STATUTORY INSTRUMENTS
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S T A T U T O R Y I N S T R U M E N T S

2024 No. 21.

THE NATIONAL ENVIRONMENT (MANAGEMENT OF HAZARDOUS CHEMICALS AND PRODUCTS CONTAINING HAZARDOUS CHEMICALS) REGULATIONS, 2024

ARRANGEMENT OF REGULATIONS

S T A T U T O R Y I N S T R U M E N T S

2024 No. 21.

The National Environment (Management of Hazardous Chemicals and Products Containing Hazardous Chemicals) Regulations, 2024

(Under Part VI and section 179 of the National Environment Act, 2019, Act No. 5 of 2019)

IN EXERCISE of the powers conferred upon the Minister by section 179 of the National Environment Act, 2019 and in consulatation with the National Environment Management Authority, these Regulations are made this 15th day of March, 2024.

Part I—Preliminary

1. Title

These Regulations may be cited as the National Environment (Management of Hazardous Chemicals and Products Containing Hazardous Chemicals) Regulations, 2024.

2. Application

(1) These Regulations apply—

(a) to the life cycle management of hazardous chemicals, including unintentionally produced persistent organic pollutants;

(b) in accordance with paragraph (a), to the management of mercury or mercury compounds, lead, cyanide, arsenic and polonium; and

(c) to the management of transboundary movement of hazardous chemicals.

(2) For the avoidance of doubt, subregulation (1) shall not apply to chemicals or chemical products, substances or mixtures regulated under the Agricultural Chemicals Control Act, 2006, the Atomic Energy Act, 2008, the National Drug Policy and Authority Act, the Toxic Chemicals Prohibition Control Act, 2016 and the National Environment (Management of Ozone Depleting Substances and Products) Regulations, 2020.

3. Interpretation

In these Regulations unless the context otherwise requires—

"Act" means the National Environment Act, 2019;

"article" means an object or product which during production is given a special shape, surface or design which determines its function to a greater degree than does its chemical composition;

"Authority" means the National Environment Management Authority established by the Act;

"authorised officer" means an officer of the Authority or any other person authorised to act on behalf of the Authority under the Act;

"Board" means the Board of the National Environment Management Authority established by section 12 of the Act;

"chemical' means any chemical element or compound on its own or as a mixture composed of two or more substances, as it occurs in the natural state or as produced, used or released into the environment, by any work activity, whether or not produced intentionally and whether or not placed on the market;

"chemical abstract service number (CAS)" means a unique numerical identifier assigned by the Chemical Abstracts Ser-

vice (CAS) to every chemical substance described in the open scientific literature, including organic and inorganic compounds, minerals, isotopes, alloys, mixtures and non-structural materials;

"chemical management facility" means a facility for the import, manufacture, formulation or re-packaging of chemicals, including during decommissioning operations;

"chemical waste" means any chemical which is dumped, abandoned, discarded or disposed of or intended or required by law to be disposed of;

"committee" means the technical committee on management of chemicals management established by regulation 9;

"currency point" has the value assigned to it in Schedule 1 to these Regulations;

"designated laboratory" means a laboratory formally recognized as having the appropriate competence to undertake analysis and having valid accreditation by an internationally recognized accreditation body for the analysis of hazardous chemicals and articles containing hazardous chemicals based on ISO 17025;

"Designated National Authority" means the Ministry responsible for water and environment;

"environmental inspector" means a person designated as an environmental inspector under section 127 of the Act;

"Globally Harmonized System (GHS)" means the United Nations system of classification and labelling of chemicals by types of hazards set out in Schedule 4 to these Regulations;

"hazardous chemical" means any chemical which meets the criteria for classification as hazardous within any physical, health hazard or environmental classes in accordance with these Regulations;

"IUPAC" means the International Union of Pure and Applied Chemistry;

"lead agency" means a ministry, department, agency, local government or public officer in which or in whom the functions of control or management of any segment of the environment are vested;

"licensee" means a person licensed to import, manufacture, formulate, re-package, store, export, or use chemicals under these Regulations;

"mixture" means a mixture or solution composed of two or more substances;

"prior informed consent" means the consent that must be given for any transboundary movement of hazardous chemicals and chemical products prescribed under these Regulations in conformity with the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, 1998;

"restricted chemical" means a chemical regulated under these Regulations, whether existing alone or in a mixture, for which most uses have been restricted internationally or by the Authority;

"Safety Data Sheet" means a document that provides health and safety information about hazardous chemicals"

"substance" means a chemical element or a compound in its natural state or obtained in the production process, including additives that are necessary for maintaining its physical stability and its properties;

"transboundary movement of chemicals" means any movement of hazardous chemicals from another country to or through Uganda or from Uganda to another country;

"vessel" includes motor vehicle, ship, aircraft or other mode of transport.

Part II—General Requirements

4. Compliance with principles of environment management

A person who imports, manufactures, formulates, re-packages, stores, sells, distributes, transports, exports, re-exports, uses or disposes of chemicals to which these Regulations apply shall, in compliance with the environmental principles set out in section 5 of the Act, these Regulations and any other written law—

(a) apply measures in the management of hazardous chemicals and articles containing hazardous chemicals to prevent harm to human health and ensure safety of human beings;

(b) apply measures in the management of hazardous chemicals and articles containing hazardous chemicals to prevent pollution, harm to biological diversity and contamination of the wider environment;

(c) use the best available technologies and best environment management practices;

(d) take measures to ensure public participation and stakeholder involvement in the management of hazardous chemicals and articles containing hazardous chemicals; and

(e) take measures to substitute hazardous chemicals and articles containing hazardous chemicals with less hazardous or non-hazardous alternatives.

5. **Responsibility for hazardous chemical management**

(1) A person who imports, manufactures, formulates, re-packages, stores, sells, distributes, transports, exports, re-exports, uses or disposes of hazardous chemicals or articles containing hazardous chemicals shall take measures to ensure that—

(a) the hazardous chemicals and articles containing hazardous chemicals are managed appropriately in accordance with the Act, these Regulations, any other written law, environmental standards and conditions of the licence;

(b) the hazardous chemicals and articles containing hazardous chemicals are managed in a manner that does not cause harm to human health or to the environment; and

(c) any leakage or spillage of hazardous chemicals are quickly detected and managed.

(2) A person referred to under subregulation (1) whose activities may have the potential for release of un-intentional persistent organic pollutants shall implement best available techniques and best environmental practices to prevent the release of such substances into the environment.

(3) A person who imports, manufactures, formulates, re-packages, stores, sells, distributes, transports, exports, re-exports, uses for commercial or industrial purposes or disposes of hazardous chemicals shall, in accordance with the Act, the Occupational Safety and Health Act, 2006, the National Environment (Management of Ozone Depleting Substances and Products) Regulations, 2020 and any other written law, ensure that their employees or contractors are—

(a) aware of the risks or hazards associated with the handling of the chemicals;

(b) trained in the handling and management of the hazards and risks associated with the chemicals;

(c) protected from exposure to health hazards;

(d) provided with appropriate personal protective equipment and first aid facilities;

(e) accorded periodic and annual medical check-ups as may be commensurate to the health risks they face; and

(f) provided with appropriate equipment or facilities for handling the chemicals.

(4) The Authority, lead agency or a person who imports, manufactures, formulates, re-packages, stores, sells, distributes, transports exports, re-exports, uses or disposes of hazardous chemicals or articles containing hazardous chemicals shall create awareness about the hazards associated with hazardous chemicals and promote safe handling practices.

6. Management of hazardous chemical waste

(1) A person who imports, manufactures, formulates, re-packages, stores, sells, distributes, transports, exports, re-exports, uses or disposes of hazardous chemicals and articles containing hazardous chemicals shall manage waste resulting from the activities in accordance with the Act, the National Environment (Waste Management) Regulations, 2020, the Petroleum (Waste Management) Regulations, 2019 and any other written law.

(2) Without limiting the general effect of subregulation (1), a person handling hazardous chemicals and articles containing persistent organic pollutants, mercury or any other hazardous chemicals upon becoming waste consisting of, containing or contaminated with a hazardous chemical shall manage the waste in a manner protective of human health and the environment, and ensure that the waste—

(a) is disposed of in a manner that destroys or irreversibly transforms the chemical content of the waste so that it does not exhibit the characteristics of that chemical; and

(b) is not transported across international boundaries without taking into account relevant international environmental safeguards, in accordance with the National Environment (Waste Management) Regulations, 2020.

Part III—Prohibitions And Restrictions

7. Prohibited chemicals

A person shall not import, manufacture, formulate, re-package, store, sell, distribute, export, re-export or use hazardous chemicals prohibited under section 70(1) and Schedule 8 of the Act and listed as prohibited under Schedule 2 to these Regulations.

8. Restricted chemicals

(1) The chemicals listed in Schedule 3 to these Regulations are restricted.

(2) The restriction in subregulation (1) shall apply to chemicals which may be allowed for exceptional use under these Regulations, following an assessment to the satisfaction of the Authority, of all alternatives by the applicant to explicitly demonstrate the need for such chemicals, and after obtaining and registering an exemption in accordance with the Stockholm Convention on Persistent Organic Pollutants, 2004, the Minamata Convention on Mercury, 2013, other international conventions to which Uganda is a Party and any other applicable written law.

(3) A person shall not import, export, re-export manufacture, formulate, re-package, store, sell, distribute or use restricted chemicals without a licence issued in accordance with regulation 20.

Part IV—Technical Committee on Chemicals Management

9. Technical committee on management of chemicals

(1) The board shall, on the advice of the Executive Director, establish a technical committee on management of chemicals in accordance with section 21 of the Act.

(2) The functions of the committee are—

(a) to advise the Authority on the harmonization of standards for classification and labelling of chemicals and pesticides;

(b) to advise the Authority on the registration, ban, prohibition, restrictions and exemptions of hazardous chemicals and pesticides;

(c) to advise the Authority on matters on the registration of hazardous chemicals under these Regulations;

(d) to give technical advice on measures for the protection of human health and the environment from the potential impacts of hazardous chemicals and pesticides; and

(e) to perform any other delegated functions as may be determined by the Board.

(3) The Committee shall comprise of persons with technical qualifications and experience in matters of chemicals management, occupational safety and health, pollution control, environmental science and other such expertise as the Board may determine.

(4) The Committee shall consist of—

(a) one person from the Ministry responsible for minerals, representing the mining sector;

(b) one person from the Ministry responsible for agriculture;

(c) one person from the Ministry responsible for occupational health and safety;

(d) one person from the Uganda National Bureau of Standards;

(e) one person from the Ministry responsible for health;

(f) a representative of academia from a University with programmes in chemicals management; and

(g) the Executive Director.

(5) The Executive Director shall be the Chairperson of the Committee.

(6) The members of the Committee in subregulation (4)(a), (b),(c),(d), (e) and (f) shall hold office for a term of three years and shall be eligible for reappointment for a further two terms.

Part V—Classification and Registration of Chemicals

10. Classification of chemicals

(1) A person who imports, manufactures, formulates, re-packages, exports or re-exports chemicals shall ensure that the chemicals are classified and labelled in accordance with the Globally Harmonized System referred to in Schedule 4 to these Regulations.

(2) The classification referred to under subregulation (1) shall be in accordance with the following hazard groupings—

(a) physical hazards;

(b) health hazards; or

(c) environmental hazards.

(3) The classes under the physical hazards group referred to under subregulation (2) (a) include—

(a) explosives;

(b) flammable gases;

(c) aerosols;

(d) oxidizing gases;

(e) gases under pressure;

(f) flammable liquids;

(g) flammable solids;

(h) self-reactive substances and mixtures;

(i) pyrophoric liquids;

(j) pyrophoric solids;

(k) self-heating substances and mixtures;

(l) substances and mixtures which, in contact with water, emit flammable gases;

(m) oxidizing liquids;

(n) oxidizing solids;

(o) organic peroxides;

(p) corrosive to metals; and

(q) desensitized explosives.

(4) The classes under the health hazards group referred to under subregulation (2) (b) include—

(a) acute toxicity;

(b) skin corrosion or irritation;

(c) serious eye damage or eye irritation;

(d) respiratory or skin sensitization;

(e) germ cell mutagenicity;

(f) carcinogenicity;

(g) reproductive toxicity;

(h) specific target organ toxicity - single exposure;

(i) specific target organ toxicity - repeated exposure; or

(j) aspiration hazard.

(5) The classes under the environment hazards group referred to under subregulation (2) (c) include—

(a) chemicals hazardous to the aquatic environment, both acute and chronic; or

(b) chemicals hazardous to the ozone layer, which are regulated by the National Environment (Management of Ozone Depleting Substances and Products) Regulations, 2020 and accordingly fall outside the scope of these Regulations.

(6) This regulation applies to substitute substances, mixtures and re-formulation of chemicals.

11. Registration of hazardous chemicals

(1) A person shall not import, manufacture, formulate, re-package or otherwise deal in a hazardous chemical that is not registered by the Authority in accordance with these Regulations.

(2) A person intending to import, manufacture, formulate, re-package, or otherwise deal in a hazardous chemical which is not registered shall apply for registration of the chemical in Form 1 prescribed in Schedule 5 to these Regulations.

(3) The application referred to in regulation (2) shall provide information on—

(a) the name and contact details of the applicant;

(b) the IUPAC name of the chemical and its associated classification;

(c) safety data sheet;

(d) labelling in accordance with the Globally Harmonized System;

(e) properties of the chemical, including associated hazards and general control measures;

(f) an assessment of the inherent risks of the chemical and how the risks should be controlled;

(g) supply and use restrictions; and

(h) end use or application of the chemical.

(5) The information registered under this regulation shall be kept in a register established and maintained by the Authority in accordance with regulation 47.

12. Application for registration of hazardous chemical

(1) A person who intends to import, manufacture, formulate, re-package or otherwise deal in a hazardous chemical, where the chemical has not been previously registered, shall apply to the Authority for the registration of the hazardous chemical in Form 1 set out in Schedule 5 to these Regulations.

