

ENVIRONMENT PROTECTION ACT

(CAP. 549)

Extended Producer Responsibility (Non-Packaging Paper) Regulations, 2026

IN EXERCISE of the powers conferred by Articles 54 and 55 of the Environment Protection Act, the Minister responsible for the Environment, after consultation with the Environment and Resources Authority, has made the following regulations:-

Citation and commencement.

1. (1) The title of these regulations is the Extended Producer Responsibility (Non-Packaging Paper) Regulations, 2026.

(2) These regulations shall come into force within two months from the date of their publication in the Gazette.

Scope and applicability.

2. (1) These regulations aim to support the circular economy by creating an extended producer responsibility scheme for non-packaging paper products, improving waste collection, recycling and litter reduction.

(2) These regulations shall apply to the categories of non-packaging paper products laid down in Schedule 1, which are placed on the market in Malta.

(3) These regulations shall not apply to any educational materials as defined in regulation 3.

Interpretation.

3. In these regulations, unless the context otherwise requires:

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"Act" means the Environment Protection Act;

"advertising and commercial printed materials" means any physical means of printed advertising material intended for promotion purposes to advertise or promote events, products or services pertaining to a trade, business or profession and shall include all forms of posters, leaflets, flyers, catalogues, brochures, pamphlets and banners, which are classified under the Combined Nomenclature code CN 4911 10;

"Authority" or "competent authority" means the Environment and Resources Authority as established by article 6 of the Act;

"educational materials" means the following physical publication exclusively devoted to learning and cultural diffusion:

- i. books, including drawing and colouring books, workbooks and activity books that support classroom instruction;
- ii. music printed or in manuscript form;
- iii. maps and hydrographic or similar charts;

“making available on the market” means any supply of non-packaging paper products for distribution, consumption or use on the market in Malta in the course of a commercial activity, whether in return for payment or free of charge;

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"municipal non-packaging paper waste" means the share of non-packaging paper waste in municipal waste as defined in the Waste Regulations;

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“non-packaging paper products” means the paper products listed in Schedule 1 that are not packaging;

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“non-packaging paper waste” means any non-packaging paper product which the holder discards or intends or is required to discard;

“placing on the market” means the first making available of non-packaging paper products on the market in Malta;

“packaging” shall have the same meaning assigned to “packaging” in point (1) of paragraph (1) of Article 3 of Regulation (EU) 2026/40 of the European Parliament and of the Council of 19 December 2024 on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC;

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"packaging waste recovery organisation" means a producer responsibility organisation authorised under the Waste Management (Packaging and Packaging Waste) Regulations;

“producer” means any natural or legal person who:

- (a) is established in Malta and manufactures non-packaging paper products to be placed on the market in Malta;
- (b) is established in Malta and places on the market of Malta, on a professional basis, non-packaging paper products, from a third country or from another EU Member State;

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- (c) sells non-packaging paper products by means of distance contract as defined in the Consumer Rights Regulations directly to consumers in Malta and is established in another EU Member State or third country.";

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"Regional Council" means a regional council established by the Local Government Act;

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The definitions of “collection”, “recycling”, “treatment” and “waste”, shall have the same meaning as assigned in regulation 4 of the Waste Regulations.

Extended producer responsibility.

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4. (1) Producers placing non-packaging paper products on the market in Malta shall have extended producer responsibility in accordance with the Extended Producer Responsibility Framework Regulations and these regulations.

(2) Producers established in another Member State or third country and placing non-packaging paper products on the market in Malta shall appoint a legal or natural person established in Malta as an authorised representative for the purposes of fulfilling the extended producer responsibility obligations established in these regulations on the territory of Malta. Such appointment shall be made by written mandate by means of a declaration as set out in Schedule 2.

