
STATUTORY INSTRUMENTS

2009 No. 890

The Waste Batteries and Accumulators Regulations 2009

PART 9

DUTIES OF THE APPROPRIATE AUTHORITIES

Registration of producers

76.—(1) The appropriate authority must maintain and make available in accordance with this regulation a register relating to—

- (a) those producers who are registered with it in accordance with regulation 26; and
- (b) those producers who are registered with the Secretary of State in accordance with regulation 42 and whose details have been provided to the appropriate authority by the Secretary of State under regulation 73(1),

and containing the information specified in Schedule 6.

(2) The appropriate authority must—

- (a) ensure that the register is open to public inspection at its principal office free of charge at all reasonable hours; and
- (b) permit any person on request to obtain copies of entries in the register on payment of a reasonable charge.

(3) The register may be kept in any form but must be indexed and arranged so that any person inspecting it can readily trace information contained in it.

(4) The appropriate authority must amend the relevant entry in the register to record any change to the information entered and must note the date on which the amendment is made.

(5) Where the appropriate authority receives—

- (a) a notification under regulation 29(2); or
- (b) information from the Secretary of State under regulation 73(2),

stating that a producer has ceased to be a producer, that producer's details must not be removed from the register until the compliance period in which the producer ceased to be a producer has ended.

(6) The appropriate authority must publish the format in which—

- (a) an application for registration made under regulation 26(3) or 26(4); or
- (b) a notification made under regulation 29,

must be made.

Information for appropriate authorities and the Secretary of State in relation to producers of portable batteries

77.—(1) Where an appropriate authority grants an application for registration made under regulation 26(3) or 26(4) in respect of a producer of portable batteries who is also a producer of

industrial or automotive batteries, the appropriate authority must within 14 days of the date the application is granted provide the Secretary of State with—

- (a) details of the information submitted in respect of the producer under regulation 27(b);
- (b) the producer’s battery producer registration number.

(2) If an appropriate authority receives a notification under regulation 29 in respect of a producer of portable batteries who is also a producer of industrial or automotive batteries, the appropriate authority must within 14 days of receipt of the notification send a copy of it to the Secretary of State.

(3) If an appropriate authority (“the first authority”)—

- (a) receives a notification under regulation 29 in respect of a scheme member or small producer; and
- (b) another appropriate authority (“the second authority”) maintains the register on which the information in relation to that scheme member or small producer is entered,

the first authority must within 14 days of receipt of the notification send a copy of it to the second authority.

Monitoring

78. The appropriate authority must monitor—

- (a) compliance by producers with their obligations under Parts 2 and 3;
- (b) the accuracy of the information provided in, or in connection with, a declaration of compliance;
- (c) compliance by scheme operators with their obligations under Parts 3 and 4;
- (d) compliance by approved battery treatment operators and approved battery exporters with their obligations under Part 7;
- (e) the accuracy of the information provided by a scheme operator or small producer in an application for registration made under regulation 26(3) or (4);
- (f) the accuracy of the information provided by a scheme operator or small producer in a notification made under regulation 29;
- (g) the accuracy of the information provided by any person in connection with the requirements to provide information or report in regulation 13, 16(5) and (6), 23, 24 or 66;
- (h) the accuracy of the information provided by scheme operators in support of or in connection with an application for approval under regulation 47, together with any changes notified under regulation 52;
- (i) the accuracy of the information provided by an approved battery treatment operator or an approved battery exporter in support of or in connection with an application for approval made under regulation 58;
- (j) the accuracy of the information provided by an approved battery exporter in support of or in connection with an application for an extension of a grant of approval made under regulation 62.

General duties in relation to battery compliance schemes

79.—(1) The appropriate authority must maintain and publish a list of—

- (a) all battery compliance schemes that it has approved under regulation 49; and
- (b) the scheme operators.

(2) The appropriate authority must issue an annual invoice for payment of the scheme subsistence charge to each scheme operator.

(3) The appropriate authority must publish the format in which—

(a) the information referred to in—

(i) regulation 13;

(ii) regulation 16(5) and (6);

(iii) regulation 23; and

(iv) regulation 24,

must be submitted to it in accordance with those regulations; and

(b) the information referred to in Part 1 of Schedule 3 must be submitted to it in an application for approval made under regulation 47.

General duties in relation to approved battery treatment operators and approved exporters

80.—(1) The appropriate authority must maintain and publish a list of all approved battery treatment operators and approved battery exporters.

(2) The appropriate authority must publish the format in which—

(a) an approved battery treatment operator or an approved battery exporter must provide reports under regulation 66;

(b) the information set out in Part 1 of Schedule 4 must be submitted to it in an application for approval made under regulation 58 or in an application for an extension of a grant of approval made under regulation 62.

Information: portable batteries

81.—(1) The appropriate authority must publish information—

(a) on the total amount of portable batteries placed on the market for the first time in the United Kingdom in a compliance period by—

(i) small producers; and

(ii) the scheme members of each battery compliance scheme; and

(b) on the total amount of waste portable batteries that are collected by each battery compliance scheme in a compliance period.

(2) The information referred to in paragraph (1) must be based on the information provided to the appropriate authority—

(a) by producers under regulation 12(2);

(b) by small producers under regulation 13;

(c) by the scheme operator under regulations 23 and 24; or

(d) by another appropriate authority.