

Government Notice No. 57 of 2005.

THE ENVIRONMENT PROTECTION ACT 2002
Regulations made by the Minister under section 96
of the Environment Protection Act 2002

1. These regulations may be cited as the Environment Protection (Declaration of Environmental Laws) Regulations 2005.
2. In these regulations —
“Act” means the Environment Protection Act 2002.
3. For the purposes of section 3 of the Act, the enactments specified in the Schedule are declared to be environmental laws.
4. These regulations shall come into operation on 02 May 2005.

Made by the Minister with the approval of the National Environment Commission on 13 April 2005.

SCHEDULE*(Regulation 3)***Enactments declared as environmental laws**

1. Sections 7, 10, 20, 28, 36 and 40 of the Building Act.
2. Regulations 32, 33, 39, 40, 46 and 47 of the Building Regulations 1919.
3. Regulations 12,13 and 16 of the Beach Authority (Use of Public Beach) Regulations 2004.
4. Sections 46 and 46A of the Central Water Authority Act.
5. Regulation 10 of the Central Water Authority (Water Supply for Domestic Purposes) Regulations 1992.
6. Regulation 10 of the Central Water Authority (Water Supply for Non-Domestic Purposes) Regulations 1992.
7. Sections 378 (*m*), (*o*), (*p*) and (*v*) and 385 (*g*) of the Criminal Code.
8. Sections 4 and 110 of the Criminal Code (Supplementary) Act.
9. Sections 9 and 14 (2)(*b*) of the Forests and Reserves Act.
10. Section 6 of the Fisheries and Marine Resources Act.
11. Section 4(1) and (2) of the Ground Water Act.
12. Sections 97 and 98 of the Local Government Act 2003.
13. Noise Prevention Act.
14. Noise Prevention (Beau Bassin / Rose Hill) Regulations 1939.
15. Noise Prevention (Curepipe) Regulations 1939.
16. Noise Prevention (Port Louis) Regulations 1939.

SCHEDULE — *contd*

17. Noise Prevention (Quatre Bornes) Regulations 1939.
18. Prevention of Noise (Rural Districts) Regulations 1942.
19. Prevention of Noise (Vacoas - Phoenix) Regulations 1967.
20. Regulations 8, 12 and 14 (c) and (d) of the National Parks and Reserves Regulations 1996.
21. Sections 14, 17, 23 and 24A of the *Pas Géométriques Act*.
22. Sections 18, 19, 29, 32 and 33 of the Public Health Act.
23. Regulation 2(c) and (d) of the Public Health (Restrictions on Tobacco Products) Regulations 1999.
24. Sections 25, 26, 65, 66, 67, 69, 87, 88, 98 and 99 of the Rivers and Canals Act.
25. Sections 18, 21(1) (d), 22, 23, 24, 25, 42 and 66 (a), (b), (c), (d), (f), (i), (j) and (l) of the Roads Act.
26. Road Traffic (Control of Vehicle Emissions) Regulations 2002.
27. Regulations 3 and 4 of the Stone Crusher and Block Making (Control) Regulations 1971.
28. Section 34 of the State Lands Act.
29. Sections 37, 38 and 39 of the Wastewater Management Authority Act.
30. Local Government (Dumping and Waste Carriers) Regulations 2003.
31. Regulations 106, 106A, 107, 115, 116, 118, 119, 126, 135 and 140 of the Municipality of Port Louis Regulations 1908.
32. Regulations 3, 4, 5, 6, 7, 8, 9, 10, 11(a), 12, 16, 19, 20, 21, 22, 27 and 28 of the Port Louis (Collection and Disposal of Refuse) Regulations 1996.

SCHEDULE — *contd*

33. Regulations 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of the Quatre Bomes (Disposal of Refuse) Regulations 1996.
34. Regulations 3(1), (4) and (5) and 4, 5, 6, 7, 8, 11 and 13 of the Vacoas / Phoenix (Environmental Sanitations) Regulations 1995.
35. Regulations 3, 4, 5, 6, 7, 8, 9, 10, 11, 12A and 13 of the Beau Bassin/ Rose Hill (Disposal of Refuse) Regulations 1996.
36. Regulations 9(15), 9(17), 9(18), 9(22), 17 and 18 of the Beau Bassin/ Rose Hill Regulations 1896.
37. Regulations 3, 4, 5 and 6 of the Curepipe (Waste Management) Regulations 2000.
38. Regulations 3, 4, 5, 6, 7, 8, 9, 10(a), 10(b), 11 and 12 of the Pamplémousses / Rivière du Rempart District Council (Disposal of Refuse) Regulations 1995.
39. Regulations 3 to 13 of the Grand Port/Savanne District Council (Collection and Disposal of Refuse) Regulations 2002.
40. Regulations 3, 6, 8, 9 and 12 of the Moka/Flacq (Disposal of Refuse) Regulations 1996.
41. Regulations 3 to 13 of the Black River District Council (Collection and Disposal of Refuse) Regulations 1997.

