

L.N. 164 of 2017

**ENVIRONMENT AND DEVELOPMENT PLANNING ACT
(CAP. 549)**

Waste (Amendment) Regulations, 2017

IN exercise of the powers conferred by articles 54 and 55 of the Environment Protection Act, the Minister for Sustainable Development, the Environment and Climate Change, after consultation with the Environment and Resources Authority, has made the following regulations:-

1. The title of these regulations is the Waste (Amendment) Regulations, 2017 and they shall be read and construed as one with the Waste Regulations hereinafter referred to as "the principal regulations".

Citation.
S.L. 549.63

2. Immediately after Part VI of the principal regulations there shall be added the following new Part and regulation:-

Addition of new Part to the principal regulations.

**"PART VII
THE WASTE MANAGEMENT FUND**

The Waste Management Fund.

37. (1) Under the provisions of sub-article (9) of article 32 of the Act, the competent authority hereby sets up the Waste Management Fund.

(2) The funds listed in Schedule 11 shall be used at the discretion of the competent authority for matters related to waste management including but not limited to incentives, campaigns, plans, surveys, audits and investigations and as the Minister in consultation with the Authority may prescribe."

3. Part VII shall be renumbered as Part VIII and regulation 37 of the principal regulations shall be re-numbered as regulation 38.

Re-numbers Part VII and regulation 37 of the principal regulations.

4. Immediately after Schedule 10 there shall be added the following new Schedule:

Adds new Schedule 11 to the principal regulations.

**"SCHEDULE 11
WASTE MANAGEMENT FUND**

The Waste Management Fund shall include:

- (a) any revenue generated through any out of court settlement agreement regulated by article 83 of the Act in relation to:

- (i) S.L. 549.43 – Waste Management (Packaging and Packaging Waste)
 - (ii) S.L. 549.89 – Waste Management (Electrical and Electronic Equipment) Regulations
 - (iii) S.L. 549.54 – Waste Management (Waste Batteries and Accumulators) Regulations
 - (iv) S.L. 549.36 – Waste Management (End of Life Vehicles) Regulations
- (b) any additional fees taken as an environmental gain pursuant to producers or schemes failing to achieve targets set out in regulation 8 of the Waste Management (Packaging and Packaging Waste);
- (c) any funds arising out of forfeiture of financial guarantees under:
- (i) S.L. 549.43 – Waste Management (Packaging and Packaging Waste)
 - (ii) S.L. 549.89 – Waste Management (Electrical and Electronic Equipment) Regulations
 - (iii) S.L. 549.54 – Waste Management (Waste Batteries and Accumulators) Regulations".
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