

Strategic Environmental Assessment

GOVERNMENT NOTICE No. 153 published on 5/9/2008

**THE ENVIRONMENTAL MANAGEMENT ACT
(CAP. 191)**

REGULATIONS

(Made under section 230 (2) (r))

THE STRATEGIC ENVIRONMENTAL ASSESSMENT REGULATIONS, 2008

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THE ENVIRONMENTAL MANAGEMENT ACT
(CAP. 191)

REGULATIONS

(Made under section 230 (2) (r))

THE STRATEGIC ENVIRONMENTAL ASSESSMENT REGULATIONS, 2008

PART I

PRELIMINARY PROVISIONS

- Citation 1. These Regulations may be cited as the Strategic Environmental Assessment Regulations, 2008.
- Application 2. These Regulations shall apply to all Bills, regulations, national policies, strategies, programmes and plan undertakings referred to in Part VII of the Act.
- Interpretation 3. In these Regulations, unless the context requires otherwise
- Cap. 191 "Act" means the Environmental Management Act, 2004;
"biological diversity" means the variability among living organisms from all sources including, terrestrial ecosystems, aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, among species and of ecosystems;
"economic analysis" means the use of analytical methods which take into account economic, socio-cultural, and environmental issues in an integrated manner in the assessment of projects;
"environment" includes the physical factors of the surroundings of human beings including air, land, water, climate, sound, light, odour, taste, micro-organism, the biological factors of animals and plants, cultural resources and the social economic factor of aesthetics and includes both the natural and built environment and the way they interact;
"environmental concerns" includes environmental, social, economic and health effects of the proposed legislation, policy, plan, strategy or programme initiatives;

- “environmental expert” means an individual person or firm of consultants duly certified and registered under the Environmental (Registration of Environmental Experts) Regulations, 2005 to conduct environmental impact assessment study or environmental audit;
- “environmental management” includes the protection, conservation and sustainable use of the various elements or components of the environment;
- “environmental monitoring” means the continuous or periodic determination of actual and potential effects of any activity or phenomenon of the environment whether short-term or long-term;
- “environmental planning” means planning that takes into account environmental exigencies;
- “environmental resources” includes the resources of the air, land, flora, fauna and water together with their aesthetical qualities;
- “guidelines” means the guidelines describing the methodology for implementation of strategic environmental assessment requirements made under the Regulations ;
- “mitigation measures” include engineering works, technological improvements, management and ways and means of avoiding, remedying or minimising negative aspects, which include socio-economic and cultural losses suffered by communities and individuals, whilst enhancing positive aspects of the project;
- “Minister” means the Minister responsible for matters relating to the environment;
- “natural resources” include resources of air, land, water, animals, plants and their aesthetic qualities;
- “participation” means an opportunity involve the public and ability to influence the outcome of a decision-making process;
- “public” means individual, civil society organisations and institutions, community based organisations, public and private institutions;
- “register” means the Register for Strategic Environmental Assessment Reports duly kept and maintained by the Director of Environment;
- “review” means a process of checking the adequacy of an strategic environmental assessment report with a view to ensure it meets the legal requirement and wide acceptance of the environmental impact study findings;
- “social analysis” means assessing or estimating in advance the social consequences from specific policy actions or project development including social justice and equity, social uncertainty, social cohesion, social networks and interactions, social status and gender desegregation;

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- “standard” means the limits of discharge or emissions established under the Act or under these Regulations or any other written law;
- “strategic environmental assessment” means a systematic process for evaluating the environmental, including health, consequences of proposed legislation, policy, plan, strategy or programmes initiatives in order to ensure that they are fully included and appropriately addressed at the earliest appropriate stage of decision on par with economic and social considerations, which comprises the determination of the scope of an environmental report and its preparation, the carrying out of public participation and consultations and the taking into account of the report;
- “sustainable development” means development that meets the needs of the present generation without compromising the ability of future generations to meet their needs by maintaining the carrying capacity of the supporting ecosystems;
- “sustainable use” means present use of the environment or natural resources, which does not compromise the ability to use the same by future generations or degrade the carrying capacity of supporting ecosystems;
- “water” includes drinking water, river, stream, watercourse, reservoir, well, dam, canal, channel, lake, swamp, open drain, or underground water.

