



THE ENVIRONMENT PROTECTION AGENCY

An Abridged Version of the Environment Protection Agency Act 2022.

MAY 2025



Foreword

This abridged version of the EPA Act of 2022 is designed to serve as a practical tool for policymakers, practitioners, community leaders, students, and businesses alike. By distilling the core provisions of the Act into a more accessible format, we aim to support environmental awareness, promote legal literacy, and foster a culture of compliance

across all sectors. In a time when environmental challenges are becoming increasingly complex and far-reaching, it is crucial that those entrusted with development decisions understand the legal frameworks that guide responsible action. This document offers a foundation for policy learning and a reference point for those seeking to align their operations and initiatives with national environmental standards.

The EPA remains steadfast in its commitment to shaping Sierra Leone's environmental future through effective regulation, transparent enforcement, and evidence-based policy guidance. We recognize that environmental sustainability is not merely a legal obligation, but a national imperative - one that requires cooperation, clarity, and accountability. Through our work in permitting, monitoring, compliance enforcement, and stakeholder

engagement, we continue to protect ecosystems, safeguard public health, and promote sustainable development. This abridged Act is both a tool and a testament to our resolve - to ensure that every citizen and institution understands their role in preserving Sierra Leone's natural heritage for generations to come.

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Executive Chairman

Environment Protection Agency

The Environment Protection Agency Act, of 2022 made simple.

What you need to know about the new Act

- ❖ Structures for Environmental Governance in Sierra Leone
- ❖ Guidelines on Environmental Impact Assessment (EIA) processes and procedures
- ❖ Management of chemicals, toxic and hazardous substances
- ❖ Information, education, and public awareness
- ❖ Offences and penalties under the Act
- ❖ Compliance practices and enforcement procedures under the Act

Introduction

The **Environment Protection Agency Act No. 15 of 2022** introduces a comprehensive legal framework that merges and builds upon the 2008 Act and its 2010 amendments. This Act aims to strengthen existing environmental regulations and introduce new mechanisms to enhance inter-agency collaboration and public participation in environmental protection in Sierra Leone. This abridged version simplifies the content of the law, making it more accessible and easier for the public and stakeholders to understand.

The document highlights critical aspects of the Act, serving as a foundation for further exploration of its detailed provisions. Notable elements of this abridged version include:

Environmental Governance Structure: Clear definitions of roles and responsibilities within Sierra Leone's environmental governance framework.

Environmental Impact Assessment (EIA) Guidelines: Procedures and processes governing EIAs are crucial for assessing potential environmental impacts of projects.

Management of Chemicals, Toxic, and Hazardous Substances: Guidelines on regulating and controlling harmful substances to protect human health and the environment.

Public Awareness and Education: Emphasis on raising public awareness, disseminating information, and promoting environmental education.

Offenses and Penalties: This section defines environmental offenses and corresponding penalties, ensuring accountability for violations, and encouraging compliance with environmental laws.

This abridged document is a user-friendly guide that offers a concise overview of the new Act and its provisions to strengthen Sierra Leone's environmental protection efforts.

STRUCTURES FOR ENVIRONMENTAL GOVERNANCE

To effectively address existing and emerging environmental challenges, including the three planetary crises- climate change, pollution, and biodiversity loss- countries must strengthen existing institutions and legal frameworks and build stronger ones that adopt whole-of-society approaches. The new Act strengthens existing structures and establishes new ones for enhanced protection and management of the environment at all levels and across all sectors. These include:

The Ministry of the Environment

Established in 2019, the Ministry provides:

- Oversight and supervisory functions over the Agency.
- It provides policy direction and guidance to the Agency.
- It coordinates and promotes the implementation of national environmental policies and Multilateral Environmental Agreements signed and ratified by Sierra Leone.

- The Minister in consultation with the Board, by statutory instrument makes regulations for the effective implementation of the Act are made.

