

# Mandatory Packaging Reporting – Guide on assessing if a company is required to comply with the regulation

**Please review this section before proceeding to the checklist:**

1. The purpose of this document is to provide guidance to the industry to identify if a company is required to comply with the Mandatory Packaging Reporting obligations under Part 4 of the Resource Sustainability Act 2019 and Resource Sustainability (Packaging Reporting) Regulations 2020. It is provided as a set of guidelines and companies are strongly encouraged to consult NEA for any clarifications.
2. In the event of inconsistency between this document and the legislation, the legislation will prevail. The legislation can be accessed at <https://www.nea.gov.sg/packaging>.

## Are you a “Producer” of Specified Packaging?

1. Do you supply goods within the definition of s 19 of the Resource Sustainability Act 2019 (“RSA”)?

Supply includes:

- (a) Supply by way of sale (including by barter or exchange), lease, loan, hire, or hire-purchase;
- (b) The supply of goods by retail or by wholesale;
- (c) The supply of goods in connection with any agreement; and
- (d) The offer to supply goods or exposure of the regulated goods for supply

**Yes** → Next question

**No** → Not a Producer

2. Are any of the goods supplied considered “Regulated Goods”?

Regulated Goods means **all** goods except goods stated in Annex A.

**Yes** → Next question

**No** → Not a Producer

3. Do you carry on a business of supplying Regulated Goods in Singapore?

**Yes** → Next question

**No** → Not a Producer

4. Do you in furtherance of that business import Specified Packaging? Import includes

- actually importing such Specified Packaging by importing Regulated Goods that have been packed into or wrapped with Specified Packaging; or
- causing the import of such Specified Packaging by importing Regulated Goods that have been packed into or wrapped with Specified Packaging; but does not include Specified Packaging which are to be taken out of Singapore on the same conveyance which they are brought to Singapore without any landing or transshipment within Singapore.

(Refer to Annex B for a list of examples of Specified Packaging)

**Yes** → A Producer

**No** → Next question

5. Do you in furtherance of that business use Specified Packaging in **any** of the following ways?
- (a) Use 1: You pack the Regulated Goods into or with Specified Packaging or wrap the Regulated Goods with Specified Packaging;
  - (b) Use 2: Another party packs or wraps the Regulated Goods for you or on your behalf into or with Specified Packaging
  - (c) Use 3: You supply the Regulated Goods to a retailer by providing Specified Packaging to the retailer, and you require the retailer to use the Specified Packaging in connection with the retailer's supply of Regulated Goods
  - (d) Use 4: You are a retailer, and you provide the Specified Packaging to a consumer who purchases Regulated Goods from you, to enable the consumer to put the Regulated Goods into the Specified Packaging.

**Yes** → Next question

**No** → Not a Producer

6. Do you only engage in Use 1 (and not in Use 2-4), and do so only for or on behalf of a Singapore connected person?

**Yes** → Not a Producer

**No** → Next question

7. Are you a retailer who is required to use the Specified Packaging in Use 3, and you do not engage in Use 1,2 and 4?

**Yes** → Not a Producer

**No** → A Producer

If you are a Producer, do you have to fulfil the requirements stated in s 20-23 of the RSA?

(Refer to Annex C for a summary of the requirements)

1. Is your annual turnover more than S\$10 million in a Year T?

(Annual turnover means the gross revenue received by the producer in respect of the producer's business in Singapore, whether in relation to the supply of regulated goods or otherwise)

**No** → See question 2a

**Yes** → See question 3a

- 2a. Are you the franchisor of a franchise?

**No** → No need to fulfil the requirements stated in s 20-23 of the RSA.

**Yes** → See next question

- 2b. Is the annual turnover of all the franchisees of the franchise more than S\$10 mil?

**No** → No need to fulfil the requirements stated in s 20-23 of the RSA.

**Yes** → You will need to fulfil the requirements stated in s 20-23 of the RSA on behalf of all the franchisees.

- 3a. Are you the franchisee of a franchise?

**No** → You will need to fulfil the requirements stated in s 20-23 of the RSA.

**Yes** → See next question.

- 3b. Is the franchisor of the franchise a Singapore-connected person?

