



## SUMMARY OF CASE LAW ON WASTE PRODUCER LIABILITY

### SRI LANKA

We were not able to locate specific court cases in Sri Lanka on waste producer liability. While specific waste regulations do not directly address the issue, there are a number of provisions and policies that would create waste producer/generator liability.

#### Summary of the National Law

Generally, the [National Environmental Act of 1980](#), as amended, provides:

*“No person shall, discharge, deposit or emit waste into the environment or carry on any prescribed activity determined by an Order made under Section 23A of the National Environmental Act, No. 47 of 1980 in circumstances which cause or are likely to cause pollution, or noise pollution....”* Part 1(2).

Enforcement responsibility lies with the Central Environmental Authority, which has declared support for the “polluter pays” principle. See K. H Muthuikuda Archchci, Deputy Director, Central Environmental Authority, [“Present Status of Solid Waste Management and Challenges for Change,”](#) (accessed online June 2020). The [National Waste Management Policy](#) further provides:

*Generators of hazardous waste shall be held responsible to ensure proper collection, storage, transportation, treatment and disposal of waste with appropriate tracking, recording and reporting systems.”* Section 8.1.9 (2018).

That policy also requires waste generators to submit approved plans for the management of industrial waste. See Section 8.2.2.(2)(a). Presumably disposal inconsistent with the approved plan would be a violation.

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