Order No. 2/PM/MEPNRT of April 14, 2006, setting the procedures for granting approval for conducting Environmental Impact Studies

Arrêté n°2/PM/MEPNRT du 14 Avril 2006, fixant les modalités de délivrance de l'agrément Pour la réalisation des Etudes d'Impact sur l'Environnement

MAY 2006 FORTY-FIFTH YEAR – N° 5 PRICE: 2,000 Francs Legal deposit 777 UNION - WORK - JUSTICE OFFICIAL JOURNAL OF THE GABONESE REPUBLIC

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 Article 21: The transaction thus evaluated and accepted must be settled with the nearest Public Treasury within the deadlines and conditions set by the transaction act. Article 22: In cases where the transaction has succeeded, the Ministry of Environment loses the right to proceed against the author of the offense. Chapter IV: VARIOUS AND FINAL PROVISIONS Article 23: A sworn agent cannot be prosecuted for acts performed in good faith in the exercise of his duties. Administrative sanctions, even criminal ones provided by current texts may be taken against agents who do not perform their missions in accordance with established rules. Article 24: The Director General of the Environment and the Director of the National Antipollution Center are responsible, in this regard, for the application of this order which will be registered, published, and communicated wherever necessary. Done in Libreville, on April 14, 2006 By the Vice-Prime Minister, Minister of Environment and Nature Protection, Research and Technology Georgette KOKO. _____ Order N°2/PM/MEPNRT of April 14, 2006, setting the modalities for granting approval for conducting Environmental Impact Studies. The Vice-Prime Minister, Minister of Environment, of Nature Protection, Research and Technology, Considering the Constitution; Considering decree N°00075/ PR of the 20th setting the composition of the Government of the Republic; Considering law N° 16/93 of August 26, 1993 concerning the Protection and Improvement of the Environment; Considering ordinance N° 05/76 of January 22, 1976 creating the National Antipollution Center; Considering decree N° 000323/PR/MRSEPN of April 2, 1977 concerning the organization of the National Antipollution Center; Considering decree N° 000913/PR/MEPN of May 29, 1985 concerning the attributions and organization of the Ministry of Environment and Nature Protection; Considering decree N° 000539/PR/MEFEPEPN of July 15, 2005 regulating environmental impact studies; Considering decree N° 000543/PR/MEFEPEPN of July 15, 2005 setting the legal regime for classified installations; Considering the service necessities; HEREBY ORDER: Article 1: This order, taken in application of the provisions of article 16 of decree N° 539 of July 15, 2005 mentioned above, sets the modalities for granting approval for the conduct of environmental impact studies. Article 2: Under this order, the following are approved to conduct environmental impact studies: Specialized public or private agencies and institutions; Consulting firms or study offices; The aforementioned organizations must have a team of at least five experts and significant logistical means. Article 3: The application or renewal request for approval, presented in three copies and addressed to the Minister in charge of the Environment, must include: - a request for approval; - administrative documents regarding the status of the agency, institution, office, or consulting firm; - a list with curriculum vitae of the experts; - a list of logistical means. Article 4: The application for approval is examined by a technical commission composed of experts from the General Directorate of the Environment and the National Antipollution Center. External members designated by the commission may also be associated. The commission, chaired by the Director General of the Environment or his representative, meets at the invitation of its president. Article 5: The approval is granted by decision of the

Minister in charge of the Environment, after a favorable technical opinion subject to an inspection of the applicant's structures by the sworn agents of the Ministry of Environment. The applicant is subject to the payment of a fee of 450,000 FCFA allocated notably to cover the costs related to the validation of the environmental impact studies. Article 6: Any application not in compliance with the provisions of articles 2 and 3 of this order is rejected by the

commission. The rejection of the application is notified to the applicant by a decision of the Director General of the Environment. Article 7: The approval is granted for a period of 5 years renewable. It can be revoked by a decision of the Minister in charge of the Environment based on a report from the commission for the following reasons: - serious failure to meet professional obligations (resignation of experts or loss of logistical means); - loss of legal personality; - rejection of two environmental impact study reports. Article 8: Any request for renewal of approval must be submitted to the Ministry of Environment two months before its expiration, under the conditions provided in article 3 of this order. Article 9: A foreign consulting firm that enters into a contract for conducting an environmental impact study on national territory is required to associate with an approved Gabonese organization.

 A copy of the contract between the two parties must be sent to the Minister in charge of the environment accompanied by the payment of 5% of the value of the environmental impact study. Article 10: Any violation of this order exposes the offender to a permanent ban on conducting an impact study on the environment on the national territory. Article 11: The Director General of the Environment and the Director of the National Anti-Pollution Center are responsible, in this regard, for the implementation of this order which will be registered, published, and communicated wherever necessary. Done in Libreville, on April 14, 2006 By the Vice-Prime Minister, Minister of Environment, Nature Protection, Research, and Technology. Georgette KOKO. _____ ABBREVIATED ACTS _____ ABBREVIATED DECREES _____ Presidency of the Republic _____ - April 3, 2006 – N° 375/PR, Appointment of Mr. EBANE EBANE, Jean Pierre N° Mle 103777 M, appointed General Director Advisor of ADM Centrale at the General Commission for Land Planning (Ministry) Planning, Land Development. - April 3, 2006 – N° 376/PR, Exceptional promotion of Mr. NDAKI Bernabé N° Mle 106905, Health Administrator of the 2nd class 1st step is promoted to Chief Health Administrator of the unique class, NDEKABOGNEDJE, Zéphyrin N° Mle 118122 B Assistant of Social Communication of the 2nd class 2nd step, is promoted to Principal Professor of Social Communication of the 1st class 3rd step. - April 19, 2006 – N° 390/PR, Appointment of Mr. NZENGUE, Jean Victorien N° Mle 100909 M, Professor ENS 2ND DGRE GRAL, appointed Minister's Advisor in the Cabinet of the Minister of Higher Education. - January 17, 2006 - N° 48/PR: Exceptional promotion of Mrs. OGOULA FATI Jeanne Thérèse, N° Mle 26563 Y, pedagogical inspector of general secondary education, of unique class, 5th step, index 1465, category A, hierarchy A1, senior grade _____ ABBREVIATED ORDERS _____ National Assembly _____ - January 3, 2006 - N° 24/PR: Tenure and advancement of Mrs. BIGNAGNI Noëlline, N° Mle 125915 P, sténodactylographe. - January 25, 2006 - N° 462/PR: Tenure and advancement of Mrs. MFONO AKUE Pélagie, N° Mle 124371 W, executive secretary. - January 27, 2006 - N° 526/PR: Tenure and advancement of Mrs. NDENAMBEDA, Jeannette N° Mle 119770 V. _____ Senate _____ - January 6, 2006 - N° 81/PR: Tenure and advancement of Mrs. MBOUMBA Marie Madeleine, N° Mle 123716 C. _____ Presidency of the Republic _____ - January 6, 2006 - N° 91/PR: Confirmation and advancement of Mr. OMOUESSI Jean Pierre, N° Mle 118771 D, local contractual under status. - January 16, 2006 – N° 184/PR, Confirmation and advancement of ASSOUGA, Romial Gokemia N° Mle 124583 Z. - January 16, 2006 - N° 188/PR: Advancement of Mrs. BOUMAH Christine, N° Mle 106484 A, foreign affairs advisor. - January 16, 2006 - N° 226/PR:

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