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STATUTORY INSTRUMENTS

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**2016 No. 241**

**The Producer Responsibility Obligations (Packaging Waste) (Miscellaneous Amendments) Regulations 2016**

**PART 3**

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

**Regulation 2**

- 20.** In regulation 2(1) (interpretation and notices), at the appropriate place, insert—
- ““PROR” means the Producer Responsibility Obligations (Packaging Waste) Regulations 2007;”.

**Regulation 13**

- 21.—(1)** In regulation 13 (application for approval of a scheme)(**1**), for paragraphs (5) to (10), substitute—

“(5) Where the conditions in paragraph (7) are met, an operator may elect to make an application for approval by the GB Agency under paragraph (1).

(6) Where an operator so elects—

- (a) functions of the Department in relation to the application under this regulation are to be carried out by the GB Agency on behalf of the Department; and
- (b) until such time as the application has been determined, the operator may not make an application to the Department under paragraph (1) in relation to the same or substantially the same scheme.

(7) The conditions are—

- (a) the operator’s registered office or principal place of business is in Great Britain; and
- (b) the operator proposes to apply in relation to the same year for approval of the scheme under regulation 13(1) of PROR.

(8) For the purposes of these Regulations, an act of the GB Agency performing the functions of the Department pursuant to paragraph (6)(a) is to be treated as an act of the Department.

(9) In this regulation, “the GB Agency” means the body to which the application referred to in paragraph (7)(b) would be made in accordance with regulation 13(1) of PROR.”.

## **Regulation 14**

22. In regulation 14 (application for registration of a scheme)(2), after paragraph (8), insert—
- “(9) Where the conditions in paragraph (11) are met, an operator may elect to make an application for registration to the GB Agency under paragraph (1).
  - (10) Where an operator so elects—
    - (a) functions of the Department in relation to the application under this regulation and under regulations 16, 17 and 19(2)(a) are to be carried out by the GB Agency on behalf of the Department; and
    - (b) until such time as the application has been determined, the operator may not make an application to the Department under paragraph (1) in relation to the same or substantially the same scheme.
  - (11) The conditions are that—
    - (a) the operator’s registered office or principal place of business is in Great Britain; and
    - (b) the operator proposes to apply to the GB Agency in relation to the same year for registration of the scheme under regulation 14(1) of PROR.
  - (12) For the purposes of these Regulations, an act of the GB Agency performing the functions of the Department pursuant to paragraph (10)(a) is to be treated as an act of the Department.
  - (13) In this regulation, “the GB Agency” means the body to which the application referred to in paragraph (11)(b) would be made in accordance with regulation 14(1) of PROR.”.