EXPLANATORY MEMORANDUM TO

THE PRODUCER RESPONSIBILITY OBLIGATIONS (PACKAGING WASTE) (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2014

SR 2014 No. 276

Introduction

This Explanatory Memorandum has been prepared by the Department of the Environment (the Department) to accompany S.R. 2014 No. 276 which is laid before the Northern Ireland Assembly.

The Statutory Rule is made in exercise of the powers conferred by Article 3(1) and Article 4(1)(b), (c) and (d) of the Producer Responsibility Obligations (Northern Ireland) Order 1998 and is subject to the negative resolution procedure.

Purpose

These Regulations amend the Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007. They change the recycling and the recycling by re-melt for glass packaging waste for the years 2014-2017.

Background

The EU Directive on Packaging and Packaging Waste (94/62/EC) (the Directive) introduced statutory producer responsibility into the management of packaging materials. The Directive aimed to prevent or reduce the impact of packaging and packaging waste on the environment by encouraging minimisation and reuse and by setting recovery and recycling targets. Article 6(1) of the Directive, as amended, sets minimum recovery and recycling targets for packaging waste up to 2008 which Member States must at least sustain or increase over subsequent years.

The Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007 (the 2007 Regulations) transposed the packaging waste recovery and recycling targets set out in the Directive into a set of business targets which reflect packaging markets and packaging waste arisings.

The Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations (Northern Ireland) 2013 (the 2013 Regulations) set more ambitious recovery and recycling targets for the period 2013-2017 and required obligated glass producers to recycle 81% of the packaging they produced with a split in end use between re-melt and other applications.

These Regulations amend the recycling and recycling by re-melt targets for glass packaging waste set out in the 2013 Regulations.

Consultation

A UK-wide consultation issued on 17 December 2013. Thirteen responses were received in Northern Ireland with the majority supportive of a reduction in the glass recycling and recycling by re-melt targets.

Equality Impact

There are no equality issues associated with these regulations.

Regulatory Impact

An Impact Assessment was carried out by Defra on a UK-wide basis and may be obtained from Producer Responsibility, Department for Environment, Food and Rural Affairs, area 2B Nobel House, 17 Smith Square, London SW1P 3JR.

Financial Implications

There are no financial implications associated with these regulations.

Section 24 of the Northern Ireland Act 1998

The Statutory Rule complies with the provisions set out in Section 24.

EU Implications

The Regulations are required to ensure continued compliance with the Directive.

Parity or Replicatory Measure

Corresponding amendments have been introduced in Great Britain through the Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations 2014.