



STATUTORY INSTRUMENTS.

S.I. No. 373 of 2016



WASTE MANAGEMENT (FIXED PAYMENT NOTICE) (PRODUCER
RESPONSIBILITY) REGULATIONS 2016

WASTE MANAGEMENT (FIXED PAYMENT NOTICE) (PRODUCER RESPONSIBILITY) REGULATIONS 2016

I, SIMON COVENEY, Minister for the Environment, Community and Local Government, in exercise of the powers conferred on me by section 10A (inserted by Section 35 of the Environment (Miscellaneous Provisions) Act 2015 (No. 29 of 2015) of the Waste Management Act 1996 (No. 10 of 1996), hereby make the following regulations:

Citation

1. These Regulations may be cited as the Waste Management (Fixed Payment Notice) (Producer Responsibility) Regulations 2016.

Interpretation

2. In these Regulations-

‘Batteries and Accumulators Regulations’ means the European Union (Batteries and Accumulators) Regulations 2014 (S.I. No. 283 of 2014);

‘End-of-Life Vehicles Regulations’ means the European Union (End-of-Life Vehicles) Regulations 2014 (S.I. No. 281 of 2014);

‘Packaging Regulations’ means the European Union (Packaging) Regulations 2014 (S.I. No. 282 of 2014);

‘WEEE Regulations’ means the European Union (Waste Electrical and Electronic Equipment) Regulations 2014 (S.I. No. 149 of 2014).

Prescribed Form

3. The form set out in the Schedule to these Regulations is prescribed as the form of fixed payment notice for the purposes of section 10A of the Waste Management Act 1996 (No. 10 of 1996) as amended.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 19th July, 2016.

SCHEDULE

Fixed Payment Notice in respect of an alleged offence under the Waste Management Act 1996

Fógra maidir le hÍocaíochtaí Seasta i leith cion líomhnaithe faoin Acht um Bainistiú Dramhaíola, 1996

Name of local authority/agency /Ainm an údaráis áitiúil/gníomhaireacht:

Address of local authority/agency/ Seoladh an údaráis áitiúil/ gníomhaireacht:

To/Go: _____ [Name/ainm]

Address/Seoladh: _____

It is alleged that you have committed
an offence being a relevant offence—

Líomhnaítear go bhfuil cion déanta
agat ar cion iomchuí é—

at/i _____ [place/áit]

on/an _____ 20____ [date/dáta].

Particulars of the alleged offence,
being a relevant offence, are given in
column (4) opposite the reference
marked “X” in column (1) below.

Tugtar sonraí an chiona líomhnaithe,
ar cion iomchuí é, i gcolún (4) os
coinne na tagartha atá marcáilte “X”
i gcolún (1) thíos.

You may, during the period of 21
days beginning on the date of this
notice, make a payment of the
amount specified in column (5),
opposite the reference marked “X”
in column (1) below, accompanied by
this notice, to the local authority
referred to above at the address
referred to above.

Féadfaidh tú, le linn na tréimhse 21
lá dar tosach dáta an fhógra seo,
íocaíocht den mhéid a shonraítear i
gcolún (5), os coinne na tagartha atá
marcáilte “X” i gcolún (1) thíos, agus
an fógra seo ag gabháil léi, a
dhéanamh leis an údarás áitiúil dá
dtagraítear thuas ag an seoladh dá
dtagraítear thuas.

You are not obliged to make the
payment.

Níl sé d’oibleagáid ort an íocaíocht a
dhéanamh.

A prosecution in respect of the alleged offence, being a relevant offence, will not be instituted during the period of 21 days beginning on the date of the notice and, if the payment specified in the notice is made during that period, no prosecution in respect of that offence will be instituted.

Ní thionscnófar ionchúiseamh i leith an chiona líomhnaithe, ar cion iomchuí é, le linn na tréimhse 21 lá dar tosach dáta an fhógra agus, más rud é go n-íocfar an íocaíocht a shonraítear san fhógra le linn na tréimhse sin, ní thionscnófar ionchúiseamh ar bith i leith an chiona sin.

Signed/Arna shíniú: _____
Authorised person/Duine údaraithe

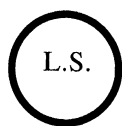
Date/Dáta: _____

(1)	(2)	(3)	(4)	(5)
Ref./ Tag.	No./ Uimh.	Relevant offence/ An cion iomchuí	Particulars of alleged offence/ Sonraí an chionna líomhnaithe	Amount/ Méid
	1	Offence under Regulation 39 of the WEEE Regulations consisting of a contravention of regulation 10(5)(a) Cion faoi Rialachán 39 de na Rialacháin maidir le DTLL ar sárú é ar rialachán (10)(5)(a)		€2,000
	2	Offence under Regulation 39 of the WEEE Regulations consisting of a contravention of regulation 10(7) Cion faoi Rialachán 39 de na Rialacháin maidir le DTLL ar sárú é ar rialachán 10(7)		€1,000
	3	Offence under Regulation 39 of the WEEE Regulations consisting of a contravention of regulation 15(1)(a)(ii) Cion faoi Rialachán 39 de na Rialacháin maidir le DTLL ar sárú é ar rialachán 15(1)(a)(ii)		€1,000
	4	Offence under Regulation 47 of the Batteries and Accumulators Regulations consisting of a contravention of regulation 17(3) Cion faoi Rialachán 47 de na Rialacháin maidir le Ceallraí agus Taisc-Chealla ar sárú é ar rialachán 17(3)		€1,000
	5	Offence under Regulation 47 of the Batteries and Accumulators Regulations consisting of a contravention of regulation 21(1)(b) Cion faoi Rialachán 47 de na Rialacháin maidir le Ceallraí agus Taisc-Chealla ar sárú é ar rialachán 21(1)(b)		€1,000

