STATUTORY RULES OF NORTHERN IRELAND

2006 No. 509

ENVIRONMENTAL PROTECTION

The Waste Electrical and Electronic Equipment (Charges) Regulations (Northern Ireland) 2006

Made - - - -	*11th December 2006*
Coming into operation	*2nd January 2007*

The Department of the Environment makes the following Regulations in exercise of the powers conferred 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 respect of matters relating to waste electrical and electronic equipment.

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) 2006, and shall come into operation on 2nd January 2007.

Interpretation

2.—(1) In these regulations—

"the Department" means the Department of the Environment;

"the 2006 Regulations" means the Waste Electrical and Electronic Equipment Regulations 2006(**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**) 1972 c.68
(**2**) 1973 c.51
(**3**) S.I. 2003/1888
(**4**) S.I. 2006/ 3289
(**5**) 1954 c.33

Charges (approval of schemes)

3.—(1) The application charge referred to in regulation 41(4)(c)(ii) of the 2006 Regulations shall be £12,174 for each scheme.

(2) The annual producer charge referred to in regulation 43(e)(ii) of the 2006 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) £220 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

(c) £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 (2) (a) or (b), that scheme member shall be deemed to be eligible for the charge specified in paragraph (2) (c).

(4) Where for any reason approval is refused under regulation 41 of the 2006 Regulations or is withdrawn under regulation 44 of the 2006 Regulations the Department shall not be under any obligation to refund the whole or part or any part of the application charge that has been paid in accordance with regulation 41(4)(c)(ii) of the 2006 Regulations.

Charges (approval of authorised treatment facilities and exporters)

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

(a) regulation 47(1)(c)(ii)(aa) of the 2006 Regulations shall be £500; and

(b) regulation 47(1)(c)(ii)(bb) of the 2006 Regulations shall be £2,590.

(2) The extension of approval charge referred to in regulation 48(1)(c)(ii) of the 2006 Regulations shall be £110.

(3) Where for any reason approval is refused under regulation 47 or 48 of the 2006 Regulations or is suspended or cancelled under regulation 50 of the 2006 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 47(1)(c)(ii)(aa), 47(1)(c(ii)(bb) or 48(1)(c)(ii) of the 2006 Regulations.

Sealed with the Official Seal of the Department of the Environment on 11 December 2006

L.S.

Wesley Shannon
A senior officer of the Department of the Environment

(**6**) 1994 c.23