

**L.N. 277 of 2006**

**ENVIRONMENT PROTECTION ACT  
(CAP. 435)**

**PRODUCT SAFETY ACT  
(CAP. 427)**

**Waste Management (Packaging and Packaging Waste)  
Regulations, 2006**

IN exercise of the powers conferred by articles 9 and 11 of the Environment Protection Act, and by article 38 of the Product Safety Act, the Minister for Rural Affairs and the Environment and the Minister for Competitiveness and Communications have made the following regulations:-

**1.** (1) The title of these regulations is the Waste Management (Packaging and Packaging Waste) Regulations, 2006. Citation and commencement.

(2) Unless otherwise provided in the provisions of these regulations, these regulations shall come into force on such date as the Minister responsible for the environment may, by notice in the Gazette appoint, and different dates may be so appointed for different provisions and different purposes of these regulations.

**2.** (1) These regulations provide additional measures, Scope.  
procedures and guidance to those in the Waste Management (Permit and Control) Regulations, 2001, which aim, as a first priority, at L.N. 337 of 2001.  
preventing the production of packaging waste and, as additional fundamental principles, at reusing packaging, at recycling and other forms of recovering packaging waste and, hence, at reducing the final disposal of such waste.

(2) These regulations bring into effect the provisions of European Parliament and Council Directive 94/62/EC<sup>1</sup> of 20 December 1994 on packaging and packaging waste as amended by Directive 2004/12/EC<sup>2</sup> of the European Parliament and of the Council of 11 February 2004 amending Directive 94/62/EC on packaging and packaging waste and Directive 2005/20/EC<sup>3</sup> of the European Parliament and of the Council of 9 March 2005 amending Directive 94/62/EC on packaging and packaging waste.

<sup>1</sup> OJ L 365, 31.12.1994, p. 10.

<sup>2</sup> OJ L 47, 18.2.2004, p. 26.

<sup>3</sup> OJ L 70, 16.3.2005, p. 17.

(3) These regulations shall apply to all packaging put on the market in Malta and all packaging waste, whether it is used or released at industrial, commercial, office, shop, service, household or any other level, regardless of the material used, unless such packaging is expressly excluded from the application of these regulations. These regulations shall not apply to packaging not intended for putting on the market in Malta.

L.N. 158 of 1998.

(4) These regulations shall, until 31st December, 2007, not apply to packaging of non-alcoholic beverages, as defined in Non-alcoholic Beverages (Control of Containers) Regulations, 1998. Until such date, such packaging shall continue to be regulated by the Non-alcoholic Beverages (Control of Containers) Regulations, 1998.

(5) After the 31st of December, 2007, all packaging, including non-alcoholic beverages, shall be regulated by these regulations which shall, in any case, apply without prejudice to any other existing laws or regulations.

(6) These regulations shall apply without prejudice to existing provisions, in particular with regard to quality requirements for packaging such as those regarding safety, the protection of health and the hygiene of the packed products or to existing transport requirements, or to the provisions of the Waste Management (Permit and Control) Regulations, 2001.

Interpretation.

**3.** (1) In these regulations, unless the context otherwise requires:

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“the Act” means the Environment Protection Act;

“agreement” means the formal agreement concluded between the Competent Authority and the producers concerned, which has to be open to all partners who wish to meet the conditions of the agreement with a view to working towards the objectives of these regulations;

L.N. 337 of 2001.

“authorised packaging waste recovery scheme” means a recovery scheme for packaging waste that is operated by a person that has a valid waste management permit under the Waste Management (Permit and Control) Regulations, 2001;

“authorised waste management undertaking” means an undertaking that holds a valid permit issued by the relevant competent authority under national laws and regulations relating to environmental protection;

“categories of packaging” means glass, aluminium, steel, paper and fibreboard, plastics, wood and textiles, or such other categories as may be from time to time be specified by the Competent Authority. An item of packaging waste shall be deemed to be comprised of the constituent material which is proportionally largest by weight;

“the Competent Authority” means the Malta Environment and Planning Authority and such other body or person as the Minister may by order in the Gazette, prescribe and different bodies or persons may be designated as the competent authority for different provisions and different purposes of these regulations;

“composite packaging” means packaging made of different materials, and which cannot be separated by hand, none exceeding a given percentage by weight;

“to convert” means to use or modify packaging or packaging material in the production or formulation of packaging;

“energy recovery” means the use of combustible packaging waste as a means to generate energy through direct incineration with or without other waste but with recovery of the heat;

“filler” or “packer” means a person who puts goods into packaging, and “fill” and “pack” shall be construed accordingly;

“generated packaging waste” means the amount of packaging that becomes waste within the meaning of regulation 2 of the Waste Management (Permit and Control) Regulations, 2001, within the territory of Malta, after having been used to contain, protect, handle, deliver and present goods; L.N. 337 of 2001.

“incidental presence” means the presence of a metal as an unintended ingredient of a packaging or packaging component;

“intentional introduction” means the act of deliberately utilising a substance in the formulation of a packaging or a packaging component where its continued presence is desired in the final packaging or packaging component to provide a specific characteristic, appearance or quality and “intentionally introduced” shall be construed accordingly. The use of recycled materials as feedstock for the manufacture of new packaging materials, where some portion of the recycled materials may contain amounts of regulated metals, is not considered intentional introduction;

“the Minister” means the Minister responsible for the respective Acts;

“organic recycling” means the aerobic (composting) or anaerobic (biomethanization) treatment, under controlled conditions and using micro-organisms, of the biodegradable parts of packaging waste, which produces stabilized organic residues or methane. Landfill shall not be considered a form of organic recycling;

“packaging” means all products made of any materials of any nature to be used for the containment, protection, handling, delivery and presentation of goods, from raw materials to processed goods, from the producer to the user or the consumer. “Non-returnable” items used for the same purposes shall also be considered to constitute packaging;

“packaging” consists only of –

(a) sales packaging or primary packaging, which is packaging conceived so as to constitute a sales unit to the final user or consumer at the point of purchase;

(b) grouped packaging or secondary packaging, which is packaging conceived so as to constitute at the point of purchase a grouping of a certain number of sales units whether the latter is sold as such to the final user or consumer or whether it serves only as a means to replenish the shelves at the point of sale; it can be removed from the product without affecting its characteristics;

(c) transport packaging or tertiary packaging, which is packaging conceived so as to facilitate handling and transport of a number of sales units or grouped packagings in order to prevent physical handling and transport damage. Transport packaging does not include road, rail, ship and air containers;

Provided that:

(i) items shall be considered to be packaging if they fulfil the abovementioned definition without prejudice to other functions which the packaging might also perform, unless the item is an integral part of a product and it is necessary to contain, support or preserve that product throughout its

lifetime and all elements are intended to be used, consumed or disposed of together;

(ii) items designed and intended to be filled at the point of sale and 'disposable' items sold, filled or designed and intended to be filled at the point of sale shall be considered to be packaging provided they fulfil a packaging function;

(iii) packaging components and ancillary elements integrated into packaging shall be considered to be part of the packaging into which they are integrated. Ancillary elements hung directly on, or attached to, a product and which perform a packaging function shall be considered to be packaging unless they are an integral part of this product and all elements are intended to be consumed or disposed of together;

The items listed in Schedule 1 are illustrative examples of the application of these criteria;

“packaging waste” means any packaging or packaging material covered by the definition of waste in the Waste Management (Permit and Control) Regulations, 2001, excluding production residues;

“packaging waste recovered or incinerated at waste incineration plants with energy recovery” means the quantity of packaging waste generated in Malta that is recovered or incinerated at waste incineration plants with energy recovery, irrespective of whether the packaging waste is recovered or incinerated at waste incineration plants with energy recovery within Malta, in another Member State or outside the Community;

“prevention” means the reduction of the quantity and of the harmfulness for the environment of:

- materials and substances contained in packaging and packaging waste,
- packaging and packaging waste at production process level and at the marketing, distribution, utilization and elimination stages,

in particular by developing “clean” products and technology;

“economic operator” means a person who for the purpose of trade or otherwise in the course of business, imports, manufactures, converts, distributes, fills, packs, sells or otherwise supplies to other persons or otherwise puts packaging material or packaging, or packaged products, on the market; and “produce” shall be construed accordingly;

“producer” means any person in Malta who puts packaging or packaging material on the market for the first time within the territory of Malta on a professional basis;

“product loops which are in a closed and controlled chain” means product loops in which products circulate with a controlled reuse and distribution system and in which the recycled material originates only from these entities in the chain so that the introduction of external material is just the minimum technically feasible and from which these entities may only be removed in a specially authorised procedure so that return rates are maximised;

“put on the market” means when a packaging or packaging material is supplied or made available, whether in return for payment or free of charge, to a third party in Malta and includes import into the customs territory of Malta; and “putting a product on the market” shall be construed accordingly;

“rate of recovery or incineration at waste incineration plants with energy recovery” means the total quantity of packaging waste recovered or incinerated at waste incineration plants with energy recovery, divided by the total quantity of generated packaging waste, expressed as a percentage;

“recovered packaging waste” means the quantity of packaging waste generated in Malta that is recovered, irrespective of whether the packaging waste is recovered within Malta, in another Member State or outside the Community;

“recycled packaging waste” means the quantity of packaging waste generated in Malta that is recycled, irrespective of whether the packaging waste is recycled within Malta, in another Member State or outside the Community;

“recycling” means the reprocessing in a production process of the waste materials for the original purpose or for other purposes including organic recycling but excluding energy recovery;

“recycling rate” means the total quantity of recycled packaging waste, divided by the total quantity of generated packaging waste, expressed as a percentage;

“reuse” means any operation whereby packaging, which has been conceived and designed to accomplish within its life cycle a minimum number of trips or rotations, is refilled or used for the same purpose for which it was conceived, with or without the support of auxiliary products present on the market enabling the packaging to be refilled; such reused packaging will become packaging waste when no longer subject to reuse;

“seller” means a person who supplies packaging to a user or a consumer of that packaging, whether or not the filling of the package has taken place at the time of the supply, and “sell” shall be construed accordingly.

(2) All other terms shall have the same meaning as that assigned to them in regulation 2 of the Waste Management (Permit and Control) Regulations, 2001.

4. (1) The Competent Authority shall take necessary measures to ensure that packaging may be put on the market only if it complies with all essential requirements defined by these regulations including Schedule 2:

Essential requirements of packaging.

Provided that the requirements for the manufacturing of packaging shall in no case apply to packaging used for a given product before the date of entry into force of these regulations.

(2) Packaging shall be deemed to comply with the essential requirements of Schedule 2 to these regulations if it complies with Maltese standard MSA EN 13427::2004 or MSA EN 13428::2004 or MSA EN 13429::2004 or MSA EN 134230::2004 or MSA EN 13431::2004 or MSA EN 13432::2004.

5. (1) Producers shall not import, manufacture, supply or use packaging material and packaging if the aggregate concentrations of lead, cadmium, mercury and hexavalent chromium present in each packaging material or packaging exceeds 100 parts per million (ppm) by weight.

Concentration levels of regulated metals in packaging.

(2) The concentration levels referred to in sub-regulation (1) hereof shall not apply to packaging entirely made of lead crystal glass as defined in the relevant regulations.

**6.** (1) Without prejudice to regulation 5 of these regulations, plastic crates and plastic pallets shall, until the 8th February, 2009, be allowed to exceed the limits of 100 ppm by weight of the sum of the concentration levels of lead, cadmium, mercury and hexavalent chromium. This provision applies exclusively to plastic crates and plastic pallets used in product loops which are in a closed and controlled chain.

(2) Plastic crates and plastic pallets referred to in sub-regulation (1) hereof shall have been:

(a) manufactured in a controlled recycling process, in which the recycled material originates only from other plastic crates or plastic pallets and in which the introduction of external material is just the minimum technically feasible, up to a maximum of 20% by weight. Returned entities that are no longer reusable shall be treated in accordance with paragraph (b) hereof:

Provided that no lead, cadmium, mercury or hexavalent chromium shall be intentionally introduced as an element during the manufacture or distribution as opposed to the incidental presence of any of these elements:

Provided further that the plastic crate or plastic pallet to which this derogation applies may only exceed the concentration limits as a result of the addition of recycled materials;

(b) introduced in a controlled distribution and reuse system complying with the following conditions:

(i) new plastic crates or pallets containing the regulated metals shall be identified in a permanent and visible way,

(ii) the producer establishes to the satisfaction of the Competent Authority a system of inventory and record keeping, including a method of regulatory and financial accountability, to document the compliance with this derogation including the return rates, that is the percentage of returnable entities which are not discarded after use but are returned to the manufacturer or packer and, or filler or an authorised representative. Such return rate shall be as high as possible and shall in no case be lower than 90% over the life cycle of the plastic crates or plastic pallets. The system shall account for all the reusable entities put into, and removed from service,



(iii) all returned entities that are no longer reusable shall be either disposed of by a procedure specifically authorised by the Competent Authority or be recycled in a recycling process, in which the recycled material is made up of plastic crates or plastic pallets in the circuit, and the introduction of external material is the minimum technically feasible, up to a maximum of 20% by weight,

(iv) the manufacturer or his authorised representative shall draw up and submit to the Competent Authority on an annual basis a written declaration of conformity, including an annual report demonstrating how the conditions of this derogation have been complied with. Possible changes to the system and to authorised representatives shall be contained therein,

(v) the manufacturer or his authorised representative shall make this documentation at the disposal of the Competent Authority for inspection purposes for at least four years:

Provided that where neither the manufacturer nor his authorised representative is established within the Community, the obligation to keep the technical documentation available is the responsibility of the person who puts the product on the market.