**No** → You will need to fulfil the requirements stated in s 20-23 of the RSA.

**Yes** → No need to fulfil the requirements stated in s 20-23 of the RSA.

## Annex A: Goods excluded from the definition of “Regulated Goods”

- Arms and Explosives within the meaning of the Arms and Explosives Act (Cap. 13);
- Any machine, equipment, appliance or other device that is designed solely for industrial or manufacturing usage or application (including commercial food processing or production) and any spare part, accessory or peripheral item designed for use with or in the equipment, appliance or device;
- The following goods (specified goods) and any spare part, accessory or peripheral item designed for use with or in the goods listed below:
  - (a) a lift or an escalator;
  - (b) any sports or recreation equipment;
  - (c) an aircraft;
  - (d) a spacecraft;
  - (e) a vessel; or
  - (f) a motor vehicle that is neither a personal mobility device, power-assisted bicycle, motorised wheelchair nor mobility scooter within the meaning given by s 2(1) of the Active Mobility Act 2017 (Act 3 of 2017).

### Definitions

“aircraft” does not include an aircraft that —

- (a) has a total mass of 7 kg or below; and
- (b) may be flown or used without any individual on board the aircraft to operate it;

“motor vehicle” has the meaning given by s 2(1) of the Road Traffic Act (Cap. 276);

“sports or recreation equipment” —

- (a) means any mechanised or power-driven equipment or device that is free-standing and attached to the ground, and is designed for use
  - i. in a bowling alley;
  - ii. as an amusement ride; or
  - iii. in engaging in other similar sporting or recreational activity; and
- (b) includes any accessory or ancillary item essential to the functioning of any equipment or device in paragraph (a);

“vessel” includes any ship or boat or air-cushioned vehicle or floating rig or platform used in any form of operations at sea or any other description of vessel.

## Annex B: Examples of Specified Packaging

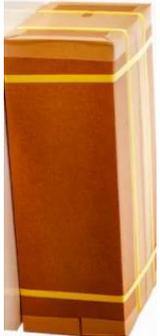
**Note:** The purpose of this section is to provide guidance on common items of packaging\* and whether producers are required to report such import or use under the Resource Sustainability Act. It is a non-exhaustive list and serves as a guidance to companies. In the event of inconsistency between this list and the Resource Sustainability Act, the Resource Sustainability Act will prevail.

\*Defined as "any material or combination of materials used for the containment, protection, handling, delivery or presentation of any goods, but **does not** include any material that remains in the possession of a producer of specified packaging to be re-used for the containment, protection, handling or delivery or presentation of any goods".

Please note that packaging which is sold as products e.g. empty carton boxes are not considered packaging. Instead, they are considered "Regulated Goods".

Where relevant, "consumer", in relation to any regulated goods or regulated product, means an individual who purchases or intends to purchase the regulated goods or regulated product for household use or private consumption;

If in doubt, please consult [packaging@nea.gov.sg](mailto:packaging@nea.gov.sg).

| S/N | Image   | Material  | Is this specified packaging to be reported?  |
|-----|---|---|--|
| 1   |    | Labels and Stickers (excluding those that are placed on goods at the point of sale) | Yes  |
| 2   |    | Scotch tape used to seal boxes excluding core                                       | Yes  |
| 3   |  | Inner core  | No   |
| 4   |  | Strapping band, cable tie   | Yes, unless it is used in relation to multiple sales units and not presented or delivered to the consumer of the goods |
| 5   |  | Hanger  | No   |

| S/N | Image   | Material  | Is this specified packaging to be reported? |
|-----|---|---|---|
| 6   |    | Kraft paper commonly placed between goods and trays as well as for food             | Yes   |
| 7   |    | Trays that are used to contain food products which are commonly used by caterers    | Yes   |
| 8   |   | Trays that are commonly made of plastic or paper that are packed with food products | Yes   |
| 9   |  | Compact case  | No (possibly included in 2023/2024)         |
| 10  |  | Lipstick tube   | No  |

| S/N | Image   | Material            | Is this specified packaging to be reported? |
|-----|---|---------------------|---|
| 11  |    | Eyeshadow palette   | No (possibly included in 2023/2024)         |
| 12  |    | Pen casing          | No  |
| 13  |  | Tea bag             | No  |
| 14  |  | Coffee capsule      | No  |
| 15  |  | Moon cake packaging | Yes   |

