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SCOTTISH STATUTORY INSTRUMENTS

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**2023 No. 7**

**ENVIRONMENTAL PROTECTION**

**The Packaging Waste (Data Reporting)  
(Scotland) Regulations 2023**

*Made - - - - 17th January 2023*  
*Laid before the Scottish*  
*Parliament - - 19th January 2023*  
*Coming into force 28th February 2023*

**THE PACKAGING WASTE (DATA REPORTING)  
(SCOTLAND) REGULATIONS 2023**

PART 1

General

1. Citation and commencement
2. Interpretation
3. Establishment in Scotland and the United Kingdom
4. Modifications of the Waste Directive
5. Drink
6. Packaging and packaging categories
7. Household packaging
8. Producers
9. Licensors and pub operating businesses
10. Supply
11. Threshold criteria for large and small producers
12. Exempt packaging
13. Exclusion of charities from data collection and data reporting obligations
14. Incapacity etc.

PART 2

Producers and obligations

15. Producer obligations
16. Data collection obligations

*Status: This is the original version (as it was originally made).*

- 17. Data reporting obligations
- 18. Notification of winding-up, receivership, administration, etc.

PART 3

Producers and schemes

- 19. Producers and scheme membership
- 20. Schemes: general provisions
- 21. Mid-year changes

PART 4

SEPA's powers and duties

- 22. Publication of items recycled by relevant authorities
- 23. Monitoring
- 24. Approved persons
- 25. Delegation of approved persons' functions: procedure
- 26. Entry and inspection
- 27. Information sharing

PART 5

Enforcement

- 28. Offences and penalties
- Signature

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SCHEDULE 1 Collection and reporting information

PART 1 Interpretation

- 1. In this schedule— (a) “commencement date” means the date on...

PART 2

General Information

- 2. The name, address and telephone number of the registered office...
- 3. The business name of the producer if different from that...
- 4. The name and contact details for the individual at the...
- 5. The address for service of notices on the producer if...
- 6. Where the producer is a partnership, the names of all...
- 7. Each class of producer to which the applicant belongs.
- 8. If they belong to more than one class of producer,...
- 9. Where the producer is a brand owner—

PART 3 Information required from brand owners, packer/fillers, importers, distributors and service providers

- 10. (1) This Part applies to producers who are—
- 11. The weight in kilograms of packaging in each packaging category...
- 12. The weight in kilograms of household packaging in each packaging...
- 13. (1) A breakdown for the packaging supplied in each packaging...

14. Producers who are brand owners must also keep records of,...
15. Producers who are distributors must also, for each large producer...
16. Where the producer has instituted a system of reusable primary...
17. (1) The weight in kilograms of household packaging supplied by...  
PART 4 Information required from online marketplace operators
18. Producers who are online marketplace operators— (a) must keep records...
19. The weight in kilograms of packaging in each packaging category...
20. The weight in kilograms of household packaging in each packaging...  
PART 5 Supply and discarding of packaging by nation
21. Producers who are subject to the data collection obligations in...
22. (1) The weight in kilograms of— (a) all packaging the...
23. (1) The amount of relevant packaging waste the producer has...  
SCHEDULE 2 Licensors and Pub Operating Businesses  
PART 1 General
1. (1) A head organisation is subject to data collection obligations...
2. (1) The situations referred to in paragraph 1 above are...
3. Where the head organisation does not have the information necessary...
4. For the purposes of this schedule— (a) “head organisation” means...  
PART 2 Licensors
5. Where the head organisation is a licensor, for the purposes...
6. Where the head organisation is a licensor—  
PART 3 Pub operating businesses
7. (1) Where the head organisation is a pub operating business,...
8. Where the head organisation is a pub operating business—  
Explanatory Note