



UNPACKING EXTENDED PRODUCER RESPONSIBILITY IN THE SOUTH AFRICAN CONTEXT

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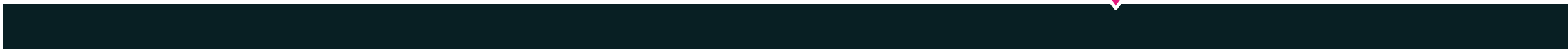
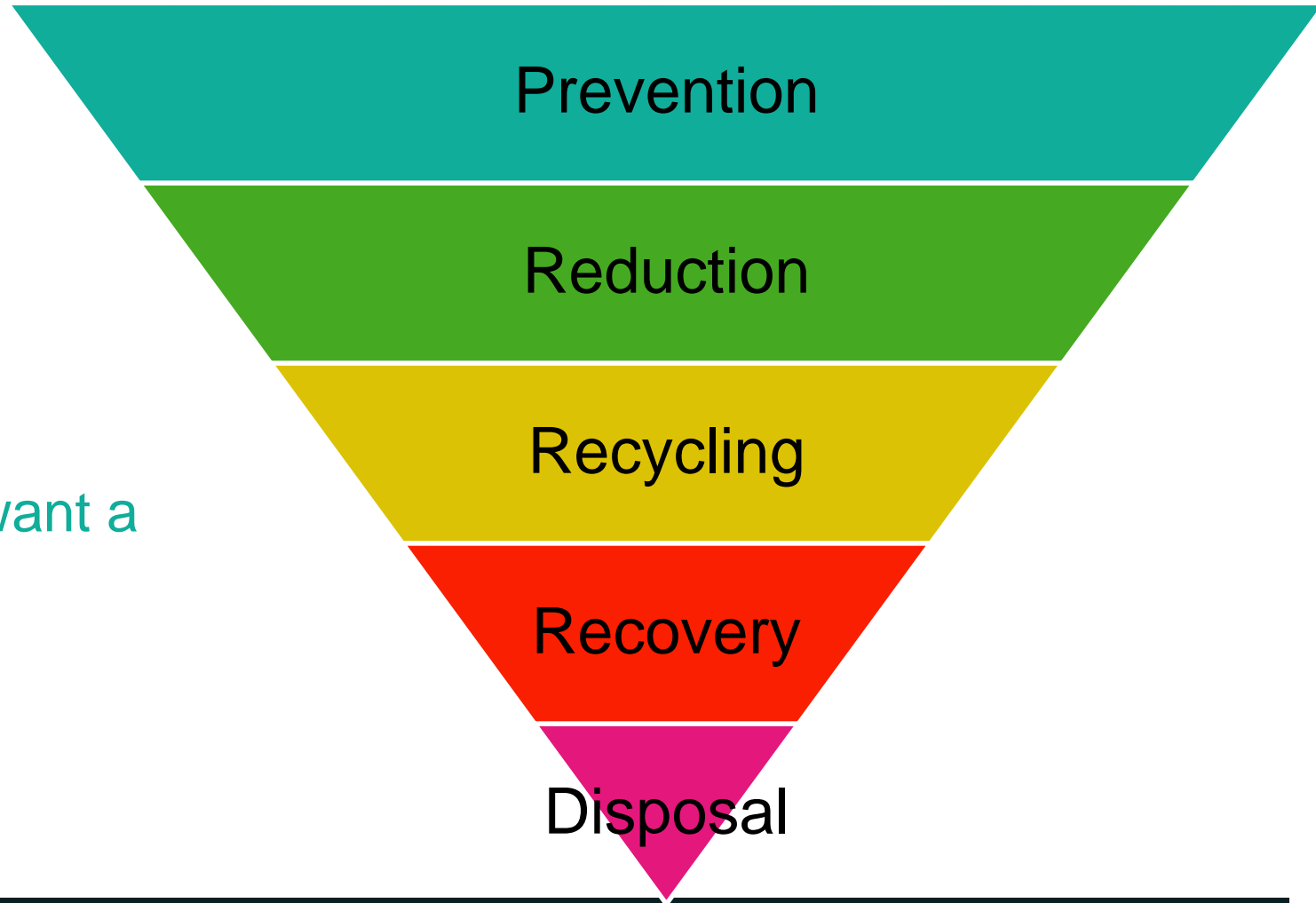
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- Implementation requires **collaboration** between government, business and civil society
- Everyone is a citizen of SA – **all want a clean and safe environment**
- NWMS – driver to give effect