PART II

OBJECTIVES OF STRATEGIC ENVIRONMENTAL ASSESSMENT

Objectives
of
Strategic
Environ-
mental
Assess-
ment

4. The objective of strategic environmental assessment shall be to -
- (a) ensure that environmental concerns are taken in draft Bills, regulations, plans, strategies or programmes;
 - (b) enable the public to contribute to the consideration of environmental concerns in the preparation of Bills, regulations, plans, strategies or programmes;
 - (c) establish clear, transparent and effective procedures for formulation of Bills, regulations, policies, strategies, plans or programmes; and
 - (d) integrate environmental concerns into measures and instruments designed to further sustainable development.

PART III
GENERAL REQUIREMENTS

5. (1) Any Bills, regulations, policies, strategies, plans or programmes shall require a strategic environmental assessment unless exempted by the Minister.

Require-
ment for
assess-
ment

(2) The Minister may by order published in the *Gazette*, exclude certain types of Bills, regulations, policies, strategies, programmes or plans from the requirements of strategic environmental assessment.

(3) Upon the technical advice of the Director of Environment, Bills, regulations, policies, strategies, plans or programmes excluded shall have no or have minimal effect to the environment.

(4) The List of the areas required for strategic Environmental Assessment is specified in the First Schedule to these Regulation.

6. A Sector Ministry, government agency or department shall, depending on the nature of the Bill, regulations, strategy, plan or programme, notify the Minister at the commencement of the process of such an undertaking for purposes of determining whether it requires strategic environmental assessment and submit a detailed statement stating the nature of the undertaking and its impact on the management, conservation and enhancement of the environment or sustainable management of natural resources and cultural heritage.

Notifica-
tion on
Strategic
Environ-
mental
Assess-
ment

7. The strategic environmental assessment shall commence at the commencement of the preparation of a Bill, regulations, policy, strategy, programme or plan and continue throughout the process to the stage of promulgation of such Bill, regulations, policy, strategy, programme or plan.

Timing of
Strategic
Environ-
mental
Assess-
ment

8. (1) A Sector Ministry, government agency or department shall, where it is found necessary at the commencement of preparation of a Bill, regulations, policy, strategy, programme or plan form a team to carry out a strategic environmental assessment.

Formation
of
Strategic
Environ-
mental
Assessment
team

(2) The strategic environmental assessment team shall comprise of experts in strategic environmental assessment or environmental and

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natural resources management from a Sector Ministry, government agency, department and public higher learning and research institutions or registered environmental experts.

Consulta-
tion
bodies

9. (1) In these Regulations, the consultation bodies shall be

- (a) sector Ministries;
- (b) government agencies and departments; and
- (c) local government authorities;

(2) The sector ministry in consultation with the Director of Environment, may during the process of conducting strategic environmental assessment seek views of any person or the general public.

(3) The Director of Environment shall be responsible for coordination of consultation in relation to the strategic environmental assessment.

(4) Sector Environmental Coordinator shall ensure that strategic environment assessment of Bills, regulations, policies, strategies, programmes or plans is carried out in the respective sector Ministry and parastatal organisations under its respective jurisdiction.

Powers of
the
Minister

10. (1) The Minister shall direct the Sector Ministry, government department or agency to carry out a strategic environment assessment where he is aware or receive notification from the responsible authority.

(2) Where the responsible Ministry for the Bill, regulations, policy, strategy, programme or plan is of the opinion that there is no need for carrying out of strategic environmental assessment it shall submit a draft of the relevant documents to the Minister who shall, as soon as practicable, determine whether or not an assessment is required and shall give the reason of his decision.

(3) In making a decision whether or not strategic environmental assessment is required the Minister shall apply the criteria specified in the Second Schedule to these Regulations.

PART IV

THE CONDUCT OF STRATEGIC ENVIRONMENTAL ASSESSMENT

11. (1) A strategic environmental assessment shall be conducted in accordance with the following steps:
- (a) screening;
- (b) scoping;
- (c) developing terms of reference;
- (d) identification of alternatives and conducting assessments of likely impacts;
- (e) preparation of draft strategic environmental assessment report;
- (f) consultation and participation;
- (g) revision of draft strategic environmental assessment report;
- (h) approval of strategic environmental assessment report; and
- (i) monitoring of significant environmental impacts of implementation of the Bill, regulations, policy, strategy, plan or programme.
12. The Sector Ministry shall, as soon as reasonably practicable -
- (a) send a copy of the draft report and the Bill, regulations, policy, strategy, plan or programme to which it relates with the relevant documents to the Director of Environment and other relevant Ministries;
- (b) invite the Director of Environment, relevant Ministries and other key stakeholders to express opinion on the relevant documents within such period as the Sector Ministry may specify; and
- (c) invite where appropriate comments from authorities in neighbouring countries on transboundary environmental concerns.
13. (1) The Sector Ministry shall, in consultation with the Director of Environment, determine whether or not
- (a) a Bill, regulations, policy, strategy, plan or programme,
- (b) a minor modification to an existing Bill, regulations, policy, strategy, plan or programme,
- is unlikely to have significant effect to the environment.

