
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 387

The Producer Responsibility Obligations (Packaging Waste) Amendment (Scotland) Regulations 2020

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

2.—(1) The Producer Responsibility Obligations (Packaging Waste) Regulations 2007(1) are amended as follows.

(2) For “recovery and recycling obligations” in every place that it occurs, except in the definition of that expression in regulation 2(2), substitute “recycling obligations”.

(3) In regulation 2(2)—

- (a) omit the definition of “energy recovery”,
- (b) in the definitions of “PERN” and “PRN”, for “recovery” substitute “recycling”,
- (c) in the definition of “producer responsibility obligations” omit “, recovery and”,
- (d) in the definition of “recovery” omit the words from “and for the purposes of” to the end,
- (e) omit the definition of “recovery and recycling obligations”,
- (f) for the definition of “recycling obligations” substitute—

“recycling obligations” has the meaning given in regulation 4(4)(b);”.

(4) In regulation 4(4)(b)(i), omit “recover and”.

(5) In regulation 7(4)(ca)(i)(aa)—

- (a) for “recover” substitute “recycle”,
- (b) omit the words “and of this” to the end.

(6) In regulation 16(3), for “recover” in every place it occurs substitute “recycle”.

(7) In regulation 20(3)(a), omit “respectively for recovery and”.

(8) In regulation 22(2)—

- (a) in sub-paragraph (a), omit “respectively for recovery and”,
- (b) in sub-paragraph (c), omit “recover and”.

(9) In regulation 24—

- (a) in paragraph (1)(a)(i), for “recovery” substitute “recycling”,
- (b) in paragraph (2), for “recovery” in both places that it occurs substitute “recycling”.

(10) In schedule 2—

- (a) in the heading omit “Recovery and”,
- (b) in paragraph 1(1)—
 - (i) in the words before sub-paragraph (a)—
 - (aa) after “allocation method”, insert “and subject to paragraph 1A”,

(1) S.I. 2007/871; the relevant amending instruments are S.I. 2008/1941, S.I. 2010/2849, S.I. 2012/3082, S.I. 2013/1857, S.I. 2016/241, S.I. 2016/1146, S.I. 2017/1221, S.I. 2019/188 and S.I. 2020/904 and S.I. 2011/226.

- (bb) omit “recover and”,
- (ii) in sub-paragraph (a), for “recover” substitute “recycle”,
- (iii) omit sub-paragraph (b),
- (iv) in sub-paragraph (c)—
 - (aa) for “recover” in the first place that it occurs, substitute “recycle”,
 - (bb) for “recover by recycling” substitute “recycle”,
- (c) after paragraph 1, insert—
 - “1A.—(1) For the purposes of paragraph 1(1)(a), where ΣQ is higher than ΣZ , a producer’s obligation is to recycle an amount of packaging waste equal to ΣQ .
 - (2) In this paragraph—
 - (a) “ ΣQ ” means the sum of Q, as calculated in accordance with paragraph 3(3), for each recyclable material handled by the producer in the preceding year and for each class of producer to which the producer belongs,
 - (b) “ ΣZ ” means the sum of Z, as calculated in accordance with paragraph 3(1), for each class of producer to which the producer belongs.”,
- (d) in paragraph 3—
 - (i) in sub-paragraph (1)—
 - (aa) for “recovered”, substitute “recycled”,
 - (bb) in the definition of “X”, for “recovery” substitute “recycling”,
 - (cc) in the definition of “Z”, for “recovered” substitute “recycled”,
 - (ii) omit sub-paragraph (2),
 - (iii) in sub-paragraph (3) for “recover by recycling” substitute “recycle”,
 - (iv) in sub-paragraph (4), in the formula, for “67” substitute “72”,
- (e) for paragraph 5, substitute—
 - “5. The following is prescribed as the recycling target “X”—
 - (a) for the year 2021, 76%,
 - (b) for the year 2022, 77%.”,
- (f) in paragraph 6, for Table 2 substitute—

“Table 2

Recycling targets

<i>Materials</i>	<i>2021</i>	<i>2022</i>
Glass	81	82
Plastic	59	61
Aluminium	66	69
Steel	86	87
Paper/Board	79	83
Wood	35	35”,

(g) For paragraph 8 substitute—

“**8.** The recycling allocation “B” is 35 for each of the years 2021 and 2022.”.

(11) In schedule 3, in Part III, in paragraph 11(b), omit “is to be recovered through the scheme and by which it”.

(12) In schedule 7, in paragraph 2, omit sub-paragraph (c).