
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 5534

7 November 2024

**NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008
(ACT NO. 59 OF 2008)****PROPOSED AMENDMENTS TO THE REGULATIONS AND NOTICES REGARDING EXTENDED
PRODUCER RESPONSIBILITY, 2020**

I, Dion Travers George, Minister of Forestry, Fisheries and the Environment, hereby in terms of sections 18(1), 18(3), 69(1)(b), (g), (i), (l), (o), (dd) and (ee), 72 and 73 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), give notice of my intention to amend the Extended Producer Responsibility Regulations, 2020 (EPR Regulations) and the associated Notices in respect of the extended producer responsibility scheme for the electrical and electronic equipment products, the lighting sector and the paper, packaging and some single use products, published under Government Notices R.1184, R.1185, R.1186 and R.1187, in Government Gazettes 43879, 43880, 43881 and 43882 of 5 November 2020 respectively as set out in the Schedule hereto.

On 2 December 2021 proposed amendments to the EPR Regulations were published in Government Notice R.400 in Government Gazette No. 45572. Substantive changes were made to the draft amendment regulations which necessitated republication for public comment under Government Notice R.1565, in Government Gazette No. 48527 of 5 May 2023. As a result of comments received on the 2023 notice, additional substantive amendments were made to the draft which is now again being published for public comment.

The proposed amendments seek to provide technical clarifications to the EPR Regulations and the associated Notices. This is to eliminate any ambiguities or uncertainty for the regulated industry sectors and affected stakeholders.

In addition the proposed amendments seek to amend the following key areas: definitions, reporting requirements, the recognition and inclusion of the Deposit Refund System as part of the Extended Producer Responsibility Scheme, strengthening of enforcement and compliance with the Regulations to hold producers liable for the achievement of the published targets and to curb free riders, provision for the exemption of the pharmaceutical sector from Extended Producer Responsibility, the review of financial arrangements in regulations 7 and 7A and the deletion of redundant clauses in the Regulations.

Members of the public are invited to submit, within thirty (30) days from the date of publication of this notice in the Government Gazette, or in a national newspaper, whichever is the later date, written representations or objections to the proposed amendments to any of the following addresses:

By post to: The Director General: Forestry, Fisheries and the Environment
Attention: Mr Jeremia Sibande
Acting Director: Chemicals and Waste Policy and Information Management

Private Bag X447
PRETORIA
0001

By hand at: Ground Floor (Reception), Environment House, 473 Steve Biko Road, Arcadia, 0083.

By email: jsibande@dffe.gov.za

Any enquiries in connection with the notice can be directed to Mr Jeremia Sibande at (012) 399 9832 or jsibande@dffe.gov.za.

The draft extended producer responsibility amendments notice can also be accessed at <http://sawic.environment.gov.za/> under "Draft documents for comment".

The Department of Forestry, Fisheries and the Environment complies with the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). Comments received and responses thereto will be included in a comments and response report which may be made available to the public. If a commenting party has any objection to his or her name, or the name of the represented company/organization, being made publicly available in any comments and responses report, such objection should be highlighted as part of the comments submitted.

Comments received after the closing date may be disregarded.



DR DION TRAVERS GEORGE
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

SCHEDULE

Definitions

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

“the electrical and electronic equipment sector notice” means the Extended Producer Responsibility measures for the electrical and electronic equipment sector published under Government Notice R.1185, in Government *Gazette* 43880 of 5 November 2020;

“the lighting sector notice” means the Extended Producer Responsibility measures for the lighting sector published under Government Notice R.1186, in Government *Gazette* 43881 of 5 November 2020;

“the paper, packaging and some single use products sector notice” means the Extended Producer Responsibility measures for the paper, packaging and some single use products published under Government Notice R.1187, in Government *Gazette* 43882 of 5 November 2020; and

“the Regulations” means the Regulations regarding Extended Producer Responsibility, 2020 published under Government Notice R.1184, under Government *Gazette* 43879 of 5 November 2020.

