

## SCHEDULE 4

### UK STATUTORY INSTRUMENTS

#### **Producer Responsibility Obligations (Packaging Waste) Regulations 2007**

**274.**—(1) Regulation 2 is amended as follows.

(2) For the definition of “appropriate agency” substitute—

““appropriate agency” means—

- (a) for the purposes of any provision of these Regulations relating to the exercise of the functions of the appropriate agency in England, the Environment Agency;
- (b) for the purposes of any provision of these Regulations relating to the exercise of the functions of the appropriate agency in Scotland, SEPA;
- (c) for the purposes of any provision of these Regulations relating to the exercise of the functions of the appropriate agency in Wales, the Natural Resources Body for Wales;
- (d) for the purposes of any provision of these Regulations relating to the obligations of any other person—
  - (i) the Environment Agency, where at the beginning of the relevant year the person’s registered office or principal place of business is in England;
  - (ii) SEPA, where at the beginning of the relevant year the person’s registered office or principal place of business is in Scotland;
  - (iii) the Natural Resources Body for Wales, where at the beginning of the relevant year the person’s registered office or principal place of business is in Wales;
  - (iv) at the election of the person, the Environment Agency, SEPA or the Natural Resources Body for Wales, where at the beginning of the relevant year the person does not have a registered office or principal place of business in Great Britain;
  - (v) in relation to schemes, where there is more than one operator of a scheme and such operators have registered offices or principal places of business in England and in Scotland (but not in Wales)—
    - (aa) the Environment Agency where the operators have elected to apply for approval of the scheme from the Secretary of State; or
    - (bb) SEPA where the operators have elected to apply for approval of the scheme from the Scottish Ministers;
  - (vi) in relation to schemes, where there is more than one operator of a scheme and such operators have registered offices or principal places of business in Wales and in Scotland (but not in England)—
    - (aa) the Natural Resources Body for Wales where the operators have elected to apply for approval of the scheme from the Secretary of State; or
    - (bb) SEPA where the operators have elected to apply for approval of the scheme from the Scottish Ministers;
  - (vii) in relation to schemes where there is more than one operator of a scheme and such operators have registered offices or principal places of business in England and in Wales (but not in Scotland), at the election of the operators, the Environment Agency or the Natural Resources Body for Wales; or
  - (viii) in relation to schemes, where there is more than one operator of a scheme and such operators have registered offices or principal places of business in England, in Scotland and in Wales—

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

- (aa) SEPA, where the operator has elected to apply for approval of the scheme from the Scottish Ministers;
  - (bb) at the election of the operator, the Environment Agency or the Natural Resources Body for Wales, where the operator has elected to apply for approval from the Secretary of State.”
- (3) In the definition of “appropriate authority”, in sub-paragraphs (b)(i) and (d), after “the Environment Agency” insert “or the Natural Resources Body for Wales”.