



File Reference: Waste Tyre Mutilation
EDMS Reference: Hard Copy
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To all Tyre Dealers and Waste Tyre Collection Points

It has come to the attention of the Department of Environmental Affairs and Fisheries as well as the Waste Bureau that most of the Tyre Dealers and other Waste Tyre Collection Points are not mutilating the Waste Tyres as it is required by the law. Some of these waste tyres then end up being sold as second hand tyres to unsuspecting road users and are likely to become a danger and possibly result in loss of life to road users, including drivers, passengers and pedestrians.

Regulation 1 of the Waste Tyre Regulations, 2017 (GN 1064 of 29 September 2017) under the National Environmental Management: Waste Act, No. 59 of 2008 defines a "waste tyre" as —

- a) a new;
- b) used;
- c) retreaded; or
- d) unroadworthy,

tyre not suitable to be retreaded, repaired, or sold as a part worn tyre and not fit for its original intended use;

"part worn tyre" means a used tyre, which can be safely returned to its original intended use, and which, after being retreaded, is not of such nature and condition that it is not suitable to be fitted on a vehicle that operates on a public road in accordance to the National Road Traffic Act, 1996 (Act No. 93 of 1996) or the regulations made in terms of that Act

A used tyre which fails to conform to Section 212 of the National Road Traffic Regulations, 2000, constitute a waste tyre and therefore cannot be lawfully sold to a consumer as a part worn tyre, as defined in terms of the Waste Tyre Regulations, 2017.

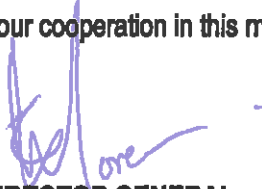
Where such tyre constitutes a waste tyre, all tyre dealers (defined as any person or entity that distributes, or otherwise deals commercially, in tyres within the Waste Tyre Regulations, 2017), would be obliged to manage their waste tyres in accordance with the provisions of Section 6 of the Waste Tyre Regulations, 2017, namely;

- to classify any used tyre in his or her possession or control as either a part worn tyre or a retreadable casing and any used tyre not falling into either of these categories must be classified as a waste tyre
- to mutilate the tyres as prescribed in Section 6(2).

A person is guilty of an offence if that person contravenes or fails to comply with, inter alia, Section 6 of the Waste Tyre Regulations 2017 and accordingly would, on conviction, be liable to imprisonment for a period not exceeding 15 years, or a fine or both.

We therefore urge all Tyre Dealers to ensure compliance with Section 6 of the Waste Tyre Regulations, 2017, as outlined above with immediate effect. In order to assist tyre dealers to comply with this regulation, a mutilation Guideline is included in this correspondence.

Your cooperation in this matter will be highly appreciated.

A handwritten signature in blue ink, appearing to read 'T Moremi', is written over the text 'Your cooperation in this matter will be highly appreciated.'

DIRECTOR GENERAL

Department of Environmental Affairs

Letter signed by: Tshepo Moremi

Executive Manager: Extended Producer Responsibility WB

Date 03/12/2019