| S/N | Image   | Material                      | Is this specified packaging to be reported? |
|-----|---|-------------------------------|---|
| 16  |    | CD Casing and sleeve          | No  |
| 17  |    | Plant pot/vase                | Yes   |
| 18  |   | Pre-filled syringe            | No (possibly included in 2023/2024)         |
| 19  |  | Pre-filled ampoule            | No (possibly included in 2023/2024)         |
| 20  |  | Pre-filled vial (up to 100ml) | No (possibly included in 2023/2024)         |

| S/N | Image   | Material  | Is this specified packaging to be reported?  |
|-----|---|---|--|
| 21  |    | Spray cans containing aerosols  | Yes  |
| 22  |    | Packaging inner support/compartment   | Yes, unless it is used in relation to multiple sales units and not presented or delivered to the consumer of the goods |
| 23  |   | Bulk packaging fillers (e.g. packing peanuts, air pillows, cushions that are used as fillers in bulk packaging) | Yes, unless it is used in relation to multiple sales units and not presented or delivered to the consumer of the goods |
| 24  |  | Drum (200L and above)   | Yes, only if presented or delivered to the consumer of the goods   |
| 25  |  | Small drum  | Yes  |

| S/N | Image | Material   | Is this specified packaging to be reported?  |
|-----|-------|--|--|
| 26  |       | Intermediate Bulk Container (IBC)                  | Yes, only if presented or delivered to the consumer of the goods   |
| 27  |       | Jerrican   | Yes  |
| 28  |       | Carboy   | Yes  |
| 29  |       | Pallets incl. collars and plates used with pallets | Yes, unless it is used in relation to multiple sales units and not presented or delivered to the consumer of the goods |
| 30  |       | Bucket with/without lid                            | Yes  |

| S/N | Image   | Material                         | Is this specified packaging to be reported?  |
|-----|---|----------------------------------|--|
| 31  |    | Shrink/Stretch Wrap/Stretch Hood | Yes, unless it is used in relation to multiple sales units and not presented or delivered to the consumer of the goods |
| 32  |    | ISO Tank                         | Yes, only if presented or delivered to the consumer of the goods   |
| 33  |   | Shipping container               | Yes, only if presented or delivered to the consumer of the goods   |
| 34  |  | Refillable cylinder              | No   |
| 35  |  | Bulk bag (incl. flecon)          | Yes, only if presented or delivered to the consumer of the goods   |

| S/N | Image   | Material                       | Is this specified packaging to be reported?                                  |
|-----|---|--------------------------------|--|
| 36  |    | Carrier Bag                    | Yes (e.g. if provided by a retailer to enable consumers to put goods within) |
| 37  |    | Reusable bag                   | Yes (e.g. if provided by a retailer to enable consumers to put goods within) |
| 38  |   | Bottles including cap          | Yes  |
| 39  |  | Soap & Shampoo bottle          | Yes  |
| 40  |  | Food container including cover | Yes  |

| S/N | Image   | Material  | Is this specified packaging to be reported? |
|-----|---|---|---|
| 41  |    | Beverage can  | Yes   |
| 42  |    | Beverage cup  | Yes   |
| 43  |   | Small trolley (Given to consumer when purchasing bulky items) | No  |
| 44  |  | Inhaler and Turbuhalor casing                                 | No  |
| 45  |  | Inhaler cartridge   | Yes   |

| S/N | Image   | Material   | Is this specified packaging to be reported? |
|-----|---|--|---|
| 46  |    | Can ties and banding wrapper                     | Yes   |
| 47  |    | Promotional booth                                | No  |
| 48  |   | Vacuum seal bag                                  | Yes   |
| 49  |  | Ribbon   | Yes   |
| 50  |  | Basket used to pack goods within such as hampers | Yes   |

| S/N | Image   | Material  | Is this specified packaging to be reported?  |
|-----|---|---|--|
| 51  |    | Carton box for logistical purposes  | Yes, unless it is used in relation to multiple sales units and not presented or delivered to the consumer of the goods |
| 52  |    | Small carton box/tray that forms a single sales unit e.g. contains multiple beverage cans | Yes  |
| 53  |   | Clam shell packaging  | Yes  |
| 54  |  | Pouch   | Yes  |
| 55  |  | Drink carton  | Yes  |