Board of Directors

The Board of Directors of the Agency consists of 13 members. Its membership is drawn mainly to promote and ensure an inclusive and impactful approach to environmental governance. It is responsible for:

- The control, supervision, and overseeing of the sound and proper management of the finances of the Agency.
- Policy guidance and advice to the Agency for the overall efficient performance of its functions.
- Approve environmental impact assessment and public disclosure.

The Agency

It is the principal organ responsible for implementing and enforcing the Act and its regulations. Its functions have been strengthened to include greater enforcement actions, coordination, and mobilization for result-based environment and climate actions. It performs the following functions:

- Advises the Minister on the formulation of environmental policies.
- Coordinates bodies engaged in the technical or practical aspects of the environment and promotes effective communication between such bodies.

- Collaborates and coordinates with foreign bodies for the implementation of the Act.
- Ensure compliance with Environmental Impact Assessment procedures.
- Act with other institutions and bodies to control pollution and protect the environment.
- Conduct investigations into environmental issues and advise the Minister.
- Promote studies, research, surveys and analysis for the improvement and protection of the environment
- Promote formal and informal education programs to raise public awareness of the environment and its importance to Sierra Leone's growth.
- Promote effective planning and develop a database for environmental management.
- Make environment data and information available to the public.
- Promote national standards and guidelines on ambient air, water, and soil quality and pollution.
- Issue guidelines for the implementation of the Act
- Coordinate climate change actions for consistency in developing and implementing policies and laws to address it.
- Act as the focal point on all environmental issues.
- Develop standards and guidelines for importing, handling, and using all chemicals.

Environmental Coordination Committees

Committees that promote and ensure a whole-of-society and whole-of-system approaches in implementing and enforcing environmental law and climate change policy have been established in the new Act. These committees include the following:

i) Multilateral Environmental Agreements Implementation Coordination Committee

Chaired by the Minister of the Environment, this committee coordinates and enhances the effective implementation of all MEAs signed and ratified by Sierra Leone. It constitutes all focal points of MEAs in different Ministries, Departments and Agencies (MDAs).

It performs the other following functions:

- Gather information and prepare and submit reports on MEAS implementation to sub-regional, regional, and global organizations.
- Reports on the outcomes of conferences, meetings, and training on MEAs.
- Prepare an annual report on the implementation of MEAs.

ii) National Compliance and Enforcement Coordination Committee.

This committee is established to build effective synergies in compliance and enforcement actions in implementing

environment-related legislation. Its core functions include:

- Coordinate inter-agency enforcement actions of environmental law
- Collaborate with and build effective synergies among MDAs in enforcing environmental law.
- Educate the public on compliance practices and enforcement procedures of environmental law.
- Prepare periodic reports on the discharge of its functions.

iii) Chiefdom / Ward Environment Committees

This committee is established to bring environmental governance, including the sustainable management and conservation of natural resources locally. It performs the following vital functions:

- It ensures the environment's conservation, protection, and development within its locality.
- It promotes the designation and protection of certain areas in their localities for the provision of ecosystem services.

GUIDELINES ON ENVIRONMENTAL IMPACT ASSESSMENT PROCESSES AND PROCEDURES

The EIA process is meant to guide project developers and owners on processes and procedures they must follow to avoid, minimize, or address the potential impacts of their

projects' activities on the environment, society, and people's health. When they comply with these processes and procedures, their businesses will likely be safe, secure, and sustainable. Therefore, Project developers and owners must first know the projects required to undertake the EIA process.

Which projects require an EIA?

Any of the following projects require an EIA:

- Changes in the usual use of land
- Changes in farming and fisheries practices
- Exploitation of hydraulic resources
- Infrastructure
- Industrial activities
- Extractive activities
- Waste management and disposal.
- Housing construction and development schemes
- Establishment of places of entertainment, hotels, motor repair garages, and welding shops
- Importation of second-hand vehicles
- Manufacturing activities or establishment
- Urban Development Planning
- Use of agrochemicals

A project requiring an Environmental permit.

Some activities require a permit issued by the Agency to operate. Such activities or undertakings include:

- Importation and exportation of a controlled substance or controlled product

- Selling, distributing, disposing, or dealing with a controlled substance or product while in transit.

