



Notification Number: 2005/242/UK

## The Producer Responsibility Obligations (Packaging Waste) Regulations 2005

Date received : 24/05/2005

End of Standstill : 25/08/2005

### Message

Message 001

Communication from the Commission - SG(2005) D/51171

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan : 2005/0242/UK.

No abre el plazo - Nezahtuje 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.

(MSG: 200501171.EN)

#### 1. Structured Information Line

MSG 001 IND 2005 0242 UK EN 25-08-2005 24-05-2005 UK NOTIF 25-08-2005

#### 2. Member State

United Kingdom

#### 3. Department Responsible

Department of Trade and Industry: Standards and Technical Regulations Directorate

#### 3. Originating Department

Department for Environment, Food and Rural Affairs,

#### 4. Notification Number

2005/0242/UK – S10E

#### 5. Title



## The Producer Responsibility Obligations (Packaging Waste) Regulations 2005

### 6. Products Concerned

Packaging, packaging materials and packaging waste.

### 7. Notification Under Another Act

Directive 94/62/EC as amended by Directive 2004/12/EC on Packaging and Packaging Waste only.

### 8. Main Content

Amendment of regulations 2, 3, 4, 5, 7, 8, 9, 10, 12, 14, 18, 20, 21, 22, 24, 28, 29, 35, Schedule 1, Schedule 2, Schedule 3, Schedule 5, Schedule 6, Schedule 9 and Schedule 10. The main changes include: consolidation of the 1997 Producer Responsibility Obligations (Packaging Waste) Regulations with all subsequent amendments, as well as new provisions to apply certain legal obligations to businesses leasing out packaging ("service providers"); packaging used in franchised operations (or similar arrangements) and imported transit packaging which becomes waste in the UK; provisions to reduce the data collection and reporting burdens placed on smaller obligated businesses i.e. those with a turnover between £2 – 5 million; and a number of small technical changes including, for example, the removal of the reference to "reasonable steps" from regulations 4(5) and 4(7).

### 9. Brief Statement of Grounds

These types of packaging are already obligated under the Regulations, but a proportion of the obligation to be taken by some businesses has been missing because of the way in which the provisions are worded. Taking steps to ensure that service providers pick up the missing proportion of obligation should share the burden more equitably between all UK producers. Amendments are also being made to reduce the data collection and reporting burden placed on smaller obligated businesses who may currently face disproportionately high costs. These businesses will be allocated their recovery and recycling obligations instead of having to collect data and calculate their own obligations.

### 10. Reference Documents - Basic Texts

a) Consultation Paper on Measures to Increase Obligated Tonnage: this paper discusses the options in relation to each proposal and includes a two part Regulatory Impact Assessment (RIA). Part 1 looks at the costs and benefits of options to ensure that the full 100% obligation is carried on leased, franchise and imported transit packaging. Part 2 focuses on the options for reducing the data collection and reporting burden on smaller obligated businesses, whether to reduce the turnover threshold and other technical changes.

### 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**

The impact assessment is attached.

**16. TBT and SPS aspects**

TBT Aspect

No

The draft does not have a significant effect on international trade.

SPS Aspect

No

The draft is not a sanitary or phytosanitary measure in the sense of Annex A of the SPS Agreement.

The draft does not have a significant effect on international trade.

David O'Sullivan  
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European Commission

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