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**STATUTORY INSTRUMENTS  
SUPPLEMENT NO. 14**

31<sup>st</sup> May 2024

**STATUTORY INSTRUMENTS SUPPLEMENT**  
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**STATUTORY INSTRUMENTS SUPPLEMENT  
2024 NO. 32**

**THE NATIONAL ENVIRONMENT (ENVIRONMENTAL  
PROTECTION FORCE) REGULATIONS, 2024.**

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**STATUTORY INSTRUMENTS 2024 No. 32.**

**The National Environment (Environmental Protection Force)  
Regulations, 2024.**

*(Under section 25 (4) of the National Environment Act, 2019, Act No,  
5 of 2019)*

IN EXERCISE of the powers conferred upon the Minister responsible for environment by section 25 (4) of the National Environment Act, 2019 and on recommendation of the Uganda Police Force, these Regulations are made this 8th day of May, 2024.

**1. Title**

PART I-PRELIMINARY

These Regulations may be cited as the National Environment (Environmental Protection Force) Regulations, 2024.

**2. Application of Regulations**

These Regulations apply to the conduct and operations of the Environmental Protection Force.

**3. Purpose of Regulations**

The objectives of these Regulations are-

- a. to regulate the Environmental Protection Force;
- b. to define the functions and powers of the Environmental Protection Force;
- c. to provide for standard operating procedures for operations of the Environmental Protection Force;
- d. to provide a disciplinary code of conduct for the Environmental Protection Force; and.
- e. to provide for the enforcement of the provisions of the Act.

#### **4. Interpretation**

In these Regulations, unless the context otherwise requires- "Act" means the National Environment Act, 2019;

"Authority" means the National Environment Management Authority established under the Act;

"currency point" has the value assigned to it in Schedule 1 to these Regulations;

"environmental crime" means the intentional or negligent commission or omission of actions that degrade or endanger human health or the environment and which are in contravention of the Act and regulations made under the Act;

"Executive Director" means the Executive Director of the Authority appointed under the Act;

"facility" means any plant, structure, group of structures, equipment, device, infrastructure or other associated installation;

"firearm" means a firearm as defined in the firearms Act; "Force" means the Environmental Protection Force as established by section 25 of the Act;

"lead agency" means a ministry, department, agency, local government or public officer in which or in whom the functions of control or management of any segment of the environment are vested;

"Office of the Environmental Protection Force" means an officer of the Environmental Protection Force appointed under section 25 (2) of the Act;

"project" means the execution of construction or renovation work, or other developments, installations, schemes, activities or interventions

in the natural surroundings and landscape which may have an impact on human health and the environment.

## **PART II-STRUCTURE, FUNCTIONS AND POWERS OF ENVIRONMENTAL PROTECTION FORCE**

### **5. Structure of Environmental Protection Force**

1. The Environmental Protection Force established by section 25 of the Act shall comprise persons appointed by the Authority in consultation with the Uganda Police Force.
2. The Force shall be under the overall command of the Executive Director of the Authority.

### **6. Functions of Environmental Protection Force**

1. Subject to the Act and any other applicable laws, the functions of the Environmental Protection Force are-
  - a. to protect the environment and related resources, the property of the Authority and that of other institutions where they may be deployed;
  - b. to provide security to personnel working with the Authority in the course of their official duties;
  - c. to gather intelligence relating to environmental crimes;
  - d. to carry out enforcement operations;
  - e. to undertake investigations;
  - f. to support the prosecution of environmental crime;
  - g. to detect and prevent environmental crime;
  - h. to enforce lawful orders assigned to it by the Authority; and
  - i. to enforce the provisions of the Act and these Regulations.
2. An officer of the Environmental Protection Force shall, in the execution of the functions of the Environmental Protection Force-

- a. adhere to the Code of Conduct specified under Schedule 2 to these Regulations;
- b. collect, record and communicate intelligence relating to the commission of environmental crimes; and
- c. liaise with relevant technical staff of the Authority in the execution of the functions of the Environmental Protection Force.

