a State that is a signatory to the Convention; and
- “toxic chemical” means any chemical which through its chemical action on life processes can cause death, temporary incapacitation or permanent harm to humans or animals.

PART II – *Establishment of Authority*

Chemical
Weapons
Management
Authority

3. (1) There is hereby established a public office to be called the Chemical Weapons Management Authority.

(2) Subject to the laws governing the public service, there shall be appointed a Director and such other officers of the Authority as may be deemed necessary.

(3) The Authority shall be under the general supervision of the Director.

(4) The objective of the Authority shall be to manage and control the use of toxic chemicals as well as to regulate the field of chemistry so as to ensure that its exclusive use is for the benefit of mankind.

Functions of
Authority

4. (1) The Authority shall be the principal agency in Botswana for the management of toxic chemicals and shall coordinate, monitor and supervise all activities related to chemicals in addition to any other power conferred on it by this Act.

(2) Notwithstanding the generality of subsection (1), the Authority shall —

- (a) institute measures for the implementation of the Convention both solely and in cooperation with other public bodies, organs of Government, non-governmental organisations, private sector organisations and members of the public;
- (b) monitor the implementation of this Act and assess its effectiveness in improving the level of protection, control and prevention of the use of toxic chemicals in Botswana, and to advise the Minister on ways of giving effect to the purposes of this Act effectively;
- (c) issue any licence or permit required under this Act;
- (d) keep and maintain a register of licences and permits issued under this Act, and notifications and declaration made under this Act;
- (e) prepare an annual report of all notifications, facilities and any other matter connected with the prohibition of the production, development, acquisition, stockpiling, retention, use and transfer of toxic chemicals, and their destruction;
- (g) publish and disseminate manuals, standards, codes of practice and guidelines relating to toxic chemicals management;
- (h) carry out research, promote and coordinate information and data collection relating to the chemical industry;
- (i) conduct inspections and take other measures to monitor compliance with this Act and to conduct investigations into alleged contraventions of this Act;
- (j) investigate any matter that may have a negative effect on the chemical industry, and make recommendations thereon to the Minister; and
- (k) perform other functions incidental or conducive to the operation of this Act as assigned to it by the Minister from time to time.

PART III — *Establishment and membership of Board*

5. (1) There is hereby established a Board of the Authority which shall perform such functions as may be conferred on it under this Act.

Establishment
and
membership
of Board

(2) The Board shall consist of the following members appointed by the Minister —

- (a) the Permanent Secretary from the ministry of defence, justice and security;
- (b) a nominee from the ministry responsible for agriculture;
- (c) a nominee from the ministry for health;
- (d) a nominee from the Attorney General's Chambers;
- (e) a member from the ministry for environment, wildlife and tourism;
- (f) the Director of the Radiation Inspectorate established under the Radiation Protection Act;
- (g) a nominee from the Botswana Police Service;
- (h) a nominee from the Botswana Defence Force;
- (i) the Director of International Trade;
- (j) the Director as an *ex officio* member;
- (k) two persons who possess the skill, experience and competence in environmental issues, chemicals and other chemistry-related professions;
- (l) a representative of the mines or mining industry; and
- (m) a representative of the Botswana Institute for Technology, Research and Innovation.

Cap. 24:03

(3) The Permanent Secretary from the ministry of defence, justice and security shall be the Chairperson of the Board and the members shall elect a member from among their number to be the Vice-Chairperson.

6. (1) The Board shall —

- (a) determine policies for giving effect to the objects and purposes of the Act;
- (b) advise the Minister to change, review or formulate toxic chemical policies and strategies where necessary;
- (c) recommend standards, codes of practice, guidelines and legislation to the Minister; and
- (d) investigate any matter that may have a negative effect on the chemical industry, and make recommendations thereon to the Minister.

Functions of
Board

(2) The Minister may give the Board written directions, of a general or specific nature, regarding the exercise of its powers and the performance of its functions, which directions shall not be inconsistent with this Act.

