



2015/0272(COD)

20.6.2016

AMENDMENTS

19 - 80

Draft opinion

Pavel Telička

(PE582.215v01-00)

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 – C8-0384/2015 – 2015/0272(COD))

Amendment 19
Notis Marias

Proposal for a directive
Citation 1 a (new)

Text proposed by the Commission

Amendment

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

Or. el

Amendment 20
Notis Marias

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 *and managing the hazardous materials contained in most of the packaging of electrical and electronic equipment.*

Or. el

Amendment 21
José Blanco López, Soledad Cabezón Ruiz, Inmaculada Rodríguez-Piñero Fernández

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 rational utilisation of natural resources, promoting a more circular economy, **increasing energy efficiency and reducing the EU's level of dependence.**

Or. es

Amendment 22
Adam Gierek

Proposal for a directive
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) Simply recycling industrial waste and using it as a fully-fledged secondary raw material results in much higher energy use; in general, goods should therefore be manufactured using alternative methods based on low-energy and low-emission technologies. To speed up progress towards the effective management of secondary raw materials, priority should be given to R&D efforts to determine the quality and usefulness of such waste.

Or. pl

Justification

Most of the raw materials currently used in manufacturing have a complex structure that gives them optimum properties. Converting industrial waste containing those materials once they have been used back into the original materials would require enormous amounts of energy and would generate harmful emissions. The best way forward is therefore to look for new and innovative applications for such waste.

Amendment 23
David Borrelli, Dario Tamburrano

Proposal for a directive
Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) The industrial landscape has substantially changed in recent years, as a result of technology advance and of increasing globalised flows of merchandise. These factors pose new challenges to the environmental-responsible management and treatment of waste that must be addressed by a combination of increased research efforts and of targeted regulatory tools. Planned obsolescence is an expanding issue, intrinsically contradictory with the goals of a circular economy, that must be addressed with views to rooting it out, through a concerted effort of all main stakeholders, industry, customers and regulatory authorities.

Or. en

Amendment 24
David Borrelli, Dario Tamburrano

Proposal for a directive
Recital 2 b (new)

Text proposed by the Commission

Amendment

(2b) The end-of-life moment of a technological product and its subsequent recycling or recovery must be considered at the stage of the product design. Manufacturers should be requested to design their products with a view to an efficient recycling or recovery, and to provide efficient instructions for operators that will carry out those operations. The principles already tested with success for the Ecodesign legislation should be

expanded in order to provide a modern and succinct regulatory framework. The European Union should show its technological and industrial leadership also in this dimension. Data provided by current recycling or recovery facilities could provide invaluable information for feeding such initiatives.

Or. en

Amendment 25

Notis Marias

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 *for monitoring compliance by* Member States to use the statistical data which Member States report every year to the Commission.

Or. el

Amendment 26

Lorenzo Fontana, Nicolas Bay

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

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 *year* to the Commission.

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

Amendment 27

Hans-Olaf Henkel, Amjad Bashir, Evžen Tošenovský

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 *regularly* to the Commission.

Or. en

Amendment 28

Adam Gierek

Proposal for a directive

Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) *Industrial waste should be standardised and classified on the basis of*

its physical properties and chemical composition so that it may have market value for any potential purchasers who have the technological means of making use of it, and the Commission should therefore put forward a proposal for the establishment of an EU secondary raw materials market.

Or. pl

Justification

Waste standardisation and classification provides the basis for the establishment of a secondary raw materials market.

Amendment 29

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) 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. ***The data reported by the Member States in accordance with this Article shall be accompanied by a quality check report which is based on a harmonised format.***

Or. en

Amendment 30

Benedek Jávor

on behalf of the Verts/ALE Group

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) 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 and processing 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. en

Amendment 31

Notis Marias

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

Or. el

Amendment 32

Benedek Jávor

on behalf of the Verts/ALE Group

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 ***collection, processing and*** 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 ***common methodology for data collection and processing*** developed by the Commission ***in cooperation with*** the national statistical offices of the Member States.

