

THE

JAMAICA GAZETTE SUPPLEMENT

PROCLAMATIONS, RULES AND REGULATIONS

234K1

Vol. CXXXVIII

THURSDAY, APRIL 9, 2015

No. 23C

No. 51C

THE NATURAL RESOURCES CONSERVATION AUTHORITY ACT

THE NATURAL RESOURCES CONSERVATION (PERMITS AND LICENCES)
(AMENDMENT) REGULATIONS, 2015

In exercise of the power conferred upon the Minister by section 38(1) of the Natural Resources Conservation Authority Act, and of every other power hereunto enabling, the following Regulations are hereby made:—

- 1. These Regulations may be cited as the Natural Resources Conservation (Permits and Licences) (Amendment) Regulations, 2015, and shall be read and construed as one with the Natural Resources Conservation (Permits and Licences) Regulations, 1996 (hereinafter referred to as the "principal Regulations") and all amendments thereto.
- 2. The principal Regulations are amended by deleting regulation 3 and substituting therefor the following as regulation 3—

"Application for grant of a permit. First Schedule. Form 1. 3. An application for the grant of a permit to undertake an enterprise, construction or development of a prescribed description or category in a prescribed area shall be in the form set out as Form 1 in the First Schedule.".

3. The principal Regulations are amended by inserting next after regulation 7 the following as regulations 7A, 7B, 7C and 7D—

"Duration of permit. The Table 19 Table

Renewal of Permit. 7B.—(1) Subject to paragraph (2), a permit granted under regulation 3 may be renewed by the Authority if—

- (a) the person to whom it was granted makes an application, in the form set out as Form 1 in the First Schedule, to the Authority for renewal of the permit not later than two months before the date on which the permit expires; and
- (b) the application is accompanied by the renewal fee, if any, set out in Column 4 of Part A of the Second Schedule, in respect of the enterprise, construction or development listed in Column 1 of Part A of the Second Schedule.
- (2) In addition to the other requirements of these Regulations, the Authority may deal with the application in accordance with paragraph (3) where it receives an application for the renewal of a permit after the time specified in paragraph (1) (a) but no later than the date of expiration of the permit.
- (3) In considering an application for the renewal of a permit, the Authority may—
 - (a) carry out physical inspections of the enterprise, construction or development; and
 - (b) specify other standards or conditions with which the enterprise, construction or development shall comply.

Expiration of permits granted before the 1st day of April, 2015.

Second

Schedule.

7C. A permit granted before the 1st day of April, 2015, shall expire on the 1st day of April, 2020.

Modification, etc. of permit.

- 7D. The Authority may modify or vary the terms and conditions of a permit where it determines that a material change of circumstances occurred since the permit was first granted.".
- 4. The principal Regulations are amended by deleting regulation 24 and substituting therefor the following as regulation 24—

"Fees. 24.—(1) An applicant for the grant of a permit to undertake the enterprise, construction or development of the prescribed description

Second Schedule. Part A. or category listed in Column 1 of Part A of the Second Schedule in a prescribed area shall—

- (a) pay the appropriate application fee specified in Column 2 of Part A of that Schedule;
- (b) upon the grant of the permit, pay the appropriate permit fee specified in Column 3 of Part A of that Schedule; and
- (c) upon renewal of the permit, pay the appropriate renewal specified out in Column 4 of Part A of that Schedule.
- (2) An applicant for the grant of a licence pursuant to section 12(1) of the Act shall—
 - (a) pay the appropriate application fee specified in Column 2 of Part B of the Second Schedule:
 - (b) upon the grant of the licence, pay the appropriate licence fee specified in Column 2 of Part B of the Second Schedule;
 - (c) upon renewal of the licence, pay the appropriate renewal fee specified in Column 2 of Part B of the Second Schedule; and
 - (d) where appropriate, pay the late application fee specified in Column 2 of Part B of the Second Schedule.
- (3) A fee paid in respect of an application for a licence or a permit shall be non-refundable.".

Part B.