(3) The Board shall give effect to the Minister's directions given in accordance with subsection (2).

Meetings of
the Board

7. (1) Subject to the provisions of this Act, Board shall regulate its own proceedings.

(2) The Board shall meet for the transaction of its business at least four times in a year.

(3) Upon giving notice in writing of not less than 14 days, a meeting of the Board may be called by the Chairperson provided that if the urgency of any particular matter does not permit the giving of such notice, a special meeting may be called upon giving of a shorter notice.

(4) The quorum at any meeting of the Board shall be a simple majority of the members of the Board.

(5) There shall preside at any meeting of the Board —

(a) the Chairperson;

(b) in the absence of the Chairperson, the Vice-Chairperson; or

(c) in the absence of the Chairperson and Vice-Chairperson, such member as the members present may elect from amongst themselves for the purpose of that meeting.

(6) A decision of the Board on any question shall be by the majority of the members present and voting at the meeting and, in the event of an equality of votes, the member presiding shall have a casting vote in addition to that person's deliberative vote.

(7) Any person invited in terms of section 5 (3) to participate in the deliberations of a meeting of the Board shall not be entitled to vote.

Disclosure
of interest

8. (1) A member or any other person attending a meeting of the Board, at which meeting a matter which is the subject of consideration is one in which he or she is directly or indirectly interested in a private capacity, the member or any person attending the meeting of the Board shall, as soon as practicable after the commencement of the meeting, disclose the full nature and extent of such interest and shall not, unless the Board otherwise directs, take part in any consideration or discussion of, or vote on any question touching upon, such matter.

(2) A disclosure under subsection (1) shall be recorded in the minutes of the meeting at which it was made.

(3) Where a member of the Board or any person attending a meeting of the Board fails to disclose his or her interest in accordance with subsection (1) and a decision of the Board is made benefitting such member, the decision shall be null and void.

(4) A person who contravenes the provisions of subsection (1) commits an offence and is liable to a fine not exceeding P10 000, or to imprisonment for a term not exceeding three months, or to both.

Confidentiality

9. (1) A member or any person attending a meeting of the Board shall observe and preserve the confidentiality of all matters coming before the Board, and such confidentiality shall subsist even after the termination of their terms of office or their expert mandates.

(2) Any person to whom confidential information is revealed through working with the Board or the Authority shall not disclose that information to any other person unless he or she is required to do so in terms of any written law.

(3) A person who contravenes the provisions of this section commits an offence and is liable to a fine not exceeding P10 000, or to imprisonment for a term not exceeding three months, or to both.

10. (1) The Authority shall provide secretarial services to the Board.
(2) Any representative of the Authority who attends the meetings of the Board to provide secretarial services shall have no right to vote, and shall be responsible for the accurate and complete recording of the Board's proceedings and decisions.

Secretarial
services

PART IV – Chemical weapons and chemicals for permitted purposes

11. (1) Subject to this Act, a person shall not —

- (a)** produce, develop, retain, use or transfer, directly or indirectly to another person, a chemical weapon;
- (b)** construct, convert, maintain or use any premises or equipment for the production, development, retention, use or transfer of chemical weapons;
- (c)** assist another person to produce, develop, retain, use or transfer a chemical weapon either through assisting in the construction, conversion, maintenance or use of any premises or equipment;
- (d)** engage in preparations of a military nature to use a chemical weapon; or
- (e)** use a riot control agent as a method of warfare.

Chemical
weapons

(2) Any action referred to in subsection (1) undertaken outside Botswana by a citizen of Botswana shall be deemed to have been undertaken at any place within Botswana.

(3) A person who contravenes this section commits an offence and is liable to a fine of P5 000 000 or to life imprisonment, or to both.

12. (1) Except as authorised by this Act, a person shall not produce, use, acquire, possess, transfer, import or export a Schedule 1 chemical or its precursor.

Schedule 1
chemicals
and precursors

(2) For the purposes of subsection (1), Schedule 1 chemicals can only be produced, used, acquired, retained or transferred for research, medical or pharmaceutical purposes.

