

SCHEDULE 2

Licensors and Pub Operating Businesses

PART 3

Pub operating businesses

7.—(1) Where the head organisation is a pub operating business, for the purposes of determining whether the condition in regulation [F111(2)(b)] is met, only packaging or packaging materials specified in sub-paragraph (2) are to be taken into account.

(2) The packaging or packaging materials referred to in sub-paragraph (1) are packaging or packaging materials that contain the goods that are the subject of the obligation to purchase from the head organisation or person nominated or authorised by that head organisation under the pub operating agreement, whether or not the goods have been packed or filled in the packaging or packaging materials when they are purchased by the member.

Textual Amendments

- F1** Word in Sch. 2 para. 7(1) substituted (30.6.2023) by [The Packaging Waste \(Data Reporting\) \(England\) \(Amendment\) Regulations 2023 \(S.I. 2023/721\)](#), regs. 1(2)(a), **15(a)**

Commencement Information

- I1** Sch. 2 para. 7 in force at 28.2.2023, see [reg. 1\(2\)](#)

8. Where the head organisation is a pub operating business—

- (a) where there is a situation falling in paragraph 2(1)(a) or (b) above and the conditions in paragraph 2(2) above have been met, the head organisation—
- (i) is deemed to be a producer of one or more classes specified in regulation 8; and
 - (ii) has data collection obligations in respect of its own activities, where applicable, and those of its members in respect of the packaging or packaging materials set out in [F2paragraph 7(2)]; or
- (b) where there is a situation falling in paragraph 2(1)(c) above and the conditions in paragraph 2(2) above have been met, the head organisation—
- (i) has obligations as a producer in respect of its own activities;
 - (ii) is deemed to be a producer of one or more classes specified in regulation 8; and
 - (iii) has data collection obligations in respect of the activities of its members in respect of the packaging or packaging materials set out in paragraph 7(2).

Textual Amendments

- F2** Words in Sch. 2 para. 8(a)(ii) substituted (30.6.2023) by [The Packaging Waste \(Data Reporting\) \(England\) \(Amendment\) Regulations 2023 \(S.I. 2023/721\)](#), regs. 1(2)(a), **15(b)**

Commencement Information

- I2** Sch. 2 para. 8 in force at 28.2.2023, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Packaging Waste (Data Reporting) (England) Regulations 2023, PART 3.