

Environment Protection (Containers) Regulations

[30th April 2001]

1. These Regulations may be cited as the Environment Protection (Containers) Regulations.

2. In these Regulations -

“Administrator” means the Director General of the Environment Division of the Ministry of Environment and Transport or such other officer as may be so designated by the Minister;

“Container” means a large receptacle of standard design used for transportation of goods.

3. (1) These Regulations shall apply to all containers except those that are being used for the transportation of goods and those that are kept at container yards.

(2) In the event of any dispute as to the applicability of these Regulations to a particular container the Administrator’s determination shall be final and conclusive.

4. (1) No person shall have in that person’s custody, or possess or use, a container to which these Regulations apply otherwise than under and in accordance with the conditions of a permit issued under these Regulations.

(2) The conditions of a permit shall relate to the siting, use, maintenance and disposal of the container in respect of which the permit is given.

(3) This regulation shall not be enforced until thirty days have passed after the coming into operation of these Regulations.

5. A person may apply to the Administrator for a permit under these Regulations stating -

(a) the name and address of the applicant;

(b) the premises where the container is kept;

(c) the purpose for which the container is used or its proposed to be used;

(d) the manner of disposal of the container.

6. Where, on the coming into operation of these Regulations, a person has in that person’s custody or possesses or uses a container to which these Regulations apply, that person shall be deemed to have complied with Regulation 4, if an application is made by that person within

30 days after the coming into operation of these Regulations, and a written acknowledgement of the application is obtained by that person.

7. (1) If an application for a permit under these Regulations is not granted, the Administrator may by written notice, direct the applicant to dispose of the container in such manner and within such period as may be specified in the notice.

(2) If a container is not sited, used or maintained in accordance with the conditions of a permit, the Administrator may by written notice direct the permit holder to dispose of the container within the period specified in the notice.

(3) The Administrator may by written notice direct -

(a) a person who appears to be in contravention of regulation 4(1) to comply with that regulation within such period as may be specified in the notice;

(b) the owner of any abandoned container to remove or dispose of the container in such manner and within such period as may be specified in the notice.

8. A person who contravenes regulation 4 or a direction under regulation 7 shall be guilty of an offence, and shall on conviction be liable to a fine not exceeding R20,000.