Strategic
Environ-
mental
Assessment
steps

Consulta-
tion
procedures

Strategic
environ-
mental
assessment
exemption

Strategic Environmental Assessment

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(2) Where the Sector Ministry determines that a Bill, policy, regulations, strategy, plan or programme is unlikely to have significant effect to the environment that Bill, policy, regulations, strategy, plan or programme shall be exempted, and the Sector Ministry shall prepare a statement of its reasons for the determination.

(3) In making a determination the Sector Ministry shall apply the criteria specified in the Second Schedule to these Regulations.

(4) The statement of reasons shall, in particular, state how the criteria were applied in making the determination.

(5) The statement shall include the following information-

- (a) the title of the Bill, regulations, policy, strategy, plan or programme;
- (b) the date on which the opinion was made;
- (c) a brief description of the Bill, regulations, policy, strategy, plan or programme;
- (d) the area or location of the Bill, regulations, policy, strategy, plan or programme relates; and
- (e) any other information which the Minister may require.

Screening
procedure

14. (1) The Sector Ministry shall prepare a summary of its views as to whether or not the Bill, policy, regulations, strategy, plan or programme is likely to have significant environmental effects at the beginning of the entire strategic environmental assessment process.

(2) The Sector Ministry shall send that summary to the Director of Environment and other relevant Ministries for consideration.

(3) Each relevant Ministry shall, within twenty one days of receipt of the summary, respond to the Director of Environment and the Sector Ministry shall make the recommendation.

(4) Where the Director of Environment, Sector Ministry and the relevant Ministries agree that the Bill, regulations, policy, strategy, plan or programme is unlikely to have significant environmental effects, the Director of Environment shall make a determination to that effect.

(5) Where the Director of Environment, Sector Ministry and the relevant Ministries do not agree as to whether or not the Bill, policy, regulations, strategy, plan or programme is likely to have significant environmental effects, the Sector Ministry shall refer the matter to the Minister for determination.

15. (1) The Sector Ministry shall conduct scoping in order to determine and establish Scoping

- (a) the terms of reference and level of details of the information to be included in the strategic environmental assessment report to be prepared;
- (b) key authorities to be consulted;
- (c) opportunities for public consultation;

(d) the consultation period it intends to use,
and notify the Director of Environment and other relevant Ministries.

16. (1) The responsible Ministry shall secure the preparation of a strategic environmental assessment report in respect of a Bill, policy, strategy, plan or programme under preparation. Prepara
tion of
the report

(2) The report shall identify, describe and evaluate the significant effects on the environment and health for implementing-

- (a) the Bill, regulations, policy, strategy, plan or programme; and
- (b) alternatives to the Bill, regulations, policy, strategy, plan or programme,

taking into account the objectives and the scope of the Bill, regulation, policy, strategy, plan or programme.

(3) The report shall include information as specified in the Third Schedule to these Regulations and shall be required, take account

- (a) the current knowledge and methods of assessment of environmental matters;
- (b) the contents of, and level of detail in, the Bill, regulations, strategy, plan or programme;

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- (c) the stage of the Bill, regulations, strategy, plan or programme in the decision-making process;
- (d) the extent to which any matters to which the report relates would be more appropriately assessed at different levels in that process in order to avoid duplication of the assessment; and
- (e) the public interest involved.

(4) Information referred to in the Third Schedule to these Regulations may be included in the report by reference to relevant information obtained at other levels of decision-making or through the Act or any other written law.

17. In the preparation of a Bill, policy, regulations, strategy, plan or programme, the responsible authority shall take account of-

Account
to be
taken of
the report

- (a) the environmental report for that Bill, policy, regulations, strategy, plan or programme; and
- (b) every opinion expressed by the Director of Environment and relevant Ministries in the report prepared after the review.