Or. en

Amendment 33

Adam Gierek

Proposal for a directive

Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) With a view to preventing the unregulated breaking of vehicles, with parts from those vehicles then being placed on the market to the detriment of road safety, statistical reporting needs to be improved so that the number of vehicles placed on the market in any Member State matches the total number of vehicles that are on the road or have been lawfully scrapped.

Or. pl

Justification

In the Member States, some of the vehicles that have been registered simply 'disappear', since the number of vehicles actually in use is smaller than that of the vehicles that have been registered. It is thought that some of those vehicles are broken for parts which are then fitted to vehicles that are being used on our roads. The use of such parts in, for example, braking or steering systems, could undermine road safety.

Amendment 34

Xabier Benito Ziluaga

on behalf of the GUE/NGL Group

Paloma López Bermejo, Neoklis Sylikiotis, Sofia Sakorafa

Proposal for a directive

Article 1 – paragraph -1 (new)

Directive 2000/53/EC

Recital 4

Present text

(4) "In order to implement the precautionary and preventive principles and in line with the Community strategy for waste management, the generation of waste must be avoided as much as possible."

Amendment

(4) "In order to implement the precautionary and preventive principles and in line with *the waste hierarchy and* the Community strategy for waste management, the generation of waste must be avoided as much as possible."

Or. en

(http://eur-lex.europa.eu/resource.html?uri=cellar:02fa83cf-bf28-4afc-8f9f-eb201bd61813.0005.02/DOC_1&format=PDF)

Justification

In order to ensure coherence and legal certainty among EU waste legislation, a reference to the waste hierarchy should be introduced.

Amendment 35

Xabier Benito Ziluaga

on behalf of the GUE/NGL Group

Paloma López Bermejo, Neoklis Sylikiotis, Sofia Sakorafa

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 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."

Amendment

Article 1 of Directive 2000/52/EC 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 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

(http://eur-lex.europa.eu/resource.html?uri=cellar:02fa83cf-bf28-4afc-8f9f-eb201bd61813.0005.02/DOC_1&format=PDF)

Justification

In order to ensure coherence and legal certainty among EU waste legislation, a reference to the waste hierarchy in articles 1, 6.1 and 7.1 is strongly needed.

Amendment 36

David Borrelli, Dario Tamburrano

Proposal for a directive

Article 1 – paragraph -1 a (new)

Directive 2000/53/EC

Article 4 – paragraph 1 – point b

Present text

"(b) the design and production of new vehicles which take into full account and facilitate **the** dismantling, reuse and recovery, in particular the recycling, of end-of life vehicles, their components and

Amendment

In Directive 2000/52/EC, point b of Article 4(1) is replaced by the following:

"(b) the design and production of new vehicles which take into full account and facilitate **to third parties the efficient** dismantling, reuse and recovery, in particular the recycling, of end-of life

materials;"

vehicles, their components and materials;

(ba) the exclusion of any techniques for planned obsolescence in the design and production of new vehicles, including any components contained in them;"

Or. en

(http://eur-lex.europa.eu/resource.html?uri=cellar:02fa83cf-bf28-4afc-8f9f-eb201bd61813.0005.02/DOC_1&format=PDF)

Amendment 37

Xabier Benito Ziluaga

on behalf of the GUE/NGL Group

Paloma López Bermejo, Neoklis Sylikiotis, Sofia Sakorafa

Proposal for a directive

Article 1 – paragraph -1 b (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

Article 6(1) of Directive 2000/52/EC 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

(http://eur-lex.europa.eu/resource.html?uri=cellar:02fa83cf-bf28-4afc-8f9f-eb201bd61813.0005.02/DOC_1&format=PDF)

Justification

In order to ensure coherence and legal certainty among EU waste legislation, a reference to

the waste hierarchy in articles 1, 6.1 and 7.1 is needed.

Amendment 38

Xabier Benito Ziluaga

on behalf of the GUE/NGL Group

Paloma López Bermejo, Neoklis Sylikiotis, Sofia Sakorafa

Proposal for a directive

Article 1 – paragraph -1 c (new)

Directive 2000/53/EC

Article 7 – paragraph 1

Present text

"1. Member States shall take the 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."

