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STATUTORY INSTRUMENTS

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**2013 No. 3113**

The Waste Electrical and Electronic  
Equipment Regulations 2013

PART 13

ENFORCEMENT

**Enforcement notice**

**88.**—(1) Where an enforcement authority has reasonable grounds for suspecting that any of the requirements of the following regulations have not been complied with—

- (a) regulations 11 to 24;
- (b) regulations 25 to 41, 54 and 57;
- (c) regulations 42, 43 and 45, and;
- (d) regulations 61, 63, 66 and 67;

it may serve an enforcement notice on—

- (i) in a case under sub-paragraph (a), the producer or an authorised representative,
- (ii) in a case under sub-paragraph (b), the operator of the scheme,
- (iii) in a case under sub-paragraph (c), the distributor, and
- (iv) in a case under sub-paragraph (d), the operator of the AATF or the approved exporter (as the case may be).

(2) A notice which is served under paragraph (1) will—

- (a) state that the enforcement authority suspects that a specified requirement of these Regulations has been contravened;
- (b) specify the reason it is suspected that a requirement of these Regulations has been contravened;
- (c) require the person to whom the enforcement notice is given (“the relevant person”)—
  - (i) to comply with the requirements of these Regulations; or
  - (ii) to provide evidence to the enforcement authority demonstrating that the requirements of these Regulations have been met;
- (d) specify the period of time within which the relevant person must comply with the enforcement notice issued by the enforcement authority; and
- (e) warn the relevant person that unless the requirement is complied with, or evidence has been provided within the period specified in the notice, he may be prosecuted.

(3) Where an enforcement authority serves an enforcement notice on a person under this regulation, proceedings for an offence under regulation 90 will not commence unless the time limit specified for compliance in the enforcement notice has expired.