

DECREE LAW No. 2/ 2017**of 22 March 2017****APPROVES URBAN SOLID WASTE MANAGEMENT SYSTEM****Preamble**

The Constitution of the Democratic Republic of East Timor proclaims, in its Article 61, the right of all to a humane, healthy and balanced living environment, entrusting the State to promote actions to protect the environment and the sustainable development of the economy.

Defining the path to ensure compliance with the aforementioned constitutional command, the Strategic Development Plan 2011 – 2030 (SDP) establishes the need to develop actions to ensure the existence of appropriate standards and activities to control pollution, production and waste management, capable of ensuring the preservation of Timor-Leste's natural heritage as the population and economy grow. Among the various measures to be adopted to achieve that goal, the SDP and the VI Constitutional Government Program, foresee the introduction of urban waste management directives based on environmental laws and standards, in order to establish waste treatment standards in Dili and other urban settlements of Timor-Leste. In addition, civic education campaigns, capable of influencing citizens' habits and consumption patterns, are planned to reduce the use of materials whose environmental impact is negative and lasting.

The Ministry of State Administration, namely through its General Directorate of Urban Organization, under the terms of paragraph a) of article 22 of Decree-Law no. 12/2015, of June 6, is responsible for studying and developing systems of collection and treatment of urban solid waste.

In turn, the Municipal Administration or the Municipal Authority, depending on the municipalities, is the Government entity responsible for the collection, transportation and treatment of urban solid waste, for the management and guarantee of hygiene and cleaning of public spaces, as well as for the cleaning and maintenance of garbage dumps, under the terms of paragraph j) of no. 1 of article 11 of Decree-Law no. 3/2016, of March 16.

The economic and demographic evolution seen over the last decade in Timor-Leste, characterized by strong demographic growth, economic growth, increased purchasing power and consequent changes in public and private consumption patterns, as well as the trend towards population concentration in urban centers, has caused increased difficulties in the process of collecting and transporting urban waste and in maintaining urban cleanliness and hygiene, due to the sharp increase in the production of urban solid waste, with negative consequences for the environment, the aesthetics of public places and the health of all citizens.

It is therefore imperative to draw up clear rules to promote and ensure urban hygiene and urban waste management which, without prejudice to economic development and the increase in citizens' comfort and well-being indices, enables the integrated management of waste produced in an environmentally sustainable and socially inclusive manner.

In this way, the twelve municipal territories of East Timor, through this law, intend to evolve in the management of urban waste, thus proposing to consolidate good internal practices and obtain greater cooperation from citizens and companies producing waste.

Thus,

The Government decrees, under the terms of Article 115(1)(o) of the Constitution of the Republic, to be enforced as law:

CHAPTER I GENERAL PROVISIONS

Article 1 Object

The present decree-law defines the rules to which the urban solid waste management system in Timor-Leste obeys.

Article 2 Scope of Application

This diploma applies to the entire national territory except in Special Administrative Regions.

Article 3 Entity holder

The Municipal Administration or the Municipal Authority, as the case may be, is the entity holder that, under the terms of the law, is responsible for ensuring the provision of the service for the management of the urban solid waste system in its territory.

Article 4 Entity managing the system

1. The entity to which the management of the system is delegated or is under a concession scheme shall be considered the management entity of the system in whole or in part.
2. The concession scheme for the solid waste management system shall be approved by Decree.

Article 5 Competence

1. The management of urban solid waste is the responsibility of the respective Municipal Administration or Municipal Authority, in accordance with paragraph j) of no. 1 of Article 11 of Decree-Law no. 3/2016, of 16 March.
2. The disposal of solid waste is the responsibility of the respective producers or holders.
3. The Municipal Administration or the Municipal Authority may delegate or concession the management of urban solid waste, namely for the collection, treatment and final destination of solid waste, through a service provision contract with a management entity.
4. The responsibility attributed to Municipalities does not exempt their users from paying the corresponding fees.

