L.N. 299 of 2019

Eco-Contribution Act
(CAP. 473)

Eco-Contribution (Exemptions) (Amendment) Regulations, 2019

IN EXERCISE of the powers conferred by articles 12 and 13 of the Eco-Contribution Act, the Minister for the Environment, Sustainable Development and Climate Change in concurrence with the Minister for Finance, has made the following regulations:

Citation.

1. The title of these regulations is the Eco-Contribution (Exemptions) (Amendment) Regulations, 2019 and these regulations shall be read and construed as one with the Eco-Contribution (Exemptions) Regulations, hereinafter referred to as "the principal regulations".

S.L. 473.05.

Amends regulation 2 of the principal regulations.

2. Regulation 2 of the principal regulations shall be amended as follows:

(a) immediately after the definition "approving body" there shall be added the following new definition:

" "circular economy initiative" means a system through which the producer can demonstrate direct investment in the transition to the circular economy that will directly contribute to achieve Malta's targets in line with the Waste Framework Directive.";

(b) immediately after the definition "recycling bag" there shall be added the following new definition:

" "Resource, Recovery and Recycling Agency" means the Resource, Recovery and Recycling Agency established by virtue of the Resource, Recovery and Recycling Agency (Establishment) Order"; and

S.L. 595.28.

(c) immediately after the definition "scheme" there shall be added the following new definition:

" "Waste Framework Directive" means Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives.".

Amends regulation 4 of the principal regulations.

3. In regulation 4 of the principal regulations, immediately after sub-regulation (4) there shall be added the following new sub-regulation:

"(5) Notwithstanding the provisions of sub-regulation (3), where the thresholds set in sub-regulation (1) are not met, the Minister may, on the advice of the Resource Recovery and Recycling Agency exempt a producer from the payment of eco-contribution due on products, if such producer proves to the satisfaction of the Minister that in a period after the eco-contribution becomes due, he is participating in a circular economy initiative and has either invested or is going to invest in the said scheme within a specified time-limit approved by the Minister, a sum equivalent to or higher than the amount of eco-contribution which would have been due.".

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