## **7. Powers of Environmental Protection Force**

1. An officer of the Environmental Protection Force may, with or without warrant, and at any hour of the day or night, enter any premises or facility or access the scene where he or she reasonably suspects that an environmental crime or activity is taking place, or is about to take place, and that such activity may cause harm to the environment or human health, and-
  - a. search the premises;
  - b. seize any item used in the commission of the offence;
  - c. arrest suspected offenders;
  - d. stop the offending activity;
  - e. recover documents; or
  - f. close the premises.
2. The Environmental Protection Force may, in the execution of powers under subregulation (1), seek assistance from the Uganda Police Force, the Uganda Peoples' Defence Forces or the Uganda Prisons Service.

## **8. Conducting search**

1. An officer of the Environmental Protection Force may, with reasonable grounds, in accordance with section 137 of the Act, enter and search any facility, premises, vehicle or vessel.
2. Where an officer of the Environmental Protection Force, not below the rank of a senior officer, has reasonable grounds to

- believe that anything necessary for the purposes of an investigation into any environmental crime which he or she is authorised to investigate may be found in any place and that, that thing cannot, in his or her opinion be otherwise obtained without undue delay, the officer may, after recording in writing the grounds for his or her belief and specifying in writing, so far as possible, the thing for which search is to be made, search or cause a search to be made for that thing.
3. An officer of the Environmental Protection Force proceeding under subregulation (2) shall, where practicable, conduct the search in person or accompanied by a technical officer of the Authority.
  4. Where an officer of the Environmental Protection Force is unable to conduct a search in person, and there is no other person competent to make the search present at the time, the officer may, after recording in writing his or her reasons for so doing, require any officer subordinate to him or her to make the search; and shall deliver to that officer an order in writing, specifying the place to be searched and, so far as possible, the thing for which the search is to be made, and that officer may search for that thing in that place.
  5. The provisions of the Magistrates Courts Act relating to search warrants shall, so far as possible, apply to a search made under this regulation.
  6. Copies of any record made under subregulation (2) or (3) shall immediately be sent to the nearest police station for presentation before a magistrate empowered to take cognizance of the environmental crime and to the owner or occupier of the place searched.
  7. The occupant of the place searched or some other person in his or her behalf shall, in every instance, be permitted to attend

during the search; and where possible, a local leader may be present during the search.

8. Notwithstanding this regulation or any other applicable law relating to the search of premises, an officer of the Environmental Protection Force shall not search any premises unless he or she is a gazetted environmental inspector or authorised to do so in accordance with sections 128 and-137 of the Act.
9. Upon request of the owner or occupier of any premises being searched by an officer of the Environment Protection Force, the officer shall show that owner or occupier an identification card issued by the Authority authorising the search of the premises or his or her staff identification card.
10. A search conducted under this regulation shall be carried out in a humane manner, and unnecessary damage or destruction to property shall be avoided.

### **9. Power to seize**

1. An officer of the Environmental Protection Force may seize any substance, material, equipment or plant in accordance with the Act.
2. An officer of the Environmental Protection Force who is lawfully on any premises or any other place may seize anything if there is reasonable ground to believe-
  - a. that the thing might be used as an exhibit in relation to an environmental crime which he or she is investigating; and
  - b. that it is necessary to seize that thing to prevent it from being concealed, lost, tampered with or destroyed.



3. Where property is seized under subregulation (2), the officer of the Environmental Protection Force responsible for the seizure shall record the fact and description of the property in duplicate and cause the record to be signed by himself or herself and the occupant, and a copy shall be retained by the occupant of the premises.
4. . Where property is seized under subregulation (2)-
  - a. it shall be kept in the safe custody of the Authority or the police in accordance with applicable law; and
  - b. if criminal proceedings arising out of or related to the seized property are not commenced within six months after the seizure, the property shall be returned to the person from whom it was seized, and where it is not claimed within that period, it may, by order of court, be forfeited to Government.
5. Where criminal proceedings are commenced and are concluded, the exhibit shall be handled in accordance with the orders of the court.
6. Notwithstanding subregulation (4), the seized property may be forfeited to the Authority.
7. The Authority shall establish guidelines on measures for storage and disposal of the seized properties, taking into consideration the applicable laws.

