

Waste Batteries and Accumulators Compliance Scheme Permit

Environment Protection Act (CAP. 549)

Permit number
EP 00106/20

The Environment and Resources Authority (hereinafter the Authority; the Competent Authority or ERA) in exercise of its powers under the Environment Protection Act (CAP. 549) hereby authorises:

Ing. Mario Schembri o.b.o. GreenPak Co-Op Society Ltd.

In the name of:

**GreenPak Co-Op Society Ltd.
18, St. John Street
Fgura, FGR 1447**

To operate a waste batteries and accumulators compliance scheme under the name of:

**GreenPak Battery Recycle.
GreenPak Co-Op Society Ltd.
18, St. John Street
Fgura, FGR 1447**

This permit is valid for **three (3) years** from 1st January 2021 until 31st December 2023. An application for renewal of this permit is to be submitted at least **six (6) months** prior to expiry of this permit.

Signed	Date
Prof. Victor Axiak Chairman	Permit Granted: <u>10</u> / <u>12</u> / 2020

Authorised to sign on behalf of the Competent Authority

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1 Scope

- 1.1 The following Permit (hereinafter referred to as the Permit) relates to the operation of a waste batteries and accumulators compliance scheme under the name of GreenPak Battery Recycle, hereinafter referred to as the Scheme, by GreenPak Co-op Society Ltd, hereinafter referred to as the Permit Holder.

Status Log

Details on Permits	Date
Permit Issued WM 00001/16	22 December 2016
Renewal Issued WM 00001/16/A	21 December 2017
Renewal Issued WM 00001/16/B	7 December 2018
Renewal Issued EP 00098/19	20 December 2019
Renewal determined by ERA Board	4 December 2020

- 1.2 The Permit Holder shall take over the responsibilities of its members for the year 2021, 2022 and 2023 respectively.
- 1.3 All terms in this Permit shall have the same meaning as that assigned to them in CAP 549, the Environment Protection Act and its subsidiary legislations.

2 Objective

- 2.1 The Waste Management (Waste Batteries and Accumulators) Regulations, S.L. 549.54, puts responsibilities on producers of batteries and accumulators or the waste batteries and accumulators compliance scheme acting on their behalf, including the attainment of the collection target as well as the recycling levels and the recycling efficiencies for waste batteries and accumulators arising from batteries and accumulators placed on the market. This does not preclude that the Authority may at any time request any information, including directly from the individual producers, and the individual producers to provide information related to batteries and accumulators placed on the market by each producer who are contractual members in the Scheme.

3 Financial Guarantee

- 3.1 The Authority may impose a financial guarantee so as to ensure compliance with the conditions of this Permit.
- 3.2 Any expenses incurred by the Authority to address any non-compliance by the Permit Holder that emanates from this permit or any Subsidiary Legislation under the Act or the Act itself, shall be considered as Civil Debt in line with procedure stipulated in Article 79 of the Act.

4 Transferability of Permit

- 4.1 Upon the joint application of a Permit Holder and a proposed transferee, the Permit Holder may request to transfer an environment permit. The permit shall not be transferred from the Permit Holder without prior approval from the Authority. Upon the

Authority's decision to transfer the permit to the transferee, all rights, obligations, liabilities shall subsist onto the transferee.

5 Variations to Permit

- 5.1 The Authority shall vary this permit to reflect legal amendments that may come into force during the validity of the permit.
- 5.2 The Authority may add, amend, delete or substitute any of the conditions of this permit after notifying the Permit Holder of its intention and after describing the changes to the Permit Holder. This without prejudice to any prevailing circumstances that would preclude the Authority from following such a procedure.
- 5.3 The Permit Holder may apply for a variation of the permit and shall seek the Authority's written agreement prior to any operational changes, by sending to the Authority:
- (i) Written notice of the details of the proposed change, including an assessment of its possible effects or risks to the environment from the approved activity;
 - (ii) Any relevant supporting information;
 - (iii) Any relevant supporting assessments, and;
 - (iv) The proposed implementation date.
- 5.4 Any such change shall only be implemented following the issue of a variation of the permit by the Authority.

6 General Conditions

- 6.1 Services offered by the authorised waste batteries and accumulators compliance scheme shall be:
- (i) open to the participation of all producers under non-discriminatory conditions and such participation shall not be refused or revoked without reasonable justification; and
 - (ii) designed so as to avoid any barriers to trade or distortions of competition in conformity with the relevant regulations
- 6.2 The Permit Holder has the sole responsibility to ascertain compliance with legal obligations, permit conditions, directions or orders that may be given by the Authority and to undertake activities in line with good environmental practices at all times.
- 6.3 The Authority may carry out compliance checks that vary in frequency according to the Permit Holder's compliance with the permit conditions. Any checks or audits carried out by the Authority may be made at the Permit Holder's financial expense at a rate and arrangement communicated by ERA.
- 6.4 The Permit Holder shall collaborate on any survey, audit or study commissioned by the Authority in line with S.L. 549.54 or any other Subsidiary Legislation under the Act.
- 6.5 The Authority may add, amend, delete or substitute any of the conditions of this permit after notifying the Permit Holder of its intention and after describing the changes to the Permit Holder. This, without prejudice to any prevailing circumstances that would

preclude the Authority from following such a procedure, whereby the Authority shall inform the operator of the changes after these are affected.

