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THE NATIONAL ENVIRONMENT ACT.

Statutory Instrument 153—5.

The National Environment (Wetlands, Riverbanks and Lakeshores Management) Regulations.

(Under section 107 of the Act.)

PART I—PRELIMINARY.

1. Citation.

These Regulations may be cited as the National Environment (Wetlands, Riverbanks and Lakeshores Management) Regulations.

2. Interpretation.

In these Regulations, unless the context otherwise requires—

(a) ''Act'' means the National Environment Act;

(b) ''agriculture'' means all farming activities including cultivation, agroforestry, beekeeping, livestock management and aquaculture;

(c) ''alien specie'' means any specie of a plant or animal whose natural range does not or did not in the past exist in a specific part of Uganda or the whole of Uganda;

(d) ''authority'' means the National Environment Management Authority established under the Act;

(e) ''beach'' means an accumulation of sand or gravel found at the landward margin of a lake; the lower limits approximating to the position of the highest and lowest tidal water levels;

(f) ''biological diversity'' means the variability among living organisms from all sources including, *inter alia*, terrestrial ecosystems and aquatic ecosystems and the ecological complexes of which they are part; it includes diversity within species, between species and of ecosystems;

(g) ''board'' means the board of directors of the authority established under section 8 of the Act;

(h) ''community'' means an assemblage of human beings living in a defined geographical area and identified by common history, common culture or common residence in an area;

(i) ''conservation'' means looking after and managing a resource so that the resource maintains its ability to fulfill its functions and provide goods and services for present and future generations;

(j) ''drainage of wetlands'' means the removal or exclusion of water from a wetland by pumping, excavation of channels, planting in a wetland fast growing nonwetland trees or plants, abstraction of water from a river entering a wetland, channelling, reclamation and drainage itself;

(k) ''executive director'' means the executive director of the authority appointed under section 11 of the Act and includes, for the purposes of these Regulations, a person authorised by the executive director to act on his or her behalf;

(l) ''hunting'' includes the doing of an act immediately directed at killing, wounding, injuring or capturing of any animal and the taking or wilful molestation of any nest, lair or other place where a dependent young animal is born, hatched or reared;

(m) ''inspector'' means an inspector designated as an environmental inspector under section 79 of the Act;

(n) ''lake'' means a body of fresh or salt water of considerable size, completely surrounded by land, or a natural body or pool of water;

(o) ''lakeshore'' means the land not more than one hundred metres adjacent to or bordering a lake;

(p) ''lead agency'' means any Ministry, department, parastatal agency, local government system, or public officer in which or upon whom any law vests functions of control or management of any segment of the environment;

(q) ''livestock'' includes cattle, horses, donkeys, mules, pigs, sheep, goats, camels and all other domesticated animals;

(r) ''low water mark'' means the historical point at which the lowest level of contact between the water and the shore or the bank as the case may be was recorded;

(s) ''Minister'' means the Minister to whom the President has assigned responsibility for the Act;

(t) ''modification'' means any man-made change in the natural state of a wetland, riverbank or lakeshore and may include drainage;

(u) ''natural resources'' means land, air, water, vegetation, fish, wildlife, rivers and streams, wilderness, natural beauty, scenery and open space;

(v) ''occupier'' means, for the purposes of these Regulations, a person in occupation of any land on which there is a wetland, riverbank or lakeshore;

(w) ''palustine'' means a wetlands ecosystem, including all nontidal wetlands dominated by emergent mosses or lichens, persistent emergents, shrubs or trees; the area is less than eight hectares, there is no wave action and the maximum depth at low water is less than two metres; they are bounded by either dry land or other wetland system type;

(x) ''person'' means a natural or legal person;

(y) ''policy committee'' means the policy committee on the environment established under section 7 of the Act;

(z) ''protected species'' means any plant or animal declared as a protected specie under these Regulations;

(aa) ''protected wetlands'' means an area declared as a protected wetland under these Regulations;

(bb) ''restoration'' means regeneration or putting back a wetland, riverbank or lakeshore to the state it was in or near to what it was before it was modified;

