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**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

NO. 3179

23 March 2023

**NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008  
(ACT NO. 59 OF 2008)****EXTENDED PRODUCER RESPONSIBILITY SCHEME FOR THE PORTABLE BATTERY SECTOR**

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby in terms of section 18(1) and (3) of the National Environmental Management: Waste Act, 2008 (Act No.59 of 2008), require the producers of the identified products to implement the specified extended producer responsibility measures, as set out in the Schedule hereto.

**BARBARA DALLAS CREECY****MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

## SCHEDULE

### Definitions

1. In this Notice any word or expression to which a meaning has been assigned in the Act and in the Extended Producer Responsibility Regulations, 2020, bears that meaning, and unless the context otherwise indicates—

**“Extended Producer Responsibility Regulations, 2020”** means the Regulations published in Government Notice 1184 of Government Gazette 43879 on 5 November 2020;

**“portable battery”** means a battery which is sealed, can be hand-carried without difficulty, and is neither an automotive nor industrial battery; and

**“the Act”** means the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008).

### Scope of Notice

2. (1) This Notice applies to the identified products or class of products listed in paragraph 4 and the resulting waste which arises from the use by a consumer or an end user of portable battery which is intended for distribution in the Republic of South Africa.

- (2) This Notice must be read together with the Extended Producer Responsibility Regulations, 2020.

### Extended Producer Responsibility Measures

3. (1) A producer of identified products or class of identified products, listed in Regulation 4 below must set up procedures, processes and invest resources to implement the extended producer responsibility measures linked to:
  - (a) collection, transportation, storage of their products in the post-consumer stage;
  - (b) recycling; and
  - (c) recovery.
- (2) A Producer contemplated in subparagraph (1) must establish an Extended Producer Responsibility Scheme in accordance with the provisions of the Extended Producer Responsibility Regulations, 2020 and must comply with these Regulations.

### The identification of a product or class of products whereby Extended Producer Responsibility applies

4. Extended Producer Responsibility will be applicable to the following identified products or class of products: Portable battery:
  - (a) Alkaline/Zinc carbon batteries;
  - (b) Primary (single use) Lithium batteries;

- (c) Nickel metal hydride batteries;
- (d) Silver oxide batteries; and
- (e) Zinc air batteries/Air depolarised batteries.

**The targets for each identified waste stream for the products listed in paragraph 4**

5. (1) The targets for each identified product or class of identified products are indicated in Annexure 1 for a period of 5 years from the date of the implementation of the Extended Producer Responsibility Scheme.
- (2) A Producer or the Product Responsibility Organisation, where such organisation has been appointed to implement the Extended Producer Responsibility Scheme, is responsible to comply with the targets set out in Annexure 1 through implementation of the Extended Producer Responsibility Scheme.

**ANNEXURE 1**

**Collection and Recycling targets for all identified products in paragraph 4 of this Notice**

	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Collected and recovered/recycled (tonnes)</b>	Set up & pilot & collection	Set up & pilot & collection	19,17	38,34	76,68