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**L.N. 453 of 2021**

**ENVIRONMENT PROTECTION ACT  
(CAP. 549)**

**Waste Management (Landfill)  
(Amendment No. 2) Regulations, 2021**

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

Citation.

S.L. 549. 29.

Amends  
regulation 5 of  
the principal  
regulations.

**1.** The title of these regulations is the Waste Management (Landfill) (Amendment No. 2) Regulations, 2021 and these regulations shall be read and construed as one with the Waste Management (Landfill) Regulations, hereinafter referred to as "the principal regulations".

**2.** Regulation 5 of the principal regulations shall be amended as follows:

(a) sub-regulation (4) thereof shall be substituted by the following new sub-regulation:

"(4) By 2030, the Minister may consider postponing the deadline for attaining the target referred to in sub-regulation (3) by up to five (5) years provided that:

(a) Malta has landfilled more than sixty per cent (60%) of its municipal waste generated in 2013 as reported under the Joint Questionnaire of the OECD and Eurostat; and

(b) at the latest twenty-four (24) months before the deadline laid down in sub-regulation (3), the Minister notifies the Commission of its intention to postpone the deadline and submits an implementation plan in accordance with Schedule 4. The Minister may combine that plan with an implementation plan submitted pursuant to the Waste Regulations."; and

S.L. 549. 63.

(b) immediately after sub-regulation (4) thereof there shall be added the following new sub-regulations:

"(5) Within three (3) months of receipt of the implementation plan submitted pursuant to paragraph (b) of

sub-regulation (4), the Commission may request Malta to revise the plan if the Commission considers that the plan does not comply with the requirements of Schedule 4. Malta shall submit a revised plan within three (3) months of receipt of the Commission's request.

(6) In the event of postponing the deadline in accordance with sub-regulation (4), the Minister, in consultation with the authority and the agency, shall take the necessary measures to reduce by 2035 the amount of municipal waste landfilled to twenty-five per cent (25%) or less of the total amount of municipal waste generated (by weight).".

3. In regulation 17A of the principal regulations, the words "Annex IVa to Directive 2008/98/EC" shall be substituted by the words "Schedule 12 of the Waste Regulations".

Amends regulation 17A of the principal regulations.

4. Immediately after Schedule 3 to the principal regulations there shall be added the following new Schedule:

Adds new Schedule to the principal regulations.

"SCHEDULE 4  
(Regulation 5)  
IMPLEMENTATION PLAN

The implementation plan to be submitted pursuant to sub-regulation (4) of regulation 5 of shall contain the following:

1. Assessment of the past, current and projected rates of recycling, landfilling and other treatment of municipal waste and the streams of which it is composed.

2. Assessment of the implementation of waste management plans and waste prevention programmes in place pursuant to regulations 28 and 29 of the Waste Regulations.

3. Reasons for Malta considers that it might not be able to attain the relevant target laid down in sub-regulation (3) of regulation 5 within the deadline set therein and an assessment of the time extension necessary to meet that target.

4. Measures necessary to attain the targets set out in sub-regulation (6) of regulation 5 of these regulations applicable to Malta during the time extension, including appropriate economic instruments and other measures to provide incentives for the application of the waste hierarchy as set out in regulation 4A and Schedule 12 of the Waste Regulations.

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5. A timetable for the implementation of the measures identified in item 4, determination of the body competent for their implementation and an assessment of their individual contribution to attaining the targets applicable in the event of a time extension.

6. Information on funding for waste management in line with the polluter-pays principle.

7. Measures to improve data quality, as appropriate, with a view to better planning and monitoring performance in waste management."

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