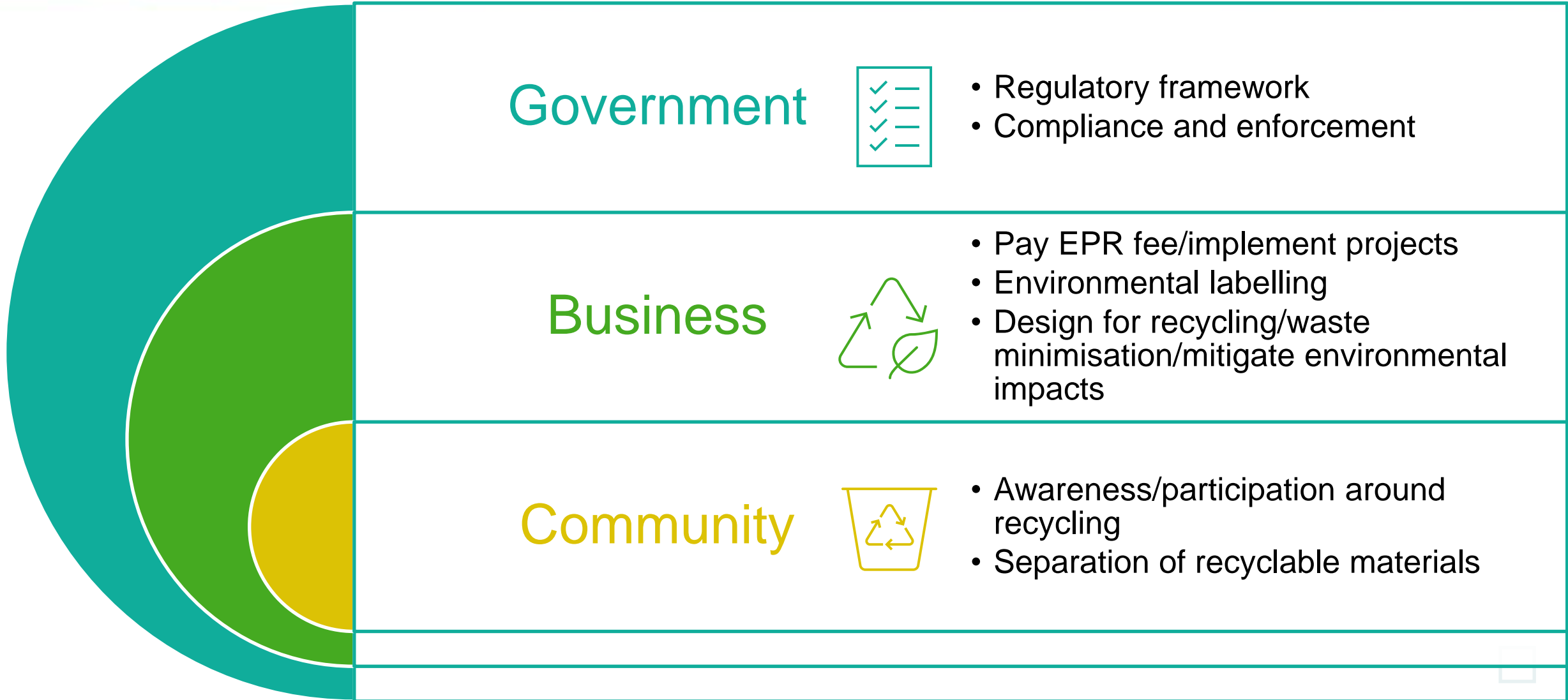




- Paradigm shift – **waste as benefit** and not a burden
- Various waste beneficiation opportunities
- Role within the **Just Transition**
- Extended producer responsibility
 - **Paper, packaging and some single use products**
 - **Lighting**
 - **Electrical and electronic equipment**



EPR: Key to sustainability – Work together



EPR TIMELINE

5 Nov
2020

- EPR regs published

16 March
2021

- Amendments published for comment

5 May
2021

- EPR come into effect

4 Nov
2021,
midnight

- Submit EPR scheme/plan to Govt

15 Jan 2021

- Amendments published (delay of EPR implementation)

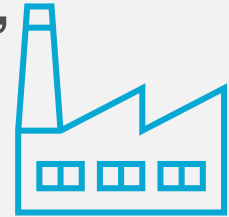
16 April
2021

- Comments on amendments to Govt

- Producers to be registered with DFFE

KEY EPR UNDERSTANDINGS

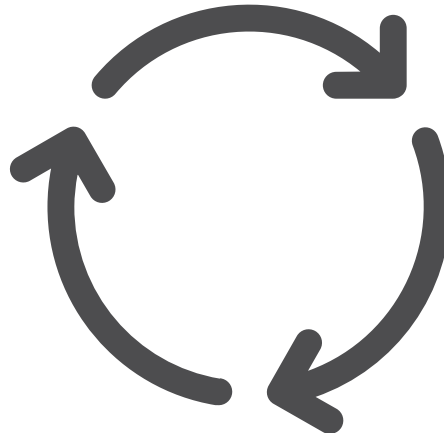
“**Producer**” is responsible for the **full nett cost** of **recovery & treatment** of its “**identified**” products’ end-of-life.