CHAPTER II DEFINITIONS

Article 6 Waste

For the purposes of this Decree-Law:

- a) **Waste:** any substance or object that the producer or holder discards, intends or is required to discard;
- b) **Urban Solid Waste (MSW):** waste originating from one as well as other waste which, due to its nature or composition, is similar to waste originating from dwellings - namely those originating from the service sector or from commercial or industrial establishments and units providing health care - provided that, in any case, the daily production does not exceed 1,100 liters per product, namely the following:

- i. **Monos or Domestic Monsters:** disused bulky domestic objects originating from single-family and multi-family houses which, because of their volume, shape or size, cannot be collected by normal means of removal;
- ii. **Urban Green Waste:** waste resulting from the cleaning and maintenance of gardens and vegetable gardens of single and multi-family houses or coming from public green spaces, such as trimmings, branches, trunks, leaves, lawns and herbs, excluding those resulting from outside arrangements of private condominiums;
- iii. **Solid Waste from Public Cleaning:** those resulting from the activities of Public Cleaning, resulting from the public cleaning of gardens, parks, public roads, cemeteries and other public spaces;
- iv. **Animal Waste:** excrement from the defecation of animals on public roads;
- v. **Demolition and Construction Waste (Demolition and Construction Waste) (DRC):** Waste from public or private construction, demolition or recovery works, such as stones, rubble, earth and the like;
- vi. **Special Solid Waste Equipped with MSW:** all those referred to in the previous paragraphs, when daily production exceeds 1,100 liters per day, or in the case of the DRC, when it does not fall within the definition in paragraph e) of the previous paragraph;
- vii. **Hazardous Waste:** waste which presents at least one of the characteristics of danger to health or the environment, namely those identified in specific legislation;
- viii. **Hospital Waste:** Waste from hospitals, health centers, laboratories, veterinary clinics or other similar establishments which may be contaminated by any biological, physical or chemical product which poses a risk to human health or danger to the environment;
- ix. **Waste/Animal By-Products (SPOA):** waste originating from establishments with industrial and/or commercial characteristics where animals are intensively reared or slaughtered and/or processed.

Article 7

Recoverable Waste

1. Recoverable waste is considered to be all waste that can be separately collected and whose main result is its processing, in order to serve a useful purpose according to the existing technology on the market and to guarantee its disposal.
2. The following types of recoverable waste are considered to be waste:
 - a) **Packaging:** a product made of materials of any kind, used to contain, protect, move, handle, deliver and present goods, both raw materials and processed products, from the producer to the user or consumer, including all disposable items used for the same purposes
 - b) **Paper and board:** of any kind, except plastic or chemical paper and board contaminated with other types of waste, in particular food waste, which may not contain clips, staples or any other type of material which jeopardizes its recycling;
 - c) **Glass:** packaging glass, excluding special, toughened or laminated glass, namely: mirrors, crystals, glass or prex dishes, ampoules, syringes and car glass;
 - d) **Used tires:** tires which cannot be regenerated, i.e. not likely to be used for their original purpose;
 - e) **Scrap metal:** objects rendered useless by use, consisting mainly of non-ferrous metals and ferrous metals, including also household metal equipment and cars out of circulation;

- f) **Batteries and accumulators:** batteries and accumulators containing certain dangerous substances, excluding mobile telephone batteries;
- g) **Electrical and Electronic Equipment (WEEE):** Equipment whose proper functioning depends on electrical currents or electromagnetic fields;
- h) **Used Food Oils (OAU):** waste oils from the use of food oils, which are understood to be oils intended for human consumption.

