

**L.N. 296 of 2015**

**ENVIRONMENT AND DEVELOPMENT PLANNING ACT  
(CAP. 504)**

**Waste Management (Waste Batteries and Accumulators)  
(Amendment) Regulations, 2015**

IN exercise of the powers conferred by articles 61 and 62 of the Environment and Development Planning Act, the Minister for Sustainable Development, the Environment, and Climate Change, after consultation with the Malta Environment and Planning Authority, has made the following regulations:-

**1.** (1) The title of these regulations is the Waste Management (Waste Batteries and Accumulators) (Amendment) Regulations, 2015 and these regulations shall be read and construed as one with the Waste Management (Waste Batteries and Accumulators) Regulations, hereinafter referred to as "the principal regulations".

Citation and commencement.  
S.L. 504.91

(2) These regulations shall be deemed to have come into force on the 30th June, 2015.

**2.** For paragraph (d) of sub-regulation (2) of regulation 5 of the principal regulations, there shall be substituted the following:

Amends regulation 5 of the principal regulations.

S.L. 504.75 "(d) may be run in conjunction with the collection systems referred to in the Waste Management (Electrical and Electronic Equipment) Regulations;"

**3.** Regulation 8 of the principal regulations shall be deleted.

Deletes regulation 8 of the principal regulations.

**4.** In paragraph (b) of sub-regulation (1) of regulation 13 of the principal regulations, for the words "in accordance with regulation 5(3) and (4):" there shall be substituted the words "in accordance with regulation 5(3) and (4). Any draft exemption measures shall be made public:"

Amends regulation 13 of the principal regulations.

**5.** Regulation 17 of the principal regulations shall be amended as follows:

Amends regulation 17 of the principal regulations

(a) sub-regulation (1) thereof shall be substituted by the following:

"(1) Producers shall upon placing batteries and

accumulators on the market for the first time within the territory of Malta, apply to be registered with the competent authority and shall be provided with a registration number upon registration.";

(b) sub-regulations (2), (3), (4) and (5) thereof shall be re-numbered as sub-regulations (3), (4), (5) and (6), respectively;

(c) immediately after sub-regulation (1) thereof there shall be added the following:

"(2) Producers registered under sub-regulation (1) shall renew their registration on an annual basis with the competent authority by 31 March of each year:

Provided that as from the 1st of April of each year the competent authority shall accept renewals until the end of the year at an additional charge of twenty euro (€20) per month or part thereof of the fee/s prescribed in Schedule 6.";

(d) sub-regulation (3) thereof, as re-numbered, shall be substituted by the following:

"(3) Where a producer ceases to place batteries and accumulators on the market, the producer shall deregister by informing the competent authority within twenty working days of his ceasing to do so.";

(e) sub-regulation (4) thereof, as re-numbered, shall be substituted by the following:

"(4) An application for registration or renewal by a producer shall -

(a) be made either online or in writing;

(b) contain at least the information in Schedule 4; and

(c) be accompanied by a fee as prescribed in Schedule 6."; and

(f) immediately after sub-regulation (6) thereof, as re-numbered, there shall be added the following:

"(7) In the case the data submitted by the producer

in accordance with Schedule 4 changes, the said producer shall inform the competent authority thereof no later than one month after the change."

6. Regulation 18 of the principal regulations shall be amended as follows:

Amends  
regulation 18 of  
the principal  
regulations.