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended by—

- (a) the insertion, after the definition of **“extended producer scheme”**, of the following definitions:

“extended producer responsibility fee” means the financial contribution paid by a producer (manufacturer, converter, importer or brandowner), to a registered producer responsibility organisation for the management of the elimination of waste from the products it places on the market, under an Extended Producer Responsibility scheme;”;

“extended producer responsibility funding” means an amount allocated or set aside by a producer running their own Extended Producer Responsibility scheme;”;

“extended producer responsibility monitoring programme” means the programme of monitoring and supporting the implementation of the Regulations by the Waste Management Bureau;”;

- (b) the insertion, after the definition of **“importer”**, of the following definitions:

“**insurance**” means an arrangement by which a company that undertakes to provide a guarantee of compensation for specified loss, damage, illness, or death in return for payment of a specified premium;”;

“**interest**” means the money paid regularly at a particular rate for the use of money lent, or for delaying the repayment of a debt;”;

- (c) the insertion, after the definition of “**interim performance report**”, of the following definition:

“**loan**” means a thing that is borrowed, especially a sum of money that is expected to be paid back with interest or to lend a sum of money or item of property;”;

- (d) the substitution, for the definition of “**producer**”, of the following definition:

“**producer**” means—

- (a) any person or category of persons, who is engaged in the commercial manufacture, conversion, or import of new or used identified products as identified by the Minister by Notice in the *Government Gazette* in terms of section 18(1) of the Act; or
- (b) where relevant, the same as defined in the specific section 18 Notice for each of the identified products as gazetted by the Minister in terms of section 18(1) and (2) of the Act; or
- (c) where relevant, a brand owner where such a brand owner has their own design/material specification for the identified product, or where a brand owner sells an identified product under a brand label;”;

- (e) the insertion, after the definition of “**small business**”, of the following definition:

“**surplus**” means an amount that is the excess of the money required to be spent in a year on the annual budget ;”.

Amendment of regulation 5 of the Regulations

3. Regulation 5 of the Regulations is hereby amended by the insertion after subregulation (1), of the following subregulation:

“(2) The producer of a product or class of products, as identified by the Minister in terms of section 18(1) of the Act, must achieve the targets for the identified products as specified by the Minister by Notice in the *Government Gazette* in terms of section 18(1) and (2) of the Act.”.

Amendment of regulation 5A of the Regulations

4. Regulation 5A of the Regulations is hereby amended by –

- (a) the substitution for paragraph (b) of subregulation (1) of the following paragraph:

“(b) conduct an internal biannual financial audit by 31 July each year which covers the period January to June of that year and make the internal biannual financial audit report available to the Department”;

(b) the substitution for paragraph (c) of subregulation (1), of the following paragraph:

“(c) make the internal biannual financial audit reports available to the external auditor;”;

(c) the substitution for paragraph (d) of subregulation (1) of the following paragraph:

“(d) appoint an independent financial auditor to annually -

(i) conduct an external financial audit of the financial records; and

(ii) include the internal biannual financial audit findings in the annual audit report;”;

(d) the deletion, of paragraphs (e) and (g) of subregulation (1); and

(e) the substitution for paragraph (p) of subregulation (1), of the following paragraph:

“(p) compensate a waste collector, reclaimer or picker, who is registered with a producer responsibility organisation, for collection services and environmental benefits, through the collection service fee. A producer responsibility organisation must keep a record of the collection service fee paid to a waste collector, reclaimer or picker. The collection service fee must be reviewed by a producer responsibility organisation every 3 years;”;

Amendment of regulation 5B of the Regulations

5. Regulation 5B of the Regulations is hereby amended by—

(a) the substitution for paragraph (b) of subregulation (1) of the following paragraph:

“(b) conduct an internal biannual financial audit by 31 July each year which covers the period January to June of that year and make the internal biannual financial audit report available to the Department;”;

(b) the substitution for paragraph (c) of subregulation (1), of the following paragraph:

“(c) make the internal biannual financial audit reports available to external auditor;”;

(c) the substitution for paragraph (d) of subregulation (1)(d) of the following paragraph:

“(d) appoint an independent financial auditor to annually -

(i) conduct an external financial audit of the financial records; and

(ii) include the internal biannual financial audit findings in the annual audit report;”;

(d) the deletion of paragraphs (e) and (g) of subregulation (1); and

(e) the substitution for paragraph (p) of subregulation (1) of the following paragraph:

“(p) compensate a waste collector, reclaimer or picker, who is registered with a producer responsibility organisation, for collection services and environmental benefits, through the collection service fee. A producer responsibility organisation must keep a record of the collection service fee. The collection service fee must be reviewed by a producer responsibility organisation every 3 years;”.

