
DRAFT STATUTORY RULES OF NORTHERN
IRELAND

2010 No. [XXXX]

ENVIRONMENTAL PROTECTION

**The Producer Responsibility Obligations (Packaging Waste)
(Amendment) Regulations (Northern Ireland) 2010**

Made - - - - - ***
Coming into force - - - - - [XXXX]

The Department of the Environment makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(a) and Articles 3-5 of the Producer Responsibility Obligations (Northern Ireland) Order 1998(b).

These Regulations are made for the implementation of Article 6(1) of Council Directive 94/62/EC on packaging and packaging waste.

The Department of the Environment was designated(c) for the purposes of section 2(2) of the European Communities Act 1972 in relation to measures relating to the prevention, reduction and elimination of pollution caused by waste and the management of packaging and packaging waste.

Accordingly, after consultation in accordance with Article 3(2) of the Producer Responsibility Obligations (Northern Ireland) Order 1998, and being satisfied as to the matters specified in Article 3(6) of that Order as required by Article 3(5) of that Order, the Department makes the following Regulations:

Citation, commencement and extent

1. These Regulations—

- (a) may be cited as the Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations (Northern Ireland) 2010;
- (b) come into force on [XXXX 2010]; and
- (c) The Interpretation Act (NI) 1954(d) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

(a) 1972 c. 68.
(b) S.I. 1998/1762(N.I. 16)
(c) The Department was designated under the European Communities(Designation) Order 1996 under Article 2 and the Schedule(S.I. 1996/266)
(d) 1954 c.33 (N.I.)

Amendment of the Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007

2. The Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007(a) are amended as follows.

Amendment of regulation 2 (interpretation and notices)

3. In regulation 2(2)—

- (a) for the definition of “approved person”, substitute—

“approved person” means the person for the time being approved under regulation 34 for the purpose of—

 - (a) issuing certificates of compliance under regulation 21 and signing the form referred to in regulation 7(4)(c), 7(4)(ca) or 19(2)(b) in relation to a particular producer; or
 - (b) signing the form referred to in regulation 14(3)(c) or the statement referred to in regulation 22(4) in relation to a particular operator of a scheme;”;
- (b) in the definition of “financial year”—
 - (i) for “Article 231(1) to (3) of the Companies Order 1986”, substitute “section 390(1) to (3) of the Companies Act 2006(b)”; and
 - (ii) for “Article 231(4) of the Companies Order 1986”, substitute “section 390(4) of the Companies Act 2006”;
- (c) after the definition of “financial year”, insert—

““marine structure” means a platform or other man-made structure at sea, other than a pipe-line;”;
- (d) for the definition of “SIC code”, substitute—

““SIC code” means a code included in “Index to the UK Standard Industrial Classification of Economic Activities 2007 & UK Standard Industrial Classification of Economic Activities 2007 (SIC 2007)” published by the Office for National Statistics in 2007(c);”;
- (e) in the definition of “small producer”—
 - (i) omit “who satisfies the threshold tests in paragraph 3 of Schedule 1 but”; and
 - (ii) for “Article X of the Companies(NI) Order 1986”, substitute “section 441 of the Companies Act 2006(d)”; and
- (f) in the definition of “turnover”, for “Article X of the Companies(NI) Order 1986”, substitute “section 539 of the Companies Act 2006”.

Amendment of regulation 5 (producers and scheme membership)

4—1 Regulation 5 is renumbered as paragraph (1) of that regulation.

(2) After that paragraph, insert—

- “(2) In order to be a member of a registered scheme, a producer must—
- (a) provide any information the scheme requests for the purposes of meeting its producer responsibility obligations within a reasonable period of receiving such a request; and
 - (b) pay any fee required for membership of the scheme.”.

(a) S.R. 2007/198.

(b) 2006 c. 46.

(c) ISBN 9780116216427.

(d) [2006 c. 46 as amended by S.I. 2008/393].

