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Secretariat of the Pacific Regional Environment Programme



PacWastePlus

PACIFIC WASTE MANAGEMENT

This initiative is supported by **PacWastePlus**-a 72 month project funded by the European Union (EU) and implemented by the Secretariat of the Pacific Regional Environment Programme (SPREP) to **sustainably and cost effectively improve regional management of waste and pollution.**

Template Policy: WASTE LICENSING AND ENVIRONMENTAL MONITORING POLICY - PACIFIC ISLAND COUNTRIES AND TERRITORIES

April 2022



This drafting guidance is to support country governments in the development of new legislation or the review of existing legislation that facilitates regulation of waste activities, data collection and reporting activities

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Our vision: A resilient Pacific environment sustaining our livelihoods and natural heritage in harmony with our cultures.

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About the Waste Licensing and Environmental Monitoring Policy for Pacific Island Countries and Territories Resources

PacWastePlus is working with participating countries to improve waste management via support activities that address data management, education, and awareness, strengthening of legislative frameworks, on-ground actions, and capacity building.

Presently very few Pacific Island countries (PICs) have a policy position, or operative clauses in existing legislation that facilitates the effective licensing and management of waste management activities, and to include and enforce environmental and waste monitoring requirements on businesses and waste service providers.

Participating countries would benefit from support and guidance on the policy requirements, and draft instructions, for the inclusion of waste licensing process, and environmental monitoring standards to be included in environmental / waste legislations.

This series of publications, packaged as a guidance toolkit, is to support country governments in the development of new legislation or the review of existing legislation that facilitates regulation of waste activities, data collection and reporting activities.

Waste Licensing and Environmental Monitoring Policy for Pacific Island Countries and Territories Resource Toolkit



Policy Guidance Report

The intent of this publication is to develop draft policy and legislative drafting guidance, informed by a literature review, to help participating countries undertake their own respective legislative reform processes.



Template Policy (this publication)

This template policy is to support country governments in the development of new legislation or the review of existing legislation that facilitates regulation of waste activities, data collection and reporting activities.



A Step-by-Step Guide to Implementation

A simple step-by-step guide to help inform policy makers of the high-level process needed to implement an effective waste licensing legislation supported by appropriate environmental monitoring requirements.

PacWastePlus Programme

The Pacific – European Union (EU) Waste Management Programme, PacWastePlus, is a 72-month programme funded by the EU and implemented by the Secretariat of the Pacific Regional Environment Programme (SPREP) to improve regional management of waste and pollution sustainably and cost-effectively.

About PacWastePlus

The impact of waste and pollution is taking its toll on the health of communities, degrading natural ecosystems, threatening food security, impeding resilience to climate change, and adversely impacting social and economic development of countries in the region. The PacWastePlus programme will generate improved economic, social, health, and environmental benefits by enhancing existing activities and building capacity and sustainability into waste management practices for all participating countries.

Countries participating in the PacWastePlus programme are: *Cook Islands, Democratic Republic of Timor-Leste, Federated States of Micronesia, Fiji, Kiribati, Nauru, Niue, Palau, Papua New Guinea, Republic of Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu.*

KEY OBJECTIVES

Outcomes & Key Result Areas

The overall objective of PacWastePlus is “to generate improved economic, social, health and environmental benefits arising from stronger regional economic integration and the sustainable management of natural resources and the environment”.

The specific objective is “to ensure the safe and sustainable management of waste with due regard for the conservation of biodiversity, health and wellbeing of Pacific Island communities and climate change mitigation and adaptation requirements”.

Key Result Areas

- Improved data collection, information sharing, and education awareness
- Policy & Regulation - Policies and regulatory frameworks developed and implemented.
- Best Practices - Enhanced private sector engagement and infrastructure development implemented
- Human Capacity - Enhanced human capacity

Learn more about the PacWastePlus programme by visiting



<https://pacwasteplus.org/>

Introduction to Template Policy

How to Use This Template Policy

This template policy is to support country governments in the development of new legislation or the review of existing legislation that facilitates regulation of waste activities, data collection and reporting activities.

Guidance notes are provided in the grey boxes to guide countries where specific consideration is required.

Example:

Guidance Note

Advice and instructions are provided in grey boxes throughout this drafting guidance document. It is intended that all grey boxes be removed from the final policy adopted by countries, as they are provided for development purposes only.

To enable countries to utilise this template policy more efficiently, text in red font needs to be replaced by country specific information.

