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INTRODUCTION TO THE EPR FOR PACKAGING IN AUSTRIA

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Source: EXPRA

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IMPLEMENTATION OF THE PACKAGING DIRECTIVE

- **3 countries without any compliance scheme => Taxes**
- Denmark, Hungary, Croatia

36
European
Countries

EPR in Ukraine
continuous discussion

Trading of certificates
UK, (Poland)

1 country with Fund Scheme run by industry
Iceland

30 with Producer Responsibility
Austria, Belgium, France, Spain, Germany, Ireland, Cyprus, Luxembourg, Portugal, Sweden, Greece, Latvia, Malta, Lithuania, Czech Republic, Slovak Republic, Italy, Slovenia, Estonia, Romania, Bulgaria, Turkey, Norway, Finland, Serbia, Israel, Netherlands, Poland, Macedonia, Bosnia I Herzegovina

Source: EXPRA (edited)

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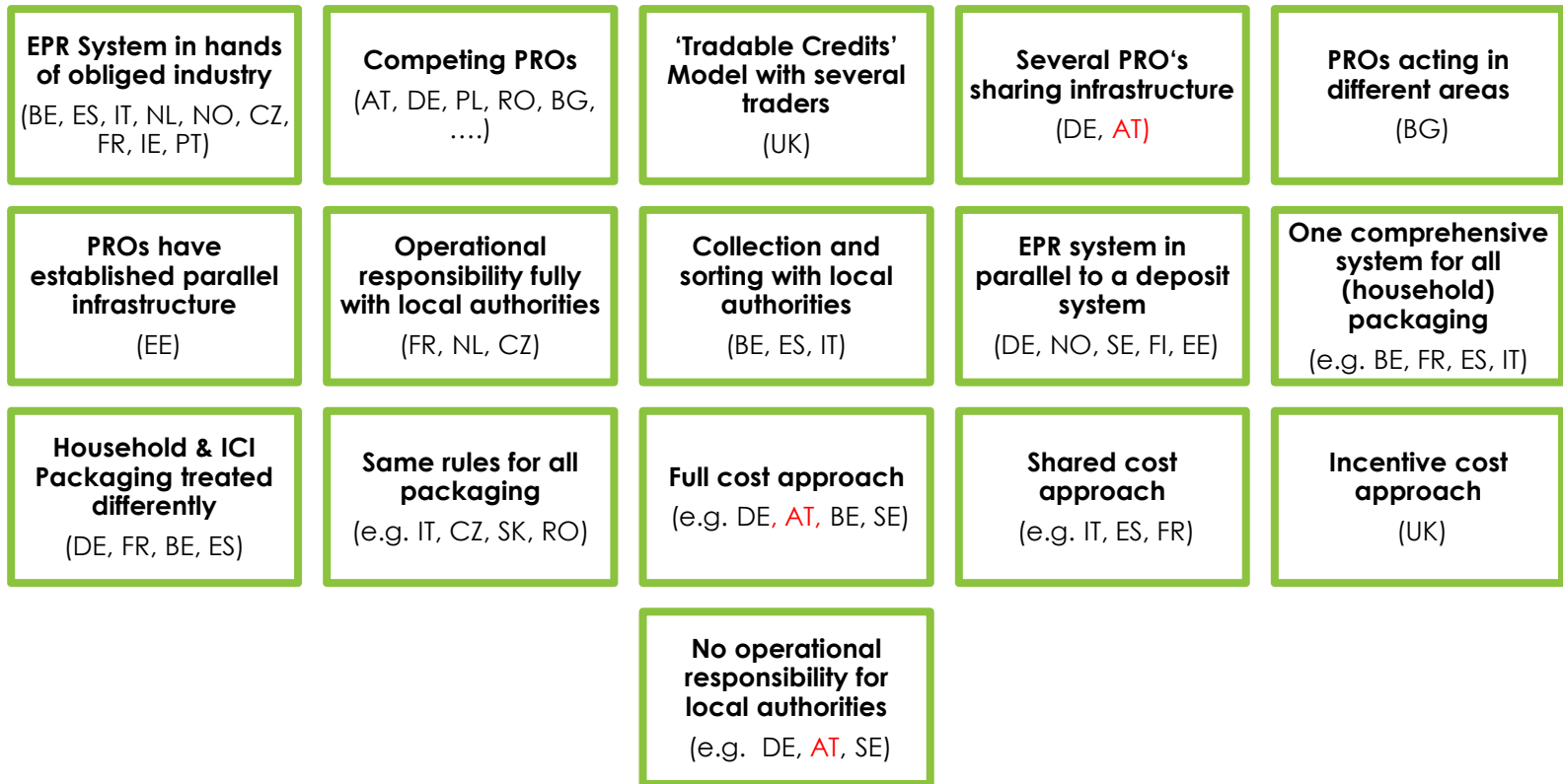
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EPR - SEVERAL WAYS OF IMPLEMENTATION



