

## Packaging Waste Recovery Scheme Permit

Environment Protection Act (CAP. 549)

Permit number

**EP 00132/20**

The Environment and Resources Authority (hereinafter the Authority; the Competent Authority or ERA) in exercise of its powers under the Environment Protection Act (CAP. 549) hereby authorises:

***Ing. Mario Schembri o.b.o. GreenPak Co-Op Society Ltd.***

In the name of:

**GreenPak Co-Op Society Limited  
18, St. John Street,  
Fgura, FGR 1447**

To operate a packaging waste recovery scheme under the name of:

**GreenPak Co-Op Society Limited  
18, St. John Street,  
Fgura, FGR 1447**

This permit is valid for **three (3) years** from 1<sup>st</sup> January 2021 until 31<sup>st</sup> December 2023. An application for renewal of this permit is to be submitted at least **one (1) month** prior to expiry of this permit.

Signed	Date
Prof. Victor Axiak Chairman	Permit Granted: <u>  </u> 10/ <u>  </u> 12 / 2020

**Authorised to sign on behalf of the Competent Authority**

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## 1. Scope

- 1.1. The following Permit (hereinafter referred to as the Permit) relates to the operation of a packaging waste recovery scheme under the name of GREENPAK CO-OP SOCIETY Ltd., hereinafter referred to as the Scheme/the Permit Holder.

### Status Log

Details on Permits	Date
Permit Issued WM 00005/14	17 December 2014
Variation Issued	9 February 2015
Variation Issued	9 December 2015
Renewal Issued WM 00005/14/A	19 December 2016
Variation Issued	22 January 2018
Variation Issued	23 January 2018
Renewal and Variation Issued WM 00005/14/B	07 December 2018
Variation Issued	4 March 2019
Variation Issued	25 June 2019
Variation Issued	7 October 2019
Renewal Issued EP 00095/19	20 December 2019
Variation Issued	8 January 2020
Renewal and Variation determined by ERA Board	4 December 2020

- 1.2. The Permit Holder shall take over the responsibilities of its members for the year 2021, 2022 and 2023 respectively. The Permit Holder is to ensure that an updated workplan is submitted to the Authority every December covering the year thereafter.
- 1.3. All terms in this Permit shall have the same meaning as that assigned to them in CAP 549, the Environment Protection Act and its subsidiary legislations.

## 2. Objective

- 2.1. The Waste Management (Packaging and Packaging Waste) Regulations, S.L. 549.43, puts responsibilities on producers of packaging or packaging material, including the attainment of recovery and recycling targets for the packaging waste resulting from the packaging material or packaging they put on the market. This does not preclude that the Authority may at any time request any information, including directly from the individual producers and the individual producers to provide information related to packaging material or packaging put on the market by each producer who are contractual members in the Scheme.

## 3. Financial Guarantee

- 3.1. The Authority may impose a financial guarantee so as to ensure compliance with the conditions of this Permit.
- 3.2. Any expenses incurred by the Authority to address any non-compliance by the Permit Holder that emanates from this permit or any subsidiary legislation under the Act or

the Act itself, shall be considered as Civil Debt in line with the procedure stipulated in Article 79 of the Act.

#### **4. Transferability of Permit**

- 4.1. Upon the joint application of a Permit Holder and a proposed transferee, the Permit Holder may request to transfer an environment permit. The permit shall not be transferred from the Permit Holder without prior approval from the Authority. Upon the Authority's decision to transfer the permit to the transferee, all rights, obligations, liabilities shall subsist onto the transferee.

#### **5. Variations to Permit**

- 5.1. The Authority shall vary this permit to reflect legal amendments that may come into force during the validity of the permit.
- 5.2. The Authority may add, amend, delete or substitute any of the conditions of this permit after notifying the Permit Holder of its intention and after describing the changes to the Permit Holder. This without prejudice to any prevailing circumstances that would preclude the Authority from following such a procedure.
- 5.3. The Permit Holder may apply for a variation of the permit and shall seek the Authority's written agreement prior to any operational changes, by sending to the Authority:
- (i) Written notice of the details of the proposed change, including an assessment of its possible effects or risks to the environment from the approved activity;
  - (ii) Any relevant supporting information;
  - (iii) Any relevant supporting assessments, and;
  - (iv) The proposed implementation date.
- 5.4. Any such change shall only be implemented following the issue of a variation of the permit by the Authority.

#### **6. General Conditions**

- 6.1. Services offered by the authorised packaging waste recovery scheme shall be:
- (i) open to the participation of all producers under non-discriminatory conditions and such participation shall not be refused or revoked without reasonable justification; and
  - (ii) designed so as to avoid any barriers to trade or distortions of competition in conformity with the relevant regulations
- 6.2. The Permit Holder has the sole responsibility to ascertain compliance with legal obligations, permit conditions directions or orders that may be given by the Authority and to undertake activities in line with good environmental practices at all times.
- 6.3. The Authority may carry out compliance checks that vary in frequency according to the Permit Holder's compliance with the permit conditions. Any checks or audits

carried out by the Authority may be made at the Permit Holder's financial expense at a rate and arrangement communicated by ERA.

- 6.4. The Permit Holder shall collaborate on any survey, audit or study commissioned by the Authority in line with S.L. 549.43 or any other Subsidiary Legislation under the Act.
- 6.5. The Authority's representatives shall be provided with any documentation or records, financial or otherwise, as may be requested.
- 6.6. This Permit is granted saving third party rights. The Permit Holder is not excused from obtaining any other permission required by law.