Article 8

Other definitions

For the purposes of this Decree-Law, the following definitions shall also apply:

- a) **Abandonment:** renouncing the control of waste without any determined beneficiary, which prevents its management;
- b) **Contract:** legal bond established between the holder and the legal entity, public or private, regarding the provision, permanent or eventual, of the service by the first to the second under the terms and conditions of this Decree-Law;
- c) **Contract holder** shall mean any legal person, public or private, concluding a contract with the entity, also designated in the applicable legislation in force as user;
- d) **Ecopoint:** set of containers, placed on public roads, schools, or other public spaces and destined for the selective collection of paper, glass, plastic and metal packaging or other materials for recovery;
- e) **Fee:** a set of unit values and other parameters and calculation rules which make it possible to determine the exact amount to be paid by the user to the holder in return for the service;
- f) **Fee structure:** set of values attributable to the provision of the urban waste management service and its application rules;
- g) **Holder:** any natural or legal person who produces or holds waste;
- h) **Producer:** any natural or legal person whose activity produces waste;
- i) **Recycling** means any recovery operation, including the reprocessing of organic materials, by which the materials constituting the waste are further transformed into products, materials or substances for their original purpose or for other purposes;
- j) **Re-use** means any operation by which products or components that are not wastes are used again for the same purpose for which they were conceived;
- k) **User:** natural or legal person, public or private, to whom the urban waste management service is continuously provided, and may be classified as such:
 - i. Domestic user: one who uses the urban building for housing purposes;
 - ii. Non-domestic user: the one who is not covered by the previous item.
- l) **Waste management:** all procedures aimed at ensuring the environmentally safe, sustainable and rational waste management, taking into account the need for its reduction, recycling and reuse, including the separation, collection, handling, transport, storage and/or disposal of waste as well as the subsequent protection and maintenance of disposal sites, in order to protect human health and the environment against harmful effects which may result from them;

Article 9

Technical regulations

The technical standards to which the design, project, construction and operation of the management system must conform, as well as the respective health and safety standards, are those approved in accordance with the legislation in force.

Article 10

Management principles

The provision of the municipal waste management service shall comply with the following principles:

- a) Principle of protection of public health and the environment;
- b) Principle of promotion of universality and equal access;
- c) Principle of quality and continuity of service and protection of users' interests;
- d) Principle of economic and financial sustainability of services;
- e) User payable principle;
- f) Principle of citizen responsibility, adopting preventive behavior in waste production, as well as practices that facilitate its reuse, recycling or other forms of recovery;
- g) The principle of transparency in the provision of services;
- h) Principle of ensuring efficiency and continuous improvement in the use of affective resources, responding to changing technical requirements and best available environmental techniques;
- i) The principle of promoting economic and social solidarity, correct spatial planning and regional development.

CHAPTER III

RIGHTS AND DUTIES

Article 11

Right to provide the service

1. Any user whose place of production is within a municipal district is entitled to the provision of the service whenever it is available.
2. The collection service is considered to be available, for the purposes of this statute, provided that the undifferentiated collection equipment is installed at a distance of less than 150 m from the boundary of the building and that a minimum frequency of collection is carried out that safeguards public health, the environment and the quality of life of citizens.
3. The distance provided for in the previous paragraph shall be increased to 250 meters in predominantly rural areas.

Article 12

Right to information

Users have the right to be informed in a clear and appropriate manner of the conditions under which the service is provided, in particular with regard to the applicable fee.

Article 13

Attendance to the public

1. Municipal Authorities and Municipal Administrations have a place of public attendance and a telephone service, through which users can contact directly.
2. The attendance to the public is carried out on working days at the time fixed by the municipal services.

Article 14

Obligations of the holding entity

It is the responsibility of the Municipalities, namely, to:

- a) Ensure the management of municipal waste whose daily production does not exceed 1,100 liters per producer, produced in their geographical area, as well as other waste whose management is assigned to them by law;
- b) Ensure adequate disposal of the waste it collects or receives from its geographical area, without this responsibility exempting users from paying the corresponding fees for the service provided;
- c) Ensure the quality, regularity and continuity of service, except in cases of force majeure;
- d) Assume responsibility for the design, construction and operation of the urban waste management system;
- e) Promote monitoring and evaluation of the management service, through the use of geographic information systems and others;
- f) Promote the preparation of plans, studies and projects that are necessary for the good management of the system;
- g) Keep the register of equipment and infrastructure related to the waste management system updated;
- h) Promote installation, renovation, good operation and conservation of equipment and infrastructure of the waste management system;
- i) Ensure cleaning of the waste disposal equipment and surrounding area;
- j) Promote technological updating of the waste management system, namely when this results in an increase in technical efficiency and environmental quality;
- k) Facilitate collection of this service, so that users may fulfil their obligations with the least possible inconvenience;
- l) Keep an up-to-date record of complaints and suggestions from users and ensure their response within the legal timeframe;
- m) Provide essential information about their activity;
- n) Propose updating of the fee to the competent ministry, which will approve it;
- o) Comply with and enforce the present legal diploma.

