

---

STATUTORY INSTRUMENTS

---

**2013 No. 3113**

The Waste Electrical and Electronic  
Equipment Regulations 2013

PART 4

SCHEME OBLIGATIONS

**[<sup>F1</sup>PBS: procedure for approval**

**34A.** Any person or body may, on or before 1st March 2019, propose a PBS for approval by the Secretary of State.

(2) The Secretary of State must consult such persons or bodies as appear to the Secretary of State representative of the interests concerned on any PBS proposed by—

- (a) any person or body in accordance with paragraph (1); or
- (b) the Secretary of State.

(3) Such consultation must commence on or before 1st May 2019.

(4) Subject to paragraph (12), the Secretary of State, having consulted in accordance with paragraphs (2) and (3), must approve the PBS, or as the case may be one of the PBS, on which the Secretary of State has consulted, with or without amendments.

(5) Within a period of 3 years, beginning with 1st January 2019 and thereafter within each period of 3 years beginning with the day after the end of the previous period of 3 years, the Secretary of State must commence a review of the PBS which is in operation at the time the review commences (“the current PBS”).

(6) A review under paragraph (5) must take into account—

- (a) any amendments to the current PBS proposed by—
  - (i) any person or body; or
  - (ii) the Secretary of State; and
- (b) any new PBS proposed by—

- (i) any person or body; or
- (ii) the Secretary of State.

(7) When carrying out a review under paragraph (5), the Secretary of State must consult such persons or bodies as appear to the Secretary of State representative of the interests concerned on—

- (a) the current PBS, with or without proposed amendments; and
- (b) any new proposed PBS.

(8) Subject to paragraph (12), the Secretary of State, having consulted in accordance with paragraph (7), must—

- (a) approve the current PBS, to continue with or without amendments; or

---

**Changes to legislation:** *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Waste Electrical and Electronic Equipment Regulations 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

(b) where one or more new PBS has been proposed in accordance with paragraph (6)(b), approve the new PBS or, as the case may be, one of the new PBS, with or without amendments.

(9) Where the Secretary of State approves a new PBS or the current PBS with amendments under paragraph (8), the Secretary of State must at the same time withdraw approval of the PBS which is in operation at the time of the review.

(10) Any proposal for a PBS under paragraph (1) or (6)(b)(i) must—

- (a) be made in writing;
- (b) include the information set out in Part 1 of Schedule 8A; and
- (c) be submitted to the Secretary of State prior to the commencement of any review under paragraph (5).

(11) Any proposed amendment to a PBS under paragraph (6)(a)(i) must be submitted to the Secretary of State in writing prior to the commencement of any review under paragraph (5).

(12) The Secretary of State may not approve a PBS unless the requirements set out in Part 2 of Schedule 8A are met.]

---

**Textual Amendments**

- F1** [Regs. 34A, 34B](#) inserted (1.1.2019) by [The Waste Electrical and Electronic Equipment \(Amendment\) \(No. 2\) Regulations 2018 \(S.I. 2018/1214\)](#), regs. 1, **11**

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Waste Electrical and Electronic Equipment Regulations 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 8 Pt. 3 para. 31 word substituted by [S.I. 2015/1968 reg. 2\(43\)\(b\)\(i\)](#)
- Sch. 8 Pt. 3 para. 31 word substituted by [S.I. 2015/1968 reg. 2\(43\)\(b\)\(ii\)](#)