## 7. Validity of Permit

- 7.1. The Permit is valid for a period of **three (3) years** from the 1<sup>st</sup> January 2021 until 31<sup>st</sup> December 2023. The Permit Holder is able to renew the permit upon application with the Authority expressing his/her intention at least **one (1) month** prior to the expiry date of this permit. Such an application for renewal shall include a revised version of the work plan for the operation of the scheme in accordance with Part B of schedule 10 of SL 549.43. The permit will be considered renewed once the official renewed permit is issued by the Authority.
- 7.2. The Authority may suspend or revoke this environmental permit in line with the provisions of CAP549.

## 8. Recovery and Recycling Targets

- 8.1. For the purpose of calculating the recovery and recycling targets which the scheme shall achieve as set out in Schedule 3 of S.L. 549.43 for the years 2021, 2022 and 2023 respectively, regulation 8 of S.L. 549.43 shall apply. In doing so the Permit Holder shall:
  - (i) not less than 60% of the aggregate weight of packaging or packaging material put on the market is recovered by recycling or incinerated at waste incineration plants with energy recovery;
  - (ii) a minimum of 55% and a maximum of 80% of the aggregate weight of packaging or packaging material put on the market is recovered by way of recycling;
  - (iii) packaging material put on the market, recovered by way of recycling shall be with a minimum of:
    - (a) 60% by weight for glass packaging or packaging material;
    - (b) 50% by weight for metals packaging or packaging material;
    - (c) 22.5% by weight for plastics packaging or packaging material;
    - (d) 60% by weight for paper and board packaging or packaging material; and
    - (e) 15% by weight for wood packaging or packaging material,
- 8.2. Generated packaging waste shall not include any kind of residues from the production of packaging or packaging materials, or from any other production process. In this regards, residues from the production of packaging or packaging materials, or from any other production, which are sent for recovery or recycling shall not be counted as recovered or recycled for the purpose of the Permit.

- 8.3. Packaging waste generated in other Member States or imported from outside the Community and sent to Malta for subsequent recovery or incineration at waste incineration plants with energy recovery within or outside Malta shall not count for the achievement of the obligations and targets of condition 8.1 of this Permit.
- 8.4. For packaging waste treated or recycled in Malta, the Permit Holder shall acquire a recovery/recycling/disposal certificate as per the template authorised by the Authority from local authorised waste management undertakings or establishments indicating the actual rate that has been recovered and, or recycled by the facility calculated according to the rules set out in Conditions 13.4, 13.5, 13.7 and 13.8; and that the packaging waste has been recovered or disposed of in an environmentally sound manner.
- 8.5. For packaging waste exported for recovery or recycling in accordance to condition 15 regarding Shipments of Packaging Waste of this Permit, the Permit Holder shall acquire a signed declaration issued by the facility authorised for such an activity indicating the actual rate that has been recovered and, or recycled by the foreign facility calculated according to the rules set out in Conditions 13.4, 13.5, 13.7 and 13.8; and that the packaging waste has been recovered or disposed of in an environmentally sound manner.
- 8.6. Without prejudice to commercial and industrial confidentiality, when the Permit Holder engages the services of an authorised waste management undertaking or establishment to export packaging waste for further treatment, the Permit Holder shall ensure that such undertaking or establishment provides the information referred to in condition 8.5.
- 8.7. Packaging waste exported from Malta to third parties (i.e. countries which are not members of the European Union) shall count towards the fulfilment of the recovery and recycling targets referred to in condition 8.1 only if, in accordance with Regulation (EC) No 1013/2006 of the European Parliament and of the Council, the exporter can prove that the shipment of waste complies with the requirements of that Regulation and that the treatment of packaging waste outside the Union took place in conditions that are broadly equivalent to the requirements of the relevant Union environmental law.
- 8.8. An audit trail shall be maintained for all waste sent for treatment to an authorised facility locally or abroad, which audit trail shall cover all waste from the point of generation or collection, to the end recovery or disposal facility.

## **9. Return, Collection and Recovery Systems**

- 9.1. The Permit Holder shall make the necessary arrangements to provide for:
- (i) the return and, or collection of used packaging and, or packaging waste from the consumer, other final users, or from the waste stream in order to channel it to the most appropriate waste management alternatives, ensuring that these systems are open to all economic operators;
  - (ii) the reuse or recovery including recycling of the packaging and, or packaging waste collected;

- (iii) the use of materials obtained from recycled packaging waste for the manufacturing of packaging and other products;
  - (iv) the door-to-door collection of consumer packaging waste from the Local Councils listed in Annex III in accordance with the collection dates and times stipulated in S.L. 549.40 - the Abandonment, Dumping and Disposal of Waste in Streets and Public Places or Areas Regulations;
  - (v) the provision of bring-in sites for the separate collection by categories of consumer packaging waste from the Local Councils in agreement as per Annex III, provided that the Permit Holder shall sufficiently provide bins that cater for the localities' needs and population.
  - (vi) the purposes of bring-in sites under this provision, separate collection shall not include co-mingled collection in accordance to the definition of co-mingled collection in regulation 4 of the Waste Regulations and that such sites shall be maintained in a good and clean state at all times;
- 9.2. The Permit Holder shall inform the Authority in writing two (2) months in advance of any discontinued agreements with any Local Council, or if other Local Councils other than those listed in Annex III reach an agreement with the Permit Holder. Any such change will require a variation to the permit in line with condition 5.3.

