STATUTORY RULES OF NORTHERN IRELAND

2009 No. 157

ENVIRONMENTAL PROTECTION

The Waste Batteries and Accumulators (Charges) Regulations (Northern Ireland) 2009

Made - - - -	*7th April 2009*
Coming into operation	*5th May 2009*

The Department of the Environment makes the following Regulations in exercise of the powers conferred on it by section 2(2) of the European Communities Act 1972(**1**) and section 56(1) and (2) of the Finance Act 1973(**2**).

The Department was designated(**3**) for the purposes of section 2(2) of the European Communities Act 1972 in relation to batteries and accumulators.

In accordance with section 56(1) and 56(5) 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 Batteries and Accumulators (Charges) Regulations (Northern Ireland) 2009, and shall come into operation on 5th May 2009.

Interpretation

2.—(1) In these regulations—

"the 2009 Regulations" means the Waste Batteries and Accumulators Regulations 2009(**4**) and expressions used in these Regulations which are also used in the 2009 Regulations have the same meaning as in the 2009 Regulations.

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

(**1**) 1972 c. 68
(**2**) 1973 c. 51
(**3**) S.I. 2007 No. 3471
(**4**) S.I. 2009/890
(**5**) 1954 c.33 (N.I.)

Charges (small producers)

3. The charge in relation to small producers (which is required to be paid under regulation 13(2)(d)(ii) of the 2009 Regulations) is, annually, £30 in respect of any administrative costs incurred in the exercise of functions connected with—

(a) registration of small producers (including amending the register maintained under regulation 76 of the 2009 Regulations);

(b) monitoring the compliance of small producers with their obligations under Part 2 of the 2009 Regulations;

(c) monitoring the accuracy of information provided by small producers under regulation 13 of the 2009 Regulations;

(d) publishing information in relation to small producers under regulation 81 of the 2009 Regulations.

Charges (battery compliance schemes)

4. The charges in relation to battery compliance schemes are—

(a) an application charge (which is required to be paid under regulation 47(5)(c) of the 2009 Regulations) of £17,000 for each battery compliance scheme;

(b) annually, a subsistence charge (which is required to be paid under regulation 52(2)(h) of the 2009 Regulations) for each battery compliance scheme of—

(i) £118,000; and

(ii) £680 for each scheme member.

Charges (battery treatment operators and exporters)

5.—(1) The charges in relation to battery treatment operators and battery exporters are—

(a) the application charge (which is required to be paid under regulation 58(c) of the 2009 Regulations) set out in paragraph (2);

(b) an extension of approval charge (which is required to be paid under regulation 62(1)(c) of the 2009 Regulations) of £110.

(2) The application charge is—

(a) for an applicant who is a battery treatment operator—

(i) if the applicant gives the undertaking in paragraph (3), £500 for each site in respect of which the application is made;

(ii) otherwise, £2,590 for each site in respect of which the application is made;

(b) for an applicant who is an exporter—

(i) if the applicant gives the undertaking in paragraph (3), £500;

(ii) otherwise, £2,590.

(3) The undertaking referred to in paragraph (2) is an undertaking, in respect of the relevant approval period, to—

(a) issue batteries evidence notes in respect of not more than 15 tonnes of waste portable batteries; and

(b) accept not more than 150 tonnes of waste automotive and industrial batteries for treatment and recycling.

(4) If an approved battery treatment operator or an approved battery exporter—