
STATUTORY INSTRUMENTS

2003 No. 2635

The End-of-Life Vehicles Regulations 2003

PART IV

Information requirements

Coding Standards

14. A producer shall use the material and component coding standards referred to in regulation 15 to facilitate the identification of those materials and components suitable for reuse and recovery.

15. For the purposes of regulation 14, “material and component coding standards” means the standards established by the Commission pursuant to Article 8(2) in accordance with the procedure laid down in Article 11 of the Directive: Schedule 2 to these Regulations sets out the nomenclature of the material and component coding standards for end-of-life vehicles in accordance with Commission Decision [138/2003/EC\(1\)](#).

16. A producer shall at the request of the enforcement authority submit information showing that material and component coding standards have been used.

17. A producer shall ensure that he keeps the information necessary for him to comply with a request from the enforcement authority to submit the information referred to in regulation 16 for a period of four years from the date that he puts the materials and/or components on the market.

Dismantling Information

18.—(1) A producer shall—

- (a) provide dismantling information for each type of new vehicle put on the market within six months after the date that vehicles of that type are first put on the market;
- (b) at the request of the enforcement authority submit to it the dismantling information referred to in paragraph (1) (a).

(2) The dismantling information shall identify, in so far as it is needed by treatment facilities, the different materials and components of the vehicle, and the location of all hazardous substances in the vehicle in order to achieve the objectives in Article 7 of the Directive, that is to say—

- (a) the reuse of components which are suitable for reuse;
- (b) the recovery of components which cannot be reused; and
- (c) giving preference to recycling when environmentally viable,

without prejudice to requirements regarding the safety of vehicles and environmental requirements such as air emissions and noise control.

19.—(1) A producer of components used in vehicles shall make available to authorised treatment facilities upon request from those facilities information concerning dismantling, storage and testing of components which can be reused.

(2) The obligation in paragraph (1) is without prejudice to any duty of confidence in respect of industrial or commercial information apart from that imposed by these Regulations.

Reporting and Information

20.—(1) A producer shall publish information on—

- (a) the design of vehicles and their components with a view to their recoverability and recyclability;
- (b) the environmentally sound treatment of end-of-life vehicles in particular the removal of all fluids and dismantling;
- (c) the development and optimisation of ways to reuse, recycle and recover end-of-life vehicles and their components;
- (d) the progress achieved with regard to recovery and recycling to reduce the waste to be disposed of and to increase the recovery and recycling rates.

(2) A producer shall—

- (a) make the information referred to in regulation 20(1) accessible to prospective buyers of vehicles; and
- (b) include the information referred to in regulation 20(1) in promotional literature used in the marketing of new vehicles.

Compliance Notice

21. Where an enforcement authority has reasonable grounds for suspecting that any or all of the requirements of the following regulations have not been complied with—

- (a) regulation 16;
- (b) regulation 18; and
- (c) regulation 20

it may serve a compliance notice on the producer.

22. A notice which is served under regulation 21 shall—

- (a) state that the enforcement authority suspects that a requirement of this Part of the Regulations has been contravened;
- (b) specify the reason it is suspected that a requirement of this Part of the Regulations has been contravened and give particulars thereof;
- (c) require the producer to comply with the requirement;
- (d) specify the period of time within which the producer must comply with the requirement; and
- (e) warn the producer that unless the requirement is complied with or satisfactory evidence has been provided within the period specified in the notice he may be prosecuted under regulation 23.

Offences

23. A producer who fails to comply with any or all of the requirements of the following regulations—

- (a) regulation 16;
- (b) regulation 18; and
- (c) regulation 20

shall be guilty of an offence.

Penalties

24. A producer who is guilty of an offence under regulation 23 shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Enforcement

25. It shall be the duty of the Secretary of State to enforce Parts III and IV of these Regulations and in carrying out her duties she may appoint the Vehicle Certification Agency, an executive agency of the Department of Transport.

26.—(1) Subject to regulation 26(2) the enforcement authority shall not commence proceedings for an offence under Parts III and IV unless a compliance notice has been served on the producer and the time limit specified for compliance in the compliance notice has expired.

(2) The enforcement authority shall not commence proceedings for an offence in Scotland.