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(3) In line with regulation 4 of the Extended Producer Responsibility Framework Regulations, producers and authorised representatives shall bear the whole costs of the management of the waste arising from the non-packaging paper products they place on the market of Malta. In accordance with sub-regulation (3)(a) of regulation 6 of the Extended Producer Responsibility Framework Regulations, such costs shall as a minimum cover the following:

- (i) the costs of separate collection of waste and its subsequent transport and treatment, including the treatment necessary to meet the waste management targets established in Schedule 5, taking into account the revenues from sales of secondary raw material from their non-packaging paper products;
- (ii) the costs of providing adequate information to waste holders on waste prevention measures, waste separation obligations and best practices, existing separate collection and recycling systems, and the prevention of littering; and
- (iii) the costs of data gathering and reporting on the non-packaging paper products placed on the national market and data on the collection and treatment of the waste resulting from these products, as well as other data relevant for the purposes of monitoring the targets established in Schedule 5, according to the requirements of these Regulations.

(4) By way of derogation from sub-regulation (3), the Authority may exempt, partially or totally, producers placing the non-packaging paper products listed in point (iii) of Schedule 1 on the market in Malta from the obligation to cover the costs established in points (i) and (ii) of sub-regulation (3), if they provide, to the satisfaction of the Authority, information to the public on waste prevention measures, waste separation obligations and best practices, existing waste separate collection and recycling systems, and the prevention of littering:

Provided that such producers, together with their request for exemption, provide the information in their printed products placed on the market in Malta, as a minimum on a monthly basis or, in case where such products are published with a frequency lower than monthly, upon each publication. Where applicable, producers shall also provide such information by means of a website or other means of electronic communication.

(5) The Authority shall communicate its decision to the producer with respect to the request for exemption in accordance with the requirements of sub-regulation (4) without undue delay.

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(6) In order to achieve the objectives of these regulations in a cost-effective manner, producers and authorised representatives shall fulfil their extended-producer responsibility obligations collectively and, to that end, shall participate in a packaging waste recovery organisation authorised in accordance with the Waste Management (Packaging and Packaging Waste) Regulations.

(7) Producers and authorised representatives shall, upon request by the Authority, submit a copy of the signed agreement with the operator of the authorised packaging waste recovery organisation.

(8) The financial contributions which shall be paid by producers and authorised representatives participating in an authorised packaging waste recovery organisation to comply with their extended producer responsibility obligations shall be modulated, as far as possible, by taking into account their sortability and recyclability, including the presence, in such non-packaging paper products, of hazardous substances and substances that may hinder their recyclability.

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(9) In order to cover the costs set out in sub-regulation (3) on behalf of its producers, an authorised packaging waste recovery organisation shall finance the systems set up by the Regional Councils and endorsed by the Authority referred to in sub-regulation (8) of regulation 13 of the Waste Management (Packaging and Packaging Waste) Regulations also with respect to all municipal non-packaging paper waste generated, according to its market share:

Provided that an authorised packaging waste recovery organisation shall make the necessary arrangements with the Regional Councils, through the written agreements referred to in sub-regulation (8) of regulation 13 of the Waste Management (Packaging and Packaging Waste) Regulations, for the payment of its financial contributions towards the above-mentioned systems.

(10) The financial contributions paid by an authorised packaging waste recovery organisation shall 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 Authority, the Regional Councils, the authorised packaging waste recovery organisations and any other actors concerned. Any revisions of the established costs shall be communicated with sufficient notice to allow producer responsibility organisations to adjust their operations to any revised costs:

Provided that the said financial contributions shall in no case include any administrative penalty imposed by the Authority on a Regional Council in line with sub-regulation (4) of regulation 6.

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(11) The market share referred to in sub-regulation (9) shall be the one established by the Authority on the basis of the methodology laid down in Schedule 18 of the Waste Management (Packaging and Packaging Waste) Regulations:

Provided that the weight of non-packaging paper products placed on the market by the members of the authorised packaging waste recovery organisations shall also be considered by the Authority while establishing such market share:

Provided further that the weight of non-packaging paper products placed on the market shall be determined according to the methodology established in Schedule 3.

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(12) An authorised packaging waste recovery organisation shall make publicly available the information referred to in sub-regulation (3) of regulation 3A of the Waste Management (Packaging and Packaging Waste) Regulations also with respect to the non-packaging paper products and waste arising from such products in accordance with the said sub-regulation.

