
STATUTORY INSTRUMENTS

2007 No. 871

**The Producer Responsibility Obligations
(Packaging Waste) Regulations 2007**

PART III

REGISTRATION: PRODUCERS AND SCHEMES

Forms and fees for registration of a scheme

16.—(1) The appropriate Agency shall provide the form referred to in regulation 14(3)(c) free of charge to any person requesting one.

(2) Subject to paragraphs (3), (4), (5) and (6) below, the fee which is to be charged by the appropriate Agency on an application for registration of a scheme shall be—

- (a) £345 for each small producer who has elected to follow the allocation method and who is on the date of the application a member of the scheme; and
- (b) £564 for each producer who is not a small producer who has elected to follow the allocation method and is on the date of the application a member of the scheme.

(3) In the case of a scheme that has been granted [^{F1}approval pursuant to] regulation 13(4) the fee to be charged by the appropriate Agency in addition to the fee in paragraph (2) above is—

- (a) £1,540 where the operator of the scheme has an obligation to [^{F2}recycle] up to and including 24,999 tonnes of packaging waste;
- (b) £2,310 where the operator of the scheme has an obligation to [^{F2}recycle] between 25,000 and 249,999 tonnes of packaging waste; or
- (c) £3,080 where the operator of the scheme has an obligation to [^{F2}recycle] over 250,000 tonnes of packaging waste.

(4) In the case of a group of companies that is on the date of the application a member of a scheme the fee to be charged by the appropriate Agency for that member is—

- (a) £345 where the holding company is a small producer who has elected to follow the allocation method and the group of companies had an aggregate turnover of £5,000,000 or less in the previous year; or
- (b) £564 where—
 - (i) the holding company is not a small producer who has elected to follow the allocation method; or
 - (ii) the holding company is a small producer who has elected to follow the allocation method and the group of companies had an aggregate turnover of more than £5,000,000 in the previous year;

and, in addition to the fee payable under sub-paragraph (a) or (b), in respect of each subsidiary included within that application who is not a small producer who has elected to follow the allocation method, the appropriate Agency shall charge a fee of—

- (i) £180 for each of the first 4 subsidiaries;
- (ii) £90 for each of the 5th to 20th subsidiaries inclusive; and
- (iii) £45 for each of the 21st and subsequent subsidiaries.

(5) In the case where an application is required to be resubmitted as a result of a failure to meet the requirements of regulation 14(3)(c) or 14(6), the fee to be charged by the appropriate Agency in addition to any fee payable under this regulation is £220 for each member of that scheme in respect of whom the information resubmitted was different from that contained in the original application.

(6) The additional fee which is to be paid by an operator of a scheme in compliance with the [F3 obligation set out] in regulation 15 is calculated as follows—

$$(A \times B) + (C \times D) = AF$$

where—

“A” is the number of new members of the scheme which are the subject of the notification who are not small producers who have elected to follow the allocation method;

“B” is the fee set out at sub-paragraph (2)(b) above plus the sum of £110;

“C” is the number of new members of the scheme which are the subject of the notification who are small producers who have elected to follow the allocation method ;

“D” is the fee set out at sub-paragraph (2)(a) above plus the sum of £110; and

“AF” is the additional fee.

Textual Amendments

- F1** Words in reg. 16(3) substituted (24.2.2016) by The Producer Responsibility Obligations (Packaging Waste) (Miscellaneous Amendments) Regulations 2016 (S.I. 2016/241), regs. 1(b), **11(a)**
- F2** Word in reg. 16(3) substituted (S.) (1.1.2021) by The Producer Responsibility Obligations (Packaging Waste) Amendment (Scotland) Regulations 2020 (S.S.I. 2020/387), regs. 1(1), **2(6)**; (E.) (1.1.2021) by The Producer Responsibility Obligations (Packaging Waste) (Amendment) (England) Regulations 2020 (S.I. 2020/1336), regs. 1(1), **2(6)**; and (W.) (1.1.2021) by The Producer Responsibility Obligations (Packaging Waste) (Amendment) (Wales) Regulations 2020 (S.I. 2020/1390), regs. 1(1), **2(6)**
- F3** Words in reg. 16(6) substituted (24.2.2016) by The Producer Responsibility Obligations (Packaging Waste) (Miscellaneous Amendments) Regulations 2016 (S.I. 2016/241), regs. 1(b), **11(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Producer Responsibility Obligations (Packaging Waste) Regulations 2007, Section 16.