Amendment

Article 7(1) of Directive 2000/52/EC is replaced by the following:

"1. *Having regard to the waste 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

(http://eur-lex.europa.eu/resource.html?uri=cellar:02fa83cf-bf28-4afc-8f9f-eb201bd61813.0005.02/DOC_1&format=PDF)

Justification

In order to ensure coherence and legal certainty among EU waste legislation, a reference to the waste hierarchy in articles 1, 6.1 and 7.1 is strongly needed.

Amendment 39

David Borrelli, Dario Tamburrano

Proposal for a directive
Article 1 – paragraph -1 d (new)
Directive 2000/53/EC
Article 8 – paragraph 3

Present text

"3. Member States shall take the necessary measures to ensure that producers provide dismantling information for each type of new vehicle put on the market within six months after the vehicle is put on the market. This information shall identify, as far as it is needed by treatment facilities in order to comply with the provisions of this Directive, the different vehicle components and materials, and the location of all hazardous substances in the vehicles, in particular with a view to the achievement of the objectives laid down in Article 7."

Amendment

Article 8(3) of Directive 2000/52/EC is replaced by the following:

"3. Member States shall take the necessary measures to ensure that producers provide dismantling information for each type of new vehicle put on the market within six months after the vehicle is put on the market, ***in electronic format***. This information shall identify, as far as it is needed by treatment facilities in order to comply with the provisions of this Directive, the different vehicle components and materials, and the location of all hazardous substances in the vehicles, in particular with a view to the achievement of the objectives laid down in Article 7."

Or. en

(http://eur-lex.europa.eu/resource.html?uri=cellar:02fa83cf-bf28-4afc-8f9f-eb201bd61813.0005.02/DOC_1&format=PDF)

Amendment 40
David Borrelli, Dario Tamburrano

Proposal for a directive
Article 1 – paragraph -1 e (new)
Directive 2000/53/EC
Article 8 – paragraph 4

Present text

"4. Without prejudice to commercial and industrial confidentiality, Member States shall take the necessary measures to ensure that manufacturers of components used in vehicles make available to

Amendment

Article 8(4) of Directive 2000/52/EC is replaced by the following:

"4. Without prejudice to commercial and industrial confidentiality, Member States shall take the necessary measures to ensure that manufacturers of components used in vehicles make available to

authorised treatment facilities, *as far as it is requested by these facilities*, appropriate information concerning dismantling, storage and testing of components which can be reused."

authorised treatment facilities appropriate information concerning *efficient* dismantling, storage and testing of components which can be reused."

Or. en

(http://eur-lex.europa.eu/resource.html?uri=cellar:02fa83cf-bf28-4afc-8f9f-eb201bd61813.0005.02/DOC_1&format=PDF)

Amendment 41

Hans-Olaf Henkel, Amjad Bashir, Evžen Tošenovský

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 2000/53/EC

Article 9 – paragraph 1a

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) *regularly* 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 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 42

Benedek Jávor

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 2

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 **collected and processed using the common 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. en

Amendment 43
Lorenzo Fontana, Nicolas Bay

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

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

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 + *1 year*].

Directive + *3 years*].

Or. en

Amendment 44

Pavel Telička

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 2000/53/EC

Article 9 – paragraph 1b

Text proposed by the Commission

1b. The data reported by the Member State in accordance with this Article shall be accompanied by a quality check report.

Amendment

1b. The data reported by the Member State in accordance with this Article shall be accompanied by a quality check report. ***The data reported by the Member States in accordance with this Article shall be accompanied by a quality check report which is based on a harmonised format.***

Or. en

Amendment 45

Pavel Telička

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 2000/53/EC

Article 9 – paragraph 1c

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

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. The report shall be drawn up

every three years.

nine months after the first reporting of the data by the Member States and every three years thereafter.

Or. en

Amendment 46

Lorenzo Fontana, Nicolas Bay

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 2000/53/EC

Article 9 – paragraph 1c

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 47

Hans-Olaf Henkel, Amjad Bashir, Evžen Tošenovský

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 2000/53/EC

Article 9 – paragraph 1d

Text proposed by the Commission

1d. The Commission shall adopt implementing acts laying down the format for reporting data in accordance with paragraph 1a. Those implementing acts

Amendment

deleted

shall be adopted in accordance with the procedure referred to in Article 11(2).

