

Waste Management (EPR Framework) Regulations



Public Consultation Session of 13th October 2020

Ambient Quality & Waste Unit

E: info@era.org.mt W: era.org.mt

- Scope & Objectives
 - EPR Consultative Committee
 - General Minimum Requirements
 - Additional requirements
 - Q&A
-

Aim: To transpose Articles 8 & 8a of the Waste Framework Directive, setting new rules and requirements on Extended Producer Responsibility (EPR) and Producer Responsibility Organisations (PROs).

EPR scheme: *A set of measures, including legislative measures promulgated under the Act, national or European Union legislation, to ensure that producers of products bear financial responsibility or financial and organisational responsibility for the management of the waste phase of a product's life-cycle.*

To be published under the **Environment Protection Act** (Cap. 549), the **Local Government Act** (Cap. 363) and the **Competition Act** (Cap. 379).

- Producers of products to bear the **full costs** of waste management.
-

EPR Consultative Committee (Regulation 5)

*The Minister shall set up the **EPR Consultative Committee** to assist ERA in the carrying out of its functions vis-à-vis the implementation of the EPR principle, notably re:*

- i. Ensuring a regular dialogue between stakeholders;
- ii. Matters related to compliance of producers and PROs;
- iii. Ensuring compliance with the *general minimum requirements*;
- iv. Aiding in investigations led by ERA;
- v. Advising ERA on the allocation of Local Councils with no agreement in place.



Given the interdisciplinary nature of EPR, which *inter alia* embraces economics, competition, logistical and waste management issues, the Committee shall consist of representatives from ERA, RRRRA, Office of the Competition, Department of Local Government and any other entities the Minister deems fit.


Apply to any existing and new EPR schemes

1. *Clear geographical, product and material coverage* without limiting those areas to those where the collection and management of waste are the most profitable;
 2. *Appropriate availability of waste collection systems;*
 3. *Necessary financial means or financial and organisational means* to meet the EPR obligations;
 4. *Adequate self-control mechanism*
 5. *Element of transparency:* information on attainment of targets and, in case of PROs, (i) ownership and membership; (ii) financial contributions paid by producers; and (iii) selection procedure for waste management operators;
-

General Minimum Requirements (Regulation 6) - Part 2

6. *Financial contributions* paid by producers shall cover the costs of:

- i. Separate collection & treatment;
- ii. Providing adequate information to waste holders;
- iii. Data gathering and reporting;



Do not apply to
ELVs, Batteries
and WEEE

in the case of **PROs**, contributions are modulated, where possible, for:

- Individual products or groups of similar products based on *durability, reparability, re-usability, recyclability and the presence of hazardous substances*; and
 - **Do not exceed** the costs that are necessary to provide waste management services in a cost-efficient way. Such costs shall be established in a transparent way between the actors concerned.
-

Additional requirements

*The Minister may take legislative or other measures to **subject new products to EPR**. When EPR schemes are set, the Minister in consultation with ERA & RRA shall:*

- a. Define the roles and responsibilities of all actors involved,
 - b. Set waste management targets and other quantitative targets or qualitative objectives,
 - c. Ensure that a reporting regime is in place, and
 - d. Ensure equal treatment of all producers irrespective of their origin and size, without placing disproportionate burden on producers of small quantities of products.
- Producers of products to bear the **full costs of waste management**.
 - **Investigations** – ERA, in collaboration with the EPR Committee, can carry out investigations into producers or PROs.
-



Thank you for your attention!

Comments are invited by **2nd November 2020:**
international.affairs@era.org.mt

Ambient Quality and Waste Unit

E: info@era.org.mt W: era.org.mt