(2) An application under subregulation (1) shall be accompanied by—

(a) the name and address of the applicant;

(b) the hazardous category of the chemical;

(c) the details of the composition and scientific nomenclature of the chemical;

(d) details of intended use;

(e) details of the possible dangers to human health and the environment;

(f) details of procedures for its proper treatment and disposal;

(g) instructions for the safe handling of the chemical; and

(h) material safety data sheets for the chemical.

13. Publication of notice of intention to register hazardous chemical

(1) The Authority may, where it deems it necessary, publish its intention to register a hazardous chemical in a newspaper of national circulation and any other media, at least fifteen days before the hazardous chemical is registered.

(2) The notice under subregulation (1) shall contain—

(a) the chemical identifier;

(b) the classification and categorization of the hazardous chemical in accordance with the Globally Harmonized System for classification and labelling of chemicals;

(c) where applicable, an invitation to the public to make comments within the period specified in the notice; and

(d) any other information the Authority may deem necessary.

14. Processing of application for registration of hazardous chemical

(1) The Authority shall conduct the necessary investigations or inquiry as it considers necessary or desirable, which may include—

(a) requesting for a sample to be delivered to a reference laboratory for analysis, at the cost of the applicant; and

(b) consultations with the relevant lead agency, private sector or any other relevant stakeholder before making a decision on an application.

(2) The lead agency, private sector or other stakeholder consulted under subregulation (1) shall review the application and submit their comments and recommendations on the application within fourteen days of receipt of the application from the Authority or such lesser period as determined by the Authority.

(3) The information obtained in regulation 13 and subregulation (1) shall be compiled into a dossier and submitted to the Committee for consideration.

(4) The Committee shall, in processing an application for registration of a hazardous chemical under these Regulations, where applicable, take into account comments and recommendations received under regulation 13 and subregulation (2).

(5) The Committee may, in processing an application consider—

(a) the risk evaluation profile for the hazardous chemical;

(b) possible effects of the chemicals on the environment;

(c) restrictions on production and use of the hazardous chemical under multi-lateral environmental agreements to which Uganda is a Party; and

(d) other published scientific and technical information available on the production and use of the chemical.

(6) The Authority shall process an application for the registration of a hazardous chemical within twenty one days from the date of receipt of the application and upon receipt of the recommendation of the Committee.

Part VI—Licence to Deal in Hazardous Chemicals

15. Licence to import, export, store, manufacture, formulate, re-package or use hazardous chemicals

(1) A person shall not import, export, manufacture, formulate, re-package, distribute, store or use, for commercial or industrial purposes, a hazardous chemical without a licence issued by the Authority in accordance with the Act and these Regulations.

(2) A person shall not, without a licence issued by the Authority in accordance with the Act and these Regulations import, manufacture, formulate, re-package, store, sell, distribute, export, re-export or use restricted hazardous chemicals exempted under regulation 8 and listed in Schedule 3 to these Regulations.

(3) A person intending to import or export a hazardous chemical referred to under Part X of these Regulations shall, in addition to the licence required under subregulation (1), obtain prior informed consent from the Designated National Authority for each consignment to be imported or exported.

16. Application for licence

(1) A person referred to in regulation 15 shall apply to the Authority for a licence using Form 1 set out in Schedule 5 to these Regulations, accompanied by proof of payment of the fee prescribed in Schedule 6 to these Regulations.

(2) An application referred to in subregulation (1) shall, in respect to the manufacture, formulation, re-packaging or storage of hazardous chemicals, be accompanied by a copy of a certificate of approval of environmental and social impact assessment for the facility granted in accordance with the Act and the National Environment (Environment and Social Assessment) Regulations, 2020.

17. Consultations

(1) The Authority may consult the relevant lead agency, private sector or any other relevant stakeholder before making a decision on an application under this Part.

(2) The lead agency, private sector or other stakeholder consulted under subregulation (1) shall review the application and submit their comments and recommendations on the application within fourteen days of receipt of the application from the Authority, or such lesser period as determined by the Authority.

18. Publication of notice of intention to issue licence

(1) The Authority may, where it deems it necessary and at the cost of the applicant, publish its intention to issue a licence to import, manufacture, export, store, formulate, re-package or use a hazardous chemical in a newspaper of nation wide circulation and any other media, at least fifteen days before the issuance of the licence.

(2) The notice under subregulation (1) shall contain—

(a) the name and address of the applicant;

(b) the proposed site or activity, where appropriate;

(c) where applicable, the invitation to the public to make comments within the period specified in the notice; and

(d) any other information that the Authority may deem necessary.

19. Processing of application for licence

(1) The Authority shall process an application for the import, export, manufacture, storage, formulation, re-packaging or use of hazardous chemicals under these Regulations, within fourteen days from the date of receipt of the complete application.

(2) The Authority shall, in processing an application under these Regulations, where applicable, take into account comments and recommendations received under regulations 14 and 15.

(3) The Authority may, in processing the application—

(a) conduct inspections necessary to enable it to make an informed decision regarding—

(i) the availability of adequate and appropriate facilities and equipment to import, export, store, manufacture, formulate, re-package or use the hazardous chemical for which the application is made;

(ii) measures for the protection of human health and the environment; and

(iii) any other specific measure that the Authority may deem necessary;

(b) verify that the applicant has demonstrated technical capacity to manage the hazardous chemical;

(c) consider the possible effects of the chemical on the environment;

(d) verify that the applicant is aware of the toxicity and hazardous nature of the chemical and the risk involved in its use and handling;

(e) confirm that the applicant has adequate and appropriate facilities and equipment to import, manufacture, formulate or re-package the chemical or chemical products;

(f) verify that the applicant has plans and appropriate means to dispose of chemical waste, including expired hazardous chemicals and containers of chemicals in accordance with the National Environment (Waste Management) Regulations 2020;

(g) verify that the applicant meets any other relevant requirements of the Act, these Regulations, environmental standards and any other written law; and

(h) take into account any other measures necessary to ensure compliance with the relevant requirements of the Act, these Regulations, environmental standards and any other written law.

20. Considerations before issuance of licence

The Authority may, before issuing a licence, require the applicant to—

(a) provide samples or undertake an analysis of the hazardous chemical that is the subject of the application; and

(b) take out financial security.

21. Financial security

(1) The Authority may, in accordance with section 141 of the Act, require an applicant for a licence to provide financial security.

(2) The financial security referred to in subregulation (1) may include—

(a) an on-demand bank guarantee in the format set out in Schedule 7 to these Regulations;

(b) insurance;

(c) a performance bond;

(d) an escrow agreement; or

(e) any other form of credit or similar security as the Authority may determine.

(3) The financial security shall guarantee—

(a) environmental remediation; where there is need for immediate response action to acute chemical pollution occasioned by the chemical management activity of the person handling the chemicals;

(b) decommissioning, restoration and after-care procedures for the chemical management facility; where such procedures have not been carried out to the satisfaction of the Authority;

(c) the cost of managing any environmental remediation, clean up, decommissioning, restoration and after-care procedures; where the person managing the chemicals is declared insolvent; or

(d) any other situation that the Authority may deem necessary.

(4) The Authority may, in determining the financial security to be provided by the applicant under subregulation (1), take into consideration—

(a) the type and quantity of chemical the applicant is authorised to handle;

(b) the possible costs related to decommissioning, restoration and after-care procedures;

(c) the location of the activity;

(d) the potential cost of clean-up operations for the hazardous chemical that may not be handled by the applicant; and

(e) the risks associated with the chemical management activity.

22. Insurance

(1) An applicant for a licence under this Part shall take out an insurance policy prior to the grant of a licence.

(2) The insurance policy required under this Part shall cover environmental risks likely to arise out of the chemical management operations, including harm caused to human health or the environment, and damage to a third party's property caused by operations of the chemical management activity.

23. Environmental risk assessment

(1) The Authority may require a person seeking to obtain a licence under these Regulations to conduct an environmental risk assessment in accordance with section 114 of the Act and the National Environment (Environmental and Social Assessment) Regulations, 2020.

(2) The environmental risk assessment conducted under subregulation (1) shall include—

(a) identification of hazards, in accordance with the Globally Harmonised System;

(b) vulnerability analysis, including exposure assessment;

(c) risk analysis, including a proposal for risk reduction measures; and

(d) risk response to manage the identified risks.

24. Issuance of licence

(1) The Authority may, after being satisfied that the applicant meets the requirements of the Act and these Regulations, issue a licence to import, export, manufacture, formulate, re-package, store or use chemicals in Form 2 set out in Schedule 5 to these Regulations within sixty days from the date of receipt of a complete application.

(2) A licence issued under this regulation is not transferable.

25. Conditions in licence

The Authority may, in issuing a licence under regulation 21(1), impose conditions, including as appropriate, requirements relating to—

(a) the use of the chemical;

(b) compliance with conditions of a certificate of approval of environmental and social impact assessment;

(c) the qualifications and experience of the personnel;

(d) the safety and health of the workforce, including provision of appropriate personal protective equipment or facilities, appropriate training for the workforce and periodic health checks in accordance with the Occupational Safety and Health Act, 2006;

(e) the handling, transport, storage or disposal of chemicals, including requirements for facilities and equipment;

(f) fitness for purpose of the facility;

(g) safety data sheet for the chemical;

(h) the type and total amount of chemicals permitted to be managed at any time;

(i) the need to obtain a financial security in accordance with regulation 18;

(j) the need to subscribe to an insurance policy in accordance with regulation 19;

(k) site specific measures;

(l) pollution abatement, risk reduction and environmental standards, including control of emissions, remediation or clean-up and disposal of chemical spillages, leakage, obsolete chemicals and unintentionally produced chemicals;

(m) suitable emergency plans and responses;

(n) decommissioning, remediation and after-care of the chemical management facility;

(o) additional measures for the protection of human health and the environment; and

(p) any other measure as the Authority may deem necessary.

26. Duration of licence

A licence issued under regulation 24(1) shall be valid for a period not exceeding two years and may be renewed in accordance with regulation 29.

27. Variation of licence

(1) The Authority may, after issuing a licence under regulation 24, on its own initiative or on the application of the licensee, vary the licence on such terms and conditions as it considers necessary.

(2) The reasons for variation of a licence under subregulation (1) may be—

(a) to prevent deterioration or further deterioration of the environment;

(b) to prevent harm or further harm to human health;

(c) to comply with prescribed health, safety and environmental standards and safeguards;

(d) to cater for previously unforeseen circumstances that impact on human health or the environment;

(e) due to advancement in technology; or

(f) any other reason the Authority may consider relevant.

(3) An application by the licensee for variation of a licence shall be in Form 3 set out in Schedule 5 to these Regulations.

(4) The application under subregulation (3) shall be accompanied by the fee prescribed in Schedule 6 to these Regulations.

(5) Where the variation relates to substantive matters referred to in subregulation (2), the Authority may require the licensee—

(a) to halt the project activities until the variation has been made and an updated licence has been issued;

(b) to conduct such investigations and assessments as the Authority may direct and to submit to the Authority reports, with any comments on those reports, from interested and affected parties; and

(c) to consult the relevant lead agency or other stakeholders in accordance with regulation 14(1)(b).

(6) Where the variation is at the initiative of the Authority, the Authority shall—

(a) notify the licensee in writing of the proposed variation;

(b) give the licensee an opportunity to comment on the proposed variation in writing; and

(c) if necessary, consult the relevant lead agency or other stakeholders in accordance with regulation 13(2)(c), and accord them the opportunity to submit to the Authority, written comments on the proposed variation.

(7) The Authority shall, within twenty-one days of completion of the process contemplated for substantive variations in subregulation (2)—

(a) vary or decline to vary the licence; and

(b) notify the licensee and other interested or affected parties, if any, of the decision and its reasons.

(8) Where the Authority varies the licence, the variation shall be without prejudice to any liabilities or obligations which may have accrued to the licensee before the variation was effected.

28. Suspension or revocation of licence

(1) The Authority may suspend or revoke a licence issued under regulation 24(1).

(2) The licence may be suspended or revoked where—

(a) information or data given by the applicant in the application or during consultations was false, substantially incorrect or intended to mislead;

(b) information related to the conduct of the applicant which could have precluded the approval of the application had it been available to the Authority, is brought to the attention of the Authority;

(c) there is non-compliance with the Act, these Regulations or the conditions of a licence;

(d) it is necessary to protect human health or to prevent harm or further harm to the environment, due to a situation that was not foreseen during the issuance of the licence;

(e) the chemical in respect of which the licence was issued is either banned or prohibited; or

(f) there is a substantial change or modification of the process or technology, the basis on which the licence was issued, which may lead to adverse environmental impacts or endanger human health or undermine safety.

(3) Where the Authority intends to suspend or revoke a licence, the Authority shall—

(a) notify the licensee of the intention fourteen days before the decision; and

(b) inform the licensee of the right to show cause why the licence should not be suspended or revoked.

(4) A person given notice under subregulation (3) may give a written response to the Authority within seven days from the date of receipt of the notice, stating the reasons why the licence should not be suspended or revoked.

(5) The Authority may, after the expiration of the period specified in subregulation (4), suspend or revoke the licence where—

(a) it is not satisfied with the reasons given by the applicant; or

(b) it has not received a response from the applicant.

(6) Notwithstanding subregulation (4), the Authority may, depending on the gravity of the matter, suspend or revoke a licence issued under these Regulations, without notice and immediately stop the operations of the licensee.

(7) Where a licence is suspended or revoked under subregulation (5), the licensee shall stop any further operations and shall undertake the necessary remediation measures in a manner determined by the Authority.

(8) Where a licence has been suspended and a licensee has undertaken remediation under subregulation (7) to the satisfaction of the Authority, the person may apply to the Authority to lift the suspension.

29. Renewal of licence

(1) A person issued a licence under these Regulations may apply to the Authority for renewal of the licence at least sixty days before the expiration of the licence.

