

## **Broker and Dealers Registration**

### **What are the new Brokers and Dealers Regulations?**

The Waste Management (Registration of Brokers and Dealers) Regulations, S.I. No. 113 of 2008 provide of a registration system for waste brokers and dealers in order to better facilitate controls on such persons who arrange shipments of waste.

### **Who is required to register?**

Any individual or business involved in the export or import of Amber List or Green List waste for recovery and/or disposal must register with the National Transfrontier Shipment Office (NTFSO) in Dublin City Council.

A **broker** is defined as an individual or company who arranges the recovery or disposal of waste and includes those who do not take physical possession of the waste.

A **dealer** means any individual or company whose activities involve the purchase and selling of waste and includes those who do not take physical possession of the waste.

Brokers and dealers as described above must be registered with the NTFSO in Dublin City Council in order to carry out their activities. Registration is valid for a period of two (2) years.

### **How do I register?**

Applications for registration must be submitted to the NTFSO of Dublin City Council. The application form is available from the NTFSO, which must be completed and accompanied by the following documents:

- Signed and stamped statutory declaration (provided with application form) (Schedule 1 of the Regulations)
- Copy of the applicant's certificate of incorporation, certified by the Registrar of Companies **or** CRO number, issued by same **or**, if this is not applicable, tax clearance certificate.
- If the applicant carries out business under a name which differs to that of the applicant, a copy of a certificate of registration under the Registration of Business Names Act 1963
- Application fee of €200

A full list of the information required is given in [Articles 7 and 8 of the Waste Management \(Registration of Brokers and Dealers\) Regulations 2008](#).

Application forms can be accessed through the appropriate quick-link on the following web-page or by emailing [nationaltfs@dublincity.ie](mailto:nationaltfs@dublincity.ie):  
[http://www.dublincity.ie/WaterWasteEnvironment/Waste/WasteCollectors/National\\_TFS\\_Office/Pages/NationalTFSSOffice.aspx](http://www.dublincity.ie/WaterWasteEnvironment/Waste/WasteCollectors/National_TFS_Office/Pages/NationalTFSSOffice.aspx)

### **Where should applications be sent for processing?**

Completed applications forms and accompanying documentation should be sent to the following address:

Brokers and Dealers Registration  
National Transfrontier Shipment Office  
Floor 2, Block B, Blackhall Walk  
Smithfield  
Dublin 7

### **What is the application fee?**

A registration fee of €200 applies to all applications (*certificates are valid for 2 years*).

### **What are the criteria used in deciding to grant or refuse an application for registration?**

See [Article 8 of the Regulations](#).

The certificate of registration may be subject to conditions related to environmental protection and preventing the illegal shipment of waste, see [Article 9 of the Regulations](#).

Please be advised that the NTFSO is not in a position to issue a certificate of registration where:

- (1) There are outstanding monies owed on a customer's account
- (2) Green List Waste (GLW) reports are not being submitted on a quarterly basis in accordance with the above articles of the regulations

**Disclaimer: This document is a guide only and does not purport to provide, and should not be relied upon as, a legal interpretation of the Regulations.**

**Is there an appeals process if I am refused a certificate of registration?**

See [Article 11](#) of the Regulations.

**How will commercially sensitive information be handled in the application process?**

See [Article 14 \(3\)](#) of the Regulations.

**What if my company is registered outside of Ireland?**

Where the applicant is incorporated outside the State, the equivalent company registration certificate from the appropriate authority of that State must be provided.

If the applicant's principal place of business is outside the State, confirmation must be provided from the competent authority (ies) of that State of the applicant's registration or authorisation under the relevant legislation in that State.

Applicants for registration, who are resident outside of the State, will be required to provide the address and the CRO Number of their principal place of business within the State. A signed letter from the business providing the applicant with authorisation to use their address must also be submitted on their company headed paper.

It is an offence under these Regulations to supply misleading or false information in an application for registration.

**How long is the certificate of registration valid?**

Certificates of registration will be valid for a period of two (2) years.

**How do I renew or transfer my certificate of registration?**

- See [Article 10](#) for certificate renewal process
- See [Article 12](#) for transfer of certificate process

**Duties of Brokers and Dealers**

The obligations of brokers and dealers are set out in [Article 13 of the Waste Management \(Registration of Brokers and Dealers\) Regulations, S.I. No. 113 of 2008](#), and include:

- Compile and maintain records relating to the waste dealt with during the course of business
- Notify the competent authority (Dublin City Council) when convicted of an offence as specified in Schedule 2 of the regulations
- Make available, within 10 working days, records as required under the regulations
- Provide information on the collection and movement of waste as specified by the competent authority
- Records must be retained for 5 years.
- It is an offence under these Regulations to supply misleading or false information in an application for registration.

**What obligations are there on individuals or companies exporting waste from the State?**

Under [Article 15 of the regulations](#) only registered brokers and dealers may export waste from Ireland. Therefore any person or business who arranges for the shipment of waste which are subject to the TFS Regulations (i.e. Green List and Amber List waste) and the Brokers and Dealers Regulations, has a responsibility to only use a broker or dealer who is registered with the competent authority. Any person who contravenes these provisions shall be guilty of an offence.

**What are the enforcement powers of NTFSO regarding brokers and dealers?**

- The NTFSO administers the registration of waste brokers and dealers
- It has enforcement powers, see [Article 11](#) (revocation process) and [14 \(general enforcement\)](#) of the Regulations

**Contact details of NTFSO on this issue:**

Brokers and Dealers Registration  
National Transfrontier Shipment Office  
Floor 2, Block B, Blackhall Walk  
Smithfield  
Dublin 7  
Tel: 01 222 4601  
Fax: 01 411 3440  
Email: [nationaltfs@dublincity.ie](mailto:nationaltfs@dublincity.ie)

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