



## South Africa | Voluntary, industry-led EPR schemes for packaging and state policy initiatives in South Africa

South Africa is an example of a voluntary, industry-led Extended Producer Responsibility (EPR) scheme for packaging. Multiple EPR schemes for different packaging waste streams have emerged since the early 2000s, leading to an increase in separate collections and recycling rates for the materials covered, and there is still scope for further improvement. The South African EPR scheme currently covers PET, polyolefins (PP, HDPE, LDPE and LLDPE), polystyrene, vinyl, glass, paper and metals. Producer Responsibility Organisations (PROs) have been set up by representatives of the industries concerned, often in cooperation with other stakeholders at other points in the relevant value chains, such as consumer goods companies, retailers and waste management operators. These PROs collect voluntary EPR fees from their members, sometimes combined with other financial contributions such as voluntary grants. The PROs use the revenue they generate to support work to collect, sort and recycle recyclable material by informal waste pickers and small and medium-sized enterprises.



Consultation to develop a mandatory EPR system, started in 2017. The so-called 'Section 28 Notice', which set out plans for an EPR system funded by a tax collected from producers and managed by the government, was withdrawn in December 2019. It was replaced by the Section 18 Notice – Extended Producer Responsibility Scheme. This new Notice, which is still in the final consultation phase, provides for a more co-operative relationship between industry and government.



**PREVENT**

## Extended Producer Responsibility for packaging in state policy initiatives

South Africa has a population of approximately 59 million,<sup>1</sup> heavily concentrated in urban agglomerations along the south and south-east coast and around Johannesburg. South Africa is a regional economic leader, but faces major socio-economic challenges connected to its troubled past. Growth in population and GDP combined with a rising urbanisation rate led to an **increased waste generation rate**. Separate collection and recycling rates for various packaging waste streams have been increasing, but there is room for further improvement. The number of people working in the **informal waste sector** is estimated at 60,000. Their work collecting waste and keeping it out of landfill is estimated to save municipalities/local authorities 700 million rand (approximately 35 million euros) a year.<sup>2</sup>

South Africa's **National Environmental Management: Waste Act, 2008** (Act No. 59 of 2008) entered into force in 2009, and was amended in 2014. It provides the basic legal framework for waste management in South Africa, and is aimed at “avoiding and minimising the generation of waste; reducing, re-using, recycling and recovering waste; treating and safely disposing of waste as a last resort [and] preventing pollution and ecological degradation (...)”<sup>3</sup> In order to achieve these objectives, a **National Waste Management Strategy** was drawn up in 2011. It reinforces the importance of the waste hierarchy set out in the above extract from the Waste Act, and sets eight measurable objectives, including a 25% diversion rate from landfill, a waste collection coverage rate of 95% in urban areas and 75% in rural areas, and the creation of 69,000 new jobs and 2,600 small and medium-sized enterprises and cooperatives in the waste services and recycling industries.

In December 2019, the Department of Environmental Affairs published a draft **2019 Revised and Updated National Waste Management Strategy** for public consultation. The draft focuses on the circular economy, and specifically on ‘closing the loop’ between resource extraction and waste disposal by the application of waste avoidance, reuse, repair, recycling, and recovery throughout the economic cycle to minimise waste and reduce demand for virgin materials as production inputs (...). The revised strategy also envisages a shift from “a top-down, state-led approach to management and regulation of the waste sector” to “supporting innovation and partnership with the private sector, collaborating with other government departments (...)”.<sup>4</sup> This is in line with South Africa's **Operation Phakisa on Chemicals and Waste**, which took place in 2017. Between 24 July and 24 August 2017, stakeholders from the public and private sectors, civil society and academia worked together with the Department of Environmental Affairs and the Department of Planning, Monitoring and Evaluation to draw up a number of targets and initiatives for waste management.<sup>5</sup>

**Extended Producer Responsibility** is defined in the Waste Act as “measures that extend a person’s financial or physical responsibility for a product to the post-consumer stage of the product, and includes (a) waste minimization programmes, (b) financial arrangements for any fund that has been established to promote the reduction, re-use, recycling and recovery of waste; (c) awareness programmes to inform the public of the impacts of waste emanating from the product on health and the environment; and (d) any other measures to reduce the potential impact of the product on health and the environment.”<sup>6</sup> The definition of the term ‘person’ is consistent with earlier

<sup>1</sup> Government of South Africa, ‘South Africa at a glance’, Website, <https://www.gov.za/about-sa/south-africa-glance>

<sup>2</sup> See Department of Environmental Affairs of the Republic of South Africa (2019) *Draft 2019 Revised and Updated National Waste Management Strategy*. Gazette No. 42879, 3 December 2019. P. 6, 44-45.

