

ATODLEN

Insertion of new Schedule 2A (Conditions of Accreditation)

11. After Schedule 2 insert—

“SCHEDULE 2A Regulations 21C, 25(1)(c), 25(2)(g)
and 34(2B)

Conditions of Accreditation

1. The conditions referred to in regulation 21C are the following—
 - (a) PRNs and PERNs shall relate to packaging waste received or exported, as the case may be, in a specified year and shall not be issued after 31st January in any year in respect of packaging waste received or exported in the previous year;
 - (b) all PRNs and PERNs which have not been issued before 1st February of the year following that in which the packaging waste to which they relate was received shall be returned to the appropriate Agency before 15th February immediately following that 1st February;
 - (c) PRNs shall be issued for no more than the total amount of packaging waste which—
 - (i) is received for reprocessing on the site of an accredited reprocessor for the year for which he is accredited; and
 - (ii) will be capable of being reprocessed on the site for which he is accredited by not later than the end of the year following that for which he is accredited;
 - (d) PERNs shall be issued for no more than the total amount of packaging waste which an accredited exporter exports for reprocessing in the year for which he is accredited;
 - (e) PRNs and PERNs which have not been issued and which have expired shall remain the property of the appropriate Agency at all times and shall be returned to the Agency on demand;
 - (f) the weight of packaging waste recorded on a PRN or PERN shall be rounded up to the nearest tonne ;
 - (g) duplicate copies of all PRNs and PERNs issued shall be retained and made available for inspection by the appropriate Agency at all reasonable times;
 - (h) PRNs and PERNs shall only be issued to producers or operators of schemes, or to the representatives of producers or operators of schemes;
 - (i) substitute PRNs or PERNs shall be issued on request to the holder of original PRNs or PERNs in exchange for those originals, provided that the value of the substitute PRNs or PERNs so issued remains equal to those exchanged and that no substitutes which relate to packaging waste received for reprocessing in any given year are issued after 31st January in the following year ;
 - (j) records shall be maintained for each quarter year on a form made available for the purpose by the appropriate Agency and shall be retained for at least 4 years after the end of the year in which the record is made;
 - (k) reports shall be provided to the appropriate Agency before each of the 21st days of April, July, October and February in respect of the previous quarter year on —
 - (i) the tonnage of packaging waste received or exported for reprocessing in that quarter;

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- (ii) the tonnage of packaging waste reprocessed in that quarter; and
 - (iii) the number of PRNs or PERNs issued in that quarter together with copies of those notes;
 - (l) a report shall be provided to the appropriate Agency before 28th February in each year which sets out—
 - (i) all the information provided in the quarterly reports which relate to the whole of the previous year;
 - (ii) the amount of revenue received in the previous year from the sale of PRNs or PERNs and a statement of what it has been spent on;
 - (m) except in the case of a reprocessor or exporter who has made the undertaking specified in regulation 21B(1)(e)(i), a report shall be provided to the appropriate Agency before 28th February in any year which—
 - (i) is from an independent auditor; and
 - (ii) demonstrates that the PRNs or PERNs issued by the reprocessor or exporter in the previous year are consistent with the tonnage of packaging waste received or exported for that year;
 - (n) a reprocessor or exporter must—
 - (i) take reasonable steps to implement the business plan referred to in regulation 21B(1)(d);
 - (ii) undertake sampling and inspection of packaging waste received or exported, in accordance with a plan approved by the appropriate Agency; and
 - (iii) comply with such other conditions as the appropriate Agency may specify in the notification of a grant of accreditation.
2. For the purposes of this Schedule—
- (a) “issue” in relation to a PRN or PERN means to sell or otherwise supply to a producer or operator of a scheme or to the representative of a scheme or operator of a scheme, and a reprocessor or exporter may issue a PRN or PERN to himself;
 - (b) “quarter year” means the first, second, third and fourth three months of the year; and
 - (c) “independent auditor” means an auditor who would be eligible for appointment as company auditor of the reprocessor or exporter under Part II of the Companies Act 1989(1).”.

(1) 1995 c. 40; see Part II.