

WEEE Compliance Scheme Permit

Environment Protection Act (CAP. 549)

Permit number
EP 00112/20

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:

Mr. Joe Attard o.b.o. WEEE (Malta) Ltd

In the name of:

**WEEE (Malta) Ltd.
“Dar Anton Grixti” 45,
Capuccini Street,
Floriana FRN1053**

(Company Registration Number: **C72024**)

To operate a waste electrical and electronic equipment (WEEE) compliance scheme under the name of:

**WEEE Malta Ltd.
The Green Hub.
Triq Valletta I-Qadima
Mqabba MQB 9090**

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 electrical and electronic equipment (WEEE) compliance scheme under the name of WEEE Malta, hereinafter referred to as the Scheme, by WEEE (Malta) Ltd, hereinafter referred to as the Permit Holder.

Status Log

Details on Permit	Date
Permit Issued WM 00001/15	17 December 2015
Renewal Issued WM 00001/15/A	20 December 2016
Renewal Issued WM 00001/15/B	21 December 2017
Renewal Issued WM 00001/15/C	07 December 2018
Renewal Issued EP 00096/19	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 years 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 (Electrical & Electronic Equipment) Regulations, S.L.549.89, puts responsibilities on producers of electrical or electronic equipment or the WEEE compliance Scheme acting on their behalf, including the setting up of collection systems, the financing of the collection, treatment, recovery and environmentally sound disposal of WEEE both from private households and from users other than private households, the attainment of the collection target as well as the recovery and the preparing for reuse and recycling targets for WEEE from electrical and electronic equipment 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 electrical and electronic equipment (EEE) placed on the market by each producer who are contractual members in the Scheme.

3. Financial Guarantee

- 3.1. In accordance to the provisions of S.L. 549.89, the Permit Holder shall provide a guarantee for the EEE placed on the market by the members of the Scheme showing that the management of all WEEE will be financed and ensuring that all obligations arising from the Permit are fulfilled. The guarantee shall cover all of the costs of the collection, treatment, recovery and environmentally sound disposal of WEEE that will arise from the electrical and electronic equipment placed on the market in Malta by the members of the Scheme and shall be to the satisfaction of the Authority and shall

be calculated on the average weight of EEE placed on the market in Malta during the three preceding years, by all the members that were registered with the respective Scheme, during January to December of those same three preceding years, multiplied by the flat rate per tonne applicable for the respective year.

- 3.2. The financial guarantee referred to in condition 3.1 of this Permit shall take the form of either a blocked bank account in the form of a bank guarantee according to the rates prescribed in Schedule 14 of S.L. 549.89 or a recycling insurance in accordance with regulation 13A(5) of S.L. 549.89. The financial guarantee shall be submitted to the Authority within thirty (30) days of the beginning of each operational year of the Scheme.
- 3.3. Further to condition 3.2, and until such time that the guarantee is submitted and updated to cover the active permit, within thirty (30) days of the beginning of each operational year of the Scheme, the previous bank guarantee shall remain applicable. The submitted bank guarantee shall replace any previously issued bank guarantees, however, shall continue to cover all performance (including past performance) of the Scheme. The Scheme shall notify ERA and shall review the bank guarantee value within 30 days thereafter, if at any point in time during the current operational year, the average of EEE placed on the market in the last 3 years taking into consideration the current operational year by its members increases by 25% (over and above the average of the three preceding years used in the last calculation carried out in January). The bank guarantee provided for the previous permit shall continue to be applicable to ensure compliance with these permit conditions until the new/updated Bank Guarantee for the active operational year(s) is submitted, and the previous guarantee is in turn released by the Authority.
- 3.4. This guarantee shall remain in place for the duration of validity of this permit. Following renewal and/or variations to this permit, the Authority may require amendments to the Bank Guarantee.
- 3.5. In cases where the financial guarantee does not cover the expenses incurred by the Authority to take remedial action on the Permit Holder's behalf, the Permit Holder is to financially reimburse the Authority of all the expenses incurred within.
- 3.6. The Authority may take part or all of the bank guarantee if the Permit Holder fails to take necessary action or fails to fulfil his legal obligations under the Act, its subsidiary legislation, and this permit, or in cases where environmental integrity is threatened. This bank guarantee is without prejudice to any environmental liabilities incurred by the permit holder through failure to adhere to permit conditions.
- 3.7. Without prejudice to the Permit Holder's environmental liability, should the Authority forfeit the Bank Guarantee either in part or in full, the Permit Holder shall ensure that this is replenished without undue delay, in any case not exceeding 2 months from the date of forfeiture.
- 3.8. In the event that the Permit Holder:
 - (i) ceases to trade, or
 - (ii) goes into liquidation,the financial guarantee shall not be used by any person or persons, including the liquidator, concerned for any purpose, including the discharge of liabilities to creditors, whether secured creditors, preferential creditors, creditors claiming under retention of