- 6.6 The Authority's representatives shall be provided with any documentation or records, financial or otherwise, as may be requested.
- 6.7 This Permit is granted saving third party rights. The Permit Holder is not excused from obtaining any other permission required by law.

7 Validity of Permit

- 7.1 The Permit is valid for a period of **three (3) years** from 1st January 2021 until 31st December 2023. The Permit Holder is able to renew the permit upon application with the Authority expressing his/her intention at least **six (6) months** prior to the expiry date of this permit. The permit will be considered renewed once the official renewed permit is issued by the Authority.
- 7.2 The Authority may suspend or revoke this environmental permit in line with the provisions of CAP549.

8 Collection target and recycling efficiencies

- 8.1 In accordance to sub-regulation 2 of regulation 7 of S.L. 549.54, in order to comply with the objective of the Permit, the Permit Holder shall take the necessary measures to achieve a minimum collection target of 45% for waste portable batteries and accumulators.
- 8.2 For the purpose of calculating the minimum recycling efficiencies as per sub-regulation 4 of regulation 9, irrespective of whether the recycling process has started in Malta or in another country, the minimum recycling efficiencies stipulated in Part B of Schedule 2 of S.L. 549.54, shall be achieved as follows:
- (i) recycling of 65% by average weight of lead-acid waste batteries and accumulators, including recycling of the lead content to the highest degree that is technically feasible while avoiding excessive costs;
 - (ii) recycling of 75% by average weight of nickel-cadmium waste batteries and accumulators, including recycling of the cadmium content to the highest degree that is technically feasible while avoiding excessive costs; and
 - (iii) recycling of 50% by average weight of other waste batteries and accumulators.
- 8.3 For waste batteries and accumulators treated or initiated recycling in Malta, the Permit Holder shall acquire a recovery/recycling/disposal certificate from local waste management undertakings or establishments indicating the actual rate that has been recovered and, or recycled by the facility; and that the waste batteries and accumulators have been recovered or disposed of in an environmentally sound manner. The template provided by the Authority on the website shall be utilised for such certificates.
- 8.4 For waste batteries and accumulators exported for further treatment or recycling in accordance to condition 15.1 regarding shipments of waste batteries and accumulators, the Permit Holder shall acquire a signed declaration issued by the facility authorised for such an activity indicating the actual rate that has been recovered

and/or recycled by the foreign facility in line with Commission Regulation (EU) No 493/2012 and that the waste batteries and accumulators have been recovered or disposed in environmentally sound manner.

- 8.5 Without prejudice to commercial and industrial confidentiality, when the Permit Holder engages the services of an authorised waste management undertaking or establishment to export waste batteries and accumulators for further treatment, the Permit Holder shall ensure that such undertaking or establishment provides the information referred to in condition 8.4.
- 8.6 Waste batteries and accumulators treated locally or abroad shall only count towards the fulfilment of the recovery and recycling targets referred to in condition 8.2, if the Permit Holder provides the proof of recovery and, or recycling referred to in conditions 8.3 and 8.4.
- 8.7 An audit trail shall be maintained for all waste sent for treatment to an authorised facility locally or abroad, which audit trail shall cover all waste from the point of generation or collection to the end recovery or disposal facility.

9 Return and Collection Systems

- 9.1 The Permit Holder shall make the necessary arrangements to provide for collection systems to:
- (i) enable end-users to discard waste portable batteries or accumulators at an accessible collection point in their vicinity, having regard to population density, provided that such a collection point shall not be subject to the registration or permit requirements of S.L. 549.63, the Waste Regulations, or S.L. 549.45 the Waste Management (Activity Registration) Regulations;
 - (ii) require distributors to take back waste portable batteries or accumulators at no charge when supplying portable batteries or accumulators, unless an assessment shows that alternative existing collection systems are at least as effective in attaining the environmental aims of these regulations, provided that such an assessment shall be made public;
 - (iii) not involve any charge to end-users when discarding waste portable batteries or accumulators, nor any obligation to buy a new battery or accumulator;
 - (iv) not refuse to take back waste industrial batteries and accumulators from end-users regardless of chemical composition and origin;
 - (v) provide for the collection of waste automotive batteries and accumulators from end-users or from an accessible collection point in their vicinity, where collection is not carried out under the collection systems referred to in regulation 5(1) of S.L. 549.36, the Waste Management (End of Life Vehicles) Regulations
- 9.2 In accordance to regulation 13 of S.L. 549.54, the Permit Holder shall finance any net costs arising from the collection, treatment and recycling of all waste batteries and accumulators collected in accordance to conditions 9.1, of this Permit, provided that any double charging of producers or third parties acting on their behalf, in the case of waste batteries or accumulators collected under treatment and recycling systems set

up in accordance to S.L. 549.54 or S.L. 549.89 Waste Management (Electrical and Electronic Equipment) Regulations is avoided.

