

**S.I. 45 of 2017**

**ENVIRONMENT PROTECTION ACT**

*(Act 18 of 2016)*

**Environment Protection (Compounding of Offences) Regulations, 2017**

In exercise of the powers conferred by section 80 read with sections 72 of the Environment Protection Act, 2016 the Minister for Environment, Energy and Climate Change hereby makes the following Regulations —

1. These regulations may be cited as the Environment Protection (Compounding of Offences) Regulations, 2017.

Citation

2.(1) The Minister may, in consultation with the Attorney General compound an offence punishable with fine, except an offence under section 36 or 37 under the Act.

Compounding of offence

(2) The Minister may offer the compounding of an offence to a person who has been reported as accepted the commission of the offence and agreed in writing to the compounding of the offence.

3.(1) The Minister may propose an amount to be paid by the person who committed the offence considering all the circumstances leading to the commission of the offence, and such amount shall not be less than one third of the maximum fine and not more than the maximum fine specified for the offence.

Amount of fine

(2) The Minister shall thereupon seek the advice of the Attorney General.

(3) The Minister shall, on receiving advice from the Attorney General fix the penalty and notify to the concerned

person demanding to pay the penalty within 2 months from the date of receipt of the notice.

Payment of the  
penalty or  
refusal to pay

4.(1) A person who receives the notice under regulation 3 may either pay the penalty fixed for the offence or inform the Minister of his or her refusal to accept the penalty.

(2) The payment of the penalty may be made in cash, cheque or bank transfer.

(3) In the event of non acceptance of the penalty or nonpayment of the penalty within the time, prosecution proceedings shall be initiated against the person.

**MADE this 7th day of August, 2017.**

**DIDIER DOGLEY**  
**MINISTER FOR ENVIRONMENT,  
ENERGY AND CLIMATE CHANGE**