## **10. Membership**

- 10.1. The Permit Holder shall sign an annual agreement with each producer who participates in the Scheme, and shall be submitted every year in line with the published procedure on ERA's website. The Permit Holder shall bind himself to carry out the activities agreed to and on behalf of the producer in accordance with any existing laws and regulations as well as all the conditions of this Permit.
- 10.2. The Permit Holder shall submit an updated list of producers who participate in the Scheme to the Authority in the quarterly reports and annual report for the year 2021, 2022 and 2023 respectively, in accordance with conditions 13.1 and 13.2 of this Permit.
- 10.3. The Permit Holder shall ensure that if a producer registered with the scheme terminates its agreement before the 31st December of any calendar year, the said producer shall pay the fees due to the scheme based on the data it would have declared to the Permit Holder up to termination. In cases of such termination, where a producer joins another authorised scheme, such other scheme shall be required to report the said producer's data, and achieve their relevant obligations, for the whole year. No scheme shall be allowed to report and achieve a producer's obligations for part of a year.
- 10.4. Any membership fees charged to parties entering into an agreement with the Permit Holder shall be made available to the authority. The Permit Holder shall make available information about:
- (i) its ownership and membership;

(ii) the financial contributions paid by its members as producers of products per unit sold or per tonne of product placed on the market; and

(iii) the selection procedure for authorised waste management operators.

10.5. The financial contributions referred to in indent (ii) of condition 10.4 shall :

- i. be modulated, where possible, for individual packaging or packaging material or groups of similar packaging or packaging material, notably by taking into account their durability, reparability, re-usability and recyclability
- ii. 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.

## 11. Notifications by Permit Holder

11.1. The following information changes shall be notified in writing within five (5) working days from the said change to the Authority:

- (i) where the Permit Holder is an individual or named individuals:
  - a. the demise of any of those individuals;
  - b. any change in the Permit Holder's name(s) or address(es); and
  - c. any steps taken with a view to the Permit Holder, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.
- (ii) where the Permit Holder is a registered company:
  - a. any change in the Permit Holder's trading name, registered name or registered office address; and
  - b. any steps taken with a view to the Permit Holder going into administration, entering into a company voluntary arrangement or being wound up.
- (iii) where the Permit Holder is a corporate body other than a registered company:
  - a. any change in the Permit Holder's name or address; and
  - b. any steps taken with a view to the dissolution of the Permit Holder.

11.2. For the purposes of issuing and signing official documentation including correspondence, the Authority shall only accept documentation from the Permit Holder that is signed by a President or any other member of the committee of the management.

11.3. All notifications and submissions to the Authority referred to in 9.1 shall be made in writing to the address specified below or by e-mail on [epr.permitting@era.org.mt](mailto:epr.permitting@era.org.mt) subsequently specified by written notification to the Permit Holder:

The Director Environment and Resources  
Environment and Resources Authority  
Hexagon House, Spencer Hill  
Marsa, MRS 1441



## 12. Records

- 12.1 The Permit Holder shall keep records for at least five (5) years in relation to packaging material or packaging put on the market by each producer who participates in the Scheme and in relation to packaging reused as well as packaging waste recycled, recovered or incinerated at waste incineration plants with energy recovery as well as disposed of, by type of packaging (i.e. sales, grouped, and transport packaging); and by category of packaging (i.e. paper, cardboard, plastic, metal, glass, wood, etc.), so as to ensure compliance with conditions 13.

## 13. Reporting

- 13.1. The Permit Holder shall compile and submit an electronic version and a hard copy of the information contained in Part A and Part B of Annex I of this Permit, in accordance to the template in the said Annex on a quarterly and annual basis. The quarterly and annual reports shall be issued and signed by any of the authorised signatories referred to in condition 11.2 of this Permit.
- 13.2. The Report shall cover the whole of each reporting period (quarter or calendar year). Quarterly reports shall be submitted to the Authority within forty (40) working days following the end of that period. In the case of annual reporting, the annual report must be submitted within six (6) calendar months of the closing year.
- 13.3. All reporting and Audits to the Authority referred to in conditions 13.1 and 13.2 and 14 shall be made in writing to the address specified below and by e-mail on [ced.epr@era.org.mt](mailto:ced.epr@era.org.mt), or as subsequently specified by written notification to the Permit Holder:

The Director Compliance and Enforcement  
Environment and Resources Authority  
Hexagon House, Spencer Hill  
Marsa, MRS 1441

- 13.4. Composite packaging and other packaging composed of more than one material shall be reported per material contained in the packaging by weight. Where a given material constitutes an insignificant part of the packaging unit, and in no case more than 5 % of the total mass of the packaging unit, the Permit Holder may derogate from this requirement. Subsequently, data on recovery and recycling of composite materials should be reported accordingly.
- 13.5. The amount of wooden packaging repaired for re-use shall be calculated on the basis of the mass of the repaired packaging units that are subsequently reused and shall exclude those wooden packaging units or components thereof that are directed to waste management operations. The amount of repaired wooden packaging so calculated shall be added to both the generated packaging waste and the recycled packaging waste.
- 13.6. The share of reusable sales packaging put on the market for the first time and reused as part of a system to reuse packaging shall be calculated by dividing the amount of reusable sales packaging that is composed of a given packaging material by the amount of all sales packaging composed of that packaging material and put on the market for the first time in the reference year. The amount of reusable sales

packaging which is discarded after its first rotation shall be deducted from the total amount of reusable sales packaging put on the market for the first time in the reference year.