- 9.3 In accordance with regulation 5(5) of SL 549.54 the Permit Holder shall provide for the financing for the collection treatment recovery and environmentally sound disposal of waste batteries and accumulators from private households that has been deposited at collection facilities operated by Local Councils or by any local agency designated by law.

10 Membership

- 10.1 The Permit Holder shall sign an annual agreement with each producer who participates in the Scheme, and shall be submitted every year in line with the published procedure on ERA's website. The Permit Holder shall bind himself to carry out the activities agreed to and on behalf of the producers in accordance with any existing laws and regulations as well as all the conditions of this Permit.
- 10.2 The Permit Holder shall submit an updated list of producers who participate in the Scheme to the Authority in the quarterly reports and annual report for the year 2021, 2022 and 2023 respectively, in accordance to conditions 13.1 and 13.2 of this Permit.
- 10.3 The Permit Holder shall ensure that if a producer registered with the scheme terminates its agreement before the 31st December of any calendar year, the said producer shall pay the fees due to the scheme based on the data it would have declared to the Permit Holder up to termination. In cases of such termination, where a producer joins another authorised scheme, such other scheme shall be required to report the said producer's data, and achieve their relevant obligations, for the whole year. No scheme shall be allowed to report and achieve a producer's obligations for part of a year.
- 10.4 Any membership fees charged to parties entering into an agreement with the Permit Holder shall be made available to the Authority. The Permit Holder shall make publicly available information about:
- (i) its ownership and membership;
 - (ii) the financial contributions paid by its members as producers of products per unit sold or per tonne of product placed on the market; and
 - (iii) the selection procedure for authorised waste management operators.
- 10.6 The financial contributions referred to in indent (ii) of condition 10.5 shall:
- (i) be modulated, where possible, for different types/chemistries of batteries, notably by taking into account their charge capacity, rechargeability and recyclability.
 - (ii) not exceed the costs that are necessary to provide waste management services in a cost-efficient way. Such costs shall be established in a transparent way between the actors concerned.

11 Notifications by Permit Holder

11.1 The following information shall be notified in writing within five (5) working days to the Authority:

- (i) where the Permit Holder is an individual or named individuals:
 - a. the demise of any of those individuals;
 - b. any change in the Permit Holder's name(s) or address(es); and
 - c. any steps taken with a view to the Permit Holder, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.
- (ii) where the Permit Holder is a registered company:
 - a. any change in the Permit Holder's trading name, registered name or registered office address; and
 - b. any steps taken with a view to the Permit Holder going into administration, entering into a company voluntary arrangement or being wound up.
- (iii) where the Permit Holder is a corporate body other than a registered company:
 - a. any change in the Permit Holder's name or address; and
 - b. any steps taken with a view to the dissolution of the Permit Holder.

11.2 For the purposes of issuing and signing official documentation including correspondence, the Authority shall only accept documentation from the Permit Holder that is signed by the President or any other member of the committee of the management.

11.3 All notifications and submissions to the Authority referred to in 8.1 shall be made in writing to the address specified below, or by e-mail on epr.permitting@era.org.mt as subsequently specified by written notification to the Permit Holder:

The Director Environment and Resources
Environment and Resources Authority
Hexagon House, Spencer Hill,
Marsa MRS 1441

12 Records

12.1 The Permit Holder shall keep records for at least five (5) years in relation to batteries and accumulators placed on the market by each producer who participates in the Scheme and in relation to waste batteries and accumulators collected, recycled, recovered as well as disposed of, by weight for each category of material specified, so as to ensure compliance with conditions 13.

13 Reporting

13.1 The Permit Holder shall compile and submit an electronic version and a hard copy of the information contained in Part A and Part B of Annex I of this Permit, in accordance to the template in the said Annex on a quarterly and annual basis, together with all relevant documentation required to be submitted as per condition 8.4. The quarterly

and annual reports shall be issued and signed by any of the authorised signatories referred to in condition 11.2 of this Permit.

- 13.2 The Report shall cover the whole of each reporting period. Quarterly reports shall be submitted to the Authority within forty (40) working days following the end of that period. In the case of annual reporting, the annual report must be submitted within six (6) calendar months of the closing year.
- 13.3 All reporting and Audits to the Authority referred to in conditions 13.1 and 13.2 and 14 shall be made in writing to the address specified below and by e-mail on ced.epr@era.org.mt, or as subsequently specified by written notification to the Permit Holder:

The Director Compliance and Enforcement
Environment and Resources Authority
Hexagon House, Spencer Hill
Marsa, MRS 1441

