



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **SI laid in Parliament, which amends secondary legislation in a devolved area The Producer Responsibility Obligations (Packaging Waste) (Amendment) (England and Wales) Regulations 2023 (“the 2023 Regulations”)**

DATE **30 November 2023**

BY **Julie James MS, Minister for Climate Change**

Members of the Senedd will wish to be aware that consent is being given to the Secretary of State to exercise a subordinate legislation-making power in a devolved area in relation to Wales.

In 2019, Ministers across the UK agreed to introduce a new Extended Producer Responsibility regime for packaging (pEPR) to replace the current packaging scheme. The planned start date for the new pEPR of 2024 has been delayed due to ongoing concerns from producers and the need for further work on the draft Regulations. Ministers have therefore announced a 12-month delay. To cover the gap that will exist between the targets set under the current scheme, which end in 2023, the regulations will roll forward the existing packaging producer responsibility targets for 2023 (with the exception of wood which will be increased from 35% to 42%).

Agreement has therefore been sought by The Rt Hon Lord Benyon Minister for Biosecurity, Marine and Rural Affairs to make a Statutory Instrument (SI) titled The Producer Responsibility Obligations (Packaging Waste) (Amendment) (England and Wales) Regulations 2023 to apply in relation to England and Wales.

The above titled SI will be made by the Secretary of State in exercise of powers conferred by section 50 of and paragraphs 1(1) and 2(2) of Schedule 4 to the Environment Act 2021. The SI amends the Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (S.I. 2007/871) which impose obligations on packaging producers to recycle packaging waste to meet overall recycling and material-specific recycling targets.

These Regulations set an overall recycling target as well as material-specific recycling targets for 2024 on obligated producers in England and Wales in relation to glass, plastic, aluminium, steel, paper/board, and wood as well as a specific re-melt target for glass.

The regulations were laid before Parliament on 22 November 2023 to come into force on 1 January 2024.