#### **10. Power to arrest**

1. An officer of the Environmental Protection Force has powers of arrest in accordance with section 136 of the Act.
2. An officer of the Environmental Protection Force may, without a court order and without a warrant, arrest a person if there is reasonable cause to suspect that-

- a. the person has committed, or is about to commit an environmental crime;
  - b. the person has committed an offence under the Act or regulations made under the Act;
  - c. the person obstructed an authorised officer in the execution of his or her duties;
  - d. the person escaped or attempted to escape, from lawful custody;
  - e. the person committed or is about to commit an offence under the Act and regulations made under the Act; or
  - f. the person omitted to comply with lawful orders of the Authority.
3. Where an officer of the Environmental Protection Force has reasonable cause to believe that the arrest and detention of a person is necessary to prevent that person from causing environmental damage or harm or injury to any person, an officer of the Environmental Protection Force may arrest and detain that person.
4. A person detained under subregulation (2) shall be released-
- 15. after the peril, risk of environmental harm, damage or injury or obstruction has been sufficiently removed;
  - 16. on the execution of a police bond with or without surety, where provision is made for him or her to appear at regular intervals before a senior police officer, if so required; or
  - 17. upon any other reasonable terms and conditions specified by the Executive Director in writing.

5. Where a person arrested and detained under this regulation is not a Ugandan, the bond referred to in subregulation (3) may be secured by a Ugandan surety.
6. Any person arrested or who has reason to believe that any person is unlawfully arrested and detained under this regulation, may apply to the Executive Director to have that person released with or without security.
7. An officer of the Environmental Protection Force shall, on arresting a suspect without a warrant, report and register the matter at the nearest police post, and ensure that the person is produced before a magistrate's court within forty-eight hours, unless earlier released on bond.
8. Subject to subregulation (2), the effecting of an arrest shall be conducted in accordance with the Police Act.

#### **11. Power to take photographs of suspects, accused persons or convicted persons**

1. An officer of the Environmental Protection Force may cause photographs to be taken of any person in lawful custody for any offence punishable under the Act by imprisonment without the option of a fine, whether accused or convicted.
2. Where a person referred to under subregulation (I), when required to do so, refuses to allow those photographs to be taken to the satisfaction of the officer, reasonable force may be used to enable those photographs to be taken.
3. Any photographs taken in execution of this regulation shall remain confidential and shall be used for purposes of placing the suspect or accused at the scene of the crime.

#### **12. Management of records**

1. The Authority shall maintain and keep a record of the activities of the Force, including investigations, operations, intelligence gathering and enforcement.

2. Subject to the Constitution and the Access to Information Act, 2005, the Authority may establish specific procedures and rules for access to and management of the records of the Force.

### **PART III-TRAINING, UNIFORM AND RANKS OF OFFICERS OF ENVIRONMENTAL PROTECTION FORCE**

#### **13. Training**

1. All officers of the Environmental Protection Force shall undergo a training of not less than four months.
2. The training of officers of the Environmental Protection Force shall be conducted by the Uganda Police Force.
3. The Authority shall liaise with the Uganda Police Force in the development and standardisation of a training module for the officers of the Environmental Protection Force.

#### **14. Uniform of Officers of Environmental Protection Force**

1. Officers of the Environmental Protection Force shall have a uniform and insignia as may be determined by the Authority in consultation with the Uganda Police Force.
2. The Authority shall, publish the uniform and insignia of the Environmental Protection Force in the Gazette.

#### **15. Ranks of officers of Environmental Protection Force**

The Environmental Protection Force shall have ranks approved by the Board of the Authority.

## **PART IV - DISCIPLINE OF OFFICERS OF ENVIRONMENTAL PROTECTION FORCE**

### **16. Environmental Protection Force disciplinary code of conduct**

1. Officers of the Environmental Protection Force shall, in addition to the Act, these Regulations and any other applicable law, comply with the disciplinary code of conduct set out in Schedule 2 to these Regulations.
2. All officers of the Environment Protection Force are subject to the disciplinary code of conduct established under these Regulations.
3. The disciplinary procedures for officers of the Environmental Protection Force shall be in accordance with the Human Resource Manual of the Authority.
4. Subject to the Act and applicable employment law, the Authority shall have the power to dismiss an officer of the Environmental Protection Force after all disciplinary measures have been taken.