18. The Sector Ministry shall submit to the Minister a Strategic Environmental Assessment Report prepared in a format specified in the Third Schedule and in accordance with the provisions of these Regulations.

Submission
of SEA
report

PART V ASSESSMENT

(a) Bills and Regulations

19. (1) The Sector Ministry shall carry out or secure the carrying out of a strategic environmental assessment during the preparation of the Bill and before publication in the *Gazette*.

Assessment
of Bills
and
Regulations

(2) The Sector Ministry shall carry out or secure the carrying out of a strategic environmental assessment during the preparation of regulations before publication in the *Gazette*.

(3) Strategic environmental assessment shall be carried out in respect of all Bills or regulations relating to agriculture, forestry, wildlife, fisheries, natural conservation, energy, industry, transport, waste management, water management, mining, telecommunication, tourism, heritage or cultural sites, town and country planning or land use, health, education, trade and any other sector as the Minister may direct by a circular or an order published in the *Gazette*.

20. (1) The Minister shall, where it is required, issue directions to the Sector Ministry on concerns raised during the review of the Strategic Environmental Assessment Report and ensure that they incorporate in the Bill or in the regulations before publication.

Directions
of the
Minister
on Bills
and
regulations

(2) The Sector Ministry shall comply with directions given by the Minister and ensure that such directions are incorporated in the Bill or in the regulations before they are published.

(b) Policies, Strategies, Programmes and Plans

21. (1) The Sector Ministry, government department or agency shall carry out or secure the carrying out of a strategic environmental assessment in accordance with these Regulations and sections 104 and 105 of the Act during the preparation of a Bill, policy, regulations, strategy, programmes or plans and before their adoption.

Assessment
of
policies,
strategies,
programmes
or
Plans

(2) The Sector Ministry, government department or agency responsible for a policy, strategy, plan or programme shall be the authority by whom, or on whose behalf, the plan or programme is prepared.

(3) Where more than one authority is responsible for a policy, strategy, plan or programme, part of the plan or programme the Sector Ministry shall be

- (a) the one determined by agreement between those authorities;
or
- (b) if there is no such agreement, the one determined by the Minister.

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PART VI

DECISION OF THE MINISTER

Decision
of the
Minister

22. (1) The Minister shall take into account the review process and make the decision to the effect that-

- (a) the Strategic Environmental Assessment Report is approved;
- (b) the Strategic Environmental Assessment Report is not approved; or
- (c) the Strategic Environmental Assessment Report is approved subject to the relevant authority incorporating recommended changes.

(2) Where the Minister approve or disapprove the Strategic Environmental Assessment Report subject to certain conditions, he shall communicate the decision to the responsible authority and shall

- (a) provide reasons for the decision; or
- (b) specify conditions and changes that need to be made.

Strategic
Environ-
mental
Assess-
ment
Approval
Notice

23. Where the Minister approve the Strategic Environmental Assessment Report he shall in writing notify the Sector Ministry accordingly and issue a strategic environmental assessment approval notice.

PART VII

MONITORING

Monitoring
of
impleme-
ntation

24. (1) The Sector Ministry shall monitor the significant environmental effects of any implementation of any Bill, regulations, policy, strategy, plan or programme for which it has carried out a strategic environmental assessment.

(2) The Sector Ministry shall comply with sub-regulation (1) in a manner which enables it to -

- (a) identify any unforeseen adverse effects at an early stage; and
- (b) undertake appropriate remedial measures.

(3) The Sector Ministry through the Sector Environmental Coordinator shall furnish the Director of Environment with periodic reports on the implementation of such Bills, policy, regulations, strategies, plans or programmes.

PART VIII
MISCELLANEOUS PROVISIONS

25. As soon as practicable after the adoption of a Bill, regulations, policy, strategy, plan or programme for which a strategic environmental assessment has been carried out the Sector Ministry shall

Information as to adoption of plan or programme

- (a) submit a copy of the Bill, regulations, policy, strategy, plan or programme and its accompanying environmental report to the Director of Environment and all Ministries; and
- (b) take such steps as is appropriate to bring to the attention of the public of the adoption of such a Bill, regulations, policy, strategy, plan or programme.

26. (1) The Director of Environment shall maintain the following registers

Registers

- (a) a register of the Strategic Environmental Assessment Reports approved under these Regulations; and
- (b) a register of the Strategic Environmental Assessment Monitoring Reports.