Example:

<Member country> <Insert name and text of current legal framework – use multiple paragraphs as necessary>

The template policy is accompanied by supporting guides and resources, as described in the illustration above (*Waste Licensing and Environmental Monitoring Policy for Pacific Island Countries and Territories Resource Toolkit-page 4 of this document*), which are designed to assist countries effectively in the development of new legislation or the review of existing legislation that facilitates regulation of waste activities, data collection and reporting activities

This template policy considers the diverse legal systems and regulatory frameworks amongst Pacific Island countries and territories and are developed only as a guide but is in no way prescribing the legislative direction of a country.

Authority, Urgency and Critical Dates

Guidance Note

The Policy should provide the appropriate authority for which in-country drafters can start to prepare legislation. This is likely to include Agency and Ministerial approval through specific authority to prepare (a bill) processes defined in each Country process. In country drafters will also need to understand the urgency and critical dates associated with the proposed legislation, plus critical dates.

Authority

On **[insert date]** **[insert authority]** gave authority to prepare the **[insert title/bill]** (**[insert Decision No. [xxx] or other authorisation reference]**).

Urgency and Critical Dates

[Insert details of how urgent the legislation is and the reasons why new or amended legislation is required. Include proposed dates for:

- **The final draft**
- **A consultation draft**
- **When the expected legislation will be considered by the Government**
- **Any other matters/events that depend on the legislation (e.g., related legislation, new departmental functions, administrative changes etc.,)]**

Background and Policy Rationale

Glossary

Guidance Note

Specific terminology will be used in developing legislation related to waste activities. The following provides an indicative glossary of terms for which a legal definition is required to exist in legislation, or be added. Each Member Country will need to agree and implement a specific definition for each term. It is noted that some member countries may already have definitions. These should be reviewed for appropriateness in the context of waste activity licensing and reporting requirements.

Term	Definition	Issues for Member Countries to consider
Environmental contamination / pollution		
Contamination	<i>Contamination</i> of the environment is the release (whether by act or omission) of a contaminant into the environment	May be used instead of pollution
Contaminant	A contaminant can be: <ul style="list-style-type: none"> (a) A gas, liquid or solid; or (b) An odour; or (c) An organism (whether alive or dead), including a virus; or (d) Energy, including noise, heat, radioactivity and electromagnetic radiation; or (e) A combination of contaminants 	May be used instead of pollution incident
Noise	<i>Noise</i> includes vibration of any frequency, whether emitted through air or another medium	
Waste	<i>Waste</i> includes any thing that is: <ul style="list-style-type: none"> (a) Left over, or an unwanted by-product, from an industrial, commercial, domestic or other activity; or (b) Surplus to the industrial, commercial, domestic or other activity generating the waste. <p><i>Waste</i> can be a gas, liquid, solid or energy, or a combination of any of them.</p> <p>A thing can be waste whether or not it is of value.</p>	In the context of recycling and/or resource recovery, the definition of waste needs to include a clear point where a waste stops being a waste and lawfully becomes a resource. This is particularly important for industrial by-products, but also clean fill from construction or other activities generating waste materials. Each jurisdiction likely has a slightly different definition of waste however care is needed not to create loopholes that permit unlawful waste disposal or processing.
Hazardous Waste	<i>Hazardous Waste</i> means toxic, inflammable, corrosive, reactive, infective or explosive waste which is potentially hazardous to human health or the environment.	This definition is consistent with other jurisdictions definitions of hazardous waste. It should be reviewed to include additions or other requirements in defining hazardous waste.
Environmental harm and nuisance		
Environmental harm	Any adverse effect, or potential adverse effect on an environmental value, and includes environmental nuisance. <p><i>Environmental harm</i> may be caused by an activity:</p> <ul style="list-style-type: none"> (a) Where the harm is a direct or indirect result of the activity; or (b) Whether the harm results from the activity alone or from the combine effects of the activity and other activities or factors. 	Each member country will need to consider what it calls its environmental receptors (e.g., environmental value) and be consistent.