(cc) ''riverbank'' means the rising ground, not more than one hundred metres long, bordering or adjacent to a river in the form of rock, mud, gravel or sand and in cases of flood plains includes the point where the water surface touches the land, that land not being the bed of the river;

(dd) ''river'' means a body of natural surface stream of water of considerable volume permanently or seasonally flowing in a defined channel;

(ee) ''riverine'' includes wetlands along rivers and streams;

(ff) ''soil'' means earth, sand, rock, shales, minerals, vegetation and the flora and fauna in the soil and the derivates thereof such as dust;

(gg) ''soil erosion'' means a general process whereby soil particles are worn away or removed by natural agencies, including weathering, solution, corrosion and transportation;

(hh) ''sustainable utilisation'' means the practice of human utilisation which ensures the greatest benefit to present generations while maintaining its potential to meet the needs and aspirations of future generations;

(ii) ''water'' includes river, stream watercourse, reservoir, well, dam, canal, channel, lake, swamp, open drain or underground water;

(jj) ''wetland produce'' includes fish, fibre, fruit, papyrus, grass, soil, stone, gravel, sand and such other things as the Minister may, by statutory instrument, declare to be wetland produce;

(kk) ''wetland resource use permit'' means a permit granted to a person, community or organisation to make extractive utilisation of wetlands and other nonextractive uses such as tourism and cultural activities in accordance with the grant under these Regulations;

(ll) ''wetlands'' means areas permanently or seasonally flooded by water where plants and animals have become adapted; and includes swamps, dambos, areas of marsh, peatland, mountain bogs, banks of rivers, vegetation, areas of impeded drainage, or blackish salt;

(mm) ''wise use'' means sustainable utilisation of wetlands in a way compatible with the maintenance of the natural properties of the ecosystem.

PART II—MANAGEMENT OF WETLANDS AND WETLAND RESOURCES.

3. Application of this Part of the Regulations.

(1) This Part applies to all wetlands in Uganda.

(2) The Government or a local government shall hold in trust for the people and protect wetlands for the common good of the citizens of Uganda.

(3) The Government or a local government shall not lease out or otherwise alienate any wetland.

4. Objective of this Part.

The objective of this Part of the Regulations is to—

(a) provide for the conservation and wise use of wetlands and their resources in Uganda;

(b) give effect to article 237(2) of the Constitution of Uganda;

(c) ensure water catchment conservation and flood control;

(d) ensure the sustainable use of wetlands for ecological and touristic purposes for the common good of all citizens;

(e) ensure that wetlands are protected as habitats for species of fauna and flora;
(f) provide for the regulated public use and enjoyment of wetlands;
(g) enhance research and research-related activities; and
(h) minimise and control pollution.

5. Principles in the management of wetlands.

The principles set out in this Part shall be observed in the management of all wetlands as follows—

(a) wetland resources shall be utilised in a sustainable manner compatible with the continued presence of wetlands and their hydrological functions and services;
(b) environmental impact assessment as required under the Act is mandatory for all activities in wetlands likely to have an adverse impact on the wetland;
(c) special measures are essential for the protection of wetlands of international, national and local importance as ecological systems and habitat for fauna and flora species, and for cultural and aesthetic purposes, as well as for their hydrological functions; and
(d) wise use of wetlands shall be integrated into the national and local approaches to the management of their resources through awareness campaigns and dissemination of information.

6. Technical committee on biodiversity conservation.

(1) The technical committee on biodiversity conservation established under section 10 of the Act shall be responsible for advising the board and the executive director on the wise use, management and conservation of wetland resources.

(2) The specific functions of the technical committee in relation to wetlands include—

(a) reviewing the implementation procedures for wetlands management and making the necessary recommendations to the board and the executive director;
(b) reviewing and recommending regulations or guidelines to be issued by the authority to developers;

(c) reviewing and advising on the environmental impact assessments, audit and monitoring;

(d) advising on solutions to potential conflicts that might arise through competing requirements for wise use of wetland resources;

(e) recommending activities that may be regulated in the utilisation of wetland resources;

(f) advising on reconciling wetland use rights by local communities with the impact such activities may have on other natural resources;

(g) advising and recommending mechanisms for ensuring public awareness and participation in the protection of wetlands; and

(h) advising the authority on any other issues relating to conservation and management of wetland resources.

