

## SCHEDULE 8

Regulations 47 and 49

### Approval of authorised treatment facilities and exporters

## PART 1

### Information to be included in an application for approval

1. The name of the operator of the ATF or the exporter.
2. The registered office address and telephone number of the operator of the ATF or the exporter where he is a body registered in the United Kingdom or, if the operator of the ATF or the exporter is not a body registered in the United Kingdom, his principal place of business and telephone number in the United Kingdom.
3. Where the operator of the ATF or exporter is a partnership, the names of all the partners.
4. Where the operator of the ATF or exporter is not a body registered in the United Kingdom or a partnership, the name of the person having control or management of that body.
5. The address for service of notices if different from that referred to in paragraph 2.
6. In the case of an application made by an operator of an ATF, the name and address of each ATF in respect of which he is applying for approval.
7. In the case of an application made by an exporter—
  - (a) the name and address of each site to which he proposes to export WEEE for treatment, recovery or recycling;
  - (b) in respect of each site specified in accordance with sub-paragraph (a)—
    - (i) specify the amount in tonnes of WEEE that he proposes to export to that site for treatment, recovery or recycling by reference to each of the following categories—
      - (aa) each of the categories listed in Schedule 1 (excluding display equipment, cooling appliances containing refrigerants and gas discharge lamps),
      - (bb) display equipment,
      - (cc) cooling appliances containing refrigerants, and
      - (dd) gas discharge lamps; and
    - (ii) the applicable treatment, recovery and recycling operations carried out by that site.
8. Confirmation of whether or not the operator of the ATF or the exporter has been convicted of an offence under these Regulations; and where a positive confirmation is given an explanation of how the contravention of these Regulations which resulted in the conviction occurred and what steps have been taken to ensure such a contravention will not occur in the future.

## PART 2

### Conditions of approval of authorised treatment facilities

1. An evidence note for treatment shall only be issued with respect to WEEE that has arisen as waste in the United Kingdom and that has been received for treatment at an ATF.
2. An evidence note for recovery or recycling shall only be issued with respect to WEEE that has arisen as waste in the United Kingdom and that has been received for recovery and recycling by a reprocessor.

*Status: This is the original version (as it was originally made).*

**3.** An evidence note for treatment, recovery and recycling shall specify the amount in tonnes of WEEE that has been treated, recovered or recycled by reference to each of the following categories—

- (i) each of the categories listed in Schedule 1 (excluding display equipment, cooling appliances containing refrigerants and gas discharge lamps),
- (ii) display equipment,
- (iii) cooling appliances containing refrigerants,
- (iv) gas discharge lamps; and

in the case of each category shall specify the amount in tonnes of WEEE from private households and of WEEE from users other than private households.

**4.** The amount of WEEE in tonnes recorded on an evidence note shall be—

- (a) rounded up to the nearest whole tonne where the part tonne is 0.5 or more; and
- (b) rounded down to the nearest whole tonne where the part tonne is less than 0.5.

**5.** Duplicate copies of any evidence note issued by the operator of the AATF shall be retained by that operator of the AATF and made available for inspection by the appropriate authority at all reasonable times.

**6.** One or more substitute evidence note shall be issued by an operator of an AATF, on request, to the holder of the original evidence note in exchange for the original, provided that—

- (a) the aggregate tonnage of any substitute evidence note so issued remains equal to that exchanged;
- (b) the substitute evidence note relates to the same year as the original; and
- (c) no substitute evidence note which relates to WEEE received for recovery or recycling in any relevant approval period may be issued after 31st January in the year immediately following the end of that relevant approval period.

**7.** An evidence note for treatment, recovery or recycling shall not be issued by an operator of an AATF for more than the total amount of WEEE—

- (a) received for treatment, recovery or recycling at the AATF in the relevant approval period; and
- (b) which is capable of being recovered or recycled no later than the end of the year immediately following the end of the relevant approval period.

**8.** An evidence note for treatment, recovery or recycling shall not be issued by an operator of an AATF in respect of any WEEE that has previously been treated by another AATF.

**9.** An evidence note shall only be issued by an operator of an AATF to—

- (a) an operator of a scheme;
- (b) a producer to whom regulation 10(8) applies;
- (c) the Secretary of State;
- (d) the operator of a designated collection facility; or
- (e) an appropriate authority where paragraph 10 applies.

**10.** Where an evidence note has not been issued by an operator of an AATF on or before 31st January in any relevant approval period in respect of an amount of WEEE received for treatment, recovery or recycling in the relevant approval period that ended on 31st December in the previous year, an evidence note for that amount shall not be issued by an operator of an AATF to any other person than to the appropriate authority on or before 15th February in that year.

11. Where WEEE is treated at an AATF and is subsequently exported, it must be exported by an approved exporter.

## PART 3

### Conditions of approval of exporters

1. An evidence note for treatment, recovery or recycling shall only be issued in respect of WEEE that is exported in accordance with [Council Regulation \(EEC\) No. 259/93](#) of 1st February 1993 on the supervision and control of shipments of waste within, into and out of the European Community<sup>(1)</sup>, as amended by [Commission Regulation \(EC\) No. 2557/2001](#)<sup>(2)</sup>, with respect to WEEE that has arisen as waste in the United Kingdom and that—

- (a) has been exported for treatment at any establishment or undertaking located outside the United Kingdom which carries out treatment operations and which is of an equivalent standard to an ATF; or
- (b) has been exported for recovery or recycling at any establishment or undertaking located outside the United Kingdom which carries out recovery or recycling operations and which is of an equivalent standard to a reprocessor.

2. The amount in tonnes of WEEE recorded on an evidence note shall be—

- (a) rounded up to the nearest whole tonne where the part tonne is 0.5 or more; and
- (b) rounded down to the nearest whole tonne where the part tonne is less than 0.5.

3. Duplicate copies of an evidence note issued under these Regulations shall be retained by an approved exporter and made available for inspection by the appropriate authority at all reasonable times.

4. One or more substitute evidence note shall be issued by an approved exporter, on request, to the holder of the original evidence note in exchange for the original, provided that—

- (a) the aggregate tonnage of any substitute evidence note so issued remains equal to that exchanged;
- (b) the substitute evidence note relates to the same year as the original; and
- (c) no substitute evidence note which relates to WEEE exported for treatment, recovery or recycling in any given year may be issued after 31st January in the following year.

5. An evidence note for treatment, recovery or recycling outside the United Kingdom shall not be issued by an approved exporter—

- (a) for more than the total amount of WEEE exported by that exporter; and
- (b) for WEEE that is partially treated, recovered or recycled in the United Kingdom before being exported by that exporter.
- (c) An evidence note for treatment, recovery or recycling shall only be issued by an approved exporter in a format approved by the Secretary of State.

6. An evidence note shall only be issued by an approved exporter to—

- (a) an operator of a scheme;
- (b) a producer to whom regulation [10\(8\)](#) applies;
- (c) the Secretary of State;

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(1) OJNo. L30, 6.2.1993, p.1.

(2) OJ No. L349, 31.12.2001, p.1.

**Status:** This is the original version (as it was originally made).

- (d) the operator of a designated collection facility; or
- (e) an appropriate authority where paragraph 7 applies.

7. Where an evidence note has not been issued by an approved exporter on or before 31st January in any relevant approval period in respect of an amount of WEEE exported for treatment, recovery or recycling in the relevant approval period that ended on 31st December in the previous year, an evidence note for that amount shall not be issued by an approved exporter to any other person than to the appropriate authority on or before 15th February in that year.