7. Without prejudice to regulation 5 hereof, glass packaging shall be allowed to exceed the limit of 100 ppm by weight of the sum of the concentration levels of lead, cadmium, mercury and hexavalent chromium. Derogation for glass packaging.

Provided that:

(a) no lead, cadmium, mercury or hexavalent chromium shall be intentionally introduced during the manufacturing process. The packaging material may only exceed the concentration limits because of the addition of recycled materials;

(b) where the average heavy metals concentration levels on any twelve consecutive monthly controls made from the production of each individual glass furnace, representative of normal and regular production activity, exceeds the 200 ppm limit, the manufacturer or his authorised representative who puts the product on the Market shall submit a report to the competent authority;

(c) such report as is mentioned in paragraph (b) of this proviso shall provide information as to:-

- measure values,
- description of measurement methods employed,
- suspected sources for the presence of heavy metals concentration levels,
- detailed description of the measures taken to reduce the heavy metals concentration levels;

Provided that where neither the manufacturer nor his authorised representative is established within the Community, the obligation to keep the technical documentation available is the responsibility of the person who puts the product on the market;

(d) measurement results from production sites and measurement methods employed shall be made available at any time to the Competent Authority if requested.

Recovery and  
Recycling targets.

**8.** (1) Producers shall take necessary measures to attain the targets laid down in Schedule 3 to these regulations.

(2) For the purposes of achieving the objectives, and satisfying the provisions of sub-regulation (1) hereof, each producer shall, by the deadline laid down in the first column of the table of Schedule 3 to these regulations:

(a) recover or incinerate at waste incineration plants with energy recovery the percentage stipulated in the second column of the table of Schedule 3 to these regulations as a minimum by weight of all packaging waste resulting from packaging and packaging material the producer puts on the market; and

(b) recycle between the percentage stipulated in the third column of the table of Schedule 3 to these regulations as a minimum and 80% as a maximum by weight of all packaging waste resulting from packaging and packaging material the producer puts on the market with a minimum of:

(i) the percentage stipulated in the fourth column of the table of Schedule 3 to these regulations as a minimum by weight for glass contained in packaging waste;

(ii) the percentage stipulated in the fifth column of the table of Schedule 3 to these regulations as a minimum by weight for metals contained in packaging waste;

(iii) the percentage stipulated in the sixth column of the table of Schedule 3 to these regulations as a minimum by weight for plastics contained in packaging waste, counting exclusively material that is recycled back into plastics;

(iv) the percentage stipulated in the seventh column of the table of Schedule 3 to these regulations as a minimum by weight for paper and board contained in packaging waste; and

(v) the percentage stipulated in the eighth column of the table of Schedule 3 to these regulations as a minimum by weight for wood contained in packaging waste.

(3) For the purpose of calculating the targets referred to in sub-regulation (2) hereof, the Competent Authority shall consider that:

(a) generated packaging waste shall not include any kind of residues from the production of packaging or packaging materials, or from any other production process;

(b) packaging waste generated in Malta may be deemed to be equal to the amount of packaging or packaging material put on the market in the same calendar year (i.e. from 1 January to 31 December) within the territory of Malta by each producer;

(c) the data for total packaging shall cover all packaging as defined in sub-regulation (3) of regulation 2 and sub-regulation (1) of regulation 3 of these regulations. In particular for materials occurring in smaller quantities and those not mentioned in these regulations, estimates may be used. These estimates shall be based on the best information available and shall be described in accordance with sub-regulation 2 of regulation 15 of these regulations;

(d) reusable packaging shall be considered to be put on the market when it is made available for the first time, together with the goods it is intended to contain, protect, handle, deliver or present;

(e) reusable packaging shall not be considered packaging waste when it is sent back for reuse;

(f) reusable packaging shall not be considered to be put on the market as packaging when it has been reused with a good and is made available again;

(g) reusable packaging discarded at the end of its useful life shall be considered packaging waste;

(h) packaging waste generated in Malta from reusable packaging may be deemed to be equal to the amount of reusable packaging or packaging material put on the market in the same calendar year (i.e. from 1 January to 31 December) within the territory of Malta by each producer;

(i) the weight of recovered or recycled packaging waste shall be the input of packaging waste to an effective recovery or recycling process. If the output of a sorting plant is sent to effective recycling or recovery processes without significant losses, it shall be acceptable to consider this output to be the weight of recovered or recycled packaging waste;

(j) the weight of recovered or recycled packaging waste shall be measured using a natural humidity rate of the packaging waste comparable to the humidity of equivalent packaging put on the market;

(k) corrections shall be made to measured data relating to the weight of recovered or recycled packaging waste, if the humidity rate of that packaging waste regularly and significantly differs from that of packaging put on the market and if this factor risks leading to substantial over or under estimates of packaging recovery or recycling rates. Those corrections shall be limited to exceptional cases, caused by specific climatic or other conditions;

(l) the weight of recovered or recycled packaging waste shall, as far as is practical, exclude non-packaging materials collected together with the packaging waste;

(m) corrections shall be made to the data relating to the weight of recovered or recycled packaging waste, if non-packaging materials in the waste sent to an effective recovery or recycling process risk leading to substantial over or under estimates of packaging recovery or recycling rates; and

(n) no corrections shall be made in the case of small amounts of non-packaging materials, or for such contamination as can regularly be found in packaging waste.

(4) In sub-regulation (3) hereof, the provisions on recovery shall apply *mutatis mutandis* to packaging waste incinerated at waste incineration plants with energy recovery.

(5) Packaging waste generated in other Member States or imported from outside the Community and sent to Malta for subsequent recovery or incineration at waste incineration plants with energy recovery within or outside Malta shall not count for the achievement of the obligations and targets of sub-regulation (2) hereof.

