
STATUTORY INSTRUMENTS

2023 No. 219

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

PART 1

General

[^{F1}Environment Agency guidance

7A.—(1) The Environment Agency must provide guidance for the purposes of regulation 7—

- (a) on the evidence which may be used by a producer to demonstrate that primary packaging or shipment packaging is supplied to a business or a public institution which in either case is the final user of the packaging;
- (b) on when—
 - (i) a product is to be treated as being designed only for use by a business or a public institution, and
 - (ii) packaging for that product is to be treated as not reasonably likely to be disposed of in a household bin or a public bin.

(2) The Environment Agency may take the following factors into account in the preparation of guidance under paragraph (1)(b)—

- (a) the size of the packaging;
- (b) the weight of the packaging;
- (c) whether the supply of a product is subject to restrictions imposed by or under primary or secondary legislation;
- (d) how available a product or its packaging is to consumers;
- (e) whether a product is likely to be used by a business in a household;
- (f) any other factor the Environment Agency considers relevant.]

Textual Amendments

- F1** Regs. 7, 7A substituted for reg. 7 (1.4.2024) by [The Packaging Waste \(Data Reporting\) \(England\) \(Amendment\) Regulations 2024 \(S.I. 2024/359\)](#), regs. 1(2), 7 (with reg. 2)

Changes to legislation:

There are currently no known outstanding effects for the The Packaging Waste (Data Reporting) (England) Regulations 2023, Section 7A.