## **PART V-USE OF FIREARMS BY OFFICERS OF ENVIRONMENTAL PROTECTION FORCE**

### **17. Acquisition, possession and use of firearms**

1. The Authority may, in consultation with the Uganda Police Force, acquire and possess firearms for security and protection during enforcement operations by officers of the Environmental Protection Force.
2. Where the terms and conditions of service determined by the Board authorises an officer of the Environmental Protection Force to possess a firearm during his or her duties, the officer shall, in addition to any other terms and conditions as the

Authority may impose under these Regulations, be governed by the Firearms Act, the Police Act and any other applicable law regarding the use of firearms.

### **18. Management of firearms**

1. The Authority shall manage all firearms in its possession.
2. The Authority shall, in consultation with the Uganda Police Force establish and maintain an armoury to be managed by a trained officer of the Environmental Protection Force.
3. The Executive Director shall establish procedures and policies on arming and disarming officers of the Environmental Protection Force and the management of firearms.
4. The Executive Director shall maintain a record for all firearms in possession of the Environmental Protection Force and shall make monthly arms returns to the Inspector General of Police.
5. The Executive Director shall establish mechanisms for officers of the Environmental Protection Force to whom a firearm is given, to return the firearm to the officer in charge of firearm management after duty.
6. Notwithstanding subregulation (4), the Executive Director shall prepare and submit quarterly and annual arms returns to the Inspector General of Police.
7. An officer of the Environmental Protection Force having in his or her possession any firearm or ammunition shall keep the firearm or ammunition securely and in safe custody; and shall take all reasonable precautions to ensure that the firearm or ammunition is not lost or stolen and is not, at any time, available to any person not lawfully entitled to possess it.
8. An officer of the Environmental Protection Force having possession of a firearm or ammunition, whether or not he or she has permission to possess the firearm or ammunition or is entitled to have possession of the firearm or ammunition shall, if the firearm or ammunition is lost, stolen or destroyed, report

the loss, theft or destruction as soon as possible after its occurrence to the police officer in charge of the nearest police station.

9. An officer of the Environmental Protection Force who contravenes this regulation commits an offence and is liable to prosecution under the Firearms Act.
10. An officer of the Environmental Protection Force who, whether by reason of drink, negligence or otherwise, while carrying a firearm, acts in a dangerous or disorderly manner commits an offence and is liable on conviction, to prosecution under the Firearms Act.

#### PART VI -PARTNERSHIPS AND COLLABORATION

##### **19. Partnerships and collaboration of Environmental Protection Force**

1. The Authority shall, for the purposes of enforcing these Regulations, collaborate with all the relevant agencies of Government responsible for the enforcement of the Act, including the ministry responsible for internal affairs, the Uganda Police Force, the Uganda Peoples Defence Forces' and local governments.
2. The Authority may execute instruments specifying the modalities of collaboration under subregulation (1).

#### PART VII-GENERAL

##### **20. General duties of officers of Environmental Protection Force**

Subject to the Act, an officer of the Environmental Protection Force shall, in the performance of the functions of his or her office-

- a. exercise the powers and perform the duties conferred upon him or her by the terms and conditions of service;

- b. obey all lawful directions issued by the Authority in respect of the execution of his or her functions;
- c. be taken to be always on duty;
- d. be willing to serve in any station to which he or she may be assigned or deployed;
- e. promptly obey and execute an order issued by a competent Authority;
- f. collect and communicate intelligence affecting the environment and human health;
- g. prevent the commission of offences under the Act;
- h. detect and bring offenders to justice;
- i. apprehend all persons whom he or she is legally authorised to apprehend and for whose apprehension sufficient grounds exist; and
- j. support prosecution of offenders.

## **21. Confidentiality**

1. Subject to the Constitution and the Access to Information Act, 2005, an officer of the Environmental Protection Force shall maintain the confidentiality of all information obtained in the execution of his or her duties and the oath of office taken by the officer.
2. An officer of the Environmental Protection Force shall be guilty of a breach of confidentiality if he or she-
  - a. divulges any matter which it is his or her duty to keep secret;
  - b. without authorisation, discloses or conveys any information concerning any investigation or other Authority matters to any unauthorised person;
  - c. without authorisation, shows or conveys to any person any book or document of the Authority;



- d. makes any anonymous, frivolous or vexatious communication or complaint, or makes a communication or complaint in an irregular manner;
- e. signs or circulates any petition or statement about any matter concerning the Environmental Protection Force, unless he or she does it through the proper channels of correspondence to the Executive Director; or
- f. calls or attends any unauthorised meeting to discuss any matter not approved by the Executive Director.