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(13) Regional Councils shall make publicly available the information referred to in points (a) and (b) of sub-regulation (4) of regulation 3A of the Waste Management (Packaging and Packaging Waste) Regulations also with respect to municipal non-packaging paper waste in accordance with the said sub-regulation. Regional Councils shall also make publicly available information pertaining to the attainment of the targets laid down in Schedule 5 with respect to the municipal non-packaging paper waste generated in their regions.

Collection and treatment of non-packaging paper waste.

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5. (1) Without prejudice to the Waste Regulations, the Waste Management (Packaging and Packaging Waste) Regulations and Local Government Act, Regional Councils shall ensure that the systems set up in accordance with sub-regulation (1) of regulation 13 of the Waste Management (Packaging and Packaging Waste) Regulations also provide for the:

- (a) Regional door-to-door collection of all municipal non-packaging paper waste generated in their regions and its transport to authorised waste management establishments or undertakings; and
- (b) Environmentally sound treatment of all collected municipal non-packaging paper waste according to the waste hierarchy laid down in regulation 4A of the Waste Regulations.

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(2) Authorised packaging waste recovery organisations may make use of existing arrangements for the recycling points established in line with sub-regulation (2) of regulation 13 of the Waste Management (Packaging and Packaging Waste) Regulations systems for the separate collection of municipal non-packaging paper waste:

Provided that the municipal non-packaging paper waste separately collected in accordance with this sub-regulation that is recycled shall count towards the attainment of the applicable recycling target by the Regional Councils. To this end, an authorised packaging waste recovery organisation shall furnish the respective Regional Council with the signed declaration referred to in regulation 15 of the Waste Management (Packaging and Packaging Waste) Regulations also with respect to non-packaging paper waste.

(3) For the purposes of achieving the objectives of this regulation, the authorised packaging waste recovery organisations shall:

- (a) carry out information campaigns, highlighting the importance of waste prevention, separate collection of non-packaging paper waste and ensure the correct treatment of such waste; and
- (b) make the necessary arrangements for the non-packaging paper waste collected to be made available for recycling.

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(4) Regional Councils and authorised packaging waste recovery organisations shall not dispose of, including by way of landfilling, separately collected non-packaging paper waste, with the exception of waste resulting from subsequent treatment operations of the separately collected waste for which landfilling or other disposal operations delivers the best environmental outcome in accordance with regulation 4A of the Waste Regulations.

Recycling targets and rules for the calculations of such targets.

6. (1) Regional Councils shall take the necessary measures to ensure that, with respect to the municipal non-packaging paper waste generated in their regions, the applicable minimum recycling target established in Schedule 5 is attained.

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(2) For the purpose of calculating whether the targets laid down in Schedule 5 have been attained, the weight of municipal non-packaging paper waste generated and recycled in a given calendar year shall be calculated in accordance with the provisions set out in regulation 10D of the Waste Regulations and, to that end, the rules for calculation, verification and reporting of data laid down in Commission Implementing Decision (EU) 2019/1004 laying down rules for the calculation, verification and reporting of data on waste in accordance with Directive 2008/98/EC of the European Parliament and of the Council and repealing Commission Implementing Decision C(2012) 2384 shall apply.

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(3) The Regional Councils shall ensure that the half-yearly, annual and audited reports referred to in sub-regulations (13), (14), (15), (16) and (17) of regulation 8 of the Waste Management (Packaging and Packaging Waste) Regulations also contain the following information:

- i. Quantities of the municipal non-packaging paper waste generated in their regions, by weight, during the reporting period in accordance with the reporting formats to be established by the Authority;
- ii. Quantities of municipal non-packaging paper waste separately collected through the systems set up according to sub-regulations (1) and (2) of regulation 5, by weight, during the reporting period in accordance with the reporting formats to be established by the Authority; and
- iii. Quantities of the municipal non-packaging paper waste treated by the waste management establishments or undertakings engaged by the respective Regional Council and packaging waste recovery organisation, by weight, during the reporting period in accordance with the reporting formats to be established by the Authority. To this end, regulation 15 of the Waste Management (Packaging and Packaging Waste) Regulations shall *mutatis mutandis* apply to non-packaging paper waste;

(4) The Authority may impose an administrative penalty upon a Regional Council if it results that in any given year, the Regional Council has failed to achieve the applicable minimum overall recycling target laid down in Schedule 5. The said penalty shall be calculated in accordance with the mechanism laid down in Schedule 6.