Article 15

Duties of the management entity

If the solid waste management system is delegated or is under a concession scheme by contract to a private entity, the latter takes over the obligations of the holder in accordance with the contract entered into between the parties.

Article 16

Users' duties

User's duties are, namely, to:

- a) Comply with the provisions of this Decree-Law;
- b) Not leave the waste on public roads;
- c) Not change the location of waste disposal equipment and ensure its proper use;
- d) Properly dispose of waste;

- e) Comply with the rules for the disposal of urban waste;
- f) Ensure good functioning and conservation of the disposal equipment;
- g) Report to the holder any anomalies or non-existence of equipment intended for the disposal of municipal waste;
- h) Notify the holder of any under-sizing of municipal waste disposal equipment;
- i) Pay the fee, in accordance with this Decree;
- j) In situations of accumulation of waste, adopt the procedures indicated by the holder entity, in order to avoid the development of situations of public insalubrity.

CHAPTER IV WASTE MANAGEMENT SYSTEM

SECTION I URBAN SOLID WASTE SYSTEM COMPONENTS

Article 17

Typology of waste to manage

Waste whose management responsibility is assigned to the holder is classified according to type in:

- a) Municipal solid waste whose daily production does not exceed 1,100 liters per producer;
- b) Other waste which, by legislative attribution, falls under the responsibility of the holder.

Article 18

Origin of the waste to be managed

The urban solid waste to be managed has its origin in domestic and non-domestic users.

Article 19

Waste management system

1. The waste management system shall comprise, in whole or in part, the following components concerning waste removal operation:
 - a) Conditioning;
 - b) Disposal, whether undifferentiated or selective;
 - c) Collection, whether undifferentiated or selective;
 - d) Recovery;
 - e) Transportation;
 - f) Treatment;
 - g) Disposal.

SECTION II PACKAGING AND DEPOSITION

Article 20

Conditioning

All producers and holders of municipal waste are responsible for its proper conditioning, and the disposal of municipal waste must take place under hygienic and watertight conditions, so as not to cause its spread or spillage.

Article 21

Deposition

For the purpose of undifferentiated or selective depositing of municipal waste, the holder makes the type of undifferentiated depositing in containers available to users.

Article 22

Deposition liability

The producers/holders of municipal waste whose daily production does not exceed 1,100 liters per producer, regardless of whether they come from households or commercial, service, industrial or other activities, are responsible for their deposit in the system made available by the holder.

Article 23

Deposition rules

1. Municipal waste may only be deposited in equipment or premises approved for the purpose, which must be used in such a way as to meet appropriate hygiene and health conditions.
2. The disposal of municipal waste is carried out in accordance with the equipment provided by the holder and taking into account compliance with the rules on the separation of municipal waste.
3. Disposal is also subject to the following rules:
 - a) It is mandatory to dispose of municipal waste inside the equipment for that purpose, always leaving its lid closed, if any;
 - b) The use of selective disposal equipment is mandatory, whenever it is available;
 - c) The OAU's shall be packaged in plastic bottles, closed and placed in the disposal equipment;
 - d) Ashes or any incandescent material may not be placed in equipment intended for municipal waste;
 - e) Bulky waste and green waste may not be placed in containers intended for biodegradable waste, on roads and other public spaces, except when agreed and authorized by the holder.