5. The principal Regulations are amended in the First Schedule by deleting Form 1 and substituting therefor the following as Form 1—

FIRST SCHEDULE

(Regulations 3, 4, 5, 6, 7B, 8, 10, 16, 17, 19 and 20)

FORM 1

(Regulation 3)

THE NATURAL RESOURCED CONSERVATION AUTHORITY ACT

THE NATURAL RESOURCES CONSERVATION (PERMITS AND LICENCES) REGULATIONS, 1996

Permit Application (pursuant to section 9)

Note: Please read the following before completing the form

1. This form should be completed in triplicate in block letters and submitted along with any specified or supplemental information to:

The Natural Resources Conservation Authority c/o National Environment and Planning Agency 10 Caledonia Avenue
Kingston 5

- 2. The completed form shall be accompanied by—
 - (a) a plan of the area in which the enterprise, etc., will be undertaken showing—
 - (i) the location and boundaries of the property;
 - the location and layout of the proposed enterprise or construction or development; and
 - (iii) any body of surface water, or any potable water supply that may be affected by any discharge;
 - (b) a statement of the status of any required statutory approval and application;
 - (c) an application for a licence to discharge effluent, etc., where applicable.
- 3. Please attach certified copies of all statutory approvals and planning permission granted to date and copies of all applications made and not yet determined.
- 4. This application form must be completed in order to avoid delay in its processing. Where attached sheets and other technical documents are utilized in *lieu* of the space provided, indicate appropriate cross-references. Paragraphs that are not applicable to your application should be marked as "N/A".

5.	with an authorized office				onsul
Тур	e of Application: New [☐ Renewal ☐	(In case of rea	newal, proceed to P	art B
A.	GENERAL				
1.	Name of applicant:				
2.	Address of applicant:				
3.	Telephone No	Fax No		E-mail	
4.	Please specify name of owner of enterprise, etc. or name and Registration No. of company, if different from applicant:				
5.	Address of owner of enterprise, etc. or registered office of company:	,			8
6.	Name and address of premises where enterprise, etc., for which approval is sought will be undertaken:			,	
7.	Location of Project	S			
	Street				
	Town and Parish				
7A.	Do you own the property on which you propose to carry out this development project?	Yes 🗆	No □		

		A.	GENERAL, contd.
7B.	If yes, please attach certified copies of proof of ownership:		
7C.	If no, what is the nature of your interest in this property? Please attach supporting documents, justifying your claim:		
8.	Names and Addresses of Adjoining Property Owners:		-
9.	Name of Chief Executive Officer:		
10.	Name of Environmental Manager:		
11.	approval is sought (Cat	egor nibiti	nterprise, construction or development for which ries should conform with the Natural Resources on of Categories of Enterprise, Construction and
12.	Name of local authority in will be undertaken:	who	ose area enterprise, etc., for which approval is sought.
13.	List of attached docume	nts c	omprising part of application:

В.	RENEWAL
1.	Have there been any changes to the enterprise, construction or development, to which the permit is applicable, since the date of issue of the existing permit? Yes No If yes, provide the details and supporting documents
2.	Have the conditions of the site changed since the date of issue of the existing permit? Yes No I
3.	Is there currently full compliance with the existing permit? Yes No If no, provide details:
4.	List documents attached in support of this application:
C.	STATEMENT BY APPLICANT
	breby certify that the information contained in this application and any documents mitted to the Authority is true and complete to the best of my knowledge and ef.
disc gran gran	inderstand that any misrepresentation contained in the form shall lead to continuation of the processing of the application and the revocation of any permit need and may also lead to prosecution. I further understand that the permit, if need, may be suspended or revoked for breach of any of the terms or conditions ulated therein.
Sig	nature of applicant
Nar	ne and title (please print or type)
Dat	ed this day of , 20 .

