



IMO STATE OF NIGERIA

**EASTERN WASTE
MANAGEMENT CORPORATION
(ESTABLISHMENT) LAW, 2025**

LAW NO 2 OF 2025



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(ESTABLISHMENT) LAW, 2025**

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Long Title

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IMO STATE OF NIGERIA
LAW NO. 2 OF 2025

A Law to repeal the Imo State Waste Management Agency Law No. 5 of 2020 and to enact a Law to establish the Eastern Waste Management Corporation to address the Waste Management challenges in Imo State by instituting a reliable and sustainable Waste Management system in Imo State and for other related matters.

Long title

BE IT ENACTED by the Imo State House of Assembly as follows –

Enactment

PART I – PRELIMINARY

1. This Law may be cited as the Eastern Waste Management Corporation (Establishment) Law. 2025 and shall come into effect on the 27th day of March 2025.

*Citation/
Commencement*

2. In this Law, unless the context otherwise requires:-

Interpretation

“Corporation” means the Eastern Waste Management Corporation established by section 3 of this Law;

“Core investor” represents any person or Government that applies capital to the Corporation with controlling interest through money assets, shares, debentures, government and other public securities;

“Domestic waste” means garbage and other discarded solid waste from a private material resulting from dwelling or residential home or tenement, a university or school or other educational establishment and includes carcass of animals;

“Employees” include officers in the public service of the State or in the service of Local Governments transferred to the Corporation and those employed directly by the corporation;

"Facility" means all contiguous land, structure and other appurtenances which are owned, operated and licensed as a single entity which may consist of several generating, treatment, or storage units;

"Government" means Government of Imo State of Nigeria;

"Governor" means the Governor of Imo State;

"Health Care Provider" means any person who provides medical care or personal services;

"Leak resistant" means anything that prevents liquid from escaping to the environment in the upright position;

"Recyclable materials" mean materials which are capable of being recycled and which may be segregated from other waste materials or collection and recycling, rather than collection and disposal;

"Sealed" means to fasten or close securely so as not to allow passage of liquids;

"Sharp" means an object capable of puncturing, lacerating, or otherwise penetrating the skin;

"Sharp container" means a rigid, leak and puncture resistant container, designed primarily for the containment of sharps, clearly labeled with the phrase and international biological hazards symbol;

"State" means Imo State of Nigeria;

"Treatment" means any process, including steam, chemicals microwaving, shredding, incineration or hydroclaving which changes the character or composition of biomedical waste to render it non-infectious by disinfection or sterilization;

"Waste" means all solid waste materials, including but not limited to garbage, refuse and other discarded waste materials resulting from industrial, commercial and agricultural operations, including waste from mines and quarries and shall also include –

(a) any substance which constitutes a scrap material or an effluent or other unwanted surplus substance arising from

- the application of any process;
- (b) any substance or article which requires to be disposed of as being broken, worn out, contaminated or otherwise soiled; and
 - (c) anything which is discarded or otherwise dealt with as if it were waste shall be presumed to be waste.

PART II – ESTABLISHMENT OF THE CORPORATION, GOVERNING BOARD, ETC.

- 3.(1) There is established, a body to be known as the Imo State Waste Management Corporation (referred to in this Law as “the Corporation”). *Establishment of the Corporation*
- (2) The Corporation shall –
- (a) be a body corporate with perpetual succession and a common seal;
 - (b) have power to sue and be sued in its corporate name; and
 - (c) be capable of purchasing, acquiring, holding and disposing of moveable and immovable property for the purpose of carrying out its functions under this Law.
- 4.(1) The governing body of the Corporation will be known as the Board of Directors (referred to in this Law as “the Board”). *Establishment and Composition of the Governing Board*
- (2) The Board will consist of –
- (a) a Chairman;
 - (b) a Group Managing Director and Chief Executive Officer (referred to in this Law as (the C.E.O); and
 - (c) seven other members.
- (3) The C.E.O and other members of the Board will be appointed by the core investor.
- (4) The provisions contained in the Companies and Allied Matters Act (CAMA) as regards meetings and proceedings of Companies will have effect in relation to the Board and other matters mentioned there.

