

The logo for 'horizon futures' is located in the top left corner. It consists of a white circle containing a yellow semi-circle at the top. Below the semi-circle, the words 'horizon' and 'futures' are stacked in a bold, black, sans-serif font. A thin vertical line is positioned above the 'h' in 'horizon', and a thin horizontal line is positioned below the 'n' in 'horizon'.

horizon
futures

The background of the entire page is a scenic photograph of a Slovenian landscape. In the foreground, a calm lake reflects the sky and the buildings. In the middle ground, a white church with a tall, dark spire stands on a hillside. Behind the church, there are more buildings and a castle-like structure. In the background, snow-capped mountains rise against a soft, pinkish-orange sky, suggesting a sunset or sunrise. The overall atmosphere is peaceful and scenic.

SLOVENIA 2023

Packaging Legislative Analysis

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LEGISLATION – SLOVENIA

Overarching Packaging Requirements

The legislative framework in Slovenia stems primarily from the Environmental Protection Act, alongside several additional Acts and Decrees covering various aspects of packaging legislation as follows:

- Environmental Protection Act
- Act on the prohibition of placing certain single-use plastic products on the market in the Republic of Slovenia
- Decree on the prohibition of placing certain single-use plastic products on the market in the Republic of Slovenia and on the labelling of certain plastic products
- Decree on the reduction of the impact of certain plastic products on the environment
- Decree on waste
- Decree on waste landfill
- Decree on packaging and packaging waste
- Decree on packaging and packaging waste handling
- Decree on the environmental tax on packaging waste pollution
- Decree on the environmental tax on pollution from the landfilling of waste

Combined, the above Acts and Decrees implement the relevant EU legislation and frameworks.

The Environmental Protection Act

The Environmental Protection Act originally entered into force on 7th May 2004. The EPA regulates environmental protection and sustainable development principles, setting out overarching principles around environmental protection, monitoring and economic/financial instruments. The Act comprises of 12 parts as follows:

- Basic provisions
- Environmental protection measures
- Programmes and plans of environmental protection
- Affecting the environment
- Environmental monitoring and information systems
- Economic and financial instruments for environmental protection
- Public and State organisation
- Environmental protection organisation
- Inspection and control
- Penalties
- Special provisions
- Transitional and final provisions

Amends to the EPA came into force on 12th April 2022 transposing several EU Directives into Slovenian Law. The Environmental Protection Act predominantly addresses the management of

waste, in particular packaging waste with the main goal of the new Law being to transpose EU rules and new directives on EPR and the circular economy.

- **The new Act introduces methods of environmental protection, such as planning, environmental impact assessment, permits and financial instruments. The Act obligates producers to cover the costs of collection, transportation and processing of waste generated by the products produced, regardless of whether this waste is defined as a mandatory public utility service.**
- **Key amends to the Environmental Protection Act also impact packaging EPR. EPR is discussed in full in the following section, with amends under the new Act including the following:**
 - **From 2023, only one PRO will be permitted per waste type.**
 - **Producers of the same type of household (B2C) products must collectively fulfil EPR obligations through a PRO.**
 - **Producers of non-household (B2B) products may opt for individual compliance, this requires a license and individually complying producers will be required to keep separate accounts for EPR flows. These will be subject to audit.**
 - **The regulation of PROs is more extensive under the new Act. Their Requirements for permitting all product types and operational requirements are harmonised.**
 - **From 1st April 2022, PROs must adhere to the following rule set:**
 - **Be legal entities with a registered office in Slovenia and operate without a profit objective.**
 - **Have a market share of at least 51% of the products managed and the share of each producer in the PRO must not exceed 25%.**
 - **Both owners of, and PROs and are prohibited from engaging in waste collection and processing activities.**
 - **The Act prohibits capital or family links between PRO organisations and companies operating in the system.**
 - **Manage the system and select subcontractors through public tenders.**
 - **Establish a supervisory body consisting of 3 representatives of founding producers and 3 representatives of adhering producers (with equal voting rights), as well as a ministry representative. The supervisory body will set recycling fees, targets, and the rules/standards for managing waste.**
- **From 2023, the following obligations are enacted for PROs**
 - **PROs must fulfil producer obligations throughout the entire Slovenian territory.**
 - **PROs must manage waste products from non-compliant producers whose applications they reject, i.e. they must be open to any producer.**
- **A new EPR information system linked to the producer register will facilitate the data entry of PROs and individually complying producers. The Ministry will assume this role and implement the EPR information system.**
- **Distance sellers located outside of Slovenia and supplying EPR-subjected products are obliged to appoint authorised representatives (ARs)**



