
STATUTORY INSTRUMENTS

2010 No. 2849

**The Producer Responsibility Obligations
(Packaging Waste) (Amendment) Regulations 2010**

Amendment of Schedule 5 (conditions of accreditation)

19.—(1) Schedule 5 is amended as follows.

(2) In paragraph 1—

- (a) in sub-paragraph (g), for “15th February”, substitute “28th February”;
- (b) omit sub-paragraphs (h), (j) and (l);
- (c) for sub-paragraph (o), substitute—

“**(o)** a report shall be provided to the appropriate Agency before 28th February in each year which—

- (i) sets out all the information provided in the quarterly reports which relate to the whole of the previous year;
 - (ii) sets out the amount of revenue received in the previous year from the sale of PRNs and PERNs;
 - (iii) sets out what that amount has been spent on, including information on the matters set out in paragraphs (i) to (vi)**(1)** of regulation 24(1)(c);
 - (iv) accounts for the whole of that amount;
 - (v) sets out and explains any deviation during the previous year from the business plan referred to in regulation 24(1)(c);
 - (vi) is in the form prescribed by the appropriate Agency for this purpose;”;
- (d) omit sub-paragraph (p);
- (e) for sub-paragraph (r), substitute—

“**(r)** a PERN may only be issued in respect of packaging waste that is exported in accordance with—

- (i) Regulation [\(EC\) No 1013/2006](#) of the European Parliament and of the Council on shipments of waste**(2)**; and
 - (ii) [Commission Regulation \(EC\) No 1418/2007](#) concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation [\(EC\) No 1013/2006](#) of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of wastes does not apply**(3)**;
- (s) where applicable, a reprocessor or exporter must comply with regulation 24(6)”.

(3) In paragraph 2—

(1) Substituted by regulation 12(a) above.

(2) OJ No L 190, 12.7.2006, p1, as last amended by Commission Regulation (EU) No 413/2010 (OJ No L 119, 13.5.2010, p1).

(3) OJ No L 316, 4.12.2007, p6, as last amended by [Commission Regulation \(EC\) No 967/2009](#) (OJ No L 271, 16.10.2009, p12).

- (a) after sub-paragraph (b), omit “; and”; and
- (b) omit sub-paragraph (c).