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MAIN FEATURES OF AUSTRIAN SYSTEM

- Competitive system and clear separation of roles and responsibilities of all relevant actors involved in the legislation
- Full cost coverage for packaging waste without cross-subsidy
- Level playing field in the situation of PRO's competition, with coordination office
- Nationwide coverage throughout the entire territory of the country
- Specific regulations for PROs for packaging
- **Sufficient infrastructure for collection and treatment**
- Shared collection infrastructure
- Two separate systems for collection and treatment –household and commercial
- Sufficient and transparent reliable and comparable data
- EPR transparency
- Efficient monitoring and control
- Established coordination Body

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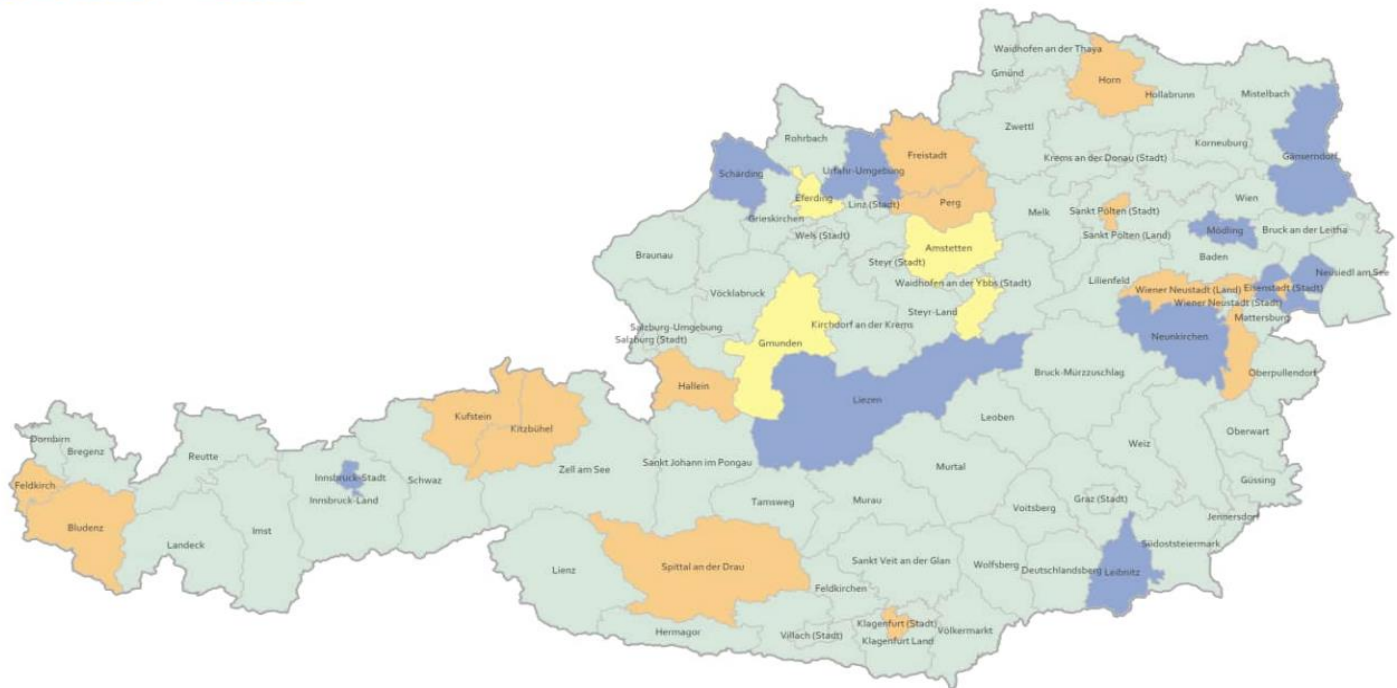