Storage of a controlled substance or product

- No person shall store a controlled substance or product unless he has a secured storage facility approved by the Agency.
- The Agency has guidelines for the storage of controlled substances or products.

Application process for EIA

The following steps are required to be followed through in the application process for an EIA:

- Decide whether your project falls within the First Schedule to the Act
- If it does, write an application letter to the Agency for an EIA Licence
- Wait until 14 days for the Agency to determine whether a licence is required for your project.
- The Executive Chairman will communicate to you if your project does not require a licence
- You must prepare and submit an environmental impact assessment if your project requires a license.
- The Agency, upon receiving the EIA of your project, publishes it on its website or newspaper for inspection and public comments.
- Public comments must be submitted within 14 days to the Executive Chairman.

- The Executive Chairman then submits the assessment and the public disclosure report to the Board for consideration.
- The Board may then either direct the Executive Chairman to issue a license or require the applicant to provide additional information or reject the EIA.
- Additional information is required to be submitted to the Agency within 21 days from the date of request.

Conditions for the determination of whether an EIA is required.

- The location of the project and its environmental impact on the community
- The project's potential to transform the community.
- Likelihood of substantial impact of the project on the ecosystem of the locality
- The project's potential to reduce the aesthetic, recreational, scientific, historical, cultural, or other environmental quality of the locality.
- Project potential to endanger any species of flora and fauna.
- The scale of the project
- The potential of the project to degrade the quality of the environment.
- Project potential to increase the demand for natural resources in the locality.
- Cumulative impact of the project on the environment.

Right of appeal for a refusal to grant a licence

- An applicant whose application is rejected has a right of appeal to the High Court within 30 days from the date of notice.

Contents of an EIA

- Project location, including its surroundings.
- Principle, concept, and purpose of the project
- Likely direct and indirect impacts of the project on the environment
- Social, economic and cultural impact of the project on people and society
- Communities, parties and Government bodies consulted.
- Actions or measure to avoid, prevent, change, mitigate or remedy the likely impact of the project on people and community.
- Alternatives to the project
- Natural resources in the locality to be used.
- Decommissioning plan for the project
- Any other information as may be required.

Key terms and conditions of EIA licence

- Licence is valid for 12 months from the date of issue and may be renewed annually.
- Not transferable
- Notification of changes in the existing operations of the company/business

- Conspicuous display of licence certificate in project premises or facility
- Provide periodic reports to the Agency, including annual Environmental Report
- Comply with provisions of the Environmental Management Plan
- Ensure sound and safe chemicals management.
- Ensure safe and sound management of general and hazardous wastes.
- Ensure the occupational health and safety of staff.
- Ensure a quality of air that is safe, clean, and healthy for people and the environment.
- Report all environmental incidences.
- Implement the Community Development Action Plan.
- Undertake progressive rehabilitation and closure of mined-out areas at the end of the project.

Duties of licence holder

- Permit and assist the Executive Chairman or an authorized officer in having full access to project premises, vessels, vehicles, or facilities to perform his functions.
- Make available project records as and when required

MANAGEMENT OF CHEMICALS, TOXIC AND HAZARDOUS SUBSTANCES

Chemicals, toxic and hazardous substances are elements that are harmful to human health and the environment. Some are

so dangerous that they have been banned from use. The use of others is restricted or controlled under strict conditions. Management of these chemicals, therefore, becomes both a moral and legal obligation for countries.

What you need to know about the management of chemicals, toxic and hazardous substances in the new EPA Act includes the following:

- Discharging toxic and hazardous substances on or under the land, water, and air is prohibited.
- Introducing or exporting toxic and hazardous wastes into Sierra Leone is prohibited.
- The Board prescribes substances or wastes considered toxic and hazardous.
- Use of chlorofluorocarbons 12 and 12 as blowing agents will be prohibited by the Minister.
- Import and export of controlled substances or products shall be done under a permit issued by the Agency.
- A person who wants to import or export a controlled substance or product shall apply to the Agency for a permit.
- The application should be signed by the Director or Secretary of a corporation or by a person making the application if it is not a corporation.
- A permit can only be issued if the applicant has adequate and appropriate facilities and equipment to handle the controlled substance or product.
- A written notice should be sent to an applicant whose application for a permit is refused.

