

SCHEDULE 3
INFORMATION

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 provided pursuant to regulation 14(3)(d) are—

- (a) the steps intended to be taken through the scheme to increase the use of recycled packaging waste in the manufacture of packaging, packaging materials or other products or materials supplied by its members; and
- (b) the principal methods by which packaging waste is to be recovered through the scheme, and by which it is to be recycled through the scheme, together with information about the steps the user or consumer may take to assist the scheme in applying these methods.

12. The matters to be contained in the operational plan referred to in regulations 7(4)(f), 8(g), 14(3)(f) and 15(g) are matters which demonstrate—

- (a) that sufficient financial resources and technical expertise will be available to enable the performance of the recovery and recycling obligations of the producer or the obligations of the operator of the scheme under regulation 12(1) (as the case may be);
- (b) that the arrangements for recovery and recycling take account of any statement which contains the Secretary of State's policies in relation to the recovery and disposal of waste in England and Wales and which is made under section 44A(1) of the 1990 Act and any statement which contains SEPA's policies in relation to the recovery and disposal of waste in Scotland and which is made under section 44B(2) of the 1990 Act, in so far as they are relevant;
- (c) how the recovery and recycling obligations or the obligation of the operator of the scheme under regulation 12(1) (as the case may be) will be performed as regards each of the packaging materials relevant to those obligations including—
 - (i) the names and addresses of the reprocessors or exporters or both it is intended to use;
 - (ii) the names of any waste collection or disposal authorities from whom packaging waste is intended to be obtained;
 - (iii) the proportions in which the packaging waste which is to be recovered and recycled is to be obtained from the waste of a producer, other industrial or commercial waste, household waste or other waste;
 - (iv) the amounts to the nearest tonne of packaging waste it is proposed to recover in the three years immediately following registration; and
 - (v) the amounts to the nearest tonne of each such packaging material which it is proposed to recycle in the three years immediately following registration;
- (d) the steps it is proposed to take to recover and recycle any of the packaging materials relevant to the recovery and recycling obligations or the obligation of the operator of the scheme under regulation 12(1) (as the case may be) in order not to affect adversely the

(1) Inserted by s92(1) of the 1995 Act.

(2) Inserted by s92(1) of the 1995 Act.

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

interests of any producer, whose recovery and recycling obligations are predominantly in relation to another such packaging material;

- (e) in relation to PERNs and PRNs which are expected to be acquired in each quarter of the three years immediately following registration, the tonnage of packaging waste and the type of recyclable material to which they are expected to relate;
- (f) a statement indicating the contracts anticipated to be made with reprocessors or exporters or both and packaging waste suppliers in the three years immediately following registration;
- (g) a statement as to how the producer or operator of a scheme (as the case may be) is assisting reprocessors to direct resources at—
 - (i) increasing the capacity for the collection and reprocessing of packaging waste; and
 - (ii) encouraging the development of markets for materials or goods made from recycled packaging waste.

13.—(1) For the purposes of paragraph 12(c)(ii) above “waste collection authority” and “waste disposal authority” shall have the meanings given in section 30(3) of the 1990 Act.

(2) For the purposes of paragraph 12(c)(iii) above “household waste”, “industrial waste” and “commercial waste” shall have the same meanings as in section 75(4) of the 1990 Act.

(3) As amended by the 1995 Act, the Local Government (Wales) Act (1994 c. 19), the Local Government etc (Scotland) Act 1994 (1994 c. 39) and the Clean Neighbourhoods and Environment Act 2005 (2005 c. 16).

(4) As amended by the Hazardous Waste (England and Wales) Regulations 2005 (S.I.2005/894), the 1995 Act, the Manufacture and Storage of Explosives Regulations 2005 (S.I. 2005/1082), the Regulation of Care (Scotland) Act 2001 (2001 asp. 8), the Waste (Scotland) Regulations 2005 (S.S.I. 2005/22) and the Hazardous Waste (Wales) Regulations 2005 (S.I. 2005/1806).