STATUTORY RULES OF NORTHERN IRELAND

2014 No. 202

ENVIRONMENTAL PROTECTION

The Waste Electrical and Electronic Equipment (Charges) Regulations (Northern Ireland) 2014

Made - - - -	*2nd July 2014*
Coming into operation	*25th July 2014*

The Department of the Environment, being a Department designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to the Environment, makes the following Regulations in exercise of the powers conferred by section 2(2) of that Act and section 56(1) and (2) of the Finance Act 1973(**3**).

In accordance with section 56(1) of the Finance Act 1973 the Department of Finance and Personnel has consented to these Regulations.

Citation and commencement

1. These Regulations may be cited as the Waste Electrical and Electronic Equipment (Charges) Regulations (Northern Ireland) 2014, and shall come into operation on 25th July 2014.

Interpretation

2.—(1) In these regulations—

"the Department" means the Department of the Environment;

"the 2013 Regulations" means the Waste Electrical and Electronic Equipment Regulations 2013(**4**).

(2) The Interpretation Act (Northern Ireland) 1954(**5**) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

(**1**) S.I. 2008/301
(**2**) 1972c.69
(**3**) 1973 c.51
(**4**) S.I. 2013/3113
(**5**) 1954 c.33

Charges (Application to register as a small producer)

3. The application charge referred to in regulation 16(2)(d)(iii) of the 2013 Regulations shall be £30 for each small producer.

Charges (approval of schemes)

4.—(1) The application charge referred to in regulation 55(4)(c)(ii) of the 2013 Regulations shall be £12,150 for each scheme.

(2) Subject to paragraph (3), the annual producer charge referred to in regulation 57(f)(ii) of the 2013 Regulations shall be—

(a) £30 for each scheme member who is not, and is not required to be, registered under the Value Added Tax Act 1994(**6**);

(b) £30 for each small producer;

(c) £210 for each scheme member who is, or is required to be, registered under the Value Added Tax Act 1994 and who had a total turnover of £1 million or less in the last financial year; and

(d) £445 for each scheme member who had a total turnover of more than £1 million in the last financial year.

(3) Where an operator of a scheme does not provide the Department with evidence to support a claim that a scheme member is eligible for the charge specified in paragraph (4)(2)(a), (b) or (c), that scheme member shall be deemed to be eligible for the charge specified in paragraph (4)(2)(d) of the 2013 Regulations.

(4) Where a small producer has submitted an application under regulation 17 of the 2013 Regulations for registration as a small producer in a particular compliance period the annual producer charge will be the same as that set out in regulation 4(2)(b).

(5) Where a small producer is required to pay an annual producer charge, as a condition of his approval as a small producer under regulation 17 of the 2013 Regulations, in a particular compliance period the annual producer charge will be the same as that set out in regulation 4(2)(b).

(6) Where for any reason approval is refused under regulation 55 of the 2013 Regulations or is withdrawn under regulation 58 of the 2013 Regulations the Department shall not be under any obligation to refund the whole or any part of the application charge that has been paid in accordance with regulation 55(4)(c)(ii) of the 2013 Regulations.

Charges (approval of authorised treatment facilities and exporters)

5.—(1) The application charge referred to in—

(a) regulation 61(1)(c)(ii)(aa) of the 2013 Regulations shall be £500; and

(b) regulation 61(1)(c)(ii)(bb) of the 2013 Regulations shall be £2570.

(2) The extension of approval charge referred to in regulation 62(1)(c)(ii) of the 2013 Regulations shall be £110.

(3) Where for any reason approval is refused under regulation 61 or 62 of the 2013 Regulations or is suspended or cancelled under regulation 64 of the 2013 Regulations the Department shall not be under any obligation to refund the whole or any part of the application fee that has been paid in accordance with regulation 61(1)(c)(ii)(aa),61(1)(c)(ii)(bb) or 62(1)(c)(ii) of the 2013 Regulations.

(**6**) 1994 c.23