

APPROVAL FOR

REPAK LIMITED

TO ACT AS A

PACKAGING COMPLIANCE SCHEME

**UNDER THE EUROPEAN UNION (PACKAGING) REGULATIONS 2014, as
amended.**

Table of Contents

1. Purpose.
2. Corporate Governance.
3. Reporting Requirements.
4. Target Achievement.
5. Prevention, Minimisation and Reuse.
6. Enforcement.
7. Awareness Raising and Communications.
8. Equal Treatment of Producers.
9. Financial Contributions and EPR obligations.
10. Success Factors.
11. Contingency Reserve Fund.
12. Co-operation with Other Bodies.
13. Regulatory Developments.
14. Provision of Information and Confidentiality.
15. Risk and issue management.
16. Leading by example – Climate Action and Green Procurement.
17. Policy direction.
18. Disputes.
19. Notice terms and conditions.
20. Corrective Actions.
21. Interface.
22. Duration and Reviews.
23. Re approval timeline.

1. Purpose.

This approval sets out the terms and conditions under which Repak is approved as a packaging waste management scheme in accordance with its application to the Minister of Climate, Energy and the Environment (hereafter “the Minister”) under the European Union (Packaging) Regulations 2014, as amended.

The general minimum requirements for extended producer responsibility (EPR) schemes as provided for under the European Union (Waste Directive) Regulations 2020 are reflected in this approval, ensuring improved and harmonised transparency, governance and cost-efficiency for all existing national level, and EU level, EPR schemes.

The approval also reflects the measures laid out in European Union (Packaging) (Amendment) Regulations 2020, which aim to prevent the production of packaging waste, promote reuse, and recycling in order to contribute to the transition towards a circular economy, as well as changes arising from the Packaging and Packaging Waste Regulation (PPWR) (Regulation (EU) 2025/40).

The purpose of this approval is to ensure that Repak discharges its statutory functions in an efficient and effective manner throughout the term of the approval.

The period of this approval is from 1 January 2026 to 30 September 2035.

2. Corporate Governance.

Repak and its board shall accept the provisions of the Code of Corporate Governance (see appendix 1) and the Code shall be adopted by Repak. This shall be confirmed in writing by the Chief Executive Officer of Repak within 30 days of the granting of this approval. Repak recognises that the Code is subject to modification by the Minister in accordance with best practice and Repak undertakes:

- (i) to make any immediate amendments necessary to its Constitution and
- (ii) to make such further amendments to its Constitution as may be necessary in the future if the Code is modified or updated by the Minister. Changes to Repak’s Constitution shall be completed within 60 days of notification by the Minister.

Any proposed changes to Repak’s Constitution shall be submitted to the Minister for approval. Repak shall have full regard to the Minister’s views on any proposed changes.

The Directors shall exercise full and effective control over the activities of Repak. The Directors, in conjunction with the Chief Executive, shall set, implement and review the strategic objectives of the company and shall monitor executive management and performance.

The Chairperson of the Board and/or Chief Executive shall keep the Minister advised on matters of significance arising in respect of Repak’s operation and shall brief the Scheme’s members on the functioning of the Scheme at regular intervals. The Chief Executive shall keep the Minister advised on all matters relating to the performance of the company.

3. Reporting Requirements.

Annual Report

Repak shall provide a reporting system to gather data on the products placed on the market by its members. This will include data on the collection and treatment of waste resulting from packaging, specifying the waste material flows and other information relevant to the collation of the national and EU collection targets. This system will facilitate compliance with the requirements for reporting under PPWR.

In accordance with the requirement for a reporting system, Repak shall maintain an adequate self-control mechanism supported, where relevant, by regular independent audits, to appraise its financial management and the quality of data collected and reported.

In respect of annual reporting requirements, Repak shall, not later than 31st May in each year following the granting of this approval, submit to the Minister: -

- An Annual Report specifying the steps taken by Repak in pursuance of this approval in the preceding calendar year, and the results of those steps.

Repak shall make the Annual Report available to its members and on its website.

