



2015/0272(COD)

8.7.2016

AMENDMENTS

18 - 99

Draft report

Simona Bonafè

(PE580.560v03-00)

Proposal for a directive of the European Parliament and of the Council amending Directives 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment

Proposal for a directive

(COM(2015)0593 – C8-0383/2015 – 2015/0272(COD))

Amendment 18
Notis Marias

Draft legislative resolution
Citation 3 a (new)

Draft legislative resolution

Amendment

- having regard to the Protocol (No. 2) of the TFEU on the application of the principles of subsidiarity and proportionality,

Or. el

Amendment 19
Luke Ming Flanagan

Proposal for a directive
Citation 4 a (new)

Text proposed by the Commission

Amendment

- *having regard to the opinion of the European Economic and Social Committee of 17 October 2013,*

Or. en

Amendment 20
José Blanco López, Soledad Cabezón Ruiz, Inmaculada Rodríguez-Piñero Fernández

Proposal for a directive
Recital 1

Text proposed by the Commission

Amendment

(1) Waste management in the Union should be improved, with a view to protecting, preserving and improving the quality of the environment, protecting human health, ensuring prudent and rational utilisation of natural resources and promoting a more circular economy.

(1) Waste management in the Union should be improved, with a view to protecting, preserving and improving the quality of the environment, protecting human health, ensuring prudent and rational utilisation of natural resources and promoting a more circular economy, *increasing energy efficiency and reducing*

the Union's dependence.

Or. es

Amendment 21

Piernicola Pedicini, Eleonora Evi, Marco Affronte

Proposal for a directive

Recital 1

Text proposed by the Commission

(1) Waste management in the Union should be improved, with a view to protecting, preserving and improving the quality of the environment, protecting human health, ensuring prudent and **rational utilisation** of natural resources and promoting **a more** circular economy.

Amendment

(1) Waste management in the Union should be improved, with a view to protecting, preserving and improving the quality of the environment, protecting human health, ensuring prudent and **efficient use** of natural resources and promoting **the principles of the** circular economy.

Or. en

Amendment 22

Pavel Poc, Jytte Guteland, Karin Kadenbach

Proposal for a directive

Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) A clean, effective and sustainable circular economy requires the removal of hazardous substances from products at the design stage and in this context circular economy should recognise explicit provisions in the Seventh Environment Action Programme which calls for the development of non-toxic material cycles so that recycled waste can be used as a major, reliable source of raw material for the Union.

Or. en

Justification

The EU should focus on creating a clean circular economy and avoid possible major risk of a future loss in public and market confidence in recycled material while creating an endless legacy. The main burden for recyclers is the presence of hazardous substances in material. The focus of the EU should be on getting these hazardous substances out of products and waste, and not endangering public health and the environment by exempting certain classes of businesses or products from safe requirements and by making it impossible to identify those contaminated materials in the future.

Amendment 23

Pavel Poc, Jytte Guteland, Karin Kadenbach

Proposal for a directive

Recital 1 b (new)

Text proposed by the Commission

Amendment

(1b) A political and societal incentive to promote recycling as a sustainable way to handle natural resources within circular economy should respect the waste management hierarchy laid down in Article 4 of Directive 2008/98/EC and strictly apply approach, where prevention takes priority over recycling.

Or. en

Justification

A circular economy cannot work without clean production. Toxic substances should be avoided at the design stage to allow products and materials to circulate in a closed loop without endangering the quality of materials and the health of citizens, workers and the environment. This requires changing the approach to toxic substances so that in a circular economy, hazardous substances will not hinder the processes of reuse, repair and recycling.

Amendment 24

Pavel Poc, Jytte Guteland, Karin Kadenbach

Proposal for a directive

Recital 1 c (new)

Text proposed by the Commission

Amendment

(1c) The Commission, the Member States and the European Chemicals Agency (ECHA) should step up their efforts to substitute hazardous substances in the context of Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment with a view to establishing a non-toxic material cycle, main emphasis should be put on the need for adequate information on the presence of substances of very high concern in materials, products and waste.

Or. en

Justification

Chemicals of very high concern are currently still present in many products of everyday use. As a preventive measure, all chemicals of very high concern shall be strictly prohibited from entering the circular economy.

Amendment 25

Pavel Poc, Jytte Guteland, Karin Kadenbach

Proposal for a directive

Recital 1 d (new)

Text proposed by the Commission

Amendment

(1d) Once recycled material that re-enters the economy due to it receiving end of waste status, by complying with specific end of waste criteria or being incorporated in a new product, it must be fully compliant with chemical legislation.

Or. en

Justification

REACH does not apply to waste, as stated in Article 2(2) “Waste as defined in Directive 2006/12/EC of the European Parliament and of the Council is not a substance, mixture or

article within the meaning of Article 3 of this Regulation”.

Amendment 26

Tibor Szanyi

Proposal for a directive

Recital 2

Text proposed by the Commission

(2) To reduce regulatory burden on small establishments or undertakings, simplification of the permitting and registration requirements for small establishments or undertakings should be introduced.

Amendment

(2) To reduce regulatory burden *also* on small establishments or undertakings, simplification of the permitting and registration requirements for small establishments or undertakings should be introduced.

Or. en

Amendment 27

Luke Ming Flanagan

Proposal for a directive

Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) In its opinion of 17 October 2013, entitled "Towards more sustainable consumption: industrial product lifetimes and restoring trust through consumer information", the European Economic and Social Committee (EESC) put forward various recommendations for tackling planned obsolescence. In particular, the EESC states that it would like to see a total ban on products with built-in defects designed to end the product's life and advocates providing information to consumers on a product's estimated life expectancy or number of use cycles so that consumers can make informed purchasing decisions.

Or. en

Amendment 28
Luke Ming Flanagan

Proposal for a directive
Recital 2 b (new)

Text proposed by the Commission

Amendment

(2b) *Planned obsolescence means designing products with built-in defects which are intended to end prematurely the product's life. It consists of manufacturing products in such a way that those products will have a shorter lifespan, if necessary by designing them to run only for a limited number of operations, and therefore ensure a minimum renewal rate for those products. Planned obsolescence includes indirect obsolescence which results from the components necessary to repair the product being unobtainable or from the product being impossible to repair, as well as incompatibility obsolescence which, in the case of computerised products, occurs when software no longer works or no longer works effectively once the operating system has been updated. Planned obsolescence leads to a waste of resources, contributes to consumer indebtedness and, through increased pollution, is capable of having an adverse effect on public health.*

Or. en

Amendment 29
Luke Ming Flanagan

Proposal for a directive
Recital 2 c (new)

Text proposed by the Commission

Amendment

(2c) *Consumers should be able to make*

informed purchasing decisions. That is why producers should be required to provide information to consumers on the products' estimated life expectancy or the number of use cycles that the products are expected to last. Member States should monitor the accuracy of the information given to consumers.

Or. en

Amendment 30

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

Proposal for a directive

Recital 2

Text proposed by the Commission

(2) Implementation reports prepared by Member States every three years have not proved to be an effective tool for verifying compliance and ensuring correct implementation, and are generating unnecessary administrative burden. It is therefore appropriate to repeal provisions obliging Member States to produce such reports and for compliance monitoring purposes use exclusively the statistical data which Member States report every *year* to the Commission.

Amendment

(2) Implementation reports prepared by Member States every three years have not proved to be an effective tool for verifying compliance and ensuring correct implementation, and are generating unnecessary administrative burden. It is therefore appropriate to repeal provisions obliging Member States to produce such reports and for compliance monitoring purposes use exclusively the statistical data which Member States report every *three years* to the Commission.

Or. en

(Due to an uncorrected editorial error, the Commission proposal has two recitals no.2. This amendment refers to the second Recital 2.)

Amendment 31

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Frédérique Ries, Ulrike Müller, Jan Huitema, Jasenko Selimovic, Anneli Jäätteenmäki, Pavel Telička

Proposal for a directive

Recital 3

Text proposed by the Commission

(3) **Statistical data** reported by Member States are essential for the Commission to assess compliance with waste legislation across the Member States. The quality, reliability and comparability of **statistics** should be improved by introducing a single entry point for all waste data, deleting obsolete reporting requirements, benchmarking national reporting methodologies and introducing a data quality check report.