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pioneering global change

- Under the new Act producers are obliged to finance the collection of waste products (even if collection of the waste is mandatory for municipalities). This means that municipal costs related to the collection and management of EPR-subjected products will be charged to producers.
- Under the new reform, any profit made by the PRO must be either returned to producers who paid into the EPR scheme or used for future waste handling operations.

The Act will also address the financing of litter clean-up and the establishment of a DRS scheme for EPR-subjected products. Factors including the scope of products covered, targets and obligations on all parties, as well as the implementation schedule will be determined by implementing regulations.

The provisions of this Law will not apply in the implementation of emergency measures such as protection, rescue and relief operations and national defence.

In May 2022, the Constitutional Court suspended the implementation of most of the new sanctions under this Act due to push-back from existing PROs in Slovenia. The existing PROs stated that the new reform would strip them of their PRO status immediately and argued that the change of PRO activity from commercial to not-for-profit constitutes the highest possible degree of market restriction.

The court must decide whether the reform is constitutional, only then will the suspension be lifted or rendered permanent.¹

¹ <https://www.uradni-list.si/glasilo-uradni-list-rj/vsebina/2022-01-0873?op=2022-01-0873>

Appendix



Introducing aura

About Us

At the heart of our business is a sheer fascination with packaging and the impact it has on our world. Packaging's relationship with the environment is complex and we work with true ethical partners to educate, unite like-minded thinkers and share knowledge.

A global business, the reference point for packaging sustainability, utilising knowledge and data to provide the justification required to drive positive change.

Services

Our expertise falls into three categories designed to deliver a strategic programme focused on the sustainability goals of our clients. These services are supported by a multi-disciplinary team made up of packaging, sustainability, technology and retail experts committed to making a measurable difference every day.

Consulting – Pioneering Packaging Strategy

We are packaging sustainability pioneers committed to true partnerships, focused on the delivery of mutual goals.

Our breadth of packaging sustainability knowledge across substrates, design, technical packaging, legislation, and recyclability allows us to evolve strategies to make a measurable difference both now and in the future.

Our Consultants build road maps for global change, our Technical Engineers develop specifications to refine the impact of your packaging and our Supplier Success Managers are on hand to assist with client education, communications and engagement.

As a result, we will deliver a robust strategy compliant with your sustainability goals aligned to current and future legislation.





Technology – Managing Sustainability Everyday

We provide live data and control to deliver the accurate information you require to make real time decisions that impact your business and our planet.

e-halo is an unrivalled packaging sustainability platform combining state-of-the-art technology with consulting services, designed to manage the changing landscape of global packaging legislation, compliance, and sustainability commitments.

e-halo provides packaging component data at a granular level, making sustainable packaging part of everyday decision making.

e-halo manages compliance to evolving legislation and recyclability requirements with a comprehensive reporting suite allowing for real-time measurement against your business and sustainability targets.



Insights – Data Driven Decisions

We utilise knowledge and data to provide the justification required to drive positive change.

Data Management – We interact with digital information every day. We gather, check, manage and translate data into valuable insights that our clients can use to measure and motivate positive change.

Horizon Futures – We offer horizon scanning services for global packaging legislation across 54 countries and for this we are unique. We interpret legislation rather than just quoting a legal directive, to help you understand the current and future packaging landscape. We then consider how emerging trends might potentially affect current policy and practice, enabling our clients to take a longer-term strategic approach to packaging sustainability.