Or. en

Justification

Legal certainty of crucial importance for industry, in particular when planning long-term investments. The legislative process must therefore be as predictable and transparent as possible. Before adopting substantive changes in the areas proposed, thorough analysis should be done regarding the impact such changes would bring about. To confer such powers to the Commission increases the legal uncertainty, reduces transparency and democratic accountability and has previously proved to be extremely problematic for industry in other areas of environmental legislation.

Amendment 48
Pavel Telička

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

Text proposed by the Commission

1d. The Commission shall adopt implementing acts laying down the format for reporting data in accordance with paragraph 1a. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 11(2).

Amendment

1d. The Commission shall adopt implementing acts laying down the format for reporting data in accordance with paragraph 1a **and for the quality check report referred to in paragraph 1b**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 11(2).

Or. en

Amendment 49
Benedek Jávor
on behalf of the Verts/ALE Group

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

Text proposed by the Commission

1d. The Commission shall adopt implementing acts laying down the ***format for reporting data*** in accordance with paragraph 1a. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 11(2).

Amendment

1d. The Commission shall adopt implementing acts laying down the ***common methodology for data collection, processing and reporting format*** in accordance with paragraph 1a. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 11(2).

Or. en

Amendment 50

David Borrelli, Dario Tamburrano

Proposal for a directive

Article 2 – paragraph -1 (new)

Directive 2006/66/EC

Article 1 – paragraph 1 – subparagraph 1

Present text

"This Directive establishes:

(1) rules regarding the placing on the market of batteries and accumulators and, in particular, a prohibition on the placing on the market of batteries and accumulators containing hazardous substances; and"

Amendment

In Directive 2006/66/EC, the first subparagraph of Article 1(1) is replaced by the following:

"This Directive establishes:

(1) rules regarding the placing on the market of batteries and accumulators and, in particular:

(a) a prohibition on the placing on the market of batteries and accumulators containing hazardous substances; and

(b) ***a prohibition on the placing on the market of batteries and accumulators incorporating any planned obsolescence techniques.***"

Or. en

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:266:0001:0014:en:PDF>)

Amendment 51

Xabier Benito Ziluaga

on behalf of the GUE/NGL Group

Paloma López Bermejo, Neoklis Sylikiotis, Sofia Sakorafa

Proposal for a directive

Article 2 – paragraph -1 a (new)

Directive 2006/66/EC

Article 6 – paragraph 1

Present text

Amendment

"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."

Article 6(1) of Directive 2006/66/EC is deleted.

Or. en

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:266:0001:0014:en:PDF>)

Justification

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

Amendment 52

Xabier Benito Ziluaga

on behalf of the GUE/NGL Group

Paloma López Bermejo, Neoklis Sylikiotis, Sofia Sakorafa

Proposal for a directive

Article 2 – paragraph -1 b (new)

Directive 2006/66/EC

Article 7

Present text

Amendment

Article 7 of Directive 2006/66/EC is

"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."

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

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:266:0001:0014:en:PDF>)

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 53

David Borrelli, Dario Tamburrano

Proposal for a directive

Article 2 – paragraph -1 c (new)

Directive 2006/66/EC

Article 14

Present text

"Member States shall prohibit the disposal in landfills or by incineration of waste industrial and automotive batteries and accumulators. However, residues of any batteries and accumulators that have undergone both treatment and recycling in accordance with Article 12(1) may be disposed of in landfills **or by incineration.**"

Amendment

Article 14 of Directive 2006/66/EC is replaced by the following:

"Member States shall prohibit the disposal in landfills or by incineration of waste industrial and automotive batteries and accumulators. However, residues of any batteries and accumulators that have undergone both treatment and recycling in accordance with Article 12(1) may be disposed of in landfills."

