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STATUTORY INSTRUMENTS

2007 No. 1085

**ENVIRONMENTAL PROTECTION,
ENGLAND AND WALES**

**The Waste Electrical and Electronic Equipment
(Waste Management Licensing) (England
and Wales) (Amendment) Regulations 2007**

<i>Made</i>	- - - -	<i>28th March 2007</i>
<i>Laid before Parliament</i>		<i>3rd April 2007</i>
<i>Coming into force</i>	- -	<i>25th April 2007</i>

The Secretary of State is designated⁽¹⁾ for the purpose of section 2(2) of the European Communities Act 1972⁽²⁾ in respect of measures relating to the prevention, reduction and elimination of pollution caused by waste.

The Secretary of State makes the following Regulations under the powers conferred by that section.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Waste Electrical and Electronic Equipment (Waste Management Licensing) (England and Wales) (Amendment) Regulations 2007 and come into force on 25th April 2007.

(2) These Regulations extend to England and Wales.

Amendment of the Waste Electrical and Electronic Equipment (Waste Management Licensing) (England and Wales) Regulations 2006

2.—(1) The Waste Electrical and Electronic Equipment (Waste Management Licensing) (England and Wales) Regulations 2006⁽³⁾ are amended as follows.

(1) [S.I. 1992/2870](#).

(2) [1972 c.68](#). Section 2(2) was amended by the Scotland Act [1998 \(c.46\)](#), Schedule 8, paragraph 15(3). The functions conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(3) [S.I. 2006/3315](#).

(2) For paragraph 4 of Schedule 2 substitute—

“4.—(1) The charge to be paid—

- (a) on notification pursuant to regulation 18AA(1)(d) of the 1994 Regulations of an exempt activity falling within paragraph 49 of Schedule 3 to the 1994 Regulations is £495; and
- (b) on notification pursuant to regulation 18AA(5)(d) of the 1994 Regulations of an exempt activity falling within paragraph 49 of Schedule 3 to the 1994 Regulations is £265.

(2) Sub-paragraph (1) shall cease to apply in relation to an activity falling within paragraph 49 of Schedule 3 to the 1994 Regulations once a charge is prescribed in relation to that activity by a charging scheme made under section 41 of the Environment Act 1995.”(4).

Ben Bradshaw
Minister of State
Department for Environment, Food and Rural
Affairs

28th March 2007

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the transitional charges provision in paragraph 4 of Schedule 2 to the Waste Electrical and Electronic Equipment (Waste Management Licensing) (England and Wales) Regulations 2006 (“the 2006 Regulations”). The 2006 Regulations transpose the permit requirements of Article 6 and Annexes II and III of Council Directive [2002/96/EC](#) on waste electrical and electronic equipment (OJNo. L37, 13.2.2003, p.24) as amended by Council Directive [2003/108/EC](#) (OJ No. L345, 31.12.2003, p.106).

Paragraph 4 of Schedule 2 to the 2006 Regulations provides for establishments or undertakings that notify an exempt activity falling within paragraph 49 of Schedule 3 to the Waste Management Licensing Regulations 1994 to pay an initial registration fee of £265 and a renewal registration fee of £265. The effect of the amendment is to increase the initial registration fee to £495. The renewal registration fee of £265 is unchanged.

A full Regulatory Impact Assessment of the effect that this instrument will have on the costs of business has been placed in the library of each House of Parliament and copies can be obtained from WM Licensing and Enforcement Unit, Department for Environment, Food and Rural Affairs, Zone 6/F9, Ashdown House, 123 Victoria Street, London SW1E 6DE.