



**What respective legislation regulates packaging and packaging waste disposal in Malta? Which institutions in the country control the legislation compliance? What penalties might a non-complying party face?**

Packaging Waste Legislation is presented in the Republic of Malta by the three main legislative texts, namely Waste Management (Packaging and Packaging Waste) Regulation – Legal Notice 277 of 2006, last amended in 2013; Eco-Contribution Act of 2004 and Eco-Contribution Exemption Regulations of 2010. These regulations transpose the EC Packaging Directive 94/62/EC in the Republic of Malta.

The Malta Environment and Planning Authority (MEPA) serves as a legislation compliance control party. All the parties obliged for collection and recovery of packaging waste under the provisions of the legislation have to be registered with MEPA. The Authority is a well-established institution existing for slightly over 10 years. According to the subjective estimate of recycling industry participants the checks and controls are rather sporadic and tend not to be severe.

The penalties for non-compliance with the legislation depend on number of violations of the regulation; the penalties range from 1,164.69 Euro on a first conviction to up to 4,658.75 Euro on a second.

**What are the criteria for being considered obliged party?**

All types of packaging placed on the market are subjects to collection and recovery. There is a difference by definition between sales, grouped and transport packaging, with all types of packaging being a subject to collection and recovery responsibility.

In accordance with the legislation, every “producer”, meaning the party that puts packaging or packaging material on the market for the first time within the territory of Malta on a professional basis, holds the responsibility for collection and recovery of packaging waste. The collection and recovery responsibility can be fulfilled either by setting up a self-operated system or by joining an authorized recovery system. Each responsible party shall also be registered with MEPA; in case of joining an authorized recovery system – for submitting the registration documents.

Foreign entities can as well join the system directly or through their representatives in the country.

Additionally, a so-called “eco contribution” is obligatory for certain types of packaging in Malta\*.

**Is it possible to voluntarily overtake the compliance responsibility as well as to shift it up/down the supply chain?**

The responsibility is not to be transferred; the first responsible party has to be registered with MEPA. However, arrangements between companies on payment of contribution fee are possible.

**What does a party need to do to enter the compliance scheme?**

A right of setting up an individual compliance system is given by the legislation.

In order to enter the collective compliance scheme, party needs to:

- estimate and collect the expected packaging volume information for the upcoming period,
- submit the volume information to a collective scheme and, upon a successful agreement, sign a cooperation contract,
- register with MEPA for providing evidence of joining a compliance scheme.

Please refer to the recycling quotas in Malta in the table below.

Material Fraction	Recycling Quotas (%)
Paper	60
Glass	60
Plastics	22.5
Metal	50
Wood	15

**Is printing the sign of “contribution to a compliance scheme” on packaging obligatory?**

No, the use of the symbol is not obligatory.

\* please contact us for clarification of the list of products falling under the Eco-Contribution

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