

*Government Notice No. 193 of 2021***THE LOCAL GOVERNMENT ACT****Regulations made by the Minister under section 162B
of the Local Government Act**

1. These regulations may be cited as the Local Government (Dumping and Waste Carriers) Regulations 2021.

2. In these regulations –

“Act” means the Local Government Act;

“authorised officer” means an inspector of a local authority, a police officer, a road transport inspector, an enforcement officer of the Ministry or any other officer of the Ministry designated by the Minister;

“carry” means to transport on a road from one place to another;

“hazardous waste” has the same meaning as in the Environment Protection (Standards for Hazardous Wastes) Regulations 2001;

“leachate” includes any liquid coming out from solid waste;

“licence” means a licence issued under regulation 4;

“litter” includes odds and ends, bits of paper, wrappings, remains of fruit, and any other tiny matter discarded and left lying about;

“Minister” means the Minister to whom the responsibility for the subject of solid waste management is assigned;

“Ministry” means the Ministry responsible for the subject of solid waste management;

“permitted waste” means waste, accepted at a waste management facility, as specified in the First Schedule;

“plate” means a waste carrier’s registration plate;

“river” includes rivulets, streams and canals;

“transfer station” means a site specified in Part I of the Second Schedule;

“vehicle” –

(a) means a motor vehicle; and

(b) includes a trailer and a semi-trailer;

“waste carrier” means –

(a) a vehicle in respect of which a licence is issued under regulation 4; or

(b) a vehicle owned by the Government or a local authority for the purpose of transporting waste;

“waste carrier licence” means a licence issued under regulation 4;

“waste disposal site” means the site specified in Part II of the Second Schedule;

“waste management facility” –

(a) has the same meaning as in the Local Government Act; and

(b) includes the sites as specified in the Second Schedule.

3. No person shall –

(a) deposit, cause or allow waste to be deposited at a place other than a waste management facility or any other site approved for that purpose;

(b) throw, drop or otherwise deposit or cause any littering in any street, road, drain, river or other public place other than a space or bin specially provided for that purpose.

4. (1) No person shall carry waste of a weight exceeding 500 kilogrammes in a vehicle unless –

- (a) he holds a waste carrier licence; or
- (b) he has received the written authorisation of the Minister.

(2) Any person who intends to obtain a waste carrier licence shall make an application to the Minister.

(3) An application under paragraph (2) shall be made in the form set out in the Third Schedule.

(4) Where the Minister grants an application, he shall, on payment of the fee specified in the Fourth Schedule, issue a waste carrier licence to the applicant.

(5) (a) The waste carrier licence shall be in the form set out in the Fifth Schedule.

(b) No fee shall be paid in respect of a vehicle owned by the Government or a local authority.

5. (1) No waste carrier licence shall be issued –

- (a) to any person who has, during the last 12 months preceding his application, been convicted of an offence under these regulations, the Local Government (Dumping and Waste Carriers) Regulations 2003 or the Environment Protection Act;
- (b) in relation to a vehicle not suitable for the purpose of carrying waste;
- (c) in relation to a vehicle that is licensed to transport food.

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- (2) A waste carrier licence issued under regulation 4 –
- (a) shall apply for the vehicle in respect of which it is issued; and
 - (b) shall not be transferrable.

6. (1) No person shall carry waste in a vehicle in such a way that the waste falls off or is likely to fall off the vehicle.

(2) No person shall allow, while carrying waste, any leachate to trickle from a vehicle on a road.

7. Where the Minister has reason to believe that the holder of a waste carrier licence –

- (a) has failed to comply with regulation 3; or
- (a) has been convicted for 2 offences within a period of 12 months under these regulations,

he may revoke the licence.

8. (1) Every holder of a waste carrier licence shall affix, in front and at the rear side of the vehicle, a plate bearing the word “WASTE”, in such a way as not to –

- (a) interfere with the registration plate issued under the Road Traffic Act;
- (b) impair the driver’s view of the road; or
- (c) obstruct any lights or visual warning signs of the vehicle.