Term	Definition	Issues for Member Countries to consider
Environmental nuisance	<i>Environmental nuisance</i> is unreasonable interference or likely interference with an environmental value caused by: <ul style="list-style-type: none"> (a) Aerosols, fumes, light, noise, odour, particles or smoke; or (b) An unhealthy, offensive or unsightly condition because of contamination; or (c) Another way 	Each member country may need to provide definition for “another way” which might be prescribed in legislation or regulation.
Pollutant	<i>Pollutant</i> means dredged spoil, solid or liquid waste, industrial, municipal or agricultural waste, incinerator residue, sewage, sewerage sludge, garbage, chemical waste, hazardous waste, biological material, radioactive waste, wrecked or discarded equipment, oil or any oil residue and exhaust gases or other similar matter.	May be used instead of contaminant depending on member country needs. It may be necessary to define some of the terms within this list.
Pollution incident	<i>Pollution incident</i> means the introduction, either directly or indirectly, of a waste or pollutant into the environment, hindrance to marine activities including fishing and other legitimate uses of the sea, impairment of quality for use of water, air or soil reduction of amenities or the creation of a nuisance.	May be used instead of contamination depending on member country needs.
Waste related activities		
Waste activities	<i>To be defined</i>	Each member country will need to define what a waste activity is and how it is prescribed in the legislation.

Current Issues

- At present, facilities undertaking the receipt, storage, processing, or disposal of waste are not generally required under legislation to register with the [insert country] government, nor adhere to minimum environmental standards or more specific environmental license or permit conditions that help to manage the environmental risk of facility operation.
- The proposed Policy seeks to introduce waste licensing requirements for certain types of waste management activities. This will allow regulation of environmental performance and also the ability for government to recover costs from license fees that allow environmental regulation and data management to be undertaken.
- The proposed Policy will introduce reporting requirements for some operators, that will require minimum emission standards for air quality, noise, odour, land, and water impacts to be adhered to. Where proponents do not adhere to these standards, they may be subject to financial penalty or suspension of their license to operate. Provisions should be included for decision review and/or appeal.
- At present, individuals or registered entities transporting and/or handling a range of waste types from waste source to a waste management facility or between facilities are not regulated under legislation.
- The proposed Policy seeks to introduce licensing requirements for entities transporting certain types of waste, including the ability for government to capture licensing costs that allow for administration of the licensing system.

- As a minimum, it is expected that legislation will be introduced to ensure the appropriate handling, transport, tracking, and chain of custody of hazardous wastes to meet regional, national and international obligations.
- <Member country> is obligated under a number of regional and international agreements to provide data relating to a range of hazardous wastes. There is no formal mechanism to collect this data from facility operators within the member countries. This data could be collected via formalised activity regulation as a requirement of license conditions.

Why Legislation is Required

- To provide member countries with sufficient powers to regulate activities that manage, process, and dispose of waste.
- To better regulate sites managing wastes enabling member countries to improve the protection of environmental values in proximity to each location. These include surface water, groundwater, air quality, and land quality.
- To regulate the transportation by land, air or sea, and handling of certain types of wastes, particularly those that pose a higher risk from improper handling.
- Legislation associated with site or activity-based licensing will allow < Member country > government to provide a legal basis for collection of these data. Relevant data will support national decision making for sound waste management policies and programmes
- To meet obligations to the various MEAs that (member country) is party to.

Policy Objectives

- **To inform policy direction and/or legislative reforms to facilitate better management of waste activities for the protection of human health and the adverse impacts of the environment.**
- **To develop a waste permitting and licensing system to regulate waste management activities on the nature, type and volume of discharges from activity sites.**
- **To set out clear head of power for the implementation of the waste permitting and licensing framework.**
- **To develop clear scope, purpose and requirements for data collection, collation, analysis, management, reporting and storage.**
- **To determine inter-agency collaboration and institutional arrangements and structures to support regulation, monitoring and reporting activities.**
- **To ensure policy outcomes are aligned to the promotion of gender equity, disability and social inclusion.**

Short Summary of Policy to be Implemented

- Legislation is intended to create statutory limitations, prohibitions, obligations, fees, penalties and prosecution for certain waste management activities found to be non-compliant with permitting or licensing conditions.
- Licensing thresholds will be based on country specific requirements, including volume of waste transported and managed, the nature of the activity, types of waste, based on hazards or other risks.
- Site based licenses or permits will have specific obligations, limitations or prohibitions for how a site is operated and managed, including safe storage, discharges from an activity, as well as monitoring and annual reporting obligations.
- The <Member country> Government will need to implement governance arrangements to allow implementation of the policy, both in terms of reporting requirements and regulatory / enforcement activities.
- The introduction and implementation of this policy will reduce the number of incidents of environmental harm requiring rehabilitation or remediation, placing the onus on the waste activity operator to appropriately manage risks associated with their operation.
- Likewise, the <Member country> Government will likely need to increase its own capacity and capability to administer new license or permit arrangements, as well as train and implement enforcement and prosecution activities.
- To support implementation, additional guidance documents will be required to help license or permit holders understand new obligations, as well as potentially penalties or fines for non-compliance.