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NATIONWIDE COVERAGE THROUGH THE ENTIRE TERRITORY OF THE COUNTRY

Lottery result 2023 - 2027



- ARA (69 Sammelregionen)
- Interseroh (12 Sammelregionen)
- Reclay UFH (10 Sammelregionen)
- ERP (3 Sammelregionen)

Source: VKS/ARA



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AUSTRIAN PACKAGING LEGISLATION

- **Austrian Waste Management Act**, Federal Law Gazette I No. 193/2013, - the basis for creating fair competition in the waste management of household packaging, while maintaining the existing quality of separate collection and recycling, as well as the extensive implementation of producer responsibility in this area is created
- Packaging Ordinance 2014, version of 03/04/2023 contains the necessary adjustments to the Waste Management Law amendment dealing with Packaging, in particular a breakdown into the areas of - "household packaging" and "commercial packaging" as well as the definition of corresponding collection and tariff categories. Furthermore, **minimum quotas for the separate collection of household packaging are prescribed**
- **Packaging Delimitation Ordinance** - the packaging has been assigned to one of 47 product groups, the proportion of packaging per packaging material is defined as household packaging or commercial packaging in each product group. These proportions are also used as a basis for the inspections of the obligated by the authorities or by the packaging coordination office.
- **Compensation Ordinance for household packaging**
The Compensation Ordinance for Household Packaging stipulates the compensation for packaging collected with mixed municipal waste in the sense of extended producer responsibility.
Waste surveys, spread across the entire federal territory, are used to determine the mass of packaging collected together with mixed municipal waste.
- The collection and recycling systems must conclude contracts with the municipalities or the waste management associations for the reimbursement of the reasonable costs of collection and treatment

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EXTENDED PRODUCER RESPONSIBILITY SCHEME GENERAL MINIMUM REQUIREMENTS

When instituting extended producer responsibility, the following minimum requirements must be met by producers or collection and recycling systems:

1. Establish a reporting system to collect data on products placed on the market, waste generated, and other relevant information.
2. Ensure equal treatment of manufacturers.
3. Inform end users about waste prevention, recycling centers, and collection systems.
4. Implement measures to incentivize consumers for separate waste collection.
5. Ensure nationwide collection and treatment of waste from products placed on the market.
6. Secure necessary financial resources and organizational structures.
7. Establish self-control mechanisms, supported by regular independent audits.
8. Publish information on waste management targets and joint exercise of extended producer responsibility.

Regarding financial contributions:

1. Cover costs of waste collection, transport, treatment, and achieving waste management targets.
2. Include costs for providing information to waste owners and collecting data.
3. Consider the environmental impact of products in determining tariffs.
4. Ensure transparent communication of cost-efficient waste management services..

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THE FEDERAL MINISTER OF ENVIRONMENT & COORDINATION OF WASTE COLLECTION, PROVISION, REMOVAL, AND RECYCLING

Agreements with collection and recycling systems.

Coordination of actions per agreements.

Measures to increase system efficiency.

Receipt and evaluation of quantity reports from systems.

Determination and publication of mass proportions.

Handling collection requirements and determining obligated systems.

Collection at the expense of non-compliant systems.

Receipt of reports on collected waste quantities.

Preparation of reporting obligations to the EU Commission.

Merging and changing control concepts.

Distribution and use of funds for waste electrical and electronic equipment.

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The Minister can entrust a non-profit legal entity as a coordination body

Entrustment is limited to ten years and requires the entity's written consent

Financing of the Coordination Office (Section 13c):

The coordination center is authorized to charge a financing fee, based on the mass proportion of products placed on the market for each collection and treatment category.

The total amount is calculated based on a forecast for the financial year, considering surpluses and shortfalls from previous years.

Supervisory Law (Section 13d):

The activities of the coordination center are subject to the supervision of the Federal Minister for Climate Protection, Environment, Energy, Mobility, Innovation, and Technology.

The Minister can issue instructions to the coordination office and has the authority to oversee its activities.