Amendment of regulation 7 (application for producer registration)

5 In regulation 7—

(a) in paragraph (4)—

(i) for sub-paragraph (c), substitute—

“(c) be accompanied by the following further information, on a form supplied for that purpose by the Department and signed by the approved person, in relation to the relevant year—

- (i) each class of producer to which the applicant belongs;
- (ii) if they belong to more than one class of producer, which of those classes constitutes their main activity as a producer; and
- (iii) the relevant SIC code for the class of producer to which the applicant belongs or, as the case may be, for the applicant’s main activity;”;

(ii) after sub-paragraph (c), insert—

“(ca) other than in the case of a small producer who has elected to follow the allocation method under sub-paragraph (d) and subject to paragraph (9), be accompanied by the following further information, on a form supplied for that purpose by the Department and signed by the approved person, in relation to the relevant year—

- (i) in relation to each class of producer—
 - (aa) the amount of packaging waste which they are required to recover by virtue of paragraph 3(1) of Schedule 2 and of this the proportion which is to be recovered by recycling by virtue of paragraph 3(2) of Schedule 2; and
 - (bb) the amount of packaging waste which they are required to recycle for each kind of recyclable material by virtue of paragraph 3(3) of Schedule 2;
- (ii) the basis on which the amounts referred to in paragraph (i) were calculated; and
- (iii) such other information as the Department reasonably requires in order to determine the application and as is specified on the form;”;

(iii) omit sub-paragraph (e);

(b) in paragraph (6)—

(iv) in sub-paragraph (a)(ii), after “(4)(c),” insert “(ca),”;

(v) in sub-paragraph (b), after “(4)(c),” insert “or (ca)”;

(c) in paragraph (9), after “(4)(c),” insert “ or (ca)”;

(d) after paragraph (10), insert—

“(11) The relevant fee for producer registration referred to in regulation 9 must be received by the Department on or before the relevant date.”.

Amendment of regulation 8 (conditions of registration of a producer)

6. In regulation 8(c)(iii), after “7(4)(c),” insert “7(4)(ca)”.

In regulation 8(g) for “1st January”, substitute “31st January”.

Amendment of regulation 9 (forms and fees for producer registration)

7. In regulation 9(1), after “7(4)(c),” insert “or 7(4)(ca)”.

Amendment of regulation 12 (schemes: general provisions)

8. In regulation 12(4) for “PNR”, substitute “PRN”.

Amendment of regulation 13 (application for approval of a scheme)

9. In regulation 13(5) (c), omit “, together with copies of the PRNs or PERNs or both”.

Amendment of regulation 14 (application for registration of a scheme)

10. In regulation 14—

(a) in paragraph (1), for “7th April”, substitute “15th April”;

(b) in paragraph (3)(c)—

omit “subject to paragraph (6) below,”;

(i) after “by the Department”, insert “and signed by the approved person”;

(ii) at the end of paragraph (i), insert “and each class of producer to which each producer belongs”;

(iii) in paragraph (iv), for “paragraphs (4)(c)(iv) and (v)”, substitute “paragraphs (4)(ca)(i) and (ii)”;

(c) in paragraph (3)(e), before “be accompanied”, insert “except where a scheme was registered in respect of the previous year.”;

(d) for paragraph (3)(f), substitute—

“(f) be accompanied—

(i) on a first application for registration, by an operational plan for the scheme complying with Part III of Schedule 3; and

(ii) on any subsequent application, by a revised version of that plan unless it has already been provided pursuant to paragraph (g) in regulation 15.”;

(e) after paragraph (3), insert—

“(3A) The requirement mentioned in paragraph (3)(c) is that the form be signed by—

(a) the approved person; or

(b) in the case of a scheme that has not already been registered, anyone who is eligible to be an approved person under regulation 34(2)(a).”;

(f) in paragraph (4), for sub-paragraphs (c) and (d), substitute—

“(c) the Department is satisfied as to the contents of the operational plan provided as required by paragraph (3)(f);

(d) the scheme has been approved by the appropriate authority; and

(e) the scheme was either registered in the previous year or the scheme was approved by the appropriate authority no earlier than in the year previous to that in which the application for registration is made.”;

(g) omit paragraph (6); and

(h) after paragraph (7), insert—

“(8) Where an application for registration is refused on the grounds of failure to meet the requirements of paragraph (4)(e) the operator must make a new application for approval of the scheme in accordance with regulation 13 before making an application for registration of the scheme under this regulation.”.

Deleted: Agency

(a) Inserted by regulation 14 below.

