

WASTE MANAGEMENT (PACKAGING) (AMENDMENT) REGULATIONS, 2004

On 30th December 2004 new regulations, the Packaging (Amendment) Regulations, 2004 (S.I. No. 871 of 2004) came into effect. The new regulations amend the Packaging Regulations, 2003 (S.I. No. 63 of 2003).

The following is a summary of the main changes in the new regulations as they affect Repak members and self-compliers. The Packaging (Amendment) Regulations, 2004 can be viewed by clicking [here](#) (insert link to DOE website).

Repak Members

Display of Signs (Article 15 (2))

The only significant change in the new regulations that affects Repak members relates to the display of signs. In the past it was only necessary for Repak members to display compliance notices “at each entrance to which the public have access”. Now it is required that Repak members display compliance notices “in such a manner as to be clearly visible to members of the public, at each entrance to each premises”.

In other words Repak members must now display compliance notices at all entrances to their premises.

Self-compliers

Display of Signs (Article 9(1)(a))

Self-compliers must now also display signs indicating their take back obligations at all entrances to their premises as opposed to “public access entrances”. This removes any ambiguity concerning what constitutes “public access entrances”.

Packaging Waste Take Back Times (Article 9(1)(d))

Self-compliers are now obliged to take back packaging at their premises at “all reasonable times” (i.e. during normal business hours). This removes any ambiguity about the times at which packaging waste can be deposited at the premises of self – compliers.

Advertisement of Take Back Obligations (New Article 9(8))

Self-compliers must now advertise twice annually (March and September) in local newspapers the location of their take back facilities and their obligation to take back from the public packaging waste of the type or brand supplied from their respective premises. This new article was introduced to increase public awareness of take back responsibilities of self-compliers.

To supplement the above, new article 14(3) requires local authorities to also place advertisements in newspapers (at least once annually) publicising all details of self-compliers in their functional areas.

Multiple Branch Self-compliers (New Articles 10(7) and (8))

In order to provide some degree of consistency on the application of the registration requirements, multi-branch self-compliers must now designate their main branch or

another designated branch as having responsibility for registration / renewal of registration of all premises operated by them.

Registration Fees (Article 11(3))

The existing maximum self-compliance registration fee of €5,000 per premises has been increased to €15,000 per premises. Self compliance fees per premises are now €15 per tonne of packaging placed on the market subject to a minimum of €500 and a maximum of €15,000.

Future Reviews

The National Packaging Waste Strategy Group, which is co-chaired by the Dept. of Environment and Repak, have indicated that it intends to undertake a comprehensive policy review in relation to self-compliance registration fees, as well as arrangements relating to the “purchase” of packaging waste for the purpose of fulfilling certain self-compliance obligations.