(2) The registers referred to in sub-regulation (1), shall be public documents maintained by the Director of Environment for inspection by any person upon the terms and conditions as the Director of Environment may specify.

27. Where, prior to the coming into force of these Regulations, a Sector Ministry, government agency or department promulgated a plan, strategy or programme which would have required a strategic environmental assessment the Sector Ministry, government agency or department concerned may, in consultation with the Director of Environment, carry out a strategic environmental appraisal or strategic environmental audit.

Plans, strategies and programmes authorised prior to the commencement of these Regulations

Strategic Environmental Assessment

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- | | |
|----------------------------|--|
| Guidelines | 28. The Minister may issue guidelines or directions to facilitate effective implementation of these Regulations. |
| Amendment of the Schedules | 29. The Minister may amend Schedules to these Regulations. |

FIRST SCHEDULE

(Made under Regulation 5(4))

LIST OF AREAS SUBJECT TO STRATEGIC ENVIRONMENTAL ASSESSMENT

- (a) Bills
- (b) Regulations
- (c) Policies
- (d) Strategies
- (e) Plans
- (f) Physical plans
- (g) Programmes
- (h) General Management Plans of Protected Areas
- (i) Mineral or petroleum resource plan or project
- (j) Hydro-electric power station project
- (k) Planned major water project ; and
- (l) Any other aspect as the Minister may decide.

SECOND SCHEDULE

(Made under Regulation 10(3) and 13(3))

CRITERIA FOR DETERMINING LIKELY SIGNIFICANCE EFFECTS ON THE ENVIRONMENT

1. The characteristics of Bill, regulations, policy, strategy, plans and programmes, having regard, in particular, to-
 - (a) the degree to which the Bill, regulations, policy, strategy, plan or programme sets a framework for projects and other activities, whether with regard to the location, nature, size and operating conditions or by allocating resources;

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- (b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
 - (c) the relevance of the Bill, regulations, policy, strategy, plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
 - (d) environmental problems relevant to the Bill, regulations, policy, strategy, plan or programme; and
 - (e) the relevance of the policy, strategy, plan or programme for the implementation of the relevant legislation on the environment such as, policy, strategy, plans and programmes linked to waste management or water protection
- (2) Characteristics of the effects and of the area likely to be affected, having regard, in particular, to the-
- (a) probability, duration, frequency and reversibility of the effects;
 - (b) cumulative nature of the effects;
 - (c) transboundary nature of the effects;
 - (d) risks to human health or the environment due to factors like accidents;
 - (e) magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
 - (f) value and vulnerability of the area likely to be affected due to-
 - (i) special natural characteristics or cultural heritage;
 - (ii) exceeded environmental quality standards or limit values; or
 - (iii) intensive land-use; and
 - (g) effects on areas or landscapes which have a recognized national, regional or international protection status.

THIRD SCHEDULE

Made under Regulation 16(4) and 18

INFORMATION FOR STRATEGIC ENVIRONMENTAL ASSESSMENT REPORT

1. An outline of the contents and main objectives of the plan or programme, and of its relationship with other relevant Bill, regulations, policy, strategy, plans and programmes.
2. The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the Bill, regulations, policy, strategy, plan or programme.
3. The environmental characteristics of areas likely to be significantly affected.
4. Any existing environmental problems which are relevant to the Bill, regulations, policy, strategy, plan or programme.

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5. The environmental protection objectives, established at national level, which are relevant to the Bill, regulations, policy, strategy, plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation

6. The likely significant effects on the environment, including short, medium and long-term effects, magnitude and extent of impact, likelihood of occurrence, reversibility, permanent and temporary effects, positive and negative effects, and secondary, cumulative and synergistic effects, on issues such as-

- (a) biodiversity;
- (b) population;
- (c) social;
- (d) human health;
- (e) fauna;
- (f) flora;
- (g) soil;
- (h) water;
- (i) air;
- (j) climatic factors;
- (k) material assets;
- (l) cultural heritage, including architectural and archaeological heritage;
- (m) landscape; and
- (n) the inter-relationship between the issues referred to in sub-paragraphs (a) to (l)