Amendment of regulation 22 (schemes— records and returns)

12. In regulation 22(4), after “statement”, insert “signed by the approved person”.

Insertion of regulation 22A (notification of insolvency)

13. After regulation 22, insert—

“Notification of winding up, receivership, administration, etc.

22A.—(1) This regulation applies to any person who is—

- (a) the operator of a scheme;
- (b) a producer; or
- (c) a reprocessor or an exporter accredited in accordance with Part V (accreditation of reproducers and exporters).

(2) (2) A company or limited liability partnership to whom this regulation applies shall inform the Department as soon as is practicable upon becoming aware that one or more relevant circumstances apply or are about to apply to them.

(3) The operator of a scheme must inform the Department as soon as is practicable upon their becoming aware that any one or more of the relevant circumstances apply or are about to apply to the scheme it operates.

(4) For the purposes of this regulation the “relevant circumstances” are—

- (a) a winding-up order has been made or a resolution for voluntary winding-up has been passed;
- (b) a determination for a voluntary winding-up has been made;
- (c) a receiver or a manager of its undertaking has been duly appointed;
- (d) its undertaking has entered administration;
- (e) a voluntary arrangement proposed for the purposes of Part 1 of the Insolvency Act 1986(a) has been approved under that Part of the Act.”.

Amendment of regulation 24 (accreditation of reproducers and exporters)

14. In regulation 24—

For paragraph (1)(c), substitute—

“(c) accompanied by a business plan containing information on how the funds acquired from the issue of PRNs or PERNs are to be applied including information in respect of the following matters—

- (i) investment in infrastructure and the development of capacity for the collection, sorting, treatment and reprocessing of packaging waste;
- (ii) funding provided to other persons involved in the collection of packaging waste;
- (iii) reductions in the prices of, and the development of new markets for, materials or goods made from recycled packaging waste;
- (iv) the costs of complying with obligations in these Regulations;
- (v) funds retained for future investment;
- (vi) the development of a communications strategy for consumers of packaging made from recyclable materials; and”;

(a) 1986 c. 45 as amended by the Insolvency Act 2000 (2000 c. 39), the Enterprise Act 2002 (2002 c. 40) and S.I. 2005/879. There are other amendments but none are relevant to these Regulations.

- (i) at the end of paragraph (6), insert “within 28 days of the breach”; and
- (j) in paragraph (7), after “a fee of £110”, insert “for each form submitted to the Department”.

Amendment of regulation 33 (public register)

15. In regulation 33(4), omit “and shall note the date on which the amendment is made”.

Amendment of regulation 34 (approval of persons to issue certificates of compliance)

16. For regulation 34, substitute—

“Approved persons

34.—(1) For the purposes of issuing certificates of compliance and signing the form referred to in regulation 7(4)(c), 7(4)(ca) or 19(2) (as the case may be) the Department may approve—

- (a) where the producer is an individual, that individual;
- (b) where the producer is a partnership, a partner;
- (c) where the producer is a company registered in Northern Ireland, a director or company secretary of that company;
- (d) where the producer is an unincorporated body, an individual who has control or management of that body; or
- (e) where the producer does not have a registered office in Northern Ireland, an individual who has control or management of the producer.

(2) For the purpose of signing the form referred to in regulation 14(3)(c) or the statement referred to in regulation 22(4) the Department may approve—

- (a) where the operator of the scheme is an individual, that individual;
- (b) where the operator of the scheme is a partnership, a partner;
- (c) where the operator of the scheme is a company registered in Northern Ireland, a director or company secretary of that company;
- (d) where the operator of the scheme is an unincorporated body, an individual who has control or management of that body; or
- (e) where the operator of the scheme does not have a registered office in Northern Ireland, an individual who has control or management of the operator.”.

Amendment of regulation 36 (provision of information to the Department)

17. In regulation 36—

- (k) in paragraph (2), after “7(4)(c)”, insert “, 7(4)(ca)”;
- (l) in paragraph (4), for “31st January”, substitute “28th February”.

Amendment of Schedule 1 (producers)

18.—(2) Schedule 1 is amended as follows.

(3) In paragraph 1(2)—

- (a) after “functions of”, insert “both”; and
- (b) omit “at the same time, and”.

