SCOTTISH STATUTORY INSTRUMENTS

2005 No. 271

ENVIRONMENTAL PROTECTION

The Producer Responsibility Obligations (Packaging Waste) Amendment (Scotland) Regulations 2005

Made - - - - 18th May 2005

Coming into force in accordance with regulation 1(1)

The Scottish Ministers, in exercise of the powers conferred by sections 93 and 94 of the Environment Act 1995(**1**) and of all other powers enabling them in that behalf, after consultation with representatives of bodies or persons whose interests are, or are likely to be, substantially affected by the following Regulations, in accordance with section 93(2) of that Act, and after having regard to the matters specified in section 93(6) of that Act as required by section 93(5) of that Act, hereby make the following Regulations, a draft of which has been laid before and approved by resolution of the Scottish Parliament:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Producer Responsibility Obligations (Packaging Waste) Amendment (Scotland) Regulations 2005, and shall come into force on the day after the day on which they are made.

(2) These Regulations extend to Scotland only.

Amendment of the Producer Responsibility Obligations (Packaging Waste) Regulations 1997

2.—(1) The Producer Responsibility Obligations (Packaging Waste) Regulations 1997(**2**) are amended as follows.

(2) In regulation 21B (application for accreditation)(**3**)–

(a) in paragraph (1), omit sub paragraph (b);

(b) for paragraph (3) substitute–

"(3) The appropriate Agency shall notify the applicant in writing of its decision under paragraph (2).”; and

(c) for paragraph (5) substitute–

(**1**) 1995 c. 25. The functions of the Secretary of State, insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**2**) S.I.1997/648. Relevant amendments were made by S.S.I. 2003/613.

(**3**) Regulation 21B was added by S.S.I. 2003/613, regulation 8.