
STATUTORY INSTRUMENTS

2007 No. 871

**The Producer Responsibility Obligations
(Packaging Waste) Regulations 2007**

PART VII

AGENCIES' POWERS & DUTIES

Monitoring

- 31.**—(1) The appropriate Agency shall monitor in accordance with this regulation—
- (a) compliance with their producer responsibility obligations by persons who are or may be producers;
 - (b) compliance by operators of schemes with the obligations referred to in regulation 12(1) ;
 - (c) compliance by operators of schemes with the conditions referred to in [^{F1}regulation 13A(1) and (2); and]
 - (d) compliance by persons who are accredited reprocessors or exporters with the conditions specified in or under Schedule 5; and
 - ^{F2}(e)
- (2) The duty referred to in paragraph (1) above includes a duty to monitor—
- (a) the registration of producers as required by regulation 6;
 - (b) the accuracy of the information provided by producers pursuant to regulations 7 and 8;
 - (c) the accuracy of the returns furnished to the appropriate Agency by a producer under regulation 20;
 - (d) the accuracy of the information contained in certificates of compliance furnished to the appropriate Agency under regulation 21;
 - (e) the accuracy of the information provided by an operator of a scheme pursuant to regulations 14 and 15; and
 - (f) the accuracy of the returns provided to the appropriate Agency by an operator of a scheme under [^{F3}regulations 13A(2)(c) and 22].
- (3) For the purposes of the discharge of its functions under these Regulations, the appropriate Agency may, by notice in writing served on—
- (a) any person who has, or who the appropriate Agency has reason to believe has, producer responsibility obligations under regulation 4;
 - (b) in relation to any person who is a member of a registered scheme, the operator of that scheme;
 - (c) any person who is, or who the Agency has reason to believe is, issuing PERNs or PRNs;
 - (d) any person who is engaged in trading in, or brokerage in relation to, PERNs or PRNs; or
 - (e) any accredited reprocessor or exporter,

require him to maintain such records, and furnish such returns to the appropriate Agency, of such information specified in the notice as the appropriate Agency reasonably considers it needs for those purposes, in such form and within such period following service of the notice, or at such time, as is so specified.

Textual Amendments

- F1** Words in reg. 31(1)(c) substituted (24.2.2016) by [The Producer Responsibility Obligations \(Packaging Waste\) \(Miscellaneous Amendments\) Regulations 2016 \(S.I. 2016/241\)](#), regs. 1(b), **17(a)(i)**
- F2** Reg. 31(1)(c) omitted (24.2.2016) by virtue of [The Producer Responsibility Obligations \(Packaging Waste\) \(Miscellaneous Amendments\) Regulations 2016 \(S.I. 2016/241\)](#), regs. 1(b), **17(a)(ii)**
- F3** Words in reg. 31(2)(f) substituted (24.2.2016) by [The Producer Responsibility Obligations \(Packaging Waste\) \(Miscellaneous Amendments\) Regulations 2016 \(S.I. 2016/241\)](#), regs. 1(b), **17(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Producer Responsibility Obligations (Packaging Waste) Regulations 2007, Section 31.