- 13.7. The amount of recycled packaging waste shall be calculated according to the relevant rules laid down in the consolidated version of Commission Decision 2005/270.
- 13.8. The amount of recycled metals separated from incineration bottom ash shall be the mass of metals in the metal concentrate that is separated from raw incineration bottom ash originating from packaging waste, and shall not include other materials contained in the metal concentrate such as mineral adhesions or metals that do not originate from packaging waste. For the purposes of calculating the mass of recycled metals separated from incineration bottom ash, the methodology laid down in the consolidated version of Commission Decision 2005/270.
- 13.9. Without prejudice to commercial and industrial confidentiality, a copy of the quarterly and annual reports referred to in conditions 13.1 and 13.2 of this Permit shall be made available in accordance with the Environment Protection Act; provided that only the information relating to Part A of Annex I of this Permit shall be made available.
- 13.10. The Permit Holder shall send, in accordance to the reporting template in Annex I, an appropriate description of how the data has been compiled. A detailed explanation including justifications shall be included on any estimates made for compiling such data.
- 13.11. The Permit Holder shall submit any other additional information, including revised reporting, significant corrections and financial information, as may be requested from time to time by the Authority. Any information requested by the Authority shall be submitted by the Permit Holder within one (1) calendar month following the request made by the Authority.
- 13.12. The Permit Holder shall provide a statement of compliance by 31<sup>st</sup> March of each year with respect to the recovery and recycling obligations referred to in conditions 8 of this Permit. The statement of compliance shall be issued and signed by any of the authorised signatories referred to in condition 11.2 of this Permit. It shall contain the following information:
  - (i) the name and the address of the approved person who is issuing and signing the certificate;
  - (ii) the date of the certificate;
  - (iii) the member(s) in respect of whom the approved person is issuing the certificate; and
  - (iv) certification by the approved person as to whether the relevant Scheme has on behalf of its members complied with its recovery and recycling obligations.
- 13.13. The Permit Holder shall also provide the Authority with the total amount of packaging and packaging material placed on the market for each respective quarter, within 2 weeks from the end of that quarter [1st January to 31st March; 1st April to 30th June, 1st July to 30th September, 1st October to 31st December].

## **14. Audit**

- 14.1. Without prejudice to condition 6.2, the Permit Holder shall use the services of an independent auditor, approved by the Authority, to certify all of the information reported to the Authority as specified under conditions 13.
- 14.2. The Audit Report must be submitted within six (6) calendar months of the closing year, together with the submission of the annual report referred to in conditions 13.1 and 13.2 of this Permit.
- 14.3. The Permit Holder shall ensure that a sound auditing procedure for traceability, monitoring and control is put into place for all the packaging waste managed by the Permit Holder for the purpose of the Permit. The Auditor shall also be required to certify that all the information reported is in conformity with the obligations of S.L. 549.43 and is as specified in the Permit.
- 14.4. The auditors shall cover the terms of reference for Compliance Audits outlined in Annex II of this Permit, which terms of reference may be amended by the Authority from time to time. Any changes will come into force immediately and shall be communicated to the Permit Holder accordingly.

## **15. Shipments of packaging waste**

- 15.1. Transboundary movement of waste shall be carried out in accordance with the following regulations, as amended from time to time:
  - (i) Regulation (EC) N° 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste as implemented through S.L. 549.65, the Waste Management (Shipments of Waste) Regulations.
  - (ii) Commission Regulation (EC) N° 1418/2007 of 29 November 2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) N° 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of waste does not apply, and
  - (iii) Any other applicable legislation.

## **16. Use of Authorised Waste Management Undertakings**

- 16.1. The Permit Holder shall only use waste management undertakings and, or establishments authorised by the Authority in accordance with the Waste Regulations 2011 (S.L.549.63) and Waste Management (Activity Registration) Regulations 2007 (SL 549.45) whichever is applicable.

The Permit Holder shall submit an updated list of all authorised waste management undertakings and, or establishments for the carrying out of the waste management operations in the quarterly and annual reports referred to in conditions 13.

## **17. Movements and Disposal**

- 17.1. The Permit Holder shall not dispose of any packaging waste unless it has first made such waste readily available for reuse, recycling, recovery or incineration at waste incineration plants with energy recovery.
- 17.2. Further to condition 17.1, any transfer within Malta of hazardous packaging waste shall be accompanied by a valid Consignment Permit and Consignment Note obtainable from the Competent Authority.
- 17.3. The Permit Holder is to provide a copy of the documentation referred to in condition 17.2 of this Permit to the Authority, as part of the Annual Report referred to in conditions 13.

## **18. Information and Awareness Campaigns**

- 18.1. The Permit Holder shall organise information and awareness campaigns for the general public and economic operators in line with the plan submitted as part of the original application. This shall include:
- (i) the measures and targets referred to in condition 8.1 of this Permit;
  - (ii) the environmental impact of packaging and packaging waste and on ways how this may be minimized;
  - (iii) the return, collection and recovery systems available to them;
  - (iv) their role in contributing to reuse, recovery and recycling of packaging and packaging waste; and
  - (v) the meaning of markings on packaging existing on the market.
- 18.2. The Permit Holder shall keep the Authority informed of the information and awareness campaigns referred to in condition 18.1 through the quarterly and annual reporting referred to in conditions 13.