(3) The technical committee may co-opt any member of staff of the authority or any person whom the technical committee deems necessary for its proper functioning.

(4) The technical committee shall prepare and submit to the board annual reports on its activities.

(5) The meetings of the technical committee shall be held whenever necessary, but in any case not less than four times a year, and shall be arranged in consultation with and facilitated by the authority.

7. Functions of district and local environment committees.

(1) The district environment committees shall be responsible for coordinating, monitoring and advising district councils on all aspects of wetland resource management.

(2) The local environment committee shall be the implementing organ in conserving and managing wetland resources in its area of jurisdiction.

(3) The specific functions of the lower local government council include—

(a) ensuring that any activity undertaken within the catchment area of a wetland does not affect the water level of the wetland;

(b) regulating activities which may include supply of water for domestic purposes, fishing, swamp edge gardens, grazing, papyrus harvesting to ensure sustainable use of wetlands;

(c) advising the authority, after the prior approval of the district council, to declare an area a ''protected wetland'' in accordance with these Regulations;

(d) authorising research activities in a protected wetland;

(e) issuing local guidelines and directives for the better carrying out of the provisions of these Regulations and ensuring wise use of wetlands;

(f) with the approval of the district environment officer, directing that an environmental impact assessment be carried out on a project that involves the use of a wetland or an area within ten metres of the edge of a wetland;

(g) declaring that a wetland be closed from some or all activities for purposes of regeneration;

(h) formulating byelaws and local laws on the proper management of wetlands; and

(i) performing any other duty assigned to it by the executive director under the Act.

8. Protected wetlands.

(1) The Minister may, by statutory instrument, and after consultation with the lead agency and with the prior approval of the policy committee on the environment, declare a wetland which is a subject of the process provided for under this regulation to be a specially protected wetland of national or international importance.

(2) A declaration made under subregulation (1) of this regulation shall state whether—

(a) a wetland is a fully protected wetland;

(b) a wetland is a partially protected wetland; or

(c) a wetland is subject to conservation by the local community.

(3) A wetland declared under subregulation (2)(a) of this regulation shall be an area of international and national importance because of its biological diversity, ecological importance, landscape, natural heritage or touristic purposes in which the following activities may be permitted—

(a) research;
(b) tourism; and
(c) restoration or enhancement of the wetland.

(4) A wetland declared under subregulation (2)(b) of this regulation shall be an area in which regulated activities specified in the Second Schedule to these Regulations may be permitted.

(5) A wetland declared under subregulation (2)(c) of this regulation shall be an area in which a person who has property rights in the land may carry out traditional activities provided for under regulation 11(2) of these Regulations subject to such restrictions as may be imposed by the local environmental committee.

(6) The wetlands specified in the Third Schedule to these Regulations are declared to be wetlands of international and national importance.

9. Procedure for declaration of a specially protected area.

(1) The declaration of a protected wetland may be initiated by the district council on the recommendation of the district environment committee or the executive director.

(2) Where the district council initiates the process of declaring a wetland as a protected wetland under subregulation (1) of this regulation, the district council shall—

(a) inform the executive director in writing of its intention;
(b) cause an environmental impact assessment to be carried out in accordance with sections 19, 20 and 21 of the Act;
(c) ensure that the views of the people inhabiting the areas contiguous to the wetland are taken into account by convening the meeting of the local environment committees; and
(d) prepare and submit a report containing findings in paragraphs (a), (b) and (c) of this subregulation to the executive director.

(3) Where the executive director initiates the process referred to in subregulation (1) of this regulation, the executive director shall inform the appropriate district environment committee and require the committee to carry out the activities provided for in subregulation (2)(b), (c) and (d) of this regulation; except that in such case the executive director shall provide the

appropriate financial support to the district environment committee for carrying out these tasks.

