

*Status: Point in time view as at 24/01/2022. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Environment Act 2021, Paragraph 9. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 4

#### PRODUCER RESPONSIBILITY OBLIGATIONS

##### PART 1

##### REQUIREMENTS

- 9 (1) Before making regulations under this Part of this Schedule the relevant national authority must be satisfied that—
- (a) making the regulations would be likely to achieve one or more of the purposes in paragraph 1(2);
  - (b) making the regulations would produce environmental or economic benefits;
  - (c) those benefits are significant as against the likely costs resulting from the imposition of the producer responsibility obligations;
  - (d) the burdens imposed on businesses by the regulations are the minimum necessary to secure those benefits;
  - (e) those burdens are imposed on the persons most able to make a contribution to securing those benefits—
    - (i) having regard to the desirability of acting fairly between persons who manufacture, process, distribute or supply products or materials, and
    - (ii) taking account of the need to ensure that the proposed producer responsibility obligation is so framed as to be effective in achieving the purposes for which it is imposed.
- (2) Nothing in sub-paragraph (1)(e)(i) prevents regulations imposing a producer responsibility obligation on any class or description of person to the exclusion of any others.
- (3) Sub-paragraph (1) does not apply to regulations for the implementation of an international agreement to which the United Kingdom is a party.

#### Commencement Information

- I1** Sch. 4 para. 9 not in force at Royal Assent, see [s. 147\(3\)-\(6\)](#)
- I2** [Sch. 4 para. 9](#) in force at 24.1.2022 for E. by [S.I. 2022/48](#), [reg. 2\(q\)](#)

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