## PART IX - OFFENCES AND PENALTIES

### **22. Offences relating to possession and use of firearms**

1. An officer of the Environmental Protection Force who fails to keep a firearm in safe custody or in a secure armory or armory provided by the Authority commits an offence and is liable, on conviction, to a fine of not exceeding one thousand currency points or imprisonment not exceeding three years, or both.
2. An officer of the Environmental Protection Force who uses or causes to be used a fire arm as security for money borrowed from or lent to another person, commits an offence under the Firearms Act.
3. An officer of the Environmental Protection Force who, whether by reason of intoxication or otherwise, while carrying a firearm, acts in a dangerous or disorderly manner commits an offence and is liable, on conviction, to a fine of not exceeding one five hundred currency points or imprisonment not exceeding two years, or both.
4. An officer of the Environmental Protection Force who dangerously displays or attempts to display a firearm in a public place in such a manner as to cause alarm to an officer of the public or his or her family commits an offence and is

liable, on conviction, to a fine not exceeding sixty currency points or imprisonment not exceeding one year, or both.

5. An officer of the Environmental Protection Force who discharges any firearm deliberately or negligently in a public place, causing alarm to any member of the public commits an offence under the Firearms Act.
6. An officer of the Environmental Protection Force who attempts to make or makes use of a firearm for any activity other than that for which it was assigned, commits an offence and is liable, on conviction, to a fine not exceeding three hundred currency points or imprisonment not exceeding three years, or both.
7. An officer of the Environmental Protection Force who attempts to make any use of a firearm or limitation of it with intent to prevent or resist apprehension or detention of himself or herself or any other person, or threatens violence, commits an offence and is liable, on conviction, to a fine of not exceeding one thousand currency points or imprisonment not exceeding two years, or both.

### **23. Offences relating to uniform and insignia of Environmental Protection Force**

1. An officer of the Environmental Protection Force who, not being a person serving in the armed forces of Uganda or in the Uganda Police Force, wears, without permission, the uniform of any of those forces or any dress having the appearance or bearing any of the regimental or other distinctive marks of that uniform, commits an offence and is liable to prosecution under the applicable law.
2. An officer of the Environmental Protection Force who unlawfully wears the uniform of the Environmental Protection

Force in such a manner or in such circumstances as to be likely to bring contempt on the Authority or that uniform, or employs any person to wear the uniform or dress, commits an offence and is liable, on conviction, to a fine of not exceeding one thousand currency points or imprisonment not exceeding three years, or both.

3. An officer of the Environmental Protection Force who, without the written permission of the Authority, imports or sells or has in his or her possession for sale any gazetted uniform or insignia of the Environmental Protection Force commits an offence and is liable, on conviction, to a fine of not exceeding one thousand currency points or imprisonment not exceeding three years, or both.
4. Where an officer of the Environmental Protection Force is convicted of any offence under this regulation, the uniform or insignia, or any other thing in respect of which the offence was committed shall be forfeited to the Authority, unless the Authority orders otherwise.

#### **24. General offences**

1. Subject to any applicable law, a person who contravenes or fails to comply with any provision of these Regulations, for which no penalty is prescribed, commits an offence and is liable, on conviction, to a fine of not exceeding one thousand currency points or imprisonment not exceeding two years, or both.
2. Notwithstanding subregulation (1), the Authority may institute criminal proceedings against any officer of the Environmental Protection Force who contravenes these Regulations.

**SCHEDULES**  
**SCHEDULE 1**  
**CURRENCY POINT**

*Regulation 4*

A currency point is equivalent to twenty thousand shillings.

## **SCHEDULE 2**

*Regulations 6 (2) & 16 (I)*

### **DISCIPLINARY CODE OF CONDUCT.**

#### **1. Application of the Code.**

1. This Code of Conduct and the Code of Conduct established by the Board in line with the terms and conditions of service shall apply to all officers of the Environmental Protection Force and to members of staff of the Authority who are assigned to work with the Force.
2. Notwithstanding subparagraph (1), the Disciplinary Code of Conduct established by the Board to govern staff terms and conditions of service and other employment laws, shall apply to officers of the Environmental Protection Force.

