

Questions and Answers

Question: Does the Regulatory Position Statement (RPS) issued by the Environment Agency apply to Northern Ireland, Scotland and Wales?

Answer: These statements issued by the Environment Agency and Scottish Environment Protection Agency only apply to England and Scotland.

Northern Ireland and Wales have not issued Regulatory Position Statements.

Question: What is the situation in Northern Ireland?

Answer: This RPS does not apply in Northern Ireland, however the [Northern Ireland Environment Agency](#) (NIEA) encourages obligated producers to use all reasonable endeavours to report packaging data.

This packaging data is vital and will be used to improve our modelling of illustrative base fees, which we know obligated producers need to plan effectively for their businesses.

Question: What is the situation in Wales?

Answer: Reporting packaging data for obligated producers does not come into force for businesses registered in Wales until April 2024.

Natural Resources Wales is considering a regulatory decision to align with the 31 May 2024 reporting set out in the England Environment Agency and Scottish Environment Protection Agency Regulatory Position Statements.

The Welsh Government is encouraging obligated producers to use all reasonable endeavours to report packaging data from October 2023. This packaging data is vital and will be used to improve our modelling of illustrative base fees, which we know obligated producers need to plan effectively for their businesses.

Question: Does this mean I do not need to collect and report packaging data?

Answer: It is a legal requirement as per the EPR data regulations to collect and report packaging data. The RPS confirms no legal enforcements will be taken as

long as data, as per the regulations, is submitted by 31 May 2024 for businesses registered in England and Scotland.

Question: What does the RPS mean if I still need to report packaging data?

Answer: The RPS does not overwrite the legal requirements for obligated producers to collect and report packaging data.

Question: I'm a member of a compliance scheme, do I still have to submit my data to them by 1 October 2023?

Answer: The RPS also applies to producer compliance schemes submitting data on behalf of their members, as well as those submitting data directly to the regulators. We strongly recommend you contact your compliance scheme to understand the timelines for submitting data to them.

Question: You don't need this data to work out the fees we need to pay until 2025. Why don't you defer the need to collect and report data till 2025?

Answer: The need to collect and report packaging data is a legal requirement under existing regulations. Without this reported packaging data, we cannot provide producers with the indicative costs they urgently need.

The more data we have to work with the more accurate the illustrative base fees will be. We will share these first estimates by the end of 2023/early 2024.

Question: What if I cannot comply with this RPS?

Answer: If you operate under this RPS but can no longer comply with it, you must immediately contact the Environment Agency, if registered in England, and the Scottish Environment Protection Agency, if registered in Scotland.

Question: What if I have any further questions?

Answer: If you have any questions about the two RPS published, please contact the [Environment Agency for England](#) or the [Scottish Environment Protection Agency](#) for Scotland.