(2) An application referred to under subregulation (1) shall be in Form 1 set out in Schedule 5 to these Regulations.

(3) The application under subregulation (1) shall be accompanied by—

(a) a copy of the current licence;

(b) evidence of compliance with the conditions of the licence to be renewed, including where applicable, the most recent environmental compliance audit report or monitoring reports;

(c) evidence of submission of the annual report under section 177 of the Act;

(d) where applicable, a confirmation of the financial security, including insurance;

(e) proof of payment of the fee prescribed in Schedule 6 to these Regulations; and

(f) any other information that may be required by the Authority.

(4) The committee shall process an application for renewal in accordance with this Part.

(5) The Authority may, if satisfied, renew a license in accordance with this Part, and may, in renewing the licence, impose any of the conditions specified in regulation 22.

30. Transfer of chemical management facility

(1) Where a licensee intends to transfer a chemical management facility, the licensee shall, at least sixty days prior to the date of the transfer, notify the Authority in writing of the intention to transfer the facility.

(2) The transferee shall, within the period stipulated under subregulation (1), apply to the Authority for a licence in accordance with these Regulations using Form 1 prescribed in Schedule 5 to these Regulations.

(3) The application under subregulation (2) shall, in addition to the requirements of regulation 16, state that the transferee is responsible for all the activities and liabilities of the chemical management facility.

(4) The Authority may, in accordance with regulations 24(1) and 25, approve the application for transfer.

(5) Where the Authority approves, issues a licence for transfer, the Authority shall cancel or withdraw the licence issued to the transferor before issuing the licence to the transferee.

Part VII—Storage, Labelling, Packaging and Transportation of Hazardous Chemicals

31. Requirements for storage of hazardous chemicals

(1) A person who stores hazardous chemicals shall ensure that the chemicals are stored in a manner that does not cause harm to human health or to the environment.

(2) A storage facility for hazardous chemicals for which a licence is required under these Regulations shall—

(a) be established based on an environmental risk assessment or an environmental and social impact assessment, as applicable, undertaken in accordance with the Act, the National Environment (Environmental and Social Assessment) Regulations, 2020 and any other written law;

(b) be located in an area that does not inconvenience or pose a risk to the neighbouring communities or pose a risk of pollution to fragile ecosystems;

(c) be constructed with sufficient interior space and be well-ventilated, where applicable;

(d) have separate storage areas based on the compatibility of the different categories of hazardous chemicals;

(e) have an impermeable surface surrounded by appropriate bunding to prevent leakage into the ground, water and surrounding environment;

(f) contain appropriate storage containers that can be easily moved, where applicable;

(g) be well secured to prevent unauthorised access;

(h) have appropriate labels and well-marked safety and warning signs;

(i) have a facility layout plan, including the storage capacity and chemical types to be stored;

(j) allow for ease of access to enable operations, monitoring and inspections;

(k) have utilities needed in emergencies and adequate fire-fighting equipment in accordance with the approved national standards and industry best practice;

(l) have a separate office work area to protect workers from exposure to the chemicals;

(m) have provisions for handling of waste and potentially contaminated stormwater; and

(n) comply with any other requirements as the Authority may deem necessary.

(3) Access to chemical storage areas shall be controlled and documented—

(a) to allow for an inventory of the chemicals to be undertaken as required;

(b) to avoid uncontrolled accumulation of chemicals and chemical waste; and

(c) to avoid tampering with the chemicals and risk of impacts on human health and the environment.

(4) A storage or containment area set up under this regulation shall be appropriately marked with hazard and safety signage in accordance with the Globally Harmonized System, and contain adequate tactile warning devices and security information.

(5) A person who stores hazardous chemicals referred to in subregulation (1) shall establish adequate procedures so that immediate corrective measures can be taken in the event of accidents or incidents.

(6) A person who stores hazardous chemicals referred to in subregulation (1) shall ensure that the stores are supervised by a competent person.

32. Labelling of hazardous chemicals

(1) A container or package containing hazardous chemicals shall be labelled in accordance with the Globally Harmonised System in English and in easily legible characters as determined by the Authority.

(2) The labels referred to in subregulation (1) shall be permanently fixed to the container or package and may have a translation in a relevant local language, where necessary, which translation shall not cover or erase the original label.

(3) The labels referred to under subregulation (1) shall include the following information, as appropriate—

(a) the identity of the chemical, including the chemical name and the classification and category of the chemical, which should match the identifier indicated in the safety data sheet;

(b) the net contents;

(c) flash point;

(d) information communicating the nature of the hazard of the chemical aligned to the Globaly Harmonised System label elements as follows and in accordance with Schedule 8 to these Regulations—

(i) a symbol or hazard pictogram to convey health, physical or environmental hazard information assigned to a Globaly Harmonised System hazard class and category;

(ii) signal words: “Danger” or “Warning” used to emphasize hazards and indicate the relative severity of the hazard assigned to a Globaly Harmonised System hazard class and category, “Danger” for more severe hazards and “warning” for less severe hazards;

(iii) hazard statements which are standard phrases assigned to a hazard class and category that describe the nature of hazard;

(iv) precautionary statements and pictograms indicating the measures to minimise or prevent adverse effects;

(v) product identifier (ingredient disclosure) indicating the name or number used for a hazardous product on the label or in the Safety Date Sheets;

(vi) supplier identificatio, indicating the name, address and telephone number on the label; and

(vii) supplementary information – including any other information as may be required by the Authority;

(e) the shelf life of the chemical, where applicable;

(f) instructions on safe handling and use;

(g) a statement directing the user to read the label before handling the chemical; and

(h) emergency contact information.

(4) The Authority may determine the size and font of the pictogram, symbols and words referred to in subregulation (3)(f).

33. Packaging of hazardous chemicals

(1) A licensee is responsible for the proper packaging of the chemicals.

(2) The containers or packaging materials for hazardous chemicals shall be suitable for the purpose and shall—

(a) be compatible with the chemical to be packaged in it;

(b) not be reactive to the chemical or change the nature of the chemical;

(c) be closed at all times during storage and transportation;

(d) be clearly labelled on the outside, in accordance with these Regulations;

(e) have a childproof mechanism in case of hazardous chemicals available for consumers;

(f) be durable, so as to contain the chemical safely;

(g) contain fastenings that are strong and secure throughout, to ensure that the fastenings will not loosen and will meet the normal stresses and strains of handling;

(h) in the case of replaceable fastening, contain well fitted fastenings that can be repeatedly refastened without the contents of the container or packaging escaping; and

(i) not cause harm to persons involved in handling the chemicals, the neighbouring community and the environment in general.

(3) Without prejudice to the general effect of subregulation (2), the Authority may issue additional guidelines for packaging of specific chemicals covered by these Regulations.

(4) All primary containers for hazardous chemicals shall be provided with up-to-date safety data sheets with instructions for the handling of the hazardous chemicals, including safety precautions in accordance with environmental standards and the Globally Harmonized System.

(5) A person shall not—

(a) place hazardous chemicals in a container that previously held a material which is incompatible with the chemical; or

(b) use a container which has been used for hazardous chemicals to store, hold or transport water, food, animal feeds or a product which may directly or indirectly become part of food for human consumption or animal feeds.

(6) For the avoidance of doubt, containers used to carry hazardous chemicals which cannot be reused for similar purposes, are considered hazardous waste and shall be managed in accordance with the National Environment (Waste Management) Regulations 2020.

Transportation and Distribution of Hazardous Chemicals

34. Transportation or distribution of hazardous chemicals

(1) A person who transports or distributes hazardous chemicals shall, in accordance with the Roads Act, 2019 and national standards, ensure that—

(a) the transportation or distribution of the chemicals is conducted in a manner that does not cause leakage or spillage of the chemicals or the release of harmful gases, particles or noxious smells;

(b) the vessel used for transportation of the hazardous chemicals or other means of conveyance of the chemicals uses designated routes, if any; and

(c) the chemicals are accompanied with safety data sheets for the identification of chemicals.

(2) A person who transports or distributes hazardous chemicals shall not permit unauthorised access to the vessel used for the transportation or distribution of the chemicals.

(3) A vessel carrying hazardous chemicals shall be labelled or have a placard securely affixed to the exterior surface in the case of bulk containers.

(4) The label or placard referred to in regulation (3) shall—

(a) have a pictogram consistent with the Globally Harmonised System;

(b) include a signal word and hazard statement codes consistent with the Globally Harmonised System for classification and labelling of chemicals relating to transportation;

(c) be affixed to both sides and at the rear of the vehicle or bulk container;

(d) have the appropriate labels or placards displayed on each side at the position of the relevant compartments and at the rear of the vessel or bulk container, where the vessel or bulk container has multiple compartments and carries two or more hazardous chemicals;

(e) have both labels or placards displayed adjacent to each other where more than one label or placard is required;

(f) be readily visible and legible;

(g) be able to withstand open weather exposure without substantial reduction in effectiveness;

(h) be so placed on the package that it is not covered or obscured by any part or attachment to the packaging or any other label or marks;

(i) be displayed next to each other when more than one label is required.

(j) be attached to the package by a securely affixed tag or other suitable means where a package is of such irregular shape or small size that the label cannot be satisfactorily affixed;

(k) be affixed on two opposite sides for intermediate bulk containers and large packaging;

(l) be displayed in fluorescent and legible characters, in a colour contrasting with the background;

(m) conform in terms of colour, symbol and general format, with the requirements for labelling under transportation of dangerous goods in accordance with the Globally Harmonised System; and

(n) not contain any warranties, guarantees or liability exclusion clauses inconsistent with the Act or these Regulations.

(4) A person who transports or distributes hazardous chemicals shall ensure that the vessel used for transportation or distribution of the chemicals is not used for any other purpose not compatible with the chemicals.

(5) A person who transports or distributes hazardous chemicals shall—

(a) install electronic tracking systems for vessels used in the transportation of hazardous chemicals.

(b) provide access to real time vessel tracking information to the Authority and relevant lead agency, upon request.

35. Movement of hazardous chemicals on waters

(1) The transportation of hazardous chemicals on water bodies in Uganda shall be in accordance with the Inland Water Transport Act, 2021.

(2) A person transporting hazardous chemicals on water shall ensure that the transportation complies with the Inland Water Transport Act, 2021 and does not cause harm to the environment or human health.

Part VIII—Precautions, Emergency Preparedness and Response

36. Precautionary measures

A licensee shall, in accordance with the Act, the Occupational Safety

and Health Act, 2006 and, where applicable, an environmental risk assessment undertaken under regulation 23, put in place and maintain, at a chemical management facility—

(a) a warning, hazard and safety systems appropriate to the nature of operations at the facility; and

(b) measures to prevent fire or explosions, accidental reactions of the chemicals with other substances, uncontrolled releases of hazardous substances or damage to the structural integrity of the chemical management facility.

37. Emergency preparedness and response

(1) A licensee shall establish an emergency preparedness and response system based on an environmental risk assessment undertaken in accordance with the Act, the National Environment (Environmental and Social Assessment) Regulations, 2020 and any other written law.

(2) The emergency preparedness and response system established under subregulation (1) shall be documented in an emergency preparedness and response plan.

(3) The emergency preparedness and response plan made under subregulation (2) shall, as applicable, contain—

(a) the location of the chemical management facility in sufficient detail;

(b) the site lay out;

(c) a description of the available emergency response equipment, actions and vessels;

(d) a description of the hazardous chemicals managed at the facility;

(e) the maximum number of persons likely to be present at the facility on a normal working day, the emergency planning assumptions, including emergency measures planned for identified incidents and areas likely to be affected;

(f) the response resources available or that can be called for to control an incident, hazard or accident;

(g) the emergency response procedures and command structures; and

(h) the notification procedures.

(4) The notification procedures referred to under subregulation (3)(h) shall include the mode of immediate notification of the Authority and relevant lead agency where there is a chemical incident or accident leading to acute pollution or harm to human health or the environment.

(5) A licensee shall ensure that employees are equipped with skills and are regularly trained and instructed on how to handle emergency situations.

(6) The emergency preparedness and response plan prepared in accordance with subregulation (2) shall be reviewed annually or after such other shorter period as may be deemed necessary, to ensure that the measures put in place are effective during an emergency.

(7) A licencee shall keep a record of each review carried out under subregulation (6), including—

(a) the measures, systems, procedures, equipment or other factors reviewed;

(b) a description of the review methods;

(c) the date of the review of each component;

(d) the results of the review; and

(e) a description, and the date of any corrective action.

(8) The record referred to in subregulation (7) shall be available for inspection by the Authority or to an authorised officer.

38. Operational shutdowns and emergencies

(1) A licensee shall prepare a plan for proper handling of the chemicals in the event of operational shutdowns or emergencies.

(2) The plan developed under subregulation (1) shall indicate—

(a) the period of operational shutdown;

(b) emergency procedures;

(c) how the chemicals will be handled during an operational shutdown or emergency;

(d) the availability of fire-fighting and other emergency equipment and personnel; and

(e) any other information for the proper shutdown and handling of emergencies.

(3) The personnel working within the chemical management facility shall be trained in emergency prevention, preparedness and response.

(4) The plan prepared under subregulation (1) shall be made available to the Authority or to an authorised officer, upon request.

Part IX—Chemical Contaminated Sites

39. Chemical contaminated sites

(1) The Authority shall, in accordance with the National Environment (Waste Management) Regulations, 2020 and in consultation with the relevant lead agency, identify and assess sites contaminated by hazardous chemicals, including persistent organic pollutants, mercury or mercury compounds, lead, cyanide, arsenic and polonium.

(2) A person whose activities cause contamination of any aspects of the environment by chemicals shall clean up and restore the chemical contaminated site and put in place measures to reduce the risks to human health and the environment.

