
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the End-of-Life Vehicles (Producer Responsibility) Regulations 2005 ([S.I. 2005/263](#)) (“the 2005 Regulations”). The 2005 Regulations partially implement Directive [2000/53/EC](#) of the European Parliament and of the Council on end-of-life vehicles (OJ No L 269, 21.10.2000, p. 34).

Regulation 2(2) and (10) correct errors in regulation 8(3) of, and Schedule 4 to, the 2005 Regulations, respectively.

Regulation 2(3) extends the application of regulation 16(a) of the 2005 Regulations to provide that a compliance notice may be served on a producer where the Secretary of State has reasonable grounds for believing that any or all of the requirements of regulation 7(9) of the 2005 Regulations have not been complied with.

Regulation 2(4) amends regulation 18(5) of the 2005 Regulations to provide that the information required under that regulation shall be submitted by 1st July each year and in a format published by the Secretary of State.

Regulation 2(5) inserts a new paragraph (6) into regulation 18 of the 2005 Regulations to provide that the Secretary of State will publish the format in which the details referred to in regulation 18(5) of those Regulations are to be submitted.

Regulation 2(6) amends regulation 19(2) of the 2005 Regulations to provide that a certificate of compliance shall be sent to the Secretary of State by 1st July each year.

Regulation 2(7) amends regulation 19 of the 2005 Regulations to provide that where a producer or an owner or operator of an authorised treatment facility is obliged to send a certificate of compliance to the Secretary of State under that regulation, the certificate must be submitted on behalf of that producer, owner or operator by a specified individual.

Regulation 2(8) removes the power in regulation 20 of the 2005 Regulations for the Secretary of State to approve each person who is authorised to submit a certificate under regulation 19.

Regulation 2(9) amends regulation 23 of the 2005 Regulations to provide that it shall cease to be an offence for a producer to fail to comply with all of the requirements of regulation 7(4) of the 2005 Regulations. Regulation 7(4) provides that an application by a producer to register must be made in writing and contain at least the information set out in Schedule 1 to the 2005 Regulations. It continues to be an offence, by virtue of regulation 23 of the 2005 Regulations, for a producer to fail to make an application for registration to the Secretary of State under regulation 7 of those Regulations.

An Impact Assessment in respect of these Regulations is available and a copy can be obtained from the Department for Business, Innovation and Skills, 1 Victoria Street, London, SW1H 0ET. A copy has been placed in the libraries of both Houses of Parliament and is also annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website.