

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF ENVIRONMENT, FORESTRY AND FISHERIES

NO. 720

26 JUNE 2020

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

CONSULTATION ON THE PROPOSED EXTENDED PRODUCER RESPONSIBILITY SCHEME FOR THE ELECTRICAL AND ELECTRONIC EQUIPMENT 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.

‘electrical and electronic equipment’ or ‘EEE’ means equipment which is dependent on electric currents or electromagnetic fields in order to work properly and equipment for the generation, transfer and measurement of such currents and fields and designed for use with a voltage rating not exceeding 1 000 volts for alternating current and 1 500 volts for direct current;

“E-Waste” means waste electrical and electronic equipment (EEE);

“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;

“producer” means any person or category of persons or a brand owner who is engaged in the commercial manufacture, conversion, refurbishment or import of new and/or used electrical and electronic equipment, which are intended for distribution in the Republic of South Africa;

“product responsibility organisation” 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.

Scope of Notice

3. (1) This Notice covers the products and the resulting waste which arises from the use by a consumer or an end user of electrical and electronic equipment.
- (2) This Notice does not apply to lighting and its related components.

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

4. Extended producer responsibility will be applicable to the following identified products or class of products:
 - (1) electrical & electronic equipment
 - (a) temperature exchange equipment;
 - (b) screens, monitors, and equipment containing screens;
 - (c) large equipment (any external dimension more than 100 cm);
 - (d) Medium equipment (any external dimension between 50 and 100 cm);
 - (e) Small equipment (no external dimension more than 50 cm);
 - (f) batteries;
 - (g) large household appliances;
 - (h) small household appliances;
 - (i) office, information and communication equipment;
 - (j) entertainment and consumer electronics and toys, leisure, sports and recreational equipment and automatic issuing machines;
 - (k) electrical and electronic tools;
 - (l) security and health care equipment;
 - (m) computer and electronic products;
 - (n) audio and video equipment;
 - (o) communications equipment;
 - (p) leisure and lifestyle equipment; and
 - (q) monitoring equipment.

Identification of 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 above 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 that commences 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 the Schedule to be recovered

7. The targets for each identified waste stream is tabled below for a period of 5 years from the date of the implementation of the extended producer responsibility scheme:

(a) electrical & electronic equipment.

Year	Collection Rate	Recycling (tons)	Quantity
1	10%	32200	
2	25%	35400	
3	35%	42500	
4	40%	51000	
5	50%	61000	