(3) In determining whether a toxic chemical or precursor is a chemical weapon, the type and quantities of the chemicals or precursors shall be taken into account.

(4) A person who contravenes this section commits an offence and is liable to a fine of P25 000 000 or to life imprisonment, or to both.

13. (1) Except as authorised by this Act, a person shall not receive, transfer, import or export a Schedule 2 chemical or its precursor to a non-State Party —

Schedule 2
chemicals

- (a)** without first notifying the Authority; and
- (b)** unless it contains a low concentration of Schedule 2 chemicals to the extent allowed by the Convention.

(2) A person shall produce, process or use a Schedule 2 chemical in accordance with regulations prescribed by the Minister and subject to making such notifications and declarations required under Part V.

(3) A person who contravenes this section commits an offence and is liable to a fine of P3 000 000 or to imprisonment for a term of 20 years, or to both.

Schedule 3
chemicals

14. (1) Except as authorised by this Act, a person shall not receive, transfer, import or export a Schedule 3 chemical without first notifying the Authority.

(2) Any person who wishes to transfer a Schedule 3 chemical or its precursor to a non-State party shall first obtain an end-user certificate from a competent governmental authority in the non-State Party where the chemical is transferred to.

(3) A person shall produce, process or use a Schedule 3 chemical in accordance with regulations prescribed by the Minister and subject to making such notifications and declarations to the Authority as required under Part V.

(4) A person who contravenes a provision of this section commits an offence and is liable to a fine of P1 500 000 or to imprisonment for a term of 10 years, or to both.

Chemical
facilities

15. (1) The operator of a facility where any of the scheduled chemicals is likely to be produced, acquired, retained, used or transferred shall not carry out any activity that would lead to the production, acquisition, retention, use or transfer of any scheduled chemicals without first obtaining the necessary licence in accordance with regulations prescribed by the Minister and subject to making such notifications and declarations to the Authority as required under Part V.

(2) A person who contravenes this section commits an offence and is liable to a fine not exceeding P1 500 000, or to imprisonment for a term of 10 years, or to both.

PART V — Notifications and declarations

Notifications
of finding of
substances
or articles
believed to
be chemical
weapons

16. (1) If a person finds a substance or article in Botswana that the person believes may be a chemical weapon, the person shall immediately notify —

(a) the Director; or

(b) a police officer,

of the finding and location of the substance or article concerned.

(2) Where a person notifies a police officer under subsection (1), it shall be the responsibility of the police officer to notify the Director of the matter.

(3) A person who contravenes subsection (1) commits an offence and is liable to a fine not exceeding P10 000, or to imprisonment for a term not exceeding three months, or to both.

17. (1) Subject to subsection (2), any person who transfers a Schedule 1 chemical shall notify the Authority 45 days before the transfer of any such chemical to another State Party.

Notifications and declarations for Schedule 1 chemicals

(2) A person shall make a notification to the Authority at least 5 days before the transfer of the Schedule 1 chemical saxitoxin if —

- (a) the transfer is for medical or diagnostic purposes; and
- (b) the transfer is for quantities of 5 milligrams or less.

(3) A person who contravenes subsection (1) commits an offence and is liable to a fine not exceeding P3 000 000 or to imprisonment for a term of 20 years, or to both.

18. (1) Any person who transfers a Schedule 2 chemical shall declare all transfers relating such transfers within 30 days after the end of the calendar year.

Declarations for Schedule 2 chemicals

(2) A person who contravenes subsection (1) commits an offence and is liable to a fine not exceeding P1 500 000 or to imprisonment for a term of 10 years, or to both.

19. (1) Any person who transfers a Schedule 3 chemical shall declare all transfers relating such transfers within 30 days after the end of the calendar year.

Declarations for Schedule 3 chemicals

(2) A person who contravenes subsection (1) commits an offence and is liable to a fine not exceeding P500 000 or to imprisonment for a term of five years, or to both.

