

## **EXPLANATORY MEMORANDUM TO**

### **The Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations (Northern Ireland) 2017**

**S.R. 2017 No. 3**

#### **1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Department of Agriculture, Environment and Rural Affairs to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under powers conferred by Articles 2(3), 3(1), 4(1) and 7(2) of the Producer Responsibility Obligations (Northern Ireland) Order 1998 and is subject to the negative resolution procedure.

#### **2. Purpose**

- 2.1. These regulations amend the Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007 and are required to set new business recycling targets for plastic and glass packaging waste for a five year period from 2016 to 2020 (inclusive).

#### **3. Background**

- 3.1. Statutory minimum recycling and recovery targets on packaging producers are set down in the European Commission Directive on Packaging and Packaging Waste (94/62/EC). The Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007 transpose the Directive by setting business recycling targets which reflect the packaging markets and packaging waste arisings. Business recycling targets are intermittently revised - the targets set in these regulations are derived from recommendations published in the 'Glassflow' and 'Plasticsflow' reports commissioned by Defra and the Devolved Administrations.

#### **4. Consultation**

- 4.1. A UK-wide consultation issued on 26 November 2015 with a closing date of 23 December 2015. Eight responses were received in Northern Ireland with the majority supportive of the targets set out in these regulations.

#### **5. Equality Impact**

- 5.1. There are no equality issues associated with these regulations.

#### **6. Regulatory Impact**

- 6.1. The impacts of these regulations are technical in nature and are not expected to place any direct additional burdens on businesses, charities, voluntary bodies or the public sector generally. The effect on the relevant obligated businesses is assessed as minimal as producer responsibility arrangements are already in place and the regulations provide clarity on future levels. A UK-wide Regulatory Impact Assessment was carried out and can be obtained from Environmental Policy Division, 6th floor Goodwood House, 44-58 May Street, Belfast BT1 4NN.

## **7. Financial Implications**

7.1. There are no financial implications associated with these regulations.

## **8. Section 24 of the Northern Ireland Act 1998**

8.1. The Statutory Rule complies with the provisions set out in Section 24.

## **9. EU Implications**

9.1. The Regulations are required to ensure continued compliance with European Commission Directive on Packaging and Packaging Waste (94/62/EC).

## **10. Parity or Replicatory Measure**

10.1. Corresponding amendments have been introduced in Great Britain through The Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations 2016.

## **11. Additional Information**

11.1. Not applicable