Amendment

(3) **Data and information** reported by Member States are essential for the Commission to assess compliance with waste legislation across the Member States. The quality, reliability and comparability of **reported data** should be improved by **establishing a common methodology for collection and processing of data based on reliable sources and** by introducing a single entry point for all waste data, deleting obsolete reporting requirements, benchmarking national reporting methodologies and introducing a data quality check report. **Reliable reporting of data concerning waste management is paramount to efficient implementation and to ensuring comparability of data among Member States. Therefore, when reporting on the achievement of the targets set out in these Directives, Member States shall use the common methodology developed by the Commission in cooperation with the national statistical offices of Member States and the national authorities responsible for waste management.**

Or. en

Amendment 32
Inés Ayala Sender

Proposal for a directive
Recital 3

Text proposed by the Commission

(3) Statistical data reported by Member States are essential for the Commission to assess compliance with waste legislation across the Member States. The quality, reliability and comparability of statistics should be improved by introducing a single entry point for all waste data, deleting

Amendment

(3) Statistical data reported by Member States are essential for the Commission to assess compliance with waste legislation across the Member States. The quality, reliability and comparability of statistics should be improved by **establishing a common methodology for data collection**

obsolete reporting requirements, benchmarking national reporting methodologies and introducing a data quality check report.

and processing, which will be available to the public, and by introducing a single entry point for all waste data, deleting obsolete reporting requirements, benchmarking national reporting methodologies and introducing a data quality check report.

Or. es

Amendment 33

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Frédérique Ries, Ulrike Müller, Jan Huitema, Anneli Jäätteenmäki, Pavel Telička

Proposal for a directive

Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) Member States should ensure that the separate collection of Waste Electrical and Electronic Equipment (WEEE) is followed by proper treatment. To ensure a level playing field and compliance with waste legislation and the concept of the circular economy, the Commission should develop common standards for the treatment of WEEE, as mandated in Directive 2012/19/EU.

Or. en

Amendment 34

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Frédérique Ries, Ulrike Müller, Jan Huitema, Anneli Jäätteenmäki, Pavel Telička

Proposal for a directive

Recital 4

Text proposed by the Commission

Amendment

(4) Reliable reporting of statistical data concerning waste management is paramount to efficient implementation and to ensuring comparability of data

deleted

among a level playing field between Member States. Therefore, when preparing the reports on compliance with the targets set out in these Directives, Member States should be required to use the most recent methodology developed by the Commission and the national statistical offices of the Member States.

Or. en

Amendment 35
Josu Juaristi Abaunz

Proposal for a directive
Recital 4

Text proposed by the Commission

(4) Reliable reporting of statistical data concerning waste management is paramount to efficient implementation and to ensuring comparability of data among *a level playing field between* Member States. Therefore, when preparing the reports on compliance with the targets set out in *these Directives*, Member States should be required to use *the most recent methodology* developed by the Commission *and* the national statistical offices of the Member States.

Amendment

(4) Reliable reporting of statistical data concerning waste management is paramount to efficient implementation and to ensuring comparability of data among Member States. Therefore, when preparing the reports on compliance with the targets set out in *Directive 94/62/EC*, Member States should be required to use *a common methodology for data collection and processing* developed by the Commission, the national statistical offices of the Member States *and national, regional and local authorities responsible for waste management*.

Or. en

Amendment 36
Kateřina Konečná

Proposal for a directive
Recital 4

Text proposed by the Commission

(4) Reliable reporting of statistical data

Amendment

(4) Reliable reporting of statistical data

concerning waste management is paramount to efficient implementation and to ensuring comparability of data among a level playing field between Member States. Therefore, when preparing the reports on compliance with the targets set out in these Directives, Member States should be required to use the most recent methodology developed by the Commission and the national statistical offices of the Member States.

concerning waste management is paramount to efficient implementation and to ensuring comparability of data among a level playing field between Member States. Therefore, when preparing the reports on compliance with the targets set out in these Directives, Member States should be required to use the most recent methodology developed by the Commission and the national statistical offices of the Member States ***and national authorities responsible for waste management.***

Or. en

Amendment 37

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Frédérique Ries, Ulrike Müller, Jan Huitema, Jasenko Selimovic, Anneli Jäätteenmäki, Pavel Telička

Proposal for a directive

Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) In order to help achieve the targets laid down in this Directive and to help boost the transition to a circular economy, the Commission should promote the coordination and exchange of information and best practices between Member States and between different sectors of the economy. This exchange could be facilitated through communication platforms that could help raise awareness of new industrial solutions and allow for a better overview of available capacities and would contribute to connecting the waste industry and other sectors and to support industrial symbiosis.

Or. en

Amendment 38

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

Proposal for a directive

Recital 7

Text proposed by the Commission

(7) Since the objectives of this Directive, namely to improve the management of waste in the Union, and thereby contributing to the protection, preservation and improvement of the quality of the environment and to the prudent and rational utilisation of natural resources, *cannot* be *sufficiently* achieved by the Member States, but can rather, by reason of the scale or effects of the measures, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives,

Amendment

(7) Since the objectives of this Directive, namely to improve the management of waste in the Union, and thereby contributing to the protection, preservation and improvement of the quality of the environment and to the prudent and rational utilisation of natural resources, *might not* be *successfully* achieved by *all* the Member States, but can rather, by reason of the scale or effects of the measures, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives,

Or. fr

Amendment 39

Estefanía Torres Martínez, Josu Juaristi Abaunz

Proposal for a directive

Article 1 – paragraph -1 (new)

Directive 2000/53/EC

Article 1

Present text

"This Directive lays down measures which aim, as a first priority, at the prevention of waste from vehicles and, in addition, at the reuse, recycling and other forms of recovery of end-of life vehicles and their

Amendment

(-1) Article 1 is replaced by the following:

"This Directive lays down measures which aim, as a first priority, at the prevention of waste from vehicles and in addition, *following the waste hierarchy steps*, at the reuse, recycling and other forms of

components so as to reduce the disposal of waste, as well as at the improvement in the environmental performance of all of the economic operators involved in the life cycle of vehicles and especially the operators directly involved in the treatment of end-of life vehicles."

recovery of end-of life vehicles and their components so as to reduce the disposal of waste, as well as at the improvement in the environmental performance of all of the economic operators involved in the life cycle of vehicles and especially the operators directly involved in the treatment of end-of life vehicles."

Or. en

Justification

In order to ensure coherence and legal certainty among EU waste legislation, a reference to the waste hierarchy in articles 1, 6 and 7 is strongly needed.

Amendment 40 **Merja Kyllönen**

Proposal for a directive
Article 1 – paragraph -1 (new)
Directive 2000/53/EC
Article 6 – paragraph -1

Text proposed by the Commission

Amendment

(-1) In Article 6, before paragraph 1, the following paragraph is inserted:

-1. Member States shall ensure that shipments of used vehicles suspected to be end-of-life vehicles are carried out in accordance with the minimum requirements in Annex IIa and shall monitor such shipments accordingly.

Or. en

Justification

Too many cars and end-of-life products are exported without guarantee of proper treatment at the end of their life. The Correspondents' Guidelines on shipments of end-of-life vehicles (ELVs) were adopted by all Member States some years ago. They should be made legally binding and mandatory as a new Annex III (=IIa) of the ELV Directive. In addition, criteria should be developed for assessment of equivalent conditions for the treatment of ELVs exported outside of the EU (as for WEEE).

Amendment 41

Estefanía Torres Martínez, Josu Juaristi Abaunz

Proposal for a directive

Article 1 – paragraph -1 a (new)

Directive 2000/53/EC

Article 6 – paragraph 1

Present text

"1. Member States shall take the necessary measures to ensure that all end-of life vehicles are stored (even temporarily) and treated in accordance with the general requirements laid down in Article 4 of Directive 75/442/EEC, and in compliance with the minimum technical requirements set out in Annex I to this Directive, without prejudice to national regulations on health and environment."

