

NATIONAL ENVIRONMENTAL MANAGEMENT; WASTE ACT 59 OF 2008

Part 2 General Duty

General duty in respect of waste management

16. (1) A holder of waste must, within the holder's power, take all reasonable measures to-

(a) Avoid the generation of waste and where such generation cannot be avoided to minimize the toxicity and amounts of waste that are generated

(b) Reduce, re-use, recycle and recover waste

(c) Where waste must be disposed of ensure that the waste is treated and disposed of in an environmentally sound manner.

(d) Manage the waste in such a manner that it does not endanger health or the environment or cause a nuisance through noise, odour or visual impacts;

(f) Prevent the waste from being used for an unauthorized purpose.

3 (b) cease, modify or control any act or process causing the pollution, environmental degradation or harm to health

Part 3 Reduction, re-use, recycle and recovery of waste

Reduction, re-use, recycle and recovery of waste

18 (1) the minister after consultation with the Minister of trade and industry may in order to give effect to the object of this Act by notice in the Gazette-

2 The Minister may in a notice under subsection (1) Specify-

- (a) The requirements in respect of the implementation and operation of an extended producer responsibility programmer including the requirements for the reduction, re-use, recycle, recovery, treatment and disposal of waste;
- (b) The Financial arrangement of a waste minimization programmer with the concurrence of the Minister of Finance.
- (c) The institutional arrangements for the administration of a waste minimization programmer
- (d) The percentage of products that must be recovered under a waste minimization programmer:

Part 6 Treatment, processing and disposal of waste

Prohibition of unauthorized disposal

26 (1) No person may-

- (a) Dispose of waste, or knowingly or negligence cause or permit waste to be disposed of, in or on any land, waterbody or at any facility unless the disposal of that waste is authorized by law or
- (b) Dispose of waste in a manner that likely to cause pollution of the environment or harm to health and well-being.

(2) Subsection (1) need not be complied with if-

- (a) The waste was generated as a result of normal household activities