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STATUTORY INSTRUMENTS

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**2006 No. 3289**

The Waste Electrical and Electronic  
Equipment Regulations 2006

PART 12

APPEALS

**Right of appeal**

- 66.**—(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 Scottish Ministers against a decision of SEPA; and
  - (c) 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 approval of that operator’s proposed scheme under regulation 41; or
  - (b) to withdraw approval of that operator’s scheme under regulation 44.
- (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 Scottish Ministers against a decision of SEPA; and
  - (c) 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 47;
  - (b) to refuse to grant an extension of a grant of approval made to that exporter under regulation 48; or
  - (c) to suspend or cancel a grant of approval made in relation to that ATF or that exporter under regulation 50.
- (5) For the purposes of this Part and Schedule 11, “appeal body” means one of the following—
- (a) the Secretary of State,
  - (b) the Scottish Ministers, or
  - (c) the Planning Appeals Commission.