

A BILL

FOR

AN ACT TO AMEND THE HARMFUL WASTE (SPECIAL CRIMINAL PROVISIONS, ETC.) ACT, CAP, H1 LFN 2004 TO PROVIDE FOR THE CONTROL ON ELECTRONIC DEVICES AND PROHIBIT DUMPING AND BURNING OF ELECTRONIC WASTE AND FOR RELATED MATTERS

Sponsored by Hon. Darlington Nwokocha

[] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria:

1 **1.** The Harmful Waste; (Special Criminal Provisions, etc.) Act in
2 this Act referred to as the "Principal Act" is hereby amended as set out under
3 this Bill. Amendment of
Cap. H1 LFN,
2004

4 **2.**-(1) Section 1 (2) (a) of the Principal Act is amended by inserting
5 the following new subsections immediately after the existing subsection (2)
6 (a) thereof, the following new subsections (2), (3) and (4) thereat, that is:

7 (2) Electronic devices imported into Nigeria from the
8 commencement of this Act shall be Subject to these regulations as provided
9 in other to reduce electronic Waste:

10 (i) All electronic devices imported into Nigeria shall be in good
11 Condition;

12 (ii) Electronic devices which have been used for more than 5 years
13 outside Nigeria is prohibited from being imported into Nigeria;

14 (iii) All electronic devices shall have accession number before
15 Imported or allowed into Nigeria.

16 (3) New electronic devices imported into Nigeria as from the
17 Commencement of this Act shall:

18 (a) Bear performance standard labeling;

19 (b) Importers or manufactures of such electronic devices shall

1 submit radiation safely product report upon arrival of such electronic devices
2 into Nigeria;

3 (c) New electronic devices shall be marked with the crossed-out
4 wheeled bin symbol to show that such product be disposed of separately from
5 normal household waste; for recycling purposes;

6 (d) Electronic devices which are on the end-of- life stage shall be
7 prohibited from burning as way to discard them. (4) Renumbering sections 1
8 (2) (b), (c), (d) and (3) as 1 (2) (e), if), (g) and (4),

Amendment of
Section 6

9 **3.** There is inserted, immediately after the existing Section 6 (a) and
10 (b) as amended the following new subsection (c) that is:

11 (c) Notwithstanding the provision of section 6 (a) and (b) of this
12 section, offences and punishment for electronic waste and violation of
13 importation control of electronic device shall be within 2 to 15 years
14 imprisonment or an option of fine of N100,000,00 (one hundred thousand
15 Naira) to N10,000,000,00) (Ten Million Naira) or both,

Amendment of
Section 15

16 **4.** There is inserted, immediately before the existing Section 15 as
17 amended the following new Subsection (1):

18 “(1) Notwithstanding provisions of this section:

19 "Electronic Waste" means electronics devices which have attained the end-of-
20 life stage, or post-Consumer electronic devices;

21 "Electronic devices" means electronic equipment that contains one or more
22 electronic circuiting board or other complex electronic circuitry, including but
23 not limited to computer monitors, televisions, CPUs, laptops, printers,
24 photocopier, refrigerator, terminal equipments and mainframes, stereo
25 equipment, etc.;

26 "Accession number" means electronic devices number which contains data of
27 product, and address of manufacturer.

Citation

28 **5.** This Bill may be cited as the Harmful Waste (Special Criminal
29 Provisions, etc) Act (Amendment) Bill, 2020,

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Harmful Waste (Special Criminal Provision, etc.) Act, HI LFN, 2004 for the purposes of controlling importation of electronic devices which will soon or have attained end-of-life stage prohibit the burning of electronic.