- Any applicant who refuses a permit can appeal to the High Court within 30 days of the notice of refusal.
- A permit to import or export a controlled substance or product is not transferable.
- You only import or export a controlled substance or product as the permit specifies.
- Every permit expires on the 31st day of December of the issuance year. All controlled substances or products imported must be in Sierra Leone on or before the permit expiration.
- A permit holder shall provide a copy of the permit, bill of lading, and invoice to an authorized officer of the Agency for certification of the quantity of substance or product imported or exported.
- A customs or authorized officer may request a permit holder to produce goods to verify their contents.
- The Agency maintains a Register of Importers or Exporters of controlled substances or products.
- Every importer or exporter of a controlled substance or product shall record the names and addresses of those they supply it.
- The Agency must approve storage places of controlled substances or products.
- The Agency will develop guidelines for storing controlled substances or products.

INFORMATION, EDUCATION AND AWARENESS RAISING

Environmental information, knowledge, and awareness are key for everyone to play a role in protecting and managing the environment. The Agency is responsible for ensuring that the public has access to environmental information, promoting environmental education, and creating awareness among the public for effective environmental protection and management.

What you need to know here include:

- Every person has the freedom to access environmental information submitted to the Agency.
- A person who wishes to access information from the Agency should make an application.
- The Agency should grant access to information with terms and conditions.
- The Agency is responsible for gathering, analyzing, managing and disseminating environmental information.
- The Agency has access to all public environmental information and shall manage such information.
- The Agency can determine the deficiency in any environmental information and share it with other bodies.
- The Agency, with the Ministry of Education, may adopt strategies and measures to mainstream environmental education in learning institutions.

OFFENCES AND PENALTIES UNDER THE ACT

The Act creates several offenses to enhance compliance with and enforce environmental norms and standards. Such offenses are criminal, civil, administrative, or regulatory. They include:

Offence

- I) Undertaking any of the activities set out in the First Schedule without a valid environmental impact assessment license issued by the Agency for that purpose.

Offence

- II) Cause the undertaking of any of the activities set out in the First Schedule without a valid environmental impact assessment license issued by the Agency for that purpose

Penalty for both offences

- For a citizen of Sierra Leone, a minimum fine of SLE 50,000, or a minimum term 2 years imprisonment, or both the fine and imprisonment.
- For non-citizens to a minimum fine of SLE 150,000
- For a corporation to a minimum fine of SLE 500,000

Offence

- III) Failure to prepare and submit an environmental impact assessment of project to the Agency

Offence

- IV) Fraudulently makes false statement in an environmental impact assessment

Penalty

- For an individual, a minimum fine of SLE 50,000, or a minimum 2 years imprisonment, or to both fine and imprisonment.
- For a corporate body to a minimum fine of SLE100,000.

Offence

- V) Failure of a new owner to notify the Executive Chairman of a transfer of ownership of the project contrary to Section 33(3).

Penalty

- For a citizen of Sierra Leone, a minimum fine of SLE 50,000, or a minimum 1year term of imprisonment, or to both fine and imprisonment.
- For a non-citizen, a minimum five of SLE 150,000, a minimum 1 year imprisonment, or both fine and imprisonment.
- For a corporate body, to a minimum fine of SLE 500,000

Offence

- VI) Failure to permit and assist the Executive Chairman or authorized officer to have full access

to the project premises, vessel, vehicle or facility contrary to Section 35(2).

Penalty

- For a minimum fine of SLE 50,000, or minimum 1year imprisonment, or both fine and imprisonment.
- For a continuing offence, a minimum of SLE 5,000 every day the offence continues.

Offence

- VII) Failure to permit and assist the Executive Chairman or authorized officer to have full access of project records as may be required contrary to Section 35(3).