[https://www.environment.gov.za/sites/default/files/gazetted\\_notices/nemwa\\_wastestrategyrevised\\_g42879gon1561.pdf](https://www.environment.gov.za/sites/default/files/gazetted_notices/nemwa_wastestrategyrevised_g42879gon1561.pdf)

<sup>3</sup> Republic of South Africa (2009) No. 59 of 2008 – National Environmental Management: Waste Act, 2008. Government Gazette, No. 32000, 10 March 2009. Art. 2a. [https://www.environment.gov.za/sites/default/files/legislations/nema\\_amendment\\_act59\\_0.pdf](https://www.environment.gov.za/sites/default/files/legislations/nema_amendment_act59_0.pdf)

<sup>4</sup> See Department of Environmental Affairs of the Republic of South Africa (2019) *Draft 2019 Revised and Updated National Waste Management Strategy*. Gazette No. 42879, 3 December 2019. P. 4, 6 and 8.

<sup>5</sup> Department of Environmental Affairs, Website, “Operation Phakisa – Chemicals and Waste Economy, last accessed on 15 April 2020. [https://www.environment.gov.za/projectsprogrammes/operationphakisa\\_chemical\\_waste\\_economy](https://www.environment.gov.za/projectsprogrammes/operationphakisa_chemical_waste_economy)

<sup>6</sup> Republic of South Africa (2009) No. 59 of 2008 – National Environmental Management: Waste Act, 2008. Government Gazette, No. 32000, 10 March 2009. Art. 1

legislation and includes companies.<sup>7</sup> Art. 18 of the Waste Act gives the Minister of Environmental Affairs the power, in consultation with the Minister of Trade and Industry, to ‘identify a product or class of products’, ‘specify the extended producer responsibility measures’ and ‘identify the person or category of persons’. The Minister of Environmental Affairs can specify requirements in relation to the operation of EPR programmes, financial and institutional arrangements associated with waste minimisation programmes, the percentage of products to be recovered by such programmes and labelling requirements for the products concerned. However, affected producers must be consulted on any changes, and scientific evidence must be taken into account.

EPR in South Africa needs to be considered in the context of the **Industry Waste Management Plans**. The Plans are no longer relevant for government policy, but they can still be used by industry as a basis for implementing the Section 18 EPR scheme. Their purpose, scope and content are also defined in the Waste Act. The National Waste Management Strategy of 2011 lists them as a tool for waste management, along with EPR and a number of other instruments. The basic idea behind the Industry Waste Management Plans is to invite the private sector to work together to set joint targets and agree measures to achieve them for specific waste streams, potentially including the establishment of voluntary EPR schemes.

In December 2017, the Department of Environmental Affairs issued a ‘**Call on the paper and packaging industry, electrical and electronic industry and lighting industry to prepare and submit Industry Waste Management Plans to the Minister for approval**’.<sup>8</sup> The call for Industry Waste Management Plans was made under a Section 28 Notice. The Section 28 Notice envisaged that an EPR system would be set up, but that the funds raised from levies paid by the industry would be transferred initially to the government. The government would then release that funding back to the PRO’s, which would in turn distribute a portion of the funds to individual companies to help them deliver their obligations under the Industry Waste Management Plan. Membership of the PROs was to be mandatory for industry participants in the EPR scheme, The Section 28 Notice required each PRO to submit an Industry Waste Management Plan, either for each individual industry involved in the scheme or as a single consolidated document. Of the 13 Industry Waste Plans drawn up, 12 of them demanded that funds should be raised and managed by industry, rather than by the government and the PROs.

