



Environment Act 2021

2021 CHAPTER 30

PART 3

WASTE AND RESOURCE EFFICIENCY

Producer responsibility

50 Producer responsibility obligations

- (1) In Schedule 4—
 - (a) Part 1 confers power on the relevant national authority to make regulations about producer responsibility obligations;
 - (b) Part 2 confers power on the relevant national authority to make regulations about the enforcement of regulations made under Part 1.
- (2) In this section and that Schedule “relevant national authority” means—
 - (a) in relation to England, the Secretary of State;
 - (b) in relation to Wales, the Welsh Ministers or the Secretary of State;
 - (c) in relation to Scotland, the Scottish Ministers or the Secretary of State;
 - (d) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs in Northern Ireland or the Secretary of State.
- (3) Regulations under Schedule 4 made by the Secretary of State may not contain provision that could be contained in regulations under that Schedule made by another relevant national authority, unless that authority consents.
- (4) Regulations under Schedule 4 that contain only provision for, or in connection with, the variation of targets specified in the regulations are subject to the negative procedure.
- (5) Otherwise, regulations under Schedule 4 are subject to the affirmative procedure.
- (6) The following are repealed—
 - (a) in the Environment Act 1995, sections 93 to 95;

Status: This is the original version (as it was originally enacted).

- (b) the Producer Responsibility Obligations (Northern Ireland) Order 1998 ([S.I. 1998/1762 \(N.I. 16\)](#)).

51 Producer responsibility for disposal costs

- (1) Schedule 5 confers power on the relevant national authority to make regulations requiring the payment of sums in respect of the costs of disposing of products and materials.
- (2) In this section and that Schedule “relevant national authority” means—
 - (a) in relation to England, the Secretary of State;
 - (b) in relation to Wales, the Welsh Ministers or the Secretary of State;
 - (c) in relation to Scotland, the Scottish Ministers or the Secretary of State;
 - (d) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs in Northern Ireland or the Secretary of State.
- (3) Regulations under Schedule 5 made by the Secretary of State may not contain provision that could be contained in regulations under that Schedule made by another relevant national authority, unless that authority consents.
- (4) Regulations under Schedule 5 are subject to the affirmative procedure.