
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 356

PUBLIC HEALTH

**The Producer Responsibility Obligations (Packaging
Waste) Regulations (Northern Ireland) 2006**

Made - - - - 4th September 2006

Coming into operation 9th October 2006

**THE PRODUCER RESPONSIBILITY OBLIGATIONS (PACKAGING
WASTE) REGULATIONS (NORTHERN IRELAND) 2006**

PART 1

GENERAL

1. Citation and commencement
2. Interpretation and notices
3. Exclusion of charities from producer responsibility obligations

PART 2

PRODUCERS AND OBLIGATIONS

4. Producers and producer responsibility obligations
5. Producers and Scheme membership

PART 3

REGISTRATION: PRODUCERS AND SCHEMES

6. Producer registration obligation
7. Application for producer registration
8. Conditions of registration of a producer
9. Forms and fees for producer registration
10. Refusal to register producers
11. Cancellation of registration of producers
12. Schemes: general provisions
13. Application for approval of a scheme
14. Application for registration of a scheme
15. Conditions of registration of a scheme
16. Forms and fees for registration of a scheme

Status: This is the original version (as it was originally made).

- 17. Refusal to register a scheme
- 18. Cancellation of registration of a scheme
- 19. Information provided to scheme operators

PART 4

RECORDS, RETURNS AND CERTIFICATE

- 20. Producers – records and returns
- 21. Producers – certifying obligation
- 22. Schemes – records and returns

PART 5

ACCREDITATION OF REPROCESSORS AND EXPORTERS

- 23. Requirement for accreditation
- 24. Application for accreditation
- 25. Conditions of accreditation
- 26. Suspension and cancellation of accreditation

PART 6

APPEALS

- 27. Right of appeal
- 28. Procedure on appeals
- 29. Determination of appeals
- 30. Status pending appeal

PART 7

POWERS AND DUTIES OF THE DEPARTMENT

- 31. Monitoring
- 32. Monitoring – publication
- 33. Public register
- 34. Approval of persons to issue certificates of compliance
- 35. Entry and inspection
- 36. Provision of information to the Department

PART 8

GROUPS OF COMPANIES, PUB OPERATING BUSINESSES
AND LICENSORS AND MID-YEAR CHANGES

- 37. Packaging handled by groups of companies
- 38. Packaging handled by licensors and pub operating businesses
- 39. Mid-year changes

PART 9

OFFENCES

- 40. Offences and penalties

PART 10

REVOCATION AND TRANSITIONAL PROVISION

41. Revocation and transitional provision
Signature
-

SCHEDULE PRODUCERS

- 1
1. (1) For the purposes of Column 1 in the above...
2. For the purposes of Column 3 of the above Table,...
3. A person satisfies the threshold tests if—
4. (1) For the purposes of paragraph 3(a) above audited accounts...

SCHEDULE RECOVERY AND RECYCLING OBLIGATIONS

- 2
1. (1) Except for a small producer who has elected to...
2. Where a small producer has elected to follow the allocation...
3. (1) The amount of packaging waste to be recovered by...
4. (1) The following percentages are prescribed as the percentages for...
5. The following is prescribed as the recovery target “X”—
6. The following percentages are prescribed as the recycling target
“Y”...
7. (1) The amount of packaging waste to be recycled by...
8. Table 3 prescribes the recycling allocation “B” in relation to...
9. Paragraph 4(2) of Schedule 1 applies for the purposes of...
10. Where the Department is satisfied that a producer has instituted...

SCHEDULE INFORMATION

3
PART I — INFORMATION TO BE CONTAINED IN APPLICATION FOR
PRODUCER REGISTRATION

1. The address and telephone number of the registered office of...
2. The business name of the producer if different from that...
3. The address for service of notices on the producer if...
4. Where the producer is a partnership, the names of all...

PART II — INFORMATION TO BE INCLUDED IN AN APPLICATION FOR
REGISTRATION OF A SCHEME

5. The name of the scheme.
6. The name of the operator and, where the operator is...
7. The address and telephone number of the registered office of...
8. The address for service of notices if different from that...
9. The names and addresses of the registered offices, or, where...
10. Full particulars of the agreement for the constitution of the...