Amendment of regulation 7 of the Regulations

6. Regulation 7 of the Regulations is hereby amended by—

(a) the substitution for subregulation (2) of the following subregulation:

“(2)(a) The producer responsibility organisation must electronically submit the proposed extended producer responsibility fee contemplated in subregulation (1) by 30 June every third year for the subsequent 3 years, together with the motivation, justification, and any other relevant information in respect of the proposed fee by 1 December of the year of submission, which will be valid for 3 years, to the Minister for consideration, who thereafter must obtain concurrence on the proposed fee from the Minister responsible for finance;”

(b) Where the extended producer responsibility fee is not concurred with by the Minister responsible for finance, the previously concurred extended producer responsibility fee will remain in force until concurrence is obtained;”

(c) A newly established producer responsibility organisation must submit the proposed extended producer responsibility fee within 3 months of establishment together with the motivation, justification, and any other relevant information in respect of the proposed fee, to the Minister for consideration, who thereafter must obtain concurrence on the proposed extended producer responsibility fee from the Minister responsible for finance.”; and

(b) the substitution for paragraphs (b), (c) and (d) of subregulations (7) of the following paragraphs:

“(b) The administration cost of the extended producer responsibility scheme must not exceed 12% of the revenue collected per annum.

(c) 5% of the annual extended producer responsibility fees collected by the producer responsibility organisation must be paid to the Waste Management Bureau for the Extended Producer Responsibility Regulations Monitoring Programme.

(d) 5% of the surplus funds in a year must be paid by the producer responsibility organisation to the Waste Management Bureau for the Extended Producer Responsibility Regulations Monitoring Programme.”.

Amendment of regulation 7A of the Regulations

7. Regulation 7A of the Regulations is hereby amended by—

(a) the substitution for subregulation (1), of the following subregulation:

“(1) A producer that establishes and implements its own extended producer responsibility scheme, must determine and allocate appropriate extended producer responsibility funding.”;

- (b) the substitution of subregulation (3) of the following subregulation:
 - “(3) The extended producer responsibility funding must be equal to:
 - (a) costs for establishing a collection system for the identified products; plus
 - (b) collection, transport and treatment costs for separately collected waste; plus
 - (c) administrative costs; plus
 - (d) costs for public communication and awareness-raising (on waste prevention, litter reduction, separate collection, etc.); plus
 - (e) costs for the appropriate surveillance of the system (including auditing); and
 - (f) less revenues from recycled material sales.”;
- (c) the substitution of subregulations (4) of the following subregulation:
 - “(4) The latest extended producer responsibility funding must, at all times, be publicly available on the Producer’s website.”; and
- (d) the substitution for subregulation (6) of the following subregulation:
 - “(6) The annual financial plan and annual budget must include, as a minimum, the following information:
 - (a) Extended producer responsibility funding allocation;
 - (b) the manner in which the extended producer responsibility funding is calculated;
 - (c) the total amount of the contributions (extended producer responsibility funding) that cover the nett cost of the obligations incumbent on the producer applying for registration;
 - (d) the conditions and procedures for revising the extended producer responsibility funding to reflect changes in the obligations incumbent on the registered producer under this Regulation; and
 - (e) the methodology for allocating and disbursing revenue for implementing the extended producer responsibility scheme amongst the collection, recycling, reuse and any other relevant component of the extended producer responsibility scheme.”.