Amendment

(-1a) Article 6 paragraph 1 is replaced by the following:

"1. Member States shall take the necessary measures to ensure that all end-of life vehicles are stored (even temporarily) and treated in accordance with ***the waste hierarchy priorities and*** the general requirements laid down in Article 4 of Directive 75/442/EEC, and in compliance with the minimum technical requirements set out in Annex I to this Directive, without prejudice to national regulations on health and environment."

Or. en

Justification

In order to ensure coherence and legal certainty among EU waste legislation, a reference to the waste hierarchy in articles 1, 6 and 7 is strongly needed.

Amendment 42

Estefanía Torres Martínez, Josu Juaristi Abaunz

Proposal for a directive

Article 1 – paragraph -1 b (new)

Directive 2000/53/EC

Article 7 – paragraph 1

Present text

"1. Member States shall take the

Amendment

(-1b) Article 7 paragraph 1 is replaced by the following:

"1. ***Having regard to the waste***

necessary measures to encourage the reuse of components which are suitable for reuse, the recovery of components which cannot be reused and the ***giving of preference to recycling*** when environmentally viable, without prejudice to requirements regarding the safety of vehicles and environmental requirements such as air emissions and noise control."

hierarchy priorities and the environmental impact of transport, Member States shall take the necessary measures to encourage the reuse ***and repair*** of components which are suitable for reuse, the recovery of components which cannot be reused and the ***recycling of materials*** when environmentally viable, without prejudice to requirements regarding the safety of vehicles and environmental requirements such as air emissions and noise control."

Or. en

Justification

In order to ensure coherence and legal certainty among EU waste legislation, a reference to the waste hierarchy in articles 1, 6 and 7 is strongly needed.

Amendment 43

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Frédérique Ries, Ulrike Müller, Jan Huitema, Jasenko Selimovic, Anneli Jäätteenmäki, Pavel Telička

Proposal for a directive

Article 1 – paragraph -1 (new)

Directive 2000/53/EC

Article 8 a (new)

Text proposed by the Commission

Amendment

(-1) After Article 8, the following Article is inserted:

"Article 8a

Instruments to promote a shift to a more circular economy

In order to contribute to the objectives laid down in this Directive, Member States shall make use of adequate economic instruments and other measures. Annex IIa provides examples of such instruments and measures."

Or. en

Amendment 44
Karl-Heinz Florenz

Proposal for a directive
Article 1 – paragraph 1 – point 2
Directive 2000/53/EC
Article 9 – paragraph 1 a

Text proposed by the Commission

1a. Member States shall report the data concerning the implementation of Article 7(2) for each calendar year to the Commission. They shall report this data electronically within 18 months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 1d. ***The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].***

Amendment

1a. Member States shall report the data concerning the implementation of Article 7(2) for each calendar year to the Commission. They shall report this data electronically within 18 months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 1d.

Or. en

Justification

The current reporting system should not be paused but instead be continued.

Amendment 45
Francesc Gambús

Proposal for a directive
Article 1 – paragraph 1 – point 2
Directive 2000/53/EC
Article 9 – paragraph 1 a

Text proposed by the Commission

1a. Member States shall report the data concerning the implementation of Article 7(2) for each calendar year to the Commission. ***They shall report this data***

Amendment

1a. Member States shall report the data concerning the implementation of Article 7(2) for each calendar year to the Commission. ***Reliable reporting of***

electronically within 18 months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 1d. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].

statistical data concerning waste management is vital to efficient implementation and to ensuring comparability of data among Member States. Therefore, when preparing the implementation reports under this Directive, Member States should use an adequate waste specific methodology developed by the Commission and the national statistical offices of the Member States. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].

Or. en

Justification

The European Parliament aims to establish a common methodology for data collection and processing for all the three Directives 2000/53/EC, Directive 2012/19/EU and Directive 2006/66/EC. Due to the totally different waste streams, the different handling and flow of materials, and moreover the different economic values flows referred to each waste stream, harmonization of data collection and reporting for the different product related waste directives is too difficult and not necessary.

Amendment 46 **Inés Ayala Sender**

Proposal for a directive
Article 1 – paragraph 1 – point 2
Directive 2000/53/EC
Article 9 – paragraph 1 a

Text proposed by the Commission

1a. Member States shall report the data concerning the implementation of Article 7(2) for each calendar year to the Commission. They shall report this data electronically within 18 months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 1d. The first

Amendment

1a. Member States shall report the data concerning the implementation of Article 7(2) for each calendar year to the Commission. They shall report this data electronically within 18 months of the end of the reporting year for which the data are collected. The data, ***which shall be available to the public, shall be collected and processed using the common***

report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].

methodology and reported in the format established by the Commission in accordance with paragraph 1d. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].

Or. es

Amendment 47

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 2000/53/EC

Article 9 – paragraph 1 a

Text proposed by the Commission

1a. Member States shall report the data concerning the implementation of Article 7(2) *for each* calendar *year* to the Commission. They shall report this data electronically within 18 months of the end of the *reporting year* for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 1d. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + *1 year*].

Amendment

1a. Member States shall report the data concerning the implementation of Article 7(2) *every three* calendar *years* to the Commission. They shall report this data electronically within 18 months of the end of the *three years period* for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 1d. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + *3 years*].

Or. en

Amendment 48

Davor Škrlec

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 2000/53/EC

Article 9 – paragraph 1 a

Text proposed by the Commission

1a. Member States shall report the data concerning the implementation of Article 7(2) for each calendar year to the Commission. They shall report this data electronically within **18** months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 1d. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].

Amendment

1a. Member States shall report the data concerning the implementation of Article 7(2) for each calendar year to the Commission. They shall report this data electronically within **12** months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 1d. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].

Or. en

Amendment 49

Jadwiga Wiśniewska, Bolesław G. Piecha

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 2000/53/EC

Article 9 – paragraph 1 a

Text proposed by the Commission

1a. Member States shall report the data concerning the implementation of Article 7(2) for each calendar year to the Commission. They shall report this data electronically within **18** months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 1d. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].

Amendment

1a. Member States shall report the data concerning the implementation of Article 7(2) for each calendar year to the Commission. They shall report this data electronically within **24** months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 1d. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].

Or. pl

Justification

In view of the time required in order to collect the data, the reporting time limit should be extended.

Amendment 50
Francesc Gambús

Proposal for a directive
Article 1 – paragraph 1 – point 2
Directive 2000/53/EC
Article 9 – paragraph 1 c

Text proposed by the Commission

1c. The Commission shall review the data reported in accordance with this Article and publish a report on the results of its review. The report shall assess of the organisation of the data collection, the sources of data and the methodology used in Member States as well as the completeness, reliability, timeliness and consistency of that data. The assessment may include specific recommendations for improvement. The report shall be drawn up every three years.

Amendment

1c. The Commission shall review the data reported in accordance with this Article and publish a report on the results of its review. The report shall assess of the organisation of the data collection, the sources of data and the methodology used in Member States as well as the completeness, reliability, timeliness and consistency of that data. The assessment may include specific recommendations for improvement. ***It shall ensure an assessment of the state of implementation by Member States.*** The report shall be drawn up every three years.

Or. en

Justification

As already stated in the Fitness Check 2014, Member States are experiencing difficulties in implementing the Directive on End-of-Life Vehicles (ELVs). The Commission report should provide an assessment of the difficulties being experienced and the progress that can be made in the implementation of the ELV Directive. As mentioned above it is considered to be nearly impossible and not necessary to draft a common methodology for the given variety of waste streams.

Amendment 51
Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

Proposal for a directive
Article 1 – paragraph 1 – point 2
Directive 2000/53/EC
Article 9 – paragraph 1 c

Text proposed by the Commission

1c. The Commission shall review the data reported in accordance with this Article and publish a report on the results of its review. The report shall assess of the organisation of the data collection, the sources of data and the methodology used in Member States as well as the completeness, reliability, timeliness and consistency of that data. The assessment may include specific recommendations for improvement. The report shall be drawn up every three years.

Amendment

1c. The Commission shall review the data reported in accordance with this Article and publish a report on the results of its review. The report shall assess of the organisation of the data collection, the sources of data and the methodology used in Member States as well as the completeness, reliability, timeliness and consistency of that data. The assessment may include specific ***non-binding*** recommendations for improvement. The report shall be drawn up every three years.

