

## ENVIRONMENT PROTECTION ACT

(CAP. 549)

### Single-Use Plastic Framework (Amendment) Regulations, 2024

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.**

S.L. 549.149.

1. The title of these regulations is the Single-Use Plastic Framework (Amendment) Regulations, 2024 and they shall be read and construed as one with the Single-Use Plastic Framework Regulations, hereafter referred to as “the principal regulations”.

**Substitutes regulation 7 of the principal regulations.**

2. Regulation 7 of the principal regulations shall be substituted by the following new regulation:

**“Extended producer responsibility for fishing gear containing plastic.  
S.L.549.141.**

7. (1) The Minister in consultation with the competent authority and the Agency shall establish extended producer responsibility scheme or schemes for fishing gear containing plastic which are placed on the market of Malta, in accordance with the Extended Producer Responsibility Framework Regulations by 31 December 2024:

Provided that the fishermen themselves, but excluding those fishermen who import fishing gear containing plastic directly, and artisanal makers of fishing gear containing plastic shall not be considered as producers and shall not be held responsible for fulfilling the extended producer responsibility obligations under this regulation.

(2) Producers established in another Member State and placing such 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 obligations of a producer related to extended producer responsibility schemes on the territory of Malta.

(3) Producers established in Malta who sell fishing gear containing plastic in another Member State in which such producer is not established, shall appoint an authorised representative in that other Member State. The authorised representative shall be the person responsible for fulfilling the obligations of that producer pursuant to these regulations on the territory of that other Member State.

(4) The Minister after consultation with the competent authority and the Agency shall set a national minimum annual collection rate of waste fishing gear containing plastic for recycling.

(5) The competent authority shall monitor and gather data on fishing gear containing plastic placed on the market as well as waste fishing gear containing plastic collected.

S.L. 499.71.

(6) With regard to the extended producer responsibility scheme or schemes established pursuant to sub-regulation (1), the Minister after consultation with the competent authority and the Agency shall ensure that the producers of fishing gear containing plastic cover the costs of the separate collection of waste fishing gear containing plastic that has been delivered to adequate port reception facilities in accordance with the Port Reception Facilities for the Delivery of Waste from Ships Regulations or to other equivalent collection systems that fall outside the scope of those regulations and the costs of its subsequent transport and treatment. The producers shall also cover the costs of the awareness raising measures referred to in regulation 12 regarding fishing gear containing plastic.

The requirements laid down in this sub-regulation supplement the requirements applicable to waste from fishing vessels in Maltese legislation and European Union legislation on port reception facilities.

(7) Without prejudice to the objectives set out in this regulation, the Minister after consultation with the competent authority and the Agency may decide to achieve the objectives set for fishing gear containing plastic, by means of agreements between the competent authority and the economic sectors concerned. Such agreements shall meet the following requirements:

- (a) agreements shall be enforceable;
- (b) agreements shall specify objectives with the corresponding deadlines;
- (c) agreements shall be published in the Gazette and transmitted to the European Commission;
- (d) the results achieved under an agreement shall be monitored regularly, reported to the Authority and to the Commission and made available to the public under the conditions set out in the agreement;
- (e) the Authority shall make provisions to examine the progress reached under an agreement; and
- (f) in case of non-compliance with an agreement the Minister after consultation with the Authority and the Agency shall implement the relevant provisions of these regulations by legislative, regulatory or administrative measures.

**Amends regulation 9 of the principal regulations.**

**3.** In Regulation 9 of the principal regulations, the words “single-use products listed in Section III of Part C of Schedule 1 and, or” shall be deleted.

**Amends Schedule 1 of the principal regulations.**

**4.** Section III of Part C of Schedule 1 shall be deleted.