Producer registration.

7. (1) Producers or authorised representatives placing non-packaging paper products on the market within the territory of Malta, shall apply to be registered with the Authority and shall be provided with a registration number upon registration. Producers shall make the registration number clearly visible on their invoices and fiscal receipts:

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Provided that producers which already hold a registration number in accordance with the Waste Management (Packaging and Packaging Waste) Regulations, shall be issued a unique registration number identifying them as producers of either both packaging and the non-packaging paper products or as producers of one of such, as applicable:

Provided further that the Authority shall integrate such information within the register of producers referred to in regulation 20 of the Waste Management (Packaging and Packaging Waste) Regulations.

(2) Producers registered under sub-regulation (1) shall renew their registration on an annual basis with the competent authority by the 31st March of each year:

Provided that as from 1st April of each year the competent authority shall accept renewals until the end of the year subject to the payment of an additional fee of seventy euro (€70) per month or part thereof, together with the fee/s prescribed in paragraph (c) of sub-regulation (3).

(3) An application for registration or renewal by a producer shall:

- (a) be made either online or in writing;
- (b) be signed by any of the authorised signatories referred to in Schedule 4; and
- (c) be accompanied by a fee of €10 for online registration or €35 for manual registration.

(4) A producer shall not be deemed to be registered or to have renewed his registration until an acknowledgement notice is issued by the competent authority, approving the producer's application for registration or renewal. The competent authority shall issue the acknowledgement notice within:

- (a) one (1) month of the date of receipt of an application for registration or renewal; or
- (b) one (1) month after the date of receipt of further information or particulars requested by the competent authority in relation to such application, including the payment of any fees,

whichever is the later.

(5) Where a producer ceases to place non-packaging paper products on the market, the producer shall apply for deregistration with the competent authority the following year of his ceasing to do so. An application for deregistration shall be signed by any of the authorised signatories referred to in Schedule 4.

(6) Without prejudice to the obligations and liabilities of the person applying for deregistration relating to the time when the person was a registered producer, the competent authority shall terminate a person's registration with effect from the last day of the year

during which such person ceased to be liable to be registered, and shall notify that person in writing:

Provided that any pending information is submitted by the person to the competent authority upon applying for de-registration according to sub-regulation (5).

(7) Any producer who either fails to apply for registration in accordance to this regulation or who fails to renew his registration by the end of the year, shall be liable to a fine as prescribed in Schedule 7.

(8) An authorised packaging waste recovery organisation may register or renew the registration of a producer on his behalf, subject to the consent of the said producer. In such cases, the authorised packaging waste recovery organisation shall be responsible for adhering to the provisions of this regulation, including payment of the fine mentioned in sub-regulation (7), and the Authority may liaise with such authorised packaging waste recovery organisation in relation to such provisions.

Registration and information.

8.(1) An application for registration in accordance with regulation 7 shall contain the information set out in Part A of Schedule 8 and that for renewal shall contain at least the reporting information set out in Part B of Schedule 8.

(2) In the case the data submitted in accordance with the above sub-regulation changes, the relevant producer or where relevant, the authorised packaging waste recovery organisation on his behalf, shall inform the competent authority thereof no later than one month after the change.

(3) The information referred to in sub-regulation (1) shall be provided either online or in writing and shall be signed by any of the authorised signatories referred to in Schedule 4.

(4) It shall be the responsibility of a registered producer to retain for a minimum of five (5) years the information referred to in sub-regulation (1). Such records shall be made available on request to the competent authority.

(5) Where a producer or where relevant, the authorised packaging waste recovery organisation on his behalf, fails or refuses to supply a complete application within one (1) month of the date of a request by the competent authority for a completed application, the competent authority shall refuse and return such incomplete application to the producer.

(6) The competent authority may take into account the particular problems of small and medium-sized enterprises in providing detailed data.

