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STATUTORY INSTRUMENTS

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**2009 No. 890**

**The Waste Batteries and Accumulators Regulations 2009**

**PART 7**

**DISPOSAL, TREATMENT AND RECYCLING**

**Application for extension of approval of an exporter to an additional site**

**62.**—(1) An application made by a battery exporter to extend an approval granted under regulation 59 to include an additional site to which that exporter wants to export waste batteries for treatment or recycling must be made to the appropriate authority and must—

- (a) be in writing and signed by the appropriate person;
- (b) contain the information set out in paragraph 8 of Schedule 4, which must be submitted in the format published by the appropriate authority under regulation 80; and
- (c) be accompanied by the extension of approval charge.

(2) An application to extend an exporter's approval to include an additional site located within the EEA must be granted by the appropriate authority where it is satisfied that the application has been made in accordance with paragraph (1), and must otherwise be refused.

(3) An application to extend an exporter's approval to include an additional site located outside the EEA must be granted by the appropriate authority where it is satisfied that—

- (a) that site will meet the minimum treatment requirements set out in paragraph 10(3)(b) of Schedule 4 and the requirements as to minimum recycling efficiencies set out in paragraph 10(3)(c) of that Schedule; and
- (b) the application was made in accordance with paragraph (1),

and must otherwise be refused.

(4) The appropriate authority must notify the applicant in writing of a decision made under paragraph (2) or (3) no later than 12 weeks after the application was made and, if the decision is a decision to refuse approval, such a notification must state—

- (a) the reasons for the decision; and
- (b) the right of appeal under Part 11.

(5) Subject to regulation 64, where an application is granted under paragraph (2) or (3), it takes effect from the date of that decision or the date that the applicant's grant of approval under regulation 59 took effect, whichever is the later date, and remains in force until the date that the applicant's approval granted under regulation 59 expires.

(6) Where extension of approval is refused under this regulation the appropriate authority is not under a duty to refund the whole or any part of the extension of approval charge.