The Annual Report shall include:-

- Annual data relating to the quantities of packaging placed on the market,
- Annual data relating to the collection and treatment of waste packaging,
- Information about national target attainment,
- Overview of the collection and treatment system for waste packaging including the role of recovery operators,
- Overview of the systems for reusable packaging among Repak members,
- Information on Repak ownership and membership, including details of the organisations that nominate Repak Directors, the Producer sectors they represent and / or their independent status and expertise, their length of service on the Board and attendance record of Directors / Chief Executive at Board and sub-committee meetings level,
- Details of its interaction with members in each year during this approval. The report shall outline the number of meetings held, including Annual General Meetings, newsletters issued, membership surveys, events, etc.,
- Details of the measures taken by the Company to ensure the financial contributions paid by its members comply with EPR obligations as provided for in Regulation 30A.(4) of the European Union (Waste Directive) Regulations as amended. The report shall include information about the financial contributions paid by producers of products per unit sold or per tonne of product placed on the market,
- Details of the Directors' and Chief Executive total remuneration and benefits, together with details of the attendance record of Directors at Board and subcommittee meetings level,
- Details of marketing and promotion activity and the total spend on awareness raising and communications undertaken in the preceding year,
- Details of the steps taken to integrate circularity into the design and management of packaging waste streams, and the results of those steps,

- Details of the extent of non-compliance along with expenditure and measures taken by the Company to support enforcement,
- Details of the prevention and minimisation measures taken by the Company with a focus on reuse,
- Information on corporate and office level risk registers in place by the Company,
- Information on procurement including details of green criteria, where included by the Company,
- Any special projects undertaken or key developments in the preceding year and projects to be undertaken in the coming year,
- Details of the measures taken by the Company to ensure that administrative costs are kept to a minimum,
- Details of cooperation and collaboration with other Agencies operating in a similar environment,
- Details of progress towards increasing Repak members share of packaging placed on the market, along with consideration of the source of packaging originating from outside Repak membership,
- Details of progress on PPWR implementation,
- Details of any authorised representative role fulfilled by Repak,
- Detail of fee setting model including ecomodulation,
- Details of progress on KPIs.

Financial Reporting

Repak shall submit the following not later than 31st May each year:

- (a) a copy of the full audited financial statements for Repak in respect of the preceding calendar year, including the Contingency Fund; and
- (b) a report on the Contingency Fund.

Requests for explanations and further information that might be required shall be responded to within 10 working days. Repak shall make the Annual Accounts available to its members.

4. Target Achievement.

Under this approval, Repak shall be responsible for the achievement of its members' share of the national recycling and recovery targets as set out in the Packaging Regulations and PPWR as outlined below:

Overall Packaging Recycling Targets

	By 31 December 2025	By 31 December 2030
Recycling	65%	70%

Material Specific Recycling Targets

Materials	By 31 December 2025	By 31 December 2030
Glass	70%	75%
Paper & Cardboard	75%	85%
Aluminium	50%	60%
Ferrous Metal	70%	80%
Plastic	50%	55%
Wood	25%	30%

Repak shall notify the Minister as soon as possible if the scheme is not on schedule to achieve their members' share of any of these national targets in a given year. Progress towards targets will be a key element of the review process under Section 22 of this approval, and will factor into considerations around the potential introduction of levies on problematic packaging materials.

Throughout the timeframe of this approval, the Minister may engage with Repak to set specific packaging format/product targets.

Repak must, when using specific reprocessing sites outside the European Union, confirm that the requirements of Article 6(a) of Directive 94/62/EC, as last amended by Directive (EU) 2018/852, or the requirements of Article 53 of PPWR with effect from 12 August 2026, have been met in respect of each site.

Repak shall work with the Environmental Protection Agency (EPA) to ensure the collection and reporting of robust packaging statistics to the European Commission in fulfilment of national requirements under Articles 6(a) and 12 of the Packaging Directive 94/62/EC, as last amended by Directive (EU) 2018/852 and in line with emerging obligations under the PPWR.

Furthermore, Repak will collaborate with the EPA on the packaging reporting requirements to enable Ireland report in accordance with Commission Implementing Decision (EU) 2019/665 and reporting requirements arising under the PPWR.

In addition, the requirements of Article 11, 11(a) and 37 of Directive 2008/98/EC, as last amended by Directive (EU) 2018/851 on the calculation and reporting methodology, shall apply and be adhered to in relation to statistical calculations.