(6) Packaging waste exported out of the Community, shall only count for the achievement of the obligations and targets of sub-regulation (2) hereof if there is sound evidence that the recovery and, or recycling operation took place under conditions that are broadly equivalent to those prescribed by the Community legislation on the matter.

(7) Transboundary movements of packaging waste shall be carried out in accordance with the following regulations, as amended from time to time:

(i) Council Regulation (EEC) No. 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community;

(ii) Council Regulation (EC) No. 1420/1999 of 29 April 1999 establishing common rules and procedures to apply to shipments to certain non-OECD countries of certain types of waste; and

(iii) Commission Regulation (EC) No. 1547/1999 of 12 July 1999 determining the control procedures under Council Regulation (EEC) No. 259/93 to apply to shipments of certain types of waste to certain countries to which OECD Decision C(92)39 final does not apply.

**9.** The Competent Authority shall maintain a database containing annual records about packaging and packaging waste according to the format specified in Schedule 4 to these regulations. Database for packaging.

**10. (1)** The Competent Authority, in consultation with producers and industry organisations and as the Minister may prescribe, may take such measures it may deem appropriate in order to:- Powers of the Competent Authority.

(a) implement other preventive measures in addition to the measures to prevent the formation of packaging waste taken in accordance with regulation 4 of these regulations. Such other

measures may consist of national programmes, projects to introduce producer responsibility to minimise the environmental impact of packaging or similar actions designed to bring together and take advantage of the many initiatives taken in Malta as regards prevention. They shall comply with the objectives of these regulations as defined in sub-regulation (2) of regulation 1 of these regulations;

(b) conduct information campaigns for users or consumers and producers of packaging on:

(i) the measures and targets referred to in these regulations,

(ii) the return, collection and recovery systems available to them,

(iii) their role in contributing to reuse, recovery and recycling of packaging and packaging waste,

(iv) the meaning of markings on packaging existing on the market,

(v) the appropriate elements of the management plans for packaging and packaging waste as referred to in sub-regulation (2) hereof;

(c) promote consumer information and awareness campaigns;

(d) encourage, where appropriate, energy recovery, where it is preferable to material-recycling for environmental and cost-benefit reasons. This could be done by considering a sufficient margin between national recycling and recovery targets;

(e) encourage, where appropriate, the use of materials obtained from recycled packaging waste for the manufacturing of packaging and other products by:

(i) improving market conditions for such materials;

(ii) reviewing existing regulations preventing the use of those materials;

(f) encourage, where appropriate, studies and pilot projects concerning the following and other prevention instruments:

(i) additional prevention measures to reduce the environmental impact of packaging as far as possible without compromising its essential functions;

(ii) the possible development of a packaging environment indicator to render packaging waste prevention simpler and more effective;

(iii) packaging waste prevention plans;

(iv) encouragement of reuse and, in particular, comparison of the costs and benefits of reuse and those of recycling;

(v) producer responsibility including its financial aspects;

(2) In pursuance of the objectives and measures referred to in these regulations, the Competent Authority shall include in the waste management plans required pursuant to the provisions of sub-regulation (3) of regulation 4 of the Waste Management (Permit and Control) Regulations, 2001, a specific chapter on the management of packaging and packaging waste, including measures taken pursuant to this regulation.

**11.** Without prejudice to other existing laws and regulations, the Competent Authority shall not impede the putting on the market of packaging that satisfies the provisions of these regulations.

Freedom to put on the market.

**12.** The Competent Authority may charge producers such fees as necessary to cover the costs of the administration of these regulations.

Charging of fees by the Competent Authority.

**13.** (1) Producers or third parties acting on their behalf shall, with respect to packaging waste arising from their activities, use existing systems or set up systems, individually or collectively, or both, in accordance with any existing laws and regulations, to provide for:

Producers of packaging.

(a) the return and, or collection of used packaging and, or packaging waste from the consumer, other final user, or from the waste stream in order to channel it to the most appropriate waste management alternatives;

(b) the reuse or recovery including recycling of the packaging and/or packaging waste collected;

(c) the use of materials obtained from recycled packaging waste for the manufacturing of packaging and other products;

(2) For the purposes of achieving the objectives, and satisfying the provisions of sub-regulation (1) hereof, the Competent Authority may, with respect to packaging waste arising from their activities, require any economic operator to:

(a) provide adequate facilities at their premises or at other designated areas or premises for the deposition of packaging by customers at no net cost to the latter, and for the reception, segregation and storage of packaging waste;

(b) display a notice on such areas or premises indicating that packaging waste of the type put on the market by the producer will be accepted, free of charge;

(c) accept from any person, packaging waste of the type of packaging or packaged product supplied by that producer;

(d) arrange for the collection of packaging waste from any other producer to whom packaging or packaged products are supplied by the producer;

(e) arrange for the packaging waste so accepted and/or collected to be:

(i) taken back by a supplier of such packaging, or

(ii) recovered by the producer or by an operator of an authorised packaging waste recovery scheme,

or

(iii) made available for recycling or recovery, namely that it is segregated, offered to recyclers or recoverers and stored pending collection by a recycler or recoverer.

(3) No economic operator shall dispose of such packaging waste without first making it available for reuse or recovery including recycling.

Records.

**14.** Producers or third parties acting on their behalf shall keep three-year records in relation to packaging or packaging material they put on the market and in relation to packaging waste reused, recycled, recovered or incinerated at waste incineration plants with energy



recovery as well as disposed of, by weight for each category of material specified, so as to ensure compliance with the conditions as specified under regulation 15 of these regulations.

**15.** (1) Notwithstanding the provisions of regulation 13 of these regulations, producers or third parties acting on their behalf, shall provide the Competent Authority with a packaging declaration on a quarter and annual basis, which shall include the following information:

Packaging  
declaration.

- (a) names and addresses of producers who took back packaging or packaging material;
- (b) weights of packaging or packaging material put on the market for each category of material specified;
- (c) weights of packaging waste taken back at each premises for each category of material specified;
- (d) a description of any systems used or set up in accordance with regulation 13 of these regulations;
- (e) details of any deposit-refund scheme or other scheme adopted in order to ensure the return of packaging by consumers;
- (f) how the packaging waste in each category was reused, recovered and, or recycled, and how the balance was disposed of;
- (g) how the consumers were informed of this packaging waste collection service or of the packaging waste collection service of the third parties acting on his behalf;
- (h) information about concentration levels of heavy metals such as lead, cadmium, mercury and hexavalent chromium present in packaging material or packaging put on the market within the meaning of regulation 7 of these regulations, and the presence of noxious and other hazardous substances and materials within the meaning of the third indent of point 1 of Schedule 2 to these regulations;
- (i) information about packaging waste considered as hazardous due to contamination by product contents, within the meaning of the Waste Management (Permit and Control) Regulations, 2001 in particular if it is not suitable for recovery;
- (j) any other additional relevant information as required by the Competent Authority.