(a) sub-regulation (1) thereof shall be deleted;

(b) sub-regulation (2) thereof shall be re-numbered as sub-regulation (1) and shall be substituted by the following:

"(1) Upon renewal according to regulation 17(2), registered producers are to provide to the competent authority the following information:

(a) the categories of batteries or accumulators which the registered producer has placed on the market within Malta between 1 January and 31 December of the immediately preceding year, and

(b) the quantities and weight of batteries and accumulators which the registered producer has placed on the market within Malta between 1 January and 31 December of the immediately preceding year.";

(c) sub-regulation (3) thereof shall be re-numbered as sub-regulation (2) and shall be substituted by the following:

"(2) The information referred to in sub-regulation (1) shall be provided either online or in writing."; and

(d) sub-regulations (4), (5) and (6) thereof shall be re-numbered as sub-regulations (3), (4) and (5) respectively, and immediately after sub-regulation (5), as re-numbered, there shall be added the following:

"(6) A self-compliant producer shall use the services of an independent auditor, approved by the competent authority, to certify that all of the information reported to the competent authority is in conformity with the obligations of these regulations. The self-compliant producer shall ensure that a sound auditing procedure for traceability, monitoring and control is put into place for all the waste batteries and accumulators managed."

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Amends  
regulation 22 of  
the principal  
regulations.

7. Sub-regulation (1) of regulation 22 of the principal regulations there shall be substituted the following:

S.L. 504.37

"(1) Without prejudice to the Waste Regulations, persons who intend to operate a waste batteries and accumulators collection, treatment and recycling scheme as required under these regulations, including the collection, sorting, storage, treatment, export and recycling of waste batteries and accumulators, on behalf of producers, shall require and obtain a valid permit from the competent authority in accordance to the these regulations."

Amends  
regulation 24 of  
the principal  
regulations.

8. Regulation 24 of the principal regulations shall be amended as follows:

(a) sub-regulation (2) thereof shall be substituted by the following:

"(2) The producer shall moreover submit to the competent authority, by 31 March each year, a statement of compliance with the provisions of these regulations, signed by the operator of the authorised waste batteries and accumulators collection, treatment and recycling scheme, in respect of batteries and accumulators which have been placed on the market within Malta by the producer between 1 January and 31 December of the immediately preceding year.";

(b) paragraphs (d), (e) and (f) of sub-regulation (3) thereof shall be substituted by the following:

"(d) provide the competent authority with information on any measures taken to encourage developments affecting the impact of batteries and accumulators on the environment, mainly:

(i) developments, including voluntary steps taken by the scheme members, to reduce the quantities of heavy metals and other hazardous substances contained in batteries and accumulators;

(ii) new recycling and treatment techniques;

(iii) economic operators' participation in

environmental management schemes;

(iv) research in those fields; and

(v) measures taken to promote waste prevention;

(e) provide the competent authority, by 31 March each year, with the information referred to in regulations 14 and 16 as it applies *mutatis mutandis* to the producer, in respect of batteries and accumulators placed on the market within Malta by the producer between 1 January and 31 December of the immediately preceding year;

(f) provide the competent authority, by 31 March each year, with a statement of compliance of the producer with the provisions of these regulations, in respect of batteries and accumulators placed on the market within Malta by the producer between 1 January and 31 December of the immediately preceding year.";

(c) sub-regulations (4) and (5) thereof shall be re-numbered as sub-regulations (6) and (7) respectively; and

(d) immediately after sub-regulation (3) thereof there shall be added the following:

"(4) All the information shall be provided in quarterly and annual reports. A waste batteries and accumulators collection, treatment and recycling scheme shall submit quarterly reports to the competent authority within forty (40) working days following the end of that period, whereas annual reports shall be submitted to the Competent Authority within six (6) calendar months of the closing of the year.

(5) A waste batteries and accumulators collection, treatment and recycling scheme shall use the services of an independent auditor, approved by the competent authority, to certify all of the information reported to the competent authority. The auditor shall be required to certify that all the information reported is as specified in the permit issued by the competent authority."

**9.** Immediately after Schedule 5 of the principal regulations there shall be added the following new schedule:

Adds new schedule to the principal regulations.

## "SCHEDULE 6

## Schedule of Fees for Registration/Renewal as a Producer

Category of Activity	Fee (€)
Online registration/renewal for producers of batteries and accumulators .....	10
Manual registration/renewal for producers of batteries and accumulators .....	35".

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