THE ENVIRONMENT PROTECTION ACT 2002

**Regulations made by the Minister under section 96 of the
Environment Protection Act 2002**

1. These regulations may be cited as the Environment Protection (Amendment of Schedule) Regulations 2006.
2. In these regulations -

"Act" means the Environment Protection Act 2002.
3. The First Schedule to the Act is repealed and replaced by the Schedule to these regulations.
4. These regulations shall come into operation on 1st October 2006.

Made by the Minister on 26th September 2006.

SCHEDULE
(regulation 3)

FIRST SCHEDULE
(section 15(2))

PART A

List of undertakings requiring a Preliminary Environmental Report

1. Construction of helipads
2. Coral crushing and processing
3. Creation of bathing areas by mechanical means
4. Depot for 50 buses or more
5. Discotheque or night-club
6. Food processing industry, excluding small and medium enterprises
7. Foundry, smelting plant or metallurgical work
8. Galvanising industry
9. Industrial-scale laundry and dry-cleaning within 1 kilometre of high water mark
10. Land reclamation and backfilling
11. Manufacture of animal feed
12. Manufacture of ceramics
13. Manufacture of paint, pigment and varnish
14. Manufacture of photographic films
15. Manufacture of plastics and plastic products
16. Manufacture of rubber products
17. Mechanical removal of marine flora such as sea grasses and marine algae
18. Parcelling out of land above 5 hectares for agricultural purposes, where the parcelling involves infrastructure work
19. Quarantine station for livestock
20. Ready-mix concrete plant
21. Rearing of livestock including cattle, goat, pig and sheep
22. Rearing of poultry above 5000 heads
23. Recycling plant
24. Rendering plant

25. Sawmill
 26. Slaughter house
 27. Textile industry associated with washing, bleaching and printing
 28. Timber treatment plant
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PART B

List of undertakings requiring an Environmental Impact Assessment

1. Asphalt plant
2. Assembly of motor vehicles
3. Block making plant manufacturing above 10,000 blocks per day
4. Bulk processing, storage and handling of petroleum products, liquefied gas, coal and petro-chemical products
5. Clinic and hospital, including animal hospital
6. Construction of airports and runways
7. Construction of breakwaters, groins, jetties, revêtements and seawalls
8. Construction of dam and dyke
9. Construction of marinas
10. Conversion of forest land to any other land use
11. Creation of, and/or development on, barachois
12. Desalination plant
13. Distillery
14. Dyehouse
15. Fishing port
16. Golf course
17. Harbour dredging operation, construction and development
18. Highway and mass transit system
19. Hotel or Integrated Resort Scheme, including extension, with first boundary within 1 kilometre of high water mark
20. Housing project and apartments above 50 units within 1 kilometre of high water mark

21. Incineration of municipal solid waste, quarantine waste, medical and clinical wastes
22. Industrial manufacture of beer, wine and spirit
23. Lagoon dredging and reprofiling of sea beds
24. Land clearing and development, including installation of high tension lines in environmentally sensitive areas such as water catchment areas, waterlogged areas, wetlands, mountain slopes and islets.
25. Landfill
26. Manufacture of batteries
27. Manufacture of dangerous chemicals, chemical fertilizers and pesticides
28. Manufacture of lime
29. Manufacture and packing of cement
30. Manufacture of pharmaceutical products
31. Modification of existing coastline such as beach reprofiling, coastal protection works and removal of basaltic and beach rock
32. Municipal wastewater treatment plant
33. Offshore sand mining
34. Parcelling out of land above 5 hectares -
 - (a) otherwise than by way of division in kind among heirs;
 - (b) to be allocated to persons other than such persons as may be approved by the Minister responsible for the subject of agriculture and who are-
 - (i) *bona fide* occupiers of housing units forming part of sugar estate camps owned by sugar millers or sugarcane planters;
 - (ii) *bona fide* occupiers of housing units forming part of tea estate camps;
 - (iii) workers affected by the closure of a sugar factory; or
 - (iv) workers opting for the Voluntary Retirement Scheme
35. Petroleum refinery
36. Power generating plants
37. Pulp and paper manufacture
38. Rearing of monkeys
39. Rock quarrying
40. Sea outfall

41. Shipyard and dry dock
42. Stone crushing plant
43. Sugar factory or refinery
44. Tannery and leather finishing
45. Transfer station for solid waste
46. Used or waste oil treatment and disposal