Amendment of regulation 8 of the Regulations

8. Regulation 8 of the Regulations is hereby amended by the substitution for regulation 8 of the following regulation:

“Monitoring, reporting and evaluation

- (1) A producer responsibility organisation that establishes and implements an extended producer responsibility scheme must—
- (a) submit an interim performance report on behalf of members of the scheme to the Department in which performance of the scheme is measured against the individual targets specified in the relevant published Government Notice in terms of section 18(1) of the Act, by uploading such report onto the Extended Producer Responsibility Portal accessible through the South African Waste Information Centre;
 - (b) submit the interim performance report by 31 July each year which covers the period January to June of that year and such report must include at least the following:
 - (i) unaudited interim performance against the published targets;
 - (ii) unaudited breakdown of the allocation of the extended producer responsibility fee;
 - (iii) unaudited performance on all financial matters;
 - (iv) the number of the waste pickers that are registered with a producer and the indication of how much each waste picker was paid for their participation in the extended producer responsibility scheme, during the reporting period; and
 - (v) an indication of the budget invested in infrastructure and waste collection and the details of the Municipality where the infrastructure or waste collection is taking place.
 - (c) submit an annual external performance audit report on behalf of members of the scheme to the Department measured against the individual targets specified in the relevant published Government Notice in terms of section 18(1) of the Act by 31 March each year which covers January to December of the previous calendar year, by uploading onto the Extended Producer Responsibility Portal accessible through the South African Waste Information Centre;
 - (d) ensure the annual external performance audit report contains the following minimum requirements:
 - (i) performance against the published targets;
 - (ii) breakdown of the allocation of the extended producer responsibility fee;
 - (iii) performance on all financial matters;
 - (iv) the number of formal and informal jobs created, including contractors appointed; and
 - (v) an indication of the budget invested in infrastructure and waste collection and the details of the Municipality where the infrastructure or waste collection is taking place.
 - (e) record and report, by 31 July of each which covers January to June of that year, and by 31 March which covers January to December of the previous calendar year, to the Extended Producer Responsibility Portal accessible through the South African Waste Information Centre the quantities of the identified product that are:
 - (i) placed on the market by members of the producer responsibility organisation;
 - (ii) collected;
 - (iii) diverted from landfill (recycled, reused, recovered, refurbished);
 - (iv) exported; and
 - (v) landfilled.
 - (f) submit internal biannual financial audit report by 31 July each year which covers January to June of that year;
 - (g) ensure the internal biannual financial audit report includes at least the information:

- (i) the names of members of the scheme;
 - (ii) the identified product or class of products covered by the scheme;
 - (iii) the total amount of contributions paid by members of the scheme;
 - (iv) the manner in which contributions have been utilised by the scheme;
 - (v) the volume of the identified product of individual members of the scheme for which the producer responsibility organisation has caused to be collected, recycled, reused, recovered for energy, and utilised as recycled content, expressed as an annual percentage of the total of the identified product for which the producer is responsible for in terms of the Regulations;
 - (vi) the number of formal and informal jobs created, including contractors appointed; and
 - (vii) the number of the waste pickers that are registered with a producer and the indication of how much each waste picker was paid for their participation in the extended producer responsibility scheme, during the reporting year.
- (h) submit the annual external financial audit report to the Department by 31 March which covers January to December of the previous calendar year which must include at least the following information:
 - (i) the names of members of the scheme;
 - (ii) the identified product or class of products covered by the scheme;
 - (iii) the total amount of contributions paid by members of the scheme;
 - (iv) the manner in which contributions have been utilised by the scheme;
 - (v) the volume of the identified product of individual members of the scheme for which the producer responsibility organisation has caused to be collected, recycled, reused, recovered for energy, and utilised as recycled content, expressed as an annual percentage of the total of the identified product for which the producer is responsible for in terms of the Regulations; and
 - (vi) the number of formal and informal jobs created, including contractors appointed; and
 - (vii) the number of the waste pickers that are registered with a producer and the indication of how much each waste picker was paid for their participation in the extended producer responsibility scheme during the reporting year.
- (j) submit the annual external financial audit summary report to the Department 31 March which covers January to December of the previous calendar year and upload it onto the Extended Producer Responsibility Portal accessible through the South African Waste Information Centre for public access;
- (k) include details of the surplus and underspending on the previous year's budget; and
- (l) details of loans, interest earned, and insurance, which must be reported to the Department for consideration prior to inclusion in the annual financial plan and budget.;
- (2) A producer that establishes and implements its own extended producer responsibility scheme must-
 - (a) submit an interim performance report to the Department in which performance of the scheme is measured against the individual targets in the relevant Government Notice published in terms of section 18(1) of the Act, by uploading such report on the Extended