(3) The measures referred to under subregulation (2) shall be environmentally sound and shall incorporate—

(a) site identification and characterisation;

(b) public engagement and consultation;

(c) human health and environmental risk assessments;

(d) options for managing the risks posed by contaminated sites;

(e) evaluation of benefits and costs;

(f) validation of outcomes; and

(g) remediation of contaminated sites, lead, cyanide, arsenic.

(4) Where the source of contamination cannot be traced, the Authority may undertake remediation in collaboration with a relevant lead agency and in accordance with the National Environment (Waste Management) Regulations, 2020.

Part X—Transboundary Movement of Hazardous Chemicals

40. Transboundary movement of hazardous chemicals

(1) Where a person intends to import a hazardous chemical that is severely restricted or banned under the Rotterdam Convention on Prior Informed Consent on International Trade in Hazardous Chemicals, prior informed consent shall be obtained from the Designated National Authority.

(2) A person who imports, exports or re-exports hazardous chemicals into or from Uganda shall only use the ports of entry and exit designated in Schedule 9 to these Regulations.

(3) A person who imports, exports or re-exports hazardous chemicals into or from Uganda shall submit to a customs officer—

(a) a copy of the safety data sheet;

(b) a copy of the certificate of origin of the chemical, where applicable;

(c) packaging lists;

(d) a copy of a certificate of analysis;

(e) a certificate of conformity, as applicable;

(f) a copy of the licence issued under these Regulations, when applicable;

(g) a copy of an import or export licence for specific chemicals issued by the lead agency responsible for trade, where applicable;

(h) evidence of prior informed consent, where applicable; and

(i) any other information as the Authority or the Uganda Revenue Authority may deem necessary.

(4) A person who imports, exports or re-exports hazardous chemicals into or from Uganda shall ensure that the chemicals comply with the applicable national standards.

41. Hazardous chemicals in transit through Uganda

(1) A person transporting hazardous chemicals through Uganda shall ensure that—

(a) the chemicals transported conform to the accompanying documents;

(b) the chemicals are packaged in containers meeting the specifications in regulations 32 and 33, and bear the seal of the relevant lead agency or authority for the transit period;

(c) there is evidence of consent from the Designated National Authority of the state of final destination of the chemicals,

for chemicals under the Rotterdam Convention on Prior Informed Consent on International Trade in Hazardous Chemicals;

(d) the Designated National Authority has been notified about the transportation and has consented to it;

(e) the transportation within Uganda is carried out in compliance with the laws of Uganda; and

(f) the chemicals are not disposed of or abandoned in Uganda.

(2) A person transporting hazardous chemicals through Uganda shall ensure that the chemicals are accompanied by a notification document in Form 4 set out in Schedule 5 to these Regulations.

(3) A person who transits any hazardous chemical through Uganda is liable for any damage to the environment or harm to human health caused by the chemical.

(4) An authorised officer may take samples for verification of any hazardous chemical and product transiting through Uganda and may request the police to escort the transit chemicals and products up to the exit border.

42. Notification procedures and prior informed consent

(1) The Designated National Authority shall, in the event of transboundary movement of hazardous chemicals under regulation 40, obtain the consent of the Competent National Authority of the other state referred to under regulation 40(3)(h) and 41(1)(c) by sending—

(a) a copy of the movement document in Form 5 set out in Schedule 5 to these Regulations;

(b) the notification document for the transboundary movement of chemicals in Form 4 set out in Schedule 5 to these Regulations; and

(c) the comments that the Designated National Authority may have made on the documents.

(2) The Designated National Authority may transmit the documents referred to in subregulation (1) to the other State or international body designated under any agreement or arrangement to which Uganda is a Party for comments from the body.

Part XI—Articles Containing Hazardous Chemicals

43. Articles containing hazardous chemicals

The Authority shall, in consultation with the relevant lead agencies, ensure that measures and standards are put in place for the regulation of articles containing hazardous chemicals.

Management of Mercury, Mercury Compounds and Mercury added Products

44. Prohibition and restrictions on use of mercury or mercury compounds

(1) A person shall not—

(a) use mercury or mercury compounds or release emissions of mercury from gold or other mining and processing activities;

(b) use mercury or mercury compounds in chlor-alkali production after the phase out year of 2025; or

(c) undertake a manufacturing process in which mercury or mercury compounds are used as a catalyst.

(2) The manufacturing process referred to under subregulation (1)(c) shall include a process where mercury or mercury compounds are used in the production of acetaldehyde, vinyl chloride monomer, sodium or potassium methylate, ethylate or polyurethane.

(3) A person shall not—

(a) carry out acetaldehyde production in which mercury or mercury compounds are used as a catalyst;

(b) import, manufacture, use or recycle batteries if their mercury content is above two per cent;

(c) import, manufacture, use or recycle switches and relays with a mercury content of more than twenty milligrams per bridge, switch or relay;

(d) import, manufacture, use or recycle compact fluorescent lamps for general lighting purposes that are less or equal to thirty watts with a mercury content exceeding five milligrams per lamp burner;

(e) import, manufacture, use or recycle triband phosphor linear fluorescent lamps for general lighting purposes of less than sixty watts with a mercury content exceeding five milligrams per lamp;

(f) import, manufacture, use or recycle halophosphate phosphor linear fluorescent lamps for general lighting purposes of less than forty watts with a mercury content exceeding ten milligrams per lamp;

(g) import, manufacture, use or recycle high pressure mercury vapour lamps for general lighting purposes;

(h) import, manufacture, use or recycle mercury in cold cathode fluorescent lamps and external electrode fluorescent lamps for electronic displays of—

(i) short length; being less than or equal to five hundred millimetres, with mercury content exceeding three and a half milligrams per lamp;

(ii) medium length; being greater than five hundred millimetres and less than or equal to one thousand five hundred millimetres, with mercury content exceeding five milligrams per lamp; or

(iii) long length; being greater than one thousand five hundred millimetres with mercury content exceeding thirteen milligrams per lamp;

(i) import, manufacture, use, re-ackage cosmetics with mercury content above 1ppm, including skin lightening soaps and creams;

(j) import, manufacture, use or repackage, pesticides, biocides or topical antiseptics containing mercury; or

(k) import, manufacture, use or recycle non-electronic measuring devices including barometers, hygrometers, manometers, thermometers and sphygmomanometers except non-electronic measuring devices installed in large-scale equipment or those used for high precision measurement, where no suitable mercury-free alternative is available.

(4) A person shall not manufacture, import or export the following products after the year 2025—

(a) compact fluorescent lamps with an integrated ballast (CFL.i) for general lighting purposes that are ≤ 30 watts with a mercury content not exceeding 5 mg per lamp burner;

(b) cold cathode fluorescent lamps (CCFL) and external electrode fluorescent lamps (EEFL) of all lengths for electronic displays, not included in the current listing;

(c) strain gauges to be used in plethysmographs;

(d) melt pressure transducers, melt pressure transmitters and melt pressure sensors, except those installed in large-scale equipment or those used for high precision measurement, where no suitable mercury-free alternative is available;

(e) mercury vacuum pumps;

(f) tire balancers and wheel weights;

(g) photographic film and paper; and

(h) propellant for satellites and spacecraft.

45. Exemptions for use of mercury in manufacturing processes

(1) The Authority may, subject to Part II of Schedule 3 to these Regulations, exempt specific manufacturing processes, in accordance with these Regulations, where a person demonstrates that—

(a) the manufacturing process provides significant environmental and health benefits; and

(b) there are no technically or economically feasible mercury-free alternatives available to provide the benefits specified in paragraph (a).

(2) Where the exemption is granted under subregulation (1), the responsible person shall, in addition to the measures in Part II of Schedule 3 to these Regulations—

(a) keep an inventory of the amount of mercury or mercury compounds used in the facility annually;

(b) take measures to reduce emissions and releases of mercury or mercury compounds from the facility;

(c) use best available techniques and best environmental practices to control emissions from the facility;

(d) include in an annual report, information on the measures taken under these Regulations; and

(e) take any other measures as may be deemed necessary by the Authority.

(3) The information in subregulation (2) shall be made publicly available.

46. Dental amalgam and vaccines containing thiomersal as preservatives

(1) A health care giver with a dental facility shall—

(a) ensure the installation of an amalgam separator;

(b) stop the use of dental amalgam;

(c) stop the use of dental amalgam in women of child bearing age, except where considered necessary by the dental practitioner based on the needs of the patient and after obtaining the informed consent of the patient;

(d) stop the use of mercury in bulk form for dental restoration;

(e) use dental amalgam to its encapsulated form before the phase out date;

(f) stop the use of dental amalgam in dental restorations after the phase out date under the Minamata Convention on Mercury; and

(g) take measures to transition to mercury-free dental restoration techniques.

(2) The Authority shall, in collaboration with the lead agency responsible for dental health, put in place measures to minimise and phase down the use of dental amalgam.

(3) The measures referred to in subregulation (2), include—

(a) promotion of research and development of quality mercury-free materials for dental restoration;

(b) requirement for representative professional organisations and dental schools to educate and train dental professionals and students on the use of mercury-free dental restoration alternatives and on promoting best management practices;

(c) promotion of the use of best environmental practices in dental facilities to reduce releases of mercury and mercury compounds to water and land when used before phase-down;

(d) restriction of the use of dental amalgam to its encapsulated form before the phase out date;

(e) promotion of the use of cost-effective and clinically effective mercury-free alternatives for dental restoration;

(f) facilitation of transition to mercury-free dental restoration techniques beyond the phase down date; and

(g) ensure that health insurance schemes do not favour dental amalgam use over mercury-free dental restoration.

(4) The Authority shall, in collaboration with the lead agency responsible for vaccines, put in place measures to minimise and phase down the use of vaccines containing thiomersal as preservatives.

Part XII—Public Information, Awareness, Education and Research

47. Register of hazardous chemicals

(1) The Authority shall maintain a register of all chemicals regulated under these Regulations.

(2) The register referred to under subregulation (1) shall—

(a) contain the information submitted under regulation 11 and 12, including—

(i) the IUPAC name of chemical;

(ii) the structural formula;

(iii) the properties of the chemical, including associated hazards and general control measures;

(iv) an assessment of the risks that the use of the chemical may pose and how these risks should be controlled;

(v) classification of the C;

(vi) supply and use restrictions of the C;

(vii) end use or application of the chemical; and

(viii) any other information from the safety data sheet.

(b) contain a record of the hazardous chemicals that are imported, manufactured, formulated, re-packaged or stored in the country;

(c) document the risks and hazards associated with the hazardous chemicals; and

(d) facilitate traceability of hazardous chemicals throughout their lifecycle.

(3) Without prejudice to subregulation (2)(a), the Authority shall keep a record of chemicals listed under Schedule 3, particularly the chemicals restricted in accordance with regulation 8, which shall include—

(a) the quantity of the chemical in kilogrammes for local destruction, import and export;

(b) the quantity of the chemical in kilogrammes imported, manufactured and exported per year;

(c) the quantity of the chemical used per year;

(d) the quantity in kilogrammes, location and condition of stockpiles of the chemical;

(4) The Authority shall keep the register established under this regulation updated regularly.

(5) The Authority shall make available to the public, information on the status of registration of a chemical, available health and safety information and restrictions where applicable.

(6) Subject to the Constitution and the Access to Information Act, 2005, other information in the register maintained under subregulation (1) may be made accessible to the public upon request and payment of the fee prescribed in Schedule 6 to these Regulations.

(7) The Authority may, every two years, publish information on the status of hazardous chemicals regulated under these Regulations.

(8) The Authority, relevant lead agency or stakeholder may use the information registered under this regulation—

(a) to ascertain the type of chemicals or chemical products in the country;

(b) to ascertain the substances present in chemical mixtures;

(c) to determine the final uses of a chemical or chemical product;

(d) to manage chemicals according to their properties and quantity;

(e) to prepare and plan for risk control measures regarding chemicals and chemical products;

(f) to raise awareness about chemicals and chemical products;

(g) to facilitate access to data on chemicals and chemical products;

(h) to facilitate regular updating of the national chemicals management profile; and

(i) to prepare reports for decision and policy making.

48. Exchange of information

The Authority shall collaborate with relevant lead agencies in the exchange of scientific, technical, economic and legal information on hazardous chemicals, including—

(a) toxicological, ecotoxicological and safety information;

(b) information on the reduction or elimination of import, manufacture, export, re-export, use, emissions and releases of persistent organic pollutants, mercury and mercury compounds and other hazardous chemicals;

(c) information on technically and economically viable alternatives to—

(i) persistent organic pollutants, mercury and mercury compounds and other hazardous chemicals;

(ii) manufacturing processes in which hazardous chemicals are used; and

(iii) activities and processes that emit or release persistent organic pollutants, mercury and mercury compounds and other hazardous chemicals, including information on the health and environmental risks, and the economic and social costs and benefits of such alternatives; and

(d) information on the health impacts associated with exposure to persistent organic pollutants, mercury and mercury compounds and other hazardous chemicals.

49. Research, development and monitoring

The Authority shall, in collaboration with the relevant lead agency, academic and research institutions and industry, encourage and undertake appropriate research, development, monitoring and cooperation pertaining to persistent organic pollutants, mercury and mercury compounds, artisanal gold mining and other processes that use hazardous chemicals, including—

(a) inventories of sources, use, consumption, and anthropogenic emissions to air and releases to water, land and the wider environment;

(b) modelling and geographically representative monitoring of presence, levels and trends of persistent organic pollutants, mercury and mercury compounds and other hazardous chemicals in humans, particularly vulnerable populations, and in the environment, including biotic media as well as collaboration in the collection and exchange of relevant and appropriate samples;

(c) release reduction or elimination;

(d) harmonised methodologies for making inventories of generating sources and analytical techniques for the measurement of releases;

(e) technical and economic availability of persistent organic pollutant-free products and processes, mercury-free products and processes; and

(f) best available techniques and best environmental practices to reduce and monitor emissions and releases of persistent organic pollutants, mercury, mercury compounds, mercury-added products, lead, cyanide, arsenic, polonium and other hazardous chemicals.