## **19. Permit Fees**

- 19.1. In line with Part A of Schedule 11 of SL 549.43, the Permit Holder shall pay the scheme fee within six (6) calendar months from the validity of this Permit, and reviewed by every June thereafter, which fee shall reflect all the registered producers participating in the scheme in the previous year.
- 19.2. Further to condition 19.1, if the overall recycling target referred in condition 8.1 is not achieved, an additional fee in line with Part B of Schedule 11 of SL 549.43 shall also be required.

# Annex I

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**Operation of a Packaging Waste  
Recovery Scheme in terms of  
S.L. 549.43  
Waste Management (Packaging and  
Packaging Waste) Regulations**

***[Name of Scheme]***

*[Annual/Quarter]* Report

For

*[Reference Year]*

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## Table of Contents

<b>Table of Contents</b> .....	ii
<b>Declaration</b> .....	iii
<b>Part A of the [Annual/Quarter] Report for [Reference Year]</b> .....	iv
Section A.1. - Statement of Compliance.....	v
Section A.2. - Quantities of packaging material or packaging put on the market by the producers who participate in the Scheme (Tonnes).....	vi
Section A.3. – Quantities of packaging waste generated in Malta and recovered or incinerated at waste incineration plants with energy recovery within or outside Malta (Tonnes) .....	vii
Section A.4. – Quantities of packaging waste sent to other Member States or exported outside the Union for recovery or incineration at waste incineration plants with energy recovery (Tonnes) .....	viii
Section A.5. – Information on the concentration levels of heavy metals in packaging or packaging material.....	ix
Section A.6. – Information about packaging waste considered as hazardous .....	x
Section A.7. – List of Information & Awareness Campaigns .....	xi
<b>Part B of the [Annual/Quarter] Report for [Reference Year]</b> .....	xii
Section B.1. – List of Producers participating in the Scheme .....	xiii
Section B.2. – Methodology on how the data has been compiled, including any additional information .....	xiv
Section B.3. - List of Authorised Waste Management Undertakings or Establishments used during the reporting period for the carrying out of the waste management operations involved in the Scheme .....	xv
Section B.4. - Proof of reuse, recycling, recovery or incineration at waste incineration plants with energy recovery as well as disposal - Certification.....	xvi
Section B.5. - Return, Collection and Recovery Systems.....	xvii
Section B.6. – Details of Information & Awareness Campaigns .....	xviii

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## Declaration

*[Name of Permit Holder]* hereby understands and agrees that the information provided under Part A of this report is of public nature and shall be made publicly available in accordance with Chapter 549 of the Laws of Malta - the Environment Protection Act.

*Full Name:* \_\_\_\_\_

*Signature:* \_\_\_\_\_

*Date:* \_\_\_\_\_



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**Part A of the [Annual/Quarter] Report for [Reference Year]**

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## Section A.1. - Statement of Compliance

*[Name of Permit Holder]* hereby declares that all the information provided is correct and complete in terms of S.L. 549.43.

*Full Name:* \_\_\_\_\_

*Signature:* \_\_\_\_\_

*Date:* \_\_\_\_\_

## Section A.2. - Quantities of packaging or packaging material put on the market by the producers who participate in the Scheme

*[Name of Permit Holder]* hereby declares that the following information refers to the total actual amount of packaging or packaging material put on the market by the members of the Scheme during the *[Insert Quarter/Year]* pursuant to S.L. 549.43.

Material		Packaging or packaging material put on the market for the first time <i>[in tonnes]</i>
PLASTIC		
WOOD		
METAL	Ferrous metal	
	Aluminium	
	Total (metal)	
GLASS		
PAPER and CARDBOARD		
OTHER		
<b>TOTAL</b>		

Type of plastic carrier bag	Plastic carrier bags put on the market	
	Total Weight (in <i><b>kilograms</b></i> )	Weighted average weight per carrier bag (in <i><b>grams</b></i> )
Lightweight plastic carrier bags <i>(i.e. plastic carrier bags with a wall thickness below 50 microns)</i>		
Of which bags having a wall thickness below 15 microns (i.e. very lightweight plastic carrier bags)		
Other plastic carrier bags <i>(i.e. plastic carrier bags with a wall thickness above 50 microns)</i>		

*Date of Submission:* \_\_\_\_\_

*Signature:* \_\_\_\_\_

## Section A.3. – Quantities of packaging waste recovered and/or recycled

*[Name of Permit Holder]* hereby declares that the following information refers to the total amount of packaging waste recovered and/or recycled by the Scheme during the *[Insert Quarter/Year]* pursuant to S.L. 549.43

Packaging Waste Material	Recycling <i>[in tonnes]</i>			Repair of wooden packaging <i>[in tonnes]</i>	Energy Recovery <sup>(1)</sup> <i>[in tonnes]</i>	Other recovery <sup>(2)</sup> <i>[in tonnes]</i>
	Recycled in the Member State	Recycled in other Member States	Recycled outside the EU			
PLASTIC						
WOOD						
METAL	<i>Ferrous metal</i>					
	<i>Ferrous metal from IBA <sup>(3)</sup></i>					
	<i>Aluminium</i>					
	<i>Aluminium from IBA <sup>(4)</sup></i>					
	<i>Total</i>					
GLASS						
PAPER AND CARDBOARD						
OTHER						
<b>TOTAL</b>						

**Notes:**

Dark shaded boxes: reporting is not applicable.