Eventually, in December 2019, **the government withdrew the Section 28 Notice as it was deemed to be legally flawed, and announced its intention to publish a Section 18 EPR Notice shortly thereafter**. The Minister of the Department of Environmental Affairs, Fisheries and Forestry (DEFF) decided to stop the process of drawing up Industry Waste Management Plans. Instead, the Minister announced her decision to adopt a new approach “centred on the extended producer responsibility (EPR) principle”. She would “*intend to have further engagements with the relevant industries that have been identified as generators of waste, on the specific EPR measures that must be taken in respect of the product or class of products, as contemplated in section 18(1) of the National Environmental Management: Waste Act, 2008.*”<sup>9</sup>

The new Section 18 Pre-Notice appears to move towards a more ‘co-operative’ approach between government and industry, as it allows for financial contributions to be paid by producers and managed by industry. The Minister appointed staff members from the Chemicals and Hazardous Waste Management Department to facilitate workshops between Industry and the department. The aim of these workshops was to engage industry representatives and invite them to participate in

<sup>7</sup> Republic of South Africa (2009) No. 59 of 2008 – National Environmental Management: Waste Act, 2008. Government Gazette, No. 32000, 10 March 2009. Art. 1. And Interpretation Act 33 of 1957, Art. 2 Definitions. <https://www.justice.gov.za/legislation/acts/1957-033.pdf>

<sup>8</sup> Department of Environmental Affairs (2017) Call on the paper and packaging industry, electrical and electronic industry and lighting industry to prepare and submit Industry Waste Management Plans to the Minister for approval. Government Gazette, No. 41303, [https://www.environment.gov.za/sites/default/files/gazetted\\_notices/nemwa59of2008\\_paperandpackagingindustry\\_electricalandelectronicindustry\\_gn41303\\_0.pdf](https://www.environment.gov.za/sites/default/files/gazetted_notices/nemwa59of2008_paperandpackagingindustry_electricalandelectronicindustry_gn41303_0.pdf)

<sup>9</sup> Government Gazette (2019) ‘National Environmental Waste Act (59/2008): Withdrawal of the Section 28 Notice calling for Paper and Packaging Industry, Electrical and Electronic Industry and the Lighting Industry Waste Management Plans in terms of Section 28 of the Act’. 13 December 2019, Vol 65, No. 42909. [https://www.greengazette.co.za/notices/national-environmental-management-waste-act-59-2008-withdrawal-of-the-section-28-notice-calling-for-paper-and-packaging-industry-electrical-and-electronic-industry-and-the-lighting\\_20191213-GGN-42909-01659](https://www.greengazette.co.za/notices/national-environmental-management-waste-act-59-2008-withdrawal-of-the-section-28-notice-calling-for-paper-and-packaging-industry-electrical-and-electronic-industry-and-the-lighting_20191213-GGN-42909-01659)

drafting the content of the intended Section 18 policy framework. It was intended that these proposals would then be collated and taken into consideration when the final policy document was drafted and finalised by the DEFF. The initial timescale for this process was set at 6 to 12 months, and the first workshop was held in February 2020. However, COVID-19 prevented any further face-to-meetings from being held.

Despite the disruption caused by the virus, the DEFF went on to request individual industries to work on their proposals and submit them by e-mail by 8 May 2020, with the first draft of the Section 18 policy due to be released in September 2020. The Minister will then publish the draft for consultation. Once the consultation period is complete and all the comments have been recorded the Minister will determine which comments should be included in the final policy document. This policy document will then be sent to parliament, to be followed by legislation. The policy is expected to be finalised and ready for implementation by December 2020/January 2021.

### Existing voluntary PROs for packaging

#### Overview of voluntary PROs

Several voluntary, industry-led EPR schemes for different waste streams are currently operating in South Africa. The following PROs work with the paper and packaging industry:

Table 1: Overview of voluntary PROs in the paper and packaging industry

PRO	Packaging materials	Operating since	Details
PET Recycling Company (PETCO) <a href="http://www.petco.co.za">www.petco.co.za</a>	PET (beverage, empty bottles for private use, thermoformed containers)	2004	Professional operational team of 10 people, 12 non-executive directors representing every stage of the value chain in the industry. A voluntary EPR fee is collected, paid on a rand-per-tonne basis by converters manufacturing bottles from PET resin, bottlers who fill PET bottles and and PET importers. Grants are also paid by brand owners, resin producers and retailers. The revenue collected is used to: <ol style="list-style-type: none"> <li>1) Support recyclers, particularly during adverse economic cycles.</li> <li>2) Support, train and mentor reclaimers and waste entrepreneurs.</li> <li>3) Fund consumer education and empowerment initiatives, joint venture projects and the drafting of recycling guidance across the industry.</li> </ol>
The Polyolefin Responsibility Organisation (POLYCO) <a href="http://www.polyco.co.za">www.polyco.co.za</a>	LDPE (films, bags, etc.) LLDPE (films, bags, etc.)	2011	Not-for-profit industry body. Voluntary EPR fee per tonne for polyolefins, paid by 11 members (polyolefin packaging converters). Funding support for collection and recycling companies provided through grants or interest-free loans and e.g. the Packa-Ching scheme (recyclables collected in informal

	HDPE (boxes, bottles, containers, bags, etc.) PP (food packaging)		settlements by mobile units with payments made electronically). <sup>10</sup>
Polysterene Association of South Africa <a href="https://polystyrenesa.co.za/">https://polystyrenesa.co.za/</a>	Expanded Polysterene (ESP) High Impact Polysterene (HIPS)	2007/ 2009	Non-profit Product Responsibility Organisation (PRO) funded by converters of polysterene. 10 full members and 5 associate members, including raw material suppliers, manufacturers, recyclers and retailers. Provides funding for recycling projects
South African Vinyl Association (SAVA) <a href="http://www.savinyls.co.za">www.savinyls.co.za</a>	Polyvinyl Chloride (PVC)		A representative body of the South African vinyl industry rather than a PRO. Has drawn up a Product Stewardship Commitment, including recycling targets. 21 members.
The Glass Recycling Company (TGRC) <a href="http://www.theglassrecyclingcompany.co.za">www.theglassrecyclingcompany.co.za</a>	Glass	2005	Voluntary industry initiative with 18 members (manufacturers, consumer goods companies). Brand owners pay EPR fees per tonne of glass bought from glass manufacturers. Manufacturers buy recyclable glass for recycling. Provides funding for 'glass banks' (big containers for glass collection in public spaces)
Fibre Circle (PAMDEV) <a href="http://www.thepaperstory.co.za/fibre">www.thepaperstory.co.za/fibre</a>	Paper Paper packaging Liquid packaging board	2016	The PRO for the paper and packaging industry's voluntary EPR scheme. Involves paper manufacturers, importers, brand owners and retailers and aims to increase separation at source. Supports awareness-raising and job/business creation in collection and recycling.
RecyclePaperZA <a href="http://www.recyclepaper.co.za">www.recyclepaper.co.za</a>	Newspapers, magazines, corrugated/solid cases/craft papers, office/ graphics papers, mixed and other papers	2003	Provides information about paper recycling. Currently has 10 members. Previously known as Paper Recycling Association of South Africa (PRASA) prior to change of name in 2018.
METPAC-SA <a href="http://www.metpacsa.org.za">www.metpacsa.org.za</a>	Metal packaging (aluminum, steel, tinplate.)	2017	Industry body, 17 members.

The **extent of industry participation, activity and recycling rates all vary** between these voluntary, industry-led PROs. For metal packaging, MetPac-SA reported a collection rate of 75.8% for 2017 (equating to 138,900 t), with 40% of industry stakeholders participating in the voluntary EPR scheme.<sup>11</sup> Fibre Circle and RecyclePaperZA reported a collection rate of 71.7% for recoverable

<sup>10</sup> For more information, see: <https://www.polyco.co.za/packa-ching/>

<sup>11</sup> Packaging SA (2018) Packaging SA Extended Producer Responsibility Plan – Volume 1. p. 68-69

paper and paper packaging in 2018 (about 1.28 million t), compared to 66.7% in 2015.<sup>12</sup> According to statistics from RecyclePaperZA for 2018, about 54.8% of all paper consumed was recovered or recycled. On the other hand, the Glass Recycling Company reported that about 80% of glass was diverted from landfill in 2018 (including reusable glass), with 42% being recycled. According to their statistics, the glass recycling rate rose from 18% in 2006 to 42% in 2018, and about 4,000 ‘glass banks’, – large collection containers, have been installed in public places. They estimate that new glass products contain about 40% recycled glass.<sup>13</sup>