(4) The executive director shall consider the reports submitted under subregulations (2) and (3) of this regulation, and may make recommendations to the Minister.

10. Inventory of wetlands.

(1) The lead agency shall, in consultation with the executive director, make an inventory of all wetlands.

(2) The inventory made under subregulation (1) of this regulation shall show for each wetland—

(a) the location of the wetland;
(b) the type of fauna and flora;
(c) the soil and hydrological characteristics;
(d) the discharge and composition of water;
(e) the volume, flow and quality of water, where possible;
(f) the existing uses;
(g) the density of population in the wetland catchment drawing attention especially to those most dependent on the wetland;
(h) the conservation status of the wetland;
(i) the area of the wetland; and
(j) any other factor relevant to the wetland.

(3) The boundaries of the wetlands shall be shown on suitable boundary maps.

(4) The lead agency shall periodically inspect the wetlands to determine the necessity for revision or correction of the inventory on wetlands.

(5) The lead agency may, in consultation with the executive director, register changes in the boundaries of wetlands on maps in the inventory referred to in subregulation (3) of this regulation and make any other necessary changes in the inventory to reflect the actual situation on the ground.

(6) In making an inventory on wetlands, the lead agency shall consult with the district environment committee with a view to involving the public in determining whether a wetland should be included in the list of wetlands of local or national or international importance.

(7) Without prejudice to the generality of subregulation (6) of this regulation, the lead agency and the district environment committee shall cause to be convened meetings of local environment committees within the vicinity of the wetland prior to making any decision affecting the wetland.

(8) The lead agency shall, in consultation with the executive director, publish the inventory of wetlands every five years reflecting the current state of wetlands included in the inventory.

(9) The executive director, in consultation with the lead agency, shall carry out a review of the conservation status of wetlands every two years to determine whether the wetlands have been degraded and shall institute measures to ensure their protection.

11. Uses of wetlands.

(1) A person desiring to carry out any of the regulated activities listed in the Second Schedule to these Regulations or extract any wetland produce in a wetland shall make an application in Form A set out in the First Schedule to these Regulations.

(2) Notwithstanding subregulation (1) of this regulation, the following traditional uses of wetland resources shall not be subject to the application of these Regulations—

(a) harvesting of papyrus, medicinal plants, trees and reeds;
(b) any cultivation where the cultivated area is not more than 25 percent of the total area of the wetland;
(c) fishing using traps, spears and baskets or other method other than weirs;
(d) collection of water for domestic use; and
(e) hunting subject to the Uganda Wildlife Act.

(3) The executive director may at any time by order published in the Gazette—

(a) restrict or prohibit; or

(b) declare open and closed seasons in relation to,

any traditional activity provided for in subregulation (2) of this regulation where that activity endangers the wise use of the wetland resources.

(4) Any person who contravenes an order made by the executive director under subregulation (3) of this regulation commits an offence.

12. Wetland resource use permit.

(1) Subject to these Regulations, a person shall not carry out any activity in a wetland without a permit issued by the executive director.

(2) Any person intending to carry out an activity listed in the Second Schedule to these Regulations shall apply to the executive director for a permit in Form A of the First Schedule to these Regulations.

(3) The application in subregulation (2) of this regulation shall be accompanied by the fee specified in the Fourth Schedule to these Regulations.

(4) The executive director may issue a permit in Form B specified in the First Schedule to these Regulations permitting the use of wetland resources.

13. Rejection of permit.

Where the executive director rejects an application made under regulation 12(2) of these Regulations, the executive director shall—

(a) state reasons, in writing, to the applicant; and

(b) give the applicant the right to be heard either orally or in writing or both.

14. Revocation of permit.

The executive director may, at any time, after consultation with the lead agency, revoke a permit granted under these Regulations if he or she is satisfied that the conditions of the grant of the permit have not been complied with or that the continued use of the wetland is likely to be injurious to the community and the environment.

