



STATUTORY INSTRUMENTS.

S.I. No. 659 of 2022



EUROPEAN UNION (PACKAGING) (AMENDMENT) REGULATIONS
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I, EAMON RYAN, Minister for the Environment, Climate and Communications in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), and for the purpose of giving full effect to Directive 94/62/EC of the European Parliament and of the Council of 20 December 1994¹ on packaging and packaging waste, as amended, hereby make the following regulations:

Citation, commencement and construction

1. (1) These Regulations may be cited as the European Union (Packaging) (Amendment) Regulations 2022.

(2) These Regulations shall come into operation on 1 January 2023.

(3) These Regulations and the European Union (Packaging) Regulations 2014 to 2020 may be cited together as the European Union (Packaging) Regulations 2014 to 2022 and shall be construed together as one.

Definition

2. In these Regulations, “Principal Regulations” means the European Union (Packaging) Regulations 2014 (S.I. No. 282 of 2014).

Amendment of Regulation 9 of Principal Regulations

3. Regulation 9 of the Principal Regulations is amended by substituting “regulations 10, 11 and 25” for “regulations 10 to 16 and regulation 25”.

Amendment of Regulation 10 of Principal Regulations

4. Regulation 10 of the Principal Regulations is amended by inserting the following paragraph after paragraph (4):

“(5) On and from the date of the coming into operation of the European Union (Packaging) (Amendment) Regulations 2022, a major producer shall be a member of an approved body.”.

Amendment of Regulation 17(1) of Principal Regulations

5. Regulation 17(1) of the Principal Regulations is amended by substituting “regulations 10, 11 and 25” for “regulations 10 to 16 and 25”.

¹ OJ No. L 365, 31.12.1994, p. 10.

Amendment of Regulation 26 of Principal Regulations

6. Regulation 26 of the Principal Regulations is amended –
- (a) by substituting the following paragraph for paragraph (1):
“(1) It is hereby prescribed that the register maintained by a local authority under section 19 of the Act shall contain entries specifying the giving of a notice under regulation 25.”, and
 - (b) in paragraph (2), by substituting “regulation 26” for “regulations 13, 15 and 26”.

Amendment of Regulation 35 of Principal Regulations

7. Regulation 35 (amended by Regulation 3 of the European Union (Packaging) (Amendment) Regulations 2015 (S.I. No. 542 of 2015)) of the Principal Regulations is amended in paragraph (4)(a) by substituting “regulation 10” for “regulations 10 or 15”.

Transitional provision

8. Notwithstanding the coming into operation of these Regulations, any proceedings initiated, or criminal prosecutions instituted, under the Principal Regulations may be continued as if the amendments and revocations in these Regulations had not been made and any order made, or fine or penalty imposed, shall have effect accordingly.

Revocations

9. The following provisions of the Principal Regulations are revoked:
- (a) regulations 12, 13, 14, 15 and 16;
 - (b) Parts 1, 2 and 3 of Schedule 2;
 - (c) Schedule 3 (amended by Regulation 15 of the European Union (Packaging) (Amendment) Regulations 2020 (S.I. No. 322 of 2020)).



GIVEN under my Official Seal,
14 December, 2022.

EAMON RYAN,
Minister for the Environment,
Climate and Communications.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations amend the European Union (Packaging) Regulations 2014 to 2020 to remove self-compliance as an option under those Regulations.

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