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|-------|--|---|
| 5. | There will be paid to the members of the Board such remuneration as provided under the Companies Allied Matters Act, 2020 (CAMA). | <i>Remuneration of Members of the Board</i> |
| 6.(1) | The C.E.O and other members of the Corporation will hold office for a term to be determined by the Core Investor in accordance with the provisions of CAMA. | <i>Tenure of Office of Members</i> |
| (2) | All members of the Board except the C.E.O will be appointed to serve as part-time members. | |
| (3) | A member of the Board may resign the appointment by giving in writing three(3) months notice in advance. | |
| (4) | A member will only be removed from office if the member –
(a) attends fewer than 75 percent of meetings of the Board in any one year period;
(b) becomes of unsound mind or is incapable of carrying out the duties of the Board;
(c) has a conflict of interest, as provided under the CAMA;
(d) is convicted of a felony or any offence involving dishonesty;
(e) becomes bankrupt;
(f) is guilty of serious misconduct relating to the duties; and
(g) in the case of any member who belongs to a professional body, is suspended or removed from the professional body. | |
| 7.(1) | Notwithstanding other provisions of this Law, the powers of the Board shall include –
(a) preparation of long term plans for the corporation in consultation with appropriate Government Authorities;
(b) conducting of research relative to waste disposal system and cleaning of streets;
(c) establishment of standards relative to waste collection and waste disposal systems; the clearance, maintenance of public drainage facilities and cleaning of streets within the State in collaboration with appropriate Government Authorities; and | <i>Powers of the Board of the Corporation</i> |

- (d) conducting of other related or incidental activities that will enhance the performance of the board in the discharge of its functions.
- (2) The Board may make Regulations for the general conduct of the business of the corporation and may –
 - (a) establish special committees and standing committees of the Board;
 - (b) establish advisory committees consisting of members of the Board and persons other than members;
 - (c) regulate proceedings of such committees; and
 - (d) delegate any of its duties to such committees.
- 8.(1) The Board shall meet at least once every four (4) months at such place and time as the Chairman may determine.
- (2) A special meeting of the Board may be summoned at the request of the chairman.
- (3) All meetings of the Board shall be summoned by the Secretary.
- (4) The Chairman shall preside at any meeting of the Board but when absent, the Board will elect one of the Members present to preside.
- (5) Every question for decision by the Board at any meeting, will be decided by a majority of the votes of members present and voting.
- (6) The Chairman or the Member presiding in the Chairman's absence will, at any meeting, have a vote but in the case of an equality of votes, will have a second or casting vote.
- (7) The Managing Director and Secretary of the corporation shall be in attendance at all meetings of the Board and take part in its proceedings and the Board may also require any of its officers to attend such meeting and take part in the proceedings but neither the Secretary nor any of the officers of the corporation attending its meeting will have a right to

*Meetings of
the Board*

vote on any matter unless otherwise invited by the presiding Chairman.

- (8) The validity of any proceedings of the Board will not be affected by any defect in the appointment of a member or by reason that a person who is not entitled to do so took part in the proceedings.
9. The quorum of the Governing Board of the corporation shall be 50% of its membership. *Quorum*
10. A member of the Board who is directly or indirectly interested in a transaction or project of the corporation shall disclose the nature of the interest at a meeting of the Board, the disclosure shall be recorded in the minutes book of the corporation and the member must not take part in any deliberation or decision of the Board with respect to that transaction. *Disclosure of interests by the Members of the Board*
11. Where the Board desires to obtain the advice of any person on any matter, the Board may co-opt such person to be a member for such meetings as may be required, and any co-opted person will have all the rights and privileges of a member of the Board but will not be entitled to vote on any question or count towards a quorum. *Power to Co-opt*
- 12.(1) The common seal of the Corporation shall be determined by the Board; and affixing of the common seal will be authenticated by the signature of the Managing Director and the Secretary or some other person(s) authorized by the Board for that purpose. *Common Seal*
 - (2) A document duly executed under the common seal of the Corporation shall be received in any court and, unless the contrary is proved, be deemed to be so executed.