| S/N | Image   | Material   | Is this specified packaging to be reported?  |
|-----|---|--|--|
| 56  |    | Tin  | Yes  |
| 57  |    | Board/Slip sheet   | Yes, unless it is used in relation to multiple sales units and not presented or delivered to the consumer of the goods |
| 58  |   | Sack   | Yes  |
| 59  |  | Display tray   | No   |
| 60  |  | Liner's commonly used to cover the inside of shipping containers | Yes, only if presented or delivered to the consumer of the goods   |

| S/N | Image   | Material   | Is this specified packaging to be reported?  |
|-----|---|------------|--|
| 61  |    | Flexi tank | Yes, only if presented or delivered to the consumer of the goods   |
| 62  |    | Pail       | Yes  |
| 63  |   | Tub        | Yes  |
| 64  |  | Sleeves    | Yes  |
| 65  |  | Crate      | Yes, unless it is used in relation to multiple sales units and not presented or delivered to the consumer of the goods |

| S/N | Image   | Material               | Is this specified packaging to be reported?                                  |
|-----|---|------------------------|--|
| 66  |    | Barrel                 | Yes  |
| 67  |    | Plastic box (Reusable) | Yes (e.g. if provided by a retailer to enable consumers to put goods within) |
| 68  |   | Blister packaging      | Yes  |
| 69  |  | Desiccant              | Yes  |
| 70  |  | Canister               | Yes  |

| S/N | Image  | Material  | Is this specified packaging to be reported?                      |
|-----|--|---|--|
| 71  |   | Manual and leaflets regardless if they are used in relation to the regulated goods or not | No   |
| 72  |   | Tags attached as part of apparels   | No   |
| 73  |  | Taping Reel incl. packaging strip (e.g. Taping reel to contain electrical components)     | Yes, only if presented or delivered to the consumer of the goods |

## Annex C: Summary of requirements stated in s 20-23 of the RSA and Resource Sustainability (Packaging Reporting) Regulations 2020

A producer of any specified packaging who fulfils the prescribed threshold criteria in any year (T) must, in year T + 2, must submit to the Agency a report relating to the specified packaging that is imported or used in year T + 1.

For example, to determine whether your company meets the annual turnover for the report (containing packaging data for 2021 (T+1)) to be submitted in 2022 (T + 2), this will be based on your company's annual turnover in 2020 (T).

Each packaging report **must** state the weight and form of specified packaging imported or used according to the type of material of specified packaging, less all specified packaging that was exported.

In addition, starting from Q1 2022, “producers” are required annually to:

- (a) Submit methodology document that explains the methodology used in recording the material, weight and form of specified packaging imported or used. The methodology document should also detail the sources of these information and include relevant supporting documents.
- (b) Develop 3R plans for packaging in Singapore that will be completed within 3 years of submission:
  - i. Packaging Reduction
  - ii. Packaging Collection for Reuse
  - iii. Packaging Collection for Recycling
  - iv. Consumer Outreach related to Packaging 3Rs
  - v. Industry Outreach related to Packaging 3Rs
  - vi. Use of Recycled Content in Packaging Material
  - vii. Improving Recyclability of Packaging

Note: These plans are not limited to the specified packaging imported or used by the producer.

- (c) Keep records related to above reports and plans based on prescribed requirements for a period of 5 years.

## Useful Links

|  |  |
|--|--|
| <p>The Resource Sustainability Act</p>   |    |
| <p>The Subsidiary Legislation - (Resource Sustainability (Packaging Reporting) Regulations) 2020</p>   |    |
| <p>The Resource Sustainability Act (Commencement) Notification 2019</p>  |  |
| <p>Guide on Mandatory Packaging Reporting</p>  |  |
| <p>Please visit the NEA MPR website at <a href="https://www.nea.gov.sg/packaging">https://www.nea.gov.sg/packaging</a> or contact <a href="mailto:packaging@nea.gov.sg">packaging@nea.gov.sg</a> if you have any further queries</p> |  |