
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF ENVIRONMENT, FORESTRY AND FISHERIES

NO. 717

26 JUNE 2020

**NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008
(ACT NO. 59 OF 2008)****CONSULTATION ON THE PROPOSED EXTENDED PRODUCER RESPONSIBILITY SCHEME FOR
THE LIGHTING SECTOR**

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby in terms of section 18(1) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) consult on my intention to require the producers of the identified products to implement specified extended producer responsibility measures as set out in the Schedule.

Members of the public are invited to submit to the Minister, within 30 days of publication of this Notice in the *Government Gazette*, written representations on or objections 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 Street, Pretoria, Arcadia, 0082

By email: apillay@environment.gov.za

Tel. Enquiries: (012) 399-9827.

The draft Regulations can also be accessed at <http://sawic.environment.gov.za> under “**Documents for Comment**” or obtained at the Department’s offices.

Comments received after the closing date may not be considered.



**BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

SCHEDULE

Definitions

1. In this Notice any word or expression to which a meaning has been assigned in the Act bears that meaning, and unless the context otherwise indicates—

“brand owner” means a person, category of persons or company who sells any commodity under a registered brand label;

“extended producer responsibility” means that a producer’s responsibility for a product is extended to the post-consumer stage of a product’s life cycle;

“importer” means a person or category of persons that brings finished goods or its individual components into the country from abroad;

“lighting equipment” means “electrical or electronic equipment used for producing artificial light or illumination”, and also includes any peripherals of the lighting bodies such luminaires, switch components, ballasts, fixtures, modules;

“producer” means any person or category of persons or a brand owner who is engaged in the commercial manufacture, conversion, distribution, or import of new and/or used—

(a) lighting equipment which is intended for distribution in the Republic of South Africa;

“product responsibility organization” means a non-profit company established by any person operating in any of the industrial sectors covered in this Notice to support the implementation of their extended producer responsibility scheme;

“the Act” means the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008); and

“the Regulations” means the Extended Producer Responsibility Regulations, 2020 issued under section 69(1)(b), (g), (i), (o), (l) and (dd) of the Act.

Purpose of Notice

2. The purpose of this Notice is to require a producer or class of producers of the products listed in paragraph 4 of this Schedule to set up procedures, processes and invest resources to implement the extended producer responsibility measures linked to:

(a) collection of their products in the post-consumer stage;

(b) reuse;

(c) recycling;

(d) energy recovery; and

(e) disposal of their products in the post-consumer stage.

Scope of Notice

3. This Notice applies to the products and the resulting waste which arises from the use by a consumer or an end user of lighting equipment.

The identification of a product or class of products whereby extended producer responsibility applies

4. Extended producer responsibility will be applicable to the following identified products or class of products:
- (a) Lighting products: Different types of Lighting includes but is not limited to:
 - (i) Gas Discharge Lighting;
 - (aa) low pressure discharge Lighting: fluorescent (compact, linear and non-linear and nonfluorescent (low pressure sodium, low pressure mercury vapour);
 - (bb) high intensity discharge Lighting: high pressure sodium, low pressure sodium, metal halide, high pressure mercury vapour, xenon; and
 - (cc) lighting for special purposes;
 - (ii) Retrofit (O) LED Lighting (with standardized sockets suitable to replace Lighting);
 - (iii) LED Light Sources - LED Lighting and luminaires;
 - (iv) Other Light Emitting Devices;
 - (v) Luminaires and Lighting Equipment Fixtures/Modules/Associated electrical components;
 - (vi) Laser, Pixel and UGVC lighting;
 - (vii) Off grid solar powered lighting; and
 - (viii) Incandescent (filament) light bulbs and halogen.

Identify the person or category of persons responsible for implementing an extended producer responsibility scheme

5. Producers of the items listed in paragraph 4 of this Schedule will be responsible for developing and implementing an extended producer responsibility scheme.

Responsibilities of producers

6. (1) A producer, in operation at the time of publication of this Notice, of any of the products listed in paragraph 4 of this Schedule must, within 6 months from the date of publication of this Notice, either—
- (a) prepare and submit an extended producer responsibility scheme to the Minister; or
 - (b) establish a product responsibility organization which must prepare and submit an extended producer responsibility scheme to the Minister.
- (2) A producer of any of the products listed in paragraph 4 of this Schedule starting operations after publication of this notice must either:
- (a) prepare and submit an extended producer responsibility scheme to the Minister within 6 months of commencing operations; or

- (b) subscribe to an existing extended producer responsibility scheme within 3 months of commencing operations.

The targets for each identified waste stream for the products listed in paragraph 4 of this Schedule

7. The targets for each identified product is tabled in Annexure 1 for a period of 5 years from the date of the implementation of the extended producer responsibility scheme.

ANNEXURE 1

Product	Targets														
	Recovery %					Collection %					Recyclability %				
	Y1	Y2	Y3	Y4	Y5	Y1	Y2	Y3	Y4	Y5	Y1	Y2	Y3	Y4	Y5
(i) Gas Discharge Lighting; - low pressure discharge Lighting: fluorescent (compact, linear and non-linear and Non-fluorescent (low pressure sodium, low pressure mercury vapour); - high intensity discharge Lighting: high pressure sodium, low pressure sodium, metal halide, high pressure mercury vapour, xenon; - Lighting for special purposes;	5	15	25	40	50	30	40	50	60	70	15	20	25	30	35
(ii) Retrofit (O) LED Lighting (with standardized sockets suitable to replace Lighting);	5	15	25	40	50	30	40	50	60	70	15	20	25	30	35
(iii) LED Light Sources - LED Lighting and luminaires	5	15	25	40	50	30	40	50	60	70	15	20	25	30	35
(iv) Other Light Emitting Devices	5	15	25	40	50	30	40	50	60	70	15	20	25	30	35
(v) Luminaires and Lighting Equipment Fixtures/Modules/Associated electrical components	5	15	25	40	50	30	40	50	60	70	15	20	25	30	35
(vi) Laser, Pixel and UGVC lighting; and	5	15	25	40	50	30	40	50	60	70	15	20	25	30	35
(vi) (vii) Off grid solar powered lighting (see also separate definition) Note: Incandescent (filament) light bulbs and Halogen lamps will also be part of the scope as they are to be considered to become "historical waste" in South Africa in future and since the latter needs to be also covered	5	15	25	40	50	30	40	50	60	70	15	20	25	30	35