		FOR OFFICIAL USE ONLY		
Application Comments:	Fee	enclosed		
Assessment (Officer		/	/te

6. The principal Regulations are amended by deleting the Second Schedule and substituting therefor the following as the Second Schedule—

SECOND SCHEDULE

(Regulations 3, 7B and 24)

PART A - PERMITS

		2.		8		-	0	
Construction of substations 69 kv or above	Construction or installation of electrical transmission lines	POWER TRANSMISSION	Construction and operation of power generation plants of 200 kw or above using renewable sources of energy	Construction and operation of nuclear fueled reactors and power plants	Construction and operation of power generation plants of 1MW or above using hydrocarbon fuels	POWER GENERATION	CATEGORIES OF ENTERPRISES, CONSTRUCTION OR DEVELOPMENT	COLUMN 1
\$50,000	\$50,000		\$10,000	000,002	\$50,000		APPLICATION FEE (WHERE NO ENVIRONMENTAL IMPACT ASSESSMENT REQUIRED)	COLUMN 2
\$75,000	\$75,000		\$20,000	\$75,000	\$75,000		APPLICATION FEE (WHERE ENVIRONMENTAL IMPACT ASSESSMENT REQUIRED)	IMN 2
\$40,000	\$40,000 for up to 20 km; \$500 for every additional km		\$20,000 and \$100 for every additional 200 kw	\$40,000 for 1MW and \$5,000 for each additional MW	\$40,000 for IMW and \$5,000 for each additional MW		PERMIT FEE	COLUMN 3
NIL	NIT.		\$20,000 and \$100 for every additional 200 kw	\$40,000 for 1MW and \$5,000 for each additional MW	\$5,000 for each additional MW	2000 6 13 60	PERMIT RENEWAL FEE	COLUMN 4

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Construction and operation of marinas	Construction and operation of dry-docks	consuluction and operation of shipyards and boatyards	Construction and operation of port and harbour facilities	MARINE DEVELOPMENT	underground cables, gas lines or other such infrastructure with a diameter of more than 10 cm for the transport of gas, oil or chemicals	Construction or installation and operation of	usus en store en en service en sensione	Construction of conveyors of 500 m or more in land	for the supply of water	Construction or installation of its	noxious, explosive, flammable and or toxic material	construction or installation and operation of pipelines of 20 m or more in length for the transmission of	PIPELINES AND CONVEYORS
\$50,000	\$50,000	\$50,000	\$50,000		\$50,000		\$50,000	\$50.000	\$50,000			\$50,000	
\$75,000	\$75,000	\$75,000	\$75,000		\$75,000		\$75,000		\$72,000			\$75,000	
\$40,000 for up to 20 berths; \$50,000 for each additional 20 berths	\$40,000	\$40,000	\$40,000		\$40,000 for 20 to 100 m; \$1000 for every additional 100 m		\$40,000 for the first 500 m; \$1,000 for every additional km		\$40,000 for the first 1 km; \$1,000 for every additional 100 m	100 m	20 m to 100 m; \$1,000 for every additional	\$40,000 for between	
NIT	NIL	NII	NIT		\$40,000 for 20 to 100 m; \$1000 for every additional 100 m		NIL		NIL	m 000 m		\$40,000 for between	

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9.	Construction of telecommunication towers and any such facility	Construction of railways, tramways and cable car lines	Construction of bridges	Major road improvement projects including re alignment, widening into 4 or more lanes; drainage, and slope stabilization	Construction of new arterial roads	Construction of new highways	ROADS, RAILWAYS AND TELECOMMUNICATION	Expansion of airfields and runways	Construction of airports, airfields, aerodromes, runways	AIR TRANSPORT	In-water hull cleaning operations
	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000		\$50,000	\$50,000		\$50,000
	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000		\$75,000	\$75,000		\$75,000
	\$40,000	\$40,000 for the first 4 km; \$10,000 for each additional km	\$40,000	\$40,000 for the first 2 km; \$20,000 for each additional km	\$40,000 for the first 2 km; \$20,000 for each additional km	\$40,000 for the first 2 km; \$30,000 for each additional km		\$40,000	\$40,000		\$40,000
	NIL	NIL	NIL	NIL	NIL	NIL		NIL	NIL		\$40,000