- 13.4 Without prejudice to commercial and industrial confidentiality, a copy of the quarterly and annual reports referred to in conditions 13.1 and 13.2 of this Permit shall be made available in accordance with the Environment Protection Act; provided that only the information relating to Part A of Annex I of this Permit, shall be made available.
- 13.5 The Permit Holder shall send, in accordance to the reporting template in Annex I, an appropriate description of how the data has been compiled. A detailed explanation including justifications shall be included on any estimates made for compiling such data. The Permit Holder shall submit any other additional information, including revised reporting, significant corrections and financial information, as may be requested from time to time by the Authority. Any information requested by the Authority shall be submitted by the Permit Holder within one (1) calendar month following the request made by the Authority.
- 13.6 The Permit Holder shall provide a statement of compliance by 31st March of each year in respect of the collection, treatment and recycling obligations referred to in Condition 8 of this Permit. The statement of compliance shall be issued and signed by any of the authorised signatories referred to in condition 11.2 of this Permit. It shall contain the following information:
1. the name and the address of the approved person who is issuing and signing the certificate;
 2. the date of the certificate;
 3. the member(s) in respect of whom the approved person is issuing the certificate; and
 4. certification by the approved person as to whether the relevant Scheme has on behalf of its members complied with its collection, recovery and recycling obligations.
 5. provide the Authority with a statement of compliance, with the provisions of S.L. 549.54 for each producer who participates in the Scheme.

14 Audit

- 14.1 Without prejudice to condition 6.2, the Permit Holder shall use the services of an independent auditor, approved by the Authority, to certify all the information reported to the Authority as specified under Condition 13.
- 14.2 The Audit Report must be submitted within six (6) calendar months of the closing year together with the submission of the annual report referred to in conditions 13.1 and 13.2 of this Permit.
- 14.3 The Permit Holder shall ensure that a sound auditing procedure for traceability, monitoring and control is put into place for all waste batteries and accumulators managed by the Permit Holder for the purpose of the Permit. The Auditor shall also be required to certify that all the information reported is in conformity with the obligations of S.L. 549.54 and is as specified in the Permit.
- 14.4 The auditors shall cover the terms of reference for Compliance Audits outlined in Annex II of this Permit, which terms of reference may be amended by the Authority from time to time. Any changes will come into force immediately, and shall be communicated to the Permit Holder accordingly.

15 Shipments of Waste Batteries and Accumulators

- 15.1 Transboundary movement of waste shall be carried out in accordance with the following regulations, as amended from time to time:
- (i) Regulation (EC) N° 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste as implemented through S.L. 549.65;
 - (ii) Commission Regulation (EC) N° 1418/2007 of 29 November 2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) N° 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of waste does not apply, and
 - (iii) Any other applicable legislation.

16 Use of Authorised Waste Management Undertakings

- 16.1 The Permit Holder shall only use waste management undertakings and, or establishments authorised by the Authority in accordance with Waste Regulations 2011 (S.L.549.63) and Waste Management (Activity Registration) Regulations 2007 (SL 549.45) whichever is applicable.
- 16.2 The Permit Holder shall submit an updated list of all authorised waste management undertakings and, or establishments for the carrying out of the waste management operations in the quarterly and annual reports referred to in conditions 13.

17 Movements and Disposal

- 17.1 The Permit Holder shall not dispose of collected waste batteries and accumulators which has not yet undergone proper treatment as specified in regulation 9 of S.L.549.54.
- 17.2 The Permit Holder is prohibited from disposing in landfills or by incineration of waste industrial and automotive batteries and accumulators; provided that residues of any waste batteries and accumulators that have undergone both treatment and recycling in accordance with sub-regulation 1 of regulation 9 of S.L. 549.54 may be disposed in landfill or by incineration.
- 17.3 Any movements of hazardous waste batteries and accumulators carried out by the Permit Holder shall be accompanied by a valid Consignment Permit and Consignment Note obtainable from the Competent Authority.
- 17.4 The Permit Holder is to provide a copy of the documentation referred to in condition 17.3 of this Permit to the Authority, as part of the Annual Report referred to in conditions 13.

18 Information and Awareness Campaigns

- 18.1 The Permit Holder shall organise information and awareness campaigns that end-users are fully informed of:
- (i) the potential effects on the environment and human health of the substances used in batteries and accumulators;
 - (ii) the desirability of not disposing of waste batteries and accumulators as unsorted municipal waste and of participating in their separate collection so as to facilitate treatment and recycling;
 - (iii) the collection systems and treatment and recycling systems available to them;
 - (iv) their role in contributing to the recycling of waste batteries and accumulators; and
 - (v) the meaning of the symbol if the crossed-out wheeled bin shown in Schedule 3 of S.L 549.54 and the chemical symbols Hg, Cd and Pb in accordance with the Batteries and Accumulators Regulations.
- 18.2 The Permit Holder shall keep the Authority informed of the information and awareness campaigns referred to in condition 18.1 through the quarterly and annual reporting referred to in conditions 13.

19 Permit Fees

- 19.1 In line with Schedule 8 of S.L. 549.54, the Permit Holder shall pay the scheme fee within six (6) calendar months from the validity of this Permit, and reviewed by every June thereafter, which fee shall reflect all the registered producers participating in the scheme in the previous year.