As an adjunct to collaboration on the reporting of official national statistics, Repak shall collaborate with the EPA on the provision of data to give indicative and closer to real-time metrics on trends in packaging generation, recycling rates, and re-use rates.

In addition, Repak shall be responsible for its members' share of obligations arising under the Single-Use Plastics Directive (SUPD). This includes a liability for costs in respect of litter and street bin waste management, awareness raising measures and reduction in consumption of single use cups and food containers.

Litter and street bin contributions shall be paid to the Minister on an annual basis in line with the "Guidance for the calculation of producer contributions in respect of litter & street bin waste" developed by the Department of Climate, Energy and the Environment (hereafter 'the Department'). SUPD awareness raising measures shall be reported to the Minister on a quarterly basis.

Under the SUPD, national targets may be set for consumption reduction measures; Repak will engage with the Minister on the consumption reduction target of cups for beverages and food containers. Measures taken by Repak to address consumption reduction of cups for beverages and food containers should be reported on a quarterly basis.

Whilst the Deposit Return Scheme Ireland is responsible for the separate collection of PET containers with a capacity between 0.150 litres and 3 litres, Repak remains responsible for funding the waste industry in the collection and recycling of PET containers outside that scope.

5. Prevention, Minimisation and Reuse.

To reflect the objectives of the waste hierarchy, Repak shall promote prevention, minimisation and reuse of members' packaging waste. Throughout the timeframe for this approval, Repak will engage with its members to assess and develop further opportunities for prevention, minimisation and reuse, having special regard for the minimisation and reuse requirements arising from the PPWR.

In accordance with the objectives of the EU Green Deal and the Circular Economy Action Plan, Repak must ensure that packaging waste is reduced, re-used and recycled as much as possible. The commitment in the national Waste Action Plan for a Circular Economy to ensure all packaging on the Irish market is reusable or recyclable in an economically viable way by 2030 is mirrored at a European level in the PPWR. Repak shall ensure it uses all possible means to realise these requirements. Repak must promote and support the EPA's Circular Economy Programme, which incorporates the National Waste Prevention Programme in its promotion of waste prevention, minimisation and reuse.

6. Enforcement.

A strong, effective enforcement regime is essential to ensure high levels of compliance and target achievement. While Repak is responsible for target achievement, the local authorities with support from

the Office of Environmental Enforcement in the EPA have direct responsibility for enforcement of the Packaging Regulations.

Within local government structures, the Waste Enforcement Regional Lead Authorities (WERLAs) are responsible for coordinating waste enforcement actions, setting enforcement priorities and common objectives for waste enforcement, ensuring consistent enforcement of waste legislation across the 3 waste management planning regions while local authority personnel are first responders to specific breaches of waste legislation. The WERLAs are represented on the National Waste Enforcement Steering Committee which is co-chaired by the Department and the Environmental Protection Agency. An Industry Contact Group (ICG) provides stakeholders in the waste sector, including the EPR schemes, with the opportunity to input into this enhanced waste enforcement structure, and under this approval Repak shall continue to be an active participant in the ICG.

A framework for co-operation in areas of mutual responsibility and shared interest between the enforcement network and the compliance scheme has been established with the targeted packaging enforcement project. The continued objective of this project is to promote compliance within the packaging industry in line with the obligations on producers contained in the Packaging Regulations. Repak has established and maintains an enforcement portal, providing a two-way communication link with the Local Government (LG) sector on suspected non-compliant activity. Repak will continue this engagement.

Repak will continue to make available a fund to assist in the enforcement of the Packaging Regulations. Repak will engage with the Department to assess and finalise its financial contribution.

To enhance monitoring of the packaging market, Repak will support the efforts of the regulatory bodies through the provision of expertise and industry knowledge and through the sharing of information relevant to non-compliant activity. Repak will also collaborate with regulatory authorities on the development of technological solutions to enforcement.