Article 24

Types of deposition equipment

1. It is the responsibility of the holder to define the type of municipal waste disposal equipment to be used.
2. The following equipment(s) shall be made available to users for the undifferentiated disposal of municipal waste:
 - a) Airtight steel containers with a capacity of 4,000 liters;
 - b) Airtight containers with a capacity of 1,200 liters.
3. For the purpose of selective disposal of municipal waste the following equipment(s) may also be made available to users:
 - a) Eco-points with a capacity of 240 liters;
 - b) Eco-points with a capacity of 120 liters;
 - c) Eco-points with a capacity of 60 liters.

Article 25

Location and placement of deposition equipment

1. It is the responsibility of the holder to define the location of the installation of undifferentiated and/or selective urban waste disposal equipment and its placement.
2. The holding entity shall ensure the existence of undifferentiated urban waste disposal equipment at a distance of less than 150 meters from the limit of the buildings in urban areas. This distance can be increased to 250 meters in predominantly rural areas, after prior consultation with the Sucos.

Article 26**Sizing of deposition equipment**

The sizing for the disposal site of urban waste is carried out on the basis of the:

- a) Daily generation of municipal waste, estimated, taking into account the expected population, the daily collect, the specific weight of the waste and the type of road;
- b) Production of municipal waste from non-domestic activities, estimated, taking into account the type of activity and its useful area;
- c) Collection frequency;
- d) Deposition capacity of the equipment foreseen for the site.

Article 27**Deposition Timetable**

The time of disposal of waste is defined by municipal regulation approved by ministerial decree of the member of the Government responsible for State Administration, upon proposal of the President of the Municipal Authority or the Municipal Administrator, as the case may be.

SECTION III**COLLECTION AND TRANSPORT****Article 28****Collection**

Collection in the area covered by the holder is carried out by pre-defined circuits or by prior request, according to criteria to be defined by the respective services, taking into account the minimum collection frequency to safeguard public health, the environment and the citizens' quality of life.

Article 29**Periodicity of Collection**

1. In urban areas, collection shall be carried out at least once a week or in accordance with another collection plan approved by the holder.
2. In rural areas, collection may be more spaced out in accordance with the collection plan approved by the holder.

Article 30**Transport**

The transport of municipal waste is the responsibility of the holder, with the final destination being dumps or landfills.

Article 31**Collection and transport of electrical and electronic equipment waste**

1. The separate collection of WEEE from private households is carried out upon request to the holder.
2. The removal shall take place at a time, date and place to be agreed between the holder and the interested party, after payment of the price to be set by the holder.
3. After the request for collection, the maximum time limit for the holder to reply is five working days.
4. WEEE shall be transported to the site to be designated by the holder.

Article 32
Monos or Domestic Monsters

1. The collection of this type of waste is carried out by request to the holder.
2. The removal shall take place at a time, date and place to be agreed between the holder and the interested party after payment of the price to be set by the holder .
3. After the request for collection, the maximum time limit for the holder to reply is five working days.
4. Monos or domestic monsters shall be transported to the place to be designated by the titling body.

Article 33
Collection of construction and demolition waste

1. The collection of construction and demolition waste shall be carried out on request to the holder
2. The removal shall be carried out under the conditions stipulated by the holding entity and at a time, date and place to be agreed with the interested party, after payment of the price to be set by the holding entity.
3. After the request for collection, the maximum period of time for the holder to respond is five working days.
4. Construction and demolition waste shall be transported to the site to be designated by the holder.

CHAPTER V
USER AGREEMENT

Article 34
Municipal waste management contract

1. Whenever the holder considers it necessary or the non-household user considers it more convenient for him/her, the provision of the municipal waste management service may be the subject of a contract, concluded between the holder and the non-household user.
2. The contract shall be drawn up on a form specific to the owner entity and shall be instructed in accordance with the legal provisions in force at the time of its conclusion and shall include the contractual conditions for the provision of the service, in particular the main rights and obligations of the users and of the owner or management entity, such as collection, tariffs, complaints and dispute resolution.
3. Upon conclusion of the contract, the user shall be given a copy of the contract.
4. Whenever there is an assignment of the effective user of the urban waste management service's contractual position, the assignee in the contract shall provide the Municipal Administration or the Municipal Authority with the information and documents requested by the latter for the purpose of executing the contract.
5. The model contract referred to in paragraph 2, as well as the respective rules of execution, shall be approved by ministerial decree of the Government member responsible for State Administration.

