

L.N. of 2017

**ENVIRONMENT PROTECTION ACT
(CAP. 549)**

**Out of Court Settlement for Producers of Electrical and Electronic Equipment Regulations,
2017**

By virtue of the powers conferred by articles 54, 55 and 83 of the Environment Protection Act, the Minister has made the following regulations:-

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| Title and commencement | 1. These regulations may be cited as the Out of Court Settlement for Producers of Electrical and Electronic Equipment Regulations, 2017 and shall enter into force upon publication. |
| Interpretation | 2. In these regulations, unless the context otherwise requires:- |
| CAP. 549 | “the Act” means the Environment Protection Act; |
| CAP. 549 | “the competent authority” means “the Authority” established by Article 6 of the Act; |
| S.L.549.89 | “electrical and electronic equipment” or “EEE” shall have the same meaning as that assigned to in regulation 3(1) of the Waste Management (Electrical and Electronic Equipment) Regulations |
| S.L.549.89 | “waste electrical and electronic equipment” or “WEEE” shall have the same meaning as that assigned to in regulation 3(1) of the Waste Management (Electrical and Electronic Equipment) Regulations |
| S.L. 549.89 | “producer” shall have the same meaning as that assigned to it in regulation 3(1) of the Waste Management (Electrical and Electronic Equipment) Regulations |
| CAP. 549 | 3. Where the Authority believes that a producer has committed an offence under the Waste Management (Electrical and Electronic Equipment) Regulations before 1 st September 2015, the Authority, may by notice in writing, enter into an agreement with the producer, in lieu of prosecution: |
| S.L.549.89 | |

S.L.549.89

Provided that such producer applied for registration or renewal under the Waste Management (Electrical and Electronic Equipment) Regulations by 31 December 2015, and set up systems or financed systems for the collection of WEEE resulting from products of EEE placed on the market prior 1 September 2015, that is for WEEE resulting from products of EEE placed on the market during the period of non-compliance.

Further provided the producer pays a penalty which is agreed to be paid in respect of the offence referred to in regulation 3 of these regulations as shall be prescribed by the Authority and not later than 28th February 2019.

CAP. 549

4. (1) After 1 January 2016, the Authority, may by notice in writing, enter into agreement with a producer who fails to apply for registration in accordance to regulation 16(2) of the Waste Management (Electrical and Electronic Equipment) Regulations, in lieu of prosecution:

S.L.549.89

Provided that he pays the sum of seven hundred and fifty euro (€750) per tonne of electrical and electronic equipment (EEE) placed on the market from the first placing of EEE on the market until he applies for registration.

S.L.549.89

Further provided that upon entering into agreement with the Authority, the producer would have applied for registration in accordance to regulation 16(2) of the Waste Management (Electrical and Electronic Equipment) Regulations.

CAP. 549

- (2) After 1 January 2016, the Authority, may by notice in writing, enter into agreement with a producer who fails to renew his registration in accordance to regulation 16(3) of the Waste Management (Electrical and Electronic Equipment) Regulations, in lieu of prosecution:

S.L.549.89

Provided that they pay the sum of seven hundred and fifty euro (€750) per tonne of electrical and electronic equipment (EEE) placed on the market from the beginning of the year in which he should have renewed until he applies for renewal.

S.L.549.89

Further provided that upon entering into agreement with the Authority, the producers would have renewed their registration in accordance to regulation 16(3) of the Waste Management (Electrical and Electronic Equipment) Regulations.

Management of
revenue
generated
under these
Regulations
S.L. 549.63

5. All the revenue generated under these Regulations shall be deposited into the Waste Management Fund referred to in regulation 37 of the Waste Regulations.

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