PART III - FUNCTIONS AND POWERS OF THE CORPORATION ETC

*Functions of
the
Corporation
and Powers
to Delegate*

13.(1) The functions of the Corporation shall be to –

- (a) clean streets, remove, collect and dispose of domestic, commercial and any other form of solid, including medical, marine waste, garden waste and building waste in accordance with regulations made by the Board for that purpose;
- (b) maintain a clean and healthy environment in the State;
- (c) provide refuse collection points and centers for removal and final disposal of such refuse;
- (d) direct and control the dumping of refuse in the State;
- (e) ensure the clearing of refuse from collection points and centers;
- (f) devise and employ approved methods and measures for improved refuse disposal;
- (g) ensure the opening and clearing of public drains to allow for free flow of water;
- (h) remove nuisance from the highway, public open spaces and public parks;
- (i) remove and dispose of abandoned and scrapped vehicles;
- (j) remove and dispose of animal carcass from public places;
- (k) prepare and update the master plan for waste collection and disposal in the cities, towns and villages in the State; and control resultant waste system within the State;
- (l) approve and monitor all waste disposal systems in the State;
- (m) make provision for waste management services to be rendered to State agencies, Local Governments, industries, business entities and private persons within the State by collecting refuse/waste by the Corporation pursuant to relevant agreements between the Corporation and such other parties;
- (n) issue, renew and revoke licenses of private waste collectors;
- (o) maintain a central data base information system for collation of data;
- (p) set guidelines and targets for waste avoidance and volume reduction through source reduction and waste

- minimization measures, including compositing, recycling, re-use, recovery and green charcoal processes;
- (q) encourage proper segregation and containerization of waste through policy formulation and public awareness;
 - (r) ensure proper collection, transportation, treatment and disposal of waste by adopting best environmental practices;
 - (s) promote research and development programs for improved waste management and resource conservation techniques, effective institutional arrangement for waste reduction, reuse, collection, treatment, separation and recovery; and
 - (t) do all such acts as are necessary or incidental to the proper discharge of its duties under this Law.
- (2) For ease of operation, each Local Government in the State may cede its rights to the Corporation as it relates to refuse disposal by way of a written Agreement between the parties wherein the terms of the agreement shall be expressly provided.
- (3) For the purpose of carrying out its functions under this Law, the corporation may –
- (a) enter into arrangements such as Public Private Partnership Agreements, Franchise or Concession Agreements with persons, firms or corporations for the supply of services or facilities for the performance of its functions under this Law;
 - (b) delegate any of its functions to such consultants, technical partners or contractors; and
 - (c) where the Corporation enters into a Public Private Partnership arrangement or any of the other arrangements listed in sub-section (3)(a) of this section, the Special Purpose Vehicle (SPV) created by that arrangement will be responsible for exercising the powers of the Corporation in accordance with the provisions of the agreement.
14. (1) The Corporation shall have power to –
- (a) employ such staff, as it may consider necessary for the purpose of carrying out its functions under this Law;

*Powers of
the
Corporation*

- (b) determine the remuneration of its staff;
 - (c) determine the fees payable for issuance and renewal of license to private waste collectors;
 - (d) seal off any premises that fails to conform with the provisions of this Law;
 - (e) authorize any officer or employee of the corporation to act as its agent in respect of any function, service or facility which may be exercised, performed or produced by the Corporation under this Law;
 - (f) set and revise rates, rentals and charges for the use of facilities or services provided by the corporation ;
 - (g) establish and manage an organizational structure for promoting recycling activities in the State;
 - (h) purchase, acquire, lease, hold, construct, manufacture or maintain any property whatsoever whether movable or immovable for the purpose of carrying out its functions in accordance with existing legislations in the State;
 - (i) acquire any land for the purpose of planning, designing, transferring, managing, constructing, operating, maintaining waste disposal and processing facilities and enter into contractual agreement with any corporation, body or organization, including Local or State Government corporation or Regional corporations as may be necessary for the discharge of its functions under this Law subject to the approval of the Board;
 - (j) subject to the provisions of this Law, provide consulting services to Local, State and Regional boards, private and corporate individuals regarding waste management services and may plan, design, construct, manage, operate and maintain any waste management facility on their behalf;
 - (k) subject to the approval of the Board, accept or acquire and hold any security of any kind in any form whatsoever, excluding security in any company that has an interest in waste management or related activities such as operations, manufacture and sale of equipment and services including consultancy services; and
 - (l) adopt an official seal.
- (2) The Corporation shall also have the power to –
- (a) charge commercial tariffs, which may vary from area to