As far as different types of **plastic packaging** are concerned, POLYCO projects that the recycling rate for polyolefins (LDPE, LLDPE, HDPE, PP) will rise to 35% by 2020 (234,000 t of a total of 670,000 t).<sup>14</sup> It currently receives EPR fees for 20% of all polyolefins introduced to the market.<sup>15</sup> On the other hand, the Polystyrene Association of South Africa reported a collection rate for polystyrene of 20.41% (7,929 t) in 2017, with a total of 5,384 t being recycled into products including picture frames, trays, cement blocks and outdoor furniture.<sup>16</sup> According to PETCO’s independently audited recycling rates, 98,649 t of PET post-consumer bottles were recycled in 2018, equating to 63% of the total quantity on the market, compared to 16% in 2005 and 45% in 2012.<sup>17</sup> Its figures also indicate that 90% of the PET bottle industry is already participating in PETCO. PETCO is currently working together with two thermoform-producing companies who have recently joined the PRO (and started paying EPR fees) to set up a system for PET thermoform recycling. However, PETCO does not currently have any representation from the PET edible oils sector. PETCO estimates that it covers around 61% of the total South African PET market.<sup>18</sup>

#### *PETCO: a globally recognised voluntary PRO*

The **PET Recycling Company (PETCO)**, founded in 2004, is one of South Africa’s oldest and best-known PROs. It sees itself as an ‘industry-driven and industry-financed environmental solution for PET’. As of 2020, PETCO has a professional team of 10 employees and 2 contractors, as well as 12 non-executive directors representing various stakeholders along the value chain of each obliged industry (resin producers, converters, bottlers, collectors and recyclers, consumer goods companies, retailers).<sup>19</sup> In 2019 it had 26 voting members and 73 associate members, including collectors and small and medium-sized enterprises.<sup>20</sup>

PET manufacturers and importers of PET raw materials pay voluntary EPR fees to PETCO, and consumer goods companies provide it with funding through voluntary grants. About 70-80% of this revenue is used to provide additional funding for recycling projects. PETCO makes payments to recycling companies for each kilogram of PET they purchase from collectors. The amount paid per kilo is variable depending on fluctuations in the PET market, which are monitored by PETCO. PETCO also provides basic bailing, weighing, transportation and protection equipment to start-ups.<sup>21</sup>

In order to ensure that a large proportion of collected PET bottles was recycled, PETCO entered into five-year contracts with recyclers from other countries to encourage them investing into local PET recycling plants in South Africa. PETCO’s strategy focused on recyclers with ambitious growth targets for the recycling market (8%-10% per year). PETCO makes performance-related payments to the recyclers if the growth targets are met.

<sup>12</sup> Infographic at <https://www.thepaperstory.co.za/fibre/circle/> and statistics at <https://recyclepaper.co.za/wp-content/uploads/2020/03/SA-Recycling-Statistics-2018.pdf>

<sup>13</sup> See <https://theglassrecyclingcompany.co.za/>

<sup>14</sup> See <https://www.polyco.co.za/about-polyco/what-does-polyco-do/>

<sup>15</sup> Packaging SA (2018) Packaging SA Extended Producer Responsibility Plan – Volume 1. p. 70.

<sup>16</sup> See for collection rate: Packaging SA (2018) Packaging SA Extended Producer Responsibility Plan – Volume 1. p. 72. See for recycling rate: <http://polystyrenesa.co.za/>

<sup>17</sup> See <https://petco.co.za/how-is-pet-recycled/>

<sup>18</sup> See Packaging SA (2018) Packaging SA Extended Producer Responsibility Plan – Volume 1. p. 71

<sup>19</sup> <https://petco.co.za/who-we-are/>; <https://petco.co.za/our-members/>

<sup>20</sup> <https://petco.co.za/our-members/>

<sup>21</sup> <https://petco.co.za/start-a-recycling-business/>



PETCO also invests in schemes to increase demand for recycled PET. In the first few years after PETCO was set up, most contracted recyclers produced fibre-based products (such as clothing or textiles, some of them used in industrial and automotive applications). This eventually led to the local market for these products reaching saturation point in 2009. To tackle this problem, PETCO added an additional incentive to recyclers to export their fibre-based products, thus reducing the supply pressure on the local market. At the same time, they also encouraged the establishment of new bottle-to-bottle recycling plants, and drew up a Design for Recycling Guide to encourage recycling.<sup>22</sup>

