

Chemical Weapons Convention Act, 2000

Section 7 - Powers and Functions of National Authority

(1) Subject to the provisions of this Act,--

(a) it shall be the general duty of the National Authority to fulfill, on behalf of the Government of India, the obligations under the Convention;

(b) it shall be incumbent on the National Authority to act as the national focal point for effective liaison with the Organisation and other States Parties on matters relating to the Convention.

(2) Subject to the provisions of sub-section (1), the functions of the National Authority shall be to--

(a) interact with the Organisation and other States Parties for the purpose of fulfilling the obligations of the Government of India under the Convention;

(b) monitor compliance with the provisions of the Convention;

(c) regulate and monitor the development, production, processing, consumption, transfer or use of Toxic Chemicals or Precursors as specified in the Convention;

(d) make request to, or to receive request from, a State Party for assistance and protection under Article X, against the use or threat of use of Chemical Weapons;

(e) manage routine inspection or Challenge Inspection or managing investigation, in case a complaint of use of Chemical Weapons or riot control agents as a method of warfare is received from the Organisation;

(f) conduct inspections for the purposes of this Act;

(g) interact with the Organisation in respect of acceptance of request of India for Challenge Inspection or to counter any frivolous or defamatory request made by any State Party against India to the Organisation;

(h) scrutinise and accept list of Inspectors and to verify the Approved Equipment brought by an Inspection Team on to the Inspection Site;

(i) provide escort to the Inspection Team and the Observer within the territory of India;

(j) identify and oversee the closure and destruction of Chemical Weapons, Chemical Weapons Production Facilities, Old Chemical Weapons or Abandoned Chemical Weapons;

(k) negotiate Managed Access during the Challenge Inspection;

(l) ensure decontamination of Approved Equipment after completion of an Inspection;

(m) advise Central Government for laying down safeguards for transportation, sampling or storage of Chemical Weapons and fixation of standards for emission or discharge of environmental pollutants arising out of the destruction of Chemical Weapons, Old Chemical Weapons, Abandoned Chemical Weapons or Chemical Weapons Production Facility;

(n) ensure data base confidentiality and maintain secrecy of confidential information and technology collected or received by the National Authority under this Act;

- (o) facilitate exchange of scientific and technological information relating to developments in chemicals amongst the States Parties;
- (p) call for such information from any person which the National Authority has reasonable cause to believe that such information may be required for complying with the provisions of the Convention;
- (q) approve and declare, on behalf of the Government of India, a single small-scale facility for production of Toxic Chemicals listed in Schedule 1 in the Annex on Chemicals to the Convention for purposes not prohibited under the Convention;
- (r) provide training to enforcement officers;
- (s) ensure protection of environment, health and safety of the people during transportation, sampling, storage or destruction of Chemical Weapons, Chemical Weapons Production Facilities, Old Chemical Weapons or Abandoned Chemical Weapons;
- (t) co-ordinate exchange of scientific and technological information among laboratories handling Toxic Chemicals or Precursors;
- (u) determine, from time to time, the quantity limit that a person at any time may produce, otherwise acquire, retain, transfer or use any Toxic Chemical or Precursor listed in any of the Schedules 1 to 3 in the Annex on Chemicals to the Convention, any Discrete Organic Chemical including Discrete Organic Chemical containing elements of phosphorous, sulphur or fluorine for purposes not prohibited under the Convention;
- (v) such other functions as may be prescribed.