

THE ENVIRONMENT PROTECTION ACT 1991

Regulations made by the Tribunal under section 50 of the
Environment Protection Act 1991

1. These regulations may be cited as the Environment Appeal Tribunal Rules of Procedure) Regulations 1993.
2. In these regulations:-

"Act" means the Environment Protection Act 1991;

"Secretary" means a public officer designated as such by the Minister.
3. Any aggrieved person who wishes to appeal to the Tribunal shall:-
 - (a) give notice of appeal in the form set out in the First Schedule by lodging the notice within 30 days of the decision, direction, order, or notice referred to in section 46(1) of the Act with the secretary;
 - (b) at the same time, send a copy of the notice of appeal to the respondent.
4. The secretary shall on receipt of the notice of appeal, give not less than 15 days notice of the date, time and place fixed for the hearing of such appeal to the appellant and the respondent.
5. Either party may be represented by counsel or attorney or any other person duly authorised by him.
6. The secretary shall:-
 - (a) send a certified copy of the determination of the Tribunal to the appellant and to the respondent;
 - (b) draw the attention of the parties to the right of appeal against the determination as provided under section 49 of the Act.
7. Any member of the Tribunal or officer appointed by the Minister under section 45(2)(b) of the Act:-
 - (a) shall, before he begins to perform his duties under the Act, make a declaration of fidelity and secrecy in the form set out in the Second Schedule;
 - (b) shall maintain and help in maintaining the secrecy of any matter arising out of the business of the Tribunal;
 - (c) shall not communicate to any person any information about such matter except in the performance of his duties under the Act.

Made by the Tribunal on 29 December 1993, and approved by the Minister on 30 December 1993.

FIRST SCHEDULE
(regulation 3)

THE ENVIRONMENT APPEAL TRIBUNAL

Notice of appeal under section 46(2) of the Environment Protection Act 1991 against, direction, order, or notice referred to in section 46(1) of the Act.

1. I/We..... of
(name of appellant(s)) (address(es) of appellant(s))

.....
hereby appeal against the decision/direction/order/notice* of the
.....
(name of respondent)

dated

2. Particulars of the decision/direction/order/notice* appealed against

.....

3. Grounds of appeal.....

.....

.....

* Grounds of appeal to be set out in detail

Name

Signature

SECOND SCHEDULE
(regulation 7)

IN THE DISTRICT COURT OF PORT LOUIS
DECLARATION OF FIDELITY AND SECRECY

I,
declare that I will well and truly serve the Government of the Republic of Mauritius in the Office of
..... in the exercise of my duties in the Environment Appeal Tribunal and
will treat and deal with all documents, informations and report relating to any person or business activities
coming before me or to which I have access as SECRET AND CONFIDENTIAL.

Declared in Chambers

This day of 19

Before me
District Magistrate for Port Louis