
SCOTTISH STATUTORY INSTRUMENTS

2000 No. 451

ENVIRONMENTAL PROTECTION

The Producer Responsibility Obligations (Packaging Waste) Amendment (Scotland) Regulations 2000

Made - - - - *20th December 2000*

Coming into force - - *1st January 2001*

The Scottish Ministers, in exercise of the powers conferred by sections 93 and 94 of the Environment Act 1995(1), in part in implementation of Article 6(1) of Council Directive 94/62/EC(2), after consultation in accordance with section 93(2) of that Act, and having had regard to the matters specified in section 93(6) of that Act as required by section 93(5), and being satisfied as to those matters as required by section 93(3) of that Act, and of all other powers enabling them in that behalf, hereby make the following Regulations, a draft of which has, in accordance with section 93(10) of that Act, been laid before, and approved by the Scottish Parliament:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Producer Responsibility Obligations (Packaging Waste) Amendment (Scotland) Regulations 2000 and shall come into force on 1st January 2001.

(2) These Regulations extend to Scotland only.

Amendment of the Producer Responsibility Obligations (Packaging Waste) Regulations 1997

2. The Producer Responsibility Obligations (Packaging Waste) Regulations 1997(3) are amended as follows.

3. In regulation 3(5A) (information about reuse, recycling and recovery)(4) for “Secretary of State”, substitute “Scottish Ministers”.

4. In regulation 15 (forms and fees for registration of a scheme)(5)–

(a) in paragraph (2) for “B is an amount” to “£126”, substitute “B is £460”; and

(b) in paragraph (3) for “B is the amount” to “the appropriate Agency”, substitute “B is £460”.

(1) 1995 c. 25; see section 93(8) for the definitions of “prescribed” and “regulations”. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(2) O.J. L 365, 31.12.94, p.10.

(3) S.I. 1997/648, amended by S.I. 1999/1361 and 3447.

(4) Regulation 3(5A) was inserted by S.I. 1999/3447, regulation 2(3)(b).

(5) Regulation 15 was amended by S.I. 1999/3447, regulation 2(10).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

5. In Schedule 2 (recovery and recycling obligations)—
- (a) in paragraph 4(c), for “52%” substitute “56%”; and
 - (b) in paragraph 5(c), for “16%” substitute “18%”.

St Andrew’s House,
Edinburgh
20th December 2000

SAM GALBRAITH
A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Producer Responsibility Obligations (Packaging Waste) Regulations 1997—

- (a) to replace the existing sliding scale fees for registration of a Packaging Waste scheme in regulation 15 with a flat rate fee for registration of £460 in respect of each member of the scheme; and
- (b) to increase the target for recovery to 56% and for recycling to 18%, for the year 2001 onwards.

These Regulations also amend a reference in regulation 3(5A) to the Secretary of State which should, for Scotland, be a reference to the Scottish Ministers.

The changes made by these Regulations were notified in draft to the European Commission under Directive [98/34/EC](#).