

GOVERNMENT NOTICE No. 957 Published on. 29/11/2024

THE ENVIRONMENTAL MANAGEMENT ACT,
(CAP. 191)

REGULATIONS

(Made under section 82(1), 230(2)(h) and (q))

THE ENVIRONMENTAL IMPACT ASSESSMENT AND AUDIT (AMENDMENT)
REGULATIONS, 2024

- Citation
- GN. No.
349 of 2005
- Amendment
of regulation
3
1. These Regulations may be cited as the Environmental Impact Assessment and Audit (Amendment) Regulations, 2024 and shall be read as one with the Environment Impact Assessment and Audit Regulations, 2005 hereinafter referred to as the “principal Regulations”.
 2. The principal Regulations are amended in regulation 3 by adding in the appropriate alphabetical order the following new definitions:
 - ““climate change adaptation” means the process of adjusting to the current and the expected effect of the climate change;
 - “climate change mitigation” means actions or activities that its output reduce or limit emissions of greenhouse gases (GHs) from entering the atmosphere or reduce their level in the atmosphere;
 - “climate resilient” means withstanding or adapting to the effects of climate change and includes the ability to recover from disasters and disruptions, such as extreme weather events or socio-economic challenges; and
 - “segment of environment” means any part of the atmosphere, the hydrosphere, the lithosphere and the biosphere;”.

Amendment
of regulation
12

3. The principal Regulations are amended in regulation 12 by-

(a) adding immediately after paragraph (e) the following:

“(f) ensure consideration of potential climate impacts and vulnerability assessments in decision making process;

(g) promote development of climate resilient in infrastructure, ecosystem or any other living organisms or non-living object, by taking into consideration the project viability including the results of specific vulnerability assessments in decision-making process;” and

(b) renaming paragraphs (f) and (g) as paragraphs (h) and (i) respectively.

Addition of
regulation
15A

4. The principal Regulations are amended by adding immediately after regulation 15 the following:

“Requirement
for climate
change
consideration

15A.

Decision making process at each stage of development, programs or projects shall take into consideration climate impacts and vulnerability assessments.”.

Amendment
of regulation
16

5. The principal Regulations are amended in regulation 16-

(a) in the opening phrase by deleting the words “environmental impact” and substituting for them the words “impacts of the current and future environment including natural disasters”;

(b) adding immediately after paragraph (a) the following:

“(b) take into account the anticipated implications of climate change for the environment;” and

(c) renaming paragraphs (b), (c) and (d) as paragraphs (c), (d) and (e) respectively.

Amendment
of regulation
18

6. The principal Regulations are amended in regulation 18-

(a) in subregulation (1) by-

(i) deleting paragraph (p) and substituting for it the following:

“(p) climate change mitigation and climate adaptation, an economic and social analysis of the project;

(ii) adding immediately after paragraph (p) the following:

“(q) the positive or negative effect of the project on climate mitigation;

(r) the vulnerability of the project to the impact of climate change;

(s) the climate adaptation plan, proposing the measures for eliminating, minimising or mitigating adverse impact of climate change on the project, including the cost, timeframe and responsibility to implement the measures for climate resilient infrastructure;”;

(iii) renaming paragraphs (q) and (r) as paragraphs (t) to (u) respectively;

(b) in subregulation (2)(a) by deleting subparagraphs (xi) and (xii) and substituting for them the following:

“(xi) climate change mitigation and climate adaptation and environmental and social management plan;

(xii) climate change mitigation and climate adaptation and environmental and social monitoring plan;” and

(c) in subregulation (3)(d) by-

(i) deleting subparagraph (vi) and substituting for it the following:

- “(vi) description of the major significant impacts and vulnerabilities;” and
- (ii) deleting subparagraph (ix) and substituting for it the following:
 - “(ix) environmental and social management and climate mitigation and adaptation;”.

Amendment
of regulation
44

7. The principal Regulations are amended in regulation 44(1) by-

- (a) deleting the words “environmental and social management” appearing in paragraph (a) and substituting for them the words “climate change mitigation and climate adaptation, and environmental and social monitoring”; and
- (b) deleting the words “an Environmental and Social Management Plan,” appearing in paragraph (c) and substituting for them the words “climate change mitigation and climate adaptation, and environmental and social monitoring plan,”.

Amendment
of First
Schedule

8. The principal Regulations are amended in the First Schedule by adding immediately after Type B2 Projects the following:

- “(c) Type C - Project requiring a climate impact and vulnerability assessment
Large projects as to be defined by regulation and climate relevant projects, including all investment projects and policies related to energy, transport, water, agriculture, forestry and land-use planning and land-use management.”.

Amendment
of Second
Schedule

9. The principal Regulations are amended in the Second Schedule in paragraph 8 by-

- (a) adding immediately after subparagraph (e) the following:
 - “(f) increase the likelihood or the impact of natural disasters;”;

- (b) renaming subparagraphs (f) and (g) as subparagraphs (g) and (h) respectively.

Amendment
of Fourth
Schedule

10. The principal Regulations are amended in the Fourth Schedule-

- (a) in step 3 by adding the word “climate,” immediately after the word “existing” appearing in paragraph (a);
- (b) in step 5 by adding the words “climate change mitigation and climate adaptation, and environmental and social monitoring” immediately after the word “Management” appearing in paragraph (d);
- (c) in step 8 by-
 - (i) adding the words “climate change mitigation and climate adaptation, and environmental and social” immediately before the word “Monitoring” appearing in the opening phrase;
 - (ii) adding immediately after paragraph (b) the following:

“(c) during implementation, developer shall undertake assessment and review of the project viability due to climate change effects on a rolling basis;” and
 - (iii) renaming paragraphs (c) to (f) as subparagraph (d) to (g) respectively.

Dodoma,
26th November, 2024

ASHATU KACHWAMBA KIJAJI,
*Minister of State, Vice President's
Office, Union Affairs and Environment*