Light shaded boxes: reporting is mandatory only if amounts are considered in the recycling rates.

- (1) This includes incineration with energy recovery and the reprocessing of waste to be used as fuel or other means to generate energy.
- (2) This excludes repair of wooden packaging, recycling and energy recovery and includes backfilling.
- (3) Ferrous metals recycled after their separation from incineration bottom ash shall be reported separately and shall not be included in the row for reporting ferrous metals.
- (4) Aluminum recycled after separation from incineration bottom ash shall be reported separately and shall not be included in the row for reporting aluminum

## Section A.4. – Reporting on reusable packaging (Tonnes)

*[Name of Permit Holder]* hereby declares that the following information refers to the share of reusable sales packaging put on the market for the first time by the members of the Scheme and reused as part of a system to reuse packaging during *[Insert Quarter/Year]* pursuant to S.L. 549.43.

Packaging Material	Packaging placed on the market for the first time				Reusable packaging placed on the market for the first time		Rotations <sup>(3)</sup>			
	All packaging <sup>(1)</sup>		Sales packaging <sup>(2)</sup>		All reusable packaging (tonnes)	Reusable sales packaging (tonnes)	All reusable packaging		Reusable sales packaging	
	(tonnes)	(units)	(tonnes)	(units)			(tonnes) <sup>(4)</sup>	(number)	(tonnes) <sup>(4)</sup>	(number)
Plastic										
Wood										
Ferrous Metal										
Aluminium										
Glass										
Paper and cardboard										
Other										
<b>TOTAL</b>										

Note:

Light shaded boxes: provision of data is voluntary.

- (1) This means all reusable and single-use packaging comprising sales, transport and grouped packaging.
- (2) This means reusable and single-use sales packaging.
- (3) This means the number of rotations that reusable packaging completes in a given year.
- (4) This means the number of rotations that reusable packaging completes in a given year multiplied by their mass.

*Date of Submission:* \_\_\_\_\_

*Signature:* \_\_\_\_\_

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## Section A.5. – Information on the concentration levels of heavy metals in packaging or packaging material

*[Include details on concentration levels of heavy metals present in packaging material or packaging placed on the market by each producer who participates in the Scheme within the meaning of regulation 7 of Subsidiary Legislation 549.43, and the presence of noxious and other hazardous substances and materials within the meaning of the third indent of point 1 of Schedule 2 of these regulations.]*

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## Section A.6. – Information about packaging waste considered as hazardous

*[Include details on packaging waste managed by the Permit Holder considered to be hazardous owing to contamination by product contents, within the meaning of S.L. 549.63 - the Waste Regulations.]*

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## Section A.7. – List of Information & Awareness Campaigns

*[Include list of any Information and Awareness campaigns set up to for general public and economic operators in accordance to condition 18 of the Permit]*



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**Part B of the [Annual/Quarter] Report for [Reference Year]**



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## Section B.2. – Methodology on how the data has been compiled, including any additional information

*[Include an appropriate description of how the data has been compiled, including an explanation of any estimates used.*

- *Provide a detailed breakdown of the grey bag composition as well as the reject rates used by the Permit Holder.*
- *Provide a description of the methods used to ensure that reusable packaging placed on the market for the first time is reused as part of a system to reuse packaging and that all rotations of reusable packaging are captured by category and type*
- *Provide a description of the reuse system (i.e. open-loop or close-loop system) by category and type*
- *Provide a detailed description of the methodology applied to ensure the quality of all data reported ]*

*Date of Submission:* \_\_\_\_\_

*Signature:* \_\_\_\_\_

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Section B.3. - List of Authorised Waste Management Undertakings or Establishments used during the reporting period for the carrying out of the waste management operations involved in the Scheme

Name of authorised waste management undertakings or establishments <sup>1</sup>	Permit No. of authorised waste management undertakings or establishments <sup>1</sup>

<sup>1</sup> The Permit Holder is to ensure that all waste management undertakings or establishments used during the reporting period are duly authorised by the Environment and Resources Authority.

*Date of Submission:* \_\_\_\_\_

*Signature:* \_\_\_\_\_

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Section B.4. - Proof of reuse, recycling or recovery as well as disposal - Certification

*[Provide the documentation requested under conditions 8.4, 8.5 and 8.6 of this Permit.]*

## Section B.5. - Return, Collection and Recovery Systems

*[Include details of any systems set up with regards to Return, Collection and Recovery to provide for the return and/or collection of used packaging and/or packaging waste from the consumer, other final user, or from the waste stream in order to channel it to the most appropriate waste management alternatives and for the reuse or recovery including recycling of the packaging and/or packaging waste collected. Also indicate on what basis the percentages of packaging waste have been derived, indicate the total amount/percentage of rejects and complete the following tables.]*

Below tables are to be filled in for each Local Council.

**Year:** \_\_\_\_\_ **Local Council:** \_\_\_\_\_

<b>Door-to-door collection</b>			
	Total Waste Collected	Total waste collected considered to be packaging waste* (This should not include any rejects or material which is not packaging)	
		tonnes	%
Plastic			
Cardboard			
Paper			
Metal			
<b>Total</b>			

<b>Bring -In-Sites</b>			
	Total Waste Collected	Total waste collected considered to be packaging waste* (This should not include any rejects or material which is not packaging)	
		tonnes	%
Glass			
Plastic			
Cardboard			
Paper			
Metal			
<b>Total</b>			

<b>Other Sources</b>			
	Total Waste Collected	Total waste collected considered to be packaging waste* (This should not include any rejects or material which is not packaging)	
		tonnes	%
Glass			
Plastic			
Cardboard			
Paper			
Metal			
Wood			
Other			
<b>Total</b>			

\*In accordance to sub-regulation 1 of regulation 3 of Subsidiary Legislation 549.43.