20. The Director shall compile all notifications and declarations required under this Part and submit to the Organisation a detailed annual declaration within 90 days after the end of the calendar year.

Declarations by Authority

PART VI – Inspections and Enforcement

21. (1) The Director may appoint such number of officers of the Authority as he or she thinks fit to be inspectors for purposes of this Act.

Inspectors

(2) The Authority shall issue to every inspector an identity card of authority and, when exercising a power conferred on him or her under this Act, the inspector shall, on being so requested by a person in charge of a place to be inspected, show the identity card to that person.

22. (1) An inspector may, for the purposes of ensuring that this Act is complied with —

Inspections

(a) at any reasonable time enter any place with reasonable force if necessary and as may be permitted by a warrant issued under section 23 —

- (i) in respect of which under Part V information has been or is required to be provided,
- (ii) which place is subject to an on-site challenge inspection referred to in paragraph 8 of Article IX of the Convention,
- (iii) in respect of a place which an investigation under paragraph 9 of Article X of the Convention has been initiated, or
- (iv) in, at or on any place which there are reasonable grounds to believe an offence against this Act has been or is being committed,

and inspect the place;

- (b) request any person in, at or on the place to give to the inspector access to any area, container or thing in, at or on the place;
- (c) secure under a warrant issued under section 23, for later inspection, any such place or area, or any container or thing in, at or on the place;
- (d) examine any container or thing in, at or on the place;
- (e) request any person in charge or employed in, at or on the place to produce to the inspector such information contained in the records, files, papers or electronic information systems kept in, at or on, or used in relation to, the place and, in the case of such information in a non-legible form, to reproduce it in a legible form;
- (f) inspect and take copies of or extracts from any such records, files, papers or electronic information system in, at or on the place, including in the case of information in a non-legible form, copies of or extracts from such information in a permanent legible form;
- (g) remove and retain, under a warrant under subsection (2), those records, files or papers or equipment used in such information systems, for such period as may be reasonable for further examination or until the conclusion of any legal proceedings;
- (h) have photographs taken of any thing in, at or on the place and remove the photographs from the place;
- (i) where appropriate, install, use and maintain in, at or on the place monitoring instruments, systems and seals in a manner consistent with the Convention;
- (j) take samples for analysis of any thing in, at or on the place, without payment, and analyse those samples or remove them from the place for analysis outside the place;
- (k) as regards any product or any article or substance used in the manufacture of a product the inspector finds in, at or on the place, require any person in, at or on the place, or who appears to the inspector to be in possession of the product or the article or substance, to supply without payment for test, examination or analysis, sufficient samples thereof;
- (l) cause any product or any substance or thing used in the manufacture of a product found in, at or on the place the possession or use of which appears to the inspector to constitute an offence under this Act, to be dismantled or subjected to any process or test, but not so as to damage or destroy it unless it is in the circumstances necessary for the purposes of this Act;
- (m) take possession of any such product, substance or thing in, at or on the place and retain it for so long as is necessary for all or any of the following purposes —
 - (i) to examine or arrange for its examination and do to it anything that he or she has power to do under paragraph (g),
 - (ii) to ensure that it is not tampered with before the examination is completed, and
 - (iii) to ensure that it is available for use as evidence in any proceedings;

- (n) require any person in, at or on the place to afford the inspector such facilities and assistance within the person's control or responsibilities as are reasonably necessary to enable the inspector to exercise any of the powers conferred on him or her by or under this Act; and
 - (o) exercise such other powers as may be necessary to ensure that this Act is complied with.
- (2) Before exercising the power conferred under subsection (1) (g) in the case of any substance or thing, an inspector shall, so far as it is reasonably practicable to do, consult such persons as appear to him or her to be appropriate for the purposes of ascertaining what danger, if any, there may be in doing anything that he or she proposes to do under that power.
- (3) Where an inspector exercises the power under subsection (1) (l), the inspector shall, if required by a person who at the time is present in, at or on and is in charge of the place, cause anything which is to be done by virtue of that power to be done in the presence of that person.
- (4) Where under the power conferred by subsection (1) (m) an inspector takes possession of any substance or thing found in, at or on a place, the inspector shall, if it is practicable for him or her to do so, take samples of the substance or thing and give to a person who holds himself or herself out as being in charge of the place, a portion of the sample marked in a manner sufficient to identify it.