- area and make direct charges on users for services rendered where such circumstances may arise;
- (b) provide other related services not mentioned in this Law for a fee;
 - (c) issue demand notices in relation to the provisions of sub-section (1) of this section.
- (3) The Corporation may require a waste generator, licensee, service provider or person involved in or associated with the provision of domestic and/or commercial waste collection service within a specific area to furnish information to the Corporation which may be reasonably required for the information system and this may include –
- (a) significant sources of waste generation and the identification of the generators of waste;
 - (b) quantities and classes of waste generated;
 - (c) management of waste by waste generators;
 - (d) waste handling, waste treatment and waste disposal facilities;
 - (e) population and development profiles;
 - (f) reports on progress in achieving waste management targets;
 - (g) management of radioactive waste; and
 - (h) any other information required by the legislation, regulations or guidelines.
15. The Corporation may make Regulations for the effective implementation of the provisions of this Law and in particular for –
- (a) service charge for removal and collection of waste;
 - (b) condition and fees payable for the issuance and renewal of licenses;
 - (c) charge payable for other incidental services rendered by the corporation;
 - (d) all forms of notices required to be given or issued under this Law and Services of same;
 - (e) penalties for offences in respect of any regulation made in accordance with the provisions of this Law; and
 - (f) any other matter incidental to the performance of its functions under this Law.

*Power to
make
Regulations*

PART IV – MANAGEMENT STAFF AND OTHER STAFF OF THE CORPORATION

16. There shall be an officer of the Corporation to be known as the Chairman who will be appointed by the core investor and will carry out the functions as enumerated in the CAMA. *The Chairman*
- 17.(1) There will be appointed by the core investor, an officer of the Corporation to be known as the Group Managing Director and Chief Executive Officer (referred to in this Law as "the C.E.O"). *The Group Managing Director*
- (2) The C.E.O will be responsible for the implementation of the decisions of the Board and general administration of the Corporation and its subsidiaries
- (3) The C.E.O will be the Chief Accounting Officer of the Corporation and its subsidiaries and in the absence of a Board, will exercise all powers of the Board as contained in this Law provided that such exercise of powers will not exceed a period of Six(6) months.
- (4) The C.E.O will decide priority management actions (which include use of financial resources, investments, commercial initiatives) up to a limit specified by the Board.
- (5) The C.E.O will be responsible for personnel issues (appointments, recruitments, retrenchments, etc) except for senior management which should be referred to the Board.
- (6) The C.E.O will implement approved internal control and risk management policies.
- (7) The C.E.O will carry out any other responsibilities delegated by the Board.
- 18.(1) There will be a Secretary and Legal Adviser to the Corporation (referred to in this Law as "the Secretary") who will be responsible to the Board and assist in the discharge of the functions under this Law. *The Secretary/
Legal Adviser*

- (2) The secretary will be a legal practitioner with a minimum of ten(10) years' post call experience and will be Head of the Legal Department
19. The Secretary will perform the following functions –
- (a) be the custodian of the records of the Corporation;
 - (b) communicate policy decisions at Committee meetings to affected Departments;
 - (c) Prepare, vet and review all contracts subject to the approval of the Board;
 - (d) represent the Corporation in court in matters to which it is a party; and
 - (e) perform all duties required of the office under the Companies and Allied matters Act, 2020.
- 20.(1) All persons who immediately before the coming into force of this Law were employed by the Imo State Waste Management Agency established by the previous Law in the State shall remain staff of the Eastern Waste Management Corporation established under this Law and Provided that they have the requisite qualifications as determined by the Corporation.
- (2) Subject to satisfactory performance, no person affected by subsection (1) of this section shall, as a result, suffer any loss of rank or retiring benefit.
- (3) The Corporation may employ such number of staff as may be necessary for performance of its functions under this Law.
21. The staff of the Corporation shall be entitled to pensions, gratuities and other retirement benefits in accordance with the Pensions Law applicable in Imo State.

