



forestry, fisheries & the environment

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Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

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Dear Mr du Plooy

RE: CLARITY IN TERMS OF THE EXTENDED PRODUCER RESPONSIBILITY FEE CONCURRENCE FOR 2022, 2023 AND 2024

Your correspondence dated 11 December 2024 regarding the Extended Producer Responsibility fee concurrence, regulated in terms of the Regulations Regarding Extended Producer Responsibility, 2020 (EPR Regulations), bears reference.

Your concern regarding the compliance of E-waste Recycling Authority (ERA), registered with the Department Forestry, Fisheries and the Environment (DFFE) as a Producer Responsibility Organisation (PRO) in terms of regulation 10 of the EPR Regulations is noted. The DFFE would like to confirm that ERA, a non-profit company (NPC), was indeed registered as a PRO with the DFFE on 9 June 2021 under the Electrical and Electronic Equipment sector. ERA was then accordingly issued with the EPR Registration number 19/7/6/E/PRO/20210609/002 as proof of registration.

On 15 November 2021, ERA further registered with the DFFE under the Lighting and Paper and Packaging sectors and was issued with the EPR Registration number 19/7/7/L/PRO/20211115/003 and 19/7/5/P/PRO/20211115/020 respectively.

As indicated in your letter, ERA submitted the late proposed EPR fee to the DFFE for the year 2022 on 22 April 2022, as you did not have members at that time and as such, you did not operate the EPR scheme.



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RE: CLARITY IN TERMS OF THE EXTENDED PRODUCER RESPONSIBILITY FEE CONCURRENCE FOR 2022, 2023 AND 2024

According to the information you submitted to the DFFE, after ERA registered members in the EPR scheme, you were able to develop an annual financial plan and budget to operate the scheme which was then submitted to the DFFE on 22 April 2022.

Questions have been raised regarding the 2022 EPR fee concurrence and this letter seeks to provide clarity that the ERA proposed EPR fees, annual financial plan and budget which was submitted to the DFFE late on 22 April 2022, were assessed by the DFFE and included in the EPR fee applications for 2023, which were then sent to the Minister of Finance for concurrence in a letter dated 14 February 2023.

In a response letter dated 5 April 2023, the Minister of Finance refused to grant concurrence to the 2023 EPR fee applications. However, he granted a continuation of the 2022 EPR fee applications for paper and packaging, lighting and electrical and electronic equipment in respect of the applications which were submitted and assessed by the DFFE. This included the late EPR fee application from ERA.

Furthermore, ERA submitted its 2023 and its 2024 proposed EPR fee applications to the DFFE within the stipulated timeframes and these were submitted to the Minister of Finance for concurrence. You are hereby advised that the ERA EPR scheme is compliant with the EPR Regulations' fee concurrence requirements for the Electrical and electronic sector Notice until a new decision on concurrence is issued.

For further engagement with the DFFE on your enquiry, kindly contact Mr Kgauta Mokoena at KMokoena@dffe.gov.za or on 012 399 9825.

Yours sincerely



Ms Nomfundo Tshabalala
DIRECTOR-GENERAL
DATE: 05/02/2025