Or. en

Amendment 52
Karl-Heinz Florenz

Proposal for a directive
Article 1 – paragraph 1 – point 2 a (new)
Directive 2000/53/EC
Article 9 – paragraph 1 d a (new)

Text proposed by the Commission

Amendment

(2a) After paragraph 1d, the following paragraph is added:

1da. By 1 January 2018, in the context of the Circular Economy Action Plan, the Commission shall review this Directive as a whole and in particular its scope and the targets, based on an impact assessment and take into account the Union's circular economy policy objectives and initiatives. A special focus shall be on shipments of used vehicles suspected to be end-of-life vehicles and therefore the Correspondents' Guidelines No 9 on shipments of end-of-life vehicles* shall be included in the directive. The

review shall be accompanied by a legislative proposal, if appropriate.

Or. en

Justification

Too many cars and end-of-life products are exported without guarantee of proper treatment at the end of their life. The Correspondents' Guidelines No 9 on shipments of end-of-life vehicles were adopted by all Member States some years ago. They should be made legally binding and mandatory and therefore included in the directive. In addition, criteria should be developed for the assessment of equivalent conditions for the treatment of ELVs exported outside of the EU (as this was done for WEEE).

Amendment 53
Mark Demesmaeker

Proposal for a directive
Article 1 – paragraph 1 – point 2 a (new)
Directive 2000/53/EC
Article 9 – paragraph 1 d a (new)

Text proposed by the Commission

Amendment

(2a) After paragraph 1d, the following paragraph is added:

1da. By 31 December 2018, in the context of the Circular Economy Action Plan and in view of the EU's commitment to make the transition towards a circular economy, the Commission shall review this Directive as a whole based on an impact assessment. The Commission will examine the possibility of setting resource specific targets, in particular for critical raw materials. The review shall be accompanied by a legislative proposal, if appropriate.

Or. en

Justification

A review should focus on resource specific targets, in particular for critical raw materials.

Amendment 54

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Frédérique Ries, Ulrike Müller, Jan Huitema, Jasenko Selimovic, Anneli Jäätteenmäki, Pavel Telička

Proposal for a directive

Article 1 – paragraph 1 – point 2 a (new)

Directive 2000/53/EC

Annex II a (new)

Text proposed by the Commission

Amendment

(2a) After Annex II, the following Annex is added:

“Annex IIa

Instruments to promote a shift to a more circular economy.

1. Economic instruments:

1.1 progressive increase of landfill taxes and/or fees for all categories of waste (municipal, inert, others);

1.2 introduction or increase of incineration taxes and/or fees or specific bans for incineration of recyclable waste;

1.3 progressive extension to the whole territory of Member States of 'pay-as-you-throw' systems incentivising municipal waste producers to reduce, re-use and recycle their waste;

1.4 measures to improve the cost efficiency of existing and forthcoming producer responsibility schemes;

1.5 extension of the scope of the producer responsibility schemes to new waste streams;

1.6 economic incentives for local authorities to promote prevention, develop and intensify separate collection schemes;

1.7 measures to support the development of the re-use sector;

1.8 measures to suppress subsidies not consistent with the waste hierarchy.

2. Further measures:

2.1 public procurement;

2.2 technical and fiscal measures to support the development of markets for re-used products and recycled (including composted) materials as well as to improve the quality of recycled materials;

2.3 measures to increase public awareness of proper waste management and litter reduction, including ad hoc campaigns to ensure waste reduction at source and a high level of participation in the separate collection schemes;

2.4 measures to ensure an appropriate coordination, including by digital means, between all competent public authorities involved in waste management, and the involvement of other key stakeholders;

2.5 use of the European Structural and Investment Funds in order to finance the development of the waste management infrastructure needed to meet the relevant targets;

2.6 creation of communication platforms to foster exchange of best practices between industries and Member States;

2.7 any relevant alternative or additional measures aiming at meeting the same purpose.”

Or. en

Amendment 55
Merja Kyllönen

Proposal for a directive
Article 1 – paragraph 1 – point 2 a (new)
Directive 2000/53/EC
Annex II a (new)

Text proposed by the Commission

Amendment

(2a) After Annex II, the following Annex is added:

"Annex IIa

MINIMUM REQUIREMENTS FOR SHIPMENTS OF End-of-Life Vehicles

In order to distinguish between vehicles and end-of-life vehicles, where the holder of the object claims that he intends to ship or is shipping used vehicles and not end-of-life vehicles, Member States shall make use of the Correspondents' Guidelines No 9 on the Shipments of Waste Vehicles."

Or. en

Amendment 56

Estefanía Torres Martínez, Josu Juaristi Abaunz

Proposal for a directive

Article 2 – paragraph 1 – point -1 (new)

Directive 2006/66/EC

Article 6 – paragraph 1

Present text

Amendment

(-1) In Article 6, paragraph 1 is deleted.

"1. Member States shall not, on the grounds dealt with in this Directive, impede, prohibit, or restrict the placing on the market in their territory of batteries and accumulators that meet the requirements of this Directive.

Or. en

Justification

Applicable competition rules are properly set in the corresponding legal texts. This paragraph is neither needed nor pertinent.

Amendment 57
Estefanía Torres Martínez, Josu Juaristi Abaunz

Proposal for a directive
Article 2 – paragraph 1 – point -1 a (new)
Directive 2006/66/EC
Article 7

Present text

"Member States shall, having regard to the environmental impact of transport, take necessary measures to maximise the separate collection of waste batteries and accumulators **and** to minimise the disposal of batteries and accumulators as mixed municipal waste **in order** to achieve a high level of recycling for all waste batteries and accumulators."

Amendment

(-1a) Article 7 is replaced by the following:

"Member States shall, having regard to the environmental impact of transport, take necessary measures to **ensure the practical implementation of waste hierarchy priorities, including to** maximise the separate collection of waste batteries and accumulators, to minimise the disposal of batteries and accumulators as mixed municipal waste **and** to achieve a high level of recycling for all waste batteries and accumulators."

Or. en

Justification

In order to ensure coherence and legal certainty among EU waste legislation, a reference to the waste hierarchy in articles 7 and 15 is strongly needed.

Amendment 58
Luke Ming Flanagan

Proposal for a directive
Article 2 – paragraph 1 – point - 1 (new)
Directive 2006/66/EC
Article 11 – paragraph 2

Present text

"The provisions set out in the first paragraph shall not apply where, for safety, performance, medical or data integrity reasons, continuity of power supply is

Amendment

(-1) In Article 11, paragraph 2 is replaced by the following:

"The provisions set out in the first paragraph shall not apply where, for **duly justified** safety, performance, medical or data integrity reasons, continuity of power

necessary and a permanent connection between the appliance and the battery or accumulator is required."

supply is necessary and a permanent connection between the appliance and the battery or accumulator is required."

Or. en

Amendment 59

Estefanía Torres Martínez, Josu Juaristi Abaunz

Proposal for a directive

Article 2 – paragraph 1 – point -1 b (new)

Directive 2006/66/EC

Article 15 – paragraph 1

Present text

"1. *Treatment* and recycling may be undertaken outside the Member State concerned or outside the Community, provided that the shipment of waste batteries and accumulators is in compliance with Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community (1)."

Amendment

(-1b) In Article 15, paragraph 1 is replaced by the following:

"1. *Without losing sight of the waste hierarchy priorities and the environmental impact of transport,* treatment and recycling may be undertaken outside the Member State concerned or outside the Community, provided that the shipment of waste batteries and accumulators is in compliance with Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community (1). ***Member States shall take the necessary measures to prevent illegal shipment of waste.***"

Or. en

Justification

In order to ensure coherence and legal certainty among EU waste legislation, a reference to the waste hierarchy in articles 7 and 15 is strongly needed. Preventing illegal shipment of waste is a key aspect in order to meet the objectives of the Directive.

Amendment 60

Josu Juaristi Abaunz, Kateřina Konečná

Proposal for a directive
Article 2 – paragraph 1 – point - 1 (new)
Directive 2006/66/EC
Article 15 – Paragraph 1

Present text

"1. Treatment and recycling may be undertaken outside the Member State concerned or outside the Community, provided that the shipment of waste batteries and accumulators is in compliance with Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community (1)."