Article 35
Agreed domicile

The user shall be deemed to be domiciled at the address provided in the contract for the purpose of receiving all correspondence relating to the provision of the service.

Article 36
Duration of contracts

1. The urban waste management contract shall take effect from the date on which the service commences.
2. The contract shall be cease by termination or expiration.

Article 37
Suspension of contract

Non-domestic users may request, in writing and at least 10 working days in advance, the suspension of the waste management contract on the grounds of temporary vacancy of the property.

Article 38
Termination of contract

Non-domestic users may at any time terminate a waste management contract that they have concluded on the grounds of vacating the place of consumption, provided they notify the holder in writing, with effect from that date.

CHAPTER VI
FEE STRUCTURE AND BILLING FOR SERVICES

SECTION I
RATE STRUCTURE

Article 39
Incidence

1. Users to whom the respective services are provided shall be subject to the municipal waste management service charge.
2. For the purposes of determining the fee for the municipal waste management service, users shall be classified as domestic or non-domestic.

Article 40
Rate Structure

1. The provision of the municipal solid waste management service is charged to all users whenever the service is available.
2. The municipal solid waste management service reflects the costs with:
 - a) the availability of the service, which is payable by all;
 - b) the operating and maintenance costs of providing the service.
3. The fee covers the provision of the following services:
 - a) Installation, maintenance and replacement of equipment for the undifferentiated and selective collection of urban waste;
 - b) Transport and treatment of urban solid waste;
 - c) Management and maintenance of dumps and landfills.

Article 41
Application of the availability rate

All users for whom the municipal waste management service is available in accordance with Article 11(2) and (3) shall be subject to the fee.

Article 42
Basis of calculation

1. The methodology for calculating the rate by MSW management shall comply with the following criteria:
 - a) The rate is indexed to electricity consumption and, taking into account principles of equity and social justice, follows the general rule that whoever consumes more electricity produces more waste;
 - b) The rate is proportional to the consumption of KWh, both for domestic and non-domestic users.
2. The value of the fee will be advertised in the services of the holder and on the notice boards of the Sucos and Administrative Post Administrations.

Article 43
Rate Value

1. The fee to be charged to household users is \$0.01/KWh (one cent for each KW/hour consumed).
2. The value of the tax to be charged to non-domestic users is \$0.02/KWh (two cents for each KW/hour consumed).

SECTION II
BILLING

Article 44
Billing Periodicity

1. The municipal solid waste management service is billed jointly with the electricity consumption service and follows the same periodicity.
2. Invoices issued specify the service provided and the corresponding tariff.

Article 45
Place of payment

1. The fee for the provision of municipal solid waste management service is charged by the services that sell electricity.
2. The Municipal Authority or the Municipal Administration, as the case may be, shall charge the fee for the provision of the solid waste management service to non-domestic users under contract.

CHAPTER VII
PENALTIES

SECTION I
GENERAL ARRANGEMENTS

Article 46
Administrative offences

1. In addition to the civil or criminal liability that may be incurred in the case of any violation of the provisions of this Decree-Law shall constitute an administrative offence, punishable by a fine.
2. All administrative offences provided for herein are punishable by negligence, in which case the amount of the fines shall be reduced by half.
3. Fines shall be doubled for each recurrence.
4. Repeat offending shall be considered when more than one infraction to the present statute is committed by the same user within three months from the date on which the first one was committed.

Article 47
Supervision

1. Without prejudice to the powers conferred by law on other entities, the competent municipal services shall supervise compliance with the provisions of this Decree-Law.
2. The Municipal Authorities and the Municipal Administrations are technically supported by the services of the Central Administration for the processing of misdemeanor cases.