15. Temporary permits.

The lead agency may, after consultation with the executive director, grant temporary permits for the use of a wetland where—

(a) there is need to irrigate an area pending a construction;
(b) there is need to use water for emergency situations pending the availability of alternative sources of supply;
(c) the wetland is needed for construction of a road, a building or other infrastructure;
(d) a special research project requires the use of the wetland for a certain period of time; or
(e) there is an unforeseen delay in the use of the wetland pending the issuance of a permit.

16. Implied covenant.

It is implied in any permit issued under these Regulations that the holder of any permit shall—

(a) not substantially affect hydrological and ecological characteristics of the wetland beyond the terms and conditions contained in the permit;
(b) keep and maintain the margins of the wetland for purposes of bilharzia and malaria control;
(c) not assign the permit to any other person without the consent of the executive director; and
(d) within one year after the expiration or revocation of the permit, remove or restore the wetland to as near as possible the state it was immediately before the commencement of the permitted activities.

17. Duty of land owners and users.

(1) Every landowner, occupier or user who is adjacent to or contiguous with a wetland shall have a duty to prevent the degradation or destruction of the wetland and shall maintain the ecological and other functions of the wetland.

(2) Any person who fails, neglects or refuses to protect a wetland under subregulation (1) of this regulation commits an offence.

PART III—MANAGEMENT OF RIVERBANKS AND LAKESHORES.

18. Application of this Part of the Regulations.

(1) This Part shall apply to all riverbanks and lakeshores in Uganda.

(2) The Government or a local government shall hold in trust for the people and protect riverbanks and lakeshores for the common good of the citizens of Uganda.

(3) The Government or a local government shall not lease out or otherwise alienate any riverbank and lakeshore.

19. Objective of this Part.

The objective of this Part of the Regulations is to—

(a) facilitate the sustainable utilisation and conservation of resources on riverbanks and lakeshores by and for the benefit of the people and community living in the area;
(b) promote the integration of wise use of resources in rivers and lakes into the local and national management of natural resources for socioeconomic development;
(c) give effect to article 237(2) of the Constitution;
(d) provide for the regulated public use and enjoyment of riverbanks and lakeshores;
(e) enhance research and research-related activities; and
(f) prevent siltation of rivers and lakes and control pollution or degrading activities.

20. Principles in the management and conservation of riverbanks and lakeshores.

The following principles shall be observed in the management and conservation of riverbanks and lakeshores—

(a) resources on the riverbanks and lakeshores shall be utilised in a sustainable manner;
(b) an environmental impact assessment as required under the Act is mandatory for all major activities on riverbanks and lakeshores; and

(c) special measures are essential for the protection of riverbanks and lakeshores such as preventing soil erosion, siltation and water pollution.

21. Identification of riverbanks and lakeshores.

Each local government shall after the recommendation of the appropriate local environmental committee make byelaws—

(a) identifying riverbanks and lakeshores within its jurisdiction which are at risk from environmental degradation;

(b) promoting soil conservation measures along riverbanks and lakeshores, including the following—

(i) bunding;
(ii) terracing;
(iii) mulching;
(iv) tree planting or agroforestry;
(v) grassing;
(vi) soil engineering, compaction and placement of fills;
(vii) zoning and planning;
(viii) baggions; and
(ix) control of livestock grazing.

22. Register of degraded riverbanks and lakeshores.

(1) The authority shall, in consultation with the lead agency, carry out an inventory and identify and monitor lakeshores and riverbanks which are under threat from environmental degradation.

(2) The inventory provided for in subregulation (1) of this regulation shall be made in consultation with the local authorities and shall include maps which specifically set out in the areas identified.

(3) The authority shall maintain a register of the riverbanks and lakeshores which have been identified under these Regulations as specified in the Fifth Schedule to these Regulations.