(2) For the purposes of achieving the objectives, and satisfying the provisions of sub-regulation (1) hereof:

(a) producers or third parties acting on their behalf shall complete the tables shown in Schedule 4 to these regulations on a quarter and annual basis:

Provided that the tables referred to hereof shall cover the whole of each reporting period (quarter or calendar year, where appropriate), and shall be submitted to the Authority within twenty (20) working days following the end of that period:

Provided further that composite packaging shall be reported under the predominant material by weight. Additionally, separate data on recovery and recycling of composite materials may be provided on a voluntary basis;

(b) producers or third parties acting on their behalf shall send, together with the completed tables referred to in paragraph (a) hereof, an appropriate description of how the data has been compiled. That description shall also give an explanation of any estimates used:

Provided that significant corrections shall be reported in the descriptions relating to the data compilation, provided for hereof;

(c) producers or third parties acting on their behalf shall also report the following information to the Authority together with the data referred to in paragraphs (a) and (b) hereof within the same reporting period:

(i) an up-to-date list of all authorised waste management undertakings that the producers or third parties acting on their behalf used during the reporting period for the carrying out of the waste management operations involved in the systems referred to in regulation 13 of these regulations;

(ii) proof, to the satisfaction of the Competent Authority, of reuse, recycling, recovery or incineration at waste incineration plants with energy recovery as well as disposal for the packaging waste managed by the systems referred to in regulation 13 of these regulations. This may include a signed declaration from an authorised waste management undertaking or a copy of the certificate that the packaging waste has been recovered or disposed of in an environmentally sound manner (certificate of waste recovery

or disposal). The form of this certificate shall be part of the consignment note that accompanies the shipment as per Council Regulation (EEC) No. 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community;

(d) producers or third parties acting on their behalf may provide, on a voluntary basis, such further data on packaging and packaging waste as is available. Such data may include the following:

(i) data on production, exports and imports of empty packaging;

(ii) data on reusable packaging; and

(iii) specific sub-fractions of packaging such as composite packaging.

(3) The Competent Authority may specify the format in which such information is to be made available.

(4) The Competent Authority shall make these reports available in accordance with the Freedom of Access to Information on the Environment Regulations, 2001.

L.N. 217 of 2001.

(5) The Competent Authority shall take into account the particular problems of small and medium-sized enterprises in providing detailed data.

**16.** The Competent Authority may exempt a producer from all or part of these regulations provided the producer provides evidence to the Competent Authority of participating in an authorised packaging waste recovery scheme.

Participation in a packaging waste recovery scheme.

**17.** (1) If a producer chooses to make use of an existing authorised packaging waste recovery scheme, he shall be required to submit to the Competent Authority a signed agreement with the operator of the authorised packaging waste recovery scheme to prove that the scheme complies with the provisions of these regulations.

Signed agreement with operator of a packaging waste recovery scheme.

(2) By 30 June 2006, the producer shall moreover submit to the Competent Authority a statement of compliance with the provision of these regulations, signed by the operator of the authorised packaging waste recovery scheme, in respect of packaging or packaging material put on the market by the producer between 1 January 2005 and 31

December 2005, and thereafter the information shall be provided by 31 March each year in respect of the packaging or packaging material which has been put on the market by the producer during the immediately preceeding year.

(3) The operator of the authorized packaging waste recovery scheme referred to in sub-regulation (1) of this regulation shall:

(a) bind himself to carry out the activities agreed to and on behalf of the producer in accordance with any existing laws and regulations,

(b) provide the Competent Authority by 30 June 2006 with the information referred to in regulation 15 of these regulations as it applies *mutatis mutandis* to the producer, in respect of the packaging or packaging material put on the market by the producer between 1 January 2005 and 31 December 2005, and thereafter a statement of compliance shall be provided by 31 March each year in respect of the packaging or packaging material which has been put on the market by the producer during the immediately preceeding year, and

(c) provide the Competent Authority by 30 June 2006 with a statement of compliance of the producer with the provisions of these regulations, in respect of the packaging or packaging material put on the market by the producer between 1 January 2005 and 31 December 2005, and thereafter the information shall be provided by 31 March each year in respect of the packaging or packaging material which has been put on the market by the producer during the immediately preceeding year.

(4) The Competent Authority may specify the format in which such information is to be made available.

(5) The Competent Authority shall make this information available in accordance with the Freedom of Access to Information on the Environment Regulations, 2001.

Marking and  
identification  
system.

**18.** (1) Producers shall ensure that the nature of any packaging material used is indicated on the packaging for the purposes of its identification and classification in order to facilitate the collection, reuse and recovery including recycling of packaging waste.

(2) Producers shall ensure that packaging bears the appropriate marking either on the packaging itself or on the label according to any existing laws and regulations. Such marking shall be

clearly visible and easily legible, appropriately durable and lasting, even when the packaging is opened.

**19.** The users and consumers of packaging and the holders of packaging waste shall co-operate with, and participate in any system set up for the reuse, recovery and recycling of packaging waste. Accordingly, they shall segregate, deposit and return packaging as required by the system.

Duty of users and consumers of packaging.

**20.** (1) The Competent Authority shall maintain and make available in accordance with this regulation a register relating to the producers who register in accordance with regulation 21 of these regulations and containing information relating to producer registration as prescribed in Schedule 6 to these regulations.

Register of producers.

(2) The Competent Authority shall:

(a) ensure that the register is open for inspection at its principal office by members of the public free of charge at all reasonable hours; and

(b) permit members of the public to obtain copies of entries in the register on payment of a fee as may be prescribed in Schedule 8 to the Waste Management (Permit and Control) Regulations, 2001.

(3) The register may be kept in any form but shall be indexed and arranged so that members of the public can readily trace information contained in it.

(4) The Competent Authority shall amend the relevant entry in the register to record any change to the information entered and shall note the date on which the amendment is made.

(5) For the avoidance of doubt, nothing in this regulation shall require a register maintained by the Competent Authority to contain information relating to any criminal proceedings (including prospective proceedings) or to anything which is the subject matter of such proceedings, at any time before those proceedings are finally disposed of.

(6) Nothing in this regulation shall require a register maintained by the Competent Authority to contain any information which has been superseded by later information after four years have elapsed from that later information being entered in the register.

Registration.