title, creditors with claims supported by guarantees or indemnities, ordinary creditors or, subordinated creditors, other than for fulfilling the obligations of the producers concerned for financing the collection, treatment, recovery and environmentally sound disposal of WEEE, both from private households and from users other than private households.

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 WEEE 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. 549.89 or any other Subsidiary Legislation under the Act.
- 6.5. The Authority's representatives shall be provided with any documentation or records, financial or otherwise, as may be requested.
- 6.6. 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. Recovery Targets

- 8.1. For the purpose of calculating the minimum targets which the scheme shall achieve as set out in Part 3 of Schedule 5 of the S.L. 549.89 for the year 2021, 2022 and 2023 respectively, regulation 11 of S.L. 549.89 shall apply. In doing so the Permit Holder shall:
 - (i) keep records on the weight of WEEE, its components, materials or substances when leaving (output) the collection facility, entering (input) and leaving (output) the treatment facility and when entering (input) the recovery or recycling facility; and
 - (ii) maintain records on the weight of products and materials when leaving (output) the recovery or recycling/preparing for re-use facility shall also be kept.
- 8.2. For WEEE treated in Malta, the Permit Holder shall acquire a recovery and/or preparing for reuse and recycling certificate from a local authorised waste management undertaking indicating that the WEEE has been recovered and/or prepared for reuse and recycled by the facility, and that the actual amount that has been recovered and/or prepared for reuse and recycled in an environmentally sound manner.
- 8.3. For WEEE exported for further treatment or recycling in accordance to condition 15.1 regarding shipments of WEEE of this Permit, 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 and that the WEEE have been recovered or disposed in environmentally sound manner.

- 8.4. Without prejudice to commercial and industrial confidentiality, when the Permit Holder engages the services of an authorised waste management undertaking or establishment to export WEEE for further treatment, the Permit Holder shall ensure that such undertaking or establishment provides the information referred to in condition 8.3.
- 8.5. WEEE treated locally or abroad shall only count towards the fulfilment of the targets referred to in condition 8.1, if:
- (i) the Permit Holder provides the proof of recovery and/or preparing for reuse and recycling referred to in conditions 8.2 and 8.3, and
 - (ii) in the case of WEEE exported, in compliance with Regulation (EC) No 1013/2006 and (EC) No 1418/2007, the exporter can prove that the treatment took place in conditions that are equivalent to the requirements of these regulations.
- 8.6. Residues from the production of electrical and electronic equipment, or from any other production, which are sent for recovery and/or recycling shall not be counted as recovered or recycled for the purpose of the Permit.
- 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 take the necessary measures to achieve by 31 December 2021, 2022 and 2023 respectively, a rate of separate collection of 65%, which collection rate shall be calculated on the basis of the total weight of WEEE collected in 2021, 2022 and 2023 respectively, expressed as a percentage of the average actual weight of EEE placed on the market by its members in the three preceding years (January to December for all the members registered with the Scheme during the said three preceding years) within Malta.
- 9.2. In accordance to regulation 5(2) of S.L. 549.89, for WEEE from private households, the Permit Holder shall ensure that:
- (i) systems are set up allowing final holders and distributors to return such waste at least free of charge;
 - (ii) when supplying a new product, distributors are responsible for ensuring that such waste can be returned to the distributor at least free of charge on a one-to-one basis as long as the equipment is of equivalent type and has fulfilled the same functions as the supplied equipment; and
 - (iii) distributors provide for the collection, at retail shops with sales areas relating to EEE of at least 400m², or in their immediate proximity, of very small WEEE free of charge to end-users and with no obligation to buy EEE of an equivalent type.
- 9.3. In accordance to regulation 5(5) of S.L. 549.89, the Permit Holder shall provide for the collection of WEEE, other than WEEE from private households, and shall finance