23. (1) An inspector shall not, except with the consent of the occupier, enter a place unless he or she has obtained a search warrant from a Magistrate's Court under subsection (4) authorising such entry.

Powers of
entry and
search

(2) Where an inspector in the exercise of his or her powers under this section is prevented from entering any place, an application may be made to the Magistrate's Court for a search warrant under subsection (4) authorising such entry.

(3) An inspector may, where he or she considers it necessary, be accompanied by a member of the Police Service when exercising any powers conferred on an inspector under this Act.

(4) Without prejudice to the powers conferred on an inspector under any other provision of this Act, if a magistrate is satisfied on the sworn information of an inspector that —

- (a) there are reasonable grounds for suspecting that there is information required by an inspector under this Act held in, at or on any place;
- (b) there is a product, substance or thing that an inspector requires to inspect for the purposes of this Act; or
- (c) an inspection is likely to disclose evidence of a contravention of this Act,

the magistrate may issue a search warrant authorising an inspector, accompanied by other inspectors or members of the Police Service, at any time or times within one month from the date of issue of the warrant, to enter the place, if need be by reasonable force, and exercise all or any of the powers conferred on inspectors under this Act.

(5) An application for a search warrant under subsection (4) shall be made to a Magistrate's Court in the district in which the place to be searched is situated.

(6) Where under this section a warrant under subsection (4) would otherwise be required to exercise a power by an inspector, it shall not be so required if the conditions for obtaining a warrant exist but, by reason of exigent circumstances, it would not be practicable to obtain the warrant.

(7) Any person who —

(a) obstructs or interferes with an inspector in the exercise of his or her powers under this Act;

(b) refuses or fails to comply with a request by an inspector under this Act; or

(c) makes a statement to an inspector which the person knows to be false or misleading or which he or she does not believe to be true, commits an offence and is liable to a fine not exceeding P500,000 or to imprisonment for a term not exceeding five years, or both.

Members of
Police Service
to have
powers of
inspectors in
certain
circumstances

24. Where a member of the Police Service suspects, on reasonable grounds, that an offence under this Act has been or is being committed in, at or on any place or by any person, and that member of the Police Service has and may exercise, in relation to that place or person, in addition to any powers that he or she may have by virtue of being a member of the Police Service, any of the powers of an inspector under this Act.

Forfeiture
and seizure
of chemical
weapons

25. (1) Any chemical weapon that is developed, produced or otherwise acquired, stockpiled, retained or transferred in contravention of this Act shall be forfeited to the State.

(2) A police officer may, without a warrant, seize any substance or article, including a substance or article notified to the Director or a police officer under Part V, which is forfeited or which the police officer has reasonable grounds to believe should be forfeited to the State as a chemical weapon under subsection (1).

(3) Where a person has been convicted of an offence under this Act, any chemical weapon or other thing seized by means of or in respect of which the offence was committed is forfeited to the State shall be disposed of as the Authority may direct.

Indemnity

26. An inspector shall not be liable to be sued in any civil court in respect of anything done or omitted to be done by such inspector, if the thing is done or omitted to be done *bona fide* in the course of the operations of the Authority, render that inspector personally liable to an action, claim, demand.

Part VII — *Miscellaneous provisions*

27. (1) The Director may, by written notice, require a person to give such information as may be prescribed within such reasonable period and in such manner as is specified in the notice.

Director may seek information

(2) The Director may, by written notice given to a person, require the person to give to the Director particular documents, or documents of a particular kind, specified in the notice, within such reasonable period as is specified in the notice.

(3) Any person who fails to comply with a notice given under this section commits an offence and is liable to a fine not exceeding P150 000, or to a term of imprisonment not exceeding two years, or to both.