**21.** (1) By 31 January 2006 each producer shall apply to the Competent Authority for registration, and from 1 January 2006 each producer shall register with the Competent Authority by 31 January, and each producer shall register with the Competent Authority by 31 January each year thereafter.

(2) Where a producer ceases to put packaging and packaging material on the market he shall inform the Competent Authority within 20 working days of his ceasing to do so.

(3) An application by a producer to register shall:

(a) be made in writing;

(b) contain at least the information in Schedule 6 to these regulations; and

(c) be accompanied by a fee as may be prescribed in Schedule 8 to the Waste Management (Permit and Control) Regulations, 2001.

L.N. 337 of 2001.

(4) The details provided by a producer in compliance with the obligations referred to in sub-regulations (1), (2) and (3) hereof shall be included in the Register of Producers to be maintained by the Competent Authority under regulation 20 of these regulations.

(5) The Competent Authority shall confirm receipt of a producer's application for registration in writing within 20 working days of receipt and approve these applications within 20 working days of confirming receipt.

Information and reporting.

**22.** (1) By 31 January 2006 each producer who applies for registration under sub-regulation (1) of regulation 20 of these regulations, shall provide to the Competent Authority the following information for the year 2005:

(a) relating to the categories of packaging or packaging material which he has put on the market as set out in table 1 of Schedule 6 to these regulations; and

(b) the quantities and weight of packaging or packaging material which he has placed on the market.

(2) By 31 January 2007 each producer shall provide to the Competent Authority the information referred to in sub-regulation (1) hereof, in respect of packaging and packaging material put on the market

between 1 January 2006 and 31 December 2006, and thereafter the information shall be provided by 31 January each year in respect of the packaging and packaging material which has been put on the market during the immediately preceeding year.

(3) The information referred to in sub-regulation (1) hereof shall be provided in writing.

(4) The Competent Authority may specify the format in which such information is to be made available.

**23.** (1) Where the business of a producer is transferred in whole or in part to another person the producer shall be treated as remaining responsible for packaging and packaging material in respect of which he has made an application to register under regulation 21 of these regulations, unless he is able to demonstrate to the Competent Authority that the person to whom the transfer has been made has agreed to meet the producer's obligations in respect of any such packaging and packaging material under these regulations.

Transfer of a producer's business to another.

(2) Where sub-regulation (1) hereof applies, the person to whom the whole or part of a business is transferred is a producer for the purposes of these regulations, and that person shall:

(a) apply to the Competent Authority for registration under regulation 21 of these regulations; and

(b) undertake to meet the recovery and recycling targets in regulation 8 of these regulations.

**24.** (1) Persons who intend to operate a packaging waste recovery scheme as required under these regulations, including the collection, sorting, storage, export, recovery and recycling of packaging waste on behalf of producers shall require and obtain a valid permit from the Competent Authority in terms of the Waste Management (Permit and Control) Regulations, 2001.

Permit required by operators of packaging waste recovery schemes.

(2) Without prejudice to the Waste Management (Permit and Control) Regulations, 2001, in applying for such a permit, any such person shall provide the Competent Authority with the following information as applicable:

Application for permit to operate a packaging waste recovery scheme.

(a) a copy of the Memorandum and Articles of Association;

(b) a copy of a valid development permit issued under the Development Planning Act;

(c) a description of the proposed system which will provide for the acceptance, at no net cost to the consumer, segregation, storage and transportation of the packaging waste;

(d) details of any deposit-refund scheme or other scheme adopted in order to ensure the return of packaging by consumers;

(e) annual weights of packaging waste in each category to be reused, recovered and recycled;

(f) annual packaging waste recovery targets to be achieved under the proposed scheme;

(g) proposals for determining and verifying the level of recovery of packaging waste under the proposed scheme, including estimations and assumptions to be made in this process;

(h) proposals for the certification of producers who will make use of this scheme;

(i) proposals of how the information in regulation 15 hereof will be compiled and made available to the Competent Authority;

(j) any other relevant information requested by the Competent Authority.

(3) The Competent Authority may specify the format in which such information is to be made available.

(4) The Competent Authority shall make this information available in accordance with the Freedom of Access to Information on the Environment Regulations, 2001.

L.N. 217 of 2001.

Services offered by  
scheme operators.

**25.** The services offered by operators of packaging waste recovery schemes shall:

(a) be available to producers of the sectors concerned and open to the participation of the competent authority under non-discriminatory conditions and shall be designed so as to avoid any barriers to trade or distortions of competition in conformity with the relevant regulations; and

(b) take into account, in particular, requirements regarding the protection of environmental and consumer health, safety and hygiene, the protection of the quality, the authenticity and the



technical characteristics of the packed goods and materials used; and the protection of industrial and commercial property rights.

**26.** (1) For the purposes of achieving the objectives, and Agreements. satisfying the provisions of these regulations, economic operators may be parties to agreements with the Competent Authority. Such agreements shall specify the detailed rules of implementation of these regulations.

(2) Moreover:

- (a) these agreements shall be enforceable at law;
- (b) they shall specify the objectives with the corresponding deadlines;
- (c) they shall be published in the Gazette;
- (d) the results achieved under an agreement shall be monitored regularly, reported to the competent authorities and made available to the public under the conditions set out in the agreement;
- (e) the competent authorities shall make provisions to examine the progress reached under an agreement.

**27.** Any person shall be guilty of an offence under these Offences under these regulations. regulations if:

- (a) he fails to comply with any provision of these regulations or fails to comply with permit conditions or with any order lawfully given in terms of any provision of these regulations; or
- (b) he contravenes any restriction, prohibition or requirement imposed by or under these regulations; or
- (c) he acts in contravention of any of the provisions of these regulations; or
- (d) he conspires or attempts, or aids, or abets, any other person by whatever means, including advertising, counselling or procurement to contravene the provisions of these regulations or to fail to comply with any such provisions (including any order lawfully given in terms of any of the provision of these regulations) or to contravene any restriction, prohibition or requirement imposed by or under the said regulations.

Penalties.

**28.** Any person who commits an offence against these regulations shall, on conviction, be liable:

(a) on a first conviction, to a fine (*multa*) of not less than five hundred Maltese liri (Lm500), but not exceeding one thousand Maltese liri (Lm1,000);

(b) on a second conviction or subsequent convictions, to a fine (*multa*) of not less than one thousand Maltese liri (Lm1,000), but not exceeding two thousand Maltese liri (Lm2,000), or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment:

Provided that whenever any person is found guilty of committing an offence under these regulations by means of a vehicle, the owner of the said vehicle, where applicable, is held liable in the same manner and degree:

Provided further that the court may order any person who has been found guilty of committing an offence against these regulations to pay for the expenses incurred by the Competent Authority mentioned in these regulations as a result of the said offence, the revocation of the permit issued by the Competent Authority and the confiscation of the corpus delicti, including the vehicle, if applicable.

