
STATUTORY INSTRUMENTS

2013 No. 3113

The Waste Electrical and Electronic
Equipment Regulations 2013

PART 8

APPROVAL OF AUTHORISED TREATMENT FACILITIES AND EXPORTERS

Suspension and cancellation of approval

64.—(1) The appropriate authority may suspend or cancel the approval of an ATF or exporter where it appears to it that—

- (a) in the case of an AATF, the operator of that AATF has failed, or is likely to fail, to comply with any of the conditions specified in Part 2 of Schedule 11;
- (b) in the case of an exporter, the person who is approved has failed, or is likely to fail, to comply with any of the conditions specified in Part 3 of Schedule 11; or
- (c) the operator of an AATF or the approved exporter has knowingly or recklessly supplied false or misleading information—
 - (i) in his application for approval made under regulation 61 or 62,
 - (ii) in the case of an AATF, in connection with compliance with any of the conditions specified in Part 2 of Schedule 11, or
 - (iii) in the case of an approved exporter, in connection with compliance with any of the conditions specified in Part 3 of Schedule 11.

(2) Where the appropriate authority is no longer satisfied that the requirements of Article 9(3) of the Directive are met in relation to WEEE exported to a site outside the EEA, the appropriate authority [^{F1}must] cancel the approval of an exporter to the extent that it relates to that site.

(3) Where the appropriate authority suspends or cancels a grant of approval under paragraph (1) or cancels the approval of an exporter to the extent that it relates to a site under paragraph (2), it [^{F2}must] serve on the operator of the ATF or the exporter concerned a notification in writing stating—

- (a) its decision to cancel or suspend (as the case may be) the grant of approval;
- (b) its reasons for the decision;
- (c) the right of appeal under Part 12;
- (d) in the case of a cancellation, the date when the cancellation will take effect, not being earlier than the expiration of the time limit for an appeal against the notice as provided for in Schedule 14; and
- (e) in the case of a suspension,
 - (i) the date when the suspension will take effect, not being earlier than the date of receipt of the notification, and
 - (ii) the period of the suspension or any steps which are required to be taken in order to bring the suspension to an end.

- (4) The approval of an ATF or an exporter will be deemed to be cancelled—
- (a) on the date on which the approved facility ceases to be an ATF;
 - (b) on the date on which the person who is approved ceases to be an exporter;
 - (c) in the case where operator of an AATF requests that a grant of approval that relates to that AATF should be cancelled, with effect from the date of cancellation specified by that operator; or
 - (d) in the case where an approved exporter requests that a grant of approval that relates to him should be cancelled, with effect from the date of cancellation specified by that exporter.

Textual Amendments

- F1** Word in [reg. 64\(2\)](#) substituted (25.7.2014) by virtue of [The Waste Electrical and Electronic Equipment and Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment \(Amendment\) Regulations 2014 \(S.I. 2014/1771\)](#), regs. 1(b), 3(3), **Sch. 2 Pt. 1**
- F2** Word in [reg. 64\(3\)](#) substituted (25.7.2014) by virtue of [The Waste Electrical and Electronic Equipment and Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment \(Amendment\) Regulations 2014 \(S.I. 2014/1771\)](#), regs. 1(b), 3(3), **Sch. 2 Pt. 1**
-

Commencement Information

- I1** Reg. 64 in force at 1.1.2014, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Waste Electrical and Electronic Equipment Regulations 2013, Section 64.