(2) (a) The plate under paragraph (1) shall be of a length and height of 60 centimetres and 15 centimetres, respectively.

(b) The word “WASTE” and the licence number of the vehicle shall be written in red on a white background.

9. (1) The driver of a waste carrier shall, at all times, have in his possession, the waste carrier licence in respect of that vehicle.

(2) (a) An authorised officer who suspects that a vehicle is being used to carry waste may stop the vehicle for verification.

(b) Every driver or person in charge of a vehicle carrying waste shall, on demand, produce the waste carrier licence to an authorised officer.

(3) Where a vehicle carrying waste has been detained, the owner of the vehicle or holder of the waste carrier licence shall, at his own cost, cause the waste to be disposed of at a waste management facility or any other site approved by the Minister for that purpose.

10. Where any person unlawfully deposits waste at a place other than a waste management facility or any other site approved for that purpose, an authorised officer shall –

(a) request that person to remove the waste unlawfully deposited within such time as may be determined by him; or

(b) cause the removal of the waste unlawfully deposited and recover from that person the expenses incurred for the removal of the waste.

11. An authorised officer may, where he has reason to believe that an offence is being, or has been committed under these regulations –

(a) detain the vehicle; and

(b) secure any article or sample of any article being carried on the vehicle,

for the purpose of the enquiry or for production as evidence or exhibit in Court.

12. (1) Any person who contravenes these regulations or fails to comply with any condition of his waste carrier licence shall commit an offence and shall, on conviction, be liable –

- (a) for an offence under regulation 3(a) –
 - (i) in respect of a first offence, to a fine of not less than 10,000 rupees and not exceeding 20,000 rupees;
 - (ii) in respect of a second or subsequent offence, to a fine of not less than 20,000 rupees and not exceeding 25,000 rupees;
- (b) for an offence under any other regulation –
 - (i) in respect of a first offence, to a fine of not less than 5,000 rupees and not exceeding 10,000 rupees;
 - (ii) in respect of a second or subsequent offence, to a fine of not less than 10,000 rupees and not exceeding 25,000 rupees.

(2) The Court may, in addition to any sentence imposed under paragraph (1), order the forfeiture of any vehicle, object and thing used in the commission of the offence.

13. The Local Government (Dumping and Waste Carriers) Regulations 2003 are revoked.

14. A licence issued under the Local Government (Dumping and Waste Carriers) Regulations 2003 shall –

- (a) be deemed to have been issued under these regulations; and
- (b) remain valid for the period for which it was issued.

15. These regulations shall come into operation on 14 August 2021.

Made by the Minister on 5 August 2021.

FIRST SCHEDULE

[Regulation 2]

PART I – PERMITTED WASTE AT TRANSFER STATIONS

1. Domestic/household waste, including household junk waste or solid waste delivered from educational, community and public institutions
2. Commercial waste, including solid waste from offices, shops and premises for a trade or business
3. Industrial waste, including solid waste or residue from an industrial, manufacturing, processing undertaking, but excluding commercial or chemical waste and waste which falls into other categories
4. Construction and demolition waste, including solid waste from construction, demolition and renovation activities
5. Market waste, including solid waste from markets
6. Street or public cleansing waste, including solid waste collected by the Municipal City Council, Municipal Town Councils or District Councils, from streets, public places and public cleansing activities
7. Marine waste, including solid waste, collected from marine waters and vessels, but excluding hazardous waste
8. Incinerator ash, including solid residues from waste collected by the Municipal City Council, Municipal Town Councils or District Councils and clinical waste incinerators
9. Dewatered sludge, including treated sludge from sewage and water treatment works, with water content not exceeding 70 per cent by weight, which may contain metals in the form of metal oxides (and to be subject to the hazardous waste provisions)

10. Condemned goods, including expired, damaged, contaminated and confiscated goods, but excluding chemical waste

PART II – PERMITTED WASTE AT LANDFILL

Type 1 – in accordance with Part I

Type 2 – Cemented asbestos (and to be subject to the Environment Protection (Standards for Hazardous Wastes) Regulations 2001)