Amendment

(-1) In Article 15, paragraph 1 is replaced by the following:

"1. Treatment and recycling may be undertaken outside the Member State concerned or outside the Community, provided that the shipment of waste batteries and accumulators is in compliance with Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community (1). ***Member States shall take the necessary measures to prevent illegal shipment of waste.***

Or. en

Amendment 61
Estefanía Torres Martínez, Josu Juaristi Abaunz, Kateřina Konečná

Proposal for a directive
Article 2 – paragraph 1 – point -1 c (new)
Directive 2006/66/EC
Article 20 – paragraph 1 – point a

Present text

"(a) the potential effects on the environment and human health of the substances used in batteries and accumulators;"

Amendment

(-1c) In Article 20 paragraph 1, point a is replaced by the following:

"(a) the potential effects on the environment and human health of the substances used in batteries and accumulators ***as well as the environmental overall performance of each type of battery and accumulator throughout their entire life cycle, including its average useful life, its potential for repair and reuse and the concrete presence of hazardous substances;***"

Justification

Key information for end-users, in line with articles 1 and 5.

Amendment 62

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Frédérique Ries, Ulrike Müller, Jan Huitema, Anneli Jäätteenmäki, Pavel Telička

Proposal for a directive

Article 2 – paragraph -1 (new)

Directive 2006/66/EC

Article 21 a (new)

Text proposed by the Commission

Amendment

(-1) After Article 21, the following Article is inserted:

“Article 21a

Instruments to promote a shift to a more circular economy

In order to contribute to the objectives laid down in this Directive, Member States shall make use of adequate economic instruments and other measures. Annex IVa provides examples of such instruments and measures.”

Or. en

Amendment 63

Estefanía Torres Martínez, Josu Juaristi Abaunz

Proposal for a directive

Article 2 – paragraph 1 – point 2 – point -a (new)

Directive 2006/66/EC

Article 23 – paragraph –1 (new)

Text proposed by the Commission

Amendment

(-a) In Article 23, before paragraph 1, the following paragraph is inserted:

“(-1) Member States shall report the

data concerning the implementation of Article 10, 11 and 12 for each calendar year to the Commission. They shall report this data electronically within 18 months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with this paragraph. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].

The data reported by the Member State in accordance with this paragraph shall be accompanied by a quality check report.

The Commission shall review the data reported in accordance with this paragraph and publish a report on the results of its review. The report shall assess of the organisation of the data collection, the sources of data and the methodology used in Member States as well as the completeness, reliability, timeliness and consistency of that data. The assessment may include specific recommendations for improvement. The report shall be drawn up every three years.

The Commission shall adopt implementing acts laying down the format for reporting data in accordance with this paragraph. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 24.”

Or. en

Justification

There is no reason why the reporting of the implementation of this Directive should be different from the reporting of Directives 2000/53/EC and 2012/19/UE. In order to achieve a more coherent and effective data collection on waste, the wording proposed by the Commission for these Directives should be considered also here.

Amendment 64

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

Proposal for a directive

Article 2 – paragraph 1 – point 2 – point a

Directive 2006/66/EC

Article 23 – paragraph 1

Text proposed by the Commission

The Commission shall draw up a report on the implementation of this Directive and its impact on the environment and the functioning of the internal market by the end of **2016** at the latest.

Amendment

The Commission shall draw up a report on the implementation of this Directive and its impact on the environment and the functioning of the internal market by the end of [*enter year of entry into force + 1 year*] at the latest.

Or. en

Amendment 65

Kateřina Konečná

Proposal for a directive

Article 2 – paragraph 1 – point 2 – point a

Directive 2006/66/EC

Article 23 – paragraph 1

Text proposed by the Commission

The Commission shall draw up a report on the implementation of this Directive and its impact on the environment and the functioning of the internal market by the end of **2016** at the latest.

Amendment

The Commission shall draw up a report on the implementation of this Directive and its impact on the environment and the functioning of the internal market by the end of **2019** at the latest.

Or. en

Amendment 66

Matthias Groote, Karl-Heinz Florenz, Susanne Melior, Jo Leinen

Proposal for a directive

Article 2 – paragraph 1 – point 2 – point b a (new)

Directive 2006/66/EC

Article 23 – paragraph 3 a (new)

(ba) In Article 23, after paragraph 3, the following paragraph is inserted:

(3a) By 31 December 2018, in the context of Circular Economy Action Plan, the Commission shall review this Directive as a whole and in particular its scope and the targets, based on an impact assessment and take into account:

(a) the Union's circular economy policy objectives and initiatives;

(b) the technical development of new types of battery for whose energy storage no hazardous substances, in particular no heavy and other metals or metal ions maybe used.

The review shall, where appropriate, be accompanied by a legislative proposal.

Or. xm

Amendment 67

Mark Demesmaeker

Proposal for a directive

Article 2 – paragraph 1 – point 2 – point b a (new)

Directive 2006/66/EC

Article 23 – paragraph 3 a (new)

(ba) In Article 23, after paragraph 3, the following paragraph is inserted:

3a. By 31 December 2018, in the context of the Circular Economy Action Plan and in view of the EU's commitment to make the transition towards a circular economy, the Commission shall review this Directive as a whole, based on an impact assessment. The Commission will examine the possibility of setting resource specific targets, in particular for critical

raw materials. The review shall be accompanied by a legislative proposal, if appropriate.

Or. en

Justification

A review should focus on resource specific targets, in particular for critical raw materials.

Amendment 68

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Frédérique Ries, Ulrike Müller, Jan Huitema, Anneli Jäätteenmäki, Pavel Telička

Proposal for a directive

Article 1 – paragraph 1 – point 2 a (new)

Directive 2006/66/EC

Annex IV a (new)

Text proposed by the Commission

Amendment

(2a) After Annex IV, the following Annex is added:

Annex IVa

Instruments to promote a shift to a more circular economy.

1. Economic instruments:

1.1 progressive increase of landfill taxes and/or fees for all categories of waste (municipal, inert, others);

1.2 introduction or increase of incineration taxes and/or fees or specific bans for incineration of recyclable waste;

1.3 progressive extension to the whole territory of Member States of 'pay-as-you-throw' systems incentivising municipal waste producers to reduce, re-use and recycle their waste;

1.4 measures to improve the cost efficiency of existing and forthcoming producer responsibility schemes;

1.5 extension of the scope of the producer responsibility schemes to new waste

streams;

1.6 economic incentives for local authorities to promote prevention, develop and intensify separate collection schemes;

1.7 measures to support the development of the re-use sector;

1.8 measures to suppress subsidies not consistent with the waste hierarchy.

2. Further measures:

2.1 public procurement;

2.2 technical and fiscal measures to support the development of markets for re-used products and recycled (including composted) materials as well as to improve the quality of recycled materials;

2.3 measures to increase public awareness of proper waste management and litter reduction, including ad hoc campaigns to ensure waste reduction at source and a high level of participation in the separate collection schemes;

2.4 measures to ensure an appropriate coordination, including by digital means, between all competent public authorities involved in waste management, and the involvement of other key stakeholders;

2.5 use of the European Structural and Investment Funds in order to finance the development of the waste management infrastructure needed to meet the relevant targets;

2.6 creation of communication platforms to foster exchange of best practices between industries and Member States;

2.7 any relevant alternative or additional measures aiming at meeting the same purpose.

Or. en

Amendment 69
Estefanía Torres Martínez, Josu Juaristi Abaunz

Proposal for a directive

Article 3 – paragraph 1 – point -1 (new)

Directive 2012/19/EU

Article 4

Present text

"Member States shall, without prejudice to the requirements of Union legislation on the proper functioning of the internal market and on product design, including Directive 2009/125/EC, encourage cooperation between producers and recyclers and measures to promote the design and production of EEE, notably in view of facilitating re-use, dismantling and recovery of WEEE, its components and materials. In this context, Member States shall take appropriate measures so that the ecodesign requirements facilitating re-use and treatment of WEEE established in the framework of Directive 2009/125/EC are applied and producers do not prevent, through specific design features or manufacturing processes, WEEE from being re-used, unless such specific design features or manufacturing processes present overriding advantages, for example, with regard to the protection of the environment and/or safety requirements."