Supporting Information

Guidance Note

To support drafters, supporting information may consist of important background information including international treaties that [member country] is a party to, international technical standards that [member country] must report on, existing laws that the implementing agency is aware of, that contributes to the regulation of waste management activities and any material technical information that would bear direct relevance and impact on the application of this policy.

Information provided here should include:

- International treaties that the member country is party to
- Relevant international, regional and local technical environmental standards, or research reports relating to country or region specific research to develop standards
- Regulatory impact assessments or statements or other research relating to the implementation of the legislation
- Legislation specific commitments made by the [Member Country] Government.
- Specific data collection requirements.
- Identification of supporting guidance (e.g., how to test waste to characterise it, minimum standards for waste transporters etc.,)

Law and Legal Environment

Identify Existing Legislation and Other Common Law Matters/Legal Issues Relevant to Proposed Bill

Guidance Note

This guidance is provided indicatively however each member country will need to consider the issues relevant to the specific country. Information provided here should include:

- The relationship between the Bill and existing legislation
- Other planned legislation that will interact with the Bill including subordinate legislation
- Legislation that needs to be repealed
- Any politically sensitive aspects of the legislation
- Whether it is national uniform legislation
- The impact on, and the extent of consultation that has occurred or is planned with, other departments, or industry
- Any relevant legal advice (should be attached)
- Any relevant court decisions (should be attached)
- Any other legislative proposals that may affect the proposed legislation
- Potential inter-agency overlaps, duplication, collaboration of statutory roles and functions
- Existing bilateral agreements (between the country and a Non Party/ Party of an MEA) for the transboundary movement of waste

Effect on and consultation with other agencies

Relevant Legal Instruments

Guidance Note

Policy drafter to list all legal instruments or legislations relevant and applicable to waste management activities. These include acts of Parliament, statutory Codes, subordinate legislations, bylaws, as well as relevant international treaties relating to waste that the [member country] is a Party

<Member country> <Insert name and text of current legal framework – use multiple paragraphs as necessary>

Human Rights

A statement should be made in drafting instructions regarding how the proposed legislation aligns (or otherwise) and is compatible with relevant Human Rights legislation or policy in the country.

<insert member country Statement>

Preliminary Matters

Commencement

Guidance Note

The Policy should state whether the policy is to commence immediately, or a particular date, or within a certain time frame. This may be important when considering the implementation timeframe for new licensing. Retrospective application should also be considered here, as well as transition times for existing industries and capacity of the government to fulfill its obligations under the Policy.

The proposed legislation is due to commence on <insert date>

Waste Facility Licensing/Permitting

Current Legal Framework

Guidance Note

Drafters should summarise the current legal framework within the Country in sufficient detail to inform the drafters. This provides an explanation of how legislation may change, or new legislation may be implemented.

<Insert name and text of current legal framework – use multiple paragraphs as necessary>

Issues and Policy

Guidance Note

The instructing officer should summarise specific issues relating to the implementation of any new legislation. Issues may be related to policy, legal or technical aspects. The following is generic text that should be modified. It is noted that if not defined in other legislation, this legislation may need to introduce a definition of waste so that there is no ambiguity around what is defined as a “waste” activity compared to other activities.

- There are a number of waste activities undertaken within <Member country> that currently are not subject to regulation that protects human health and the environment from potentially harmful emissions.
- This includes facilities such as landfill, dumps, incinerators, transfer stations, recycling facilities, aggregation sites and composting.
- Waste related activities are also undertaken associated with other industrial processes such as resource extraction, agriculture, manufacturing, or forestry. It is the intention of this legislation that these activities are captured if they meet threshold criteria.
- Licenses or permits may also be required to be applied for mobile activities (e.g., chipping, crushing, grinding activities).
- Threshold criteria may be developed for an operator to require applying for a license or a permit based on facility type, the amount of waste accepted into the facility, the chemical characteristics of the waste (i.e., whether it is hazardous or not) or as a result of location or risk-based reasons.
- A person or company must not receive, handle, store, process or dispose of waste within a specific site in quantities greater than shown in **Table X.X**.