Penalty

- For an individual to a minimum fine of SLE 50,000, or to a minimum 1 year term of imprisonment, or to both fine and imprisonment.
- For a corporate body to a minimum fine of SLE 100,000
- For a continuing offence to SLE 5000 each day the offence continues.

Offence

- VIII) Discharging toxic and hazardous substance into the air, or in, on or under the land and waters of Sierra Leone contrary to Section 36(5)

Penalty

- For an individual, to a minimum fine of SLE 250,000, or minimum 10 years imprisonment
- For a corporate body, to a minimum fine of SLE 1,000,000.
- It will be a defence if the discharge is caused by a natural disaster or an act of God.

Offence

- IX) Venting a controlled substance into the atmosphere whilst installing, servicing, repairing or operating an equipment or product that contains or depends on controlled substance or controlled product contrary to Section 39(2)

Penalty

- To a minimum fine of SLE 5,000 or a minimum 6 months imprisonment, or both fine and imprisonment.

Offence

- X) Importing or exporting a controlled substance or product specified in the Fourth Schedule without the authority of a permit issued by the Agency for that purpose contrary to Section(2).

Offence

- XI) Selling, distributing, disposing, or dealing with a controlled substance or product while in transit

without the authority of a permit issued by the Agency contrary to Section 40(3)

Penalty

- To a minimum fine of SLE 50,000, or a minimum 2 years imprisonment, or both fine and imprisonment.
- Forfeiture of the controlled substance or product to the Government of Sierra Leone pursuant to Section 41.

Offence

- XII) Importing or exporting a controlled substance or controlled product without a valid permit issued by the Agency for that purpose contrary to Section 43(7)

Penalty

- For an individual, to a minimum fine of SLE50, 000, or minimum 3 years imprisonment.
- For a body corporate, to a fine of SLE 500,000.

Offence

- XIII) Failure to store a controlled substance or product in a secure storage facility in contravention of the guidelines issued by the Agency contrary to Section 47(3).

Penalty

- for an individual, to a minimum fine of SLE 50,000, or a term of 3 years imprisonment

- For a corporation, to a fine of SLE 500,000.

Offence

- XIV) Hindering or obstructing an authorized officer in executing his duties under the Act contrary to Section 48(3) (a).

Offence

- XV) Failure to comply with a lawful order or request made by an authorized officer in accordance with the Act contrary to Section 48(3) (b).

Offence

- XVI) Refusing an authorized officer entry on land or premises in accordance with the Act contrary to Section 48(3)(c).

Offence

- XVII) Impersonating an authorized officer contrary to Section 48(3) (d)

Offence

- XVIII) Refusing an authorized officer access to records in accordance with the Act contrary to Section 48(3) (e)

Offence

- XIX) Failure to state, or wrongfully state name or address to an authorized officer during the course of his work contrary to Section 48(3) (f)

Offence

- XX) Misleading or giving wrongful information to an authorized officer contrary to Section 48(3) (g)

Offence

- XXI) Failure to carry out an improvement notice issued by an authorized officer contrary to Section 48(3)(h)

Penalty

- For each of the offences from IV to XXI, a person is liable upon conviction to a minimum fine of SLE 10,000 , or minimum 2 years imprisonment
- For a corporation, to a minimum fine of 25,000.

Offence

- XXII) Failure to keep records of analysis by individuals or body corporate for this Act and transmitted to the Agency as and when determined by the Agency or fraudulently altering such record contrary to Section 53(3).

Penalty

- For an individual, to a minimum fine of SLE 50,000,000.00, or to imprisonment for a minimum term of 2 years, or to both fine and imprisonment
- For a corporate body, to a minimum fine of SLE 250,000,000.00

Offence

XXIII) Failure to comply with an enforcement notice served or issued by the Agency contrary to Section 59(4)

Penalty

- A minimum fine of SLE 250,000.00.
- For a continuing offence, the offense continues to an additional SLE 5,000.00 each day.

