

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE**
No. 4178 of 25 June, 2015

LEGAL NOTICE NO. 96 OF 2015.

ENVIRONMENT ACT 2005

ENVIRONMENT (WASTE) (AMENDMENT) REGULATIONS 2015

In exercise of the powers conferred upon it by section 18 of the Environment Act 2005, and in order to partially transpose into the law of Gibraltar Directive 2013/56/EU of the European Parliament amending Directive 2006/66/EC of the European Parliament and of the Council on batteries and accumulators and waste batteries and accumulators as regards the placing on the market of portable batteries and accumulators containing cadmium intended for use in cordless power tools, and of button cells with low mercury content, and repealing Commission Decision 2009/603/EC, the Government has made the following Regulations—

Title and commencement.

1. These Regulations may be cited as the Environment (Waste) (Amendment) Regulations 2015 and come into operation on 1 July 2015.

Amendments to Environment (Waste) Regulations.

2.(1) The Environment (Waste) Regulations are amended in accordance with the provisions of these Regulations.

(2) In regulation 14O after subregulation (3) insert—

“(4) Subject to subregulation (5) a producer deemed by the Competent Authority to be a small producer on the basis of the quantities of batteries or accumulators that it places on the market in Gibraltar, may be exempted by the Minister from the requirements in this regulation.

(5) The Competent Authority shall make publicly available by written notice or electronically on its website a list of the exemption measures that a producer must meet in order to be considered a small producer.

- (6) Pursuant to subregulation (5) the Competent Authority shall ensure that the European Commission is informed of the grounds for exemption for small producers.”.
- (3) Amend regulation 14P as follows–
- (1) in subregulation (1) remove the fullstop and insert–
- “which shall meet the procedural requirements for registration contained in Schedule 8.”;
- (2) after subregulation (6) insert–
- “(7) The Competent Authority may impose proportionate fees for registration, but such fees shall not exceed the costs incurred by the Competent Authority.
- (8) If a producer ceases to be a producer in Gibraltar, the producer shall inform the Competent Authority and shall then be removed from the register.”.
- (4) After Schedule 7 insert–

“Schedule 8

Procedural Requirements for Registration

Procedural requirements for registration.

1. Requirements for registration–

Registration of a producer of batteries and accumulators shall take place with the Competent Authority in the manner prescribed by the Competent Authority.

Once a producer of batteries and accumulators is registered, the producer shall receive a registration number from the Competent Authority.

2. Information to be provided by the producers–

A producer of batteries and accumulators shall provide to the Competent Authority the following information–

- (i) name of the producer and brand names (if available) under which it operates;
- (ii) address of the producer: including telephone number, as well as a contact person, fax number and e- mail address of the producer, if available;
- (iii) indication on the type of batteries and accumulators produced by the producer: portable batteries and accumulators, industrial batteries and accumulators, or automotive batteries and accumulators;
- (iv) information on how the producer meets its responsibilities: by individual or collective scheme;
- (v) date of the application for registration;
- (vi) declaration stating that the information provided is true.

3. Change of registration data–

A producer of batteries and accumulators shall inform the Competent Authority if there is a change of particulars, no later than 1 month after that change has occurred.”.

Dated 25th June, 2015.

DR J CORTES,
For the Government.

EXPLANATORY MEMORANDUM

These Regulations partially transpose Directive 2013/56/EU of the European Parliament amending Directive 2006/66/EC of the European Parliament and of the Council on batteries and accumulators and waste batteries and accumulators as regards the placing on the market of portable batteries and accumulators containing cadmium intended for use in cordless power tools, and of button cells with low mercury content, and repealing Commission Decision 2009/603/EC, by amending the provisions of the Environment (Waste) Regulations 2007.

**Printed by the Gibraltar Chronicle Printing Limited
Unit 3, New Harbours
Government Printers for Gibraltar,
Copies may be purchased at 6, Convent Place, Price £0.80**