7. The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the Bill, regulations, policy, strategy, plan or programme.

8. An outline of the reasons for the selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information.

9. A description of the variables and measures envisaged for monitoring.

10. A non-technical summary of the information provided under paragraphs 1 to 9.

11. Comprehensive Swahili version of the non-technical summary

Dar es Salaam,
3rd September, 2008

BATILDA S. BURIAN,
*Minister of State, Vice-President's
Office Environment*

Environmental Management (Fees and Charges)

GOVERNMENT NOTICE No. 154 published on 5/9/2008

THE ENVIRONMENTAL MANAGEMENT ACT
(CAP. 191)

REGULATIONS

(Made under section 230 (2) (b))

THE ENVIRONMENTAL MANAGEMENT (FEES AND CHARGES)
REGULATIONS, 2008

PART I
PRELIMINARY PROVISIONS

1. Citation
2. Application
3. Interpretation

PART II
FEES AND CHARGES

4. Requirement to pay fees
5. Matters to which fees apply
6. Services rendered by the Council
7. Duty to collect fees
8. Fees and charges not refundable nor transferable
9. Offences and penalties

SCHEDULES
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Environmental Management (Fees and Charges)

G.N. No. 154 (contd.)

THE ENVIRONMENTAL MANAGEMENT ACT
(CAP. 191)

REGULATIONS

(Made under section 230 (2) (b))

THE ENVIRONMENTAL MANAGEMENT (FEES AND CHARGES)
REGULATIONS, 2008

PART I

PRELIMINARY PROVISIONS

Citation 1. These Regulations may be cited as the Environmental Management (Fees and Charges) Regulations, 2008.

Application 2. These Regulations shall apply in relation to an act or omission in respect to which fees and charges are payable under the Act.

Interpreta-
tion
Cap. 191 3. In these Regulations, unless the context requires otherwise-
"Act" means the Environmental Management Act;
"authority" means the Director of Environment, a local government authority established under the Local Government Authority (Urban Authority) Act and the Local Government Authority (Urban Authority) Act or any person appointed to perform any function or exercise any power on behalf of such authority;
"Council" means the National Environmental Management Council established by the Act;
"fees and charges" means any sums of money payable, chargeable or levied in connection with, but not limited to services rendered, an application made, a license issued or a permit granted by the Council or authority pursuant to the provisions of the Act;
"service" in relation to environmental management, means an act or omission done for purposes of prevention of environmental degradation, protection or conservation of the environment or promotion of environmental management or environmentally sound practices and in respect to such act or omission fees is payable.

PART II
FEEES AND CHARGES

4. Any person who wants to perform any function related to the prevention, protection, promotion or conservation of environment or to carry on business related to-

Require-
ment to
pay fees

- (a) environmental impact assessment, environmental audit or environmental monitoring;
- (b) registration as environmental expert;
- (c) environmental quality standards; or
- (d) ozone depleting substances,

shall be required to pay the fees prescribed in the Schedule to these Regulations.

5. (1) The fees prescribed in the Schedule to these Regulations shall be payable in respect to kind of services rendered, an application made, a license issued or a permit granted.

Matters
to which
fees apply

(2) Notwithstanding sub-regulation (1), the Minister may prescribe other services the rendering of which shall attract fees.

(3) The Minister may amend the Schedule to these Regulations.

6. The services rendered by the Council shall be charged such amount as is commensurate to the service required and, where effective provision of service require extra expenses to cater for means of traveling and accommodation, the fees charged shall reflect the actual expenses incurred.

Services
rendered
by the
Council

7. (1) Fees and charges payable under these Regulations shall be collected and appropriated by the Council or an appropriate authority.

Duty to
collect fee

(2) Notwithstanding the provision of sub-regulation (1), the Council or the authority under whose authority or jurisdiction any fee is collected shall devise a safe and good method of collection and may delegate the duty of collecting fees to an agent.

(3) Fees and charges shall be payable in Tanzania shillings or in its equivalent in convertible currency.

Environmental Management (Fees and Charges)

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Fees and
charges
not
refundable
nor
transfera-
ble

8. All fees payable under these Regulations shall neither be refundable nor transferable.

Offences
and
penalties

9. (1) Any person who contravenes or directly or indirectly aid another person to contravene these Regulations commits an offence.

(2) A person who commits an offence under these Regulations shall be liable on conviction to the relevant penalties prescribed under the Act.