Annex I

**Operation of a Waste Batteries and
Accumulators Compliance Scheme
in terms of
S.L. 549.54
Waste Management (Waste
Batteries and Accumulators)
Regulations**

[Name of Scheme]

[Annual/Quarter] Report

For

[Reference Year]

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Declaration

[Name of Permit Holder] hereby understands and agrees that the information provided under Part A of this report is of public nature and shall be made publicly available in accordance with Chapter 549 of the Laws of Malta - the Environment Protection Act.

Full Name: _____

Signature: _____

Date: _____

Part A of the [Annual/Quarter] Report for [Reference Year]

Section A.1 – Statement of Compliance

[Name of Permit Holder] hereby declares that all the information provided is correct and complete in terms of S.L. 549.54.

Full Name: _____

Signature: _____

Date: _____

Section A.2 - Quantities of batteries and accumulators sold by the producers who participate in the Scheme (kg)

[Name of Permit Holder] hereby declares that the following information refers to the actual total amount of batteries and accumulators placed on the market during the period/year [Insert Quarter/Year] in terms of S.L. 549.54 by its members within the same year.

Table A.2.1: Quantities of portable batteries or accumulators sold by the producers who participate in the Scheme (kg)

TYPE	SALES	
	Amount in Numbers (Quantity)	Total Weight (kg)
Total Lead (Pb) Acid		
Total Nickel-Cadmium (NiCd)		
Total Other ¹		
Total Portable Batteries or Accumulators		

Table A.2.2: Quantities of automotive batteries or accumulators sold by the producers who participate in the Scheme (kg)

TYPE	SALES	
	Amount in Numbers (Quantity)	Total Weight (kg)
Total Lead (Pb) Acid		
Total Nickel-Cadmium (NiCd)		
Total Other ¹		
Total Automotive Batteries or Accumulators		

Date of Submission: _____

Signature: _____

¹ This category shall not include NiCd and Lead acid batteries.

Table A.2.3: Quantities of industrial batteries or accumulators sold by the producers who participate in the Scheme (kg)

TYPE	SALES	
	Amount in Numbers (Quantity)	Total Weight (kg)
Total Lead (Pb) Acid		
Total Nickel-Cadmium (NiCd)		
Total Other ²		
Total Industrial Batteries or Accumulators		

Date of Submission: _____

Signature: _____

² This category shall not include NiCd and Lead acid batteries.

Section A.3 – Quantities of waste batteries and accumulators collected by the Scheme (kg)

[Name of Permit Holder] hereby declares that the following information refers to the total amount of waste batteries and accumulators collected during the period/year [Insert Quarter/Year] in terms of S.L. 549.54.

Table A.3.1: Quantities of waste portable batteries or accumulators collected by the Scheme (kg)

Product category	Waste portable batteries or accumulators collected according to regulation 5(5) of S.L. 549.54 and handed over to Scheme (kg)	Waste portable batteries or accumulators collected by members of the Scheme through take-back systems			Waste portable batteries or accumulators collected directly by the Scheme		Total Waste Portable Batteries or Accumulators collected (kg)
Total Lead (Pb) Acid							
Total Nickel-Cadmium (NiCd)							
Total Other ³ :							
Total Waste Portable Batteries or Accumulators							

Date of Submission: _____

Signature: _____

³ This category shall not include NiCd and Lead acid batteries.

Table A.3.2: Quantities of waste automotive batteries or accumulators collected by the Scheme (kg)

Product category	Waste automotive batteries or accumulators collected according to regulation 5(5) of S.L. 549.54 and handed over to Scheme (kg)	Waste automotive batteries or accumulators collected by members of the Scheme through take-back systems		Waste automotive batteries or accumulators collected directly by the Scheme		Total Waste Automotive Batteries or Accumulators collected (kg)
Total Lead (Pb) Acid						
Total Nickel-Cadmium (NiCd)						
Total Other ⁴ :						
Total Waste Automotive Batteries or Accumulators						

Date of Submission: _____

Signature: _____

⁴ This category shall not include NiCd and Lead acid batteries.

Table A.3.3: Quantities of waste industrial batteries or accumulators collected by the Scheme (kg)

Product category	Waste industrial batteries or accumulators collected according to regulation 5(5) of S.L. 549.54 and handed over to Scheme (kg)	Waste industrial batteries or accumulators collected by members of the Scheme through take-back systems		Waste industrial batteries or accumulators collected directly by the Scheme		Total Waste Industrial Batteries or Accumulators collected (kg)
Total Lead (Pb) Acid						
Total Nickel-Cadmium (NiCd)						
Total Other ⁵ :						
Total Waste Industrial Batteries or Accumulators						

Date of Submission: _____

Signature: _____

⁵ This category shall not include NiCd and Lead acid batteries.

Section A.4 – Annual Collection Rate [%] achieved by the Scheme

[This Section is to be provided **ONLY** in the Annual Report to be submitted in accordance with conditions 13 of the Permit]

[Name of Permit Holder] hereby declares that the following information refers to the collection rate achieved for waste portable batteries and accumulators during the year [Insert Year] in terms of S.L. 549.54.