Producer Responsibility Portal accessible through the South African Waste Information Centre;

- (b) submit the interim performance report by 31 July of each year for the previous 6-month period namely January to June of that calendar year which must include at least the following information:
 - (i) unaudited interim performance against the published targets; and
 - (ii) unaudited breakdown of the allocation of the extended producer responsibility fee;
 - (iii) unaudited performance on all finance matters; and
 - (iv) an indication of the budget invested in infrastructure, waste collection and the details of the Municipality where the infrastructure or waste collection is taking place;
- (c) submit an annual external performance audit report to the Department in which performance is measured against the individual targets specified in the relevant Government Notice published in terms of section 18(1) of the Act by 31 March of the year following the assessment period, and upload it onto the Extended Producer Responsibility Portal accessible through the South African Waste Information Centre.
- (d) ensure the annual external performance audit report contains at least the following information:
 - (i) performance against the published targets;
 - (ii) a breakdown of the allocation of the extended producer responsibility fee;
 - (iii) performance on all financial matters;
 - (v) number of formal and informal jobs created, including contractors appointed; and
 - (vi) an indication of the budget invested in infrastructure and waste collection including the details of the Municipality where the infrastructure or waste collection is taking place;
- (e) submit by 31 July of each year for the previous 6-months from January to June of that year and by 31 March of the following year for the previous calendar year, on the Extended Producer Responsibility Portal accessible through the South African Waste Information Centre, the quantities in tonnages of the identified product that are:
 - (i) placed on the market by the producer who implements their own scheme including returnable packaging system;
 - (ii) collected;
 - (iii) diverted away from landfill (recycled, reused, recovered, refurbished);
 - (iv) exported; and
 - (v) landfilled;
- (e) conduct internal biannual financial audits and make the internal biannual financial audit report available to the Department by 31 July of each year which covers January to June of that year and ensure that the internal biannual financial audit report includes at least the following information:
 - (i) the names of members of the scheme;
 - (ii) the identified product or class of products covered by the scheme;
 - (iii) the total amount of contributions paid by members of the scheme;
 - (iv) the manner in which contributions have been utilised by the scheme;
 - (v) the volume of the identified product of individual members of the scheme for which the producer responsibility organisation has caused to be collected, recycled,

- reused, recovered for energy, and utilised as recycled content, expressed as an annual percentage of the total of the identified product for which the producer is responsible for in terms of the Regulations; and
- (vi) the number of formal and informal jobs created, including contractors appointed; and
 - (vii) the number of the waste pickers that are registered with a producer and the indication of how much each waste picker was paid for their participation in the extended producer responsibility scheme, for the reporting year.
- (f) submit the annual external financial audit report to the Department within 60 days of finalisation of the audit;
 - (g) ensure the annual external financial audit report includes the following but is not limited to:
 - (i) the identified product or class of products covered by the scheme;
 - (ii) the total contribution made by the producer to the scheme;
 - (iii) the manner in which contributions have been utilised by the scheme;
 - (iv) the volume of the identified product which the producer has caused to be collected, recycled, reused, recovered for energy, and utilised as recycled content expressed as an annual percentage of the total of the identified product for which the producer is responsible for in terms of the Regulations; and
 - (v) the number of formal and informal jobs created, including contractors appointed.
 - (h) submit the annual external financial audit summary report to the Department within 60 days of finalisation of the audit, and upload onto the Extended Producer Responsibility Portal for public access.”;
- (3) The Department may conduct a compliance inspection and verification audit on a producer and a producer responsibility organisation”.

Amendment of regulation 9 of the Regulations

9. Regulation 9 of the Regulations is hereby amended by the insertion after subregulation (3) of the following subregulation:

“(4) Where a producer responsibility organisation intends to commence liquidation proceedings, notification must be sent to the Department prior to the commencement of these proceedings.”.