SCHEDULE

(Made under Regulations 4)

FEES AND CHARGES

1. FEES AND CHARGES FOR ENVIRONMENTAL IMPACT ASSESSMENT

A: FEES

<i>S/N</i>	<i>Description</i>	<i>Fees</i>
1.	Application for EIA	20,000.00
2.	Submission of Project Brief	50,000.00
3.	Certificate of EIA	NIL
4.	Transfer of Certificate	100,000.00
5.	Surrender of Certificate	100,000.00
6.	Variation of Certificates	50,000.00

B: FEES FOR ACCESS TO EIA INFORMATION

		<i>Inspection and Viewing</i>	<i>Reading</i>
1	EIA Project Brief	2,000.00	5,000.00
2	EIS	5,000.00	10,000.00
3	Environment Audit Report	5,000.00	10,000.00
4	Approvals	2,000.00	5,000.00
5	Certificates	2,000.00	5,000.00
6	EIA Experts Register	5,000.00	10,000.00

Environmental Management (Fees and Charges)

G.N. No. 154 (contd.)

C: ANNUAL CHARGES FOR ENVIRONMENTAL COMPLIANCE MONITORING AND AUDIT

<i>S/N</i>	<i>Industry/Activity</i>	<i>Charges</i>	
1	Sanitary landfills, Dumpsite & waste water treatment plants	Cities -	1,000,000.00
		Municipals -	800,000.00
		Towns -	600,000.00
2	Large Mining		5,000,000.00
3	Small Scale mining (artisan)		500,000.00
4	Quarrying		250,000.00
5	Oil and Gas depots		3,000,000.00
6	Cement and lime factories		2,000,000.00
7	Nuclear and heavy metal facilities		5,000,000.00
8	Beach and Parks hotels		1,000,000.00
9	Beach and Parks camps		500,000.00
10	Brewers and Distillers		1,000,000.00
11	Leather and Tanneries industries		1,000,000.00
12	Metal Smelting		1,200,000.00
13	Plastic and Foam		1,000,000.00
14	Textile Industries		1,200,000.00
15	Printing industries		500,000.00
16	Milling and Canning industries		500,000.00
17	Wood and paper Industries		1,000,000.00
18	Bakeries and confectionaries		300,000.00
19	Dry cleaners		500,000.00
20	Milk and Beverages industries		500,000.00
21	Fish Processing Industries		500,000.00
22	Sugar industries		500,000.00
23	Soap and edible oils		1,000,000.00
24	Chemicals and Pharmaceuticals Industries		1,000,000.00
25	Power Generation plants	Thermal -	2,000,000.00
		Hydropower -	2,000,000.00
		Gas -	2,000,000.00
26	Irrigation schemes, Animal farms and Aquaculture		250,000.00
27	Civil Constructions and tunnelling	Per project -	1,000,000.00
28	Other undertakings not specified		300,000.00

D: ENVIRONMENTAL EXPORTS REGISTRATION FEES

<i>Description</i>	<i>Individual</i>		<i>Firm</i>	
	<i>Local</i>	<i>Foreign</i>	<i>Local</i>	<i>Foreign</i>
1. Application for Registration	100,000.00	250,000.00	200,000.00	500,000.00
2. Registration Certificate	150,000.00	500,000.00	300,000.00	1,000,000.00
3. Annual Subscription	300,000.00	700,000.00	800,000.00	1,500,000.00

Environmental Management (Fees and Charges)

G.N. No. 154 (contd.)

2. FEES FOR ENVIRONMENTAL QUALITY STANDARDS

A: MAIN POLLUTING ACTIVITIES

1.	Application for Registration	50,000.00
2.	Permit for Emissions and Discharges	10,000,000.00
3.	Annual fee for Permit	1,000,000.00
4.	Transfer of Permit	100,000.00

B: OTHER POLLUTING ACTIVITIES

1.	Hazardous wastes permits	10,000,000.00
2.	Chemical wastes incinerations	500,000.00
3.	Oil and scraps wastes permit	50,000.00

3. FEES FOR OZONE DEPLETING SUBSTANCES

1.	Application for license	50,000.00
2.	Import license	100,000.00
3.	Export license	100,000.00
4.	Transfer of license	75,000.00
5.	Renewal of license	50,000.00
6.	End user declaration form	1,000.00
7.	Records access fee	
	Inspection and	
	Viewing	2,000.00
	Reading	5,000.00

Dar es Salaam,
3rd September, 2008

BATILDA S. BURIAN,
Minister of State, Vice President's