

SCHEDULE 1

PRODUCERS

1.—(1) For the purposes of Column 1 in the above Table—

(a) “relevant function” means the performance by a person of the functions of one of the following—

- (i) manufacturer;
- (ii) convertor;
- (iii) packer/filler;
- (iv) importer;
- (v) seller;
- (vi) service provider,

either himself or through an agent acting on his behalf, and in the course of business;

(b) “convertor” means a person who uses or modifies packaging materials in the production or formation of packaging;

(c) “importer” means a person who imports packaging or packaging materials into the United Kingdom;

(d) “manufacturer” means a person who manufactures raw materials for packaging;

(e) “packer/filler” means a person who puts goods into packaging;

(f) “seller” means a person who supplies packaging to a user or a consumer of that packaging, whether or not the filling has taken place at the time of the supply;

(g) “service provider” means a person who supplies reusable packaging to a user of that packaging where the supply is made by hiring out or lending the packaging;

(h) “Year 1” means the preceding year; and

(i) “Year 2” means the relevant year.

(2) Where a person performs the functions of a convertor and a packer/filler at the same time, and as part of the same packing/filling process, and in relation to the same packaging, as regards supplies of packaging or packaging materials made to or by him in connection with those functions, or that process, he is treated for the purposes of these Regulations as a producer of the class of packer/filler only.

(3) For the purposes of this Schedule a person acts “in the course of business” if he acts in the ordinary course of conduct of a trade, occupation or profession.