the costs for the collection, treatment, recovery and environmentally sound disposal of WEEE from users other than private households resulting from products placed on the market after 31 August 2005.

- 9.4. The Permit Holder shall ensure that all WEEE collected is properly treated as stipulated in regulation 8 of S.L. 549.89.
- 9.5. In accordance to regulation 12 of S.L. 549.89, the Permit Holder shall provide for the financing of the collection, treatment, recovery and environmentally sound disposal of WEEE from private households that has been deposited at collection facilities either referred to in condition 9.2 of this Permit or those operated by either Local Councils or by any other local agency. The Permit Holder shall take the necessary measures to collect all WEEE from private households which has been deposited at those collection facilities operated by either Local Councils or by any other local agency by not later than 30 April after that operational year. Such collection shall further take into account the requirements set out in regulation 5(4) of the same Regulations.

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 producer 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.
- 10.5. The financial contributions referred to in indent (ii) of condition 10.4 shall:
 - (i) be modulated, where possible, for different categories;

- (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 a Director or a company secretary.

11.3. All notifications and submissions to the Authority referred to in 9.1 shall be made in writing to the address specified below, or by e-mail on epr.permitting@era.org.mt 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 electrical and electronic equipment placed on the market by each producer who participates in the Scheme and in relation to WEEE collected, including WEEE that has been received by collection and treatment facilities; WEEE received by distributors; and WEEE separately collected by the Scheme, WEEE recovered, WEEE prepared for reuse and WEEE recycled 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. 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.
- 13.6. 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.
- 13.7. The Permit Holder shall provide a statement of compliance by 31st March of each year in respect of the collection, treatment and recovery and/or preparing for reuse and recycling obligations referred to in conditions 8 and 9 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;

4. certification by the approved person as to whether the relevant Scheme has on behalf of its members complied with its collection, recovery and/or preparing for reuse and recycling; and
5. provide the Authority with a statement of compliance, with the provisions of S.L. 549.89 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 of the information reported to the Authority as specified under conditions 13.
- 14.2. The Audit Report must be submitted within six (6) calendar months of the closing year (2021, 2022 and 2023 respectively) 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 electrical and electronic equipment 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. 549.89 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 WEEE

- 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, the Waste Management (Shipments of Waste) Regulations;
 - (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 separately collected WEEE that has not yet undergone proper treatment specified in Regulation 8 of S.L. 549.89.
- 17.2. Any transfer within Malta of waste electrical and electronic equipment shall be accompanied by a valid Consignment Permit and Consignment Note obtainable from the Competent Authority.
- 17.3. The Permit Holder is to provide a copy of the documentation referred to in condition 17.2 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 for the general public and economic operators to promote:
- (i) the measures and targets referred to in condition 8.1 of this Permit;
 - (ii) the requirement not to dispose of WEEE as unsorted municipal waste and to collect such WEEE separately;
 - (iii) the potential effects on the environment and human health as a result of the presence of hazardous substances in electrical and electronic equipment;
 - (iv) the return and collection systems available to them, ensuring the proper treatment of all collected WEEE; and
 - (v) their role in contributing to reuse, recycling and other forms of recovery of waste electrical and electronic waste.
- 18.2. The Permit Holder shall keep the Authority informed of the information and awareness campaigns referred to in condition 18.1 of this Permit through the quarterly and annual reporting referred to in conditions 13.

19. Permit Fee

- 19.1. The Authority may request a fee to this Permit or to any subsequent renewals of this Permit.