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## Section B.6. – Details of Information & Awareness Campaigns

*[Include details of any Information and Awareness campaigns set up to for general public and economic operators in accordance to provision 16 of the Permit]*

# **Annex II**



**Terms of reference for Compliance Audits related to authorised Packaging  
Waste Recovery Scheme**

The independent, certified auditor shall be approved by the Environment and Resources Authority, and should fulfil the requirements set by the Authority.

The auditor would be required to certify that all the information reported to the Authority by the Packaging Waste Recovery Scheme is as specified in the permit itself.

A sound auditing procedure for traceability, monitoring, and control should be in place for all the packaging waste managed in terms with the S.L. 549.43 – Waste Management (Packaging and Packaging Waste) and as specified in the Scheme's Permit.

The audit trail should cover all packaging waste from the point of generation or collection to the end recovery or disposal facility (local or foreign).

The points overleaf shall be covered by the auditors in such audits, providing a **detailed** report of their findings. The Authority may reserve the right to request clarifications and further information from the auditors other than that provided in the audit report.

The terms of reference may be amended by the Authority from time to time. Any changes will come into force immediately, and shall be communicated to the Permit Holder accordingly.

	<b>Nature and extent of audit procedures</b>
<b>1</b>	<b>Objective:</b> to determine that a sound methodology is in place to ensure the quality of all data reported by the Permit Holder.
<b>2</b>	<p><b>Objective:</b> To confirm that there was a signed agreement between the packaging waste recovery scheme and its members for the year 2021, 2022 and 2023 respectively.</p> <p><i>2.1. Choose a random sample of 10% of the total no. of members, confirming that all members have signed the relevant agreements with the Scheme and verify the period for which such members have been represented by the Scheme.</i></p> <p><i>2.2. Choose a random sample of 10% of the total no. of members and confirm that the participation fee charged by the Scheme is in line with the schedule of fees in the agreement.</i></p> <p><i>2.3. For the sample chosen, inspect the file containing communications between the selected members and the packaging waste recovery Scheme and report any notifications of inaccuracies or inconsistencies.</i></p> <p>The stratified sample should represent the members as follows:-</p> <ul style="list-style-type: none"> <li>- 6% of the sample representing those members who put on the market less than 1 tonne;</li> <li>- 3% of the sample representing those members who put on the market more than 1 tonne but less than 5 tonnes;</li> <li>- 1% of the sample representing those members who put on the market more than 5 tonnes</li> </ul> <p><u>The documentation related to the chosen sample shall be attached to the Audit Report.</u></p>
<b>3</b>	<p><b>Objective:</b> To confirm that members for the year 2021, 2022 and 2023 respectively have provided the scheme with the relevant information on the actual quantities of packaging or packaging material put on the market in the year 2021, 2022 and 2023 respectively.</p> <p><i>3.1. Choose a random sample of 10% of the total no. of members, confirming that the members have provided the necessary information to the Scheme and that the actual amounts for 'packaging or packaging material put on the market' declared to the Scheme in the year 2021, 2022 and 2023 respectively tally with the actual net weight of the packaging or packaging material put on the market by the members in the year 2021, 2022 and 2023 respectively.</i></p> <p><u>The same sample approach highlighted under <b>Objective 2</b> shall be applied.</u></p>

	<p>3.2. <i>The auditor is to highlight any over-/under- estimations reported by both the members and the packaging waste recovery Scheme.</i></p> <p>3.3. <i>The auditor is to reconcile the actual quantities of packaging or packaging material put on the market by each member with the global declaration for packaging or packaging material put on the market in the Scheme’s Annual Report, by category of packaging.</i></p> <p>3.4. <i>The audit is to indicate whether the actual total amount of packaging or packaging material put on the market declared in the Annual Report by the Scheme requires re-calculation for correctness and accuracy purposes.</i></p>
4	<p><b>Objective:</b> To ensure that the packaging waste recovery Scheme has only used waste management undertakings or establishments authorised by the Authority in accordance with Subsidiary Legislation 549.63 – the Waste Regulations during the Scheme’s operational period being audited.</p> <p>4.1. <i>To obtain and submit together with the Audit Report a list from the Authority of waste management undertakings or establishments, duly authorised by the Authority during the time period covered by the Audit Report.</i></p> <p>4.2. <i>To confirm with the list provided by the Authority that the packaging waste recovery Scheme has only used authorised waste management undertakings or establishments during the time period covered by the Audit Report.</i></p>
5	<p><b>Objective:</b> To ensure that the amounts being reported are indeed reflecting packaging waste that has actually been recovered and recycled.</p> <p>5.1. <i>The auditor is to check and confirm that the amounts being declared as being recovered and/or recycled are indeed packaging waste; and provide information, by category of packaging, on the amounts of packaging or non-packaging waste.</i></p> <p>5.2. <i>The auditor is to ensure that the amounts quoted as being recovered/recycled are indeed reflecting the actual amounts being recovered and recycled, and do not represent the total amounts collected, prior to sorting and/or storage for further treatment.</i></p> <p>5.3. <i>The auditor is to check and confirm that the amounts being declared exclude any rejects, providing detailed breakdown of the reject rates used.</i></p> <p>5.4. <i>The auditor is to verify that the total weight by category declared as recovered/recycled by the packaging waste recovery Scheme reconciles with the amount of waste processed at the authorised waste</i></p>