Offence

XXIV) Failure to mitigate the impact of the discharge of toxic and hazardous substances into the air, or in, on or under the land and waters of Sierra Leone in accordance with Section 64(1) contrary to Section 64(3)

Penalty

- A minimum fine of SLE 50,000.00, or minimum term of 2 years imprisonment, or both fine and imprisonment

- Convict may be ordered to pay the cost of removing the dangerous substance or material, oil, or mixture containing oil and the cost of restoration of the damaged environment, and any cost incurred by third parties resulting from the discharge.

Offence

- XXV) Destruction of growing trees, shrubs, bush, or forest either by burning or cutting without notifying the Ward Environment Committee or the Chiefdom Environment Committee contrary to Section 68(3).

Penalty

- A minimum fine of SLE 10,000.00, or minimum 2 years imprisonment, or both fine and imprisonment.

Offence

- XXVI) Failure of the owner of a pollutant to comply with orders of the Executive Chairman given pursuant to 71(3) contrary to Section 75(5)

Offence

- XXVII) Failure of the owner of a pollutant to comply with the direction of the Executive Chairman given pursuant to 71(4)(a) (b) contrary to Section 75(5)

Penalty

- For a citizen of Sierra Leone, to a minimum fine of SLE 250,000.00, or a minimum 5 term if 5 years imprisonment
- For a non-citizen, to a minimum fine of SLE 1,000,000.00

COMPLIANCE PRACTICES AND ENFORCEMENT PROCEDURES

Incentives for good environmental behavior

- Inclusion into the annual Government budget funds to promote incentives for good environmental behavior that promotes resource conservation and pollution prevention or abatement.
- Environmental tax to deter bad and unsustainable environmental behaviors.
- User's fee for environmental resources equal to their value.
- A certificate for environmental performance may be issued to a project developer or owner for satisfactory mitigation and improvement of the quality of the environment.
- A project developer, owner, or private sector institution, a non-governmental organization, or a public or private person may be recognized and awarded for good environmental practices,

innovation, or involvement in ensuring a safe, clean, healthy, and sustainable environment.

- Funds may be designated to encourage research and innovation in environmental management and protection in educational institutions.

Compliance practices before the statutory breach

- Always enquire with the Agency to determine whether your project requires an EIA or some environmental permitting or authorization. You can check the Agency's website, headquarters in Freetown, regional offices, or any other offices it may establish. It is your right to know.
- Start and complete the EIA process before starting any projects set out in the First Schedule to the Act. Starting any such projects without an EIA Licence is an offense.
- Start and complete your permitting or authorization process for any activity that requires a permit or authorization from the Agency.

Compliance practices after statutory breach

- Approach the staff of the Agency in the region where the violation of the Act is committed for guidance on compliance options available to you.
- You may be required to pay the fine for the violation as provided for in the Act. Such a fine is paid directly into the Agency's account.

- You may be required to undertake corrective actions such as rehabilitation, closure, clean-up, mitigation, compensation, and any other corrective measures as necessary given the circumstance of the breach.
- Whatever actions or measures you are required to be undertaken can be prescribed in a compliance undertaking executed between the Agency and the offender, and may include a third party such as victims of a violation or an interested party.
- You may be required to commence and complete the EIA process or permitting or authorization process before continuing with your project or activity.

Enforcement procedures

- The Executive Chairman or an authorized officer can enter and inspect any premises, land, facility, vessel, and vehicle to perform his work in accordance with the law.
- An authorized officer can arrest any person suspected to have committed or is about to commit a crime under the Act or seize any equipment suspected to have been used or is likely to be used to commit an offence under the Act.
- A receipt must be issued for anything seized.
- A police officer can support the Executive Chairman or an authorized officer to enforce the provisions of the Act, including effecting arrest and conducting investigations.

- The offender may be prosecuted through civil or criminal lawsuits.
- You may be required to cease any activity that harms or is likely to harm the environment and human health and to take other actions as may be contained in an enforcement notice issued by the Agency.
- You may be required to take steps to improve the nature and quality of the environment through an improvement notice issued out by the Agency.
- The Agency may take other necessary steps, including closure of the business facility or premise, to ensure compliance with its instructions contained in an enforcement notice notwithstanding any prosecution.