*Functions of
the Secretary*

*Other Staff
of the
Corporation*

*Other Staff
Pensions*

PART V – FINANCIAL PROVISIONS

22.(1) The Corporation shall operate its own account and shall have power to collect revenues and disburse same.

*Financial
Provisions*

- (2) The funds and resources of the Corporation shall consist of –
- (a) such sums as may from time to time be appropriated to the Corporation by the Government for defraying the expenses of the Corporation (including the expenditure incurred by the Corporation committees) in exercising its functions under this Law.
 - (b) legacies, grant, endowment, donations and other gifts received by the Corporation;
 - (c) fees charged by the Corporation for services provided to State Agencies, Local Governments, Industries, business entities, private persons within the State etc;
 - (d) all incomes derived from any property or investment of the Board;
 - (e) any loans made to the Corporation; and
 - (f) such other moneys or property as may accrue to the Corporation from other sources.

23.(1) The following charges will be defrayed out of the revenue of the Corporation for any financial year-

*Application of the
Corporation's
Revenue*

- (a) the remuneration and allowances of members of the Board and those of any committee of the Corporation;
- (b) the salaries, remunerations, fees, allowances, pensions and gratuities of the staff, agent, technical and other advisers or consultants of the Corporation;
- (c) such minor works of a capital nature as the Corporation may deem necessary from time to time;
- (d) such sums including compensation that may be payable by the Corporation to any person or authority by virtue of the provisions of this Law or any other enactment;
- (e) taxes, rates and other levies payable by the Corporation under any Law;
- (f) interest or loans raised by and on behalf of the Corporation;
- (g) sums required to be transferred to any sinking fund or otherwise set aside for the purpose of making provisions

- for the redemption of or other securities or the repayment of other loans; and
- (h) such other sums as the Board may approve for payment out of the revenue account of the Corporation in respect of any financial year.
- (2) In defraying charges out of the revenue of the Corporation for any financial year, in respect of the Corporation's transactions with any of its subsidiaries or operator, the Corporation will be guided by the prevailing applicable accounting standards.
24. The Corporation shall, not later than the 30th day of November of each year, prepare and submit to the Governor, proposals for estimates of its incomes and expenditures for the next ensuing financial year. *Annual Estimates*
25. The Corporation shall – *Accounts of the Corporation and Committees*
- (a) keep proper account of its respective transactions in each financial year, which account shall be audited by the State Auditor-General or any auditor appointed by the State Auditor-General; and
- (b) prepare and transmit to the Governor, in respect of each financial year, such audited account not later than 1st April in the succeeding financial year.
26. The Corporation shall, not later than the 30th day of April of each year, submit to the Governor, the full report of its activities during the preceding financial year (including the report of the Committees), together with audited accounts of the Corporation and each Committee of the Corporation for that financial year. *Annual Report*
- 27.(1) The Corporation will have power to accept loans and grants from any Government or donor agency. *Loans and Grants*
- (2) It will be lawful for the State Government to make to the Corporation the following –
- (a) grants of any sums of money or property deemed necessary; and
- (b) loans on such terms as to repayment of interest or otherwise as the Government may determine.

28.(1) The Corporation may, with the approval of the Board borrow money by issuing debentures, stocks, or other securities or in any other manner for and in connection with the exercise of its functions under this Law, as the Corporation may deem necessary.

*Power to Borrow
Money*

(2) An approval given for the purposes of this section may be either general or limited to a particular borrowing or otherwise and may be subject to conditions.

PART VI – WASTE COLLECTION LICENCE, ETC.

29. (1) No person shall operate any waste collection service in the State without a license issued by the Corporation.

*Waste
Collection
License*

(2) On an application by any person or body corporate, the Corporation may, subject to the payment of prescribed fees, issue a license as set out in this Law.

(3) No person or operator may collect or transport any form of waste other than that specified in his license or authorized by the Corporation and for the purpose of this section, the category of waste shall include but not be limited to –

- (a) domestic waste;
- (b) commercial (bulk containerized) waste;
- (c) industrial waste;
- (d) special industrial waste;
- (e) hazardous waste;
- (f) recyclable waste;
- (g) healthcare waste; and
- (h) building waste.

(4) The Corporation may come up with other categories of waste not specifically mentioned in sub-section (3) of this Section whenever the need arises.