Guidelines for the Coordinating Body (Section 13e):

The coordination office, in coordination with the Federal Minister, must develop and annually revise a concept for its activities, considering general waste management and economic conditions.

The office must fulfill tasks with attention to principles of economy and expediency, proposing necessary changes to the Federal Minister.

Activity report:

The coordination office is required to prepare an annual activity report, including tasks performed, fund utilization.

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DELEGATED RESPONSIBILITIES

For household packaging, the packaging coordination office is entrusted with tasks including:

Informing end consumers, including financial compensation details for municipal services.

Conducting necessary analyses regarding household packaging collection.

Participating in the cost-efficient design of packaging collection.

Managing and potentially changing control concepts, with specific quotas related to the total mass of all participating systems.

Designing arbitration procedures.

Maintaining and updating a list of participants on the office's website.

Performing plausibility checks on monthly distributions by market share.

Receiving data and preparing reports as specified in Section 14b paragraph 6.

For commercial packaging, the packaging coordination office is authorized to:

Keep a register of locations where commercial packaging occurs.

Establish agreements with collection point operators for the provision of necessary data.

Conduct necessary analyses regarding commercial packaging collection.

Manage and potentially change control concepts, with specific quotas related to the total mass of all participating systems.

Design arbitration procedures.

Maintain and update a list of participants on the office's website.

Perform plausibility checks on monthly distributions by market share.

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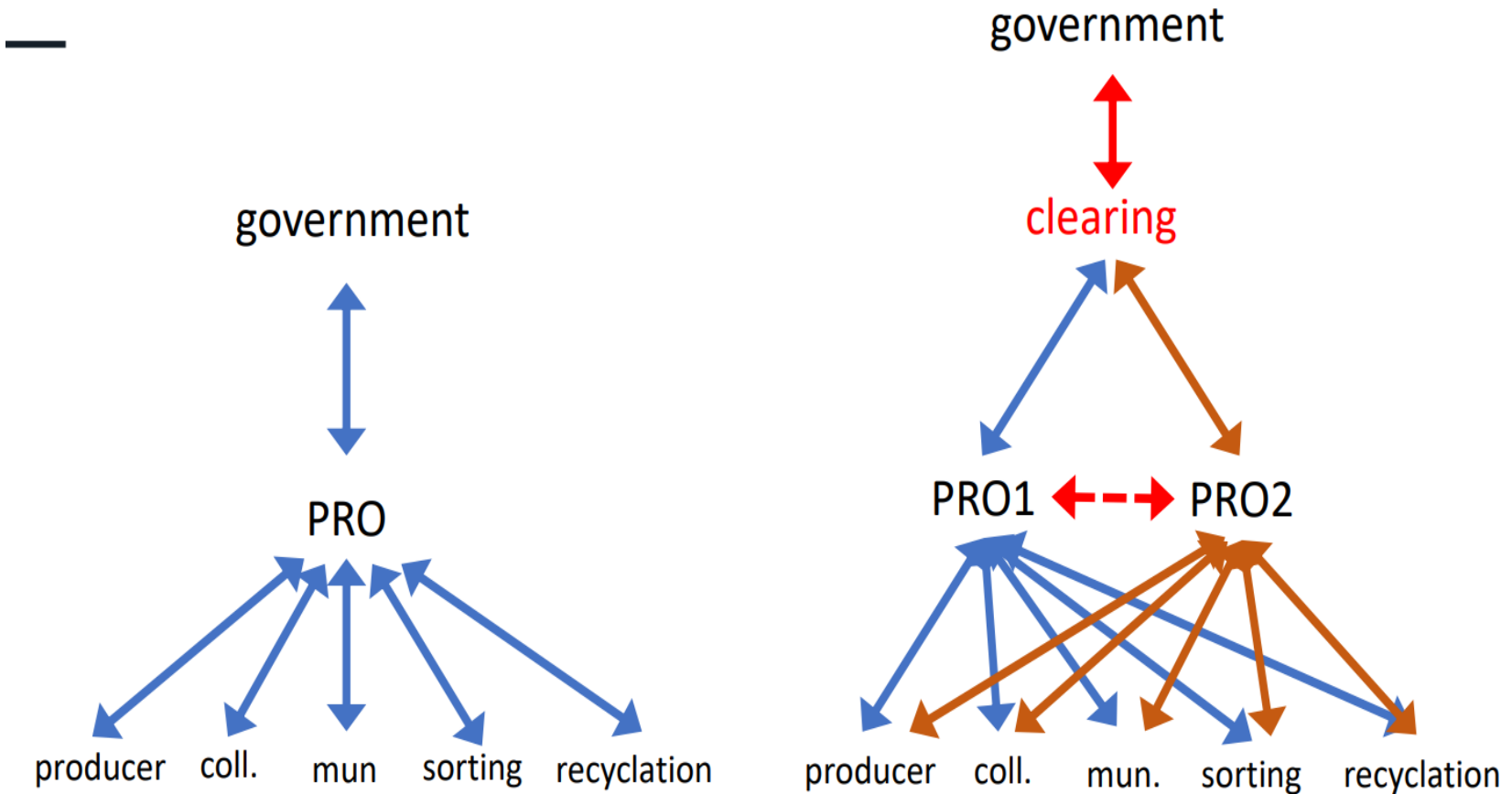
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TWO BASIC SYSTEMS