50. Public information, awareness and education

(1) The Authority shall, in collaboration with the relevant lead agency, promote and facilitate public information on—

(a) persistent organic pollutants, mercury and mercury compounds, lead, cyanide, arsenic, polonium and other hazardous chemicals and chemical products regulated under these Regulations;

(b) the health and environmental effects of persistent organic pollutants, mercury and mercury compounds, lead, cyanide, arsenic, polonium and other hazardous chemicals and chemical products;

(c) alternatives to persistent organic pollutants, mercury and mercury compounds and other hazardous chemicals and chemical products; and

(d) results of research, development and monitoring activities for persistent organic pollutants, mercury and mercury compounds, lead, cyanide, arsenic, polonium and other hazardous chemicals and chemical products.

(2) The Authority in consultation with a lead agency shall—

(a) promote and facilitate awareness among policy and decision makers with regard to persistent organic

pollutants, mercury and mercury compounds, lead, cyanide, arsenic, polonium and other hazardous chemicals and chemical products;

(b) develop and implement, especially for women, children and other vulnerable groups, educational and public awareness programmes on persistent organic pollutants, mercury and mercury compounds, lead, cyanide, arsenic, polonium and other hazardous chemicals and chemical products, as well as on their effect on health and the environment and available alternatives;

(c) encourage public participation in addressing persistent organic pollutants, mercury and mercury compounds, lead, cyanide, arsenic, polonium and other hazardous chemicals and chemical products and their health and environmental effects and in developing adequate responses; and

(d) train workers, scientists, educators, technical and managerial personnel on persistent organic pollutants, mercury and mercury compounds, lead, cyanide, arsenic, polonium and other hazardous chemicals and chemical products.

Part XIII—Compliance and Enforcement

51. Chemical records

(1) A licensee shall—

(a) keep records of the quantities and characteristics of the chemicals managed, including a chain-of-custody transfer of the chemicals indicating—

(i) the type and quantities of the chemicals;

(ii) the classification of the chemicals;

(iii) copies of the safety data sheets;

(iv) the method of handling and storage; and

(v) in the case of hazardous chemical wastes, the disposal method;

(b) an operating record, including measurements and monitoring records of chemical discharges and emissions in respect of the manufacturing and formulation processes;

(c) incident reports, including actions taken where applicable; and

(d) medical records of employees and contractors.

(2) A person who imports, manufactures, formulates, re-packages or stores lead, polonium, arsenic, cyanide or mercury shall in addition to the records referred to under subregulation (1), maintain a record of quantities supplied to end-users.

(3) The records referred to in subregulation (1) shall include electronic records and shall be continuously updated and kept for a minimum period of ten years.

(4) The records maintained under subregulation (1) shall be made available to the Authority, a lead agency or an authorised officer, upon request.

52. Annual reports of chemicals handled

(1) A person licensed under these Regulations shall, by the 31st of January of each year, in addition to the requirements of section 177 of the Act, submit to the Authority an annual report on chemicals handled in the preceding year in the format set out in Schedule 10 to these Regulations, including, where applicable, information on—

(a) the type, name, amount and properties of chemicals and chemical products imported, manufactured, formulated or re-packaged;

(b) health and safety measures against the hazards associated with exposure to chemicals and chemical products; and

(c) any other information the Authority may deem necessary.

(2) Where special reporting requirements are included in the conditions of a licence under these Regulations, the requirements shall be additional to the requirements of subregulation (1).

53. Provision of samples and analysis

(1) The Authority may require the licensee, at the expense of the licensee—

(a) to install metering devices and monitoring devices, where applicable; and

(b) to take samples for analysis as the Authority may direct.

(2) The licensee shall, when requested by the Authority, provide—

(a) a sample of the hazardous chemical;

(b) a sample of the technical grade of the active ingredients of the chemicals;

(c) a sample of the analytical standard of the active ingredients of the chemicals; and

(d) any other sample as may be required by the Authority.

(3) The Authority or authorised officer may take samples of any chemical or article containing hazardous chemicals in accordance with section 128 of the Act.

(4) The Authority may request the licensee to submit a chemical to a designated laboratory for analysis.

(5) The Authority or an authorised officer may, in writing request the designated laboratory to analyse a sample taken in accordance with section 128 of the Act.

54. Monitoring and inspection

(1) The Authority or relevant lead agencies may conduct regular inspections and monitoring of the chemical management facilities and activities to—

(a) assess or monitor compliance with the requirements of the Act, these Regulations, the Occupational Safety and Health Act, 2006, any other written law, and environmental standards and conditions in licences and permits;

(b) ascertain that appropriate measures are in place, including safety measures, for avoiding and minimising the consequences of incidents or accidents arising from the chemical management activity on human health and the environment; or

(c) verify any information submitted to the Authority.

(2) The Authority or relevant lead agency may, by use of an electronic cargo tracking system or other tracking mode, monitor hazardous chemicals, whether transiting through or destined for Uganda.

Part XIV—Offences, Penalties And Administrative Measures

55. Offences and penalties

(1) A person required to register a hazardous chemical in accordance with regulation 11, who does not do so, commits an offence and is liable, on conviction—

(a) in the case of an individual, to a fine not exceeding ten thousand currency points or imprisonment not exceeding seven years or both;

(b) in the case of a body corporate, to a fine not exceeding fifty thousand currency points;

(c) in the case of a continuing offence, to a fine not exceeding two thousand currency points in respect of each day or part of a day on which the offence continues; or

(d) in respect of a second or subsequent contravention, to a higher penalty not exceeding ten thousand currency points or imprisonment not exceeding ten years or both.

(2) A person who neglects to keep records or to comply with the administrative measures under these Regulations commits an offence and is liable, on conviction—

(a) in the case of an individual, to a fine not exceeding five thousand currency points or imprisonment not exceeding two years or both;

(b) in the case of a body corporate, to a fine not exceeding fifty thousand currency points; or

(c) in the case of a continuing offence, to a fine not exceeding two thousand currency points in respect of each day or part of a day on which the offence continues.

56. Administrative measures and fines

Where the Authority has reasonable grounds to believe that a person has contravened the provisions of the Act or these Regulations, the Authority, may—

(a) give a written warning to a person issued a licence under these Regulations;

(b) stop and inspect a vessel used for the transportation of hazardous chemicals;

(c) enter upon any premises or facility used for chemical management;

(d) order the licensee under these Regulations to immediately suspend or terminate an activity where there is acute risk of harm to human health or the environment;

(e) stop operations or close a chemical management facility that does not comply with the requirements of a licence issued under these Regulations;

(f) impose an administrative penalty prescribed by law on the licensee under these Regulations;

(g) impose a surcharge of five percent of the amount required to be paid and which is in default, for each day of default;

(h) confiscate the property, equipment, substance or other thing believed to have been used in committing an offence under these Regulations;

(i) take samples for analysis at the expense of the facility owner or operator;

(j) order payment of costs and expenses incurred by the Authority or authorised person in administering the measures under this regulation;

(k) order the person issued a licence under these Regulations to take samples and analyse them as the Authority may direct;

(l) order the immediate removal of hazardous chemicals in case of spillage, seepage or any other form of entry into the environment; or

(m) make such other order in respect of chemicals regulated under these Regulations as the Authority may deem necessary.

Part XV—Transitional

57. Transitional

(1) Any person dealing in hazardous chemicals before the commencement of these Regulations shall, within 12 months from the date of commencement—

(a) classify, label and provide a Safety Data Sheet of hazardous chemicals in accordance with these Regulations;

(b) apply for the registration of the hazardous chemical where the chemical is not in the register in accordance with regulation 12; and

(c) apply for a licence in accordance with Part VI.

(2) A person who contravenes subregulation (1) commits an offence, and is liable, on conviction, to a fine not exceeding five thousand currency points or imprisonment not exceeding two years or both.

SCHEDULE 1

Regulation 3

CURRENCY POINT

A currency point is equivalent to twenty thousand Uganda shillings.

SCHEDULE 2

Regulation 7

PROHIBITED CHEMICALS

Part I: Chemicals Prohibited Under the Stockholm Convention on Persistent Organic Pollutants

No.	Chemical	CAS Number
1.	Aldrin	CAS No: 309-00-2
2.	Alpha hexachlorocyclohexane	CAS No: 319-84-6
3.	Beta hexachlorocyclohexane	CAS No: 319-85-7
4.	Chlordane	CAS No: 57-74-9
5.	Chlordecone	CAS No: 143-50-0
6.	Dieldrin	CAS No: 60-57-1
7.	Endosulfan and its related isomers	CAS No: 115-29-7 CAS No: 959-98-8 and CAS No: 33213-65-9
8.	Endrin	CAS No: 72-20-8
9.	Heptachlor	CAS No: 76-44-8
10.	Hexabromobiphenyl	CAS No: 36355-01-8
11.	Hexabromocyclododecane (HBCD)	hexabromocyclododecane (CAS No: 25637-99-4), 1,2,5,6,9,10-hexabromocyclododecane (CAS No: 3194-55-6) and its main diastereoisomers: alpha- hexabromocyclododecane (CAS No: 134237-50-6); beta-hexabromocyclododecane (CAS No: 134237-51-7); and gamma-hexabromocyclododecane (CAS No: 134237-52-8).

12.	Hexabromodiphenyl ether and heptabromodiphenyl ether	2,2',4,4',5,5'-hexabromodiphenyl ether (BDE-153, CAS No: 68631-49-2), 2,2',4,4',5,6'-hexabromodiphenyl ether (BDE-154, CAS No: 207122-15-4), 2,2',3,3',4,5',6-heptabromodiphenyl ether (BDE-175, CAS No: 446255-22-7), 2,2',3,4,4',5',6-heptabromodiphenyl ether (BDE-183, CAS No: 207122-16-5) and other hexa- and heptabromodiphenyl ethers present in commercial octabromodiphenyl ether.
13.	Hexachlorobenzene	CAS No: 118-74-1
14.	Lindane	CAS No: 58-89-9
15.	Mirex	CAS No: 2385-85-5
16.	Pentachlorobenzene	CAS No: 608-93-5
17.	Polychlorinated biphenyls (PCB) - to be eliminated by 2025	
18.	Tetrabromodiphenyl ether and pentabromodiphenyl ether	2,2',4,4'-tetrabromodiphenyl ether (BDE-47, CAS No: 5436-43-1) and 2,2',4,4',5-pentabromodiphenyl ether (BDE-99, CAS No: 60348-60-9) and other tetra- and pentabromodiphenyl ethers present in commercial pentabromodiphenyl ether
19.	Toxaphene	CAS No: 8001-35-2
20	Dicofol	CAS No. 115-32-2 CAS No. 10606-46-9
21	Hexachlorobutadiene	CAS No: 87-68-3
22	Alpha hexachlorocyclohexane	CAS No: 319-84-6

23	Polychlorinated naphthalenes, including dichlorinated naphthalenes, trichlorinated naphthalenes, tetrachlorinated naphthalenes, pentachlorinated naphthalenes, hexachlorinated naphthalenes, heptachlorinated naphthalenes, octachlorinated naphthalene	CAS No: 70776-03-3
24	Decabromodiphenyl ether (BDE-209) present in commercial decabromodiphenyl ether	CAS No: 1163-19-5
25	Perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds	Perfluorooctanoic acid (PFOA; CAS No. 335-67-1), including any of its branched isomers; (ii) Its salts; (iii) PFOA-related compounds which, for the purposes of these regulations, are any substances that degrade to PFOA, including any substances (including salts and polymers) having a linear or branched perfluoroheptyl group with the moiety (C7F15)C as one of the structural elements
26	Short-chain chlorinated paraffins (Alkanes, C_{10-13}, chloro)+: straight-chain chlorinated hydrocarbons with chain lengths ranging from C_{10} to C_{13} and a content of chlorine greater than 48 per cent by weight	For example, the substances with the following CAS numbers may contain short-chain chlorinated paraffins: CAS No. 85535-84-8; CAS No. 68920-70-7; CAS No. 71011-12-6; CAS No. 85536-22-7; CAS No. 85681-73-8; CAS No. 108171-26-2.

27	Perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride; For example: potassium perfluorooctane sulfonate (CAS No: 2795-39-3); lithium perfluorooctane sulfonate (CAS No: 29457-72-5); ammonium perfluorooctane sulfonate (CAS No: 29081-56-9); diethanolammonium perfluorooctane sulfonate (CAS No: 70225-14-8); tetraethylammonium perfluorooctane sulfonate (CAS No: 56773-42-3); didecyldimethylammonium perfluorooctane sulfonate (CAS No: 251099-16-8)	CAS No: 1763-23-1 CAS No: 307-35-7
28	Pentachlorophenol and its salts and esters	CAS No. 87-86-5

Part II: Mercury-added products prohibited under the Minamata Convention On Mercury

Item	**Mercury-added products**	*Phase out date*
1.	Batteries, except for button zinc silver oxide batteries with a mercury content < 2% and button zinc air batteries with a mercury content < 2%	2020
2.	Switches and relays, except very high accuracy capacitance and loss measurement bridges and high frequency radio frequency switches and relays in monitoring and control instruments with a maximum mercury content of 20 mg per bridge, switch or relay	2020

3.	Compact fluorescent lamps (CFLs) for general lighting purposes that are ≤ 30 watts with a mercury content exceeding 5 mg per lamp burner	2020
4.	Linear fluorescent lamps (LFLs) for general lighting purposes: (a) Triband phosphor < 60 watts with a mercury content exceeding 5 mg per lamp; (b) Halophosphate phosphor ≤ 40 watts with a mercury content exceeding 10 mg per lamp	2020
5.	High pressure mercury vapour lamps (HPMV) for general lighting purposes	2020
6.	Mercury in cold cathode fluorescent lamps and external electrode fluorescent lamps (CCFL and EEFL) for electronic displays: (a) short length (≤ 500 mm) with mercury content exceeding 3.5 mg per lamp (b) medium length (> 500 mm and ≤ 1 500 mm) with mercury content exceeding 5 mg per lamp (c) long length (> 1 500 mm) with mercury content exceeding 13 mg per lamp	2020
7.	Cosmetics (with mercury content above 1ppm), including skin lightening soaps and creams, but not including eye area cosmetics where mercury is used as a preservative and no effective and safe substitute preservatives are available. Note: *The intention is not to cover cosmetics, soaps or creams with trace contaminants of mercury.*	2020
8.	Pesticides, biocides and topical antiseptics	2020

9.	The following non-electronic measuring devices except non-electronic measuring devices installed in large-scale equipment or those used for high precision measurement, where no suitable mercury-free alternative is available: (a) barometers; (b) hygrometers; (c) manometers; (d) thermometers; (e) sphygmomanometers	2020
10.	Acetaldehyde production in which mercury or mercury compounds Acetaldehyde production in which mercury or mercury compounds are used as a catalyst	2018
	Mercury-added products excluded from phase out	
11.	Products essential for civil protection and military uses.	
12.	Products for research, calibration of instrumentation, for use as reference standard.	
13.	Where no feasible mercury-free alternative for replacement is available, switches and relays, cold cathode fluorescent lamps and external electrode fluorescent lamps (CCFL and EEFL) for electronic displays, and measuring devices.	
14.	Products used in traditional or religious practices	
15.	Vaccines containing thiomersal as preservatives.	