(4) In paragraph 4—

- (a) at the end of sub-paragraph (1), for “section 242 of the Companies Act 1985”, substitute “section 441 of the Companies Act 2006(a)”; and
- (b) at the end of sub-paragraph (2)(b)(iii), insert “(with the exception of any packaging or packaging materials exported from the United Kingdom to a marine structure)”.

Amendment of Schedule 2 (recovery and recycling obligations)

19. —(1) Schedule 2 is amended as follows.

(2) In paragraph 1(1), for sub-paragraphs (b) and (c), substitute—

“(b) to recover by recycling a proportion of that packaging waste, as provided in paragraph 3(2);

(c) as part of the obligation to recover packaging waste as provided in paragraph (a), to recover by recycling an amount of packaging materials which is packaging waste, as provided in paragraph 3(3); and

(d) in relation to glass, to recycle by re-melt an amount of glass packaging which is glass packaging waste, as provided in paragraph 3(4).”.

(3) In paragraph 3(1), for the definition of “P” substitute—

“P” is the amount of packaging and packaging materials handled in the United Kingdom by the producer in the preceding year, calculated in tonnes to the nearest tonne by—

(a) including packaging, including reused transit packaging, or packaging materials so supplied which were imported into the United Kingdom by the producer, either himself or through an agent acting on his behalf; and

(b) excluding—

(i) reused sales packaging or primary packaging as defined in paragraph 1(a) of Article 3 of the Packaging Waste Directive;

(ii) production residues from the production of packaging or packaging materials or from any other production process occurring before, during or after the producer handled the packaging or packaging materials;

(iii) any packaging or packaging materials so supplied which were exported from the United Kingdom by the producer, either himself or through an agent acting on his behalf or which to the producer’s reasonable knowledge were otherwise exported from the United Kingdom (with the exception of any packaging or packaging materials exported from the United Kingdom to a marine structure); and

(iv) reused transit packaging (with the exception of reused transit packaging imported into the United Kingdom);”.

(4) For paragraph 3(2), substitute—

“(2) The proportion of the packaging waste referred to in sub-paragraph (1) which is to be recovered by recycling, in relation to a class of producer to which the producer belongs in the years 2010 to 2020 is not less than 92% of the amount by tonnage of packaging waste represented by “Z” in sub-paragraph (1).”

(5) After paragraph 3(3), insert—

“(4) Where in the preceding year the producer has handled any glass (whether in the form of packaging or packaging materials), the producer shall recycle by re-melt an amount of glass packaging waste calculated as follows—

$$L \times B \times W = G$$

(a) [2006 c. 46 as amended by S.I. 2008/393].

where—

“L” is the amount to the nearest tonne of the glass (whether in the form of packaging or packaging materials) handled in Great Britain by the producer in the preceding year;

“B” is the percentage prescribed in paragraph 4 in relation to the class of producer;

“W” is the percentage prescribed in paragraph 6A as the recycling by re-melt target for the relevant year; and

“G” is the amount by tonnage of glass packaging waste which is to be recycled by re-melt in the relevant year.”.

(6) For paragraph 5, substitute—

“The following is prescribed as the recovery target “X”—

- (a) for the year 2010, 74%;
- (b) for the year 2011, 75%;
- (c) for the year 2012, 76%;
- (d) for the year 2013, 77%;
- (e) for the year 2014, 78%;
- (f) for the year 2015, 79%;
- (g) for the year 2016, 80%;
- (h) for the year 2017, 81%;
- (i) for the year 2018, 82%;
- (j) for the year 2019, 83%; and
- (k) for the year 2020, 84%.”.

(7) For paragraph 6, substitute—

“6. The following percentages are prescribed as the recycling target “Y” in respect of the years specified in the first column in relation to the recyclable materials indicated at the head of the subsequent columns—

Table 2: Recycling Targets

| <i>Year</i> | <i>Glass</i> | <i>Aluminium</i> | <i>Steel</i> | <i>Paper/ Board</i> | <i>Plastic</i> | <i>Wood</i> |
|-------------|--------------|------------------|--------------|-------------------------|----------------|-------------|
| 2010 | 81 | 40 | 69 | 69.5 | 29 | 22 |
| 2011 | 82 | 43 | 71.5 | 72 | 30 | 28 |
| 2012 | 83 | 46 | 74 | 74 | 35 | 34 |
| 2013 | 84 | 49 | 76.5 | 76 | 40 | 40 |
| 2014 | 85 | 52 | 79 | 78 | 45 | 46 |
| 2015 | 86 | 55 | 81.5 | 80 | 50 | 53 |
| 2016 | 87 | 58 | 84 | 82 | 55 | 59 |
| 2017 | 88 | 61 | 86.5 | 84 | 60 | 65 |
| 2018 | 89 | 64 | 89 | 86 | 65 | 71 |
| 2019 | 90 | 67 | 91.5 | 88 | 70 | 74 |
| 2020 | 90 | 70 | 94 | 90 | 75 | 74”. |