Operation of an authorised packaging waste recovery organisation with respect to non-packaging paper.
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9. (1) Without prejudice to obligations established in regulation 17 of the Waste Management (Packaging and Packaging Waste) Regulations, the operator of a packaging waste recovery organisation shall, with respect to the non-packaging paper products placed on the market in Malta by its members:

- (a) 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 in the authorisation issued by the authority; and

(b) For the year 2026, provide by 30th June 2026, the Authority with a declaration containing information on the projected weight of non-packaging paper products placed on the national market by its members from entry into force of these regulations until 31st December 2026, according to the format established by the Authority. The declaration shall be issued and signed by any of the authorised signatories referred to in Schedule 4.

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(2) An authorised packaging waste recovery organisation shall ensure that the half-yearly, annual and audited reports referred to in sub-regulations (2), (3), (4) and (5) of regulation 17 the Waste Management (Packaging and Packaging Waste) Regulations also contain the following information:

- i. List of producers placing on the market the non-packaging paper participating in the authorised packaging waste recovery organisation during the reporting period;
- ii. Quantities of the non-packaging paper products placed on the national market by the producers who participate in the authorised packaging waste recovery organisation, by weight and by category, during the specific reporting period in accordance with the reporting formats to be established by the Authority;
- iii. Quantities of the municipal non-packaging paper waste separately collected through the recycling points referred to in paragraph (a) of sub-regulation 2 of regulation 13 of the Waste Management (Packaging and Packaging Waste) Regulations and transferred to the authorised waste management establishment or undertaking engaged by the respective authorised packaging waste recovery organisation, by weight during the reporting period in accordance with the reporting formats to be established by the Authority;
- iv. Quantities of the municipal non-packaging paper waste treated by the waste management establishments or undertakings engaged by the respective packaging waste recovery organisation. To this end, regulation 15 of the Waste Management (Packaging and Packaging Waste) Regulations shall *mutatis mutandis* apply to non-packaging paper waste;
- v. Details on the information and awareness-raising campaigns organised or financed by the authorised packaging waste recovery organisation with respect to the non-packaging paper products placed on the market by its members;
- vi. Any other information as specified by the Authority.

Offences.

10. Any person shall be guilty of an offence under these regulations if he:

- (a) fails to comply with any provisions of these regulations or fails to comply with permit conditions or with any order lawfully given in terms of any provision of these regulations; or
- (b) contravenes any restriction, prohibition or requirement imposed by or under these regulations; or

- (c) acts in contravention of any of the provisions of these regulations; or
- (d) conspires, aids or abets any other person by whatever means, including advertising, counselling or procurement to carry out any of the breaches indicated in paragraphs (a) to (c); or
- (e) attempts any of the breaches indicated in paragraphs (a) to (d).

Penalties.

11. Any person who commits an offence against these regulations shall, on conviction, be liable:

(a) on a first conviction, to a fine (*multa*) not exceeding two thousand and three hundred and thirty euro (€2,330);

(b) on a second conviction or subsequent convictions, to a fine (*multa*) not exceeding four thousand and six hundred and sixty euro (€4,660):

Provided further that the Court may order any person who has been found guilty of committing an offence against these regulations to pay for the expenses incurred by the competent authority mentioned in these regulations as a result of the said offence, the revocation of the permit issued by the competent authority and the confiscation of the *corpus delicti*, if applicable.

Applicability of the Criminal Code.

Cap. 9.

12. The provisions of articles 23 and 30 of the Criminal Code shall, *mutatis mutandis*, apply to proceedings in respect of offences against these regulations, so however that the disqualification from holding or obtaining a licence, permit or authority shall in no case be for less than one (1) year.