Amendment of regulation 12 of the Regulations

10. Regulation 12 of the Regulations is hereby amended by the substitution for regulation 12 of the following regulation:

“Offences

- 12.(1) A producer commits an offence if that producer contravenes or fails to comply with regulations 4(1), 4(2), 5(1), 5(2), 5B(1)(d), 5B(1)(h), 5B(1)(k), 5B(1)(j), 5B(1)(m), 5B(1)(p), 5B(1)(q), 7A(1), 7A(2), 7A(4), 7A(5), 7A(6), or 8(2) of these Regulations.

- (2) A producer responsibility organisation commits an offence if that producer responsibility organisation contravenes or fails to comply with regulations 5A(1)(a), 5A(1)(b), 5A(1)(c), 5A(1)(d), 5A(1)(f), 5A(1)(j), 5A(1)(p), 6, 7(1), 7(2), 7(3), 7(4), 7(5), 7(6), 7(7)(a), 7(7)(b), 8(1), or 10 of these Regulations.”.

Amendment of regulation 13 of the Regulations

11. Regulation 13 of the Regulations is hereby amended by the substitution for regulation 13 of the following regulation:

“A producer or producer responsibility organisation that is convicted of an offence under these Regulations is liable to imprisonment for a period not exceeding five years or a fine not exceeding five million rand, and in the case of a second or subsequent conviction, to a fine not exceeding 10 million rand or imprisonment for a period not exceeding 10 years; and in both instances to both a fine and such imprisonment.”.

Insertion of regulation 13A

12. The following regulation is hereby inserted into the Regulations after regulation 13:

“13A Revocation of registration and other remedies

(1) A producer who does not comply with these Regulations may be compelled by the Minister to join an extended producer responsibility scheme.

(2) A producer responsibility organisation that does not comply with the requirements as contemplated in these Regulations may have their registration revoked by the Department.”.

Amendment of the lighting sector notice

13. The lighting sector notice is hereby amended by the substitution for paragraph 7 of the following paragraph:

“7. The targets for the identified products and the resulting waste as contained in Annexure 1 to this Notice apply for a period of 5 years from the date of commencement of this paragraph.”.

Amendment of the electrical and electronic equipment sector notice

14. The electrical and electronic equipment sector notice is hereby amended by—

(a) the substitution for subparagraph (2) of paragraph 3 of the following subparagraph:

“(2) This Notice does not apply to—

- (a) lighting equipment and its related components; and
- (b) lead acid batteries.”;

(b) the substitution for subparagraph 7(1) of the following paragraph:

“7. The targets for the identified products and the resulting waste as contained in Annexure 1 to this Notice apply for a period of 5 years from the date of commencement of this paragraph”; and

(c) the substitution for Annexure 1 of the following Annexure:

“ANNEXURE 1

Year	Mandatory take back (tons) / Recycled (tons)	
	Increase of 30% collection and recycling rate per annum (Baseline = 360 000 tons)	
1	10%	10%
2	13%	13%
3	17%	17%
4	22%	22%
5	29%	29%

Amendment of the paper, packaging and some single use products sector notice

15. Regulation 1 of the paper, packaging and some single use products sector notice is hereby amended by —

- (a) the insertion before the definition of **“biodegradable products”** of the following definition:

“beverage” means alcoholic and non-alcoholic liquids intended for human consumption, including beer, wine, soft drinks, fruit juices, milk, liquid dietary supplements and packaged or bottled water;”

- (b) the substitution for the definition of **“packaging”** of the following definition:

“packaging” means any material, container, wrapping or corrugated cases, used for the containment, transport, handling, protection, promotion, marketing or sale of any product or substance, which may be primary packaging, containing the actual product or secondary packaging or tertiary packaging, typically containing products already packaged in primary packaging, but excludes-

- (a) shipping containers used solely for the transportation of any consumer commodity in bulk to manufacturers, packers, or processors, or to wholesale or retail distributors thereof;
- (b) packaging made of timber and textile;
- (c) plastic pallets and industrial bulk containers with a capacity exceeding 1200 litres; and
- (d) packaging for pharmaceutical products.”;