(8) After paragraph 6, insert—

“6A. The following percentages are prescribed as the recycling by re-melt target “G” in relation to the years indicated in the first column—

Table 2A: Recycling by re-melt targets for glass

| <i>Year</i> | <i>Percentage</i> |
|-------------|-------------------|
| 2011 | 55.2 |
| 2012 | 56.3 |
| 2013 | 57.5 |
| 2014 | 58.7 |
| 2015 | 59.8 |
| 2016 | 61 |
| 2017 | 62.1 |
| 2018 | 63.3 |
| 2019 | 64.4 |
| 2020 | 65.6”. |

(9) For paragraph 8, substitute—

“**8.** Table 3 prescribes the recycling allocation “B” in relation to a relevant year—

Table 3: Recycling Allocations

| <i>Relevant Year</i> | <i>Recycling Allocation</i> |
|----------------------|-----------------------------|
| 2010 | 29 |
| 2011 | 30 |
| 2012 | 31 |
| 2013 | 32 |
| 2014 | 33 |
| 2015 | 34 |
| 2016 | 35 |
| 2017 | 36 |
| 2018 | 37 |
| 2019 | 38 |
| 2020 | 39”. |

(10) After paragraph 10, insert—

“**11.** For the purposes of this Schedule, “recycling by re-melt” means the recycling of glass for the purposes of use in packaging or packaging materials.”.

Amendment of Schedule 3 (information)

20. In Schedule 3, paragraph 12(h), for “15(f)”, substitute “12(1)”.

Amendment of Schedule 5 (conditions of accreditation)

21. (1) Schedule 5 is amended as follows.

(2) In paragraph 1—

(a) in sub-paragraph (g), for “15th February”, substitute “28th February”;

(b) omit sub-paragraphs (h), (j) and (l);

(c) for sub-paragraph (o), substitute—

“(o) a report shall be provided to the Department in such form as the Department may require before 28th February in each year which—

(i) sets out all the information provided in the quarterly reports which relate to the whole of the previous year;

(ii) sets out the amount of revenue received in the previous year from the sale of PRNs or PERNs;

- (iii) sets out what the revenue provided under paragraph (ii) has been spent on including information on the matters set out in paragraphs (i) to (vi)(a) of regulation 24(1)(c);
- (iv) accounts for the whole of the amount of revenue provided under paragraph (ii); and
- (v) sets out and explains any deviation during the previous year from the business plan referred to in regulation 24(1)(c);”;
- (d) omit sub-paragraph (p);
- (e) for sub-paragraph (r), substitute—
 - “(r) a PERN may only be issued in respect of packaging waste that is exported in accordance with—
 - (i) Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste(b); and
 - (ii) Commission Regulation (EC) No 1418/2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) No 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of wastes does not apply(c);
 - (s) where applicable, a reprocessor or exporter must comply with regulation 24(6).”.
- (3) In paragraph 2—
 - (a) after sub-paragraph (b), omit “; and”; and
 - (b) omit sub-paragraph (c).

Amendment of Schedule 7 (public register)

22. In Schedule 7, paragraph 2(h), for “paragraphs 1(n), 1(o) and where required 1(p)”, substitute “paragraphs 1(n) and 1(o)”.

Amendment of Schedule 9 (groups of companies)

23. In Schedule 9—

- (a) in paragraphs 1(a), 3 and 4(b), “for Schedule 10”, substitute “Schedule 11”.
- (b) in paragraph 3, for “Article 4 of the Companies(Northern Ireland) Order 1986”, substitute “section 1159 of the Companies Act 2006”; and
- (c) in paragraph 5(b)(iii), for “7(4)(e)and 9(2)”, substitute “9(2)”.

