

**THE SOLID WASTE REGULATION AND  
MANAGEMENT BILL, 2018**

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MEMORANDUM

The objects of this Bill are to provide for —

- (a) the sustainable regulation and management of solid waste;
- (b) general and self-service solid waste services;
- (c) the incorporation of solid waste management companies and define their statutory functions;
- (d) the licensing and functions of solid waste service providers, operators and self-service solid waste providers;
- (e) the regulation, operation, maintenance and construction of landfills and other disposal facilities;
- (f) the setting and approval of tariffs for management of solid waste and provision of solid waste services; and
- (g) matters connected with, or incidental to, the foregoing.

L. KALALUKA,  
*Attorney-General*

**N.A.B. 18, 2018**  
20th November, 2018

**THE SOLID WASTE REGULATION AND  
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ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

*Section*

1. Short title
2. Interpretation
3. Application
4. Relations and cooperation with appropriate authorities
5. Key concepts and principles of solid waste management and regulation

PART II

MANAGEMENT OF SOLID WASTE

6. Management of solid waste by local authorities
7. Solid waste services by local authorities
8. Resolution to establish solid waste management company
9. Incorporation of solid waste management company, shareholders and directors
10. Name of solid waste management company
11. Functions of Board
12. Board charter and minimum service level guarantees
13. Functions of solid waste management companies
14. General powers of solid waste management company
15. Management and operating plans
16. Operating procedures and codes of practice
17. Reports on solid waste management
18. Responsibility of Ministry on solid waste management
19. Community solid waste management service

PART III

REGULATION OF SOLID WASTE

20. Environmental and public health standards
21. Director and other staff of Department
22. Designation of solid waste, service zones and solid waste management areas
23. Solid waste categorisation and handling
24. Responsibilities of owner or occupier regarding solid waste
25. Public and community cleaning
26. Prescribed containers
27. Placement of solid waste containers and prevention of leakage, scatter or litter
28. Sorting of solid waste
29. Collection of solid waste
30. Transportation of solid waste
31. Disposal of solid waste in landfill or other disposal facility
32. Control of animal in landfill or other disposal facility
33. Burning of solid waste
34. Buying of non-organic waste
35. Site restoration orders

PART IV

LICENCES, PERMITS AND REGISTRATION

36. Prohibition from providing solid waste services without license or permit
37. Application for solid waste service provider's license
38. Submission for assessment of solid waste service provider
39. Refusal to issue solid waste service provider license
40. Grant of service provider's licence, validity and renewal of licence
41. Failure to commence operations

42. Transfer of solid waste service provider's licence
43. Variation of solid waste service provider's licence
44. Cancellation of licence
45. Self-service solid waste providers
46. Permits to construct operate or maintain landfills and other disposal facilities
47. Registration of solid waste management company and small scale enterprises or proprietors
48. Register of solid waste management companies, licence holders, permit holders and certificate holders
49. Appointment of statutory manager

#### PART V

##### SOLID WASTE SERVICES PROVISION

50. Solid waste services
51. Provision of solid waste services
52. Limiting number of licenced solid waste service providers and registered operators for certain services
53. Assessment of solid waste service providers and operators
54. Feasibility study and business plan
55. Monitoring performance of licensed solid waste service providers registered operators and self-service solid waste providers
56. Power to obtain information and expert advice
57. Requirement to provide information, data and make returns to Director
58. Power to hold inquiries
59. Register of licensed solid waste service providers, registered operators and self-service solid waste providers
60. Access to landfills and other disposal facilities
61. Constraint of available space or capacity at landfill or other disposal facility

62. Functions and responsibilities of licensed service providers, registered operators and self-service solid waste providers
63. Service level agreements to supply solid waste services
64. Specific functions relating to licensed solid waste service providers and registered operators
65. Powers of licenced solid waste service providers and registered operators
66. Performance of community obligations

PART VI

SOLID WASTE TARIFFS

67. Criteria for setting and approval of tariffs
68. Compulsory, generalised and additional tariffs for certain purposes
69. Administrative penalty for late payment of tariffs
70. Billing system and collection of tariffs
71. Special solid waste tariffs

PART VII

GENERAL PROVISIONS

72. Notices relating to solid waste
73. Powers of inspector
74. Offences cognisable
75. Immunity of inspectors
76. Furnishing of reports
77. Enforcement notices
78. Enforcement powers
79. General offences related to solid waste
80. Offences by principal officer of body corporate or unincorporate body
81. General penalty
82. Power of local authority to compound certain offences
83. Administrative penalties
84. Appeals
85. Regulations
86. Transitional provisions