7. Awareness Raising and Communications.

In line with obligations under the Waste Framework Directive, Repak shall operate a programme of national and sectoral educational and awareness raising activities to inform packaging waste holders on prevention, centres for reuse, takeback and collection systems and prevention of littering. This awareness raising and communications campaign shall operate across all existing and emerging media platforms. Repak shall keep these campaigns under review and carry out internal analysis to ensure their impact and success, and shall keep the Department apprised of forthcoming campaigns and the results of reviews of campaigns. In carrying out this activity, Repak shall be aware of its obligation to co-operate with other national compliance schemes and other bodies as set out at Section 12 below.

In addition to the scheme's targeted awareness raising and communications measure, Repak will cooperate with the Department on the development of a sustainable funding model for national awareness.

To augment national awareness of waste management Repak will promote the mywaste.ie website, through the provision of a link on its website. Repak shall look for collaborative opportunities in its awareness raising activities for the period of this approval which should include the development of additional content or functionality on mywaste.ie.

The awareness raising campaign shall include information around new measures arising from the PPWR, including new harmonised labelling requirements for packaging and for receptacles for packaging waste and measures relating to reuse and refill.

8. Equal Treatment of Producers.

Repak must ensure its operations apply across the entire country and are not limited to those areas where the collection and management of waste are the most profitable. An appropriate availability of waste collection systems will be provided throughout its geographical area of operations.

Repak will ensure the equal treatment of producers of packaging regardless of their origin or size.

9. Financial Contributions and EPR obligations.

The fees charged by Repak should be based on the polluter pays principle for both operational costs and the costs of the administration of the compliance scheme and comply with all relevant legislative requirements. In accordance with this principle, the fees covering Repak's operational costs should therefore be distributed among producers according to the quantity of products placed on the market.

The following costs for packaging placed on the market must be covered:

- a. the costs of collection, transport and treatment of the products placed on the market at the end of life in line with the waste hierarchy. Any value attributable to the materials at the end of life should be offset against the costs borne by producers to implement their EPR obligations.
- b. the costs of the provision of information to waste holders targeted by Repak about waste prevention measures, centres for re-use and preparing for re-use, take-back and collection systems, and the prevention of litter.
- c. the costs of data gathering and reporting.
- d. the costs of litter clean up associated with specific packaging items under the Single Use Plastics Directive.

The financial contributions paid by Repak's members should not exceed the costs that are necessary to provide waste management services in a cost-efficient way. These costs will be established in a transparent way.

Regulation 30A.(4) of the European Union (Waste Directive) Regulations outlines the basis for the calculation of net necessary costs required to be covered by producers. Repak must ensure that the financial contributions paid by its members comply with their EPR obligations as laid out in Irish and European legislation.

Repak will continue to modulate fees in accordance with the requirements of the Waste Framework Directive, and will adapt its fee modulation structure in line with the emerging requirements of the PPWR.

The fee-setting process must involve key stakeholders including producers and the Department, and include adequate safeguards to ensure transparency, impartiality and equitability, including verification to the Minister's satisfaction that the fee structure is consistent with the requirements of the Waste Framework Directive.

10. Success Factors.

In terms of considering a re-approval application from Repak (See Section 23), the Department will have regard to the following criteria to measure the success of Repak during the period of its approval:-

- The administration of the packaging scheme in accordance with this approval,
- Adherence to the general minimum requirements for EPR schemes as provided for under the European Union (Waste Directive) Regulations 2020,
- Implementation of the applicable measures from the Waste Action Plan for a Circular Economy, 2020 and its replacements, as well the Whole of Government Circular Economy Strategy and its replacements,
- Supporting greater circularity in the packaging sector to ensure more sustainable use of resources
- Achieving membership representation of at least 80% of obligated producers during the term of this approval,
- The achievement of the targets set out at Section 4 above,
- A reduction in the level of packaging waste generated per capita,
- The level of member and stakeholder satisfaction,
- That the costs of the system adhere to the principle of net necessary costs,
- Level of producer fees & costs paid compared with other similar EU packaging schemes,
- Repak being in full compliance with all necessary filings with all applicable registries including, but not limited to, the Companies Registration Office and the Revenue Commissioners.

