

Draft Regulations laid before Parliament under section 93(10) of the Environment Act 1995, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2007 No. []

ENVIRONMENTAL PROTECTION

**The Producer Responsibility Obligations
(Packaging Waste) Regulations 2007**

Made - - - - 2007

Coming into force in accordance with regulation 1(1)

These Regulations are made by the Secretary of State for Environment, Food and Rural Affairs as respects England, Scotland⁽¹⁾ and Wales⁽²⁾ in exercise of the powers conferred upon him by section 2(2) of the European Communities Act 1972⁽³⁾ and sections 93 - 95 of the Environment Act 1995⁽⁴⁾.

These Regulations implement Article 6(1) of Council Directive [94/62/EC](#) on packaging and packaging waste.

The Secretary of State for Environment, Food and Rural Affairs is designated⁽⁵⁾ 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.

A draft of these Regulations has been laid before and approved by a resolution of each House of Parliament in accordance with section 93(10) of the Environment Act 1995.

Accordingly, after consultation in accordance with section 93(2) of the Environment Act 1995, and after having regard to the matters specified in section 93(6) of that Act as required by section 93(5) of that Act, the Secretary of State for Environment, Food and Rural Affairs makes the following Regulations:

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- (1) Under section 57 of the Scotland Act [1998 \(c. 46\)](#), despite the transfer to Scottish Ministers of functions in relation to implementing obligations under Community law in respect of devolved matters, the function of the Secretary of State in relation to implementing those obligations continues to be exercisable by him as regards Scotland.
 - (2) Under paragraph 5 of Schedule 3 of the Government of Wales Act [1998 \(c. 38\)](#), despite the transfer of the relevant functions of the Secretary of State so far as they are exercisable in relation to Wales to the National Assembly for Wales by virtue of Article 2 and Schedule 1 of the [National Assembly for Wales \(Transfer of Functions\) Order 1999 \(S.I. 1999/ 672\)](#), the function of the Secretary of State in relation to implementing obligations under Community law continues to be exercisable by him as regards Wales.
 - (3) [1972 c. 68](#).
 - (4) [1995 c. 25](#).
 - (5) [S.I. 1996/266](#).