

Civil Protection (Declaration of State of Disaster: Emergency Solid Waste Management Harare Metropolitan Province) Notice, 2023

WHEREAS Government has noted with great concern the deplorable state of cleanliness of the Harare Metropolitan Province, characterised among other things by litter and waste dumps accumulating in business and residential areas of the Province, open burning of garbage and indiscriminate illegal dumping of solid waste and littering.

AND WHEREAS the local authorities in the Province are unable to manage the waste due, among other reasons, to their failure to invest in waste management infrastructure, and the related equipment and human resources; and to their inefficient collection practices and lack of environmental control systems:

NOW, THEREFORE, HIS Excellency the President, in terms of section 27(1) of the Civil Protection Act [*Chapter 10:06*], hereby declares as follows:—

Title

This notice may be cited as the Civil Protection (Declaration of State of Disaster: Emergency Solid Waste Management Harare Metropolitan Province) Notice, 2023.

Interpretation

1. In this notice—

“Agency” means the Environment Management Agency established by section 9 of the Environmental Management Act [*Chapter 20:27*];

“waste” means domestic, commercial or industrial material, whether in a liquid, solid, gaseous or radioactive form, which is discharged, emitted or deposited into the environment in such volume, composition or manner as to cause pollution;

“waste management” means the collection, transport, processing, recycling or disposal, and monitoring of waste materials.

Declaration of state of disaster

2. As a result of the failure to properly manage waste within the Harare Metropolitan Province, a state of disaster exists in that province with effect from the promulgation of this declaration.

Conferment of powers and duties by Minister on Minister of Environment and Agency

3. It is hereby notified, in terms of section 38 of the Act that the Minister has—

- (a) for the purpose of this declaration, conferred his powers in terms of the Act upon the Minister responsible for Environment, including any power or duty conferred or imposed by or in terms of this Act upon the area civil protection officer for the civil protection area concerned;
- (b) for the purpose of paragraph (a), authorised the Minister responsible for Environment to confer upon the Agency, and every employee of the Agency designated by it for that purpose, any power or duty conferred or imposed upon an area civil protection officer or other person by or in terms of this Act.

Remedial work to be done

4. For public information it is projected that, to ensure emergency solid waste management is undertaken efficiently during the period that this declaration is in force, the Agency shall—

- (a) co-ordinate the use of materials and services made available by local authorities within the Harare Metropolitan Province during the state of disaster;
- (b) endeavour to remove illegal solid waste dump, by means of a range of activities including mapping, quantification and clearing of illegal waste dumps and direct local authorities within the Harare Metropolitan Province to establish appropriately designed and designated waste transfer stations;
- (c) direct local authorities within the Harare Metropolitan Province, under its supervision, to undertake periodic

- refuse collection, consisting of street by street waste collection including sanitary lanes;
- (d) direct local authorities within the Harare Metropolitan Province, under its supervision, to install bins in streets and public places;
 - (e) undertake, together with local authorities within the Harare Metropolitan Province, awareness campaigns through roadshows, radio and television programs and sector specific cluster meetings;

Cost recovery

5. In addition to such reimbursement as the Agency may be entitled to under section 25 of the Act from the National Civil Protection Fund, the Agency shall, to the extent that local authorities within the Harare Metropolitan Province do not make good the expenses of the Agency directly incurred as a result of carrying out the remedial work described in section 4, be entitled in terms of section 40 of the Act to recover, in the name of the Minister responsible for the Environment, the whole or any part of such expenses from the local authority concerned by action in any court of competent jurisdiction.

Enforcement of Agency's directions

6. To avoid doubt, any direction of the the Agency made to another person for the purposes of this declaration is an order for the purpose of section 43 of the Act.

