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SCOTTISH STATUTORY INSTRUMENTS

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**2023 No. 7**

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

**PART 2**

Producers and obligations

**Data collection obligations**

**16.**—(1) The data collection obligations in this regulation are as follows.

*Small producers, other than online marketplace operators and sellers*

(2) A producer subject to the data collection obligations in this paragraph, must maintain for each data collection period, and retain for at least 7 years after the end of the data collection period to which they relate, records of the information referred to in paragraph 10(2) and 21(a) of schedule 1.

*Large producers, other than online marketplace operators and sellers*

(3) A producer subject to the data collection obligations in this paragraph must—

- (a) maintain for each data collection period, and retain for at least 7 years after the end of the data collection period to which they relate, records of the information listed in schedule 1,
- (b) retain for 7 years evidence—
  - (i) of the amount of packaging waste which they have collected and sent for recycling, as reported on under paragraph 23(1) and (3) of schedule 1,
  - (ii) that any relevant packaging waste included in the packaging waste referred to in head (i) has been recycled, and for these purposes “relevant packaging waste” has the same meaning as in paragraph 23(5) of schedule 1.

*Online marketplace operators*

(4) A producer subject to the data collection obligations in this paragraph must maintain for each data collection period and retain for at least 7 years after the end of the data collection period to which they relate, records of the information listed in Parts 4 and 5 of schedule 1.

*Sellers*

(5) A producer subject to the data collection obligations in this paragraph must maintain for each data collection period, and retain for at least 7 years after the end of the data collection period to which they relate, records of the information listed in Part 5 of schedule 1.

*Licensors and pub operating businesses*

(6) A producer subject to the data collection obligations in this paragraph must maintain for each data collection period, and retain for at least 7 years after the end of the data collection period to which they relate, records of the information listed in paragraphs 22 and 23(3) of Part 5 of schedule 1.

- (7) For the purposes of this regulation, “data collection period” means—
- (a) the period from the date on which these Regulations come into force until 31 December 2023, and
  - (b) in subsequent years, the period of 12 months starting on 1 January.