(4) The power of the Director under this section to require a person to give information or documents is in addition to any obligation to give information or documents that the person may have under section 22; or any other power the Director has under this Act to require the person to give information or documents.

28. (1) A citizen of Botswana, or a person who permanently resides in Botswana, who commits an act outside Botswana that constitutes an offence under this Act if committed in Botswana, commits an offence and shall be liable to a penalty as prescribed under this Act.

Extra-territorial jurisdiction

(2) Any act prohibited under Part V undertaken outside Botswana by a citizen of Botswana shall be deemed to have been undertaken at any place within Botswana.

(3) A person may not be convicted of an offence under subsection (1) if such a person has been acquitted or convicted in the country where that offence was committed.

29. The Minister may make regulations for any matter which is required to be prescribed or for the better carrying out of the provisions of this Act and without derogating from the generality of the foregoing, such regulations may prescribe —

Regulations

- (a) a declaration regime for all declarations required under the Convention;
- (b) a licensing regime for all licenses to be granted;
- (c) activities involving the production, processing or use of Schedule 1, 2 and 3 chemicals that is carried out, was carried out, or is anticipated to be carried out in the future; and
- (d) any forms and fees as may be required under this Act.

(2) When required under subsection (1), the regulations establishing a licensing and a declaration regime shall ensure that the Authority is enabled to —

- (a) prevent prohibited activities and comply with the requirements of the Convention;
- (b) gather all information as required under Article VI of the Convention;
- (c) make all declarations to the Organisation under Article VI of the Convention in a comprehensive and timely manner; and
- (d) ensure that international inspections can be carried out in any place in Botswana when required by the Convention.

SCHEDULE 1
(section 10)

A. TOXIC CHEMICALS	(CAS Registry number)
(1) O-Alkyl ($\leq C_{10}$, incl. cycloalkyl) alkyl (Me, Et, n-Pr or i-Pr)-phosphonofluoridates	
e.g. Sarin: O-Isopropyl methylphosphono- fluoridate	(107-44-8)
Soman: O-Pinacolyl methylphosphono- fluoridate	(96-64-0)
(2) O-Alkyl ($\leq C_{10}$, incl. cycloalkyl) N,N-dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidocyanidates	
e.g. Tabun: O-Ethyl N,N-dimethyl phosphoramidocyanidate	(77-81-6)
(3) O-Alkyl (H or $\leq C_{10}$, incl. cycloalkyl) S-2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonothiolates and corresponding alkylated or protonated salts	
e.g. VX O-Ethyl S-2-diisopropylaminoethyl methyl phosphonothiolate	(50782-69-9)
(4) Sulfur mustards:	
2-Chloroethylchloromethylsulfide	(2625-76-5)
Mustard gas: Bis (2-chloroethyl) sulfide	(505-60-2)
Bis (2-chloroethylthio) methane	(63869-13-6)
Sesquimustard: 1,2-Bis (2-chloroethylthio) ethane	(3563-36-8)
1,3-Bis (2-chloroethylthio)-n-propane	(63905-10-2)
1,4-Bis (2-chloroethylthio)-n-butane	(142868-93-7)
1,5-Bis (2-chloroethylthio)-n-pentane	(142868-94-8)
Bis (2-chloroethylthiomethyl) ether	(63918-90-1)
O-Mustard: Bis (2-chloroethylthioethyl) ether	(63918-89-8)

Lewisites:

- (5) Lewisite 1: 2-Chlorovinyl dichloroarsine (541-25-3)
Lewisite 2: Bis (2-chlorovinyl) chloroarsine (40334-69-8)
Lewisite 3: Tris (2-chlorovinyl) arsine (40334-70-1)

Nitrogen mustards:

- (6) HN1: Bis (2-chloroethyl) ethylamine (538-07-8)
HN2: Bis (2-chloroethyl) methylamine (51-75-2)
HN3: Tris (2-chloroethyl) amine (555-77-1)
- (7) Saxitoxin (35523-89-8)
- (8) Ricin (9009-86-3)