Article 48
Competence to impose fines

1. It is incumbent upon the Municipal Administrator or the President of the Municipal Authority, as the case may be, to pronounce the decision to impose fines provided for in this statute.
2. The Municipal Administrator and the President of the Municipal Authority may delegate the powers provided for in the previous subsection to the Municipal Secretary or to an officer of the Municipal Administration or of the Municipal Authority that is subordinated to him/her.

Article 49
Deadline for the payment of fines

The fines imposed under this Decree-Law shall be paid voluntarily by the offenders by the tenth working day following notification of the decision to impose the fine.

Article 50
Appeal

1. The decision to impose a fine shall be subject to appeal to the member of the Government responsible for State Administration.
2. The appeal shall not have suspensory effect.

Article 51
Obligation of offenders

Without prejudice to the penalties provided for in this statute, those responsible for the infractions shall be obliged to repair the damage caused, within a period set for that purpose by the President of the Municipal Authority or the Municipal Administrator, as the case may be.

Article 52
Execution for the payment of fines

The provisions of Article 65 of Decree-Law No. 32/2008 of August 27 are applicable to the payment of fines that have not been paid voluntarily.

SECTION II
MISDEMEANOURS FOR LACK OF HYGIENE AND
CLEANLINESS OF PUBLIC PLACES

Article 53
Lack of Hygiene and Cleaning of Public Places

The following infringements constitute offences punishable by the fines provided for in this Article:

- a) Placing on public roads and other public places any waste out of the containers destined for its disposal is punishable by a fine of \$ 115.00 (one hundred and fifteen American dollars);
- b) Leaving or spreading on public roads any materials that are transported in vehicles is punishable by a fine of \$115.00 (one hundred and fifteen American dollars).

SECTION III
MISUSE OF CONTAINERS

Article 54
Misuse of containers

The following infringements constitute offences punishable by the fines provided for in this Article:

- a) Disposing of waste other than that for which it is intended into the containers made available to users is punishable by a fine of \$ 50.00 (fifty US dollars);
- b) Failure to properly close the lid of containers holding it shall be punishable by a fine of \$ 50.00 (fifty US dollars);
- c) Affixing advertising on the containers shall be punishable by a fine of \$ 115.00 (one hundred and fifteen American dollars).

SECTION IV
MISDEMEANOURS FOR THE ACTS OF INTERFERENCE
WITH THE WASTE SOLIDS SYSTEM

Article 55
Interference with the solid waste system

The following infringements constitute offences punishable by the fines provided for in this Article:

- a) The destruction and damage of any container intended for waste disposal are punishable by a fine of \$ 115.00 (one hundred and fifteen American dollars) and always implies the replacement of the container at the expense of whoever damaged it;
- b) Diverting from their places containers that are on public roads, whether they serve the general population or are destined for cleaning services, shall be punishable by a fine of \$75.00 (seventy-five US dollars);
- c) Preventing, by any means, persons or municipal cleaning services, access to containers placed on the public highway for the disposal of solid waste, shall be punishable by a fine of \$115.00 (one hundred and fifteen American dollars);
- d) The removal of waste by an entity that is not duly authorized to do so is punishable by a fine of \$ 115.00 (one hundred and fifteen American dollars);
- e) The burning of urban solid waste is punishable by a fine of \$115.00 (one hundred and fifteen American dollars).

CHAPTER VIII
FINAL PROVISIONS

Article 56
Transitional arrangements

- 1. The collection of the solid waste management service shall enter into force only when the system is available.
- 2. As long as the system is not available, no fee is due under this Decree-Law.

Article 57
Entry into force

This law shall enter into force on the day following its publication.

Approved by the Council of Ministers on December 20, 2016.

The Prime Minister

Dr. Rui Maria de Araújo

The Minister of State Administration

Dionísio Babo Soares, PhD

Enacted on 15 / 03 / 2017

Be it published.

The President of the Republic

Taur Matan Ruak