(5) Any license issued in accordance with the provisions of this section shall –

- (a) not be assigned without the prior written consent of the

Corporation;

- (b) subject to the provisions of this Law or any valid Agreement made in accordance with the provisions of this Law, remain valid for one (1) year and shall be renewable thereafter with a fee to be prescribed by the Corporation.

- 30. The Corporation may, by notice in writing addressed to a private waste collector, require the production of the original license for inspection; and any officer of the Corporation may be authorized to enter the premises of a private waste collector between the hours of 9am and 5pm on any day except Saturdays, Sundays and Public Holidays for the purpose of inspecting the license.

*Production of
License for
Inspection*

- 31. Every owner or occupier of a tenement shall provide an approved receptacle, as may be specified by the Corporation outside the tenement for the storage of waste provided that the placement of such storage bins will not contravene the provisions of any physical planning or building regulations in the State.

*Owner,
Occupier to
Provide
Waste
Storage Bin*

- 32. The owner or occupier of premises shall pay the Corporation or licensed private operator or franchise owner the prescribed charge for the provision of waste service as and when due in accordance with the Agreement entered into with the Corporation.

*Payment for
Waste
Charge*

- 33.(1) The occupier of the premises on which garden or bulky waste is generated must ensure that such waste is collected and disposed within a reasonable time.

*Garden and
Bulky Waste,
etc*

- (2) A licensed operator may collect garden and/or bulky waste, and deposit same at designated recycling facility authorized by the Corporation.

- (3) Notwithstanding the provisions of this section, the owner or occupier of any premises on which garden waste is generated may, with the written approval of the Corporation, compost the waste on such property.

- (4) The owner or occupier of the premises on which construction waste is generated, shall ensure that –
- (a) all construction waste, together with any container used for the storage, collection or its disposal, is kept on such premises;
 - (b) the premises on which the construction waste is generated, does not become unsightly or cause a nuisance as a result of accumulated building waste;
 - (c) any construction waste which is blown off the premises, is promptly retrieved; and
 - (d) in accordance with the directives from relevant government Corporations any structure necessary to contain the construction waste is provided.
- (5) Notwithstanding the provisions of subsection (4) of this section, the Corporation may specify conditions for the storage and removal of building waste on a verge.
- (6) Every receptacle used for the storage and removal of construction waste may be placed on a verge if –
- (a) the name, address and telephone number of the person in control of that receptacle is clearly marked on it;
 - (b) it is fitted with reflective materials which must completely outline the front and the back of it; and
 - (c) it is covered all the times other than when actually receiving waste or being emptied of waste so that no displacement of its contents can occur.
- (7) The owner or occupier of premises on which garden, bulky or construction waste is generated shall ensure that same is collected by a licensed operator or any other person so authorized by the Corporation.
- (8) A licensed operator may collect garden, bulky or building waste and deposit same at a designated recycling facility or any other facility as may be designated for same.
34. An obnoxious, toxic or poisonous waste shall not be deposited in the storage waste bin referred to in section 32 of this Law.
35. No person shall –
- (a) dispose of waste through any person or operator not licensed by the Corporation;

*Obnoxious or
Poisonous
Waste*

*Prohibition of
Unauthorized
Waste
Disposal*

- (b) burn or cause to be burnt, waste of any description on a tenement; or
 - (c) dump waste at any place other than a waste disposal site designed by the Corporation.
- 36.(1) Every licensed operator must ensure the usage of such appropriate vehicle as may be approved by the Corporation for waste collection and transportation and such vehicle shall be covered in such a way that the content therein do not litter the streets.
- (2) Where a vehicle or container does not comply with subsection (1) of this section, the driver of the vehicle or owner of the vehicle or container as the case may be commits an offence and is liable on conviction to a fine of thirty thousand naira (N30,000) or to two months imprisonment or both.
 - (3) All commercial vehicles operating in Imo State shall carry water proof bags for waste disposal and no person shall throw refuse or waste materials out of a moving vehicle onto any public highway, roads, lanes or public places.
 - (4) Any person who fails to comply with the provisions of subsection (3) of this section, commits an offence and is liable on conviction to a fine of twenty thousand naira (N20,000) or to one month imprisonment or both.
- 37.(1) The State Government shall have the power to designate a place as sanitary land fill area where the waste collected from the users shall be dumped.
- (2) The Corporation has the sole right to design, plan, operate, manage, construct and maintain such places designated as a sanitary land fill sites.
 - (3) Factors to be considered in designating an area as a sanitary landfill include but are not limited to –
 - (a) area capacity and availability;
 - (b) haul distance and time;
 - (c) proximity to sensitivity groundwater resources;
 - (d) proximity to perennial surface water;
 - (e) occurrences of flooding;
 - (f) proximity to sensitive land users;
 - (g) local ecological conditions;

