

3rd Session, 40th Legislature

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Bill 55

THE ENVIRONMENT AMENDMENT ACT (REDUCING PESTICIDE EXPOSURE)

[Bilingual version \(PDF\)](#)

[Explanatory Note](#)

(Assented to)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:

C.C.S.M. c. E125 amended

1 *The Environment Act is amended by this Act.*

2 *The following is added after section 40.3:*

Prohibiting pesticide use on lawns

40.4 No person shall use or cause or permit the use of a prescribed pesticide in, on or over a lawn.

Prohibiting pesticide use on grounds of specified facilities

40.5 No person shall use or cause or permit the use of a prescribed pesticide in, on or over the exterior property of a school, hospital or child care centre.

Exceptions

40.6 Sections 40.4 and 40.5 do not apply to the following uses of a prescribed pesticide:

- (a) uses related to agricultural activities, including use on a turf or sod farm;
- (b) uses related to forestry activities;
- (c) uses related to golf course operations;
- (d) uses related to the protection of public health or safety;
- (e) uses related to activities or for purposes that are prescribed by regulation.

Restricting sale of prescribed pesticides

40.7(1) Except as permitted by regulation, no person shall sell a prescribed pesticide.

Exception

40.7(2) Subsection (1) does not apply to a person who holds a valid pesticide dealer licence issued under *The Pesticides and Fertilizers Control Act*.

Exception for allowable pesticides

40.8 Sections 40.4, 40.5 and 40.7 do not apply if the pesticide in question is on a list of allowable pesticides established by regulation.

Ministerial regulations re prescribed pesticides

40.9 The minister may make regulations

- (a) prescribing activities and purposes for the purpose of clause 40.6(e);
- (b) governing the sale of prescribed pesticides;
- (c) establishing a list of allowable pesticides for the purpose of section 40.8;
- (d) prescribing specific pesticides or types or classes of pesticides for the purpose of the definition "prescribed pesticide" in subsection 40.10(1);
- (e) defining a word or phrase used in sections 40.4 to 40.8 that is not otherwise defined.

Definitions

40.10(1) The following definitions apply in this section and in sections 40.4 to 40.9.

"**child care centre**" means a child care centre or a child care home as defined in *The Community Child Care Standards Act*. (« garderie »)

"**hospital**" means a hospital as defined in *The Health Services Insurance Act*. (« hôpital »)

"**lawn**" means a plot of grass that is maintained at a regular and approximately uniform height

"lawn" means a piece of grass that is maintained at a regular and approximately uniform height through periodic and regular mowing, and includes any associated walkway, driveway or patio. (« pelouse »)

"**prescribed pesticide**" means a specific pesticide prescribed by regulation or a pesticide of a type or class of pesticide that is prescribed by regulation. (« pesticide visé par règlement »)

"**school**" means a public school or a private school as defined in *The Education Administration Act*. (« école »)

"**sell**" includes to offer for sale, display for sale and supply. (« vendre »)

Interpretation: "exterior property"

40.10(2) For the purpose of section 40.5, the exterior property of a school, hospital or child care centre consists of **all** parts of the parcel of land on which the school, hospital or child care centre is located on which there is no building or other enclosed structure.

3 *Subsection 41(3) is amended by adding "or section 40.9" after "subsection (1)".*

Coming into force

4 *This Act comes into force on a day to be fixed by proclamation.*

Explanatory Note

This Bill amends *The Environment Act*. It prohibits the use of prescribed classes or types of pesticides on lawns and on the grounds of schools, hospitals and child care centres, except in specific circumstances. These pesticides cannot be sold unless the seller complies with requirements set by regulation. These prohibitions and restrictions do not apply to pesticides that are on a list of allowable pesticides established by regulation.