SCHEDULE 1

NON-PACKAGING PAPER PRODUCTS COVERED BY THESE REGULATIONS

- i. Photocopy paper, that is A4 and A3 size paper sheets primarily used for writing and to print or photocopy documents that fall under the Combined Nomenclature codes CN 4802 56, CN 4802 57, CN 4802 58 and CN 4802 62 and any other relevant CN code;
 - ii. Addressed and un-addressed advertising and commercial printed materials, excluding the advertising materials printed on the A4 and A3 size paper sheets covered under point (i) that have been placed on the market in Malta;
 - iii. Newspapers, journals and periodicals, whether or not illustrated and or containing advertising materials that are classified under the Combined Nomenclature code CN 4902;
 - iv. Envelops falling under the Combined Nomenclature code CN 4817 10 00;
 - v. Letter cards, plain postcards, and correspondence cards classified under the Combined Nomenclature code CN 4817 20 00;
 - vi. Printed or illustrated postcards, printed cards bearing personal greetings, messages or announcements, whether or not illustrated, classified under the Combined Nomenclature code CN 4909 00 00; and
 - vii. Registers, account books, notebooks, order books, receipt books, letter pads, memorandum pads, diaries and similar articles, exercise books, blotting pads, binders, folders, file covers, manifold business forms, interleaved carbon sets and other articles of stationery; albums for samples or for collections and book covers, falling under the Combined Nomenclature code CN 4820.
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SCHEDULE 2
(Regulation 4)

WRITTEN MANDATE DECLARATION

Name of Producer:

Address:

hereby appoints

Name of legal or natural person established in Malta:

Address:

, as the producer's authorised representative in Malta in accordance with regulation 4.

Name of legal or natural person established in Malta:

hereby represents and undertakes the responsibilities as the authorised representative in Malta for

Name of Producer:

, in accordance with the Extended Producer Responsibility (Non-Packaging Paper Products) Regulations.

This mandate, signed by both parties, commences on the date of signature unless otherwise declared, and will cease once either party informs the competent authority in Malta managing the national register that this mandate has been terminated.

On one part,

Name of Producer:

Signature:

Date:

On one other part,

Name of Authorised Representative:

Signature:

Date:

SCHEDULE 3
(Regulation 4)

METHODOLOGY FOR THE ESTABLISHMENT OF THE WEIGHT OF NON-
PACKAGING PAPER PRODUCTS

The weight of non-packaging paper products placed on the market by the members of the authorised packaging waste recovery organisations shall be established by the Authority as follows:

- (i) From the entry into force of these regulations up to 30th June 2027, the weight of non-packaging paper products shall be established on the basis of a declaration on the projected placing on the market by their members until 31st December 2026 submitted by the authorised packaging waste recovery organisations in line with paragraph (b) of sub-regulation (1) of regulation 9;
- (ii) For the period 1st July 2027 – 31st December 2027, the weight of non-packaging paper products shall be established on the basis of the annual audited reports for the reference year 2026 submitted by the authorised packaging waste recovery organisations in accordance with regulation 17 of the Waste Management (Packaging and Packaging Waste) Regulations, containing information on the weight of non-packaging paper products placed on the market according to paragraph (ii) of sub-regulation (2) of regulation 9;
- (iii) as from 1st January 2028 and for any subsequent calendar year the weight of non-packaging paper products shall be established on the basis of the latest annual audited reports submitted by the authorised packaging waste recovery organisations in accordance with regulation 17 of the Waste Management (Packaging and Packaging Waste) Regulations, containing information on the weight of non-packaging paper products placed on the market according to paragraph (ii) of sub-regulation (2) of regulation 9:

Provided that in the event that an authorised packaging waste recovery organisation fails to provide the above-mentioned declaration, the Authority may establish the market share on the basis of the weight of sales paper packaging reported to the Authority through the latest annual audited reports submitted by the authorised packaging waste recovery organisations in accordance with regulation 17 of the Waste Management (Packaging and Packaging Waste) Regulations.

SCHEDULE 4

LIST OF AUTHORISED SIGNATORIES

For the purposes of issuing and signing official documentation including correspondence, the competent authority shall only accept documentation from a producer or an authorised producer responsibility organisation that is signed by the following person:-

- A natural person, if the producer is a natural person;
 - A partner, where the producer or an authorised producer responsibility organisation is a partnership;
 - A director or company secretary of that company, where the producer or an authorised producer responsibility organisation is a company registered in Malta;
 - A person who has control or management of the body, where the producer or an authorised producer responsibility organisation is an unincorporated body;
 - The president or any other member of the committee of management, where the producer or an authorised producer responsibility organisation is a co-operative.
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SCHEDULE 5

(Regulation 6)