							7.
Construction and operation of water treatment and storage facilities, including desalination plants and water supply plants	Erection and construction of irrigation canal	Construction, modification or demolition of reservoirs or dams	Construction, modification or demolition of dykes, aqueducts, levees, check dams and retaining walls associated with a water way	Reclamation of riverine areas	Dredging and excavation of riverine areas or beaches (except for mining and quarrying activities)	Modification of waterways for the transfer of water resources or river training works	WATER WORKS
\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	
\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	
\$40,000	\$40,000	\$40,000	\$40,000	\$40,000 plus \$25 per m³ for the first 10,000 m³; \$15 per m³ for any additional amount	\$40,000 plus \$25 per m³ for the first 10,000 m³; \$15 per m³ for any additional amount	\$40,000 plus \$10 per m² for the first 10,000 m²; \$5 per m² for any additional amount	
\$40,000	NIL	NIL	NIL	NIL	NIL	NIL	

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Subdivisions of 26 to 50 lots	Subdivisions of 10 to 25 lots	SUBDIVISONS	Clearing 6 hectares or more of vegetation (excluding agricultural holdings currently under production)	Clear cutting of forested areas and clearing of trees on slopes greater than 20°	Construction of overwater rooms and structures over the sea, rivers or ponds	Construction on sand dune		Modification or clearance of sand dunes, removal of sand from sand dunes	Modification, clearance or reclamation of wetlands	SITE MODIFICATION PROJECTS
\$85,000	\$85,000		\$85,000	\$85,000	\$85,000	\$85,000		\$85,000	\$85,000	
\$115,000	\$115,000		\$115,000	\$115,000	\$115,000	\$115,000		\$115,000	\$115,000	
\$40,000 plus \$1,000 for each lot, 26 and above	\$40,000		\$40,000 plus \$5,000 per ha	\$40,000 plus \$50,000 per ha	\$40,000 plus \$5 per m ² of floor area	Construction on sand dune: \$40,000 plus \$200 per m ²	Removal of sand: \$40,000 plus \$50 per m³ for the first 10,000 m³; \$25 per m³ thereafter	Modification or clearance: \$40,000 plus \$200 per m ²	\$40,000 plus \$100 per m ²	
NIL	NIL		NIT	NIL	NIL	NIL	NIL	NIL	NIT	

		12.			T	11.			T	10.	
Construction and operation of hotel or resort complex of 51 to 500 rooms	Construction and operation of hotel or resort complex of 10 to 50 rooms	HOTEL	Construction of housing projects of 51 or more houses	Construction of housing projects of 26 to 50 houses	Canstruction of housing projects of 10 to 25 houses	HOUSING	Subdivision and construction of housing projects of 51 or more houses	Subdivision and construction of housing projects of 26 to 50 houses	Subdivision and construction of housing projects of 10 to 25 houses		
\$85,000	\$85,000		\$85,000	\$85,000	\$85,000		\$85,000	\$85,000	\$85,000		\$85,000
\$115,000	\$115,000		\$115,000	\$115,000	\$115,000		\$115,000	\$115,000	\$115,000		\$115,000
\$40,000 plus \$125 per room	\$40,000 plus \$100 per room		\$40,000 plus \$500 for each house, 51 and above	\$40,000 plus \$1,000 for each house, 26 and above	\$40,000		\$40,000 plus \$500 for each lot 51 and above	\$40,000 plus \$1,000 for each lot, 26 and above	\$40,000		\$40,000 plus \$500 for each lot, 51 and above
\$40,000 plus \$125 per room	\$40,000 plus \$100 per room		NIL	NIL	NIL		NIL	NIL	NIL		NIL