Awareness-raising and educational activities for consumers are also part of PETCO's activities. Consumers can access a list of drop-off sites from the PETCO website, for example. Moreover, PETCO estimates that the informal collection of PET bottles provides a livelihood for upwards of 60,000 people, on the basis of a collection rate of 1.45 t of PET per person per year (200 bottles over 240 days) and its total collection of 98,649 t in 2018. During the COVID-19 crisis in 2020, PETCO shared various information about government support programmes with informal sector stakeholders and small and medium-sized enterprises.<sup>23</sup>

Thanks to its stability and the financial incentives on offer, South Africa was the first African country to produce PET bottles with locally recycled PET. PETCO is currently expanding to other African countries, including Kenya, and has also plans to operate in Uganda and Ethiopia.

#### *The South African Paper and Packaging Association's EPR Plan*

In December 2017, the government's call to the paper and packaging industry prompted the South African packaging industry to develop its own comprehensive EPR Plan, and the industry association Packaging SA submitted its EPR Plan to the Department of Environmental Affairs in September 2018. The Plan proposed an EPR scheme based on an **'obliged, industry-led and managed model'**, with funds being collected from, and managed by, the industry itself.

Packaging SA's plan also contains a detailed description of **how the ERP Plan would be implemented. A portion of the funds generated from** EPR fees would be spent to support potential new market entrants via the Black Industrialist programme. EPR fees would also be used to support an EPR Plan Municipal Initiative Fund, designed to fund separation at source, new facilities for recovering materials, and the procurement of equipment at municipal level. The Plan also earmarks part of the budget for a communications and marketing campaign on collection and recycling, as well as making provisions for a number of additional objectives included in the Plan, such as integrating the informal sector, stimulating the end-use market and business development. Research and development activities are also planned with a view to increasing market uptake of recycled materials. The existing Design for Recycling Guideline of 2017 is to be further developed into a new Design for Circular Economy Guideline.<sup>24</sup>

The EPR Plan also includes a commitment to provide **financial support for the integration of informal waste workers**, particularly through the introduction of a platform for cashless payments. The EPR Plan mentions research findings suggesting that 'informal reclaimers do not want to be formalised, but rather recognised and integrated', prompting a recommendation for research to enable 'participation in the system in [such] ways that they are not ostracised' and to ensure 'recognition for the service they provide'. The Plan also refers to guidelines for supporting waste pickers who are part of the international Women in Informal Employment Globalizing and Organizing (WIEGO) network.

<sup>22</sup> [https://petco.co.za/wp-content/uploads/2019/08/PETCO\\_Design-for-Recyclability\\_Guideline-Documents\\_2019\\_FINAL.pdf](https://petco.co.za/wp-content/uploads/2019/08/PETCO_Design-for-Recyclability_Guideline-Documents_2019_FINAL.pdf)

<sup>23</sup> <https://petco.co.za/covid-19/>

<sup>24</sup> Packaging SA (2018) Packaging SA Extended Producer Responsibility Plan – Volume 1. P. 49-54; 57-59

The EPR Plan outlines plans to expand the existing Packa-Ching project, a scheme that provides people in informal settlements with incentives to sort their waste, and in which mobile collection vehicles are used to educate the population about how to separate packaging waste.<sup>25</sup>

According to the Packaging SA Plan, existing **data collection** on the packaging market and collection rates, which is currently carried out by a specialist South African company, should be expanded to create a comprehensive database to facilitate reporting by Packaging SA. The types of data to be collected are focused on waste management, (e.g. location of buy-back centres and material facilities, number of informal collectors and recyclers), the quantities and types of packaging and products imported into South Africa, and how much recovered material is exported out of the country. The data mentioned in the Plan would not be sufficient to set up a register of obliged companies.<sup>26</sup>