- (c) the deletion of the definition of **“recyclate”**;

- (d) the insertion following the definition of **“recycled content”** of the following definitions:

“reuse target percentage” means the quantity of an identified product to be reused expressed as a percentage of the total quantity of the identified product placed on the

market per annum. The reuse target percentage applies to a producer who places in excess of 100 000 tons of beverage glass packaging on the market annually”;

“**returnable packaging system**” means an extended producer responsibility scheme operated by a producer in which primary, secondary or tertiary packaging is designed for reuse without impairment of its protective function, is recovered from the market by the producer or their agents”;

- (e) the substitution for paragraph 7 of the following paragraph:

“7. The targets for the identified products and the resulting waste as contained in Annexure 1 to this Notice apply for a period of 5 years from the date of commencement of this paragraph.” and

- (f) the substitution for Annexure 1 of the following Annexure:

“ANNEXURE 1

Product or class of Products	Year	Product Design (recycled content) [%]	Reuse target [%]	Collection Target [%]	Recycling Target [%]	Energy recovery/ exports/ other [%]
Glass Packaging						
Alcoholic beverage (ready to drink)	1	20	5	46.4	38.40	-
	2	25	5	52.5	43.44	-
	3	30	5	58.4	48.32	-
	4	35	5	64.6	53.45	-
	5	40	5	65.4	54.12	-
Beer	1	20	5	46.4	38.40	-
	2	25	5	52.5	43.44	-
	3	30	5	58.4	48.32	-
	4	35	5	64.6	53.45	-
	5	40	5	65.4	54.12	-
Wine	1	20	5	46.4	38.40	-
	2	25	5	52.5	43.44	-
	3	30	5	58.4	48.32	-
	4	35	5	64.6	53.45	-
	5	40	5	65.4	54.12	-
Spirits	1	20	5	46.4	38.40	-
	2	25	5	52.5	43.44	-
	3	30	5	58.4	48.32	-
	4	35	5	64.6	53.45	-
	5	40	5	65.4	54.12	-
Food	1	20	-	46.4	38.40	-
	2	25	-	52.5	43.44	-
	3	30	-	58.4	48.32	-
	4	35	-	64.6	53.45	-
	5	40	-	65.4	54.12	-

Product or class of Products	Year	Product Design (recycled content) [%]	Reuse target [%]	Collection Target [%]	Recycling Target [%]	Energy recovery/ exports/ other [%]
Non-alcoholic beverage (soft drinks)	1	20	5	46.4	38.40	-
	2	25	5	52.5	43.44	-
	3	30	5	58.4	48.32	-
	4	35	5	64.6	53.45	-
	5	40	5	65.4	54.12	-
Metal Packaging:						
Aluminium (non-Ferrous) (Used Beverage Cans)	1	24	-	62	30	32
	2	28	-	64	32	32
	3	32	-	66	33	33
	4	36	-	68	34	34
	5	40	-	70	35	35
Aluminium (non-Ferrous) Other	1	0	-	22	10	12
	2	1	-	24	11	13
	3	2	-	26	12	14
	4	3	-	28	13	15
	5	4	-	30	14	16
Tinplate (Ferrous) Metal Packaging	1	-	-	56	53	-
	2	-	-	57	54	-
	3	-	-	58	55	-
	4	-	-	59	56	-
	5	-	-	60	57	-
Plastic packaging						
Plastic Beverage bottles PET	1	10	-	60	54	-
	2	12.5	-	64	58	-
	3	13	-	66	59	-
	4	15	-	68	61	-
	5	20	-	70	65	-
Plastic PET Oil Bottles	1	-	-	7	6	-
	2	-	-	13	12	-
	3	-	-	25	23	-
	4	-	-	32	29	-
	5	-	-	39	35	-
Plastic Thermoformed PET	1	-	-	9	8	-
	2	-	-	13	12	-
	3	-	-	19	17	-
	4	-	-	27	24	-
	5	-	-	35	30	-
Plastic (Flexible) PET	1	50	-	10	9	-
	2	55	-	20	18	-
	3	60	-	30	27	-
	4	70	-	40	36	-
	5	80	-	50	45	-