1. Animal waste including mainly solid manure and other waste generated by livestock
2. Treated or stabilised livestock waste that is mainly spent litter and manure compost
3. Abattoir waste, including solid and semi-solid waste, generated from abattoirs and slaughterhouses
4. Animal carcasses

**PART III – PERMITTED WASTE AT
CIVIC AMENITY CENTRES**

1. Carton waste
 2. Construction and demolition waste
 3. Electronic waste
 4. Metal waste
 5. Paper waste
 6. Used tyres
 7. Waste oil
 8. Wood waste
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SECOND SCHEDULE

[Regulation 2]

WASTE MANAGEMENT FACILITY

PART I – TRANSFER STATIONS

1. La Brasserie Transfer Station
2. La Chaumiere Transfer Station
3. La Laura Transfer Station
4. Poudre d’Or Transfer Station
5. Roche Bois Transfer Station

PART II – WASTE DISPOSAL SITE

Mare Chicose Landfill

PART III – MATERIAL RECOVERY FACILITY

1. Civic Amenity Centres
 2. Composting Plants (*to be implemented by 2024*)
 3. Sorting Units (*to be implemented by 2024*)
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THIRD SCHEDULE

[Regulation 4(3)]

APPLICATION FORM FOR WASTE CARRIER LICENCEI, Mr/Mrs* (*name*),residing at (*address*)

hereby apply for a Waste Carrier Licence/renewal of a Waste Carrier Licence* in respect of the following vehicle(s) –

S.N.	Type of vehicle	Registration mark	Maximum gross weight	Type of waste proposed to carry
1.				
2.				
3.				

I am the owner/lessee of the vehicle(s) referred to above.

I enclose a true and certified copy of –

- (a) a certificate of the National Land Transport Authority in relation to the vehicle;
- (b) the deed of purchase showing my ownership of the vehicle/ the lease agreement or other document relating to my title over the vehicle*.

.....
Date.....
Signature* *Delete as appropriate.*

FOURTH SCHEDULE

[Regulation 4(4)]

FEEs FOR WASTE CARRIER LICENCE

	Gross weight of vehicle (Kgs)	Licence fee for one year (Rs)	Licence fee for one day (Rs)
1.	Up to 5,000	2,000	300
2.	More than 5,000	4,000	400

FIFTH SCHEDULE

[Regulation 4(5)]

PART I**WASTE CARRIER LICENCE**

This Waste Carrier Licence is issued to Mr/Mrs
 (name) authorising the use as Waste Carrier of the
 vehicle bearing registration number

Conditions of licence

1. This licence is valid for the period starting on
 (date) and ending on (date).
2. The waste carrier shall operate from hours to hours.
3. The vehicle basket (open *caisson*) raised with metal
 sheeting shall –
 - (a) not be less than 150 centimetres for waste type A, C and D
 as specified in paragraph 7;
 - (b) not be less than 50 centimetres for waste type A and B
 specified in paragraph 7.
4. The vehicle basket shall be covered with a proper tarpaulin or
 netting tarpaulin during conveyance of waste.
5. The bottom of the vehicle basket shall be provided with an
 appropriate device to contain leachate.
6. The vehicle bears both in front and at the rear a metal plate
 of at least 60 cm in length and 15 cm in height, bearing the word
 “WASTE” followed by the number

The words and the figures shall be in red on a white background.

7. This licence is valid for the haulage of –
 - Type A Waste – (Bulky)
 - Type B Waste – (Construction and Demolition)
 - Type C Waste – (Green)
 - Type D Waste – (All other wastes excluding A, B, C and hazardous)
8. The waste carrier shall carry in a single trip only one type of waste, as specified in paragraph 7.
9. The waste carrier shall always be maintained in a clean and proper state so as not to create odour nuisance to the neighbourhood.
10. Wastes shall not be kept overnight in the waste carrier.

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Date

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Supervising Officer
Ministry of Environment,
Solid Waste Management and
Climate Change
(Solid Waste Management Division)
