

Section 18 EPR is here...

Existing producers to register no later than 5 November 2021

AS A pro-active response to the growing national concern around waste and its impact on society and the environment, South Africa recently published the Section 18 Regulations to the National Environmental Management: Waste Act on 5 November 2020, which refers to the Extended Producer Responsibility (EPR) aspect of the National Environmental Management Waste Act (NEMWA). **The regulations came into effect on 5 May.**

This new legislation makes EPR mandatory for all producers and importers of packaging. It changes how producers, brand owners, retailers and importers design, make, sell and keep their products in the recycling loop as far as is practicably possible.

It is now compulsory for producers to belong to a Producer Recovery Organisation or to form their own independent EPR scheme if they choose not to join a PRO to demonstrate your EPR.

Any company or brand that makes or imports any form of plastic packaging

for distribution is required to pay an EPR fee. **Strict targets have been set by Government for yearly collection and recycling that need to be met over the next five years.** EPR will see an investment in collection infrastructure. Not only will this provide consumers with more convenient recycling facilities, but a concerted recovery effort at the pre-consumer or post-industrial phase.

Luckily, South Africa's plastics industry is well positioned for this next stage of environmental legislation. We have four voluntary, industry-led PRO's that have been running for many years now and have impressive track-records of collection and recycling successes, namely PETCO for PET, Polyco for polyolefins (PP, HDPE, LDPE/LLDPE and multi-layer), the Polystyrene Association for polystyrene,

and the Southern African Vinyls Association for PVC.

The following are required for producers:

- Existing producers to register with the Department of Environment, Forestry and Fisheries from 5 May and no later than 5 November 2021 (as per the amended EPR regulations released on 15 January 2021).
- Join or form an EPR scheme that includes the entire value chain.
- Be accountable for the operation and performance of an EPR scheme.
- Pay the appropriate fees to the EPR scheme. Fulfil monitoring and reporting obligations – to begin Q1 2022.

We urge you to start the process now by engaging with the relevant plastics industry PRO's as soon as possible, as

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