



Republic of Rwanda

RWANDA ENVIRONMENT MANAGEMENT AUTHORITY (REMA)



GUIDELINES ON PROCEDURES AND CONDITIONS FOR ELIGIBILITY TO GRANT EXCEPTIONAL PERMISSION TO MANUFACTURE, USE, IMPORT OR SELL SINGLE-USE PLASTIC ITEMS OR PACK GOODS IN SINGLE-USE PLASTICS

Introduction

Plastics which take hundreds of years to degrade are a major global issue, blamed for clogging water drainage systems or oceans and killing marine life.

In Rwanda, single use plastics such as plastic carry bags have contributed to flooding and low agricultural productivity as a result of plastics preventing rain water penetration into the soil. Plastics have also been a source of air pollution when burnt.

In 2008, the Law N° 57/2008 of 10/09/2008 relating to the prohibition of manufacturing, importation, use and sale of polythene bags in Rwanda was adopted.

Mindful of the fact that other types of plastics (which are not polythene bags) pose equally harmful effects to the environment; the need to extend the scope of the law to accommodate other types arose.

Therefore, the law N° 17/2019 of 10/08/2019 relating to the prohibition of manufacturing, importation, use and sale of plastic carry bags and single-use plastic items was adopted. The law is intended to check the increasing habit of unnecessary consumption and disposal of single use plastic items which becomes a burden to the environment. Those items are by principle prohibited.

Recognizing that there are exceptional cases where the prohibited items may be required, the Law under its article 4 provides for the possibility to apply for a special authorization, in accordance with the guidelines issued by the national institution in charge of environmental protection.

In a bid to enforce Article 4 of the Law, Rwanda Environment Management Authority developed the guidelines hereunder. The guidelines highlight procedures and conditions for eligibility to grant exceptional permission. They specify who should apply, how to do it and the elements of the application file.

Article One: Person entitled to apply for exceptional permission

A Person entitled to apply for exceptional permission is:

1. a manufacturer of goods which require plastic material for packaging;
2. an importer or manufacturer of home compostable single use plastics;
3. a user of single-use plastic items.

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Article 2: Application related to plastic material for packaging purposes

The application related to plastic material for packaging purposes is eligible if all conditions below are met:

- 1° the product must be produced in Rwanda;
- 2° the product must have no alternative to plastics as a packaging material on the local or international market;
- 3° the lack of packaging material should have a direct and negative impact on the quality of the product.

The authorization for packaging goods meant for export is granted without any further consideration if it is proven.

Article 3: Application related to single use plastic items

The application related to single use plastic items is acceptable for items exclusively meant for:

- 1° Medical use;
- 2° Agriculture and forestry use ;
- 3° Wastes collection and sanitation use;
- 4° Use in construction industry;
- 5° Industrial use;
- 6° Use in Printing houses.

The applicant must justify that there is no other alternative to the single use plastic item for which permission is sought.

Article 4: Content of application file

The application is done via an online application platform or in writing.

In case of the application is done in writing, the application file is comprised of the following:

- 1° the application letter;
- 2° a project brief explaining the purpose of the use of the plastic (single use);
- 3° a management plan that must indicate, inter alia, how the originating wastes shall be collected for recycling or disposal, the responsible parties, timeframes and resources allocated to this activity;
- 4° a sample of the material;
- 5° note indicating anticipated quantities of materials to be used and frequency;
- 6° note on origin of the materials and their technical specifications.

Article 5: Authority to handle application

The application is submitted to the authority in charge of environmental management.



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Article 6: Assessment of application and the response

Assessment of application and providing the response thereof must be done within seven (7) working days from the reception of the application.

When the authority in charge of environment management needs more days to provide a response, the period provided for in Paragraph One of this Article may be increased after informing the applicant in writing, before the lapse of the seven (7) days from the receipt of the application.

The decision rejecting the application shall duly mention the grounds for rejection.

If the file is rejected for missing any of the required documents, the applicant has to complete the file and resubmit it as a new case.

Article 7: Appeal

In case the applicant is not satisfied with the response, the applicant may appeal against the decision of the authority in charge of environment management to the Minister in charge of environment within fifteen (15) days from the date of notification of the decision.

The appeal file contains the following:

- 1° a petition indicating the grounds for appeal;
- 2° a copy of the decision subject to appeal;
- 3° any other document deemed relevant.

A response to the complaint is issued to the applicant within a period not exceeding five (5) working days.

Article 8: Repealing of existing guidelines

These guidelines repeal the guidelines of 09/10/2019.

Article 9: Entry into force

These guidelines enter into force on the date of their signature. They can only be amended in writing.

Done at Kigali, on 08 DEC 2019

Eng. Coletha U. RUHAMYA
Director General

