SCHEDULE 5

CONDITIONS OF ACCREDITATION

1. The conditions referred to in regulation 25 are that—

(a) PRNs shall not be issued for more than the total amount of packaging waste which—

(i) is received for reprocessing on the reprocessing site of a reprocessor in the year or the part of the year for which he is accredited; and

(ii) will be capable of being reprocessed on the site for which he is accredited no later than the end of the following year;

(b) a reprocessor may only issue a PRN in respect of packaging waste once that packaging waste has been received for reprocessing on that reprocessing site;

(c) PRNs which relate to packaging waste received for reprocessing in December of a year shall specify that fact;

[[F1](d) PERNs shall not be issued for more than the total amount of packaging waste which an accredited exporter exports for reprocessing in the year or part of the year for which he is accredited;

(e) a PERN may only be issued once the packaging waste that it relates to has been exported for reprocessing;**]**

(f) PERNs which relate to packaging waste exported in December of a year shall specify that fact;

(g) where a PRN or PERN has not been issued by 31st January in any year in respect of an amount of packaging waste received for reprocessing or exporting in the previous year, a PRN or PERN for that amount shall not be issued to producers or operators of schemes, or to the representatives of producers or operators of schemes but shall be issued to the appropriate Agency on or before **[**[F2]28th February**]** in that year;

[F3](h) . . . . . .

(i) the weight of packaging waste recorded on a PRN or PERN shall be—

(i) rounded up to the nearest whole tonne where the part tonne is 0.5 or more;

(ii) rounded down to the nearest whole tonne where the part tonne is less than 0.5;

[F4](j) . . . . . .

(k) subject to sub-paragraph (g) above, PRNs and PERNs may only be issued to producers or operators of schemes, or to the representatives of producers or operators of schemes;

[F5](l) . . . . . .

(m) records shall be maintained for each quarter year on a form made available for the purpose by the appropriate Agency, shall be retained for at least 4 years after the end of the year in which the record is made and shall be made available to the appropriate Agency on demand;

(n) reports shall be provided to the appropriate Agency before each of 21st April, 21st July, 21st October and 28th February in respect of the previous quarter year on—

(i) the tonnage of packaging waste received or exported for reprocessing in that quarter;

(ii) the tonnage of packaging waste reprocessed in that quarter;

(iii) the number of PRNs or PERNs issued in that quarter; and

(iv) a list of all PRNs and PERNs issued,

on a form provided by the appropriate Agency;

[F6(o) a report shall be provided to the appropriate Agency before 28th February in each year which—

(i) sets out all the information provided in the quarterly reports which relate to the whole of the previous year;

(ii) sets out the amount of revenue received in the previous year from the sale of PRNs and PERNs;

(iii) sets out what that amount has been spent on, including information on the matters set out in paragraphs (i) to (vi) of regulation 24(1)(c);

(iv) accounts for the whole of that amount;

(v) sets out and explains any deviation during the previous year from the business plan referred to in regulation 24(1)(c);

(vi) is in the form prescribed by the appropriate Agency for this purpose;]

F7(p) . . . . . .

(q) a reprocessor or exporter must—

(i) as far as possible implement the business plan referred to in regulation 24(1)(c);

(ii) undertake sampling and inspection of packaging waste received or exported for reprocessing, in accordance with a plan approved by the appropriate Agency; and

(iii) comply with such other conditions as the appropriate Agency may specify in the notification of a grant of accreditation;

[F8(r) a PERN may only be issued in respect of packaging waste that is exported in accordance with—

(i) Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste [F9, as last amended by Commission Regulation (EU) 2015/2002]; and

(ii) Commission Regulation (EC) No 1418/2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) No 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of wastes does not apply [F10, as last amended by Commission Regulation (EU) No 733/2014];

(s) where applicable, a reprocessor or exporter must comply with regulation 24(6)]

Textual Amendments

F1 Sch. 5 para. 1(d)(e) substituted (19.7.2008) by Producer Responsibility Obligations (Packaging Waste) (Amendment No.2) Regulations 2008 (S.I. 2008/1941), regs. 1(1), **6(2)**

F2 Words in Sch. 5 para. 1(g) substituted (26.11.2010) by The Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations 2010 (S.I. 2010/2849), regs. 1(b), **19(2)(a)**

F3 Sch. 5 para. 1(h) omitted (26.11.2010) by virtue of The Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations 2010 (S.I. 2010/2849), regs. 1(b), **19(2)(b)**

F4 Sch. 5 para. 1(j) omitted (26.11.2010) by virtue of The Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations 2010 (S.I. 2010/2849), regs. 1(b), **19(2)(b)**

F5 Sch. 5 para. 1(l) omitted (26.11.2010) by virtue of The Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations 2010 (S.I. 2010/2849), regs. 1(b), **19(2)(b)**

F6 Sch. 5 para. 1(o) substituted (26.11.2010) by The Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations 2010 (S.I. 2010/2849), regs. 1(b), **19(2)(c)**

F7 Sch. 5 para. 1(p) omitted (26.11.2010) by virtue of The Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations 2010 (S.I. 2010/2849), regs. 1(b), **19(2)(d)**

F8 Sch. 5 para. 1(r)(s) substituted for Sch. 5 para. 1(r) (26.11.2010) by The Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations 2010 (S.I. 2010/2849), regs. 1(b), **19(2)(e)**

F9 Words in Sch. 5 para. 1(r)(i) inserted (28.2.2019) by The Waste (Miscellaneous Amendments) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/188), regs. 1(2)(a), **4(3)(a)**

F10 Words in Sch. 5 para. 1(r)(ii) inserted (28.2.2019) by The Waste (Miscellaneous Amendments) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/188), regs. 1(2)(a), **4(3)(b)**

Changes to legislation:
There are currently no known outstanding effects for the The Producer Responsibility Obligations (Packaging Waste) Regulations 2007, Paragraph 1.