Product or class of Products	Year	Product Design (recycled content) [%]	Reuse target [%]	Collection Target [%]	Recycling Target [%]	Energy recovery/ exports/ other [%]
Polyolefins Rigid polyolefin packaging	1	-	-	55	39	-
	2	-	-	57	42	-
	3	-	-	60	45	-
	4	-	-	61	48	-
	5	-	-	64	52	-
Polyolefin (flexible)	1	-	-	58	44	-
	2	-	-	60	46	-
	3	-	-	62	48	-
	4	-	-	64	50	-
	5	-	-	66	52	-
Polyolefins (Multi-layer films packaging)	1	-	-	15	11	-
	2	-	-	20	15	-
	3	-	-	25	20	-
	4	-	-	30	25	-
	5	-	-	35	30	-
Polyvinyl Chloride (Rigid and flexible)	1	-	-	6	5	-
	2	-	-	6.5	5.5	-
	3	-	-	7	6	-
	4	-	-	7.5	6.5	-
	5	-	-	8	7	-
Polystyrene (expanded and High Impact)	1	-	-	22	20	-
	2	-	-	27	25	-
	3	-	-	33	30	-
	4	-	-	40	36	-
	5	-	-	48	43	-
Biodegradable Packaging	1	-	-	15	5	-
	2	-	-	25	15	-
	3	-	-	50	40	-
	4	-	-	65	55	-
	5	-	-	80	70	-
Compostable Packaging	1	-	-	15	15	-
	2	-	-	25	25	-
	3	-	-	50	50	-
	4	-	-	65	65	-
	5	-	-	80	80	-
Single use Products	1	8	-	60	30	-
	2	12	-	65	35	-
	3	14	-	70	40	-
	4	17	-	75	45	-
	5	20	-	80	50	-
Single use compostable	1	-	-	15	15	-
	2	-	-	25	25	-

Product or class of Products	Year	Product Design (recycled content) [%]	Reuse target [%]	Collection Target [%]	Recycling Target [%]	Energy recovery/ exports/ other [%]
products	3	-	-	50	50	-
	4	-	-	65	65	-
	5	-	-	80	80	-
Single use biodegradable products	1	-	-	15	5	-
	2	-	-	25	15	-
	3	-	-	50	40	-
	4	-	-	65	55	-
	5	-	-	80	70	-
Paper & Paper Packaging material:						
Newspapers	1	-	-	45	35	-
	2	-	-	50	40	-
	3	-	-	55	45	-
	4	-	-	60	50	-
	5	-	-	65	55	-
Magazines	1	-	-	35	33	-
	2	-	-	36	34	-
	3	-	-	38	36	-
	4	-	-	40	38	-
	5	-	-	42	40	-
Office & graphic Paper - Mixed & other paper	1	-	-	35	33	-
	2	-	-	36	34	-
	3	-	-	38	36	-
	4	-	-	40	38	-
	5	-	-	42	40	-
Corrugated cases / Kraft papers	1	-	-	60	58	-
	2	-	-	65	63	-
	3	-	-	70	68	-
	4	-	-	75	73	-
	5	-	-	80	78	-
Liquid board packaging	1	-	-	10	5	-
	2	-	-	15	10	-
	3	-	-	20	15	-
	4	-	-	25	20	-
	5	-	-	30	25	-
Paper and paper packaging - Labels	1	-	-	10	5	-
	2	-	-	15	10	-
	3	-	-	20	15	-
	4	-	-	25	20	-
	5	-	-	30	25	-
Paper and paper packaging - Paper sack	1	-	-	10	5	-
	2	-	-	15	10	-
	3	-	-	20	15	-

Product or class of Products	Year	Product Design (recycled content) [%]	Reuse target [%]	Collection Target [%]	Recycling Target [%]	Energy recovery/ exports/ other [%]
	4	-	-	25	20	-
	5	-	-	30	25	-