Or. en

Amendment 54

Xabier Benito Ziluaga

on behalf of the GUE/NGL Group

Paloma López Bermejo

Proposal for a directive

Article 2 – paragraph -1 d (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

Article 15(1) of Directive 2006/66/EC 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 55

Xabier Benito Ziluaga

on behalf of the GUE/NGL Group

Paloma López Bermejo, Neoklis Sylikiotis, Sofia Sakorafa

Proposal for a directive

Article 2 – paragraph -1 e (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

In Directive 2006/66/EC, point a of Article 20(1) 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;***"

Or. en

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:266:0001:0014:en:PDF>)

Justification

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

Amendment 56

Benedek Jávor

on behalf of the Verts/ALE Group

Proposal for a directive

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

Directive 2006/66/EC

Article 22 a (new)

Text proposed by the Commission

Amendment

(1 a) The following article shall be

inserted:

'Article 22a

Collection, Processing and Reporting of Data

1. The data reported by the Member State in accordance with Article 10 and Article 12 shall be accompanied by a quality check report.

2. The methodology for data collection, processing and format of reporting shall be established by the Commission by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 24 (2).'

Or. en

Justification

To be consistent with the requirements of the two other Directives

Amendment 57

Benedek Jávor

on behalf of the Verts/ALE Group

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 2016 at the latest ***and once every three years thereafter.***

Or. en

Amendment 58
Lorenzo Fontana, Nicolas Bay

Proposal for a directive
Article 2 – paragraph 1 – point 2 – point a
Directive 2000/66/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 59
Xabier Benito Ziluaga
on behalf of the GUE/NGL Group
Paloma López Bermejo

Proposal for a directive
Article 2 – paragraph 1 – point 2 – point a a (new)
Directive 2006/66/EC
Article 23 – paragraphs 1 a - 1 d (new)

Text proposed by the Commission

Amendment

(aa) the following paragraphs are inserted:

'1a. 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 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].

1b. The data reported by the Member State in accordance with this Article shall be accompanied by a quality check report.

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.

1d. The Commission shall adopt implementing acts laying down the format for reporting data in accordance with paragraph 1a. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 24.'

Or. en

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:266:0001:0014:en:PDF>)

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 Directives 2000/53/EC and 2012/19/UE should be considered also here.

Amendment 60

David Borrelli, Dario Tamburrano

Proposal for a directive

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

Directive 2006/66/EC

Article 23 – paragraph 2 – point c a (new)

Present text

Amendment

(ba) the following point is added to paragraph 2:

(ca) the evolution of the measures adopted for treatment for all waste portable batteries and accumulators, including an overview of how the best available techniques are applied."

Or. en

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:266:0001:0014:en:PDF>)

Amendment 61

Xabier Benito Ziluaga

on behalf of the GUE/NGL Group

Paloma López Bermejo, Neoklis Sylikiotis, Sofia Sakorafa

Proposal for a directive

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

Directive 2012/19/EU

Recital 2

Present text

Amendment

(2) "The objectives of the Union's environment policy are, in particular, to preserve, protect and improve the quality of the environment, to protect human health and to utilise natural resources prudently and rationally. That policy is based on the precautionary principle **and** the principles that preventive action should be taken, that environmental damage should, as a priority, be rectified at source and that the polluter should pay."

(2) "The objectives of the Union's environment policy are, in particular, to preserve, protect and improve the quality of the environment, to protect human health and to utilise natural resources prudently and rationally. That policy is based on the precautionary principle, **the waste hierarchy** and the principles that preventive action should be taken, that environmental damage should, as a priority, be rectified at source and that the polluter should pay."

Or. en

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:197:0038:0071:en:PDF>)

Justification

In order to ensure coherence and legal certainty among EU waste legislation, a reference to the waste hierarchy should be introduced.

Amendment 62

David Borrelli, Dario Tamburrano

Proposal for a directive

Article 3 – paragraph -1 a (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

Article 4 of Directive 2012/19/EU 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 EEE, notably in view of facilitating re-use, dismantling and recovery of WEEE, its components and materials, ***and that they exclude the incorporation into the product of any planned obsolescence techniques.*** 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 63

Xabier Benito Ziluaga

on behalf of the GUE/NGL Group

Paloma López Bermejo, Neoklis Sylikiotis, Sofia Sakorafa

Proposal for a directive

Article 3 – paragraph -1 b (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

Article 4 of Directive 2012/19/EU 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 should be explicitly taken into account.