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		14.							13.				-
Construction and operation of cemeteries, mausolea, columbaria or other burial sites or crematoria	Construction and operation of office and commercial complexes (including shopping centres) of 5,000 square meters or greater	SERVICE SECTOR	Establishment of trails including those for motorized and non-motorized vehicles or activities	Establishment of theme parks	Construction and operation of stadia and sport facilities with a seating capacity of 3000 or greater	Construction and operation of golf course	Construction and operation of nature based attraction or facility	Establishment and operation of ecotourism facility or attraction	RECREATION AND ENTERTAINMENT	Construction and operation of hotel or resort complex of 3001 rooms and above	Construction and operation of hotel or resort complex of 2001 to 3000 rooms	Construction and operation of hotel or resort complex of 1001 to 2000 rooms	Construction and operation of hotel or resort complex of 501 to 1,000 rooms
\$85,000	\$85,000		\$85,000	\$85,000	\$85,000	\$85,000	\$85,000	\$85,000	•	\$85,000	\$85,000	\$85,000	\$85,000
\$115,000	\$115,000		\$115,000	\$115,000	\$115,000	\$115,000	\$115,000	\$115,000		\$115,000	\$115,000	\$115,000	\$115,000
\$40,000	\$40,000		\$40,000 plus \$25 <i>per</i> 100 m	\$40,000	\$40,000	\$40,000	\$40,000 \$.	\$40,000		\$40,000 plus \$225 per room	\$40,000 plus \$200 per room	\$40,000 plus \$175 per room	\$40,000 plus \$150 per room
NIL	NIL		\$40,000 plus \$25 per 100 m	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000		\$40,000 plus \$225 per room	\$40,000 plus \$200 per room	\$40,000 plus \$175 per room	\$40,000 plus \$150 per room

				T 122	-					
	16.				15.					
Construction and operation of mineral processing facilities for bauxite, peat, sand, minerals – including aggregate, construction and industrial materials, metallic and non-metallic ores	ORE AND MINERAL PROCESSING	Exploration and prospecting for artifacts	Exploration and prospecting for extraction of non- renewable resources (oil, natural gas, other minerals), ferrous and non-ferrous minerals	Mining and quarrying (terrestrial, riverine and marine) of bauxite, peat, sand, minerals – including aggregate, construction and industrial materials, metallic and non-metallic ores	MINING AND QUARRYING	Construction and operation of transportation centres for more than ten (10) vehicles	Schools and educational institutions (excluding early childhood education institutions)	Construction and operation of veterinary clinics that board animals	Construction and operation of dry cleaning facilities	Construction and operation of hospital of 10 beds or more or medical facilities of 1,000 square meters or greater
\$85,000		\$85,000	\$85,000	\$85,000		\$85,000	\$85,000	\$85,000	\$85,000	\$85,000
\$115,000		\$115,000	\$115,000	\$115,000		\$115,000	\$115,000	\$115,000	\$115,000	\$115,000
\$40,000		\$40,000	\$40,000	for 0.5 – 5ha \$40,000; for every additional 5 ha, \$5,000		\$40,000	\$40,000	\$40,000	\$40,000	\$40,000
\$40,000		\$40,000	\$40,000	for 0.5 – 5ha \$40,000; for every additional 5 ha, \$5,000		NIL	\$40,000	NIL	NIL	NIL

Construction and operation of facilities for the manufacturing of paint	Construction and operation of facilities for manufacturing of pesticides	Construction and operation of petroleum storage and dispensing facility	Construction and operation of facilities for hydro- carbon production, refining, storage and stockpiling	Construction and operation of facilities for the manufacturing of edible oils and fats	Construction and operation of facilities for the manufacturing of soaps and detergents	Construction and operation of facilities for the manufacturing of hazardous materials, toxic chemicals or other similar substances	Construction and operation of facilities for the storage of hazardous materials, toxic chemicals and other similar substances	17. CHEMICAL	Construction and operation of facilities for solar salt production	Construction and operation of facilities for cement and lime production	Construction and operation of metal processing facilities including ferrous metals, non-ferrous metals, metal plating and foundry operations
\$50,000	\$50,000	and \$50,000	o- ling	\$50,000	\$50,000	micals. \$50,000	torage \$50,000		salt \$85,000	ent and \$85,000	\$85,000 netals,
\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000		\$115,000	\$115,000	\$115,000
\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000		\$40,000	\$40,000	\$40,000
\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000		\$40,000	\$40,000	\$40,000