23. Application for a permit to use a riverbank or lakeshore.

(1) A person who intends to carry out any of the following activities shall apply to the executive director in Form A set out in the First Schedule to these Regulations—

(a) to use, erect, reconstruct, place, alter, extend, remove or demolish any structure or part of any structure in, under or over the riverbank or lakeshore;

(b) to excavate, drill, tunnel or otherwise disturb the riverbank or lakeshore;

(c) to introduce or plant any part of a plant whether alien or indigenous on a riverbank or lakeshore;

(d) to introduce any animal or microorganism, whether alien or indigenous, in any riverbank or lakeshore; or

(e) to deposit any substance on a riverbank or lakeshore if that substance would or is likely to have adverse effects on the environment.

(2) The executive director may, after considering the application submitted under subregulation (1) of this regulation and after consultations with the lead agency, grant a permit in Form B set out in the First Schedule to these Regulations on such conditions as he or she may deem fit.

24. Rejection of application.

Where the executive director rejects an application made under regulation 23(1) of these Regulations, he or she shall—

(a) state reasons, in writing, to the applicant; and

(b) give the applicant the right to be heard either orally or in writing or both.

25. Revocation of permit.

The executive director may, at any time after consultation with the lead agency, revoke a permit granted under these Regulations if he or she is satisfied that the conditions of the grant of the permit have not been complied with or that the continued use of the riverbank or lakeshore is likely to be injurious to the community and the environment.

26. Duty of local environment committee.

A local environment committee within whose jurisdiction an activity likely to degrade the environment, riverbanks or lakeshores is taking place shall—

(a) inform the district environment officer in writing for appropriate action;

(b) ensure protection of all the banks and shores; and

(c) assist local communities to conserve wetlands.

27. Duty of environment officers.

An environment officer within whose jurisdiction activities likely to degrade the environment, riverbanks or lakeshores are taking place shall ensure that the communities living near a wetland participate in its conservation and assist environment committees in implementing these Regulations and any other law that protects wetlands.

28. Duty of private land owners and users.

(1) Every landowner or user in whose land a riverbank or lakeshore is situated shall have a duty to prevent and repair degraded riverbanks and lakeshores through the following or any other measures—

(a) soil engineering;

(b) agroforestry;

(c) mulching;

(d) bunding;

(e) grassing;

(f) control of livestock grazing; or

(g) terracing.

(2) A landowner or user who fails or refuses to carry out the measures provided under subregulation (1) of this regulation commits an offence.

29. Protection zones for riverbanks.

(1) The rivers specified in the Sixth Schedule to these Regulations shall have a protection zone of one hundred metres from the highest water mark of the river.

(2) Rivers not specified in the Sixth Schedule to these Regulations shall have a protected zone of thirty metres from the highest water mark of the river.

(3) No activity shall be permitted within protected zones without the written authority of the executive director.

(4) Each local environment committee shall determine watering points and routes for animals to have access to the water in each river.

30. Protection zones for lakeshores.

(1) All shores of lakes specified in the Seventh Schedule to these Regulations shall have a protected zone of two hundred metres measured from the low water mark.

(2) All shores of lakes not specified in the Seventh Schedule to these Regulations shall have a protected zone of one hundred metres from the low water mark.

(3) No activity shall be permitted within protected zones without the written authority of the executive director.

(4) Where a natural beach exists on a lakeshore, the protected zone shall be measured from the point where the beach merges with the vegetation and subregulations (1), (2) and (3) of this regulation shall apply.

(5) Each local environment committee shall determine watering points and routes for animals to have access to the water in each lake.

31. Protection of lakeshores and riverbanks used for purposes of tourism.

Where a lakeshore or riverbank is developed in accordance with regulation 23 of these Regulations for the purposes of promoting tourism or for other aesthetic uses, the developer shall ensure that—

(a) pretreatment or full treatment of effluent or waste from the facility is carried out to prevent contamination of the water;

(b) litter is cleared and disposed of in a manner in conformity with best environmental practices; and

(c) the riverbanks, lakeshores or beaches are not degraded.

32. Access to natural beaches of rivers and lakes.

Subject to existing property rights under the existing law, all natural beaches of rivers and lakes either alienated or not alienated are reserved for public recreation and open access unless a developer has obtained special permission from the Minister allowing him or her to exclude the public from the natural beach.