Guiding Note

Instructions may include a table denoting thresholds for different activities (e.g., a landfill receiving more than 500 tonnes per annum etc.) – this will need to be established based on the scale of waste accepted into existing or proposed facilities.

- Under the legislation, prospective activity operators are required to apply for a license or permit, which will include an application fee. This fee will be included in legislation with provisions for incremental increases in fee determined by the <Member country> Government.
- The application for a license or permit is expected to be supported by specialist technical information relating to the specific activity, allowing the regulatory agency receiving the application to decide on the level of the impacts. Prospective activity operators would be expected to identify mitigation and management measures to prevent potentially harmful emissions from the activity, which may be enforced through license or permit conditions.
- License or permit conditions will be developed by the regulating agency. General license conditions will be developed in country to set minimum standards for emissions from the licensed or permitted activity, submission of quarterly waste return.
- Bespoke license or permit emissions limits may be set on specific activities or facilities to provide protection of human health and the environment above and beyond minimum standards.
- License or permit conditions will require licensees or permit holders to undertake specific monitoring of facility discharges and potential impacts on nearby environmental values. Minimum standards for undertaking monitoring will be developed by the <Member Country> Government alongside specific instructions for methodologies for monitoring and assessment. Monitoring is expected to be undertaken by an appropriately qualified person.
- Licensees or permit holders will be expected as a license or permit condition to submit annual monitoring data and analysis of data to demonstrate compliance with their obligations. It is expected that reports will be prepared by an appropriately qualified person. Where the regulating entity is also the activity operator, external validation through an appropriately qualified person (such as an auditor) should be required to maintain integrity and standards. Quarterly and/or annual returns should be provided to the regulating entity within a set period of time after the anniversary of the license or permit date.
- Provisions should be included in the legislation for penalties or fines associated with non-compliance with submission requirements (for example, if an annual return is not provided). It is expected that extension or renewal of the license or permit should be dependent on satisfactory environmental performance.
- Specific instructions should be included for the establishment and use of Trust Fund for all money appropriated by the legislation.
- Provisions should be included in the legislation for further regulatory investigation into pollution incidents (for example, accidental spills) or reported breaches of license or permit conditions. This should include provisions for environmental investigations, legally enforceable further investigation, prosecution, notices, and license/permit revocation.
- The legislation should introduce requirements under environmental licensing or permitting for financial assurances to be provided by licensees or permit holders upon award of a license or permit.

Guidance Note

Drafters should consider the need for, and then the value of financial assurance required based on each activity

Instructions

Guidance Note

Specific drafting instructions should be developed in collaboration with the instructing officer / department. These may vary depending on whether existing legislation is being amended or if new legislation is being created.

<Insert drafting instructions>

Waste Transport

Current Legal Framework

Guidance Note

Drafter should summarise the current legal framework within the Country in sufficient detail to inform the drafters. This provides an explanation of how legislation may change, or new legislation may be implemented.

<Insert name and text of current legal framework – use multiple paragraphs as necessary>

Issues and Policy

Guidance Note

Drafter should summarise specific issues and policy relating to the implementation of new legislation in that specific country. The following is generic text that should be modified.'

- At present, wastes generated in <member country> are transported typically by road vehicles between the point of generation and a treatment, disposal, or export facility. Hazardous wastes may also be transported by air or by boat.

- Risks to human health and the environment from the transportation of hazardous wastes in <member country> require regulation. **The transboundary movement** of some hazardous wastes fall under international conventions including the Basel Convention, the Stockholm Convention, the Rotterdam Convention, the Minamata Convention, and the Waigani Convention.
- New legislation is required to provide environmental obligations for the **transport of waste or hazardous waste** within <member country>.
- Legislation will require waste transporters who transport more than **XXX tonnes of waste or hazardous waste per annum / at any time** to be required to be regulated.
- Legislation for the introduction of a licensing or permitting framework will include a requirement for waste transporters to apply for and maintain a license or permit for transport of waste.
- Specific conditions within licenses should require transporters of hazardous wastes to provide accidental spill Management Plans , secondary containment or other environmental management requirements to protection human health and the environment.
- Legislation will require the registration of hazardous waste transporting vehicles, which will be maintained in a register by the regulating entity.
- The transport of hazardous wastes within <member country> should be tracked, with each person or company involved in the process required to participate in tracking
- Hazardous wastes will be tracked from generation, transportation to final in-country destination through a chain of custody approach.
- *Each member country should consider the systems and requirements of waste tracking obligations for hazardous wastes here.*
- Specific penalties or fines will be introduced for non-compliance with hazardous waste transport requirements including transporting hazardous waste above the threshold without a license or for incorrect or non-completion of waste tracking obligations.
- Penalties or fines will be introduced for wilful non-compliance such as transporting or receiving hazardous waste without a license or chain of custody documentation.

