

## SCHEDULE 2

### Licensors and Pub Operating Businesses

#### PART 1

##### General

- 2.—(1) The situations referred to in paragraph 1 above are that—
- (a) the head organisation and one or more of its members would, but for the fact that they do not all satisfy one or both of the tests for the threshold criteria in regulation 11(2), each have obligations under these Regulations;
  - (b) two or more members of the head organisation would, but for not satisfying one or both of the tests for the threshold criteria in regulation 11(2), each have obligations under these Regulations; or
  - (c) the head organisation has obligations under these Regulations and one or more of its members would, but for a failure to satisfy one or both of the tests for the threshold criteria in regulation 11(2), each have obligations under these Regulations.
- (2) The conditions referred to in paragraph 1 above are that—
- (a) the head organisation satisfies the threshold test relating to turnover in regulation 11(2)(a); and
  - (b) subject to paragraphs 3 and 4 below, the head organisation and one or more of its members, or its members alone, in one of the situations in sub-paragraph (1)(a), (b) or (c) above, together satisfy the threshold test relating to packaging handled in regulation 11(2)(b).

#### Commencement Information

**II** Sch. 2 para. 2 in force at 28.2.2023, see [reg. 1\(2\)](#)

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Packaging Waste (Data Reporting) (England) Regulations 2023. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Sch. 2 para. 2(2)(b) words substituted by [S.I. 2024/359 reg. 18](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 10(1)(aa) inserted by [S.I. 2024/359 reg. 17\(b\)\(i\)\(bb\)](#)
- Sch. 1 para. 10(1A) inserted by [S.I. 2024/359 reg. 17\(b\)\(ii\)](#)
- Sch. 1 para. 22(1)(c) inserted by [S.I. 2024/359 reg. 17\(h\)\(ii\)](#)
- Sch. 1 para. 13(3) substituted by [S.I. 2024/359 reg. 17\(c\)\(ii\)](#)
- Sch. 1 para. 22(2)(b) words inserted by [S.I. 2024/359 reg. 17\(h\)\(iii\)](#)
- reg. 6(7) inserted by [S.I. 2024/359 reg. 6\(b\)](#)
- reg. 77A substituted for reg. 7 by [S.I. 2024/359 reg. 7](#)
- reg. 8(1)(1A) substituted for reg. 8(1) by [S.I. 2024/359 reg. 8\(a\)](#)
- reg. 8(2A) words inserted by [S.I. 2024/359 reg. 8\(c\)\(iii\)](#)
- reg. 8(2A) words substituted by [S.I. 2024/359 reg. 8\(c\)\(i\)](#)
- reg. 8(2A) words substituted by [S.I. 2024/359 reg. 8\(c\)\(ii\)](#)
- reg. 8(2C) omitted by [S.I. 2024/359 reg. 8\(d\)](#)
- reg. 8(3A) words inserted by [S.I. 2024/359 reg. 8\(f\)\(i\)](#)
- reg. 8(3A)(a)(i) word inserted by [S.I. 2024/359 reg. 8\(f\)\(ii\)](#)
- reg. 8(3A)(b) words omitted by [S.I. 2024/359 reg. 8\(f\)\(iii\)](#)
- reg. 8(4)(4A) substituted by [S.I. 2024/359 reg. 8\(g\)](#)
- reg. 8(4B) inserted by [S.I. 2024/359 reg. 8\(h\)](#)
- reg. 8(8A) inserted by [S.I. 2024/359 reg. 8\(k\)](#)
- reg. 10(1A)(a) inserted by [S.I. 2024/359 reg. 9\(a\)\(i\)](#)
- reg. 10(1A)(b) words in reg. 10(1A) renumbered as reg. 10(1A)(b) by [S.I. 2024/359 reg. 9\(a\)\(ii\)](#)
- reg. 17A inserted by [S.I. 2024/359 reg. 13\(2\)](#)
- reg. 20(3) inserted by [S.I. 2024/359 reg. 14](#)
- reg. 22A inserted by [S.I. 2024/359 reg. 15](#)