SCHEDULE 3

Regulations 8(1), 15(2), 45(1),(2) and 47(3)

RESTRICTED HAZARDOUS CHEMICALS

Part I: Industrial Chemicals Subject to Prior Informed Consent Procedure

	Chemical	**Relevant CAS number(s)**
1.	Asbestos: • Actinolite • Anthophyllite • Amosite • Crocidolite • Tremolite	• 77536-66-4 • 77536-67-5 • 12172-73-5 • 12001-28-4 • 77536-68-6
2.	Commercial octabromodiphenyl ether including: • Hexabromodiphenyl ether • Heptabromodiphenyl ether	• 36483-60-0 • 68928-80-3
3.	Commercial pentabromodiphenyl ether including: • Tetrabromodiphenyl ether • Pentabromodiphenyl ether	• 40088-47-9 • 32534-81-9
4.	Hexabromocyclododecane	• 25637-99-4 • 3194-55-6 • 134237-50-6 • 134237-51-7 • 134237-52-8

5.	Perfluorooctane sulfonic acid, perfluorooctane sulfonates, perfluorooctane sulfonamides and perfluorooctane sulfonyls including: • Perfluorooctane sulfonic acid • Potassium perfluorooctane sulfonate • Lithium perfluorooctane sulfonate • Ammonium perfluorooctane sulfonate • Diethanolammonium perfluorooctane sulfonate • Tetraethylammonium perfluorooctane sulfonate • Didecyldimethylammonium perfluorooctane sulfonate • N-Ethylperfluorooctane sulfonamide • N-Methylperfluorooctane sulfonamide • N-Ethyl-N-(2-hydroxyethyl) perfluorooctane sulfonamide • N-(2-hydroxyethyl)-N-methylperfluorooctane sulfonamide • Perfluorooctane sulfonyl fluoride	• 1763-23-1 • 2795-39-3 • 29457-72-5 • 29081-56-9 • 70225-14-8 • 56773-42-3 • 251099-16-8 • 4151-50-2 • 31506-32-8 • 1691-99-2 • 24448-09-7 • 307-35-7
6.	Polybrominated biphenyls (PBB)	• 36355-01-8 (hexa-) • 27858-07-7 (octa-) • 13654-09-6 (deca-)
7.	Polychlorinated biphenyls (PCB)	1336-36-3
8.	Polychlorinated terphenyls (PCT)	61788-33-8
9.	Short-chain chlorinated paraffins	85535-84-8
10.	Tetraethyl lead	78-00-2
11.	Tetramethyl lead	75-74-1
12.	Tris (2,3-dibromopropyl) phosphate	126-72-7
13.	All tributyltin compounds** including: • Tributyltin oxide • Tributyltin fluoride • Tributyltin methacrylate • Tributyltin benzoate • Tributyltin chloride • Tributyltin linoleate • Tributyltin naphthenate	 • 56-35-9 • 1983-10-4 • 2155-70-6 • 4342-36-3 • 1461-22-9 • 24124-25-2 • 85409-17-2
* Only the CAS numbers of parent compounds are listed. **Pesticide and/or Industrial.		

Regulation 45(2)

Part II: Restricted mercury-using processes

Item	Mercury using process	Measures required
1.	Vinyl chloride monomer production	i) Reduce the use of mercury in terms of per unit production by 50 per cent from year 2020 against 2010 use; ii) Reduce the reliance on mercury from primary mining; iii) Reduce emissions and releases of mercury to the environment; iv) Support research and development in respect of mercury-free catalysts and processes; v) Do not use mercury 5 years after it has been established that mercury-free catalysts based on existing processes have become technically and economically feasible.
2.	Sodium or Potassium Methylate or Ethylate	i) Reduce the use of mercury aiming at the phase out of this use as fast as possible by 2023; ii) Reduce emissions and releases in terms of per unit production by 50 per cent from the year 2020 compared to 2010; iii) Do not use fresh mercury from primary mining; iv) Support research and development in respect of mercury-free processes; v) Do not use mercury 5 years after it has been established that mercury-free processes have become technically and economically feasible.

3.	Production of polyurethane using mercury containing catalysts	i) Reduce the use of mercury, aiming at the phase out of this use as fast as possible, by 2023; ii) Reduce the reliance on mercury from primary mercury mining; iii) Reduce emissions and releases of mercury to the environment; iv) Support Research and development in respect of mercury-free catalysts and processes.

SCHEDULE 4

Regulations 3, 10(1), 11(2) (d) and 23(2)(a)

CLASSIFICATION OF HAZARDOUS CHEMICALS

	Hazard Classification	Description
A	**Physical Hazards**	
	Explosives	Are assigned to one of six subcategories depending on the type of hazard they present, as used in the UN Dangerous Goods System.
	Flammable gases	Gases are category 1 flammable if they start to flame in a range in air at 20 °C (68 °F) and a standard pressure of 101.3 kPa. Category 2 is Non-flammable and non-toxic gases, and category 3 is toxic gases. Substances and mixtures of this hazard class are assigned to one of two hazard categories on the basis of the outcome of the test or calculation method.
	Flammable liquid	Liquid with a flash point of not more than 93 °C (199.4 °F). Substances and mixtures of this hazard class are assigned to one of four hazard categories on the basis of the flash point and boiling point. A pyrophoric liquid is a liquid that, even in small quantities, is liable to ignite within five minutes after coming into contact with air. Substances and mixtures of this hazard class are assigned to a single hazard category on the basis of the outcome of the UN Test N.3.
	Flammable solid	One that is readily combustible or may cause or contribute to fire through friction. Readily combustible solids are powdered, granular, or pasty substances which are dangerous if they can be easily ignited by brief contact with an ignition source, such as a burning match, and if the flame spreads rapidly. It is further divided into; (1) flammable solids and (2) polymerizing substances.

	Self-reactive substances	Thermally unstable solids liable to undergo a strongly exothermic thermal decomposition even without participation of oxygen (air), other than materials classified as explosive, organic peroxides or as oxidizing.
	Pyrophoric substance	Colloquially described as spontaneously combusting substances, are those solids or liquids that even in small quantities are liable to ignite within five minutes after coming into contact with air. Substances and mixtures of this hazard class are assigned to a single hazard category on the basis of the outcome of the UN Test N.2.
	Self-heating substances	Self-heating solids or liquids, other than a pyrophoric substance, is one which, by reaction with air and without energy supply, are liable to self-heat. Substances and mixtures of this hazard class are assigned to one of two hazard categories on the basis of the outcome of the UN Test N.4. Substances which on contact with water emit flammable gases are liable to become spontaneously flammable or to give off flammable gases in dangerous quantities. Substances and mixtures of this hazard class are assigned to one of three hazard categories on the basis of the outcome of UN Test N.5, which measures gas evolution and speed of evolution. Flammable aerosols can be classified as Class 1 or Class 2 if they contain any component, which is classified as flammable.
	Oxidizing substances and organic peroxides	Contain; (1) category 1: oxidizing substances and (2) category 2: organic peroxides, organic liquids or solids that contain the bivalent -O-O- structure and may be considered a derivative of hydrogen peroxide, where one or both of the hydrogen atoms have been replaced by organic radicals. The term also includes organic peroxide formulations (mixtures). Substances and mixtures of this hazard class are assigned to one of seven 'Types', A to G, on the basis of the outcome of the UN Test Series A to H.

	Substances corrosive to metal	Substances or mixtures that by chemical action will materially damage or even destroy metals. These substances or mixtures are classified in a single hazard category on the basis of tests (Steel: ISO 9328 (II): 1991 - Steel type P235; Aluminum: ASTM G31-72 (1990) - non-clad types 7075-T6 or AZ5GU-T66). The GHS criteria are a corrosion rate on steel or aluminum surfaces exceeding 6.25 mm (0.246063in) per year at a test temperature of 55 °C (131°F).
B	**Health hazards**	
	Acute toxicity	Includes five GHS categories from which the appropriate elements relevant to transport, consumer, worker and environment protection can be selected. Substances are assigned to one of the five toxicity categories on the basis of LD50 (oral, dermal) or LC50 (inhalation).
	Skin corrosion	Means the production of irreversible damage to the skin following the application of a test substance for up to 4 hours. Substances and mixtures in this hazard class are assigned to a single harmonized corrosion category.
	Skin irritation	Means the production of reversible damage to the skin following the application of a test substance for up to 4 hours. Substances and mixtures in this hazard class are assigned to a single irritant category.
	Serious eye damage	Means the production of tissue damage in the eye, or serious physical decay of vision, following application of a test substance to the front surface of the eye, which is not fully reversible within 21 days of application. Substances and mixtures in this hazard class are assigned to a single harmonized category.
	Eye irritation	Means changes in the eye following the application of a test substance to the front surface of the eye, which are fully reversible within 21 days of application. Substances and mixtures in this hazard class are assigned to a single harmonized hazard category.

	Respiratory sensitizer	Means a substance that induces hypersensitivity of the airways following inhalation of the substance. Substances and mixtures in this hazard class are assigned to one hazard category.
	Skin sensitizer	Means a substance that will induce an allergic response following skin contact. The definition for “skin sensitizer” is equivalent to “contact sensitizer”. Substances and mixtures in this hazard class are assigned to one hazard category.
	Germ cell mutagenicity	Means an agent giving rise to an increased occurrence of mutations in populations of cells and/or organisms. Substances and mixtures in this hazard class are assigned to one of two hazard categories. Category 1 has two subcategories.
	Carcinogenicity	Means a chemical substance or a mixture of chemical substances that induce cancer or increase its incidence. Substances and mixtures in this hazard class are assigned to one of two hazard categories. Category 1 has two subcategories.
	Reproductive toxicity	Includes adverse effects on sexual function and fertility in adult males and females, as well as developmental toxicity in offspring. Substances and mixtures with reproductive and/or developmental effects are assigned to one of two hazard categories, ‘known or presumed’ and ‘suspected’. Category 1 has two subcategories for reproductive and developmental effects. Materials which cause concern for the health of breastfed children have a separate category: effects on or via lactation.

	Specific target organ toxicity (STOT)	Category distinguishes between single and repeated exposure for Target Organ Effects. All significant health effects, not otherwise specifically included in the GHS,that can impair function, both reversible and irreversible, immediate and/or delayed are included in the non-lethal target organ/systemic toxicity class (TOST). Narcotic effects and respiratory tract irritation are considered to be target organ systemic effects following a single exposure. Substances and mixtures of the single exposure target organ toxicity hazard class are assigned to one of three hazard categories. Substances and mixtures of the repeated exposure target organ toxicity hazard class are assigned to one of two hazard categories.
	Aspiration hazard	Includes severe acute effects such as chemical pneumonia, varying degrees of pulmonary injury or death following aspiration. Aspiration is the entry of a liquid or solid directly through the oral or nasal cavity, or indirectly from vomiting, into the trachea and lower respiratory system. Substances and mixtures of this hazard class are assigned to one of two hazard categories of this hazard class on the basis of viscosity.
C	**Substitute substances**	Sometimes it is possible to replace hazardous substances with substances featuring a reduced health risk. As an assistance to assess possible substitute substances, the Institute for Occupational Safety and Health of the German Social Accident Insurance (IFA) has developed the Column Model. On the basis of just a small amount of information on a product, substitute substances can be evaluated with the support of this table. The current version from 2020 already includes the amendments of the 12th CLP Adaptation Regulation 2019/521.

