

REPUBLIC OF KIRIBATI



SPECIAL FUND (WASTE MATERIAL RECOVERY) ACT 2004

SPECIAL FUND (WASTE MATERIAL RECOVERY) REGULATIONS 2025

In exercise of the powers conferred on me by section 5 of the Special Fund (Waste Material Recovery) Act 2004, acting in accordance with the advice of the Cabinet, I hereby make the following Regulations:

PART I - PRELIMINARY

1. Short title

These Regulations may be cited as the Special Fund (Waste Material Recovery) Regulations 2025.

2. Commencement

These Regulations will come into operation upon signing of the Minister.

3. Interpretation

(1) In these Regulations:

“**beverage**” means any liquid intended for human consumption by drinking,

“**customs legislation**” means the Customs Act 1993 or any legislation which replaces that Act,

“**deposit**” means a deposit to be levied under section 3 in accordance with section 4,

“**designated collection point**” means any point agreed to be a designated collection point in an agreement between the Republic and the waste recovery operator,

“**PET**” means polyethylene terephthalate,

“**special fund**” means the fund established by section 6,

“waste recovery operator” means the person engaged by the Republic under regulation 9.

(2) All other terms used in these Regulations have the meaning given to them in the Act.

PART II – DEPOSITS

4. When liability to pay deposit arises

For material in respect of which a deposit is to be levied, liability to pay the deposit arises when the material is imported into Kiribati for any reason other than transshipment.

5. Who must pay the deposit

The deposit must be paid by the same person who is required to pay import duty under the customs legislation.

6. To whom the deposit must be paid

The deposit must be paid to any person who can receive import duty under the customs legislation.

7. How must the deposit be paid

The deposit must be paid in the same manner as import duty under the customs legislation.

8. Deposit shall be deemed to be an import duty for certain purposes

(1) Subject to the provisions of these Regulations, a deposit is deemed to be an import duty imposed under the customs legislation.

(2) If sub regulation (1) creates any offence punishable by:

(a) a fine exceeding \$100; or

(b) a term of imprisonment exceeding 3 months,

then maximum punishment for that offence will be taken to be a \$100 fine or 3 months imprisonment.

PART III – RECOVERY OF WASTE MATERIALS

9. Republic may engage waste recovery operator

The Minister responsible for environment, on behalf of the Republic, may enter into an agreement with a person for that person to be responsible for the recovery of waste materials.

10. Operator to pay refunds

For each item in the table in the schedule, the waste recovery operator must pay to any person presenting at a designated collection point whole and reasonably clean waste material listed in column 1 of that item, the refund at the rate listed in column 2 of that item.

11. Costs of waste recovery operator

The waste recovery operator is entitled to be paid out of the special fund amounts to cover refunds paid under regulation 10, and any other amounts, as agreed between the Republic and the waste recovery operator.

Schedule (regulation 10)

Item	Column 1 – Waste Material	Column 2 – Refund
1	Any beverage container made of PET	20c per five containers
2	Any cooking oil container made of PET	20c per five containers
3	Any beverage container made of aluminium	20c per five containers
4	Any type of lead-acid battery	\$5 per battery
5	Motor vehicles for the transport of ten or more, but less than 20, persons, including the driver	\$900 per vehicle
6	Motor cars and other motor vehicles principally designed for the transport of persons (other than those of heading 87.02), including station wagons	\$900 per vehicle
7	Motor vehicles for the transport of goods g.v.w. not exceeding 5 tonnes	\$900 per vehicle
8.	Laptop computers	\$40
9.	Cell phones	\$10

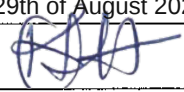
12. Repeal

The Special Fund (Waste Material Recovery) Regulations 2005 and any other Orders or Notices issued under it are hereby repealed.

Dated this 29 day of August 2025


Hon. Tokaibure Rabaua
Minister for Environment,
Lands and Agricultural
Development

Printed by exhibition at the Office of Te Beretitenti on 29th of August 2025


For DR NAOMI BIRIBO
Secretary to Cabinet