Applicability of  
Cap. 9.

**29.** (1) The provisions of articles 23 and 30 of the Criminal Code shall, *mutatis mutandis*, apply to proceedings in respect of offences against these regulations, so however that the disqualification from holding or obtaining a licence, permit or authority shall in no case be for less than one year.

(2) Notwithstanding the provisions of article 370 of the Criminal Code, proceedings for an offence against these regulations shall be held before the Court of Magistrates (Malta) or the Court of Magistrates (Gozo), as the case may be, and shall be in accordance with the provisions of the Criminal Code regulating the procedure before the said courts as courts of criminal judicature.

(3) Notwithstanding the provisions of the Criminal Code, the Attorney General shall always have a right of appeal to the Court of Criminal Appeal from any judgement given by the Court of Magistrates (Malta) or the Court of Magistrates (Gozo) in respect of proceedings for any offence against these regulations.

**30.** The Waste Management (Packaging and Packaging Waste) Regulations, 2004, are hereby revoked. Revokes L.N. 98 of 2004.

	<b>SCHEDULE 1</b>
	<b>ILLUSTRATIVE EXAMPLES FOR CRITERIA REFERRED TO SUB-REGULATION (1) OF REGULATION 3</b>
	<p><b>1. Illustrative examples for criterion (i):</b></p> <p>(a) <i>Packaging</i></p> <ul style="list-style-type: none"> <li>— Sweet boxes; and</li> <li>— Film overwrap around a CD case.</li> </ul> <p>(b) <i>Non-packaging</i></p> <ul style="list-style-type: none"> <li>— Flower pots intended to stay with the plant throughout its life;</li> <li>— Tool boxes;</li> <li>— Tea bags;</li> <li>— Wax layers around cheese; and</li> <li>— Sausage skins.</li> </ul> <p><b>2. Illustrative examples for criterion (ii):</b></p> <p>(a) <i>Packaging, if designed and intended to be filled at the point of sale</i></p> <ul style="list-style-type: none"> <li>— Paper or plastic carrier bags;</li> <li>— Disposable plates and cups;</li> <li>— Cling film;</li> <li>— Sandwich bags; and</li> <li>— Aluminium foil.</li> </ul> <p>(b) <i>Non-packaging</i></p> <ul style="list-style-type: none"> <li>— Stirrer; and</li> </ul>

- Disposable cutlery.

**3. Illustrative examples for criterion (iii):**

*(a) Packaging*

- Labels hung directly on or attached to a product.

*(b) Part of packaging*

- Mascara brush which forms part of the container closure;
- Sticky labels attached to another packaging item;
- Staples;
- Plastic sleeves; and
- Device for measuring dosage which forms part of the container closure for detergents.

	<b>SCHEDULE 2</b>
	<b>ESSENTIAL REQUIREMENTS ON THE COMPOSITION AND THE REUSABLE AND RECOVERABLE, INCLUDING RECYCLABLE, NATURE OF PACKAGING</b>
	<p>1. Requirements specific to the manufacturing and composition of packaging:</p> <ul style="list-style-type: none"> <li>— Packaging shall be so manufactured that the packaging volume and weight be limited to the minimum adequate amount to maintain the necessary level of safety, hygiene and acceptance for the packed product and for the consumer.</li> <li>— Packaging shall be designed, produced and commercialized in such a way as to permit its reuse or recovery, including recycling, and to minimize its impact on the environment when packaging waste or residues from packaging waste management operations are disposed of.</li> <li>— Packaging shall be so manufactured that the presence of noxious and other hazardous substances and materials as constituents of the packaging material or of any of the packaging components is minimized with regard to their presence in emissions, ash or leachate when packaging or residues from management operations or packaging waste are incinerated or landfilled.</li> </ul> <p>2. Requirements specific to the reusable nature of packaging:</p> <p>The following requirements must be simultaneously satisfied:</p> <ul style="list-style-type: none"> <li>— the physical properties and characteristics of the packaging shall enable a number of trips or rotations in normally predictable conditions of use,</li> <li>— possibility of processing the used packaging in order to meet health and safety requirements for the workforce,</li> <li>— fulfil the requirements specific to recoverable packaging when the packaging is no longer reused and thus becomes waste.</li> </ul> <p>3. Requirements specific to the recoverable nature of packaging:</p> <p>(a) <i>Packaging recoverable in the form of material recycling</i></p>

Packaging must be manufactured in such a way as to enable the recycling of a certain percentage by weight of the materials used into the manufacture of marketable products, in compliance with current standards in the European Community. The establishment of this percentage may vary, depending on the type of material of which the packaging is composed.

*(b) Packaging recoverable in the form of energy recovery*

Packaging waste processed for the purpose of energy recovery shall have a minimum inferior calorific value to allow optimization of energy recovery.

*(c) Packaging recoverable in the form of composting*

Packaging waste processed for the purpose of composting shall be of such a biodegradable nature that it should not hinder the separate collection and the composting process or activity into which it is introduced.

*(d) Biodegradable packaging*

Biodegradable packaging waste shall be of such a nature that it is capable of undergoing physical, chemical, thermal or biological decomposition such that most of the finished compost ultimately decomposes into carbon dioxide, biomass and water.

<b>Regulation 8</b>	<b>SCHEDULE 3</b>
	<b>RECYCLING AND RECOVERY TARGETS</b>

**Table: Minimum overall recovery targets, overall recycling targets and material specific recycling targets for the period 2004 – 2013**

<b>Deadline</b>	<b>Overall Recovery</b>	<b>Overall Recycling</b>	<b>Glass Recycling</b>	<b>Metals Recycling</b>	<b>Plastics Recycling</b>	<b>Paper and Board Recycling</b>	<b>Wood Recycling</b>
1 May 2004	20%	18%	15%	15%	5%	15%	n.a.
31 December 2004	27%	21%	15%	15%	5%	15%	n.a.
31 December 2005	28%	25%	15%	15%	5%	15%	n.a.
31 December 2006	34%	29%	20%	22%	7%	20%	3%
31 December 2007	41%	35%	25%	27%	10%	25%	5%
31 December 2008	47%	41%	30%	31%	13%	30%	7%
31 December 2009	50%	45%	35%	34%	15%	35%	9%
31 December 2010	53%	48%	43%	38%	17.5%	42%	11%
31 December 2011	56%	51%	50%	41%	19.5%	50%	13%
31 December 2012	58%	53%	55%	46%	21.5%	55%	14%
31 December 2013	60%	55%	60%	50%	22.5%	60%	15%

Notes:

- (1) The overall recovery includes recovery and incineration at waste incineration plants with energy recovery.
- (2) There is no maximum target for the overall recovery.
- (3) The maximum target for overall recycling is 80%.
- (4) For the recycling target for plastics, exclusively material that is recycled back into plastics shall be counted.