B. PRECURSORS (CAS Registry number)

- (9) Alkyl (Me, Et, n-Pr or i-Pr) phosphonyldifluorides
e.g. DF: Methylphosphonyldifluoride (676-99-3)
O-Alkyl (H or $\leq C_{10}$, incl. cycloalkyl)
O-2-dalkyl
- (10) (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonites and corresponding alkylated or protonated salts
e.g. QL: O-Ethyl O-2-diisopropylaminoethyl methylphosphonite (57856-11-8)
- (11) Chlorosarin: O-Isopropyl methylphosphonochloridate (1445-76-7)
- (12) Chlorosoman: O-Pinacolyl methylphosphonochloridate (7040-57-5)

SCHEDULE 2
(section 11)

A. TOXIC CHEMICALS	(CAS Registry number)
(1) Amiton: O,O-Diethyl S-[2-(diethylamino) ethyl] phosphorothiolate and corresponding alkylated or protonated salts	(78-53-5)
(2) PFIB: 1,1,3,3,3-Pentafluoro-2-(trifluoromethyl)-1-propene	(382-21-8)
(3) BZ: 3-Quinuclidinyl benzilate (*)	(6581-06-2)
B. PRECURSORS	(CAS Registry number)
(4) Chemicals, except for those listed in Schedule 1, containing a phosphorus atom to which is bonded one methyl, ethyl or propyl (normal or iso) group but not further carbon atoms,	
e.g. Methylphosphonyl dichloride	(676-97-1)
Dimethyl methylphosphonate	(756-79-6)
Exemption: Fonofos: O-Ethyl S-phenyl ethylphosphonothiothionate	(944-22-9)
(5) N,N-Dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidic dihalides	
(6) Dialkyl (Me, Et, n-Pr or i-Pr) N,N-dialkyl (Me, Et, n-Pr or i-Pr)-phosphoramidates	
(7) Arsenic trichloride	(7784-34-1)
(8) 2,2-Diphenyl-2-hydroxyacetic acid	(76-93-7)
(9) Quinuclidin-3-ol	(1619-34-7)
(10) N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethyl-2-chlorides and corresponding protonated salts	

- (11) N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-ols and corresponding protonated salts
- Exemptions: N,N-Dimethylaminoethanol (108-01-0)
and corresponding protonated salts
- N,N-Diethylaminoethanol (100-37-8)
and corresponding protonated salts
- (12) N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-thiols and corresponding protonated salts
- (13) Thiodiglycol: Bis(2-hydroxyethyl)sulfide (111-48-8)
- (14) Pinacolyl alcohol: 3,3-Dimethylbutan-2-ol (464-07-3)

SCHEDULE 3
(section 12)

A. TOXIC CHEMICALS	(CAS Registry number)
(1) Phosgene: Carbonyl dichloride	(75-44-5)
(2) Cyanogen chloride	(506-77-4)
(3) Hydrogen cyanide	(74-90-8)
(4) Chloropicrin: Trichloronitromethane	(76-06-2)
B. PRECURSORS	(CAS Registry number)
(5) Phosphorus oxychloride	(10025-87-3)
(6) Phosphorus trichloride	(7719-12-2)
(7) Phosphorus pentachloride	(10026-13-8)
(8) Trimethyl phosphite	(121-45-9)
(9) Triethyl phosphite	(122-52-1)
(10) Dimethyl phosphite	(868-85-9)
(11) Diethyl phosphite	(762-04-9)
(12) Sulfur monochloride	(10025-67-9)
(13) Sulfur dichloride	(10545-99-0)
(14) Thionyl chloride	(7719-09-7)
(15) Ethyldiethanolamine	(139-87-7)
(16) Methyl-diethanolamine	(105-59-9)
(17) Triethanolamine	(102-71-6)

PASSED by the National Assembly this 15th day of July, 2014.

BARBARA N. DITHAPO,
Clerk of the National Assembly.