Guidance Note

Drafter to consider how penalties, fines and/or prosecutions fit within their existing legislative framework, who does the investigation and prosecution, and the scale of fines or penalties. This is recommended to extend to potentially requiring prosecuted persons to pay for clean-up activities or remediation where spills or leaks are identified.

<Insert drafting instructions>

Instructions

Guidance Note

Specific drafting instructions should be developed in collaboration with the instructing officer / department. These may vary depending on whether existing legislation is being amended or if new legislation is being created.

Environmental Regulator and Reporting

Current Legal Framework

Guidance Note

Drafter should summarise the current legal framework within the Country in sufficient detail to inform the drafters. This provides an explanation of how legislation may change, or new legislation may be implemented. This will need to be supported by significant consultation with other government agencies who already perform regulatory functions and oversee the implementation of environmental legislation.

<Insert text of current legal framework – use multiple paragraphs as necessary>

Issues and Policy

Guidance Note

Drafter should summarise specific issues and policy relating to the implementation of new legislation in that specific country. The following is generic text that should be modified depending on the governance framework that each country decides to impose.

- The introduction of legislation for environmental regulation of waste activities will require the establishment of a legal mandate within the <Member country> Government to designate a head of power to undertake enforcement of the legislation. At present this legal mandate does not exist and is not supported by legislation.
- The regulating entity will require the mandate to review license or permit applications, to issue licenses or permits to applicants, management and administration of license or permits, monitor conditions of permit issued, the review of annual returns and execution of investigations as necessary.
- Legislation is required to enable powers of investigation, prosecution and application of fines or penalties for unlawful emissions.
- Legislation is required to enable the regulating entity to have the authority to enforce the clean up and remediation of significant environmental harm caused by emissions from regulated activities
- Legislation is required to set standard response time frames for the regulating entity to respond to applications and make decisions regarding environmental licenses or permits.
- Legislation is required to set statutory compliance periods for annual returns, responses to requests for information relating to pollution or monitoring obligations, for environmental investigations.
- The legislation should introduce requirements for the processing of appeals, complaints, notification of breaches, and other required procedures to implement legislation.

Guidance Note

The policy should establish governance functions specific to their preferred option. If the regulatory function will be within existing governance structures, then the head of power and relevant legislation to facilitate environmental licensing administration and enforcement will need to be established within that entity. If creating a new entity, such as an EPA, enabling legislation for that entity may need to incorporate transfer of legislation from other governmental departments.

- A definition of a suitably qualified person will be introduced into legislation or regulation, or by another means. This will define the type of experience and qualifications required to undertake environmental monitoring and reporting required by a license.
- Policy is required to support data collection activities in relation to the Basel Convention, the Stockholm Convention, the Rotterdam Convention, the Minamata Convention, the Waigani Convention
- These conventions place an obligation on **<Member country>** to provide aggregated country data for the generation, transport, import and export of a range of hazardous wastes.
- At present, there are no legal obligations for the reporting of these data at a country level
- **<Member country>** has also made commitments in the **<insert country waste strategy title>** to reduce and better manage waste arising within country boundaries
- To demonstrate performance against these targets, data is required to accurately characterise the scale and nature of waste generated, transported, treated, disposed of, imported into or exported from **<Member country>**
- Legislation associated with waste activity licensing or permitting is required to support annual data returns from registered entities or persons

Instructions

Guidance Note

Specific drafting instructions should be developed in collaboration with the instructing officer / department. These may vary depending on whether existing legislation is being amended or if new legislation is being created.

Explanatory Memorandum

Guidance Note

Typically, some form of explanatory memorandum can be required to provide a brief general summary of the purpose and significance of a draft Bill and to give a brief summary of the content of each drafted section of a proposed Act. This generally services to explain to Ministers of the Government and Parliament when the Bill is presented.

Member countries may have their own required form for this memorandum, which will draw on information from these guidance notes, research, consultation, and preliminary technical information supporting a bill.

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