	<b>SCHEDULE 4</b>
	<b>DATA TO BE INCLUDED BY THE COMPETENT AUTHORITY IN ITS DATABASE ON PACKAGING AND PACKAGING WASTE (IN ACCORDANCE WITH TABLES 1 TO 4)</b>

**Table 1: Quantities of packaging material or packaging put on the market by each producer**

(Tonnes)

Producer's details:		
Material		Packaging material or packaging put on the market
<i>GLASS</i>		
<i>PLASTIC</i>		
<i>PAPER/BOARD</i>		
<i>METAL</i>	<i>Aluminium</i>	
	<i>Steel</i>	
	<i>Total</i>	
<i>WOOD</i>		
<i>OTHER</i>		
<i>TOTAL</i>		

Notes:

- (5) The data in this table refer only to quantities that are supposed to be counted under the obligations of the regulations.
- (6) *Light shaded boxes:* Provision of data is mandatory, but rough estimates are acceptable. These estimates should be explained in the description of the methodology.
- (7) *Dark shaded boxes:* Provision of data is voluntary.

**Table 2: Quantities of packaging waste generated in Malta and recovered or incinerated at waste incineration plants with energy recovery within or outside Malta**

(Tonnes)

Material	Packaging waste generated	Recovered or incinerated at waste incineration plants with energy recovery by:						
		Material recycling	Other forms of recycling	Total recycling	Energy recovery	Other forms of recovery	Incineration at waste incinerators with energy recovery	Total recovery and incineration at waste incineration plants with energy recovery
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
GLASS								
PLASTIC								
PAPER/BOARD								
METAL	Aluminium							
	Steel							
	Total							
WOOD								
OTHER								
TOTAL								

**Notes:**

- (1) *White boxes*: Provision of data is mandatory. Estimates may be used though they should be based on empirical data and explained in the description of the methodology.
- (2) *Light shaded boxes*: Provision of data is mandatory, but rough estimates are acceptable. These estimates should be explained in the description of the methodology.
- (3) *Dark shaded boxes*: Provision of data is voluntary.
- (4) For the purpose of these regulations, the data on material recycling for plastics shall include all material recycled back into plastics.
- (5) Column (c) includes all forms of recycling including organic recycling but excluding material recycling.
- (6) Column (d) must be the sum of columns (b) and (c).
- (7) Column (f) includes all forms of recovery excluding recycling and energy recovery.
- (8) Column (h) must be the sum of columns (d), (e), (f) and (g).
- (9) Rate of recovery or incineration at waste incineration plants with energy recovery for the purpose of sub-regulation (2) of regulation 8 of these regulations: column h/column a.
- (10) Recycling rate for the purpose of sub-regulation (2) of regulation 8 of these regulations: column (d)/column (a).
- (11) The data for wood shall not be used for the purpose of evaluating the minimum recycling targets for materials contained in packaging waste, as provided for in sub-regulation (2) of regulation 8 of these regulations.

**Table 3: Quantities of packaging waste sent to other Member States or exported outside the Community for recovery or incineration at waste incineration plants with energy recovery**

(Tonnes)

Material	Packaging waste sent to other Member States or exported outside the Community for:				
	Material recycling	Other forms of recycling	Energy recovery	Other forms of recovery	Incineration at waste incineration plants with energy recovery
GLASS					
PLASTIC					
PAPER AND BOARD					
METAL	<i>Aluminium</i>				
	<i>Steel</i>				
	Total				
WOOD					
OTHER					
TOTAL					

Notes:

- (1) The data in this table refer only to quantities that are supposed to be counted under the obligations of these regulations. They are a subset of the data already provided in the table 2.
- (2) *Light shaded boxes:* Provision of data is mandatory, but rough estimates are acceptable. These estimates should be explained in the description of the methodology.
- (3) *Dark shaded boxes:* Provision of data is voluntary.

For the purpose of these regulations, the data on material recycling for plastics shall include all material recycled back into plastics.

**Table 4: Quantities of packaging waste generated in other Member States or imported from outside the Community and sent to Malta for recovery or incineration at waste incineration plants with energy recovery**

(Tonnes)

Material	Packaging waste generated in other Member States or imported from outside the Community and sent to the Member State for:				
	Material recycling	Other forms of recycling	Energy recovery	Other forms of recovery	Incineration at waste incineration plants with energy recovery
GLASS					
PLASTIC					
PAPER AND BOARD					
METAL	<i>Aluminium</i>				
	<i>Steel</i>				
	Total				
WOOD					
OTHER					
TOTAL					

Notes:

- (1) The data in this table are provided for information purposes only. They are neither contained in table 2 nor can they be counted for the fulfillment of targets by Malta.
- (2) *Dark shaded boxes:* Provision of data is voluntary.
- (3) For the purpose of these regulations, the data on material recycling for plastics shall include all material recycled back into plastics.

	<p style="text-align: center;"><b>SCHEDULE 5</b></p> <p><b>Regulation 21</b></p>
	<p><b>INFORMATION TO BE CONTAINED IN AN APPLICATION FOR PRODUCER REGISTRATION</b></p>
	<ol style="list-style-type: none"> <li>1. The address and telephone number of the producer and where:             <ul style="list-style-type: none"> <li>— the producer is a company, the registered office;</li> <li>— the producer is not a company, the principal place of business.</li> </ul> </li> <li>2. The business name of the producer if different from that referred to in paragraph 1.</li> <li>3. The details of the person to whom the Competent Authority may address communications.</li> </ol>

<b>Regulation 20</b>	<b>SCHEDULE 6</b>
	<b>PUBLIC REGISTER</b>
	<p>The following information shall be contained in the register in relation to a producer whose application for registration has been approved by the Competent Authority under regulation 21 of these regulations.</p> <ol style="list-style-type: none"> <li>1. the producer's name;</li> <li>2. the Malta address of the registered office or principal place of business of the producer; and</li> <li>3. a statement each year as to whether the producer has met his obligation under regulation 17 of these regulations to furnish a statement of compliance.</li> </ol>