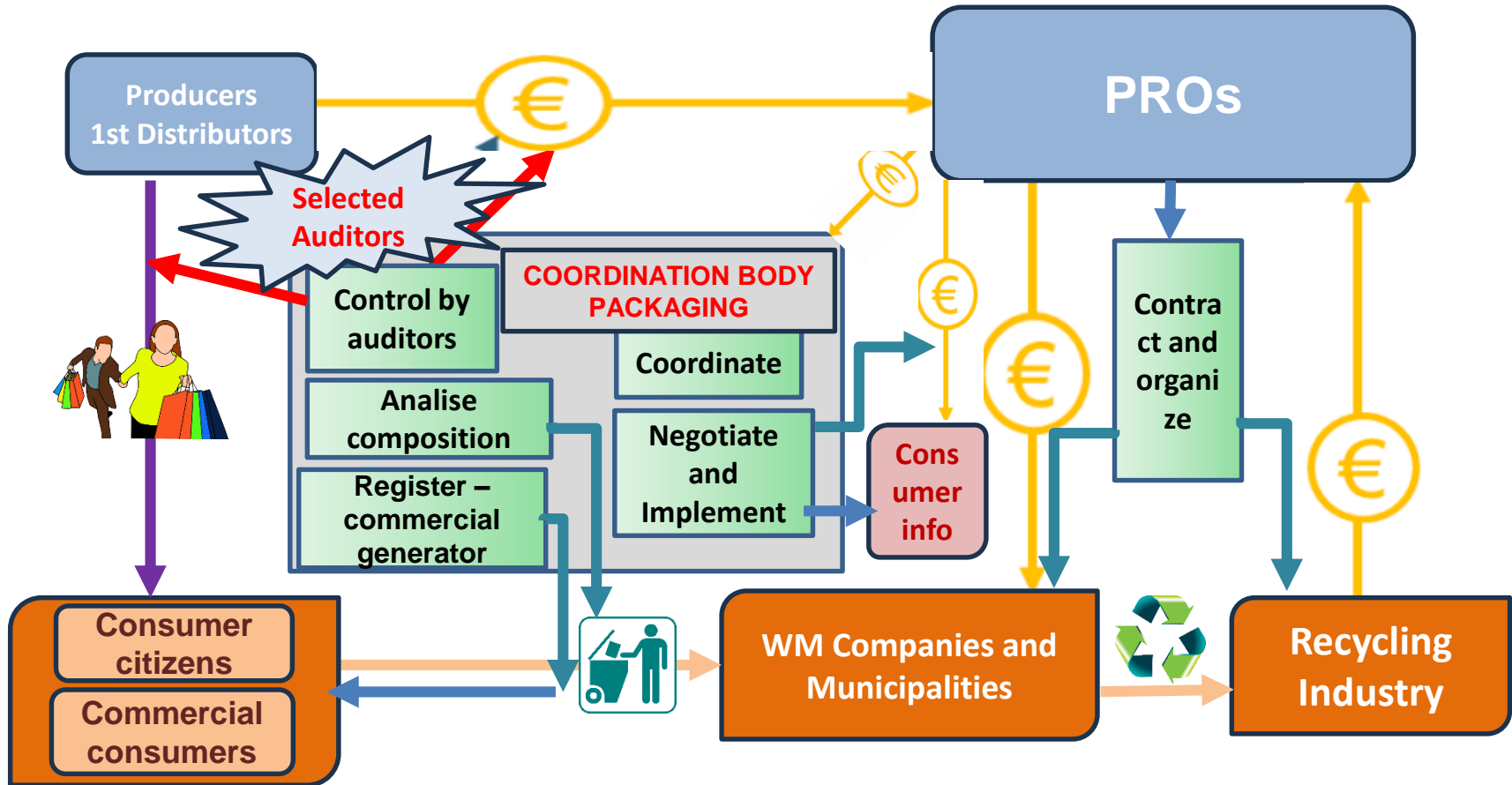


Source: EXPRA



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M. Krasteva 2024

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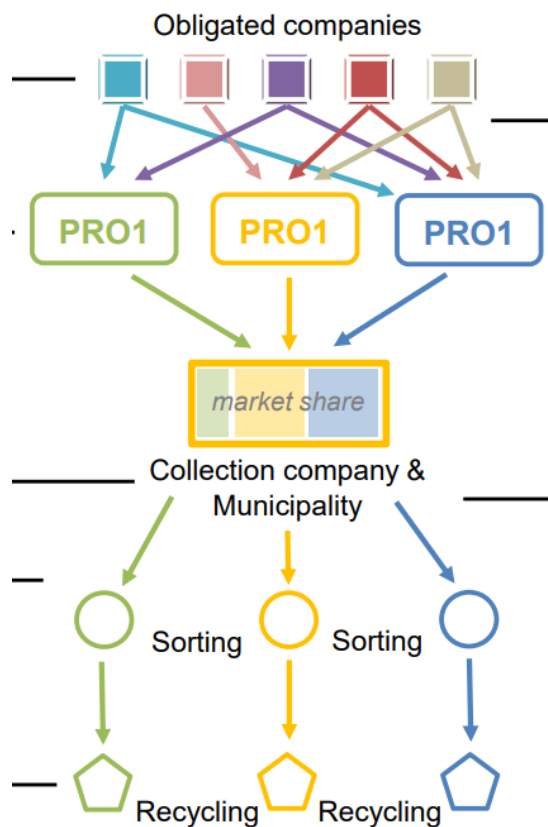


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Role of the Ministry

- Auditing of suspected free riders
- Supervision of PROs
Monitoring of non-discrimination
- Calculation of market share
- Verifying of collection quota
- Monitoring of recycling and verifying of recycling quota
- Monitoring and (standardization) of collection
- Lottery of collection regions



Role of PCO

- Auditing of customers of PROs
- Terms of arbitration
- Analysis and plausibility checks of collected waste
- List of customers of PROs
- Register of commercial waste generators
- Consumer information

Source: VKS

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REQUIREMENTS FOR PRO AUTHORIZATION

1. Legal entity and ownership structure details, including articles of association and corporate structure presentation.
2. Information about products and wastes to be handled.
3. Details on the collection and recovery system, specifying type, purpose, scope, duration, and business areas.
4. Trade law permit if required.
5. Description of collection and recovery measures with evidence of technical capability.
6. Proof of sufficient area of activity to fulfill obligations.

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REQUIREMENTS FOR PRO AUTHORIZATION

7. Information on planned tariffs, including cost factors and anticipated expenditures

8. Concept for separate cost breakdown if operating multiple businesses

9. Proof of financing coverage for obligations, including adequate surety

10. Effective monitoring concept covering at least 80% of contracted amounts for various categories

11. Information on documentation of collection and recovery rates, and measures to promote waste prevention

12. Inclusion of General Terms and Conditions

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SPECIFIC PROVISIONS FOR HOUSEHOLD PACKAGING PRO

1. Permit Requirements:

- **Operation for one collection category according to Section 14(1).**
- Ensuring area coverage, including contracts, sufficient acceptance capacities, and consideration of existing municipal facilities.