Amendment 64

Benedek Jávor

on behalf of the Verts/ALE Group

Proposal for a directive

Article 3 – paragraph -1 c (new)

Directive 2012/19/EU

Article 5 – paragraph 2 – point (a)

Present text

"(a) systems are set up allowing final holders and distributors to return such waste at least free of charge. Member States shall ensure *the* availability and accessibility of the necessary collection facilities, taking into account, in particular, the population density;"

Amendment

In Directive 2012/19/EU, point (a) of Article 5(2) is replaced by the following:

"(a) systems are set up allowing final holders and distributors to return such waste at least free of charge. Member States shall ensure high availability and ***easy and regular*** accessibility of the necessary collection facilities, taking into account, in particular, the population density;"

Or. en

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:197:0038:0071:en:PDF>)

Amendment 65

Xabier Benito Ziluaga

on behalf of the GUE/NGL Group

Paloma López Bermejo, Neoklis Sylikiotis, Sofia Sakorafa

Proposal for a directive

Article 3 – paragraph -1 d (new)

Directive 2012/19/EU

Article 6 – Title

Present text

Amendment

In Directive 2012/19/EU, the title of Article 6 is replaced by the following:

"Disposal and transport of collected WEEE"

"Use of collected WEEE".

Or. en

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:197:0038:0071:en:PDF>)

Justification

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

Amendment 66

Xabier Benito Ziluaga

on behalf of the GUE/NGL Group

Paloma López Bermejo, Neoklis Sylikiotis, Sofia Sakorafa

Proposal for a directive

Article 3 – paragraph -1 e (new)

Directive 2012/19/EU

Article 6 – paragraph 2

Present text

"2. Member States shall ensure that the collection and transport of separately collected WEEE is carried out in a way which allows optimal conditions for preparing for re-use, recycling and the confinement of hazardous substances.

In order to maximise preparing for re-use, Member States shall promote that, prior to any further transfer, collection schemes or facilities provide, where appropriate, for the separation at the collection points of WEEE that is to be prepared for re-use from other separately collected WEEE, in particular by granting access for personnel from re-use centres."

Amendment

Article 6(2) of Directive 2012/19/EU is replaced by the following:

"2. Member States shall ensure that the collection and transport of separately collected WEEE is carried out in a way which allows optimal conditions for preparing for re-use, recycling and the confinement of hazardous substances.

In order to maximise preparing for re-use, Member States shall promote that, prior to any further transfer, collection schemes or facilities provide, where appropriate, for the separation at the collection points of WEEE that is to be prepared for re-use from other separately collected WEEE, in particular by granting access for personnel from re-use centres.

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

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:197:0038:0071:en:PDF>)

Justification

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

Amendment 67

Xabier Benito Ziluaga

on behalf of the GUE/NGL Group

Paloma López Bermejo, Neoklis Sylikiotis, Sofia Sakorafa

Proposal for a directive

Article 3 – paragraph -1 f (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

Article 8(2) of Directive 2012/19/EU 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

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:197:0038:0071:en:PDF>)

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 68
David Borrelli, Dario Tamburrano

Proposal for a directive
Article 3 – paragraph -1 g (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

Article 8(3) of Directive 2012/19/EU is replaced by the following:

"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, ***and that they provide efficient information for recovery to establishment or undertaking carrying out treatment operations.*** 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."

Or. en

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:197:0038:0071:en:PDF>)

Amendment 69
Xabier Benito Ziluaga
on behalf of the GUE/NGL Group
Paloma López Bermejo, Neoklis Sylikiotis, Sofia Sakorafa

Proposal for a directive
Article 3 – paragraph -1 h (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

Article 8(3) of Directive 2012/19/EU 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."

Or. en

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:197:0038:0071:en:PDF>)

Justification

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

Amendment 70

Xabier Benito Ziluaga

on behalf of the GUE/NGL Group

Paloma López Bermejo

Proposal for a directive

Article 3 – paragraph -1 i (new)

Directive 2012/19/EU

Article 10 – paragraph 1

Present text

"1. The treatment operation may also be undertaken outside the respective Member State or the Union provided that

Amendment

Article 10(1) of Directive 2012/19/EU is replaced by the following:

"1. ***Without losing sight of the waste hierarchy priorities and the environmental impact of transport,*** the

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)."

