



## SCHEDULE 3

### FORM 2

*Regulations 25(1).*

## CERTIFICATE OF APPROVAL OF PROJECT BRIEF/ ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT

Certificate No. \_\_\_\_\_

This is to certify that the Project Brief/Environmental and Social Impact Statement  
(*delete as appropriate*) received from:

M/S, Mr. Ms \_\_\_\_\_ (*delete as appropriate*) of  
\_\_\_\_\_ submitted to National Environment  
Management Authority (NEMA) in accordance with the National Environment  
Act, 2019 and the National Environment (Environmental and Social Assessment)  
Regulations, 2020, regarding:

\_\_\_\_\_  
(*state title of project*)

briefly described as \_\_\_\_\_

\_\_\_\_\_  
(*describe nature, purpose*)

located at \_\_\_\_\_

(*including coordinates, plot and block number/village/parish/ward/subcounty/  
division/county/district, and size of plot and site layout plan*), has been reviewed.

(*For type of document indicated below, choose which document is relevant/  
relates to the Certificate*)

**For project briefs –**

1. The project brief discloses sufficient mitigation measures to cope with the anticipated impacts.
2. The project will have no adverse impacts on the environment.

**Project brief/detailed environmental and social impact assessment**  
(*delete as appropriate*)





1. The mitigation measures identified below were made a condition precedent for approval and implementation of the project/extension of the validity of the Certificate of Approval.

\_\_\_\_\_

\_\_\_\_\_

This Certificate is subject to all the attached conditions of approval

Dated at \_\_\_\_\_ on \_\_\_\_\_ of \_\_\_\_\_ 20 \_\_\_\_\_

Signed: \_\_\_\_\_

Seal: \_\_\_\_\_

Executive Director, NEMA

**CONDITIONS OF APPROVAL**

*(Additional Information Sheet)*

In addition to implementing the mitigation measures and the Environment Management and Monitoring Plan outlined in the Project Brief/Environmental and Social Impact Statement (delete as appropriate), this Certificate of Approval of Environmental and Social Impact Assessment is granted/varied/extended on condition that the developer \_\_\_\_\_ (name of developer) shall comply with approval conditions stated below.

**ADMINISTRATIVE REQUIREMENTS**

- 1. This Certificate of Approval is valid for a period not exceeding ten years.
- 2. This Certificate of Approval is valid only in respect to the project and the project site location approved by the Authority.

*Where it is a variation the statement may read;* This Certificate of Approval is valid only in respect to the project and the project site location approved by the Authority in the original certificate issued to the developer (or other if the name has changed) on ..... (dd/ mm/yr)





3. Issuance of this Certificate of Approval is based on the content or information contained in the project brief/environmental impact statement as submitted by the Developer on (dd/mm/yr) \_\_\_\_\_
4. The Developer, \_\_\_\_\_, shall be held responsible for any omissions, falsified information or any other anomalies that are contrary to the relevant laws governing this Project.
5. Where the developer does not commence activities under the approved project within twelve months from the date of issuance of the Certificate of Approval of Environmental and Social Impact Assessment, the Certificate shall be rendered invalid, and the Developer shall be required to undertake another Environmental and Social Assessment.
6. Note that this Certificate of Approval may be revised upon request or when project area/site conditions change.
7. The Executive Director shall be notified of any transfer or surrender of this Certificate of Approval of Environmental and Social Impact Assessment or/and variation/alteration of the project design or components of the project design.

## **CONDITIONS OF APPROVAL**

This section provides for Specific Conditions, General Conditions, and conditions that apply to each phase of the project.

### Specific Conditions (Examples)

*(These should be required by law and should include project specific conditions.)*

The specific conditions required by law include the requirement to—

1. Observe all relevant national laws and standards that guide the project throughout its life cycle.
2. Obtain all permits and licences required under relevant laws



3. Adhere to the environmental management and monitoring plan and constantly improve and update them by taking into account any new developments.
4. Adhere to the current environment management system and ensure it is continuously updated and improved, taking into account any new developments, including best available technologies and best environmental management practices.
5. Adhere to all proposed mitigation measures in the project brief/environmental and social impact statement/environmental risk assessment.
6. Specific conditions related to the nature of the project.
7. Conditions relating to climate benefits and negative climate impacts of the project, including carbon footprints, and specific adaptation and mitigation measures.
8. Other project specific conditions relevant to the nature of project (for example, for fuel filling station, manufacturing industry, waste treatment, mining, wildlife/nature conservation, hydropower generation).
9. In accordance with regulation 21(1)(m) of the National Environment (Environmental and Social Assessment) Regulations, 2020, ensure that any other undesirable impacts that may arise at project implementation, but were not contemplated at the time of undertaking the initial environmental and social impact assessment or by the time of extension of the validity of the Certificate of Approval, are mitigated.
10. Display of the Certificate of Approval of environmental and social impact assessment at the project site at all times.
11. Seek written approval from this Authority for any operational changes under this Certificate.

