
STATUTORY INSTRUMENTS

2013 No. 3113

The Waste Electrical and Electronic
Equipment Regulations 2013

PART 12

APPEALS

Right of appeal

- 83.**—(1) An operator of a scheme or an operator of a proposed scheme may appeal—
- (a) to the Secretary of State against a decision of the Environment Agency;
 - (b) to the Welsh Ministers against a decision of the Natural Resources Body for Wales;
 - (c) to the Scottish Ministers against a decision of SEPA; and
 - (d) to the Planning Appeals Commission against a decision of the Department of the Environment.
- (2) For the purposes of paragraph (1), a decision means a decision—
- (a) to refuse to grant an approval allowing a distributor to rely on existing take back facilities, under regulation 69;
 - (b) to refuse to grant approval of that operator’s proposed scheme under regulation 55; or
 - (c) to withdraw approval of that operator’s scheme under regulation 58.
- (3) An operator of an ATF or an exporter may appeal—
- (a) to the Secretary of State against a decision of the Environment Agency;
 - (b) to the Welsh Ministers against a decision of the Natural Resources Body for Wales;
 - (c) to the Scottish Ministers against a decision of SEPA; and
 - (d) to the Planning Appeals Commission against a decision of the Department of the Environment.
- (4) For the purposes of paragraph (3), a decision means a decision—
- (a) to refuse to grant an application for approval made by that operator of an ATF or that exporter under regulation 61;
 - (b) to refuse to grant an extension of a grant of approval made to that exporter under regulation 62; or
 - (c) to suspend or cancel a grant of approval made in relation to that ATF or that exporter under regulation 64.
- (5) For the purposes of this Part and Schedule 14, “appeal body” means one of the following—
- (a) the Secretary of State;
 - (b) the Welsh Ministers;
 - (c) the Scottish Ministers; or

(d) the Planning Appeals Commission.