Our Management Team

We are packaging sustainability pioneers committed to true partnership, which means to us a relationship focused on the delivery of the mutual goals of our business and that of our clients.

Visionary

Pioneering strategies which educate, unite and influence change

Responsible

Real-time data drives the changes needed to positively impact our planet

Honest

Decisions are informed, and our communications are authentic

Collaborative

Ethical Partnerships unify our mutual goals to create a vision fit for the future



Greg Lawson
Managing Director



Gillian Garside-Wight
Consulting Director



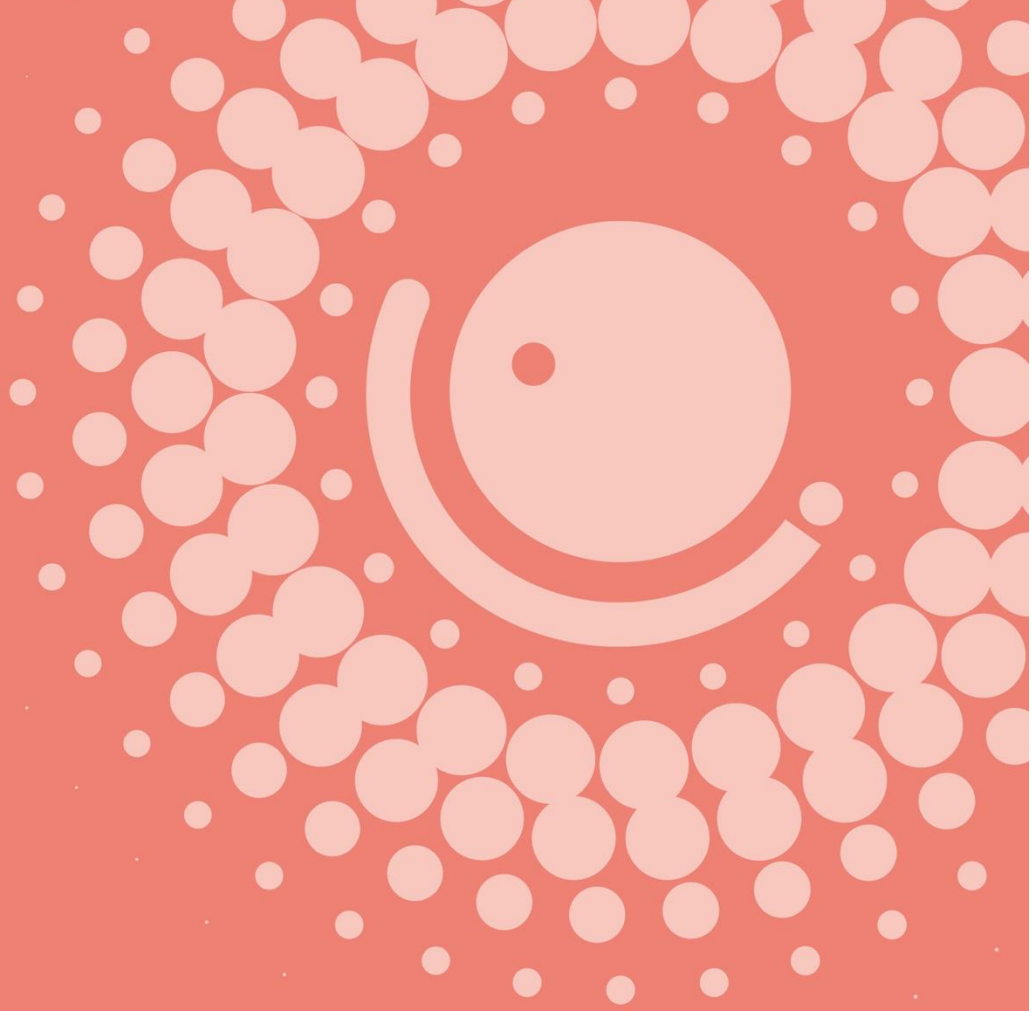
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Thank you from Team Aura