#### **2. General obligations**

An officer of the Environmental Protection Force shall-

- v. not use the Authority or his or her office for undue gain;
- w. not take unsanctioned orders;
- c. treat humanely, all persons he or she interacts within the course of his or her duty without discrimination;
- d. not compromise law enforcement on account of relationship, patronage or any other influence.
- e. not receive any undue gratification for services he or she is expected to render by virtue of his or her employment;
- f. be orderly and always abide by orders in a dignified manner;
- g. treat all developers of regulated projects with courtesy;
- h. not consume alcohol in a public drinking place while on duty, or in uniform or in possession of a firearm; and

- i. relate with officers in their ranks with respect and obey orders of higher ranks.

### **3. Misconduct**

An officer of the Environmental Protection Force is guilty of misconduct if he or she-

- a. delays to give information of an offence committed under the Act or regulations under the Act which he or she suspects or believes to have been committed, to his or her superior officer;
- b. being present in an area where an offence under the Act or regulations made under the Act is being committed or about to be committed, does not use his or her utmost endeavors to counter the offence;
- c. without the approval of the Authority or reasonable excuse, releases or causes to be released, a detained suspect or helps a suspect to escape from lawful custody on account of corrupt dealings with that suspect or his or her agent;
- d. does an act or omits to act in relation to his or her duties, the reasonable and natural consequence of which is to cause financial or other loss to the Government or to any other person;
- e. spreads harmful propaganda by-
  - i. making oral or written statements intended to damage the image of the Environmental Protection Force or the Authority;
  - ii. spreading false news or stories intended to create division or confusion within the administration of the Environmental Protection Force or Authority; or
  - iii. spreading false stories intended to undermine the loyalty of any officer of the Environmental Protection Force or to incite discontent among any units of the Environmental Protection Force;

- f. strikes, draws or lifts a firearm or other dangerous weapon against, or uses violence against a superior officer;
- g. strikes or otherwise ill-treats any staff of the Authority who, by reason, rank or appointment, is subordinate to him or her;
- h. uses any threatening or insulting language or behaves oppressively with contempt towards a senior officer of the Environmental Protection Force or the Authority or willfully or negligently makes false complaints or statements against his or her superior;
- i. displays aggressive or tyrannical conduct towards, or uses obscene, abusive or insulting language to a staff of inferior rank;
- j. acts in a disorderly manner or any manner prejudicial to discipline or likely to bring discredit on the reputation of the Environmental Protection Force or to cause any injury to the public in any way;
- k. while on or off duty, is unfit for duty due to the influence of alcohol or drugs or behaves in a manner that causes dispute to the Environmental Protection Force and Authority;
- l. behaves in a scandalous manner unbecoming of an officer of the Authority or the Environmental Protection Force;
- m. behaves in a cruel, disgraceful, indecent or unnatural manner;
- n. makes or signs in any official document, any statement which he or she knows or has reasonable grounds to believe to be false;
- o. without good and sufficient cause, destroys or mutilates any official document or record, or alters or erases any entry in it;
- p. being a custodian of official documents or having access to official documents, tampers with or destroys any document in order to give a false account of the records or suppresses any information;
- q. willfully, or through deliberate neglect, disobeys a lawful order by-

- i. omitting or neglecting to carry out any lawful order, written or otherwise;
  - ii. failing to communicate lawful orders;
  - iii. removing or concealing his or her identity when on duty or endeavors, at any time, to conceal or disguise his or her identity;
  - iv. refusing to give his or her particulars when ordered to do so;
  - v. smoking in public while in uniform; or
  - vi. failing to furnish a full and true statement of his or her conduct when called upon by the Authority;
- r. neglects duty by-
  - i. neglecting or without sufficient cause, omitting to promptly and diligently attend to or carry out his or her duty as an officer of the Environmental Protection Force;
  - ii. not being alert or being idle or misbehaving while on duty;
  - iii. failing to perform any duty in accordance with orders or leaving his or her point or other place of duty to which he or she has been ordered without due permission or sufficient cause;
  - iv. carelessly or negligently permitting a suspect to escape;
  - v. failing, when knowing where any offender is to be found, to report that fact or to make due efforts for making him or her brought to justice;
  - vi. failing to report any matter which it is his or her duty to report;
  - vii. failing to report anything within his or her knowledge concerning an offence under the Act or an offence under this Code for a disciplinary charge, or failing to disclose any evidence which he or she, or any person within his or her knowledge, can give for or against