D	**Environmental hazards**	
	Hazardous to aquatic environment	Acute aquatic toxicity means the intrinsic property of a material of causing injury to an aquatic organism in a short-term exposure. Substances and mixtures of this hazard class are assigned to one of three toxicity categories on the basis of acute toxicity data: LC50 (fish) or EC50 (crustacean) or ErC50 (for algae or other aquatic plants). In some regulatory systems these acute toxicity categories may be subdivided or extended for certain sectors.
	Hazardous to aquatic environment	Chronic aquatic toxicity means the potential or actual properties of a material to cause adverse effects to aquatic organisms during exposures that are determined in relation to the lifecycle of the organism. Substances and mixtures in this hazard class are assigned to one of four toxicity categories on the basis of acute data and environmental fate data: LC50 (fish) or EC50 (crustacea) or ErC50 (for algae or other aquatic plants) and degradation or bioaccumulation.
	Hazardous to the Ozone layer	Any of the controlled substances listed in Annexes to the Montreal Protocol; or any mixture containing at least one ingredient listed in the Annexes to the Montreal Protocol, at a concentration of ≥0.1%
E	**Classification of mixtures**	
		Classification of mixtures is based on the following steps: 1. Where toxicological or ecotoxicological test data are available for the mixture itself, the classification of the mixture will be based on that data; 2. Where test data are not available for the mixture itself, then the appropriate bridging principles should be applied, which uses test data for components and/or similar mixtures; 3. If (1) test data are not available for the mixture itself, and (2) the bridging principles cannot be applied, then use the calculation or cutoff values described in the specific endpoint to classify the mixture

SCHEDULE 5

FORMS

Form I

Regulations 12(1), 16(1), 29(2) and 30 (2)

APPLICATION FOR REGISTRATION RENEWAL OF TRANSFER OF HAZARDOUS CHEMICAL /A LICENCE/RENEWAL OF A LICENCE TO DEAL IN HAZARDOUS CHEMICALS

(*To be completed in Triplicate*)
(*Delete what is not applicable*)

Application Reference No_____

Licence No and date of issue_____(in case of renewal)

Application for registration of ……. Chemical

Application for licence to (*tick as appropriate*):

- import;
- export;
- store;
- manufacture;
- formulate;
- re-package;
- use

Part A: General

1. Name of applicant

_____

_____

2. Legal status of the applicant (whether individual, partnership or company; and attach certified copy of certificate of incorporation/ registration)

_____

_____

*Tax Identification Number (TIN)*_____

3. *Contact details of applicant*
   (a) Postal address: _____
   (b) Physical address: _____
   (b) Telephone No _____
   (d) E-mail address:_____

4. Location of facility (*where applicable*) (district/county/subcounty/ parish/village)

   _____

   _____

5. Valid trading licence, import or export licence and date obtained (*attach a copy*)

   _____

   _____

6. Qualifications and experience of the applicant or their agent in chemical management *(Describe and attach supporting documents)*

   _____

   _____

7. Hazardous chemicals to be traded or dealt in

   _____

   _____

8. CAS number, trade name, chemical identification details and structural formula of the active ingredient

9. Composition of mixtures where appropriate_____

10. Registration number (where applicable)

11. Harmonised customs code for the hazardous chemicals in accordance with the World Customs Harmonized System code of nomenclature;

12. Port of entry

    _____

    _____

13. Quantity of the chemical to be manufactured, imported, exported, formulated, repackaged, stored or used

_____

_____

14. Purpose and intended use of the chemical, including safety precautions and safety data sheets

_____

_____

15. Proposed mode of transport, handling and storage for the chemical

_____

_____

16. Nature of packaging material that will be used for the chemical

_____

_____

17. Expected shelf-life

_____

_____

18. Measures for the containment of leakage

_____

_____

19. Take back mechanism for the packaging and expired chemicals

_____

_____

20. Proposed disposal methods of expired and unused chemicals

_____

_____

Part B: Where the application is for import of hazardous chemicals, the following shall be additional;

1. Country of origin of the chemical or product or country from which the chemical or product is consigned

_____

_____

2. Name and full address of supplier or manufacturer

_____

_____

3. Final destination for the chemical

_____

_____

4. Measures for the containment of leakage.

_____

_____

Part C: Where the application is for export;

1. Nature of chemical or product to be exported or re-exported

_____

_____

2. Country to which the chemical is to be exported or re-exported

_____

_____

3. Name and address of the intended recipient

_____

_____

4. A request for issuance of a certificate of export, accompanied with a movement document in the National Environment (Management of Hazardous Chemicals and Products Containing Hazardous Chemicals) Regulations, 2023.

_____

_____

5. Evidence that the consent of the Designated National Authority of the State to which the restricted chemical or product is to be exported and, where applicable, the country through which the applicant intends to move the restricted chemical or product, has been obtained.

_____

_____

Part D: Where the application is for manufacture of hazardous chemicals the following shall be additional.

1. Where applicable, a description of the technical competence and experience of the applicant, and proof of availability of a qualified and experienced chemist or other competent person to supervise the manufacturing process

_____

_____

2. Location of facility

_____

_____

3. Proof of the financial capacity of the applicant

_____

_____

4. Description of manufacturing facilities, equipment and processes

_____

_____

5. Intended use, method, rate *(of use)* and frequency of application

_____

_____

6. Hazard properties of the chemicals to be manufactured.

7. Copy of a certificate of approval of environmental and social assessment for the facility granted in accordance with the Act and the National Environment (Environment and Social Assessment) Regulations, 2020.

_____

_____

Part E: Where the application is for transportation of hazardous chemicals, provide the following additional information

1. Description of the nature and type of vessels and equipment to be used for transportation of the chemicals *(include registration number and model as appropriate)*

_____

_____

2. Proof of safety checks of the transportation vehicles for road worthiness and suitability to transport the chemicals from a competent Government Ministry, department or agency (*attach copy of certificate of road worthiness*)

_____

_____

3. Carriage capacity of the vessel to be used in transportation of chemicals

_____

_____

4. Quantity of chemicals per vessel to be transported (tonnes or kg per annum) and source of chemicals

_____

_____

5. Collection schedule for the transportation of the category of chemicals for which the licence is sought

_____

_____

6. Licensed sites or plant to which the chemicals are to be transported *(attach additional information if necessary*)

_____

_____

Part F: Where the application is for storage of chemicals, provide the following additional information

1. Proposed location of the storage facility *(Plot No., village, parish, sub-county, county, district/municipality)*

_____

_____

2. Description of the layout and design of the facility, including ventilation or other measures, and suitability for storage of the specified chemicals (*describe and attach proposed structural plans, including site layout and decommissioning plans*)

_____

_____

3. Source of the chemicals *(i.e. where the chemicals were collected from to the point of storage)*

_____

_____

4. Type of chemicals to be stored and describe whether liquid, solid or gaseous and their possible impacts.

_____

_____

5. Quantity of chemicals to be stored in tonnes or kg for solids; or in cm^3 if liquids or gases and capacity of disposal site

_____

_____

6. Type of containers in which the chemicals are to be packaged

_____

_____

7. Labels on the container *(describe and attach sample*)

_____

_____

8. Whether there are any other materials stored or to be stored in the facility (*describe*)

_____

_____

9. Description of the surroundings of the facility (*whether industrial, residential, commercial and whether it is near schools or recreational areas*)

_____

_____

10. Duration of storage applied for

_____

_____

11. Final destination of the chemicals

_____

_____

12. Description of safety measures at the facility

_____

_____

13. Measures for containment and treatment of leakage or leachate, if applicable

_____

_____

G. RESTRICTED CHEMICALS

Where the application is for import, export, re-export manufacture, formulate, re-package, store, sell, distribute or use of restricted chemicals a licence is required to be issued in accordance with regulation 20 and Form 1 under Schedule 5.

Provide the following additional information;

(a) an assessment to the satisfaction of the Authority, of all alternatives in order to explicitly demonstrate the need for such chemicals

(b) in the case of Persistent Organic Pollutants, obtain and register an exemption in line with the Stockholm Convention on Persistent Organic Pollutants, 2004

(c) obtain and register an exemption under the Minamata Convention on Mercury, 2013 for mercury and mercury compound related chemicals,

(d) obtain and register exemptions for other chemicals as required by other international conventions to which Uganda is a Party and other applicable written law

F. Facility Compliance Record in the case of renewal of licence.

1. Is the chemical management facility in operation? Yes _____ No _____ Partially _____ (*Tick as appropriate*)

(a). If Yes, please provide date when the chemical management facility started operation.

_____

_____

(b). If partially, provide details

_____

_____

(c). If no, please provide reasons for non-operation.

_____

_____

2. Is an Environment Management System (EMS), including a risk management plan, established and implemented for the facility?
Yes_____ No_____

(a) If yes, provide summary of the Environmental Policy, and level of implementation of the EMS.

_____

_____

3. Is the environmental management and monitoring plan up to date?
Yes _____ No _____ *(Tick as appropriate)*

If no, indicate how it will be updated if the chemical management facility licence is renewed.

_____

_____

4. Will the renewal of the licence come with new developments or modification of the chemical management facility?
Yes _____ No _____ Partially _____ (*Tick as appropriate*)

If Yes, attach a report of the developments or modifications

_____

_____

Part H: Final provisions and attachments

1. Any other information/approvals

_____

_____

2. Attach a copy of the current licence (*if application is for renewal*)

_____

_____

3. Attach evidence of compliance with the conditions of a licence to be renewed including, where applicable, a summary of the most

recent environmental compliance audit report and where available, the response of the Authority to the audit report *(if application is for renewal)*

4. Attach a copy of the most recent annual report *(if application is for renewal)*

5. Where applicable, attach a confirmation of the financial security *(if application is for renewal)*

6. Attach a record of safety equipment and measures applied before, including the best available technology and best environment management practices *(if the application is for renewal)*.

_____

_____

I declare that the information stated in this application is true and correct to the best of my knowledge.

Signature: _____

Name of applicant_____

Designation of applicant_____

Contact information (*phone number, e-mail and other*)

_____

_____

Date*:* _____

Note:

1. *The applicant shall lodge an application for renewal of a licence within sixty days prior to the expiry of the current licence.*
2. *The applicant shall be notified in writing where the Authority rejects the application for renewal of the licence, with reasons for the rejection.*
3. *If the renewal of the licence is approved, a new licence shall be issued.*

4. *If the information given in the application is false, misleading, wrong or incomplete it may lead to a rejection of the application or the suspension, withdrawal, amendment or cancellation of a licence, if granted.*
5. *This form must be submitted in triplicate on payment of the prescribed fees to the Authority*

(For Official Use Only)

Comments of the lead agency (*attach additional comment as necessary*)

_____
_____
_____
_____

Where applicable, comments from the public (*attach additional comments as necessary*)

_____
_____
_____
_____

Application received on _____20_____

Fee paid Shs _____ (*in words*) _____
_____

Inspections of the Authority

_____
_____

In respect of an application for storage of chemicals–

1. Type of facility
_____
_____

2. Adequacy of the facility
The availability of adequate and appropriate facilities and equipment to transport and store chemicals for which the application is made.

_____
_____

In respect of an application for transportation of chemicals—

1. Registration number and model of vessels to transport chemicals

_____
_____

2. Proof of safety checks of the transportation vessels for road worthiness and suitability to transport the chemicals from a competent authority (*attach additional information if necessary*)

_____
_____

Comments of the Authority (*attach additional comment as necessary*)

_____
_____

Decision of the technical committee on management of chemicals

_____
_____

Date _____ _____

Executive Director

FORM 2

Regulation 24(1).

LICENCE TO DEAL IN IMPORT/MANUFACTURE/FORMULATE/ RE-PACKAGE STOREE/SELL/DISTRIBUTE/EXPORT/RE-EXPORT/USE HAZARDOUS CHEMICALS

Licence No: NEMA/HC/_____

Name _____

Physical address_____

Postal address _____

(Plot No., village, parish, sub-county, county, district/municipality)

Contact phone number _____

Tax Identification Number _____

You are hereby licensed to import/manufacture/formulate/re-package/store/ sell/distribute/export/re-export/use the following hazardous chemicals;

1. _____

2. _____

3. _____

If import/export/re-export:

From or to _____ *(country and user, as appropriate)*

1. Particulars of transporter:

   Name of transporter _____

   Physical address _____

   Postal address _____

   Contact phone number _____

   Tax identification number_____

2. Mode of transport _____

3. Port of shipment _____

4. Designated port of entry/exit _____

5. Marks and Numbers:

   (a) Number and kind of packages

   _____

   (b) Description of substance/product:

   _____

6. Customs Tariff Code: _____

7. Origin criterion: _____

8. Gross weight/other quantity: _____

9. Value (UGX/USH): _____

10. Invoice No: _____Date: _____

11. Declaration by exporter:

    I, the undersigned, hereby declare that the above details and statements are correct; and that all the substances/products are produced/ assembled/obtained from (*name of place/origin of substance/product)*

    _____

    Date: _____

    _____

    Declarant's Signature and Stamp:

    Name of Exporter: _____

    Stamp/Seal

TR/ST/CM*

If transportation or distribution of chemicals:

From or to_____(*location/ village, parish, sub-county, county, district/municipality)* from _____*(location/village, parish, sub-county, county, district/municipality).*

Type and registration number of vehicles licensed *(describe details)*

_____
(*Attach details of journey management plan, if any)*

If storage of chemicals:

You are hereby licensed to operate a storage facility at _____ (*location/ village, parish, sub-county, county, district/municipality).*

Other details:

Approved common name and CAS No. of chemical:

_____
_____

Trade name under which marketed in Uganda:

_____
_____

Active ingredient(s):

_____
_____

Formulation:

_____
_____

This licence is valid from _____20_____ to _____20_____

This licence is granted subject to the following conditions:

_____

_____

Date: _____ *Signature:* _____

EXECUTIVE DIRECTOR,
National Environment Management Authority.

*TR/ST/CM

TR – transport

ST – storage

CM – chemical manufacture

Note:

(1) This licence is not transferable to any person without the approval of the Authority.

(2) This licence is given on the basis of the information given in the application for import/manufacture/formulate/re-package/store/sell/distribute/export/re-export/use hazardous chemicals dated ……

(3) This licence will be revoked if the applicant is found to be in violation of the conditions in the licence.

FORM 3

Regulation 27(3)

APPLICATION FOR VARIATION OF LICENCE

Details of applicant

Name of applicant _____

Legal status of applicant _____

TIN _____

Physical / postal address _____

_____

Telephone No._____ Fax No._____

E-mail _____

Details of current licence

Reference No. of current licence. _____

Date of issue of current licence.