Packaging SA's EPR plan envisages a system in which different PROs would handle different material streams.<sup>27</sup> As the proposed Section 18 Notice is developed before becoming law, it is likely that the various South African PROs will co-operate on some initiatives, but that this will not lead to a significant consolidation of PROs or plans. In this respect, the South African EPR Plan takes a different approach to that of most European countries, for example, where a single non-profit PRO or multiple, competing, for-profit PROs take responsibility for all types of packaging waste. In January 2020, a month after implementation of the Section 28 EPR was halted, Packaging SA and Plastics SA both welcomed the decision, arguing that 'this would allow for an industry-managed plan as opposed to a government-managed plan'.<sup>28</sup>

## Outlook

Consultations on the **development of an EPR for packaging in South Africa are still ongoing between the public and private sectors**. The Section 18 EPR Notice is currently in the final consultation phase before it becomes official policy, but the process surrounding it is very different to the one used for the previous Section 28 Notice. Once the Section 18 Notice is published, there will be no further invitations to submit plans and no approval phase; the parties affected by the new legislation will simply have to comply with the new law. According to the government's current timescale, the Section 18 EPR Notice is to be implemented from 1 January 2021 or, failing that, from 1 April 2021 at the latest.

The continued interest in **multi-stakeholder dialogues** between the public and private sector, civil society and academia in South Africa was in evidence at a number of recent events and fora on environmental issues. In November 2019, the Department of Environmental Affairs organised a Plastics Colloquium, working together with Plastics SA, the Consumer Goods Council and the South African Waste Pickers Association.<sup>29</sup> In December 2019, it submitted a revised and updated draft of its National Waste Management Strategy for public consultation. February 2020 saw the launch of a South Africa Plastic Pact, incorporating a number of ambitious targets for 2025 in line with the Ellen MacArthur Foundation's vision of a New Plastics Economy<sup>30</sup>. The pact states that "100% of plastic packaging should be reusable, recyclable or compostable; 70% of plastic packaging effectively recycled; and an average of 30% of total plastic packaging should be recycled"<sup>30</sup>. These developments might result in an even more advanced EPR system for packaging in South Africa over the next few years.

<sup>25</sup> Packaging SA (2018) Packaging SA Extended Producer Responsibility Plan – Volume 1. P. 54-57

<sup>26</sup> Packaging SA (2018) Packaging SA Extended Producer Responsibility Plan – Volume 1. P. 52

<sup>27</sup> Packaging SA (2018) Packaging SA Extended Producer Responsibility Plan – Volume 1. P. 26-27

<sup>28</sup> Packaging SA (2020) SA Packaging and Plastics Industries applaud Minister's decision to develop industry-managed waste management plan. 21<sup>st</sup> of January 2020, <https://www.packagingsa.co.za/2020/01/21/sa-packaging-and-plastics-industries-applaud-ministers-decision-to-develop-industry-managed-waste-management-plan/>

<sup>29</sup> Department of Environmental Affairs (2019) Speech by Minister Barbara Creecy at the opening of the Plastics Colloquium. Website, 22<sup>th</sup> of November 2019, [https://www.environment.gov.za/speech/creecyopens\\_plasticcolloquium](https://www.environment.gov.za/speech/creecyopens_plasticcolloquium). Documentation of the Plastics Colloquium available at: South African Waste Information Centre (SAWIC) (2019) Website – Plastic Colloquium November 2019. <http://sawic.environment.gov.za/?menu=357>

<sup>30</sup> The SA Plastics Pact, Website, <https://www.saplasticspact.org.za/how/>





Information correct as of June 2020

### Further reading

**Department of Environmental Affairs (2016).** National Pricing Strategy for Waste Management.  
<https://cer.org.za/wp-content/uploads/2010/03/National-Pricing-Strategy-for-Waste-Management.pdf>

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PREVENT Waste Alliance  
Friedrich-Ebert-Allee 32 + 36  
53113 Bonn  
Germany  
Tel. +49 61 96 79-0  
Fax +49 61 96 79-11 15

[info@giz.de](mailto:info@giz.de)  
[contact@prevent-waste.net](mailto:contact@prevent-waste.net)  
[www.giz.de](http://www.giz.de)  
<https://prevent-waste.net/en/epr-toolbox/>  
cyclos GmbH  
Westerbreite 7  
49084 Osnabrück  
Germany  
<https://cyclos.de>

**Authors:**

Agnes Bünemann, Jana Brinkmann, Dr. Stephan Löhle and Sabine Bartnik.

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