



Pan-Africa Policy Insights on Tyre Waste

Webinar

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South Africa



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Outline of Session



Overview of existing laws and regulations on tyre waste management in South Africa



Key policies missing in South Africa in terms of tyre waste management



Lessons in Waste tyre management policy and its subsequent failure in South Africa



Perspectives on the future of tyre waste management in South Africa



Tyre Waste Management



Legislative Framework



Globally South Africa is regarded as having world class environmental legislation



Waste tyre regulatory architecture

- National Environmental Management Act (NEMA)
- National Environmental Management: Waste Act, 2008 (NEM: WA)
- Waste Tyre Regulations.



Enforcement

- Failure to comply with the provisions of the Waste Tyre Regulations and to manage waste tyres as prescribed in the IndWTMP, constitutes a criminal offence in terms of section 67(1)(d) of NEM: WA and is punishable in terms of section 68(2) of NEM: WA.



Legislative Framework

01 Industry Waste Tyre Management Plan

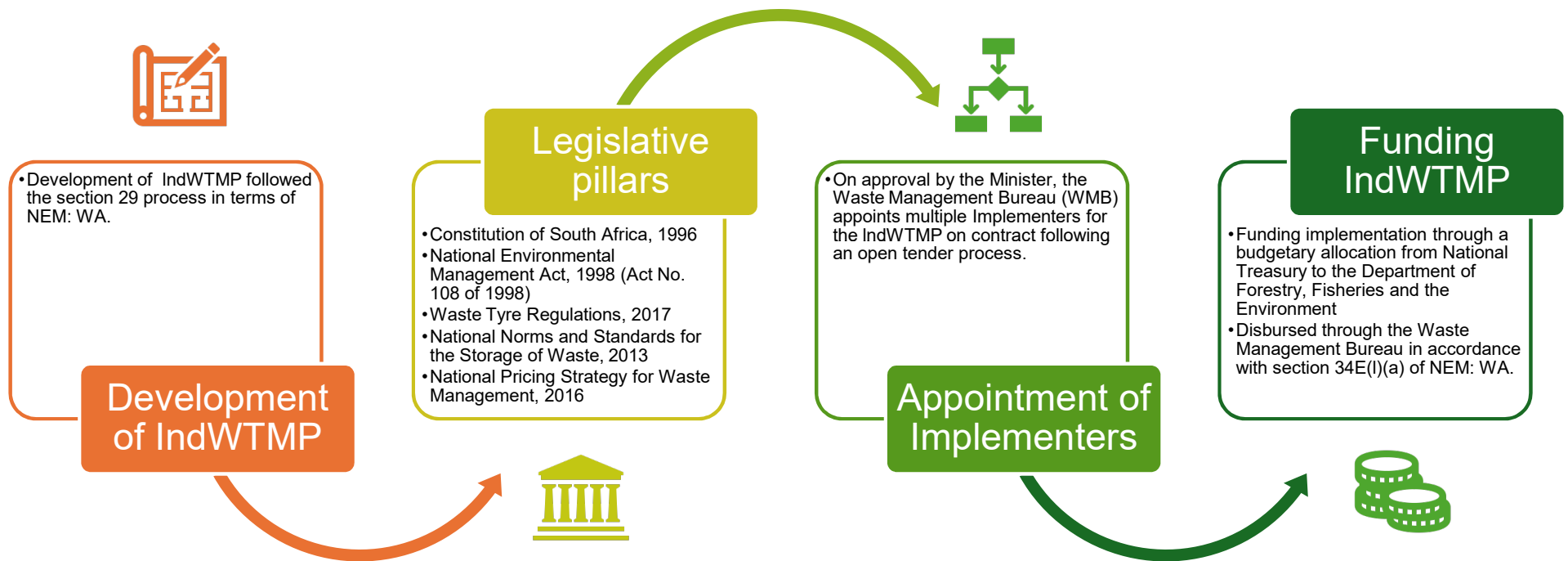
On 29 November 2019, the Minister of Forestry, Fisheries and the Environment ("the Minister"), gave notice in terms of section 29(1) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) ("NEM: WA"), to the Council for Scientific and Industrial Research ("CSIR"), to develop an Industry Waste Tyre Management Plan (IndWTMP).

02 Section 29 Notices

The Section 29 notice followed the rejection of all the Industry Waste Tyre Management Plans submitted by the tyre industry as stated in the Notice of closing off the section 28 of NEM: WA process that was published in Government Notice R.1151 of Government Gazette 42695 on 11 September 2019.

03 Objectives

- Manage waste tyres
- Facilitate waste tyre processing capacity
- Reduce the negative environmental impacts of waste tyres in an efficient and effective manner
- Supporting enterprise development and job creation in a circular economy
- Expand the waste tyre processing capacity
- Develop systems to monitor progress and to manage the implementation of the IndWTMP



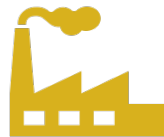


Key Challenges and Gaps

Challenges



Absence of remedial actions since 2017 to keep pace with production, means that South Africa will also have a backlog, stockpiles and tyre waste debt.



Fragmentation between producers and importers on owning the responsibility.



Divergence of what constitutes sustainable approach tyre waste management programmes.



Lack of Government investment in capacitating waste management programmes

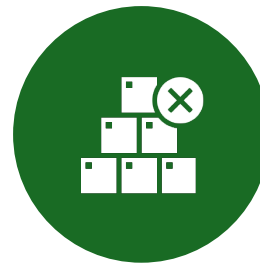


The framework and policy is there without **political and industry will** to implement.

Gaps



Weak oversight and governance mechanisms



Producers and importer have no vested responsibility - the only waste stream operating in accordance with a state developed plan, partly due to previous state failings.



Other priority waste streams operate within a different framework which tyres are exempted from



Levy cannot and does not fund to scale and is not ringfenced. Other priority waste streams have self-funded structures and programmes.



Lessons



Strengths



Government owned plan requiring Government participation and transparency



Industry-wide support



Evidence based and research driven



Funded through mandatory taxation mechanism

Failures



While the policy and legislative framework is in keeping with global best practice. Implementation remains the recurring and persistent obstacle in realising the benefits thereof.



Funded by tax collected by SARS, but not ring-fenced for specific tyre waste management.



The National Waste Management Bureau is not capacitated or adequately funded and still receives a portion of the National Department allocation.



The levy has not increased since 2017 with industry pushing back on any increase on the basis of ineffective programmes and scalable recycling ROI.



Perspectives



Tyre Waste as a Priority Waste Stream

 A priority waste stream, but not prioritised through the end-of-life tyre value chain.

 Ineffective waste management ,not been developed at scale.

 The plan while industry supported and funded remains largely unimplementable

 Effective waste tyre management requires greater industry funding

Trajectory



- 1 Industry is accustomed to outsourcing its responsibility.
- 2 This has been exacerbated by the historical failures and legacy of waste tyre management.



- 1 Quantum of the levy must be revised to fund waste tyre management.
- 2 Stronger implementation and investment to develop waste management and recycling programmes.





Thank You...