Total Sales of portable batteries and accumulators in Year A-2 (S_{A-2}) (in kg):	
Total Sales of portable batteries and accumulators in Year A-1 (S_{A-1}) (in kg):	
Total Sales of portable batteries and accumulators in Year A (S_A) (in kg):	
Total amount of waste portable batteries and accumulators collected in Year A (C_A) (in kg):	

N.B. Year A refers to the reporting year

$$\frac{3 \text{ multiplied by } C_A}{S_A + S_{A-1} + S_{A-2}} \times 100 = \text{the collection rate } [\%] \text{ achieved by the Scheme in Year A}$$

Date of Submission: _____

Signature: _____

Section A.5 – Quantities of waste batteries and accumulators treated by the Scheme (kg)

[Name of Permit Holder] hereby declares that the following information refers to the total amount of waste batteries and accumulators treated during the period/year [Insert Quarter/Year] in terms of S.L. 549.54.

Table A.5.1: Quantities of waste portable batteries or accumulators (SECONDARY RECHARGEABLE) treated by the Scheme (kg)

TYPE	TREATED LOCALLY	EXPORTED FOR TREATMENT
	Total Weight (kg)	Total Weight (kg)
Total Lead (Pb) Acid		
Total Nickel-Cadmium (NiCd)		
Total Other ⁶		
Total Waste Portable Rechargeable Batteries or Accumulators		

Date of Submission: _____

Signature: _____

⁶ This category shall not include NiCd and Lead acid batteries.

Table A.5.2: Quantities of waste automotive batteries or accumulators treated by the Scheme (kg)

TYPE	TREATED LOCALLY	EXPORTED FOR TREATMENT
	Total Weight (kg)	Total Weight (kg)
Total Lead (Pb) Acid		
Total Nickel-Cadmium (NiCd)		
Total Other ⁷		
Total Waste Automotive Batteries or Accumulators		

Table A.5.3: Quantities of waste industrial batteries or accumulators treated by the Scheme (kg)

TYPE	TREATED LOCALLY	EXPORTED FOR TREATMENT
	Total Weight (kg)	Total Weight (kg)
Total Lead (Pb) Acid		
Total Nickel-Cadmium (NiCd)		
Total Other ⁷		
Total Waste Industrial Batteries or Accumulators		

Date of Submission: _____

Signature: _____

⁷ This category shall not include NiCd and Lead acid batteries.

Section A.6 – Recycling efficiencies for all waste batteries and accumulators

[Name of Permit Holder] hereby declares that the information in this Section refers to the recycling efficiencies achieved for all waste batteries and accumulators treated either in Malta or outside Malta during the period/year *[Insert Quarter/Year]* pursuant to S.L. 549.54. The information being provided in this Section is in accordance to the requirements laid down in Commission Regulation (EU) No 493/2012.

Were the minimum recycling efficiencies for all batteries and accumulators achieved?

(a) Recycling of 65% by average weight of lead-acid waste batteries and accumulators, including recycling of the lead content to the highest degree that is technically feasible while avoiding excessive costs..... Y/N *Please insert the recycling efficiency achieved.*

(b) Recycling of 75% by average weight of nickel-cadmium waste batteries and accumulators, including recycling of the cadmium content to the highest degree that is technically feasible while avoiding excessive costs..... Y/N *Please insert the recycling efficiency achieved.*

(c) Recycling of 50% by average weight of other waste batteries and accumulators..... Y/N *Please insert the recycling efficiency achieved.*

Date of Submission: _____

Signature: _____

Section A.7 – List on Information and Awareness Campaigns

[Include list of any Information and Awareness campaigns set up to for general public and economic operators in accordance to condition 18 of the Permit]

Part B of the *[Annual/Quarter]* Report for *[Reference Year]*

Section B.2 – Recycling efficiencies for all waste batteries and accumulators

[Name of Permit Holder] hereby declares that the information in this Section refers to the recycling efficiencies achieved for all waste batteries and accumulators treated either in Malta or outside Malta during the period/year *[Insert Quarter/Year]* pursuant to S.L. 549.54.

[Pursuant to Commission Regulation No. 493/2012, the Permit Holder must submit a signed declaration, including the following information:-

- *A signed declaration issued by the person exporting the waste batteries and accumulators on your behalf, including the following information, must also be submitted;*
- *Details of the person exporting the waste batteries & accumulators;*
- *A declaration on whether the recycling efficiencies for the exported waste batteries and accumulators have been met, including the rate (%) achieved by the facility overseas in accordance to the calculation method laid down in Commission Regulation No.493/2012;*
- *The permit number under which the waste batteries & accumulators were exported;*
- *The country of export and the name of the facility overseas.]*

Date of Submission: _____

Signature: _____

Section B.3 – Return and Collection Systems

[Include an appropriate description of how the data has been compiled, including an explanation of any estimates used.]

As regard to the return and collection systems, include details on the collection of waste batteries and accumulators.]