Depending on the project, the conditions listed below may be considered either as specific conditions or general conditions of approval;

*(Examples)*





1. Address social concerns, including impacts on human health, cultural and natural heritage, human settlements, population structure (gender, age, vulnerable groups) during the life-cycle of the project.
2. Put in place a grievance resolution mechanism to address disputes that may arise.
3. Put in place a compensation plan or resettlement action plan to cater for identified project-affected persons in accordance with the applicable laws.
4. Ensure proper management of waste in accordance with the applicable laws and standards.
5. Ensure control of emissions of noise, dust or particulate matter and vibrations, effluent or waste-water discharge, in accordance with the applicable laws and standards.
6. Keep all appropriate records required, in accordance with the applicable laws, and accessible to the Authority where required.
7. Ensure that any other undesirable environmental impacts that may arise due to implementing this project but were not contemplated at the time of approval of this project/activity, are mitigated.

The Phases of the project below (*fill in as appropriate, under the relevant phase applicable to the project – either construction or operational phase, or both*)

## **CONSTRUCTION CONDITIONS OF APPROVAL**

In this phase, the following shall be considered, among others—

1. Provision of decent work conditions and clear terms and conditions of employment that cater for all employees and workforce, in accordance with the Employment Regulations, 2011.
2. No use of child labour during project execution, in accordance with the Children Act.
3. Putting in place measures or systems for handling all forms of waste, both hazardous and non-hazardous waste, in accordance with the National Environment (Waste Management) Regulations, 2020;



4. Protection of any public utilities around the project area in liaison with the authorities responsible for the provision of such facilities.
5. Putting in place a proper drainage system to handle storm–water runoff, and use appropriate methods to control soil erosion.

**OPERATIONAL CONDITIONS OF APPROVAL**

In this phase, the following shall be considered, among others—

1. Putting in place a compliance monitoring programme relating to the parameters relevant to the nature of project as indicated in the table below (*insert the table containing the parameters to be monitored*).
2. Having in place awareness and prevention programme for HIV/AIDS, sexually transmitted diseases (STDs) and Hepatitis-B, (*add or delete as appropriate*) for both the workers and neighbouring community, and programmes for family work-life balance and workplace wellness, to address impacts of lifestyle and social ill-behaviour;

**NOTIFICATION CONDITIONS OF APPROVAL**

Notifications may relate to:

- (i). approvals for operational changes to the project;
- (ii). malfunctioning of any component of the project and mitigation measures put in place;
- (iii). intent to decommission within a stated time period;
- (iv). any other factor the Authority may consider necessary.

**DECOMMISSIONING, RESTORATION AND AFTER-CARE**

1. A comprehensive decommissioning plan should be submitted for approval within ..... (*indicate time frame*).
2. There should be an undertaking to decommission the project in a manner prescribed under the Act and relevant regulations, or as shall be prescribed by the relevant lead agency
3. Restore all parts of the project site laid bare during construction phase





3. or decommissioning phase of the project.

### **FINANCIAL SECURITY (*AS APPLICABLE*)**

Include requirement for financial security in accordance with the Act, where applicable.

DATED at \_\_\_\_\_ (place) this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

Signed:

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**EXECUTIVE DIRECTOR**

Note:

1. Certificate to be copied to relevant lead agencies.
2. In the event of variation of this Certificate, the developer shall return the original copy of this Certificate to the Authority and a replacement certificate may be issued.

### **IN CASE OF VARIATION OF THE CERTIFICATE BY REPLACEMENT WITH ANOTHER CERTIFICATE;**

1. The preambular text above the administrative conditions in the Certificate shall reflect the following indicative text, which can be rephrased as necessary;
  - (i) This certificate replaces and supersedes Certificate No. ....issued on ..... to .....
  - (ii) The name of the developer is ..... or changes from ..... to ....
2. The following new and varied conditions apply to the project;
  - (a) Administrative requirements;
  - (b) Specific conditions of approval;
  - (c) Construction and operational conditions of approval;



- (i) Environment Management System and environmental policy shall be updated and implemented (if that is necessary);
- (ii) The Environment management and monitoring plan shall be updated and implemented (if that is necessary);
- (iii) Environmental health and safety plan;
- (iv) other conditions as the Authority may be determine;
- (d) General conditions of approval;
- (e) Decommissioning, restoration and after-care phase conditions.

The following variation statement should be included;

*The variation of the certificate of approval of environmental and social impact assessment is without prejudice to any liabilities or obligations which have accrued on the developer before the variation of the certificate.*