

2012 No. 437

ENVIRONMENTAL PROTECTION

**The Producer Responsibility Obligations (Packaging Waste)
(Amendment) Regulations (Northern Ireland) 2012**

Made - - - - *6th December 2012*

Coming into operation - *1st January 2013*

The Department of the Environment makes the following Regulations in exercise of the powers conferred by Article 3(1) and Article 4(1)(b), (c) and (d) of the Producer Responsibility Obligations (Northern Ireland) Order 1998(a).

The Department makes the following Regulations—

- (a) after consultation in accordance with Article 3(2) of the Producer Responsibility Obligations (Northern Ireland) Order 1998;
- (b) having regard to the matters in Article 3(6) as required by Article 3(5) of that Order (subject to the modifications required through the exercise of the powers in Article 3(4));and
- (c) in accordance with the duty in Article 3(7) of that Order.

Citation and commencement

1. These Regulations may be cited as the Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations (Northern Ireland) 2012 and shall come into operation on 1st January 2013.

Amendment of the Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007

2. The Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007(b) are amended in accordance with regulation 3.

Amendment of Schedule 2 (recovery and recycling obligations)

3.—(1) Schedule 2 is amended as follows.

(2) In paragraph 1(1)—

- (a) after paragraph (b) omit “and”;
- (b) after paragraph (c) omit “,” and insert—

(a) S.I. 1998/1762 (N.I. 16)

(b) S.R. 2007/198 as amended by S.R. 2008/77, S.R. 2008/373 and S.R. 2010/396

“; and

(d) in relation to glass, to recycle by re-melt an amount of glass packaging which is glass packaging waste, as provided in paragraph 3(4).”.

(3) In paragraph 3(2), for “2010 to 2012” substitute “2012 to 2017”.

(4) After paragraph 3(3) insert—

“(4) Where in the preceding year the producer has handled any glass (whether in the form of packaging or packaging materials), the producer shall recycle by re-melt an amount of glass packaging waste calculated as follows—

$$LxBxW = G$$

where—

“L” is the amount to the nearest tonne of the glass (whether in the form of packaging or packaging materials) handled in the United Kingdom by the producer in the preceding year;

“B” is the percentage prescribed in paragraph 4 in relation to the class of producer;

“W” is the percentage prescribed in paragraph 6A as the recycling by re-melt target for the relevant year; and

“G” is the amount by tonnage of glass packaging waste which is to be recycled by re-melt in the relevant year.”.

(5) For paragraph 5 substitute—

“5. The following is prescribed as the recovery target “X”—

- (a) for the year 2012, 74%;
- (b) for the year 2013, 75%;
- (c) for the year 2014, 76%;
- (d) for the year 2015, 77%;
- (e) for the year 2016, 78%;
- (f) for the year 2017, 79%.”.

(6) In paragraph 6, for Table 2 substitute—

“**Table 2: Recycling targets**

<i>Material</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>
Glass	81	81	81	81	81	81
Aluminium	40	43	46	49	52	55
Steel	71	72	73	74	75	76
Paper/Board	69.5	69.5	69.5	69.5	69.5	69.5
Plastic	32	37	42	47	52	57
Wood	22	22	22	22	22	22”.

(7) After paragraph 6 insert—

“6A. The following percentages are prescribed as the recycling by re-melt target “W” in relation to the years indicated in the first column—

Table 2A: Recycling by re-melt targets for glass

<i>Year</i>	<i>Percentage</i>
2013	63
2014	63
2015	63
2016	64
2017	64”.

(8) For paragraph 8 substitute—

“8. The recycling allocation “B” is as follows—

- (a) 29 for the year 2012;
- (b) 30 for every year between 2013 and 2017 inclusive.”.

(9) After paragraph 10 insert—

“11. For the purposes of this Schedule, “recycling by re-melt” means the recycling of waste glass packaging or packaging materials using a method that melts the glass before it is re-formed into a product.”.

Sealed with the Official Seal of the Department of the Environment on 6th December 2012.

(L.S.)

Wesley Shannon
A senior officer of the Department of the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007 (S.R. 2007/98) (the “2007 Regulations”), which implement Article 6 of Council Directive 94/62/EC on packaging and packaging waste (OJ No L 365, 31.12.1994, p 10) as amended by Directive 2004/12/EC of the European Parliament and of the Council (OJ No L 47, 18.2.2004, p 26).

Regulation 3 amends Schedule 2 to the 2007 Regulations. The amendments include new waste packaging recovery and recycling targets for the years 2012 to 2017. The amendments also include a new set of targets for waste glass packaging for recycling by re-melt for the years 2013 to 2017.

An impact assessment which shows the anticipated cost of compliance to businesses and the public sector and the environmental benefits in respect of these Regulations may be obtained from the Producer Responsibility Unit, Area 6D, Ergon House, Horseferry Road, London SW1P 2AL.

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