Date of Submission: _____

Signature: _____

Section B.4 - List of Authorised Waste Management Undertakings or establishments used during the reporting period for the carrying out of the waste management operations involved in the Scheme

Name of authorised waste management undertakings or establishments ⁸	Permit number of authorised waste management undertakings or establishments ⁸

⁸The Permit Holder is to ensure that all waste management undertakings and, or establishments used during the reporting period are duly authorised by the Environment and Resources Authority.

Date of Submission: _____

Signature: _____

Section B.5 – Proof of recycling

[Pursuant to condition 8.3 of the Permit, if the recycling process commences in a facility situated in Malta, include a signed declaration from the said facility indicating that the waste batteries and accumulators have initiated and/or completed the recycling process in Malta as well as include the information shown in Annex IV, Annex V and Annex VI of Commission Regulation (EU) No 493/2012.

For exports of waste batteries and accumulators for further treatment in other Member States or third countries, include information requested in condition 8.4 of the Permit.]

Section B.6 – Details on Information and Awareness Campaigns

[Include details of any Information and Awareness campaigns set up to for general public and economic operators in accordance to condition 18 of the Permit]

Section B.7 – Additional information on financing

*[This Section is to be provided **ONLY** in the Annual Report to be submitted in accordance with the conditions 13 of the Permit.]*

The following information is to be provided:

- 1. The price per Kg charged to the members of the Scheme, for each type of battery and accumulator (distinguishing between type and chemistry of battery, and whether primary or secondary battery).*
- 2. The cost of the Scheme for the collection of waste batteries and accumulators per Kg and by type of battery and accumulator, during the period covered by this Permit.*

(N.B. To include also the price at which the waste batteries and accumulators collected by WasteServ Malta Ltd were handed over to the Scheme.)

- 3. The cost for treatment per Kg, for each type of battery, charged to the Scheme by the local treatment facility, covering the whole treatment process during the period covered by this Permit.*

(N.B. To provide also the rates charged to the Scheme by each operator during the periods indicated.)]

Annex II

**Terms of reference for Compliance Audits related to authorised
Waste Batteries and Accumulators Compliance Scheme**

The independent, certified auditor shall be approved by the Environment and Resources Authority, and should fulfil the requirements set by the Authority.

The auditor would be required to certify that all the information reported to the Authority by the Waste Batteries and Accumulators Compliance Scheme is as specified in the permit itself.

A sound auditing procedure for traceability, monitoring, and control should be in place for all the waste batteries and accumulators managed pursuant to S.L. 549.54 – the Waste Management (Waste Batteries and Accumulators) Regulations and as specified in the Scheme's Permit.

The audit trail should cover all waste batteries and accumulators from the point of generation or collection to the end recovery or disposal facility (local or foreign).

The points overleaf shall be covered by the auditors in such audits, providing a **detailed** report of their findings. The Authority may request clarifications and further information from the auditors other than that provided in the audit report.

The terms of reference may be amended by the Authority from time to time. Any changes will come into force immediately, and shall be communicated to the Permit Holder accordingly.

Nature and extent of audit procedures	
1	<p>Objective: To confirm that there was a signed agreement between the waste batteries and accumulators' compliance scheme and its members for the year 2021, 2022 and 2023 respectively.</p> <p>1.1. <i>Choose a random sample of 10% of the total no. of members, confirming that all members have signed the relevant agreements with the Permit Holder and verify the period for which such members have been represented by the Permit Holder.</i></p> <p>1.2. <i>Choose a random sample of 10% of the total no. of members and confirm that the participation fee charged by the Permit Holder is in line with the schedule of fees in the agreement.</i></p> <p>1.3. <i>For the sample chosen, inspect the file containing communications between the selected members and the waste batteries and accumulators' compliance scheme and report any notifications of inaccuracies or inconsistencies.</i></p> <p>The stratified sample should represent the members as follows:-</p> <ol style="list-style-type: none"> 1. 6% of the sample representing those member who place on the market less than 500 kilograms; 2. 3% of the sample representing those members who place on the market more than 500 kilograms but less than 1 tonne; 3. 1% of the sample representing those members who place on the market more than 1 tonnes <p><u>The documentation related to the chosen sample shall be attached to the Audit Report.</u></p>
2	<p>Objective: To confirm that members for the year 2021, 2022 and 2023 respectively have provided the scheme with the relevant information on the actual quantities of batteries and accumulators placed on the market in the year 2021, 2022 and 2023 respectively.</p> <p>2.1. <i>Choose a random sample of 10% of the total no. of members, confirming that the members have provided the necessary information to the Scheme and that the actual amounts for batteries and accumulators placed on the market, by category of battery or accumulator, in the year 2021, 2022 and 2023 respectively declared to the Scheme tally with the actual weight of batteries and accumulators actually placed on the market by the members in the year 2021, 2022 and 2023 respectively.</i></p> <p><u>The same sample approach highlighted under Objective 1 shall be applied.</u></p> <p>2.2. <i>The auditor is to highlight any over-/under- estimations reported by both the members and the waste batteries and accumulators compliance scheme.</i></p> <p>2.3. <i>The auditor is to reconcile the actual quantities of batteries and accumulators placed on the market by each member with the global declaration for batteries and</i></p>

