

Public comment sought on ERP in the waste sector

Draft amendments to the regulations and notices regarding Extended Producer Responsibility (EPR) in the Waste Sector have been published for public consultation.

The notice was published in the Government Gazette 44295 (Notice No.239) by the Minister of Forestry, Fisheries and the Environment on 19 March 2021 in terms of the National Environmental Management: Waste Act (NEMWA).



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Implementation of the EPR Regulations, published in November 2020, was postponed to 5 May 2021 to address concerns raised by affected producers.

The Department of Forestry, Fisheries and the Environment said the Regulations give effect to Sections 18 of the Waste Act and apply to the electrical and electronic equipment sector, lighting sector and paper, packaging and some single-use product sectors.



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26 Oct 2020



"They outline a new approach to waste management in South Africa and will contribute significantly to the diversion of waste from landfill. This will increase the recycling rate and expand the Circular Economy, thus achieving some of the aims of the National Waste Management Strategy published in 2020.

"As a means through which the manufacturers and importers of products are required to bear responsibility for the impact their products have on the environment, EPR ensures that those products are either recycled or up-cycled, and that waste products disposed at landfill is kept at a minimum," the department said.

The proposed amended regulations provide for collaboration by producers of identified products with the Department of Trade, Industry and Competition, to develop a Broad-based Black Economic Empowerment Charter for the relevant value change within two years of publication of the notice.

The Charter must include a special focus on women, youth and people living with disabilities.

"The proposal provides the framework for the development, implementation, monitoring and evaluation of EPR schemes by producers as part of the country's post-consumer stage waste management strategy.

"This means that producers, or a class of producers, including brand owners, would be required to set up procedures, processes and invest resources to implement the EPR measures with regards to the management of waste generated by their industries," the department said.

This includes light bulbs, batteries, solar panels, single-use products, vinyl, metal and glass packaging, vehicle lights, laser lighting, toys, TV and computer screens, and a variety of domestic appliances.

Section 18 of the NEMWA requires that affected producers be specifically consulted with regards to the implementation of the Regulations, as they are the developers and implementers of the schemes.

They are required to register with the department.

"The regulations and notices have been amended to allow additional time for the registration, development and submission of EPR schemes," the department said.

Members of the public are invited to submit written representations or objections to the proposed amendments by 22 April 2021 to the following addresses:

By post to:

The Director-General: Department of Environment, Forestry and Fisheries
Attention: Mr Anben Pillay
Private Bag X447
Pretoria
0001

By hand at:

Environment House
473 Steve Biko Road
Arcadia
0083

Due to the Covid 19 pandemic, those who prefer to hand-deliver comments will be subjected to Covid-19 procedures. Delivering comments by hand at the department is being discouraged.

By email at:

apillay@environment.gov.za

Any enquiries in connection with the draft notice can be directed to Mr Anben Pillay on 012 399 9827, alternatively through Cell: 066 489 6132.

Comments received after the closing date may not be considered.

Meanwhile, the Government Gazette can be accessed [here](#).

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