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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations impose requirements on producers who are established in Scotland to collect data on the packaging they supply to others, and, in some cases, to report some of that information to the Scottish Environment Protection Agency (SEPA).

Part 1 (regulations 1 to 14) contains the interpretation and general provisions for the instrument. Part 2 (regulations 15 to 18) sets out the obligations on producers. Schedule 1 identifies the information which producers are required to collect and report on. Schedule 2 determines whether licensors or pub operating businesses are subject to obligations on producers. Part 3 (regulations 19 to 21) makes provision for registered schemes and exempts producers who are members of a registered scheme from their data reporting obligations under these Regulations provided that they satisfy the requirements in regulation 19(2). Registered schemes are required to make reports on behalf of each of their members who satisfy these requirements. Part 3 also makes provision in relation to changes to the membership of a scheme in the middle of a relevant year.

Part 4 (regulations 22 to 27) sets out the powers and duties of SEPA under these Regulations. Part 5 (regulations 28 and 29) provides for a number of offences and penalties for breach of the requirements imposed by these Regulations.

A partial Business Regulatory Impact Assessment of the effect that this instrument will have on the costs of business has been placed in the Scottish Parliament Information Centre. Copies can be obtained from the Scottish Government, Environmental Quality Division, Area 3H South, Victoria Quay, Edinburgh EH6 6QQ, and online at [legislation.gov.uk](https://legislation.gov.uk).