
DRAFT STATUTORY INSTRUMENTS

2023 No.

**The Packaging Waste (Data Reporting)
(England) Regulations 2023**

PART 2

Producers and obligations

Producer obligations

- 15.**—(1) This regulation applies to a producer (“P”) who is established in England.
- (2) If P is a small producer, but not an online marketplace operator or a seller, P is subject to the data collection obligations in regulation 16(2).
- (3) If P is a large producer, but not an online marketplace operator or a seller, P is subject to—
- (a) the data collection obligations in regulation 16(3); and
 - (b) the data reporting obligations in regulation 17.
- (4) If P is an online marketplace operator, P is subject to—
- (a) the data collection obligations in regulation 16(4); and
 - (b) where P is a large producer, the data reporting obligations in regulation 17.
- (5) If P is a small or large producer who is a seller, P is subject to the data collection obligations in regulation 16(5).
- (6) The references in paragraphs (2) and (3) to an online marketplace operator and a seller are to an online marketplace operator or seller which performs no other function referred to in regulation 8(1) in relation to packaging.
- (7) Where P is a small or large producer and P performs more than one such function in relation to packaging, P is subject to the obligations imposed under paragraphs (2) to (5), so far as relevant, in relation to each function P performs.
- (8) If P is a producer who is a licensor or a pub operating business, Schedule 2 applies to determine whether P is subject to the data collection obligations in regulation 16(6).
- (9) Paragraph (8) does not affect any obligations which a licensor or a pub operating business has under these Regulations otherwise than under Schedule 2.