RECYCLING TARGETS

1. By no later than 31st December 2027, the Regional Councils shall ensure that at least 55% of the municipal non-packaging paper waste generated in their regions is recycled in any given calendar year.
 2. By no later than 31st December 2030, the Regional Councils shall ensure that at least 60% of the municipal non-packaging paper waste generated in their regions is recycled in any given calendar year.
 3. By no later than 31st December 2035, the Regional Councils shall ensure that at least 65% of the municipal non-packaging paper waste generated in their regions is recycled in any given calendar year
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SCHEDULE 6

(Regulation 6)

ADMINISTRATIVE PENALTY

The Authority may impose an administrative penalty in accordance with regulation 6(4) and article 81 of the Act upon a Regional Council that failed to achieve the applicable minimum overall recycling target during the previous year. Such administrative penalty is calculated as follows:

$$A*(B - C)*D = AP$$

where:

"A" is the total weight, in tonnes of municipal non-packaging paper waste generated within its territory during the operational (calendar) year;

"B" is the minimum recycling target set out in Schedule 5 applicable for that operational (calendar) year;

"C" is the rate of total municipal non-packaging paper waste recycled by the Regional Council during that operational (calendar) year;

"D" is a fee equivalent to:

- one hundred euro (€100) per tonne if the difference between "B" and "C" is more than 25 percentage points;
- seventy-five euro (€75) per tonne if the difference between "B" and "C" is between 10 to 25 percentage points, both inclusive; and
- fifty-five euro (€55) per tonne if the difference between "B" and "C" is less than 10 percentage points.

"AP" is the administrative penalty for a Regional Council that fails to achieve the minimum recycling target applicable for that operational (calendar) year:

Provided that the Authority may waive the administrative fine in case where the party notified with the Authority's intention to issue an administrative fine provides evidence to the satisfaction of the Authority that the non-attainment of the target is due to exceptional reasons beyond his control.

SCHEDULE 7

(Regulation 7)

SCHEDULE OF FINES FOR NON-REGISTRATION AND NON-RENEWAL

- Any producer who fails to apply for registration in accordance with sub-regulation (1) of regulation 7 shall be liable to a fine of seven hundred and fifty euro (€750) per tonne of non-packaging paper products placed on the market from the first placing of such non-packaging paper products on the market until he applies for registration.
- Any producer who fails to renew his registration by the end of the year in accordance with sub-regulation (2) of regulation 7 shall be liable to a fine of seven hundred and fifty euro (€750) per tonne of non-packaging paper products placed on the market from the beginning of the year in which he should have renewed until he applies for renewal:

Provided that where an authorised packaging waste recovery organisation has agreed to register or renew the registration of a producer on his behalf, the fines abovementioned shall, in either case, be due by the authorised producer responsibility organisation who failed to apply or renew.

SCHEDULE 8

(Regulation 8)

INFORMATION TO BE CONTAINED IN AN APPLICATION FOR REGISTRATION OR RENEWAL

Part A: Information to be submitted upon registration:

- Name and address of the producer and where:
 - (i) the producer is a company, the registered office;
 - (ii) the producer is not a company, the principal place of business.
- National identification code of the producer, including the national tax number and the company number (where applicable) of the producer
- The NACE Code and the employment size of the company, where applicable
- The details of the contact person to whom the competent authority shall address any communications
- Details on the commercial nature of the producer (e.g. manufacturer, importer or distance seller)
- Type of non-packaging paper products listed in Schedule 1
- A signed declaration stating the information provided is true
- The date of the application for registration
- Name of the authorised packaging waste recovery organisation that the producer is a member of and a copy of the agreement with such Organisation.

Part B: Information to be submitted upon renewal

- Registration number of the producer and any national identification code of the producer, including the national tax number and the company number (where applicable) of the producer;
- The NACE Code and the employment size of the company, where applicable;
- Quantities of the non-packaging paper products listed in Schedule 1 placed on the national market, by weight during the specific reporting period in accordance with the reporting formats to be established by the competent authority;
- A signed declaration stating the information provided is true;

- The date of the application for renewal of registration; and
- An appropriate description of how the data has been compiled, including any explanation of any estimates used;
- Name of the authorised packaging waste recovery organisation that the producer is a member of and an affirmation of the agreement with such Organisation.

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