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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF ENVIRONMENT, FORESTRY AND FISHERIES

NO. 20 **15 JANUARY 2021**

NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT NO. 59 OF 2008)

AMENDMENT OF THE REGULATIONS AND NOTICES REGARDING EXTENDED PRODUCER RESPONSIBILITY, 2020

I, Barbara Dallas Creecy, 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) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) amend the Regulations regarding extended producer responsibility, the Extended producer responsibility scheme for the electrical & electronic equipment sector, the Extended producer responsibility scheme for the lighting sector and the Extended producer responsibility scheme for paper, packaging and some single use products published under Government Notices Nos. 1184, 1185, 1186 and 1187 in Government *Gazettes* 43879, 43880, 43881 and 43882 of 05 November 2020, respectively, as set out in the Schedule hereto.

BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

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SCHEDULE

1. Definitions

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

"the Regulations" means the Regulations regarding Extended Producer Responsibility, 2020, published under Government Notice No. R.1184 in Government *Gazette* No. 43879 on 5 November 2020;

"the electrical & electronic equipment Notice" means the Extended producer responsibility scheme for the electrical & electronic equipment sector, published under Government Notice No. R.1185 in Government *Gazette* 43880 on 5 November 2020;

"the lighting sector Notice" means the Extended producer responsibility scheme for the lighting sector published under Government Notice No. R.1186 in Government *Gazette* 43881 on 5 November 2020; and

"the paper & packaging Notice" means the Extended producer responsibility scheme for paper, packaging and some single use products published under Government Notice No. R.1187 in Government *Gazette* 43882 of 5 November 2020.

Amendment of Regulation 4 of the Regulations

2. Regulation 4 of the Regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

"4. (1) An existing producer, operating on the date of the coming into effect of these Regulations, must register with the Department, within 6 months of the coming into effect of the Government Notice published in the Government Gazette in terms of section 18(1) of the Act, by completing the form obtainable from the Department.".

Amendment of Regulation 10 of the Regulations

3. Regulation 10 of the Regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

10. (1) All existing producer responsibility organisations must register with the Department within 6 months of the coming into effect of these regulations by completing the form obtainable from the Department.

Amendment of Regulation 14 of the Regulations

4. Regulation 14 of the Regulations is hereby amended by the substitution for regulation 14 of the following regulation:

"14. These Regulations are called the Extended Producer Responsibility Regulations, 2020 and come into effect on 5 May 2021.".

Amendment of the electrical & electronic equipment Notice

5. (1) The electrical and electronic notice is amended by—

(a) the substitution for subparagraph (1) of paragraph 6 of the following subparagraph:

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"6. (1) A producer of any of the products listed in paragraph 4 of this Notice, in operation on the date of the commencement of this Notice, must on or before 5 November 2021, either—

(a) develop and submit an extended producer responsibility scheme according to the Extended Producer Responsibility Regulations, 2020 to the Department; or
(b) establish a product responsibility organisation which must prepare and submit an extended producer responsibility scheme to the Department."; and

(b) the addition of the following paragraph after paragraph 7:

"8. This Notice comes into effect on 5 May 2021."

Amendment of the lighting sector Notice

6. (1) The lighting sector Notice is hereby amended by—

(a) the substitution for subparagraph (1) of paragraph 6 of the following subparagraph:

"6. (1) A producer, in operation at the time of the commencement of this Notice in the *Gazette*, of any of the products listed in paragraph 4 of this Notice, must on or before 5 November 2021 either—

(a) develop and submit an extended producer responsibility scheme to the Minister; or
(b) establish a product responsibility organisation which must prepare and submit an extended producer responsibility scheme to the Minister."; and

(b) the addition of the following paragraph after paragraph 7:
"8. This Notice comes into effect on 5 May 2021."

Amendment of the paper & packaging Notice

7. (1) The Paper and Packaging Notice is hereby amended by—

(a) the substitution for subparagraph (1) of paragraph 6 of the following subparagraph:
"6. (1) A producer, in operation at the time of the commencement of this Notice in the *Gazette*, of any of the products listed in paragraph 4 of this Notice must, must on or before 5 November 2021, either—
(a) develop and submit an extended producer responsibility scheme to the Minister; or
(b) establish a producer responsibility organisation which must prepare and submit an extended producer responsibility scheme to the Minister.";

(b) the addition of the following paragraph after paragraph 7:
"8. This Notice comes into effect on 5 May 2021."