PART III — STATEMENT OF THE SCHEME’S POLICIES AND THE
OPERATIONAL PLANS OF SCHEMES AND PRODUCERS

11. The matters to be contained in the statement to be...
12. The matters to be contained in the operational plan referred...
13. For the purposes of paragraph 12(c)(iii) above “household waste”,
“industrial...”

SCHEDULE INFORMATION IN CERTIFICATE OF COMPLIANCE

4

Status: This is the original version (as it was originally made).

- SCHEDULE 5 CONDITIONS OF ACCREDITATION
1. The conditions referred to in regulation 25 are that—
 2. For the purposes of this Schedule— (a) “issue” in relation...
- SCHEDULE 6 PROCEDURE ON APPEALS
1. (1) A person who wishes to appeal to the Planning...
 2. (1) Subject to sub-paragraph (2) below, notice of appeal shall...
 3. Where under regulation 28(2) the appeal is by way of...
 4. (1) The Planning Appeals Commission or other person determining an...
- SCHEDULE 7 PUBLIC REGISTER
1. The name and address of the registered office or principal...
 2. In relation to accredited reproprocessors and exporters—
 3. A statement in relation to each registered producer as to...
 4. A statement in relation to each registered operator of a...
- SCHEDULE 8 SUPPLEMENTAL PROVISIONS WITH REGARD TO POWERS OF ENTRY
1. Issue of warrants
 2. Manner of exercise of powers
 3. Information obtained to be admissible in evidence
 4. Duty to secure premises
 5. Compensations
 6. Relevant power
- SCHEDULE 9 GROUPS OF COMPANIES
1. This Schedule applies in relation to a relevant year—
 2. Subject to regulation 5, in respect of a year each...
 3. For the purposes of this Schedule and Schedule 10 “subsidiary”...
 4. Subject to regulation 5, companies who are producers and are...
 5. Where there is a group registration— (a) the subsidiary companies...
 6. This Schedule is subject to the provisions of Schedule 11....
- SCHEDULE 10 LICENSORS AND PUB OPERATING BUSINESSES
1. A head organisation has producer responsibility obligations in the situations...
 2. Paragraph 6 below applies to determine the producer responsibility obligations...
 3. (1) The situations referred to in paragraph 1 above are...
 4. Where the head organisation is a licensor, for the purposes...
 5. Where the head organisation is a pub operating business, for...
 6. Where the head organisation is a licensor—
 7. Where the head organisation is a pub operating business—
 8. Where the head organisation does not have the information necessary...
 9. For the purposes of this Schedule— (a) “head organisation” means...
- SCHEDULE 11 MID-YEAR CHANGES
- PART 1 — SCHEME MEMBERSHIP
1. Subject to paragraphs 4 and 5 below, where a person...
 2. Where a person who is a producer in respect of...
 3. Where a person who is a producer in respect of...

PART 2 — GROUP MEMBERSHIP

4. This Part applies where— (a) a company joins a group...
5. Where paragraph 4(a) above applies the company shall either—
6. Where— (a) paragraph 4(a) above applies; (b) in relation to...
7. Where— (a) paragraph 4(a) above applies; (b) in relation to...
8. Where— (a) paragraph 4(a) above applies; (b) in relation to...
9. Where— (a) paragraph 4(a) above applies; (b) in relation to...
10. Where— (a) paragraph 4(b) above applies; and
11. Where— (a) paragraph 4(b) above applies; (b) in relation to...
12. Where— (a) paragraph 4(b) above applies; (b) in relation to...
13. Where— (a) paragraph 4(b) above applies; (b) in relation to...
14. Where— (a) paragraph 4(b) above applies; (b) in relation to...
15. Where in a relevant year paragraph 4 above applies to...
16. The proportion referred to in paragraphs 8 and 9 above...
17. For the purposes of this Part of this Schedule, the...

PART 3 — INCAPACITY

18. Where in a relevant year a producer dies or becomes...
19. Any person carrying on the activities of the first producer...
20. In relation to a producer which is a company, the...

SCHEDULE REVOCATIONS

12

Explanatory Note