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DRAFT STATUTORY INSTRUMENTS

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**2022 No.**

The Waste and Agriculture (Legislative  
Functions) Regulations 2022

PART 2

Waste: retention of legislative functions

CHAPTER 7

Retention of functions from the WEEE Directive

**Power to provide for alternative treatment technologies**

**18.**—(1) The appropriate authority may, by regulations, make provision to specify technologies for the treatment of materials and components of waste electrical and electronic equipment.

(2) The provision which may be made under paragraph (1) includes—

(a) modifying provision corresponding to that made by Annex 7 (selective treatment for materials and components of waste electrical and electronic equipment) to the WEEE Directive;

(b) requiring a reference to Annex 7 to the WEEE Directive (or a reference which encompasses that Annex) to be read as a reference to that Annex with modifications.

(3) Any provision made under paragraph (1) must include a requirement for the technology specified to be applied in such a way that environmentally-sound preparation for re-use and recycling of components or whole appliances of waste electrical and electronic equipment is not hindered.

(4) The appropriate authority may exercise the power in paragraph (1) only where the technology specified ensures a level of protection for human health and the environment equivalent to that provided by the technologies set out in Annex 7.

(5) Regulations under paragraph (1) may modify any subordinate legislation.

(6) In this regulation, “waste electrical and electronic equipment” and “treatment” have the meanings given by regulation 2 of the Waste Electrical and Electronic Equipment Regulations 2013<sup>(1)</sup>.

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(1) [S.I. 2013/3113](#). Regulation 2 is amended by [S.I. 2019/188](#); there are other amending instruments but none is relevant.