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From: [REDACTED]
Sent: Friday 7 May 2021 11:06
To: wastecomments
Subject: Submission by RGDATA on DRS legislative framework April 2021
Attachments: Submission by RGDATA on DRS legislative framework April 2021.pdf

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Good morning,

Please see attached Submission by RGDATA on DRS legislative framework April 2021.

Regards

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Response on Consultation on the legislative framework for a Deposit Return Scheme.

RGDATA wishes to make the following observations on the draft legislative framework circulated as part of the consultation process. The comments below are directed at the elements of specific concern or importance to RGDATA – we would also reserve an opportunity to make further observations once the detail of the legislation is available.

1. Welcome for the centralised model

RGDATA welcomes the proposed centralised model outlined in the consultation document. We believe that such a model has the best chance of being efficient, effective and working to achieve the targets to be met under Ireland's EU obligations.

It remains a key priority that any new model fully addresses compliance issues from the practical perspective that retailers will have to address (including administrative impacts, requirements for space within premises, and safety/security) as well as allowing smart technology to be employed to secure high levels of recovery through a cashless/paperless scheme. Retailers must be represented at the highest levels on the centralised model scheme.

2. Importance of consultation with retailers on details of scheme

It remains vitally important that there is in-depth consultation with retailers on the design and implementation of the detail of the scheme. RGDATA welcomes the commitments that the scheme must be cost neutral for retailers and not impose additional burdens or obligations or unnecessary additional red tape that either add to their costs or damage their operations and viability. The practical implications for retailers can be addressed through detailed engagement with retailers and their representatives at all stages in the design and implementation of the any new scheme.

3. Variable deposit levels

We note that the preferred option for the Scheme is to have variable deposits introduced based on the volume of the product and that this will be reflected in Regulations. It is incumbent on the Department to indicate how the variable deposits will be structured in a way that does not add significantly to the administrative burden and complexity of the Scheme or which could make some containers less attractive for recycling by consumers. This has not been indicated in the consultation document and needs to be discussed further in the context of the design of the nuts and bolts of the scheme.

4. Consumer returns

We note that consumers will have the right to return their used containers to any retailers – this needs to be subject to specific caveats. In the first instance only containers which are purchased within the State and fall within the Scheme should be refundable – an issue of particular concern in border areas. Secondly this aspect should be kept under review to ensure that smaller retailers do not end up as waste receptors for large volumes of waste emanating from larger competitors or from across the border where the scheme does not apply.

5. Legislative scheme

RGDATA makes the following observations on the proposed legislative scheme;

i. PART III – Approved Body

An Application to the Minister to be an approved body should also include;

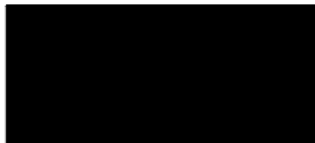
- Details of dispute resolution processes with retailers (including appeals mechanisms)
- A willingness to accept any directions given to the Approved Body by the Minister in relation to issues of policy.

ii. PART VI – Deposit

In terms of securing confidence and buy in on the Deposit Scheme it would be important for an account of the deposit to be published on an annual basis detailing the amount raised, the relevant expenditure and such amounts retained in reserve as may be required. This account should be independently reviewed and published for circulation.

We hope that these observations are of assistance and look forward to the detailed engagement that will be necessary as the conclusion of the Scheme progresses.

Yours sincerely,



RGDATA