33. Sanitation.

(1) Each local government shall, on the advice of the district environment committee, make byelaws governing sanitation in lakeshores and riverbank areas in accordance with the Public Health Act.

(2) Where two or more districts share a riverbank or lakeshore, minimum sanitation standards shall be set by the district council after consultation.

PART IV—MISCELLANEOUS PROVISIONS.

34. Environmental impact assessment.

(1) A developer desiring to conduct a project which may have a significant impact on a wetland, riverbank or lakeshore shall be required to carry out an environmental impact assessment in accordance with sections 19, 20 and 21 of the Act.

(2) The developer mentioned in subregulation (1) of this regulation shall carry out annual audits and monitoring on such activities and shall submit reports to the executive director and the lead agency in accordance with sections 22 and 23 of the Act.

35. Environmental restoration order.

The executive director may require that a wetland, riverbank and lakeshore which has been degraded be allowed to regenerate, or issue a restoration order in accordance with sections 67, 68, 69, 70 and 71 of the Act.

36. Improvement notice.

(1) Where an inspector has reasonable cause to believe that any person is violating these Regulations, he or she may—

(a) issue against such a person an improvement notice in accordance with section 80(1)(i) of the Act; or

(b) take any other measures provided for under section 80 of the Act.

(2) An improvement notice issued under subregulation (1) of this regulation shall not prejudice criminal proceedings which may be taken under any of the provisions of the Act.

37. Offences.

A person who—

(a) reclaims or drains a wetland;

(b) erects, constructs, places, alters, extends, removes or demolishes any structure that is fixed in, under or over a wetland;

(c) disturbs a wetland by drilling or tunnelling in a manner that has or is likely to have an adverse effect on a wetland;

(d) deposits in, on or under any wetland a substance in a manner that has or is likely to have an adverse effect on a wetland;

(e) destroys, damages or disturbs any wetland in a manner that has or is likely to have an adverse effect on any plant or animal or its habitat;

(f) introduces or plants any exotic or introduced plant or animal in a wetland;

(g) removes soil from or burns any wetland resource in a wetland;

(h) carries out any unauthorised activity in a protected wetland;

(i) carries out activities provided for in regulation 23 of these Regulations without a permit;

(j) fails, neglects or refuses to protect a lakeshore or riverbank from environmental degradation in accordance with these Regulations; or

(k) contravenes any of the provisions of these Regulations, commits an offence.

38. Penalties.

(1) Any person found guilty of an offence under these Regulations is liable on conviction to imprisonment of not less than three months or to a fine not exceeding three million shillings or both.

(2) In addition to the sentence provided for in subregulation (1) of this regulation, a person found guilty may be required to carry out community work that promotes the conservation of wetlands.

39. Appeals.

(1) A person aggrieved by a decision of the executive director under these Regulations may appeal to the board.

(2) The decision of the board on appeal shall be final.

40. Delegation of powers and functions.

The executive director may, where necessary, delegate any of the functions and powers under these Regulations to any officer of the authority or to a lead agency.

SCHEDULES

First Schedule.

regs. 11, 12, 23.

Forms.

Republic of Uganda

Form A.

Application for a Permit to Carry Out a Regulated Activity in a Wetland, Riverbank and Lakeshore.

The National Environment Act.

The National Environment (Wetlands, Riverbanks and Lakeshores Management) Regulations.

(To be completed in triplicate)

I apply for a permit to carry out the activity in a wetland/riverbank/lakeshore of which particulars are given below.

1. Name and address of applicant _____

_____

(district, county, subcounty, village; where necessary mention more than one)

2. Type of activity to be carried out _____

_____

3. Estimated period the activity will take _____

4. Proposed hectarage/area on which the above activity is to be carried out _____

5. Executive summary of environmental impact statement (*please attach where necessary*) _____

_____

_____

(Attach a map and detailed information showing the area directly or indirectly affected by the proposed activity.)