“**Polluter pays principle**” applies.



EPR fees can be filtered down to the consumer.



With **better design and planning** we can make it easier and more cost effective!



KEY DEFINITIONS

"producer" means any person or category of persons, including a brand owner, who is engaged in the commercial manufacture, conversion, refurbishment (where applicable) or import of new or used identified products as identified by the Minister by Notice in the Government Gazette in terms of section 18(1) of the Act, and a producer includes, where relevant, the same as defined in the specific section 18 Notice for each of the identified products as gazetted by the Minister in terms of section 18(1) and .(2) of the Act;

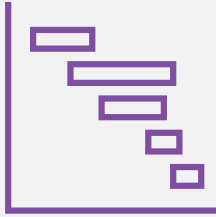
"identified products" means products that are identified in terms of section 18(1)(a) of the Act and published in the Government Gazette by the Minister;

KEY POINTS

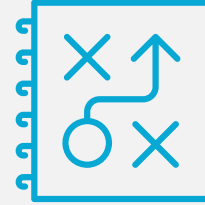
Manufacturing
Conversion
Refurbishment
Import
of new or used identified
products



PURPOSE OF THE REGULATIONS



To provide the **framework** for the development, implementation, monitoring and evaluation of extended producer responsibility schemes by producers in terms of section 18 of the Act.



To ensure the **effective and efficient management** of the identified product at the end of its life

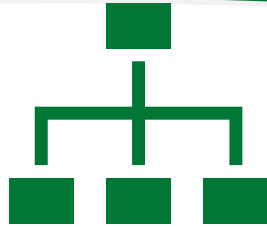


To encourage and enable the implementation of the **circular economy** initiatives.

This applies to the identified products in terms of section 18(1)(a) of the Act and to the producers of those identified products published in the Government Gazette by the Minister.

EPR MEASURES TO BE IMPLEMENTED BY PRODUCERS

Establish and implement an EPR scheme



Be accountable for the operation and performance of the EPR scheme

CURRENT



Develop **BBBEE** transformation charter



Implement environmental labels

(within 3 years)



Conduct a Life Cycle Analysis on products

(within 5 years)

LONG TERM



ANNUAL PERFORMANCE REPORTING TO GOVERNMENT

Performance vs targets

EPR fee breakdown

Performance financials

Governance

No of Jobs created

Members' identified products

PLACED IN MARKET

Exported

COLLECTED

DIVERTED I.E. RECYCLED ETC

LANDFILLED



REGISTRATION

PRO

All **existing producer responsibility organisations** must register with the Department within 6 months of the publication of these Regulations in the Government Gazette by completing the prescribed form from the Department.

By 4 November 2021

PRODUCER

All **existing producers of identified products**, at the time these Regulations come into effect, **must** register with the department within 6 months of the publication of the Government Notice in the Government Gazette in terms of section 18(1) of the Act by completing the online registration process accessible via the South African Waste Information Centre website

(www.sawic.environment.gov.za)

By 4 November 2021

MINIMUM REQUIREMENTS FOR EPR

Cleaner production measures

Design for recyclability

Waste minimisation

Waste avoidance

Waste reduction

Composition of products

Volume of products

Weight of products

Reporting

Recycled content standards

Secondary materials utilisation rate

Recovery rates

Government priorities

Job creation

Inclusive economic growth

RE-USE

RECOVERY

RECYCLING

TREATMENT

DISPOSAL



OBLIGATIONS OF A PRO ESTABLISHING AND IMPLEMENTING EPR

ADMIN

Develop & maintain a EPR fee collection system

Appoint an independent auditor

Maintain an members registration list

Collect, record, manage & submit data to SAWIC

Keep records of collected, recycling etc.

OPERATIONS

Contract downstream with existing value chain

Contract for collection, recovery & recycling and manage services

Utilise new & existing infrastructure

TRANSFORMATION

Co-operate with municipalities

Integrate informal waste pickers into value chain

Compensate registered waste pickers (service fee)

Implement transformation

Promote SMME/ entrepreneurs

MARKETS

Develop and establish secondary markets for recycled content

WHAT MUST A PRO BE?

Autonomous

A Not For
Profit
Company

Have a board
of directors
drawn from its
members

Comply with
the Companies
Act (regulation
11) .

