
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 198

The Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007

PART 3

REGISTRATION: PRODUCERS AND SCHEMES

Application for producer registration

7.—(1) Subject to paragraph (3) below, a producer who is required by regulation 6 to be registered shall, on or before 7th April in a relevant year, make an application for producer registration to the Department.

(2) Where the producer is a partnership, the application shall be made by any partner acting on behalf of the partnership.

(3) Where any of the following occurs in a relevant year—

- (a) the application for registration of a scheme of which the applicant was a member is refused;
- (b) the registration of a scheme of which the applicant was a member is cancelled;
- (c) the applicant's membership of a scheme is discontinued;
- (d) the applicant becomes a producer in respect of that year; or
- (e) an application to register made within the time limit in paragraph (1) above is refused,

an application for registration shall be made within 28 days of the occurrence.

(4) An application for producer registration shall—

- (a) be made in writing;
- (b) contain the information set out in Part I of Schedule 3;
- (c) other than in the case of a small producer who has elected to follow the allocation method under sub-paragraph (d) below and subject to paragraph (9) below, be accompanied by the following further information, on a form supplied for that purpose by the Department and signed by the approved person, in relation to the relevant year—
 - (i) each class of producer to which the applicant belongs;
 - (ii) if he belongs to more than one class of producer, which of those classes constitutes his main activity as a producer;
 - (iii) the relevant SIC code for the class of producer to which the applicant belongs or, as the case may be, for the applicant's main activity;
- (d) in relation to each such class of producer—

- (aa) the amount of packaging waste which he is required to recover by virtue of paragraph 3(1) of Schedule 2 and of this the proportion which is to be recovered by recycling by virtue of paragraph 3(2) of Schedule 2; and

- (bb) the amount of packaging waste which he is required to recycle for each kind of recyclable material by virtue of paragraph 3(3) of Schedule 2;
 - (v) the basis on which the amounts referred to in paragraph (iv) were calculated; and
 - (vi) such other information as the Department reasonably requires in order to determine the application and as is specified on the form;
 - (d) in the case of a small producer state whether he elects to follow the allocation method, and, if he does, be accompanied by evidence as to his turnover;
 - (e) be accompanied by the relevant fee for producer registration referred to in regulation 9; and
 - (f) where the producer has a recovery and recycling obligation in respect of more than 500 tonnes of packaging waste
 - (i) on a first application for registration be accompanied by an operational plan complying with Part III of Schedule 3; and
 - (ii) on any subsequent application, be accompanied by a revised version of that plan unless it has already been provided pursuant to paragraph (g) in regulation 8.
- (5) A small producer who has elected under paragraph (4)(d) above to follow the allocation method shall follow this method for a minimum of the year of registration and the following two years.
- (6) An application for producer registration shall be granted where—
- (a) the producer has complied with—
 - (i) paragraph (4)(a), (b) and (e) above; and
 - (ii) where applicable, paragraphs (4)(c), (d), (f) and (5) above; and
 - (b) the Department is satisfied that the further information provided in accordance with paragraph (4)(c) above, or (9) below, has been provided in accordance with paragraph (8) below,
- and shall otherwise be refused.
- (7) Where an application for producer registration is granted—
- (a) the Department shall, within 28 days of it being granted confirm to the producer in writing that he is registered with it; and
 - (b) the producer shall be treated as having been registered—
 - (i) where the application was made within the time limit specified in paragraph (1), from the beginning of the relevant year;
 - (ii) where the application was made within the time limit specified in paragraph (3), from the date of the relevant occurrence;
 - (iii) in any other case, from the date specified in the confirmation,
- until any cancellation of the producer's registration in accordance with regulation 11.
- (8) Any information provided shall be as accurate as reasonably possible.
- (9) Where the application to register is made in one of the circumstances set out in sub-paragraph (a), (b), (d) or (e) of paragraph (3) above, the further information referred to in paragraph (4)(c) above need not accompany the application but shall be provided within 28 days of the application being made.
- (10) A producer who is required to submit an operational plan or revised operational plan in connection with his application for registration shall at the same time send a copy of it to the Department.