

Department for Environment, Food and Rural Affairs

**Consolidation of The Producer Responsibility
Obligations (Packaging Waste) Regulations
2007 (as amended)**

March 2016

Consultation

This is the statutory consultation regarding Defra's intention to consolidate the Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (the PWR 2007).

We attach a copy of the draft Packaging Waste Regulations 2016. They consolidate the PWR 2007, as amended by seven statutory instruments (SIs) (see <http://www.legislation.gov.uk/all?title=packaging%20waste> for links to the SIs (ignoring those relating to Northern Ireland, and those dated pre 2007)).

During the development of the proposed consolidation we have consulted major stakeholders and the Advisory Committee on Packaging has commented.

We attach a correlation table that will assist in identifying where changes have occurred.

New SIs are continually being proposed and developed. This consolidation brings together those in existence since 2007, in order to reduce complexity (e.g. by deferring procedural details to the Schedules), on occasion providing greater clarity of language where there is ambiguity and making the Regulations more accessible by combining them into a single document. In consequence, the new Regulations read quite differently from the PWR 2007 and subsequent SIs. Language has been updated and the text aims to provide more uniformity in use of language and definition.

Aim of the consultation

This consolidation does not aim to bring any policy changes, i.e. the meaning of the law in the Packaging Waste Regulations 2016 should be identical to that of the PWR 2007 as amended by the subsequent SIs. Consequently, we are not asking for you to comment on policy issues, such as whether the Packaging waste Recovery Note (PRN) system is appropriate.

We are seeking comments solely on the consolidation in terms of clarity, for example: Is it logically structured? Is there a clear narrative and does it flow coherently? How readable is it? Does it use plain English and avoid the use of acronyms? Is it brief and to the point?

The Government does not intend to further amend the draft, aside from consideration of comments from this consultation. It is also our intention to establish a group of experts following the consultation to consider the final draft and provide a final review.

In addition, it is our intention to make any amendments to the plastic and glass packaging targets (https://consult.defra.gov.uk/waste/plasticandglasstargets/supporting_documents/Plastic%20Target%20Amendment%20consultation%20final.pdf) as part of this consolidation, rather than as part of a separate SI this year, time permitting. Targets are also subject to change.

We aim to lay the consolidated Regulations during the second half of 2016 under the affirmative resolution procedure, with a view to them coming into force in autumn 2016.

Consultation Criteria

This consultation is in line with the Consultations Principles found at:

<http://www.cabinetoffice.gov.uk/resource-library/consultation-principles-guidance>

Responses

Please send any comments to the Producer Responsibility policy team, Defra, Area 2b, Nobel House, 17 Smith Square, London, SW1P 3JR, or by email to

packaging@defra.gsi.gov.uk

The closing date for the consultation is 19 April



© Crown copyright 2016

You may re-use this information (excluding logos) free of charge in any format or medium, under the terms of the Open Government Licence v.3. To view this licence visit www.nationalarchives.gov.uk/doc/open-government-licence/version/3/ or email PSI@nationalarchives.gsi.gov.uk

This publication is available at www.gov.uk/government/publications

Any enquiries regarding this publication should be sent to us at:

Producer Responsibility policy team, Defra, Area 2b, Nobel House, 17 Smith Square, London, SW1P 3JR, or by email to packaging@defra.gsi.gov.uk