

If you handle packaging as part of your business, you have obligations under the Packaging Regulations.

WHAT IS PACKAGING?

Packaging means any material, container or wrapping, used for or in connection with the containment, transport, handling, protection, promotion, marketing or sale of any product or substance.

ARE YOU A PRODUCER OF PACKAGING?

If you trade or otherwise in the course of business, sell or supply to other persons packaging material, packaging or packaging products you are deemed a producer of packaging.

WHAT OBLIGATION DO PRODUCERS OF PACKAGING HAVE?

All producers of packaging have an obligation to ensure that packaging waste arising on their premises (including back door waste) is managed correctly. Additional obligations apply to major producers of packaging.

HOW SHOULD I MANAGE MY PACKAGING WASTE?

Packaging waste arising on your premises (including back door waste) must be separated by material type and collected by a recovery operator with a valid waste collection permit.

WHAT TYPE OF PACKAGING WASTE MUST BE SEPARATED AND COLLECTED?

Waste aluminium, fibreboard, glass, paper, plastic sheeting, steel and wood must be separated and collected.

WHAT SHOULD I DO WITH ALL OTHER TYPES OF PACKAGING WASTE?

All other types of packaging waste should be collected by a recovery operator with a valid waste collection permit e.g. clear plastic wrap, bubble wrap, polystyrene containers and filler beads.

WHAT DOES THE TERM 'MAJOR PRODUCER OF PACKAGING' MEAN?

If you place more than 10 tonnes of packaging on the Irish market annually and have an annual turnover of more than 1 million euro you are classified as a major producer.

I'M A MAJOR PRODUCER OF PACKAGING - WHAT SHOULD I DO?

Major producers are required to become a member of the approved body (REPAK) or alternatively register each premises with the Local Authority in whose functional area, the premises are located.

Major producers who fail to become a member of the approved body or register with the Local Authority are not fulfilling their obligations under the Regulations and may be prosecuted under the Regulations (see overleaf).



WHAT DOES REGISTRATION WITH THE LOCAL AUTHORITY MEAN?

Major producers can register with the Local Authority. They must pay an annual registration fee to the Local Authority based on the quantity of packaging material and packaging placed on the Irish Market. The major producer must provide take back facilities at their premises for the acceptance, segregation and storage of packaging waste. The major producer must also fix and maintain adequate signage at their premises and publish newspaper notices in local newspapers biannually in March and September detailing their compliance with the Regulations. In addition, the major producer must also submit quarterly and annual packaging reports to the Local Authority including a three-year packaging implementation plan.

HOW DO I REGISTER WITH THE LOCAL AUTHORITY?

Contact your Local Authority environment or waste management department and request an application form for packaging registration.

WHAT APPLICATION FORMS ARE REQUIRED?

You will need to request the following forms: -

- Application for registration with a Local Authority self compliance (packaging)
- Three year implementation plan self compliance (packaging)

WHO CAN COMPLETE THE REGISTRATION FORMS?

It is recommended that you engage a competent person i.e. packaging specialist/consultant to complete the registration forms.

WHEN ARE YOU DEEMED TO BE REGISTERED WITH YOUR LOCAL AUTHORITY?

The registration process will take several weeks to process and is dependent on the full completion of the application forms, all requested information and final submission of the forms and fees to your relevant Local Authority.

WHAT IS AN APPROVED BODY?

An approved body is a body corporate or association approved by the Minister for Communications, Climate Action and Environment (DCCA). REPAK is currently the approved body for packaging and major producers can become a member of REPAK to meet their obligations. REPAK charge fees to its members in accordance with the amount and type of packaging placed on the Irish market. The fees are then used to subsidise the collection and recovery of packaging waste through registered recovery operators across Ireland. If you become a member of the approved body REPAK, you are exempt from certain requirements under the Packaging Regulations.

HOW DO I CONTACT THE APPROVED BODY?

You can contact the approved body as follows: -

REPAK Limited
Red Cow Interchange Estate
1 Ballymount Road
Clondalkin
Dublin 22
Eircode: D22 HW67

Telephone No.: 01 467 0190
E. Mail.: info@repak.ie
Website.: www.repak.ie

WHO IS RESPONSIBLE FOR ENFORCING THE PACKAGING REGULATIONS?

Each Local Authority is responsible for the enforcement of the Packaging Regulations and are required to take such steps as are necessary for this purpose.

WHAT HAPPENS IF I DON'T MEET MY OBLIGATIONS UNDER THE REGULATIONS?

Failure to comply is an offence and can result in a fine and/or prosecution. A person guilty of an offence under the Packaging Regulations is liable on summary conviction to a Class A Fine (up to a maximum of €5,000) or imprisonment not exceeding 12 months, or both.

This document does not purport to be and should not be considered a legal interpretation of the legislation referred to herein



Information distributed by

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