_____

Previous applications *(where applicable)* _____

_____

_____

_____

Was the licence previously varied? *(Indicate dates and details of variation)*

_____

_____

_____

Proposed variations to conditions in current licence

Requested variation(s) *(specify)* _____

_____

_____

_____

Justification for variation(s) _____

_____ _____

_____
_____

(Attach other information, if necessary)
Implication of the variation(s) on the surrounding community and the environment

_____
_____
_____

(Attach other information, if necessary)

Describe any additional measures proposed to eliminate, reduce or control any adverse environmental and social impacts arising from the proposed variation(s)

_____
_____
_____
_____

(Attach other information, if necessary)

Declaration by applicant

I hereby certify that the particulars given above are correct and true to the best of my knowledge and belief.

Dated this.....day of.....20.....

Name

_____

Designation Signature

Note:

This Form must be submitted in duplicate on payment of the prescribed fees to the Authority.

FORM 4

Regulations 41(2) and 42(1)(b)

NOTIFICATION FOR TRANSBOUNDARY MOVEMENT OF HAZARDOUS CHEMICALS.

(To be filled in Quadruplicate)

(For transit purposes only)

1. NOTIFIER 1

Name: _____

Telephone: _____

Postal and physical address: _____

E-mail: _____

Contact person (name, address, fax, e-mail):

Name: _____

Telephone: _____

Postal and physical address: _____

E-mail: _____

2. MANUFACTURER/FORMULATOR(S) OF CHEMICAL

Name: _____

Telephone:_____

Postal and physical address: _____

E-mail: _____

Contact person:
Name: _____

Telephone: _____

Postal and physical address: _____

E-mail: _____

(Physical location of the premises)

_____

3. HAZARDOUS CHEMICALS

Description of chemical:

_____

_____

Chemical name and structural formulae of active ingredients:

_____

_____

Trade and approved common name:

_____

_____

Classification of chemical:

(a) Use:

_____

_____

(b) Natural hazard:

_____

_____

(c) Source:

_____

_____

(d) CAS No.:

_____

_____

Registration No. and references of the chemical in country of origin:

_____-

_____

Estimated quantity (kg or L) of the shipment:

_____

_____

Description of Packaging

(a) size: _____

(b) material: _____

(c) lining number of packages: _____

Precaution and safety measures for handling chemicals and products including emergency provisions in case of accidents:

_____

_____

4. CONSENT OF DESIGNATED NATIONAL AUTHORITY

National Authority and details of approval:

_____

_____

5. TRANSIT

Projected length of time the chemical shipment shall be in transit on Uganda territory:

_____

_____

Expected date of entry:_____

Expected date of exit: _____

Means of transport envisaged:

_____

_____

Information relating to insurance (guarantee that the person responsible shall fully compensate any damage caused to human health, property or to the chemical in question during transit)

6. DECLARATION

I/We ..... being the notifier hereby guarantee/declare that the above information is correct and true.

Signed: (Notifier): _____

FORM 5

Regulation 42(1)(a)

MOVEMENT DOCUMENT FOR HAZARDOUS CHEMICALS

(To be completed in duplicate)

<table>
<tr><td>1. Corresponding to notification No:</td><td colspan="2">2. Serial/total number of shipments:</td></tr>
<tr><td>3. Exporter - notifier

Registration No:
Name:
Address:
Contact person:
Tel:
Fax:
E-mail:</td><td colspan="2">4. Importer - consignee
Registration No:
Name:
Address:
Contact person:
Tel:
Fax:
E-mail:</td></tr>
<tr><td colspan="3">5. Packaging Type(s):
Number of packages:
Weight (kgs):
Special handling requirements: Yes : 1/No:1</td></tr>
<tr><td colspan="3">6. To be completed by transporter's representative</td></tr>
<tr><td>6. (a) 1st Transporter):

Registration No:

Name:
Address:

Tel:
Fax:
E-mail:
Means of transport (1):
Date of transfer:
……
Signature:
……</td><td>6. (b) 2nd Transporter:

Registration No:
Name:
Address:

Tel:
Fax:
E-mail:
Means of transport (1):
Date of transfer:
Signature: …….</td><td>6. (c) Last Transporter:

Registration No:
Name:
Address:

Tel:
Fax:
E-mail:
Means of transport (1):
Date of transfer: …….
Signature:
……</td></tr>
</table>

7. Source of chemical: Registration No: Name: Address: Contact person: Tel: Fax: E-mail: **Site of generation *(2)*:**	**8. Physical characteristics of chemical:**
9. Designation and composition of chemical:	**10. Chemical identification *(fill in relevant codes)*** (a) UN class: (b) UN Number: (c) UN Shipping name: (d) Customs code(s) (HS): National code in country of export: National code in country of import: (e) Other (specify):
11. Exporter's - notifier's declaration: I certify that the above information is complete and correct to the best of my knowledge. I also certify that legally enforceable written contractual obligations have been entered into, that any applicable insurance or other financial guarantee is in force covering the transboundary movement and that all necessary consents have been received from the competent authorities of the countries concerned. Signature: Name: Date:	
For use by any person involved in transboundary movement in case additional information is required **12. Shipment received by importer - consignee (if not facility):** Name: Date: Signature:	

<table>
<tr><td colspan="4">FOR USE BY CUSTOMS OFFICES</td></tr>
<tr><td colspan="2">13. Country of export - dispatch or customs office of exit
The chemical described in this movement document left the country on:
Date:
Signature:
Stamp</td><td colspan="2">14. Country of import - destination or customs office of entry
The chemical described in this movement document entered the country on:
Date:
Signature:
Stamp</td></tr>
<tr><td colspan="4">Stamps of Customs Offices of transit countries</td></tr>
<tr><td>Name of country:
Entry port:</td><td>Exit port:</td><td>Name of country:
Entry port:</td><td>Exit port:</td></tr>
</table>

SCHEDULE 6

Regulations 16(1), 27(4), 29(3)(e) and 47(3).

FEES

			Shs.
1.	Application for licence		100,000.
2.	Licence fee		
	(a)	Import of chemicals	800,000.
	(b)	Manufacture or formulation of chemicals,	800,000
	(c)	Re-packaging, store or use of chemicals	500,000.
	(d)	Export of chemicals	500,000.
3.	Transboundary movement of chemicals Movement document for transboundary movement of chemicals		500,000.
4.	Information on the chemicals register cost of reproduction, where applicable		

Rationale of fees: to cover administrative costs for processing the application, including inspections and sittings of the technical committee on pollution control.

SCHEDULE 7

Regulation 21(2)(a)

FORMAT FOR FINANCIAL SECURITY

[*The Guarantee Bank's headed paper*]
Representing the Republic of Uganda
The National Environment Management Authority (NEMA)
[*Date*]
ON DEMAND BANK GUARANTEE
BANK GUARANTEE NO.: [XX-XX] IN THE AMOUNT OF [USD/ UGX] [● *insert amount*] (THE "GUARANTEED AMOUNT")
BENEFICIARY: THE NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)
(REPRESENTING THE REPUBLIC OF UGANDA) (THE "BENEFICIARY")
[● ***Name of Guarantee Bank***], [business/company/etc.] registration no. , as applicable [●] a [commercial bank] incorporated under the laws of [●] with its registered address at [●] (the "**Guarantor**") hereby guarantees to the Beneficiary the obligations of [● *Name of company*] ([● *nationality*] [business/company/etc.] no. [●]) (the "**Company**") with respect to certain responsibilities of the Company as the holder of a licence to manage waste under the National Environment (Waste Management) Regulations, 2020 (Regulation No. [●] of 2020) (the "**Regulations**") and in accordance with the terms of licence no. [● *Insert reference to the waste management licence (or references)*] (the "**Licence**") granted by the Beneficiary under the terms of the Regulations and in accordance with the [National Environment, Act 2019].
This Guarantee is given for the purpose of fulfilling the requirements set out in: [(1)] regulation 15(1) of the Regulations and (2) the terms of the Licence.

Other terms of this Guarantee:
1. The Guarantor's maximum liability hereunder is limited to the Guaranteed Amount. The Guaranteed Amount may only be reduced with the prior written consent of the Beneficiary. Any payments by the Guarantor under this Guarantee will reduce the Guaranteed Amount with a corresponding amount.
2. This guarantee is an irrevocable and unconditional on-demand

guarantee. Set-off, counter-claim and other deductions are not permitted and the Guaranteed Amount shall be paid to the Beneficiary in accordance with the provisions of Clause 4 below without any deductions whatsoever.

3. A claim for payment under this Guarantee by the Beneficiary shall be in writing, setting out the amounts to be paid together with a statement from the Beneficiary that the amount is due for payment.
4. The claim for payment must be presented by the close of regular business hours on the expiry date set out in Clause 5 below.
5. The Guaranteed Amount, or such lower amount as may be claimed by the Beneficiary, shall be paid within three business days of demand for payment.
6. The Beneficiary may make multiple demands hereunder, limited upwards to the Guaranteed Amount.
7. This Guarantee will expire on [● *Date*] and will automatically be renewed, on an annual basis, until [20●●] or [● *state event*] when the Guarantee will lapse without further notice.
8. The Guarantor may terminate the Guarantee by giving six months' notice to the Beneficiary prior to the date of its annual renewal. [*The notice period may be less than 6 months depending on the activity guaranteed*]
9. If the Guarantee is terminated by the Guarantor, the Guarantee shall nevertheless remain in full force and effect until the ensuing annual renewal date.
10. All notices, requests, demands and other communication required or permitted under this Guarantee shall be in writing and shall be deemed to have been received when (i) delivered by hand or courier to the recipient; (ii) when received via electronic mail (provided that such electronic mail is actually delivered and receipt thereof is acknowledged); or (iii) [● *insert number of days*] after the date when posted by [registered / air] mail, with postage prepaid, to all addresses as ascribed below:

    In case of the Beneficiary:

    [● *insert address*]

    In case of the Guarantor:

    [● *insert address*]
11. If the Guarantee has been terminated in accordance with Clause 8 above, the Beneficiary may present a demand under the Guarantee for the full Guaranteed Amount, irrespective of whether the Company

fulfils its obligations. The Beneficiary may retain the Guaranteed Amount paid by the Guarantor as security for future obligations for as long as the Company shall provide security to the Beneficiary under the terms of the Licence.

12. This Guarantee and any non-contractual obligations arising out of or in connection with it shall be governed by, and construed in accordance with the laws of [●].

13. The Guarantor hereby submits to the jurisdiction of [●].

[Date/Place]

[**BANK**]

_____

_____

Signature

Name in block letters:

SCHEDULE 8

Regulation 32(3)(d)

PICTOGRAMS AND SYMBOLS FOR LABELLING OF HAZARDOUS CHEMICALS

Pictogram	Symbol	Hazard class
	Exploding Bomb	• Explosives • Self-Reactive substances and mixtures • Organic Peroxides
	Flame	• Flammables • Pyrophorics • Self-Heating substances or mixtures • Substances which, in contact with water, emit flammable gases • Self-Reactive substances or mixtures • Organic peroxides • Chemicals under pressure • Aerosols
	Flame Over Circle	• Oxidizers

	Gas Cylinder	• Gases under pressure
	Corrosion	• Skin corrosion or irrritation • Eye damage or irritation • Corrosive to Metals
	Skull and Crossbones	• Acute toxicity (fatal or toxic)
	Exclamation Mark	• Irritant (skin and eye) • Skin sensitization or irritatoin • Acute toxicity (harmful) • Narcotic effects • Respiratory tract irritant • Hazardous to ozone Layer

	Health Hazard	• Carcinogenicity • Mutagenicity • Reproductive toxicity • Respiratory sensitization • Specific target organ toxicity • Aspiration hazard
	Environment	• Aquatic toxicity (acute and chronic)

SCHEDULE 9

Regulation 40(2).

DESIGNATED PORTS OF ENTRY AND EXIT

1. Malaba
2. Busia
3. Mpondwe
4. Katuna
5. Entebbe International Airport
6. Kabalega International Airport
7. Mutukula
8. Port Bell
9. Mirama Hills
10. Elegu
11. Goli
12. Vurra
13. Kampala
14. Jinja
15. Mbarara
16. Mombasa
17. Dar es Salaam

SCHEDULE 10

Regulation 52(1)

FORMAT FOR REPORTING ON HAZARDOUS CHEMICALS AND CHEMICAL PRODUCTS ACTIVITIES.

Part I: General information

Name of company/firm or individual:

……

……

Type of licence held by the company/firm/individual:

……

Number of operational days in the reporting year:

……..

Type of chemical	Category of classification	Source of export or import (specify)	Intended use	Mode of transportation	Safety precautions	Labelling	Possible market/ user	Mitigation measures to protect human health/ environment

Part II – Specific information

Name of chemical or product/CAS number	Amount of chemicals and products produced	Storage of chemicals			Amount of chemicals and products transported for distribution	Amount of chemicals and products exported
		Maximum amount stored during the year	Amount stored on 1st January	Amount stored on 31st December		

Areas of improvement:

_____

_____

Incidents/near misses including response measures:

_____

_____

Discharges per annum			
Chemical	**Average concentration**	**Maximum concentration**	**Total amount**
Specific chemical being manufactured and formulated			
Any other chemical (*specify*)…			

Emissions			
Compound	**Average concentration**	**Maximum concentration**	**Total amount**
Dust/ particles			

Any other relevant information:

……

……

Cross References

Constitution
Access to Information Act, 2005, Act 6 of 2005
External Trade Act, Cap. 88
Inland Water Transport Act, 2021, Act 18 of 2021
National Environment (Environmental and Social Assessment) Regulations, S.I. No. 143 of 2020.
National Environment (Management of Ozone Depleting Substances and Products) Regulations, 2020, S.I No. 48 of 2020
National Environment (Waste Management) Regulations, S.I. No. 49 of 2020.
National Environment Act, 2019, Act 5 of 2019.
Occupational Safety and Health Act 2006, Act No. 9 of 2006
Roads Act, 2019, Act 16 of 2019
Uganda National Bureau of Standards Act, Cap 327.
Uganda Revenue Authority Act, Cap. 196.
Minamata Convention on Mercury
Rotterdam Convention
Stockholm Convention

HON. SAM CHEPTORIS,
Minister of Water and Environment.