Annex I

**Operation of a Waste Electrical and
Electronic Compliance Scheme in
terms of
S.L. 549.89
Waste Management (Electrical and
Electronic Equipment) 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. 549.89.

Full Name: _____

Signature: _____

Date: _____

Section A.2 – Quantities of electrical and electronic equipment (EEE) placed on the market by the producers who participate in the Scheme (kg)

[Name of Permit Holder] hereby declares that the following information refers to the total actual amount of EEE placed on the market during the period/year *[Insert Quarter/Year]* pursuant to S.L. 549.89 by its members within the same year.

Product category	Total weight of EEE placed on the market (kg)
1. Temperature exchange equipment	
2. Screens Monitors & Equipment containing screens (s/a >100cm ²)	
3. Lamps	
4. Large Equipment (>50cm)	
4a. Large Equipment excluding photovoltaic panels	
4b. Photovoltaic panels	
5. Small Equipment (≤50cm)	
6. Small IT & Telecommunication Equipment (≤50cm)	

Date of Submission: _____

Signature: _____

Section A.3 – The quantities of WEEE collected (kg)

[Name of Permit Holder] hereby declares that the following information refers to the total amount of WEEE collected during the period/year [Insert Quarter/Year] pursuant to S.L. 549.89.

Product category	WEEE collected according to regulation 5(4) of S.L. 549.89 and handed over to Scheme (kg)	WEEE collected by members of the Scheme through take-back systems		WEEE collected directly by the Scheme		Total WEEE collected (kg)
		From Private households (kg)	From users other than private households*	From Private households (kg)	From users other than private households*	
1. Temperature exchange equipment						
2. Screens Monitors & Equipment containing screens (s/a >100cm ²)						
3. Lamps						
4. Large Equipment (>50cm)						
4a. Large Equipment excluding photovoltaic panels						
4b. Photovoltaic panels						
5. Small Equipment (≤50cm)						
6. Small IT & Telecommunication Equipment (≤50cm)						

*Means WEEE which comes from commercial, industrial, institutional and other sources which, because of its nature and quantity, is not similar to that from private households.

Date of Submission: _____

Signature: _____

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]

Actual Total EEE (in kg) placed on the market (POM) in the three preceding years by the producers who participated in the Scheme in each respective year:

Year A-3 (POM_{A-3}):
Year A-2 (POM_{A-2}):
Year A-1 (POM_{A-1}):

Average weight of EEE placed on the market in the three preceding years (POM_{AVG}) (in kg):

(Indicate the amount of WEEE collected in Year A)
_____ **Multiplied by** 100 =
(Indicate the amount of POM_{AVG})

Indicate the collection rate in % achieved by the Scheme in Year A

N.B. Year A refers to the reporting year

Date of Submission: _____

Signature: _____

Section A.5 – The quantities of WEEE treated (kg)

[Name of Permit Holder] hereby declares that the following information refers to the total amount of WEEE treated during the period/year [Insert Quarter/Year] pursuant to S.L. 549.89.

Product category	Treated WEEE in Malta	Treated WEEE in another EU Member State	Treated WEEE outside the Union
	Weight (kg)	Weight (kg)	Weight (kg)
1. Temperature exchange equipment			
2. Screens Monitors & Equipment containing screens (s/a >100cm ²)			
3. Lamps			
4. Large Equipment (>50cm)			
4a. Large Equipment excluding photovoltaic panels			
4b. Photovoltaic panels			
5. Small Equipment (≤50cm)			
6. Small IT & Telecommunication Equipment (≤50cm)			

Date of Submission: _____

Signature: _____

Section A.6 – The quantities of WEEE recovered, prepared for reuse and recycled (kg)

[Name of Permit Holder] hereby declares that the following information refers to the total amount of WEEE recovered, reused and recycled during the period/year *[Insert Quarter/Year]* pursuant to S.L. 549.89.

