
STATUTORY INSTRUMENTS

1997 No. 648

**The Producer Responsibility Obligations
(Packaging Waste) Regulations 1997**

PART V

RECORDS, RETURNS AND CERTIFICATE

Producers—records and returns

22.—(1) A producer who is subject to the certifying obligation shall maintain, and retain for at least 4 years after the record is made, records of the information referred to in paragraph (2) below and shall, at the same time as he furnishes a certificate of compliance to the appropriate Agency in accordance with regulation 23, make a return to that Agency of that information.

(2) The information is, in respect of the year 1998 and subsequent years—

- (a) the amount in tonnes, to the nearest tonne, of packaging waste provided to a reprocessor by or on behalf of the producer;
- (b) the amount in tonnes, to the nearest tonne, of each packaging material comprised in the packaging waste referred to in sub-paragraph (a) above, received by a reprocessor from the producer or a person acting on the producer's behalf; and
- (c) the dates on which, and the name and address of the reprocessor to which, the packaging waste referred to in sub-paragraph (a) above, was so provided.

(3) For the purposes of paragraph (2) above, for the year 1998 and subsequent years, packaging materials means the materials mentioned in paragraph 6(1)(b) of Schedule 2.

Producers—certifying obligation

23.—(1) Subject to regulations 4 and 29, a producer shall furnish in accordance with this regulation a certificate of compliance to the appropriate Agency.

(2) A certificate of compliance shall be furnished as evidence of whether or not the producer has complied with its recovery and recycling obligations for a relevant year and shall be furnished on or before 31st January in the year immediately following the relevant year.

(3) The provisions of Schedule 6 shall apply as regards the information to be contained in a certificate of compliance.

Schemes—records and returns

24.—(1) The operator of a scheme shall maintain, and retain for at least 4 years after they are made, records of the information referred to in paragraphs (2) and (3) below, and make returns of the information referred to in paragraph (3) below to the appropriate Agency upon request.

(2) In respect of the year 1997 the information is, for each producer which is a member of the scheme in that year, the information referred to in regulations 12(3)(c) and 14, together with any changes notified in accordance with the condition referred to in regulation 13(d)(iv).

(3) In respect of the year 1998 and subsequent years the information is, in addition to the information referred to in paragraph (2) above—

- (a) the amount in tonnes, to the nearest tonne, of packaging waste provided to a reprocessor through the scheme;
- (b) the amount in tonnes, to the nearest tonne, of each packaging material comprised in the packaging waste referred to in sub-paragraph (a) above, provided to a reprocessor through the scheme; and
- (c) the dates on which, and the name and address of the reprocessor to which, the packaging waste referred to in sub-paragraph (a) above was so provided.

(4) For the purposes of paragraph (3) above, for the year 1998 and subsequent years packaging materials means the materials mentioned in paragraph 6(1)(b) of Schedule 2.