Amendment

(-1) Article 4 is replaced by the following:

"Member States shall, without prejudice to the requirements of Union legislation on the proper functioning of the internal market and on product design, including Directive 2009/125/EC, encourage cooperation between producers, **repairers** and recyclers and measures to promote the design and production of EEE, notably in view of facilitating **repair**, re-use, dismantling and recovery of WEEE, its components and materials. In this context, Member States shall take appropriate measures so that the ecodesign requirements facilitating re-use and treatment of WEEE established in the framework of Directive 2009/125/EC are applied and producers do not prevent, through specific design features or manufacturing processes, WEEE from being **repaired and** re-used, unless such specific design features or manufacturing processes present overriding advantages, for example, with regard to the protection of the environment and/or safety requirements."

Or. en

Justification

According to the waste hierarchy, re-use and repair shall be explicitly taken into account

Amendment 70

Josu Juaristi Abaunz, Kateřina Konečná

Proposal for a directive

Article 3 – paragraph 1 – point -1 (new)

Present text

“Member States shall, without prejudice to the requirements of Union legislation on the proper functioning of the internal market and on product design, including Directive 2009/125/EC, encourage cooperation between producers and recyclers and measures to promote the design and production of EEE, notably in view of facilitating re-use, dismantling and recovery of WEEE, its components and materials. In this context, Member States shall take appropriate measures so that the ecodesign requirements facilitating re-use and treatment of WEEE established in the framework of Directive 2009/125/EC are applied and producers do not prevent, through specific design features or manufacturing processes, WEEE from being re-used, unless such specific design features or manufacturing processes present overriding advantages, for example, with regard to the protection of the environment and/or safety requirements.”

Amendment

(-1) Article 4 is replaced by the following:

“Member States shall, without prejudice to the requirements of Union legislation on the proper functioning of the internal market and on product design, including Directive 2009/125/EC, encourage cooperation between producers and recyclers and measures to promote the design and production of ***long lasting*** EEE, notably in view of facilitating re-use, dismantling and recovery of WEEE, its components and materials. In this context, Member States shall take appropriate measures so that the ecodesign requirements facilitating re-use and treatment of WEEE established in the framework of Directive 2009/125/EC are applied and producers do not prevent, through specific design features or manufacturing processes, WEEE from being re-used, unless such specific design features or manufacturing processes present overriding advantages, for example, with regard to the protection of the environment and/or safety requirements.”

Or. en

Amendment 71
Estefanía Torres Martínez, Josu Juaristi Abaunz

Proposal for a directive
Article 3 – paragraph 1 – point -1 a (new)
Directive 2012/19/EU
Article 6 – title

Present text

Amendment

(-1a) In Article 6, the title is replaced by

"*Disposal and transport* of collected WEEE"

the following:

"*Use* of collected WEEE"

Or. en

Justification

Current title leads to confusion and do not reflects the waste hierarchy priorities.

Amendment 72

Estefanía Torres Martínez, Josu Juaristi Abaunz

Proposal for a directive

Article 3 – paragraph 1 – point -1 b (new)

Directive 2012/19/EU

Article 6 – paragraph 2 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

(-1b) In Article 6, in paragraph 2 subparagraph 2a added:

Having regard to the waste hierarchy priorities and the environmental impact of transport and without prejudice of the application of the "producer's responsibility" principle, the access to separately collected WEEE by repair and re-use local operators shall be promoted"

Or. en

Justification

According to the waste hierarchy, re-use and repair shall be explicitly taken into account and a market for repaired and reused articles shall be promoted.

Amendment 73

Estefanía Torres Martínez, Josu Juaristi Abaunz

Proposal for a directive

Article 3 – paragraph 1 – point -1 c (new)

Directive 2012/19/EU

Article 8 – paragraph 2

Present text

"2. Proper treatment, other than preparing for re-use, and recovery or recycling operations shall, as a minimum, include the removal of all fluids and a selective treatment in accordance with Annex VII."

Amendment

(-1c) In Article 8, paragraph 2 is replaced by the following:

"2. Proper treatment, other than preparing for re-use, and recovery or recycling operations **according to the waste hierarchy priorities** shall, as a minimum, include the removal of all fluids and a selective treatment in accordance with Annex VII"

Or. en

Justification

In order to ensure coherence and legal certainty among EU waste legislation, a reference to the waste hierarchy in articles 8 and 10 is strongly needed.

Amendment 74

Estefanía Torres Martínez, Josu Juaristi Abaunz

Proposal for a directive

Article 3 – paragraph 1 – point -1 d (new)

Directive 2012/19/EU

Article 8 – paragraph 3

Present text

"3. Member States shall ensure that producers **or** third parties acting on their behalf set up systems to provide for the recovery of WEEE using best available techniques. The systems may be set up by producers individually or collectively. Member States shall ensure that any establishment or undertaking carrying out collection or treatment operations stores and treats WEEE in compliance with the technical requirements set out in Annex VIII."

Amendment

(-1d) In Article 8, paragraph 3 is replaced by the following:

"3. Member States shall ensure that producers, third parties acting on their behalf **or third operators present in the market** set up systems to provide for the recovery of WEEE using best available techniques. The systems may be set up by producers individually or collectively. Member States shall ensure that any establishment or undertaking carrying out collection or treatment operations stores and treats WEEE in compliance with the technical requirements set out in Annex VIII."

Justification

Without prejudice of the application of the "producer's responsibility" principle, third operators present in the market should also be considered.

Amendment 75

Josu Juaristi Abaunz

Proposal for a directive

Article 3 – subparagraph 1 – point -1 (new)

Directive 2012/19/EU

Article 8 – paragraph 5 – subparagraph 1

Present text

"For the purposes of environmental protection, Member States *may* set up minimum quality standards for the treatment of the WEEE that has been collected."

Amendment

(-1) In Article 8 paragraph 5, subparagraph 1 is replaced by the following:

"For the purposes of environmental protection, Member States *shall* set up minimum quality standards for the treatment of the WEEE that has been collected. ***These standards shall be published.***"

Amendment 76

Francesc Gambús

Proposal for a directive

Article 3 – paragraph 1 – point -1 (new)

Directive 2012/19/EU

Article 8 – paragraph 5 – subparagraph 1

Text proposed by the Commission

“5. For the purposes of environmental protection, Member States *may* set up minimum quality standards for the

Amendment

(-1) In Article 8 paragraph 5, subparagraph 1 is replaced by the following:

“5. For the purposes of environmental protection, Member States *shall* set up minimum quality standards for the

treatment of the WEEE that has been collected."

treatment of the WEEE that has been collected. ***They shall publish these standards.***"

Or. en

Justification

The amendment proposed by ITRE Committee provides a collaborative approach to be adopted across the value chains in order to determine the most relevant characteristics and define adequately "minimum quality standards".

Amendment 77

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Frédérique Ries, Ulrike Müller, Jan Huitema, Anneli Jäätteenmäki, Pavel Telička

Proposal for a directive

Article 3 – paragraph 1 – point -1 (new)

Directive 2012/19/EU

Article 8 – paragraph 5

Text proposed by the Commission

"5. For the purposes of environmental protection, Member States *may* set up minimum quality standards for the treatment of ***the*** WEEE that has been collected.

Amendment

(-1) In Article 8 paragraph 5, subparagraph 1 is replaced by the following:

"5. For the purposes of environmental protection, Member States ***shall*** set up minimum quality standards for the treatment of WEEE that has been collected."

Or. en

Amendment 78

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Frédérique Ries, Ulrike Müller, Jan Huitema, Anneli Jäätteenmäki, Pavel Telička

Proposal for a directive

Article 3 – paragraph 1 – point -1 a (new)

Directive 2012/19/EU

Article 8 – paragraph 5

Text proposed by the Commission

Amendment

Member States *which opt for such quality standards* shall inform the Commission *thereof, which* shall publish these standards.”