	<p><i>management undertakings or establishments, and that such amounts are supported by evidence issued by such undertakings or establishments.</i></p> <p><i>5.5 The auditor is to verify that the rules for the calculation of the attainment of the targets set out in the permit have been adhered to.</i></p> <p><i>5.6 To establish, by providing detailed workings, and to confirm whether the Scheme has achieved the recovery and recycling targets in accordance to regulation 8 of Subsidiary Legislation 549.43 - the Waste Management (Packaging and Packaging Waste) Regulations.</i></p>
<p><b>6</b></p>	<p><b>Objective:</b> To ensure that the packaging waste recovery Scheme presents to the Authority the proof of recovery and, or recycling referred to in conditions 8.4, 8.5 and 8.6 of the Permit.</p> <p><i>6.1. To ensure that all proof of recovery and, or recycling issued by recycling facilities have all been declared to the Authority.</i></p> <p><i>6.2. The auditor is to determine the amounts of packaging waste exported and to confirm the final fate and end destination of these waste materials, in accordance to conditions 8.5 and 8.6 of the Permit.</i></p> <p><i>The relevant documentation should be inspected to ascertain veracity and, as a minimum, inspect relevant documentation (such as Bills of Lading, Cargo manifests, etc) or other similar trans-frontier shipment documentation that proves that the waste was shipped to a destination outside of Malta and ensuring compliance with Regulation (EC) 1013/2006 on shipments of waste.</i></p>

# **Annex III**

**List of Local Councils as per conditions of the Permit**

Attard	Balzan	Birkirkara
Birzebbuga	Fontana	Gharghur
Ghaxaq	Gudja	Gzira
Hamrun	Kalkara	Kirkop
Isla	Lija	Mellieha
Marsa	Mdina	Mqabba
Msida	Nadur	Naxxar
Paola	Pembroke	Pieta'
Qala	Qormi	Qrendi
Safi	San Giljan	San Gwann
Santa Lucija	Santa Venera	Sliema
Swieqi	Ta' Sannat	Ta' Xbiex
Xaghra	Xewkija	Xghajra
Zabbar	Zebbug (Malta)	Zejtun
Zurrieq		

# **Annex IV**

# Recovery/Disposal Certificate for Packaging Waste

Certificate Number: **WPC 00123**

Date of Issuance: \_\_\_\_\_

I, Name of Establishment/Undertaking, with authorisation number EP 000X/YY/Z certify that quantity tonnes of category of (paper) packaging waste classified under EWC code 15 01 01 has been collected from name of waste generator on/in DD/MM/YYYY. The waste collected has been treated as indicated in the following table:

% Recovered / Disposed	Amount (in kg)	Recovery/ Disposal Code	Category of mixed Packaging waste under 15 01 06	Fate of Waste	Proof of Recovery / Disposal
60	120,000	R3	N/A	Exported directly to <i>Country of Destination</i>	Container No <b>CMAU1234567</b>
20	40,000	R3	N/A	Recovered/Disposed Locally at <i>Name of Establishment/Undertaking</i>	Certificate Number <b>WPC 00124</b>
10	20,000	R3	N/A	Sold to <i>Name of Establishment/Undertaking</i>	Certificate Number <b>WPC 00125</b>
10	20,000	D1	N/A	Disposed Locally at <i>Name of Establishment/ Undertaking</i>	Certificate Number <b>WPC 00126</b>

\_\_\_\_\_  
Name, Signature and Stamp



**Environment & Resources Authority**

Hexagon House, Spencer Hill, Marsa MRS 1441

T. (+356) 2292 3500 E info@era.org.mt W era.org.mt



**\*Disclaimer:** This certificate has been issued on the official ERA form and shall not be construed as a certificate issued by ERA.



## Recovery/Disposal Certificate for Packaging Waste

Certificate Number: **WPC 00123**

Date of Issuance: \_\_\_\_\_

I, Name of Establishment/Undertaking, with authorisation number EP 000X/YY/Z certify that quantity tonnes of mixed packaging waste classified under EWC code 15 01 06 has been collected from name of waste generator on/in DD/MM/YYYY. The waste collected has been treated as indicated in the following table:

% Recovered / Disposed	Amount (in kg)	Recovery/ Disposal Code	Category of mixed Packaging waste under 15 01 06	Fate of Waste	Proof of Recovery / Disposal
25	50,000	R3	Plastic packaging	Exported directly to <i>Country of Destination</i>	Container No <b>CMAU1234567</b>
50	100,000	R3	Cardboard	Recovered/Disposed Locally at <i>Name of Establishment/Undertaking</i>	Certificate Number <b>WPC 00124</b>
15	30,000	R3	Metallic packaging	Sold to <i>Name of Establishment/Undertaking</i>	Certificate Number <b>WPC 00125</b>
N/A	N/A	N/A	N/A	N/A	N/A

\_\_\_\_\_  
Name, Signature and Stamp

**\*Disclaimer:** This certificate has been issued on the official ERA form and shall not be construed as a certificate issued by ERA.

**END OF PERMIT**