



**Press Statement:**

February 8<sup>th</sup>, 2023

**NEMA to Implement Express Penalty Scheme for environmental breaches**

The National Environment Management Authority hereby informs the general public that effective 1<sup>st</sup>, April 2023 we shall in addition to existing criminal prosecution measures; commence an Administrative Penalty Scheme for environment breaches in line with Section 174 of the National Environment Act, No.5 of 2019.

The express penalty scheme is intended to deter non-compliance to environment laws and to prevent environmental degradation through payment of monetary penalties (fines).

Under the Express Penalty Scheme, the offender will be required to pay a fine within the prescribed time frame and in a specific bank account. The notice will specify the date and nature of the alleged contravention, a summary of the facts that NEMA or authorized officer alleges, and the amount payable.

The fines payable for specific environmental breaches are a computation of currency points where one currency point is equivalent to twenty thousand shillings (UGX 20,000) only. Some key offences are listed below;

**Environmental and Social Impact Assessments and Audits**

- Failure to conduct an Environmental and Social Impact Assessment and Environment Risk Assessment for the projects that that require ESIA or ERA will attract a fine not exceeding UGX 1 billion for individuals or fifteen years in prison or both; and UGX 6 billion for corporate bodies
- Failure to conduct an annual environment audit will attract a penalty of up to UGX 1 billion or imprisonment not exceeding fifteen years or both
- Failure to display the complete certificate of approval of Environmental and social impact Assessment is up to UGX 1 billion for an individual and up to UGX 6 billion for a corporate entity

**Wetlands River Banks and Lake Shores**

- Destroying, damaging or disturbing a wetland in a manner that has or is likely to have an adverse effect on any plant or animal attracts a fine of up to UGX 3,000,000
- Failing/neglecting or refusing to protect a lakeshore in accordance with the regulations attracts a fine of up to UGX 3,000,000

**Waste management**

- Leaving rubbish outside residential premises will attract a maximum fine of up to UGX 6,000,000
- Littering from commercial buildings attracts a maximum fine of UGX up to 6,000,000

- Depositing rubbish/waste on a roadside, or ditch attracts a maximum fine of up to UGX 6,000,000
- Depositing rubbish in a river, stream, lake, pond, canal or channel attracts a maximum fine of up to UGX 6,000,000
- Littering from cars or driving a car without a dustbin attracts a maximum fine of up to UGX 6,000,000

#### Management of plastics

- Importing, exporting, manufacturing, using or reusing plastic carrier bags or plastic products made of polymers of ethane (polythene) and propylene that are below 30 microns will attract a fine of up to UGX 100,000,000

#### Pollution

- Dealing in activities that result in aggravated pollution or polluting the environment contrary to conditions contained in a pollution control licence or permit, discharge or emission of pollutants into the environment contrary to approved standards attracts a maximum fine of up to UGX 6 billion
- Emitting noise in excess of the permissible noise levels will attract a maximum of up to UGX 10,000,000 upon conviction
- Failing to immediately reduce noise to a permissible noise level when required to do so, attracts a maximum fine of up to UGX 10,000,000.

#### E.T.C

The full schedule of breaches and corresponding maximum fees and bank account(s) to which payments will be made are available on the NEMA website [www.nema.go.ug](http://www.nema.go.ug) .

NEMA retains the right to suspend operations of a facility, withdraw the ESIA Certificate, Permit, License and other relevant documentation or to commence prosecution until the fine is paid. A person who doesn't prefer a voluntary fine will be subject to prosecution and imprisonment or a fine as determined by the courts of law.

We call upon the general public to strictly observe Environment best practices to avoid being penalized.

ENDS

#### **For more information:**

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