Product category	WEEE Recovered	WEEE Prepared for Reuse	WEEE Recycled
	Weight (kg)	Weight (kg)	Weight (kg)
1. Temperature exchange equipment			
2. Screens Monitors & Equipment containing screens (s/a >100cm ²)			
3. Lamps			
4. Large Equipment (>50cm)			
4a. Large Equipment excluding photovoltaic panels			
4b. Photovoltaic panels			
5. Small Equipment (≤50cm)			
6. Small IT & Telecommunication Equipment (≤50cm)			

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 – Financing of WEEE

[The financial guarantee to be provided by the Permit Holder for Year A may vary subject to conditions 3 of the Permit]

Indicate the method opted as your financial guarantee during the year [Insert Year] pursuant to S.L. 549.89:

Recycling Insurance *[if opted for, please provide a copy of agreement with insurance together with this form]*

Bank Guarantee *[if opted for, please provide the information below]*

Total EEE (in kg) placed on the market (POM) in the three preceding years by the producers who participate in the Scheme:

Year A-3 (POM_{A-3}):
Year A-2 (POM_{A-2}):
Year A-1 (POM_{A-1}):

Average weight of EEE placed on the market in the three preceding years (POM_{AVG}) (in kg):

(Indicate the amount of POM_{AVG} [in kg])

1000

multiplied by

the rate for Year A referred to in Schedule 14 of S.L. 549.89

equals the Guarantee (in Euro (€)) to be provided for Year A by the Permit Holder in accordance to condition 3.2 of the Permit

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 WEEE from private households deposited at:

- (i) collection facilities operated either by Local Councils or by any other local agency;*
- (ii) distributors;*
- (iii) retailer; and*
- (iv) any other facility set up for the collection of WEEE from private households.]*

Date of Submission: _____

Signature: _____

Section B.5 – Proof of recovery or recycling

[Provide the documentation requested under condition 8.5 of the Permit.]

Section B.6 – Additional information on financing

*[This Section is to be provided **ONLY** in the Annual Report to be submitted in accordance with 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 of the category of EEE set out in Schedule 1 of S.L. 549.89, Waste Management (Electrical and Electronic Equipment) Regulations, during the period covered by this Permit.*
- 2. The cost of the Scheme for the collection of WEEE per Kg and by category, during the period covered by this Permit.*

(N.B. To include also the price at which the WEEE collected by WasteServ Malta Ltd was handed over to the Scheme.)

- 3. The cost for treatment per Kg, for each category, charged to the Scheme by the local treatment facility, covering the whole treatment process (i.e. from dismantling until the end recovery/recycling or disposal operation) 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.)]

Section B.7 – 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]

Annex II

**Terms of reference for Compliance Audits related to authorised
Waste Electrical and Electronic Equipment 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 Electrical and Electronic Equipment Compliance Scheme as specified in the Permit itself.

A sound auditing procedure for traceability, monitoring, and control should be in place for all the waste electrical and electronic equipment managed pursuant to S.L. 549.89 – the Waste Management (Electrical and Electronic Equipment) Regulations and as specified in the Scheme's Permit.

The audit trail should cover all waste electrical and electronic equipment 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 WEEE compliance scheme and its members for the covering year (2021, 2022 and 2023 respectively).</p> <p><i>1.1. 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 Scheme.</i></p> <p><i>1.2. 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><i>1.3. For the sample chosen, inspect the file containing communications between the selected members and the WEEE 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 1 tonne; 2. 2% of the sample representing those members who place on the market more than 1 tonne but less than 10 tonnes; 3. 2% of the sample representing those members who place on the market more than 10 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 covering year (2021, 2022 and 2023 respectively) have provided the Permit Holder with the relevant information on the actual quantities of electrical or electronic equipment placed on the market in the covering year (2021, 2022 and 2023 respectively)..</p> <p><i>2.1. Choose a random sample of 10% of the total no. of members, confirming that the members have provided the necessary information to the Permit Holder and that the actual amounts for 'electrical and electronic equipment placed on the market' declared to the Scheme in the covering year (2021, 2022 and 2023 respectively) tally with the actual weight of electrical and electronic equipment actually placed on the market by the members in the covering year (2021, 2022 and 2023 respectively).</i></p> <p><u>The same sample approach highlighted under Objective 1 shall be applied.</u></p> <p><i>2.2. The auditor is to highlight any over-/under- estimations reported by both the members and the WEEE Compliance Scheme.</i></p> <p><i>2.3. The auditor is to reconcile the actual quantities of electrical and electronic equipment placed on the market by each member with the global declaration for electrical and electronic equipment placed on the market in the Scheme's Annual Report, by category of EEE.</i></p>

