

PAYT toolbox & Legal bottlenecks

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PAYT tool box

To facilitate the adoption of PAYT

PAYT
guide

Tariff
calculator

PAYT
Platform

Training for elected
officials

Home composting
course

Policy impacts

Interactions with relevant entities



Legal bottlenecks

Procurement procedures

In Portugal, Greece and Cyprus procurement procedures take **too long** and are easily **subject to complains** by opponents (other entities applying to the same tender)

- Lisbon case: the international procedure for acquisition of collection vehicles adapted to PAYT took so long that the project had to give up on the initial idea for this target area and the technical solution needed to be reformulated

(This bottleneck was reported at the meeting with the European Court of Auditors)

Legal bottlenecks

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Legal bottlenecks

Legal classification of a Large Producer of Waste (LPW)

In Portugal, the current classification of over 1 110 L/day excludes a significant number of entities that produce large amounts of potentially recyclable waste (restaurants, clothes shop, etc). These waste producers should be **priority targets of PAYT tariffs** through the application of national regulations as is already the case in other European Countries

(This bottleneck was reported at the meeting with the European Court of Auditors and at the meeting with ERSAR) and also included in the recommendations

Legal bottlenecks

Special tariffs for Home Composters

Significant financial incentives for those who demonstrate using composting as a waste reducing strategy should be embedded in the tariff strategy (This is already a common practice in Germany and Austria)

(This bottleneck was reported at the meeting with ERSAR and included in the recommendations)

Legal bottlenecks

Tariffs do not balance the costs of waste collection and treatment

In Portugal, most municipalities have tariffs that are too low and **do allow the recovery of costs**. ERSAR stipulates that there should be a balance and tariffs should allow an income of 90-110% of waste costs.

Ensuring that legal and financial penalties are imposed to those municipalities that do not comply with the regulations would bring an equilibrium to cost/income and be a huge incentive to the adoption of PAYT by the municipality

(This bottleneck was reported at the meeting with ERSAR and included in the recommendations)

Legal bottlenecks

Waste collection contract and payment of collection fees in Portugal

Waste collection is not subject to a contract between the user and the municipality – only water is!

- Reporting of waste tariffs and monthly cost in the water invoice should be made more clear: need to regulate the information to appear in the invoice and how visible it is

Autonomous waste tariff and **contracts specific for waste** would benefit from the development (by the regulating entity) of a well-thought model, to be applied nationwide. Why?

1. De-coupling waste from the water tariff is threatened by lack of payment of the waste tariff: how to penalize those that do not pay needs to be carefully considered in this model, because lack of payment by one individual (resulting in the waste not being collected) penalize the community more than the offender.

Legal bottlenecks

Waste collection contract and payment of collection fees (cont.)

2. The contracting and charging of an autonomous waste tariff in multi-family buildings must be clarified. Under current practice, condominiums may not be legally constituted, making it difficult to apply the tariff to all residents who, for reasons of available space, jointly use the same container.
3. Under the GDPR Regulation (General Data Protection Regulation) European legislation 2016/679 – it is likely that any contracting updating/transformation requires prior authorization – how to measure the amount of waste produced by a specific individual without violating the privacy one is entitled as a citizen must be carefully considered

(these bottlenecks were reported at the meeting with ERSAR) and included in the recommendations)

Thank you !

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