6. Any other information _____

_____

_____

7. Comments of the LC I secretary for production and environment protection _____

_____

8. Approval/disapproval of district environment committee _____

_____

_____

Signature of the applicant _____
Full names _____
Designation/Title _____

For Official Use Only

Application received by _____
Date _____

Fee paid: shs. 20,000 *(in words)* _____

_____

Seal

_____
Executive Director, National
Environment Management Authority

regs. 12, 23.

Republic of Uganda

Form B.

Permit to Carry Out a Regulated Activity in a Wetland, Riverbank and Lakeshore.

The National Environment Act.

The National Environment (Wetlands, Riverbanks and Lakeshores Management) Regulations.

(To be completed in triplicate.)

Permit No. _____ Fee paid: shs. 50,000

Name _____

Address _____

_____

You are granted/denied a permit to carry out the activity/activities in a wetland/riverbank/lakeshore of _____

_____

Location of the wetland/riverbank/lakeshore _____

_____

(district, county, subcounty, village; where necessary mention more than one)

This permit is valid from _____, 20 ____, to _____, 20 ____.

The permit is subject to the following conditions _____

_____

_____

(Please attach on separate sheet where necessary.)

Date _____

Seal

_____

Executive Director, National Environment Management Authority

_____

Second Schedule.

regs. 8(4), 11, 12.

Regulated activities in a wetland.

1. Brickmaking
2. Recreational activities such as sport fishing, maintenance of green spaces
3. Cultivation
4. Drainage
5. Commercial exploitation of wetland resources
6. Sewerage filtration
7. Fishing using fish gear and weirs, fish farming and other aquaculture
8. Construction of transport and communication facilities such as roads, railways, telephone lines
9. Burning
10. Any exploitative activity which is of a commercial or trade nature, such as harvesting of papyrus for commercial purposes

Third Schedule.

reg. 8(6).

Wetlands of international importance.

Wetlands on the shores of Lake George and associated inflowing rivers.

Fourth Schedule.

reg. 12.

Fees.

	Shs.
1. Application for a wetlands use permit	50,000
2. Application for a permit to carry out any regulated activity on riverbanks and lakeshores	50,000
3. Grant of a permit for use of wetland, riverbank or lakeshore	100,000

Fifth Schedule.

reg. 22.

Register of Riverbanks and Lakeshores.

Republic of Uganda

The National Environment (Wetlands, Riverbanks and Lakeshores Management) Regulations.

(To be completed in triplicate)

Registration No. NEMA/RB/LS _____

Name of riverbank/lakeshore _____

Location _____ *(village, parish, subcounty, county, district)*

Extent of riverbank/lakeshore *(in kilometres)* _____

Activities being carried out on the riverbank/lakeshore _____

_____

Nature of environmental degradation occurring/likely to occur _____

_____

Protection measures recommended by the executive director _____

_____

Remarks _____

_____

_____ _____

Date Signature

Sixth Schedule.

reg. 29.

Rivers.

1. River Aswa
2. River Kafu
3. River Kagera
4. River Katonga
5. River Malaba
6. River Manafwa
7. River Mayanja
8. River Mpanga
9. River Mpologoma
10. River Mubuku
11. River Muzizi
12. River Nabuyonga
13. River Namatala
14. River Nile from Lake Victoria to Lake Albert
15. River Nkusi
16. River Rwizi
17. River Semliki
18. River Sezibwa
19. River Sipi
20. River Sironko

Seventh Schedule.

reg. 30.

Lakes.

1. Lake Albert
2. Lake Bisina
3. Lake Bunyonyi
4. Lake Edward
5. Lake George
6. Lake Katunga
7. Lake Kijanibarora
8. Lake Kwania
9. Lake Kyoga
10. Lake Marebe
11. Lake Mburo
12. Lake Mutanda
13. Lake Nabugabo
14. Lake Nakivale
15. Lake Nkugute
16. Lake Nyabihoko
17. Lake Opeta
18. Lake Victoria
19. Lake Wamala

History: S.I. 3/2000.

Cross References

Constitution of 1995.
Public Health Act, Cap. 281.
Uganda Wildlife Act, Cap. 200.