	1		-	,							170
										18.	
Construction and operation of facilities for the manufacturing of dyes, pigments and surface active agents (except soaps and detergents)	Construction and operation of facilities for the manufacturing of polymerizing plants	Construction and operation of facilities for the manufacturing of rubber	Construction and operation of facilities for the manufacturing of tar and bitumen	Construction and operation of facilities for the manufacturing of textiles	Construction and operation of recycling plant and facility	Construction and operation of facilities for the manufacturing and processing of pulp, paper and wood	Construction and operation of facilities for the manufacturing of containers and packaging materials including cans, bottles, boxes, cartons and plastics	Construction and operation of batching and crushing plants (mobile and fixed)	Construction and operation of facilities for the production of construction materials including blocks and bricks	MANUFACTURING	Construction and operation of chemical plants other than those listed above in this item
\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000		\$50,000
\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000		\$75,000
\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000		\$40,000
\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000		\$40,000

	Construction and operation of facilities for the	\$50,000	\$75,000	\$40,000	\$40,000
	manufacturing of fertilizers	470,000	÷ 0,000	# 10,000	
19.	AGRO INDUSTRY AND FOOD PROCESSING				
	Construction and operation of facilities for food processing	\$50,000	\$75,000	\$40,000	\$40,000
	Construction and operation of slaughterhouses and abattoirs	\$50,000	\$75,000	\$40,000	\$40,000
	Construction and operation of bottling facilities and boxing plants	\$50,000	\$75,000	\$40,000	\$40,000
	Construction and operation of distillery, brewery and fermenting facilities	\$50,000	\$75,000	\$40,000	\$40,000
	Construction and operation of fish and meat processing plants	\$50,000	\$75,000	\$40,000	\$40,000
	Construction and operation of agro-processing facilities: \$50,000 (including for coffee, citrus, cocoa, coconut and sugarcane)	\$50,000	\$75,000	\$40,000	\$40,000
	Construction and operation of aquaculture facilities and ponds for intensive fish farming	\$50,000	\$75,000	\$40,000	\$40,000
	Construction and operation of tanneries	\$50,000	\$75,000	\$40,000	\$40,000
20.	PROJECT SITE OFFICE				
	Construction of site office for any development, infrastructure or industrial project outside the footprint of the proposed project	\$50,000	\$75,000	\$40,000	NIL .

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	14.	3						21.
Importation or introduction of species of flora and fauna or other biological organisms	BIODIVERSITY	vater treatment it to the	transportation, storage, handling and conversion of energy from waste	processing of scrap metals, including derelict vehicles Construction and operation of facilities for	of agricultural wastes Construction and operation of facilities for processing	removal, storage, transportation, treatment or disposal facility (mobile and fixed)	disposal facilities, including waste disposal, installation of incinerator, chemical landfills or systems for the destruction, reprocessing or recycling of such wastes	WASTE PROCESSING AND DISPOSAL
\$50,000		\$50,000	30,000	\$50,000	\$50,000	\$50,000	\$50,000	
\$75,000		\$75,000	\$/5,000	\$75,000	\$75,000	\$75,000	\$75,000	
\$40,000 for I to 5 individuals; \$5,000 for every additional individual being imported or introduced		\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	
NIT		\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	

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		Operation of a zoo		Operation of a pet store							than for food or feed)	*50 000
	\$70,000	\$50.000	φυσ,000	000 023							#00,000	000 053
	\$75,000	9	\$75,000	9			e(000,€7€	975 000
	\$100,000		\$40,000		-	introduced	imported or	individual being	for every additional	individuals; \$5,000	\$40,000 for 1 to 5	
The second secon	\$100,000		\$40,000								NIL	

PART B - LICENCES

Column 1	Column 2
Licence for	
discharge of trade effluent	Fees
	_
1. Application for licence	\$2,000.00
2. Grant of licence	\$7,500.00
3. Renewal of licence	\$7,500.00
4. Late application for renewal of licence	\$6,500.00 .".

Dated this 9th day of April, 2015.

ROBERT. PICKERSGILL
Minister of Water, Land, Environment
and Climate Change.