



**Best in class
deposit systems**

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Beverage Containers Recycling Regulations



The project timeline

2016

July – Gov. decision to carry out a study on the viability of a deposit refund system on single use plastic containers.

Review of waste data; market; technology; and best practices.

2017

October – Gov made formal commitment at 'Our Oceans Conference' intended to introduce a system to collect 70% of single use plastic containers.

December – First informal meetings with beverage producers/importers.

2018

May – Launch of public consultation document.

August – Close of consultation and publication of response.

December - Signing of MoU with consortium representing Importers, Producers and Retailers.

2019

January – Commenced discussions with interested stakeholders, review of business models, regulatory needs, transparency and measurement of targets

August - Review of documents with AG, Dept of Contracts, SAMB and ERA

September – Sent document in line with Dir 1535/2015

Next Steps

5th December, 2019 should see the end of the standing period. This was a three month period where the Regulations were uploaded as per Directive 1535 and the Agency/Ministry was responsible to submit adequate replies to any comments raised.

End 2019, Agency will sign with the Associations the Licence Agreement that will formally trigger the obligations contained therein to come into force by 2021.

During 2020, the Agency will collaborate with the Associations to ensure timely delivery of the required infrastructure.

In the 1st quarter 2020 the Agency will invite operators of refillable containers to apply for an exemption from the scheme. The exemption will be issued to those operators who comply with the requirements as indicated in the regulations.

In the 2nd quarter 2020, the importers/producers/retailers will be invited to register with the new scheme and to register the products intended to be placed on the market.

Once the system goes live it shall be illegal for anybody to place on the market any beverage in containers as defined in the regulations that has not been registered with the scheme.

The Regulations

Aligned with the Waste Framework Directive, the Packaging and Packaging Waste Directive and the Single Use Plastic Directive

1. The regulations took the form of an exclusive licence to operate the scheme across the whole territory.
2. The first option is to award the licence to the association or associations that represent the producers and importers that are placing the significant majority of the containers on the market; failure to identify such an operator permits the Agency to award the licence on the basis of a competitive process;
3. The scheme has to be operated in line with the revised Waste Framework Directive Article 8(a):
 - a) That it is not-for-profit or profit-not-for-distribution;
 - b) That the operator is responsible to provide adequate service across the whole territory;
 - c) That there is no discrimination between the different producers/importers irrespective of the volumes placed on the market;
 - d) That there is no discrimination during the operation between the producers/importers investing in the scheme and other who are obliged to participate in the scheme;
 - e) That all procurement of equipment or services has to be done in a transparent and equitable manner; and
 - f) That the operator is responsible for the management and risk of the Deposit/Refund Fund.
4. The operators of the scheme bind themselves to meet the collection targets contained in the Regulations and achieve recycling targets not less than those contained in the Packaging and Packaging Waste Directive.