

**2024 No. 42**

**ENVIRONMENTAL PROTECTION**

**The Packaging Waste (Data Reporting) (Scotland) Amendment  
Regulations 2024**

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**CORRECTION**

Page 10, in the Explanatory Note, for the first paragraph substitute:

“These Regulations amend the Packaging Waste (Data Reporting) (Scotland) Regulations 2023 (the “principal Regulations”).

Regulation 4 amends regulation 2 of the principal Regulations to insert new definitions of “drink container”, “first UK owner”, “relevant authority” and “waste disposal authority” and to make minor changes to existing definitions. Regulation 5 amends the definition of “drink” in regulation 5 of the principal Regulations which is consequential on the amendment made to regulation 12 of the principal Regulations. Regulation 6 amends regulation 6 of the principal Regulations, including the insertion of a new paragraph (7) dealing with drinks containers with component parts for the purposes of the meaning of packaging and packaging categories.

Regulation 7 substitutes new regulations 7 and 7A into the principal Regulations. The new regulation 7 provides a new definition of “household packaging” and of a “public institution”. Regulation 7A requires SEPA to provide guidance for the purposes of regulation 7.

Regulation 8 amends regulation 8 of the principal Regulations to clarify that a producer under regulation 8 must be established in the United Kingdom. It introduces the concept of a “first UK owner” and makes amendments in respect of brand owners and filled packaging.

Regulation 9 amends regulation 10 of the principal Regulations to substitute wording in relation to the supply of packaging by a first UK owner and an importer. Regulation 10 amends regulation 11 of the principal Regulations to make minor changes to the wording for reasons of clarity.

Regulation 11 amends regulation 12 of the principal Regulations to insert new provisions in relation to packaging which is part of deposit return schemes. It removes the definitions of “scheme packaging” in regulation 12(4) of the principal Regulations and “Scottish scheme article” in regulation 12(5) of the principal Regulations which ensured that scheme packaging under the Deposit and Return Scheme for Scotland Regulations 2020 (S.S.I. 2020/154) would have been “exempt packaging” for the purpose of the principal Regulations as these definitions are no longer required.

Regulation 12 amends regulation 16 of the principal Regulations to make minor changes to data collection obligations. Regulation 13 amends regulation 17 of the principal Regulations to make first UK owners subject to reporting obligations; it also inserts a new regulation 17A to provide that large producers who meet certain criteria may submit a report in relation to packaging that has been subject to recycling obligations under the Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (S.I. 2007/871).

Regulation 14 amends regulation 20 of the principal Regulations to require scheme operators to monitor the accuracy of information provided to a scheme by producers who are members of that scheme.

Regulation 15 inserts a new regulation 22A into the principal Regulations to require SEPA to publish a list of large producers.

Regulation 16 amends Parts 3, 4 and 5 of schedule 1 of the principal Regulations to make minor changes to collection and information requirements imposed on producers of packaging.

Regulation 17 amends paragraph 2(2)(b) of schedule 2 of the principal Regulations to correct cross-references to other paragraphs in that schedule.

Regulation 18 is a transitional provision to address circumstances where, as a result of amendments made by these Regulations to the principal Regulations, a producer may have insufficient data to address data reporting obligations for the period from 1st January 2024 to 30th June 2024.”.

*March 2024*

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