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## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations amend the Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 1999 (“the principal Regulations”) which impose on producers obligations to recover and recycle packaging waste, and related obligations. They are made in implementation of Articles 6(1) and 13 of Directive [94/62/EC](#).

Regulation 3 makes a number of amendments to the principal Regulations, including in particular—

- (a) amending the definitions of “packaging waste” and “producer responsibility obligations” and inserting definitions of “recyclable material”, “SIC code”, “special producer” and “waste”;
- (b) increasing the turnover threshold for 2000 and later years to £2,000,000;
- (c) changing the percentage activity obligations for three of the four sectors of the packaging chain — the convertor obligation is reduced from 11% to 9%, the packer/filler obligation is increased from 36% to 37% and the seller obligation is increased from 47% to 48%;
- (d) increasing for the year 2000 the recovery target used to calculate recovery obligations, from 43% to 45% and the recycling target, used to calculate recycling obligations, from 11% to 13%;
- (e) requiring producers applying for registration, with a specified turnover of over £5,000,000, to include an operational plan showing the steps to be taken to comply with their obligations, and requiring operators of registered schemes to revise their operational plans yearly;
- (f) removing the category of “wholesaler” from those on whom producer responsibility obligations are imposed;
- (g) increasing the fees for registering producers and schemes by 27%;
- (h) imposing obligations on the Department and sellers to provide the necessary information to users of packaging about methods of reuse, recovery and recycling of packaging and packaging waste, in accordance with Article 13 of the Directive;
- (i) providing for data to be supplied on a form provided by the Department;
- (j) permitting producers using reusable packaging to spread their obligations over four years; and
- (k) requiring the Department to publish details of its monitoring policy from 2000 onwards.

Regulation 4 revokes certain provisions of the principal Regulations in consequence of the coming into force of the Competition Act 1998.

The volume entitled “Indexes to the United Kingdom Standard Industrial Classification of Economic Activities 1992”, referred to in the definition of “SIC code”, is available from the Stationery Office Bookshop (telephone (028) 90238451), price £22.50.