*Vehicle
Transporting
Waste To
Be Covered,
etc.*

*Designation
of Sanitary
Land-Fill Area*

- (h) current and future land use;
- (i) seismic condition;
- (j) geological condition;
- (k) soil/land condition;
- (l) topography;
- (m) proximity to airports.

38.(1) the Corporation Shall –

- (a) have the responsibility of monitoring the enforcement, activities and operations of private sector participants;
- (b) ensure compliance with waste management activities; and
- (c) be charged with the responsibility of enforcing the provisions of this Law.

*Monitoring
and
Enforcement*

- (2) In accordance with subsection (1) of this section, the Corporation shall set standard enforcement rules as may be required for the performance of its functions under this Law.

39. The Corporation may, with the approval of the Board, establish and maintain such departments and make such other administrative arrangements as in the opinion of the Board that are necessary for the performance of the Corporation's functions.

*Power to
Establish
Departments*

PART VI – OFFENCES AND PENALTIES, ETC

- 40.(1) A person who contravenes any of the provisions of this Law, for which penalty is not provided shall be guilty of an offence and is liable on conviction to a fine of Fifty Thousand Naira (₦50,000.00) or to three (3) months imprisonment.

*Offences and
Penalties*

- (2) Where an offence is committed by a body corporate or firm other than a waste collector or operator, the body corporate or firm will be liable on conviction to a fine of one Hundred Thousand Naira (₦ 100,000.00), and in addition, the Secretary, Director or whoever is in charge of the company will be liable to a fine of Fifty Thousand Naira (₦50,000.00) or to three (3) months imprisonment.

- (3) Where the offence is committed by a waste collector or

operator, the Corporation may, in addition to the penalty prescribed in subsection (2) of this section, suspend or cancel any license issued under section 29 of this Law.

- (4) Notwithstanding the provisions of any Law, a person who –
- (a) fails or neglects to pay the tariffs, fees or charges prescribed under this Law shall be deemed to be a debtor and such debt shall be recovered by civil action in the appropriate court; or
 - (b) fails or neglects to pay the tariffs, fees or charges as at when due will be liable to penalty on such fee, tariffs, or charges as may be prescribed by any regulation made under this Law.
- 41.(1) A suit against the Corporation, a member of the Corporation or any employee of the Corporation for any act done in pursuance or execution of any law, or of any public duty or agency shall not lie or be instituted in any court unless it is commenced within twelve (12) months after the act, neglect or default complained of or in case of continuance of damage or injury within twelve (12) months after.
- (2) A suit may not commence against the Corporation or any member of the Corporation or any person acting under the direction of the Corporation in respect of any act purported to be done or any neglect of duty under this Law, before the expiration of a period of one (1) month during which written notice of intention to commence the suit must be served on the Corporation by the intending claimant or the agent name and place of abode of the intending claimant and the relief claimed.
- (3) In any action or suit against the property of the Corporation, no execution or attachment or process of that nature will be issued against the Corporation, but any sum of money which may be the judgment of the court awarded against the Corporation will subject to any direction given by the court where notice of appeal has been given by the Corporation in respect of that judgment, be paid from the general funds of the Corporation.