2. Submission of Agreements

- **The PRO must submit signed agreements within two months if a packaging coordination office assumes tasks after approval.**

3. Reporting and Cooperation:

- **Submission of a contract obliging participants to submit a complete report on packaging masses.**
- Cooperation with the packaging coordination office, including control of collection funds and handling of additional payments.

4. Compensation Contracts:

- **PRO must have contracts for compensation of costs with municipalities operating mixed municipal waste collection.**



SPECIFIC PROVISIONS FOR HOUSEHOLD PACKAGING PRO

5. Volume Reporting:

- Reporting the volume of household packaging placed on the market per tariff category within three weeks after each calendar month.
- Submission of planned participation volumes electronically via the register.

6. Market Share Calculation:

- Monthly and annual market shares calculated and published by the Federal Minister.

7. Survey Requirements:

- Surveys on the waste side every three years, with adjustments for significant changes.
- Collection of masses for respective categories in each region, recorded based on monthly market share.

8. Collection and Recycling Obligations:

- Obligation to collect the respective category in all political districts where not collected in municipal facilities, based on contractual agreements.

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SPECIFIC PROVISIONS FOR HOUSEHOLD PACKAGING PRO

9. Allocation of Collection Regions:

- Allocation of collection regions every five years based on market share, with a lottery system.
- Lottery takes place until the share of collected masses reaches the market share of a system.

10. Municipal Infrastructure Options:

- Municipalities or municipal associations can accept or use existing infrastructure within four weeks after the lottery.
- Contracts with compensation for reasonable costs are required.

11. Tendering Procedure:

- Tendering for collection in allocated regions to be completed by the end of June.
- Selection procedure under the Federal Procurement Act 2018, with rejection of proprietary disposal companies.

12. Coordination Responsibilities:

- Ongoing coordination of collection in allocated regions and timely information to other systems about any changes in the collection.

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SPECIFIC REQUIREMENTS FOR COMMERCIAL PACKAGING PRO

A permit for a commercial packaging collection and recycling system - additional requirements:

- Operation for a specific collection category.
- Ensuring area coverage with accessible transfer points for each political district.
- Submission of signed agreements to the Federal Minister for Climate Protection, etc.
- Presentation of a contract obliging participants to submit complete reports.
- Conclusion of a contract with street disposal partners for paper packaging.

Reporting Obligations for Commercial Packaging Systems:

- Systems must report quantities of commercial packaging placed on the market per tariff category within three weeks after the end of each calendar month.
- Corrections to reports must be included in the next monthly report.
- Initial approval systems must report planned participation volumes electronically before the start of activity.
- Yearly reports must be submitted electronically by April 10 of the following year.

4. Electronic Reporting for Specific Agreements:

- Systems with a verifiable agreement on direct collection and participation for the majority of packaging at a collection point can electronically transfer collected mass data per tariff category within three weeks after the end of each calendar month.

5. Market Share Calculation and Publication:

- The Federal Minister calculates and publishes market shares of commercial packaging collection and recycling systems monthly and annually in the register.
- In case of system insolvency, an immediate recalculation of market shares is required.

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The main elements of a separate collection of packaging

1. Collection fraction(s)
2. Regional collection volume (acceptance capacity in liters per inhabitant and year)
3. Description of the collection systems (bringing systems, pick-up systems)
4. Density (number of households serviced in the bring system)
5. Number and size of collection containers
6. Number and size of collection bags or bag rolls
7. Collection interval
8. Provision, type, and installation of collection containers
9. Provision and distribution of collection bags or bag rolls
10. Scheduled collection of other waste
11. Collection via waste collection centres
12. Scheduled collection of packaging in the residual waste collection

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COLLECTION TARGETS

Collection targets ¹⁾	Household packaging				Commercial packaging		
	2022	2023	2025	2030	2022	2025	2030
Paper	80%	80%	80%	85%	90%	90%	90%
Glass	80%	80%	80%	85%	-	-	-
Fe-Metals	50%	60%	65%	75%	60%	65%	75%
Aluminium			65%	75%		65%	75%
Plastics	60%	75%	80%	85%	85%	85%	85%
Beverage Cartons	50%	60%	80%	80%	-	-	-
Wood	-	-	-	-	25%	35%	40%

Source: ARA

¹⁾ Basis: license quantity

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