	<p><i>accumulators placed on the market in the Scheme's Annual Report, by category of battery or accumulator.</i></p> <p><i>2.4. The audit is to indicate whether the actual total amount of batteries and accumulators placed on the market, by category of battery or accumulator, declared in the Annual Report by the Permit Holder requires re-calculation for correctness and accuracy purposes.</i></p>
3	<p>Objective: To ensure that the waste batteries and accumulators compliance scheme has only used waste management undertakings or establishments authorised by the Authority in accordance with regulations 19 to 24 of S.L. 549.63 – the Waste Regulations.</p> <p><i>3.1. The auditor is to obtain and submit together with the Audit Report a list from the Authority of waste management undertakings or establishments, duly authorised by the Authority during the time period covered by the Audit Report.</i></p> <p><i>3.2. The auditor is to confirm with the list provided by the Authority that the Scheme has only used authorised waste management undertakings or establishments.</i></p>
4	<p>Objective: To ensure that the amounts being reported are indeed reflecting waste batteries and accumulators being declared as collected, treated and recycled.</p> <p><i>4.1 The auditor is to check and confirm that the amounts of waste batteries and accumulators, by category of battery or accumulator, being declared as being collected and treated are indeed waste batteries and accumulators as defined in S.L. 549.54 – the Waste Management (Waste Batteries and Accumulators) Regulations.</i></p> <p><i>4.2. The auditor is to provide a detailed calculation of the amount of waste portable batteries and accumulators collected and confirm whether the collection rate stipulated in the Scheme Permit in accordance to regulation 7 of S.L. 549.54 – the Waste Management (Waste Batteries and Accumulators) Regulations has been attained.</i></p> <p><i>4.3. The auditor is to ensure that the amounts quoted as being recycled, for each category of battery or accumulator, are indeed reflecting the actual amounts being recycled, and do not represent the total amounts collected and sent for further treatment, either locally or overseas.</i></p> <p><i>4.4. The auditor is to verify that the total weight of waste batteries and accumulators, for each category of battery or accumulator, declared as recycled by the Scheme reconciles with the amount of waste processed at the authorised waste management undertakings or establishments, and that such amounts are supported by evidence issued by such undertakings or establishments.</i></p>

	<p>4.5. <i>The auditor is to verify and confirm that the minimum recycling efficiencies stipulated in Part B of Schedule 2 in accordance to regulation 9 of S.L. 549.54 – the Waste Management (Waste Batteries and Accumulators) Regulations have been attained by the Scheme.</i></p>
<p>5</p>	<p>Objective: To check and confirm that the waste batteries and accumulators compliance scheme has abided to the conditions 8.3 and 8.4 of the Permit.</p> <p>5.1 <i>To verify and confirm that in the case that the recycling process commenced in a facility situated in Malta, the waste batteries and accumulators compliance scheme has submitted to the Authority a signed declaration from the said facility indicating that the waste batteries and accumulators have initiated and/or completed the recycling process in Malta as well as has provided the information shown in Annex IV, Annex V and Annex VI of Commission Regulation (EU) No 493/2012.</i></p> <p>5.2 <i>To verify and confirm that in cases of exports of waste batteries and accumulators in other Member States or third countries, the waste batteries and accumulators compliance scheme has submitted to the Authority:</i></p> <ul style="list-style-type: none"> a. <i>a declaration issued by the facility in the Member State or third country recycling the waste batteries and accumulators indicating that the operations are taking place in conditions that are equivalent to the requirements prescribed by the Community Legislation;</i> b. <i>the information shown in Annex IV, Annex V and Annex VI of Commission Regulation (EU) No 493/2012, submitted by the first recycler starting the recycling process abroad; and</i> c. <i>a copy of the permit issued by the competent authority in which the facility is situated for waste batteries and accumulators exported within the EU or in the cases of waste batteries and accumulators exported to third countries a declaration by the competent authority in which the facility is situated stating that the facility receiving the waste batteries and accumulators is authorised to conduct waste batteries and accumulators treatment operations in accordance with national procedures, including any applicable legal requirements.</i> <p>5.3 <i>To verify and confirm that in cases of non-compliance to conditions 8.3 and 8.4 of the Permit, the amount of such waste batteries and accumulators treated has not been counted towards the fulfilment of obligations and targets of condition 8.2 of the Permit.</i></p>
<p>6</p>	<p>Objective: To check and confirm that the Permit Holder has abided to the conditions 17.3 and 17.4 of the Permit.</p> <p>6.1 <i>The auditor is to verify and confirm that any movements of hazardous waste batteries and accumulators carried out by the Permit Holder was covered by a valid Consignment Permit (CP) and each transfer was accompanied by a Consignment Note (CN) as proof of such movement.</i></p>

	<p><i>6.2 The auditor is to verify and confirm that the Permit Holder has provided a copy of the documentation referred to in condition 17.4 of the Permit to the Authority.</i></p>
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END OF PERMIT