*Procedure in
Respect of
Suits against
the
Corporation*

42. There will be transferred to and vested in the Corporation as soon as possible after the commencement of this Law – *Vesting of Assets*
- (a) all properties whether real or personal, all trenching and waste grounds, water depots and vehicles or other equipment used for collection of waste held by the Imo State Environmental Transformation Commission on such terms as may be agreed upon by the Corporation and ENTRACO; and
 - (b) all assets and liabilities of ENTRACO in connection with its functions relating to removal and disposal of waste on such terms as may be determined and approved by the parties.
- 43.(1) The following sections of the Environmental Transformation Commission Law No. 3 of 2008 are repealed – *Repeal and Savings, etc*
- (a) section 5 (iv), (v), (vi), (viii), (x);
 - (b) section 6(a);
 - (c) section 16(1), (2), (3), (9), (10) and (11);
 - (d) sections 17, 18, 19, 20 and 21;
 - (e) schedule II.
- (2) The Imo State Waste Management Agency Law NO. 5 of 2020 is repealed.
- (3) Nothing in this Law shall affect any –
- (a) Order, Rule, Regulation, Appointment; or
 - (b) Conveyance, Mortgage, Deed or Agreement made; or
 - (c) Resolution passed, direction given, proceedings taken, instrument issued or thing previously done under the repealed enactments.

SCHEDULE 1 (Section 30(2))

FORM A

FORM FEE N.....

IMO STATE GOVERNMENT

Application for the Issue/Renewal of

Private Collector's License

I/We.....of.....

hereby apply for

Signature of the Applicant

FORM B (Section 30(3))
PRIVATE COLLECTOR'S LICENCE

No:.....

Name.....

Of.....
.....
.....

Category of Waste:.....

Issuance date:

Expiry date:

Area Allocated/Ward/Local Government

Eastern Waste Management Corporation Law

SCHEDULE 2

GENERAL PROVISIONS WITH REGARDS TO DISPOSAL OF ALL TYPES OF WASTE INCLUDING HAZARDOUS WASTE

1. It is the duty of the Corporation to prescribe minimum standard practices relating to the management of all types of waste including segregation, handling, labeling, storage transport, treatment and disposal.
2. All generators of hazardous waste including health care institutions shall inform their staff of the recommended method of handling storage and disposal of such waste
3. Any other Solid or liquid waste which is neither hazardous nor radio active in character, combined with untreated biomedical waste will be managed as untreated hazardous waste.

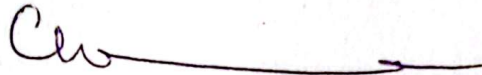
DUTY TO PROVIDE ACCESS TO DOMESTIC WASTE SERVICES

4. The Corporation has a duty to all local community/government area to ensure efficient, affordable, economical and sustainable access to the domestic waste service.
5. The duty referred to item (1) of this schedule –
 - (a) the obligation of the members of the local community area to pay the prescribed fee for the provision of the domestic waste service, which must be in accordance with prescribed standards for rates and tariffs; and
 - (b) the right of the Corporation to differentiate between categories of users and geographical areas when setting levels of service for the provision of the domestic waste management
6. the Corporation will take the following factors into account in ensuring access to the domestic waste service:
 - (a) the waste management hierarchy set out in subsection (3) of section 30;
 - (b) the need to use resources efficiently;
 - (c) equity and affordability;

- (d) operational efficiency; and
- (e) the need to protect human health and the environment

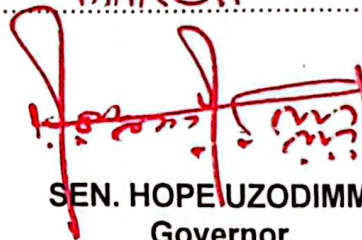
7. In providing the waste collection services, the Corporation may determine or designate –
- (a) collection schedules;
 - (b) locations for placing approved receptacles for collection;
 - (c) which types of waste generated by the occupier of any premises are separable for the purposes of recycling and the conditions for their separation, storage or collection.

This printed impression has been carefully compared by me with the Bill which has been passed by the House of Assembly and found by me to be a true and correct printed copy of the said Bill.



CHINELO ADAORA EMEGHARA ESQ.
Clerk of the House of Assembly
Imo State of Nigeria

Assented to by me this 27th day of MARCH, 2025



SEN. HOPE UZODIMMA
Governor
Imo State of Nigeria

Assent withheld by me this day of, 2025

SEN. HOPE UZODIMMA
Governor
Imo State of Nigeria

Passed again by the Imo House of Assembly by two-thirds majority this
Day of, 2025



RT. HON. CHIKE OLEMGBE
Speaker
Imo State House of Assembly