	<p>2.4. <i>The audit is to indicate whether the actual total amount of electrical and electronic equipment placed on the market 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 WEEE Compliance Scheme has only used waste management undertakings or establishments authorised by the Authority in accordance with S.L. 549.63 – the Waste Regulations.</p> <p>3.1. <i>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>3.2. <i>To confirm with the list provided by the Authority that the WEEE Compliance 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 WEEE being declared as collected, treated and recovered/prepared for reuse and recycled.</p> <p>4.1 <i>The auditor is to check and confirm that the amounts of WEEE being declared as being collected and treated are indeed WEEE as defined in Schedule 1 of S.L. 549.89 – the Waste Management (Electrical and Electronic Equipment) Regulations.</i></p> <p>4.2. <i>The auditor is to provide a detailed calculation of the amount of WEEE collected and confirm whether the collection rate stipulated in the Permit in accordance to regulation 7 of S.L. 549.89 – the Waste Management (Electrical & Electronic Equipment) Regulations has been attained.</i></p> <p>4.3. <i>The auditor is to ensure that the amounts quoted as being recovered/prepared for reuse and recycled, for each category, are indeed reflecting the actual amounts being recovered and prepared for reuse and recycled, and do not represent the total amounts collected and sent for further treatment, either locally or overseas.</i></p> <p>4.4. <i>The auditor is to verify that the total weight, for each category, declared as recovered/prepared for reuse and recycled by the WEEE Compliance 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>To establish, by providing detailed workings, and to confirm whether the Permit Holder has achieved the recovery and the preparation for reuse and recycling targets, for each category, in accordance to regulation 11 of S.L. 549.89 - the Waste Management (Electrical and Electronic Equipment) Regulations.</i></p>

<p>5</p>	<p>Objective: To check and confirm that the WEEE compliance Scheme has abided to the conditions 8.5 and 8.6 of the Permit.</p> <p><i>5.1. The auditor is to verify and confirm that for WEEE treated in Malta, the WEEE compliance Scheme have submitted to the Authority a signed declaration(s) from a local authorised waste management undertaking(s) that the WEEE has been recovered and/or prepared for reuse and recycled in an environmentally sound manner.</i></p> <p><i>5.2. The auditor is to verify and confirm that in cases of exports of WEEE for further treatment in other Member States or third countries, the WEEE compliance Scheme has submitted to the Authority:</i></p> <ul style="list-style-type: none"> <i>i. a declaration issued by the facility in the Member State or third country recovering and/or recycling the WEEE indicating that the operations are taking place in conditions that are equivalent to the requirements of Directive 2012/19/EU;</i> <i>ii. a copy of the permit issued by the competent authority in which the facility is situated for WEEE exported within the EU or in the cases of WEEE exported to third countries a declaration by the competent authority in which the facility is situated stating that the facility receiving the WEEE is authorised to conduct WEEE treatment operations in accordance with national procedures, including any applicable legal requirements.</i> <p><i>5.3. The auditor is to verify and confirm that in cases of non-compliance to conditions 8.5 and 8.6 of the Permit by the WEEE compliance Scheme, the amount of such WEEE treated has not been counted towards the fulfilment of obligations and targets of condition 8.1 of the Permit.</i></p>
<p>6</p>	<p>Objective: To check and confirm that the WEEE compliance Scheme has abided to the conditions 17.2 and 17.3 of the Permit.</p> <p><i>6.1. The auditor is to verify and confirm that any movements of WEEE 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 17.2 of the Permit to the Authority.</i></p>

END OF PERMIT