Cabinet Secretary for Net Zero and Energy
Gillian Martin MSP

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Edward Mountain MSP
Convener of Net Zero, Energy, and Transport Committee
Scottish Parliament
Edinburgh
EH99 1SP

30 January 2025

Dear Edward,

THE PRODUCER RESPONSIBILITY OBLIGATIONS (PACKAGING AND PACKAGING WASTE) REGULATIONS 2024

EU EXIT LEGISLATION – PROTOCOL WITH SCOTTISH PARLIAMENT

The Scottish Parliament agreed on 3 September 2024 that it was content for Scottish Ministers to give their consent to the Producer Responsibility Obligations (Packaging and Packaging Waste) Regulations 2024 including Scottish devolved matters, as set out in the notification to the Parliament.

The Producer Responsibility Obligations (Packaging and Packaging Waste) Regulations 2024 were made on 11 December 2024 following approval by the UK Parliament in accordance with section143(5)(b) of the Environment Act 2021.

I can now confirm that this SI varies in some respects from the original proposal but that the variation is not so significant as to need any further process**.** One change to note has been the removal of labelling provisions from the SI following agreement across all four nations. This was agreed to ensure alignment in these labelling requirements between this SI which provides for the EPR for packaging scheme and the upcoming EU Packaging and Packaging Waste Regulation (PPWR). These provisions are now intended to be introduced in amending legislation.

We have also published an updated final BRIA alongside the final regulations: Packaging - extended producer responsibility: full business and regulatory impact assessment (BRIA) - gov.scot (www.gov.scot).

I am copying this letter to the Convener of the Delegated Powers and Law Reform Committee.

Yours sincerely,

GILLIAN MARTIN

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