BASIS FOR DETERMINING EPR FEE



The EPR fee must be based on nett cost recovery including a differentiated rate per item category, of each product or class of product, which must be paid by a producer to fund extended producer responsibility schemes and be dependent on the above.

IDENTIFIED ELECTRICAL PRODUCTS

Mandatory take back of identified products at the end of its life must be implemented within 1 year of the date of the implementation of the Extended Producer Responsibility Scheme for the following identified products:

Batteries

Electrical
goods

Electronic
consumer
goods

Electronic
industrial
goods



IDENTIFIED LIGHTING PRODUCTS

Gas Discharge Lamp

- Low pressure discharge lighting – Fluorescent
- HID
- Lighting for special purposes

Retrofit LED

- LED linear tubes
- LED Bulbous shape

New LED sources

- LED lighting and luminaires

Other Light Emitting Devices

- Vehicle/Automotive Lighting
- Lighting from other electronic equipment
- Others

Luminaires and Lighting Equipment

- Fixtures/Modules/Associated electrical components

Laser, Pixel and UGVC Lighting

- Laser, Pixel and UGVC lighting

Off grid Solar powered lighting

- Off grid solar lighting
- Lighting solar panels
- Solar lighting, energy storage

Incandescent and Halogen light bulbs

- Halogen lamps
- Incandescent filament lamps

IDENTIFIED PACKAGING PRODUCTS

Glass Packaging

- Alcoholic Beverage (Ready to drink)
 - Beer
 - Wine
 - Spirits
- Non-alcoholic beverage (soft drinks)
- Pharmaceutical

Metal Packaging

- Aluminium (non Ferrous) (Used Beverage Cans)
- Aluminium (non Ferrous) Other
- Tinplate (Ferrous) Metal Packaging

Plastic

- Plastic PET Beverage bottles
- Plastic PET Oil Bottles
- Plastic Thermoformed PET
- Plastic PET (Flexible)

Polyolefins

- Rigid polyolefin packaging
- Polyolefin (flexible)

Polyvinyl Chloride

- Rigid
- Flexible

Polystyrene

- Expanded
- High Impact

Biodegradable Packaging

Compostable Packaging

Single use Products (PS, HDPE, PET & PP)

Single use compostable products

Single use biodegradable products





IDENTIFIED PAPER PRODUCTS

Newspaper/newsprint

Magazines

Office and graphic
paper

Corrugated cases and
kraft paper

Liquid board
packaging

Label backing paper

Paper sacks

OFFENCES & PENALTIES

Offences

- 1) A person commits an offence if that person contravenes or fails to comply with regulations 4(1) and (2), 5, 5A, 5B, 6, 7(1), 7(2), 7(3), 7(4), 7(5), 7(6), 7(7), 7A, 8(1)(a), 8(1)(b), 8(1)(c), 8(1)(d), 8(1)(e), 8(2)(a), 8(2)(b), 8(2)(c), 8(2)(d), 8(2)(e), 9(3), 10 or 11 of these Regulations
- 2) A producer responsibility organisation commits an offence if that producer responsibility organisation contravenes or fails to comply with regulations 4(1) and (2), 5, 5A, 5B, 6, 7(1), 7(2), 7(3), 7(4), 7(5), 7(6), 7(7), 7A, 8(1)(a), 8(1)(b), 8(1)(c), 8(1)(d), 8(1)(e), 8(2)(a), 8(2)(b), 8(2)(c), 8(2)(d), 8(2)(e), 9(3), 10 or 11 of these Regulations."

Penalties

- 1) A person convicted of an offence under these Regulations is liable to:
 - a) imprisonment for a period not exceeding 15 years;
 - b) an appropriate fine; or
 - c) both a fine and imprisonment.
 - 2) A registered producer who does not comply with these Regulations may have their registration as contemplated in these Regulations revoked and/or be compelled to join another extended producer responsibility scheme.
- 1) A registered producer responsibility organisation that does not comply with the requirements as contemplated in these Regulations may have their registration revoked."





- Recycling industry has longstanding relationship with pickers
- Support provided – PPE, infrastructure, entrepreneurial training
- EPR regulations set out approach to collaboration with waste pickers
- Provisions for:



Collaboration and integration into the post consumer collection value chain

Payment of collection fee and fee for environmental benefits to registered pickers

Fee annually reviewed by DFFE



Conclusions

- **Problems of waste affect everyone**
- Improve the way we work together
- **Effect community behavioural change** – increase separation at source, better volumes for less “effort”
- **Government is pushing responsibility to industry**
- Industry needs to make it work
- **Manage expectations**
- Together we can!
- **BUSA and PP Alliance**

