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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 271**

**The Producer Responsibility Obligations (Packaging Waste) Amendment (Scotland) Regulations 2005**

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

**2.—**(1) The Producer Responsibility Obligations (Packaging Waste) Regulations 1997<sup>(1)</sup> are amended as follows.

(2) In regulation 21B (application for accreditation)<sup>(2)</sup>—

(a) in paragraph (1), omit sub paragraph (b);

(b) for paragraph (3) substitute—

“(3) The appropriate Agency shall notify the applicant in writing of its decision under paragraph (2).”; and

(c) for paragraph (5) substitute—

“(5) Subject to regulation 21D<sup>(3)</sup>, where accreditation is granted under paragraph (2), it shall take effect—

(a) where the application is made in the preceding year to that in which the person wishes to be accredited—

(i) from the 1st January where the decision to accredit was made before that date;

(ii) in all other cases, from the date of the decision,

and shall remain in force until the 31st December in the year for which the person has applied to be accredited;

(b) where the application is made during the year in which the person wishes to be accredited, from the date of the decision, and shall remain in force until the 31st December in that year.”.

(3) In paragraph 1 of Schedule 2A (conditions of accreditation)<sup>(4)</sup>—

(a) in sub-paragraphs (c)(i) and (d), for “year” substitute “period”; and

(b) in sub-paragraph (c)(ii), for “that for which that reprocessor is accredited” substitute “the year in which that reprocessor’s period of accreditation fell”.

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<sup>(1)</sup> S.I.1997/648. Relevant amendments were made by [S.S.I. 2003/613](#).

<sup>(2)</sup> Regulation 21B was added by [S.S.I. 2003/613](#), regulation 8.

<sup>(3)</sup> Regulation 21D was added by [S.S.I. 2003/613](#).

<sup>(4)</sup> Schedule 2A was added by [S.S.I. 2003/613](#).