(-1a) *In Article 8 paragraph 5, subparagraph 2 is replaced by the following:*

“Member States shall inform the Commission *of these standards. The Commission* shall publish these standards.”

Or. en

Amendment 79

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Frédérique Ries, Ulrike Müller, Jan Huitema, Anneli Jäätteenmäki, Pavel Telička

Proposal for a directive

Article 3 – paragraph 1 – point -1 (new)

Directive 2012/19/EU

Article 8 – paragraph 5 – subparagraph 4

Text proposed by the Commission

Amendment

"In order to ensure uniform conditions for the implementation of this Article, the Commission *may* adopt implementing acts laying down minimum quality standards *based in particular on the standards developed by the European standardisation organisations*. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 21(2)."

(-1) *In Article 8 paragraph 5, subparagraph 4 is replaced by the following:*

“In order to ensure uniform conditions for the implementation of this Article, *and in line with the mandate in Directive 2012/19/EU*, the Commission *shall* adopt implementing acts laying down minimum quality standards. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 21(2).”

Or. en

Amendment 80

Estefanía Torres Martínez, Josu Juaristi Abaunz

Proposal for a directive

Article 3 – paragraph 1 – point -1 e (new)

Present text

"1. The treatment operation may also be undertaken outside the respective Member State or the Union provided that the shipment of WEEE is in compliance with Regulation (EC) No 1013/2006 and Commission Regulation (EC) No 1418/2007 of 29 November 2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) No 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of wastes does not apply (2)."

Amendment

(-1e) In Article 10, paragraph 1 is replaced by the following:

"1. ***Without losing sight of the waste hierarchy priorities and the environmental impact of transport,*** the treatment operation may also be undertaken outside the respective Member State or the Union provided that the shipment of WEEE is in compliance with Regulation (EC) No 1013/2006 and Commission Regulation (EC) No 1418/2007 of 29 November 2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) No 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of wastes does not apply (2).

Member States shall take the necessary measures to prevent illegal shipment of waste."

Or. en

Justification

In order to ensure coherence and legal certainty among EU waste legislation, a reference to the waste hierarchy in articles 8 and 10 is strongly needed. Preventing illegal shipment of waste is a key aspect in order to meet the objectives of the Directive.

Amendment 81

Estefanía Torres Martínez, Josu Juaristi Abaunz

Proposal for a directive

Article 3 – paragraph 1 – point -1 f (new)

Directive 2012/19/EU

Article 11 – paragraph 1

Present text

Amendment

"1. Regarding all WEEE separately collected in accordance with Article 5 and sent for treatment in accordance with Articles 8, 9 and 10, Member States shall ensure that producers meet the minimum targets set out in Annex V."

(-1f) In Article 11, paragraph 1 is replaced by the following:

"1. Regarding all WEEE separately collected in accordance with Article 5 and **6 and** sent for treatment in accordance with Articles 8, 9 and 10, Member States shall ensure that producers meet the minimum targets set out in Annex V."

Or. en

Justification

Reference to article 6 is needed.

Amendment 82
Josu Juaristi Abaunz

Proposal for a directive
Article 3 – paragraph 1 – point -1 g (new)
Directive 2012/19/EU
Article 12 – paragraph 2

Present text

Amendment

Member States may, where appropriate, encourage producers to finance also the costs occurring for collection of WEEE from private households to collection facilities."

(-1g) In Article 12, paragraph 2 is replaced by the following:

"Member States may, where appropriate, encourage producers to finance also the costs occurring for collection of WEEE from private households to collection facilities.

Member states shall take the necessary measures to ensure that the financial contributions paid by the producer comply with his extended producer responsibility obligations and cover the entire cost of waste management for the products it puts on the Union market, including all the following:

costs of separate collection, sorting, transportation to the preparing for re-use, recycling and other recovery operations

required to meet the waste management targets referred to in paragraph 1, second indent, taking into account the revenues from re-use or sales of secondary raw material from their products;

costs of providing adequate information of waste holders in accordance with paragraph 2: cost of data gathering and reporting in accordance with paragraph 1;

costs of providing access to online platforms providing repair and service manuals to preparing for re-use operators, in line with article 15 of the Directive."

Or. en

Amendment 83

Estefanía Torres Martínez, Josu Juaristi Abaunz

Proposal for a directive

Article 3 – paragraph 1 – point -1 h (new)

Directive 2012/19/EU

Article 14 – paragraph 2 – point d

Present text

"(d) the potential effects on the environment and human health as a result of the presence of hazardous substances in EEE;"

Amendment

(-1h) In Article 14 paragraph 2, point d is replaced by the following:

"(d) the potential effects on the environment and human health as a result of the presence of hazardous substances in EEE, ***as well as the environmental overall performance of each concrete EEE placed in the market throughout their entire life cycle, including its average useful life, its potential for repair and reuse and the concrete presence of hazardous substances;***"

Or. en

Justification

Key information for end-users, in line with articles 1 and 4.

Amendment 84

Davor Škrlec

Proposal for a directive

Article 3 – paragraph 1 – point 1 – point b

Directive 1999/31/EC

Article 16 – paragraph 5 a

Text proposed by the Commission

5a. Member States shall report the data concerning the implementation of Article 16(4) for each calendar year to the Commission. They shall report this data electronically within 18 months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 5d. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].

Amendment

5a. Member States shall report the data concerning the implementation of Article 16(4) for each calendar year to the Commission. They shall report this data electronically within 18 months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 5d. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year]. ***Waste for which the Extended Producers Responsibility applies, as well as those for which the Extended Producers Responsibility does not apply, Member States shall establish a statistical hub for both.***

Or. en

Justification

It is important that reporting covers both EPR flows and non-EPR flows, as only part of the streams are collected by EPR schemes.

Amendment 85

Mark Demesmaeker

Proposal for a directive
Article 3 – paragraph 1 – point 1 – point b
Directive 2012/19/EU
Article 16 – paragraph 5 a

Text proposed by the Commission

5a. Member States shall report the data concerning the implementation of Article 16(4) for each calendar year to the Commission. They shall report this data electronically within 18 months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 5d. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].

Amendment

5a. Member States shall report the data concerning the implementation of Article 16(4) for each calendar year to the Commission. They shall report this data electronically within 18 months of the end of the reporting year for which the data are collected. ***Member States shall ensure that data from all actors involved in collecting and/or treating waste electrical and electronic equipment are reported.*** The data shall be reported in the format established by the Commission in accordance with paragraph 5d. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].

Or. en

Justification

Extend Producer Responsibility applies for WEEE. However, a significant amount of WEEE is collected and treated via systems other than EPR. The obligation to report should therefore apply to all actors involved.

Amendment 86
Karl-Heinz Florenz

Proposal for a directive
Article 3 – paragraph 1 – point 1 – point b
Directive 2012//19/EU
Article 16 – paragraph 5 a

Text proposed by the Commission

5a. Member States shall report the data concerning the implementation of Article

Amendment

5a. Member States shall report the data concerning the implementation of Article

16(4) for each calendar year to the Commission. They shall report this data electronically within 18 months of the end of the reporting year for which the data are collected. ***The data shall be reported in the format established by the Commission in accordance with paragraph 5d. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].***

16(4) for each calendar year to the Commission. They shall report this data electronically within 18 months of the end of the reporting year for which the data are collected. ***They shall ensure that data from all actors collecting or treating WEEE are reported. The data shall be reported in the format established by the Commission in accordance with paragraph 5d.***

Or. en

Justification

The revision of the Directive 2012/19/EC put special focus on the reporting by all actors in order to allow a better tracing of the WEEE flows. The current reporting system should not be paused but instead to be continued.

Amendment 87

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

Proposal for a directive

Article 3 – paragraph 1 – point 1 – point b

Directive 2012/19/EU

Article 16 – paragraph 5 a

Text proposed by the Commission

5a. Member States shall report the data concerning the implementation of Article 16(4) ***for each*** calendar year to the Commission. They shall report this data electronically within 18 months of the end of the ***reporting year*** for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 5d. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + ***1 year***].

Amendment

5a. Member States shall report the data concerning the implementation of Article 16(4) ***every three*** calendar years to the Commission. They shall report this data electronically within 18 months of the end of the ***three years period*** for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 5d. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + ***3 years***].