Repak shall agree Key Performance Indicators with the Department within 6 months of the granting of this approval, including KPIs in the following areas:

- Total Packaging Recycling %
- Plastic Packaging Recycling %
- Projected Membership Growth
- Contingency Reserve Fund
- Net Necessary Cost %
- Reduction in overall packaging waste and increase in reusable packaging

11. Contingency Reserve Fund.

Repak must ensure the necessary financial and organisational means to meet its extended producer responsibility obligations. In keeping with this requirement, Repak shall maintain a Contingency Fund.

The purpose of the Contingency Fund is to ensure the availability to Repak members of sufficient resources for the continued delivery of the Scheme in the event of notice to terminate this approval being served by the Minister as per Section 19. The Fund should be sufficient to cover the direct operating costs of Repak for a period of at least 6 months from the date of such notice and should be built up to the sum of €60.0m by 2035 in line with the Contingency Fund table below. Repak is not permitted to access the fund to cover its day-to-day operations. The Contingency Fund should be ring-fenced from the day-to-day financial requirements of Repak, and should be held by Repak in trust for its members. The Fund can only be accessed by Repak in exceptional circumstance and only by prior agreement with Minister.

The circumstances in which the Fund may be accessed are as follows:-

- In the event of the Scheme being wound down.
- Reaching recycling activity in excess of 1.5 million tonnes per annum.
- The loss of major members in any one year.
- Commodity market shocks.

The latter three circumstances will have a cap of €30m in total over the life of the approval should such circumstances arise for access to the Fund.

The withdrawal of any amount from the Fund in circumstances other than those listed above and without the prior consent of the Department will constitute a breach of the approval by Repak. Where drawdown of the Fund occurs with the agreement of the Minister, Repak shall rebuild the fund to the agreed level. These levels shall be subject to review as the costs evolve over the lifetime of the approval.

Contingency fund table – value by year

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Contingency Fund (€million)	20.5	27.2	32.6	37.3	42.6	47.5	52.6	57.1	59.8	60.1

12. Co-operation with Other Bodies.

Repak shall cooperate with other national compliance schemes across the various waste streams where this would be beneficial for the promotion of shared circular economy objectives.

Repak shall continue to work with other Agencies operating in a similar environment to identify where better collaboration and cooperation will yield efficiencies in reducing the administrative burden and eliminating any unnecessary duplication in areas such as public awareness raising and in data collection, analysis, reporting and sharing.

13. Regulatory Developments.

Repak shall keep updated on relevant regulatory developments at a national and EU level. The company shall be in a position to assist, advise and contribute to the development of Ireland's position on regulatory matters.

14. Provision of Information and Confidentiality.

Repak shall make available to this Department any and such information which might be required, including information requested at short notice, in order to support the democratic process. This information may be in addition to the annual report required at Section 3 above.

The Department is subject to the Freedom of Information Act 2014 and the Access to Information on the Environment Regulations 2007, as amended.

These Regulations give effect to Directive 2003/4/EC on public access to environmental information, which provides that individuals have the right to access environmental information held by public authorities. In line with the provisions of the Aarhus Convention, to be proactive in disseminating environmental information to the public, Repak shall make information available on its website.

In considering a request under these Regulations, the Department, if it does not hold the information requested, may request the information from Repak. Repak shall provide the Department with the information requested within 5 working days so as to ensure that the request is responded to in a timely manner.

In line with Regulation 30A.(8) of the European Union (Waste Directive) Regulations, as amended, the provision of information to the public is without prejudice to preserving the confidentiality of the commercially sensitive information in conformity with relevant EU and national legislation.

15. Risk and issue management.

Repak shall continue to proactively manage and mitigate risks. The risk mitigating measures will include disaster recovery and business continuity planning. Repak shall draft an emergency action plan to form the basis for action should the need to impose collection and treatment restrictions arise.

The Department and Repak shall adopt a 'no surprises' approach to areas of concern.

Repak shall, without undue delay, notify the Department of any material developments that will have an impact on the ability of Repak to deliver on its legal and regulatory obligations and to carry out its functions effectively, and of issues with wider financial or reputational implications for the Repak or the State. This also applies to developments that will have an impact on the compliance of the service with the applicable laws and regulatory requirements.

Similarly, the Department shall, without undue delay, inform Repak of any material changes or issues that would affect the ability of Repak to perform and resource its functions.