(1)	(2)	(3)	(4)	(5)
	6	<p>Offence under Regulation 34 of the End-of-Life Vehicles Regulations consisting of a contravention of Regulation 14(1) (b)(i)</p> <p>Cion faoi Rialachán 34 de na Rialacháin maidir le Feithiclí atá i nDeireadh a Ré ar sárú é ar Rialachán 14(1)(b)(i)</p>		€1,000
	7	<p>Offence under Regulation 34 of the End-of-Life Vehicles Regulations consisting of a contravention of regulation 14(1) (b)(iii)</p> <p>Cion faoi Rialachán 34 de na Rialacháin maidir le Feithiclí atá i nDeireadh a Ré ar sárú é ar rialachán 14(1)(b)(iii)</p>		€1,000
	8	<p>Offence under Regulation 34 of the End-of-Life Vehicles Regulations consisting of a contravention of regulation 20(a)</p> <p>Cion faoi Rialachán 34 de na Rialacháin maidir le Feithiclí atá i nDeireadh a Ré ar sárú é ar rialachán 20(a)</p>		€1,000
	9	<p>Offence under Regulation 34 of the End-of-Life Vehicles Regulations consisting of a contravention of regulation 22(1)</p> <p>Cion faoi Rialachán 34 de na Rialacháin maidir le Feithiclí atá i nDeireadh a Ré ar sárú é ar rialachán 22(1)</p>		€1,000
	10	<p>Offence under Regulation 34 of the Packaging Regulations consisting of a contravention of regulation 10(1)(b)</p> <p>Cion faoi Rialachán 34 de na Rialacháin maidir le Pacáistiú ar sárú é ar rialachán 10(1)(b)</p>		€1,000
	11	<p>Offence under Regulation 34 of the Packaging Regulations consisting of a contravention of regulation 10(1)(c)</p> <p>Cion faoi Rialachán 34 de na Rialacháin maidir le Pacáistiú ar sárú é ar rialachán 10(1)(c)</p>		€1,000

(1)	(2)	(3)	(4)	(5)
	12	<p>Offence under Regulation 34 of the Packaging Regulations consisting of a contravention of regulation 10(1)(d)</p> <p>Cion faoi Rialachán 34 de na Rialacháin maidir le Pacáistiú ar sárú é ar rialachán 10(1)(d)</p>		€1,000
	13	<p>Offence under Regulation 39 of the WEEE Regulations consisting of a contravention of regulation 13(5)</p> <p>Cion faoi Rialachán 39 de na Rialacháin maidir le DTLL ar sárú é ar rialachán 13(5)</p>		€500
	14	<p>Offence under Regulation 39 of the WEEE Regulations consisting of a contravention of regulation 29(a)(i)</p> <p>Cion faoi Rialachán 39 de na Rialacháin maidir le DTLL ar sárú é ar rialachán 29(a)(i)</p>		€500
	15	<p>Offence under Regulation 39 of the WEEE Regulations consisting of a contravention of regulation 29(a)(ii)</p> <p>Cion faoi Rialachán 39 de na Rialacháin maidir le DTLL ar sárú é ar rialachán 29(a)(ii)</p>		€500
	16	<p>Offence under Regulation 39 of the WEEE Regulations consisting of a contravention of regulation 30(3)</p> <p>Cion faoi Rialachán 39 de na Rialacháin maidir le DTLL ar sárú é ar rialachán 30(3)</p>		€500
	17	<p>Offence under Regulation 47 of the Batteries and Accumulators Regulations consisting of a contravention of regulation 21(4)(a)</p> <p>Cion faoi Rialachán 47 de na Rialacháin maidir le Ceallraí agus Taisc-Chealla ar sárú é ar rialachán 21(4)(a)</p>		€500

(1)	(2)	(3)	(4)	(5)
	18	Offence under Regulation 47 of the Batteries and Accumulators Regulations consisting of a contravention of regulation 32(c) Cion faoi Rialachán 47 de na Rialacháin maidir le Ceallraí agus Taisc-Chealla ar sárú é ar rialachán 32(c)		€500
	19	Offence under Regulation 34 of the Packaging Regulations consisting of a contravention of regulation 10(1)(a) Cion faoi Rialachán 34 de na Rialacháin maidir le Pacáistiú ar sárú é ar rialachán 10(1)(a)		€500
	20	Offence under Regulation 34 of the Packaging Regulations consisting of a contravention of regulation 15(1)(b) Cion faoi Rialachán 34 de na Rialacháin maidir le Pacáistiú ar sárú é ar rialachán 15(1)(b)		€500
	21	Offence under Regulation 34 of the Packaging Regulations consisting of a contravention of regulation 15(2)(c) Cion faoi Rialachán 34 de na Rialacháin maidir le Pacáistiú ar sárú é ar rialachán 15(2)(c)		€500
	22	Offence under Regulation 34 of the End-of-Life Vehicles Regulations consisting of a contravention of regulation 33 Cion faoi Rialachán 34 de na Rialacháin maidir le Feithiclí atá i nDeireadh a Ré ar sárú é ar rialachán 33		€100



GIVEN under my Official Seal,
14 July 2016.

SIMON COVENEY,
Minister for the Environment, Community and
Local Government.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

Producer Responsibility Initiatives have been developed for a number of waste streams, based on the polluter pays principle, including Waste Electrical and Electronic Equipment (WEEE), batteries, packaging and end-of-life vehicles (ELVs). These Regulations set out the form to be used by authorised persons when issuing fixed payment notices for breaches of certain provisions of Producer Responsibility Regulations.

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