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

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:197:0038:0071:en:PDF>)

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 71

Xabier Benito Ziluaga

on behalf of the GUE/NGL Group

Paloma López Bermejo

Proposal for a directive

Article 3 – paragraph -1 j (new)

Directive 2012/19/EU

Article 11 – paragraph 1

Present text

"1. Regarding all WEEE separately collected in accordance with Article 5 and sent for treatment in accordance with

Amendment

Article 11(1) of Directive 2012/19/EU 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."

Articles 8, 9 and 10, Member States shall ensure that producers meet the minimum targets set out in Annex V."

Or. en

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:197:0038:0071:en:PDF>)

Justification

According to the content, reference to article 6 is needed.

Amendment 72

Xabier Benito Ziluaga

on behalf of the GUE/NGL Group

Paloma López Bermejo

Proposal for a directive

Article 3 – paragraph -1 k (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

In Directive 2012/19/EU, point d of Article 14(2) 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

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:197:0038:0071:en:PDF>)

Justification

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

Amendment 73

Benedek Jávor

on behalf of the Verts/ALE Group

Proposal for a directive

Article 3 – paragraph 1 – point 1 – point b

Directive 2012/19/EU

Article 16 – paragraph 5a

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 ***collected, processed and*** reported ***using the common methodology and*** 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

Amendment 74

Lorenzo Fontana, Nicolas Bay

Proposal for a directive

Article 3 – paragraph 1 – point 1 – point b

Directive 2012/19/EU

Article 16 – paragraph 5a

Text proposed by the Commission

5a. Member States shall report the data

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*].

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*].

Or. en

Amendment 75
Pavel Telička

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

Text proposed by the Commission

5b. The data reported by the Member State in accordance with this Article shall be accompanied by a quality check report.

Amendment

5b. The data reported by the Member State in accordance with this Article shall be accompanied by a quality check report. ***The data reported by the Member States in accordance with this Article shall be accompanied by a quality check report which is based on a harmonised format.***

Or. en

Amendment 76
Pavel Telička

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

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 recommendations for improvement. The report shall be drawn up ***nine months after the first reporting of the data by the Member States and*** every three years ***thereafter***.

Or. en

Amendment 77

Lorenzo Fontana, Nicolas Bay

Proposal for a directive

Article 3 – paragraph 1 – point 1 – point b

Directive 2012/19/EU

Article 16 – paragraph 5c

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 78

Hans-Olaf Henkel, Amjad Bashir, Evžen Tošenovský

Proposal for a directive

Article 3 – paragraph 1 – point 1 – point b

Directive 2012/19/EU

Article 16 – paragraph 5d

Text proposed by the Commission

Amendment

5d. The Commission shall adopt implementing acts laying down the format for reporting data in accordance with paragraph 5a. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 21(2).

deleted

Or. en

Justification

Legal certainty is crucial especially when planning long-term investments. The legislative process must thus be as predictable and transparent as possible. Before adopting substantive changes in the areas proposed, thorough analysis should be done regarding the impact such changes would bring about. To confer such powers to the Commission increases the legal uncertainty, reduces transparency and democratic accountability and has previously proved to be extremely problematic for industry in other areas of environmental legislation.

Amendment 79

Benedek Jávor

on behalf of the Verts/ALE Group

Proposal for a directive

Article 3 – paragraph 1 – point 1 – point b

Directive 2012/19/EU

Article 16 – paragraph 5d

Text proposed by the Commission

Amendment

5d. The Commission shall adopt implementing acts laying down the format for reporting data in accordance with paragraph 5a. Those implementing acts shall be adopted in accordance with the

5d. The Commission shall adopt implementing acts laying down the **common methodology for data collection and processing and the** format for reporting data in accordance with paragraph 5a. Those implementing acts

procedure referred to in Article 21(2).

shall be adopted in accordance with the procedure referred to in Article 21(2).

Or. en

Amendment 80

Lorenzo Fontana, Nicolas Bay

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. en