Amendment 88

Davor Škrlec

Proposal for a directive

Article 3 – paragraph 1 – point 1 – point b

Directive 2012/19/EU

Article 16 – paragraph 5 a

Text proposed by the Commission

5a. Member States shall report the data concerning the implementation of Article 16(4) for each calendar year to the Commission. They shall report this data electronically within **18** months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 5d. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].

Amendment

5a. Member States shall report the data concerning the implementation of Article 16(4) for each calendar year to the Commission. They shall report this data electronically within **12** months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 5d. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].

Justification

There is no need to grant 18 months to Member States for the annual reporting. This should be reduced to 12 months - in line with the previous Commission proposal.

Amendment 89

Jadwiga Wiśniewska, Bolesław G. Piecha

Proposal for a directive

Article 3 – paragraph 1 – point 1 – point b

Directive 2012/19/EU

Article 16 – paragraph 5 a

Text proposed by the Commission

5a. Member States shall report the data

PE585.726v01-00

Amendment

5a. Member States shall report the data

AM\1099995EN.doc

concerning the implementation of Article 16(4) for each calendar year to the Commission. They shall report this data electronically within **18** months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 5d. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].

concerning the implementation of Article 16(4) for each calendar year to the Commission. They shall report this data electronically within **24** months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 5d. The first report shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].

Or. pl

Justification

In view of the time required in order to collect the data, the reporting time limit should be extended.

Amendment 90

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

Proposal for a directive

Article 3 – paragraph 1 – point 1 – point b

Directive 2012/19/EU

Article 16 – paragraph 5 c

Text proposed by the Commission

5c. The Commission shall review the data reported in accordance with this Article and publish a report on the results of its review. The report shall cover an assessment of the organisation of the data collection, the sources of data and the methodology used in Member States as well as the completeness, reliability, timeliness and consistency of that data. The assessment may include specific recommendations for improvement. The report shall be drawn up every three years.

Amendment

5c. The Commission shall review the data reported in accordance with this Article and publish a report on the results of its review. The report shall cover an assessment of the organisation of the data collection, the sources of data and the methodology used in Member States as well as the completeness, reliability, timeliness and consistency of that data. The assessment may include specific **non-binding** recommendations for improvement. The report shall be drawn up every three years.

Or. en

Amendment 91
Mark Demesmaeker

Proposal for a directive
Article 3 – paragraph 1 – point 1 – point b
Directive 2012/19/EU
Article 16 – paragraph 5 d a (new)

Text proposed by the Commission

Amendment

5da. By 31 December 2018, in the context of the Circular Economy Action Plan and in view of the EU's commitment to make the transition towards a circular economy, the Commission shall review this Directive as a whole, based on an impact assessment. The Commission will examine the possibility of setting resource specific targets, in particular for critical raw materials. The review shall be accompanied by a legislative proposal, if appropriate.

Or. en

Justification

A review should focus on resource specific targets, in particular for critical raw materials.

Amendment 92
Luke Ming Flanagan

Proposal for a directive
Article 3 – paragraph 1 – point 1 a (new)
Directive 2012/19/EU
Article 16 a (new)

Text proposed by the Commission

Amendment

(1a) After Article 16, the following Article is inserted:

"Article 16a

Prohibition of planned obsolescence

Member States shall prohibit the placing on the market of products that have been designed to have built-in defects intended to end prematurely the product's life, including:

(a) making the product impossible or unreasonably expensive to repair, such as where the components necessary to repair the product are unobtainable; or

(b) making the product obsolete as a result of a software update or by ending product support.”

Or. en

Amendment 93
Luke Ming Flanagan

Proposal for a directive
Article 3 – paragraph 1 – point 1 b (new)
Directive 2012/19/EU
Article 16 b (new)

Text proposed by the Commission

Amendment

(1b) After Article 16, the following Article is inserted:

"Article 16b

Consumer information on products' life expectancy

Member States shall require producers to provide the following information to consumers about the minimum life expectancy of the products they manufacture:

(a) the time period, or

(b) where relevant, the number of use cycles such products may be expected to last.

For the purposes of this Article, a product's life expectancy means the time period during which or the minimum number of use cycles to which the

product's lifetime may be extended at a reasonable cost by upgrading the product or repairing it, taking into account, where relevant, a minimum time for the availability of spare parts and product support.

The Commission shall adopt delegated acts to supplement this Directive with detailed rules on the content and format of the information referred to this Article.

Member States shall monitor the accuracy of the consumer information provided in accordance with this Article.”

Or. en

Amendment 94

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Frédérique Ries, Ulrike Müller, Jan Huitema, Anneli Jäätteenmäki, Pavel Telička

Proposal for a directive

Article 3 – paragraph 1 – point 1 c (new)

Directive 2012/19/EU

Article 17 a (new)

Text proposed by the Commission

Amendment

(1c) After Article 17, the following Article is inserted:

“Article 17a

Instruments to promote a shift to a more circular economy

In order to contribute to the objectives laid down in this Directive, Member States shall make use of adequate economic instruments and other measures. Annex Xa provides examples of such instruments and measures.”

Or. en

Amendment 95

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Frédérique Ries, Ulrike

PE585.726v01-00

54/58

AM\1099995EN.doc

Proposal for a directive

Article 3 – paragraph 1 – point 2 a (new)

Directive 20/53/EC

Annex X a (new)

Text proposed by the Commission

Amendment

(2a) After Annex X, the following Annex is inserted:

“Annex Xa

Instruments to promote a shift to a more circular economy.

Economic instruments:

1.1 progressive increase of landfill taxes and/or fees for all categories of waste (municipal, inert, others);

1.2 introduction or increase of incineration taxes and/or fees or specific bans for incineration of recyclable waste;

1.3 progressive extension to the whole territory of Member States of 'pay-as-you-throw' systems incentivising municipal waste producers to reduce, re-use and recycle their waste;

1.4 measures to improve the cost efficiency of existing and forthcoming producer responsibility schemes;

1.5 extension of the scope of the producer responsibility schemes to new waste streams;

1.6 economic incentives for local authorities to promote prevention, develop and intensify separate collection schemes;

1.7 measures to support the development of the re-use sector;

1.8 measures to suppress subsidies not consistent with the waste hierarchy.

2. Further measures:

2.1 public procurement;

2.2 technical and fiscal measures to support the development of markets for

re-used products and recycled (including composted) materials as well as to improve the quality of recycled materials;

2.3 measures to increase public awareness of proper waste management and litter reduction, including ad hoc campaigns to ensure waste reduction at source and a high level of participation in the separate collection schemes;

2.4 measures to ensure an appropriate coordination, including by digital means, between all competent public authorities involved in waste management, and the involvement of other key stakeholders;

2.5 use of the European Structural and Investment Funds in order to finance the development of the waste management infrastructure needed to meet the relevant targets;

2.6 creation of communication platforms to foster exchange of best practices between industries and Member States;

2.7 any relevant alternative or additional measures aiming at meeting the same purpose.”

Or. en

Amendment 96

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

Proposal for a directive

Article 4 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [insert date *eighteen* months after the entry into force of this Directive] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

Amendment

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [insert date *thirty-six* months after the entry into force of this Directive] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

Amendment 97
Kateřina Konečná

Proposal for a directive
Article 4 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [insert date ***eighteen*** months after the entry into force of this Directive] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

Amendment

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [insert date ***twenty-four*** months after the entry into force of this Directive] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

Or. en

Amendment 98
Jadwiga Wiśniewska, Bolesław G. Piecha

Proposal for a directive
Article 4 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [insert date ***eighteen*** months after the entry into force of this Directive] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

Amendment

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [insert date ***thirty-six*** months after the entry into force of this Directive] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

Or. pl

Justification

Eighteen months is far too short a space of time in which to bring such a complicated set of provisions into force. The time limit for the package as a whole therefore needs to be extended to 36 months.

Amendment 99

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

Proposal for a directive

Article 4 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [insert date ***eighteen*** months after the entry into force of this Directive] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

Amendment

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [insert date ***twenty-four*** months after the entry into force of this Directive] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

Or. fr