

2006

**SOLID WASTE MANAGEMENT ACT 1  
(VALIDATION)**

1

**COMMONWEALTH OF DOMINICA**

ACT No. 1 OF 2006

*I Assent*



**N. J. O LIVERPOOL**  
*President*

14<sup>th</sup> March, 2006.

**AN ACT TO VALIDATE THE OPERATION OF THE  
SOLID WASTE MANAGEMENT ACT 2002 AND  
TO PROVIDE FOR MATTERS INCIDENTAL  
THERE TO.**

(Gazetted 23<sup>rd</sup> March, 2006)

Be it enacted by the Parliament of the Commonwealth of  
Dominica as follows:

1. This Act may be cited as the -

Short title.

**SOLID WASTE MANAGEMENT  
(VALIDATION) ACT, 2006**

Interpretation.  
(No. 1 of 2002).

**2.** In this Act “the Act” means the Solid Waste Management Act, 2002.

Act deemed to have come into force on 31<sup>st</sup> January 2002.

**3.** Notwithstanding anything in section 56 of the Act, the Act shall be deemed to have come into force on 31<sup>st</sup> January 2002 and accordingly any act done by any person or authority or any levy collected in pursuance of the Act from 31<sup>st</sup> January 2002 up to the date this Act comes into force shall not be deemed invalid for the reason that the Act was not brought into force as provided for in section 56 of the Act.

Amendment of section 47 of the Act.

**4.** The Act is amended in section 47 -

(a) by renumbering that section as subsection (1) of that section.

(b) by deleting in paragraph (n) the word “and”;

(c) by deleting in paragraph (o) the words “facilities.” and substituting the words “facilities; and”;

(d) inserting the following after paragraph (o)

“(p) prescribing fees for collection of garbage from residential and commercial premises.”

(e) by inserting the following as subsection (2).

“(2) A person who fails to pay the prescribed fees under regulations made under subsection (1) commits an offence and is liable on summary conviction to a fine of two thousand dollars.”

Amendment of section 49 of the Act.

**5.** The Act is amended in section 49 by deleting the words “Schedule 1 and 6” and substituting the words “Schedule 1, 6 and 7”.

6. The Act is amended by inserting after section 51 the following new section.

Insertion of new section 51A in the Act.

Environmental  
Surcharge.

“ 51A. (1) An environmental surcharge is hereby imposed on goods imported into Dominica falling under Tariff Heading set out under Column I, described in the corresponding entry in Column II, at such rates set out in the corresponding entry in column III of Schedule 7.

(2) The surcharge imposed by subsection (1) shall be paid by the importer to the Comptroller of Customs on importation of the goods as if it is duty under the Customs (Control and Management) Act and shall be paid by the manufacturer to the Comptroller on or before the tenth day of the month following the month in which the goods are sold and so on.

(3) For the purpose of Schedule 7 the age of motor vehicle shall be computed from the last day of the year of manufacture.

(4) The Minister may by Order subject to Negative Resolution of Parliament amend Schedule 7.”

7. The Act is amended by inserting the following Schedule after Schedule 6

Insertion of schedule 7 in the Act.

**“ SCHEDULE 7**

Column I	Column II	Column III
Tariff Heading	Description of goods	Rates
40:12	Tyres (used)	\$10.00 per unit
84:18	Refrigerators and Freezers (used)	\$ 20.00 per unit

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85:07	Electric accumulators (batteries)	\$10.00 per unit
87:01 to 87:05	motor vehicles manufactured five years or more	\$ 3000.00 per unit
87:01 to 87:05	motor vehicle manufactured less than five years	1.0 % of cif value
2710-11-30	motor spirit (gasoline)	\$0.12 per imperial Gallon
2710-11-90	exported under the processing agreement	\$0.12 per imperial Gallon
	Empty containers made of any materials, including but not limited to plastics, glass, metal, pasteboard cardboard or wood agreement	1.5% of cif value
	Goods in containers and or packages made of any materials including but not limited to plastics, glass, metal pasteboard, cardboard, or wood	1.5.% of cif value
	All other goods	1.0% of cif value

The above shall not apply to the goods set out below whether imported into Dominica in containers or otherwise:

- (a) milk, sugar, rice, flour or pharmaceuticals;
- (b) raw materials and packing materials imported for use in the manufacture of goods by locally registered manufacturers;

- (c) raw materials and packing materials imported for use in the Agricultural industry;
- (d) raw materials and packaging materials for purposes of the manufacture of goods for export;
- (e) goods temporarily imported to be re-exported in the same form and packing in which they were imported.

8. Section 6 and 7 shall come into force on March 1, 2006.

Section 6 and 7 shall  
come into force on March  
1, 2006.

Passed in the House of Assembly this 22<sup>nd</sup> day of February, 2006.

ALEX F. PHILLIP (MRS.)  
*Clerk of the House of Assembly*

**DOMINICA**

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