- any suspect or defendant or accused person on an environmental or disciplinary charge;
- viii. omitting to make any necessary entry in any official book or document, or omitting to make or send any report or return which is within his or her line of duty to make or send;
  - ix. sleeping on duty;
  - x. concealing any contagious disease or failing to report that he or she is suffering from a contagious disease; or
  - xi. neglecting to carry out any instructions of a medical officer, or while absent from duty on account of sickness is guilty of any act or conduct calculated to delay his or her return to duty;
- s. withdraws from duty or is absent from duty without the approval of the Authority by-
- i. by withdrawing himself or herself from his or her duties without express permission to do so by the Authority or an officer authorised to grant that permission; or
  - ii. without reasonable excuse, is absent without authorisation or is late for an assignment, deployment or any other duty;
- t. feigns or exaggerates any sickness or injury with a view to evading duty;
- u. breaches confidentiality by -
- i. divulging any matter which it is his or her duty to keep secret;
  - ii. without the consent of the Authority, disclosing or conveying any information concerning any investigation or other matter to the press or to any unauthorised person;
  - iii. without proper authorisation from the Authority, showing or conveying to any person outside the

- Environmental Protection Force, any book or document relating to matters under investigation;
- iv. making any anonymous, frivolous or vexatious communication or complaint, or making a communication or complaint in an irregular manner;
  - iii. signing or circulating any petition or statement with regard to any matter concerning the Environmental Protection Force or the Authority, unless he or she does it through the proper channel of correspondence through the Authority; or
  - iv. calls or attends any unauthorised meeting to discuss any matter concerning the Environmental Protection Force;
- v. participates in corrupt practices by-
- i. soliciting or receiving a bribe;
  - ii. failing to account for or to make a prompt return of any money or property received by him or her in an official capacity, or fails to account satisfactorily, if so called upon by the Authority to do, for any money or property in his or her possession, or received by him or her otherwise than in his or her official capacity;
  - iii. placing himself or herself under a pecuniary obligation to the holder of any authorisation concerning environmental activities of which any officer of the Environmental Protection Force may have to report or give evidence;
  - iv. improperly using his or her character and position as an officer of Environmental Protection Force to his or her private advantage;
- v. in his or her capacity as an officer of the Environmental Protection Force, writes, signs or gives without the sanction of the Authority, any testimonial or character or other recommendation with the object of obtaining employment for any person or of

- supporting an application for the grant of authorisation of any kind; or
- vi. without the sanctioning of the Authority or an authorised officer, supports an application for the grant of authorisation for an activity in the environment, of any kind;
  - w. without good and sufficient cause, makes any unlawful or unnecessary arrest; or is uncivil or uses improper language to any member of the public;
  - x. while in uniform, he or she is improperly dressed, dirty or untidy in his or her person or clothing;
  - y. causes damage to clothing and other articles supplied for duty, and fails to report any loss or damage howsoever caused; or
  - z. runs away from or incites others to run away from an offence under the Act, or fails to use utmost exertion to carry out orders to stop the commission of an offence under the Act in an area where he or she is charged to protect.

#### **4. Penalties for disciplinary offences**

1. All offences described under paragraph 3 are punishable, and the Authority may impose the following penalties in accordance, with the established disciplinary rules and procedures under the Act-
  - a. dismissal;
  - b. demotion or reduction in rank;
  - c. stoppage, withholding or deferment of deployment;
  - d. imposing a fine not exceeding one-third of the salary of the defaulter;
  - e. recovery of the cost or part of the cost of any loss or damage caused by default or negligence;
  - f. suspension;
  - g. warning; or
  - h. caution.

2. Notwithstanding paragraph 4(I), the Authority may initiate the criminal prosecution of an officer of the Environmental Protection Force for committing any of the offences described in paragraph 3 under the Penal Code Act and any other applicable law.

## **Cross Reference**

Access to Information Act, 2005, Act 6 of 2005 Constitution

Firearms Act Cap. 299

Penal Code Act Cap. 120

Police Act Cap. 303

HON. SAM CHEPTORIS,  
*Minister of Water and Environment.*