16. Leading by example- Climate Action and Green Procurement.

Repak will aim to minimise carbon emissions in the course of its operations and in partnership with its members and stakeholders in line with Government policy.

Repak shall adopt policies that are committed to environmental best practice in the procurement of goods and services (see

[Green Public Procurement | Environmental Protection Agency](#), [Green Public Procurement Strategy and Action Plan 2024-2027](#), [New circular to support Green Public Procurement \(GPP\)](#), and [Public Sector Climate Action Mandate 2025.pdf](#)) and shall continue to employ measures that are currently in place under Repak's Green Procurement Policy, so that the environmental impacts of its products and services are minimised where practicable.

17. Policy Direction.

Repak will develop, and make available to the Minister, a strategic plan for the packaging waste stream which will foster greater engagement along the supply chain with a particular focus on the design and manufacturing sectors. The plan shall consider opportunities for cooperation with the local government and waste sectors on funding and accessing EU funds.

Repak shall commit to working, including working with enforcement authorities, on solutions to manage the issue of free riders including among distance sellers.

Repak shall adopt policy directions in relation to packaging waste issued by the Minister, as and when these directions are issued.

18. Disputes.

Both the Department and Repak shall seek to resolve any disputes between them, arising out of or relating in any way to the issues covered by this approval, at the appropriate level. The Department and Repak may also agree a protocol for dispute resolution during the period of the approval.

19. Notice terms and conditions.

The Minister may terminate the approval granted to Repak in the event of any of the following occurrences:-

- (i) An order is made or an effective resolution is passed or a petition is presented for the winding up of Repak,
- (ii) A receiver, examiner, administrator or liquidator is appointed over any of the property or assets of Repak,
- (iii) Repak commits any material breach of this approval which, if capable of remedy, shall not have been remedied within an agreed or reasonable timeframe after written notification thereof has been served on Repak,
- (iv) Repak commits any material breach of the Code of Corporate Governance,
- (v) A distress or execution order is levied or served upon any of the property or assets of Repak and is not paid off within thirty days,
- (vi) Repak is in breach of any material provision of the Companies Acts or other applicable legislative provisions; and
- (vii) Any other material event occurs which the Minister in his absolute discretion considers might or does adversely affect the ability of Repak to comply with its obligations under this approval.
- (viii) Failure to notify Minister in a timely manner of any of the material developments referred to in Section 15 on Risk and Issue Management

The Department will provide Repak with 180 days' notice in the event of a decision being taken to terminate Repak's approval.

If Repak wishes to cease to provide the services it has been approved to provide, the Department must be informed, in writing, 180 days in advance of this cessation.

20. Corrective Actions.

In the event that Repak breaches certain material conditions of this approval or where it is agreed that target attainment is at risk, a range of corrective actions may be considered by this Minister. Such actions that might be considered include:-

- increased spending by Repak on education and awareness,
- the use of subsidy rates paid to waste recovery operators to reduce levels of contamination,
- additional training for key personnel and directors, and
- the assignment of additional personnel/resources by Repak or
- other reasonable measures as the Minister considers appropriate.

21. Interface.

The contact person in the Department dealing with all aspects of this approval is Andrew Caldicott, e-mail: andrew.caldicott@dcee.gov.ie. The contact person for Repak is Colm Munnelly, e-mail: colm.munnelly@repak.ie, telephone 01 467 0190. Routine contact between the Department and Repak will be maintained at this level.

22. Duration and Reviews.

This approval is valid from 1st January 2026 and shall remain in place until 30 September 2035. Reviews of the approval shall take place in H1 2029 and H1 2032. Further, ad hoc, reviews of this approval may be warranted in light of the evolving nature of the legislative environment under PPWR and the proposed EU Circular Economy Act.

Progress towards targets, growth in membership, KPIs under Section 10, and compliance with domestic and EU packaging legislation will be key elements of reviews.

To ensure continuity of service both parties commit to informing each other of significant departures or changes in their respective roles and responsibilities.

23. Re approval timeline.

If it is Repak's intention to seek re approval to continue to operate as a packaging compliance scheme on completion of this approval, an application must be submitted within 6 months of the expiry of this approval.