Amendment of Schedule 11 (mid-year changes)

24. In Schedule 11__

- (a) in Part 2, paragraphs 4(a) and 5(b), for “Schedule 8”, substitute “Schedule 9”.

(a) Inserted by regulation 12(a) above.

(b) OJ No L 190, 12.7.2006, p1, as last amended by Directive 2009/31/EC of the European Parliament and of the Council on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006 (OJ No L 140, 5.6.2009, p114).

(c) OJ No L 316, 4.12.2007, p6, as amended by Commission Regulation (EC) No 740/2008 amending Regulation (EC) No 1418/2007 as regards the procedures to be followed for export of waste to certain countries (OJ No L 201, 30.7.2008, p36) and Commission Regulation (EC) No 308/2009 amending, for the purposes of adaptation to scientific and technical progress, Annexes IIIA and VI to Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste (OJ No L 97, 16.4.2009, p8).

- (b) In paragraph 19(b), omit “and for this purpose the requirement in regulation “7(4)(e)” shall not apply.

Sealed with the Official Seal of the Department of the Environment on

Name
A senior officer of the Department of the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (S.I. 2007/871) (the “2007 Regulations”), which implement Article 6 of Council Directive 94/62/EC on packaging and packaging waste (OJ No L 365, 31.12.1994, p 10) as amended by Directive 2004/12/EC of the European Parliament and of the Council (OJ No L 47, 18.2.2004, p 26).

Regulation 3 amends definitions in regulation 2(2) of the 2007 Regulations. Regulation 4 amends regulation 5 of the 2007 Regulations to impose direct requirements in relation to the payment of fees and provision of information on producers who become members of registered schemes.

Regulation 5 amends regulation 7(4)(c) of the 2007 Regulations to remove parts of the exemption for small producers in relation to the information that must be provided to the relevant Agency each year. This also inserts a new regulation 7(4)(ca) to preserve parts of this exemption for small producers. Regulation 5 also makes amendments to regulation 7 in relation to when the relevant fee for producer registration must be paid.

Regulation 9 amends regulation 14 of the 2007 Regulations to change when applications for scheme registrations must be made and what information must accompany these applications. Regulation 11 inserts a new regulation 22A in to the 2007 Regulations to create an obligation on operators of schemes, producers and accredited reprocessors and exporters to provide information to the appropriate Agency about circumstances including winding-up orders, the appointment of a receiver and entering administration.

Regulation 12 amends regulation 24 of the 2007 Regulations to change what must be included in business plans submitted as part of an application for accreditation by a reprocessor or exporter. There are also amendments in relation to the payment of fees for breach of the undertaking not to issue PRNs or PERNs in relation to more than 400 tonnes of packaging waste in a year and applications to extend accreditation for exporters. Regulation 14 replaces regulation 34 of the 2007 Regulations with a new regulation 34 to change who may be specified as an approved person for the purpose of issuing certificates of compliance and signing the specified forms.

Regulation 17 amends Schedule 1 to the 2007 Regulations. The amendments include changes to paragraph 1(2) regarding the allocation of producer obligations for those carrying out packer/filler and convertor obligations and a change to paragraph 4(2)(b)(iii) to remove packaging or packaging materials exported from the United Kingdom to a marine structure from the exclusion from the calculation of a producer’s recovery and recycling obligations.

Regulation 18 amends Schedule 2 to the 2007 Regulations. Amendments include a replacement of the definition used to determine the amount of packaging and packaging materials handled by producers for the purpose of calculating their recovery targets. A new set of targets for glass packaging recycled by re-melt (recycled for the purposes of use in packing or packaging materials) is inserted in paragraphs 3(4) and 6A. New recovery, recycling and small producer recycling allocation targets for the years between 2010 and 2020 are provided in replacements to paragraphs 5, 6 and 8.

Regulation 20 amends Schedule 5 to the 2007 Regulations, including changes to the annual reports provided to the appropriate Agency by accredited reprocessors and exporters and removing the requirement to provide a report from an independent auditor.

An impact assessment which shows the anticipated cost of compliance to businesses and the environmental benefits in respect of these Regulations may be obtained from the Producer Responsibility Unit, Zone 6D, Ergon House, Horseferry Road, London SW1P 2AL and is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website.

