



Notification Number: 2015/517/UK

## The Producer Responsibility Obligations (Miscellaneous Amendments) Regulations 2016

Date received : 10/09/2015

End of Standstill : 11/12/2015

### Message

Message 001

Communication from the Commission - TRIS/(2015) 02824

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2015/0517/UK - Notificare.

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201502824.EN)

#### 1. Structured Information Line

MSG 001 IND 2015 0517 UK EN 10-09-2015 UK NOTIF

#### 2. Member State

UK

#### 3. Department Responsible

Department for Business, Innovation and Skills  
European Reform Directorate  
1 Victoria Street, London, SW1H 0ET.

Email: 9834@bis.gsi.gov.uk.

#### 3. Originating Department

Department for Environment, Food and Rural Affairs  
Producer Responsibility Team  
Waste Policy and Regulation



Resource, Atmosphere and Sustainability Directorate, Defra  
Area 2B Nobel House, 17 Smith Square  
London SW1P 3JR

#### **4. Notification Number**

2015/0517/UK - B30

#### **5. Title**

The Producer Responsibility Obligations (Miscellaneous Amendments) Regulations 2016

#### **6. Products Concerned**

These Regulations amend the Producer Responsibility Obligations (Packaging Waste) Regulations 2007 ("the 2007 Regulations"). The 2007 Regulations impose on producers the obligation to recover and recycle packaging waste in order to attain the recovery and recycling targets set out in Article 6(1) of European Parliament and Council Directive 94/62/EC on packaging and packaging waste (OJ No. L 365, 31.12.1994, p.10, as last amended by European Parliament and Council Directive 2015/720/EU (OJ No. L 115, 6.5.2015, p.11-15). The 2007 Regulations were amended by the Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations 2014 ("the 2014 Regulations"); there are other amending instruments but none is relevant.

#### **7. Notification Under Another Act**

- Directive 94/62/EC on packaging and packaging waste

#### **8. Main Content**

Following a review and public consultation, some requirements of the UK regulations have been identified as burdensome on business and can be removed or undertaken in other ways, without impacting on the UK's overall ability to efficiently and effectively achieve its packaging recycling obligations.

It is estimated that these changes will save businesses in the region of £2 million pounds per year, allowing them to focus more of their resources on environmental and economic aims, rather than administration.

These Regulations will reduce administrative burdens on business and will specifically:

- i) remove the requirement for producer compliance schemes and larger producers to develop, agree and follow an operational plan, with the essential elements now being contained within new conditions of approval to ensure that schemes continue to function efficiently and effectively;
- ii) transfer responsibility for agreeing approvals to operate a compliance scheme from the appropriate authority to the appropriate agency; and
- iii) allow the approved person to delegate their responsibilities for signing-off reports to an appropriately qualified deputy; defines a definition for "delegate"; and requires notification to the appropriate agency.

A full impact assessment of the effect that this instrument will have on the costs to business and the voluntary sector in respect of the above can be found in the link attached.

Regulation has also been made that will allow a prospective operator to apply for approval in a single place in the UK, rather than twice, when they also wish to operate in Northern Ireland. This will apply the principle of



mutual recognition across the UK in respect of the legislation.

**9. Brief Statement of Grounds**

Some of the current regulations impose unnecessary administrative burdens on businesses and the resultant savings can be more effectively utilised to achieve environmental and economic aims. In addition the mutual recognition principles of the Standards Directive need to be reflected in national legislation.

**10. Reference Documents - Basic Texts**

No Basic Text exists

**11. Invocation of the Emergency Procedure**

No

**12. Grounds for the Emergency**

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**13. Confidentiality**

No

**14. Fiscal measures**

No

**15. Impact assessment**

Yes

**16. TBT and SPS aspects**

TBT aspect

No - The draft has no significant impact on international trade

SPS aspect

No - The draft is not a sanitary or phytosanitary measure

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European Commission

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