

# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive <a href="#">2003/0084(COD)</a>	Procedure completed
Waste electrical and electronic equipment (WEEE): financing Amending Directive 2002/96/EC <a href="#">2000/0158(COD)</a>	
Subject 3.40.06 Electronics, electrotechnical industries, ICT, robotics 3.70.12 Waste management, domestic waste, packaging, light industrial waste	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>ENVI</b> Environment, Public Health, Consumer Policy		16/06/2003
		PPE-DE <a href="#">FLORENZ Karl-Heinz</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>ITRE</b> Industry, External Trade, Research, Energy		
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Education, Youth, Culture and Sport</a>	<a href="#">2545</a>	24/11/2003
European Commission	Commission DG <a href="#">Environment</a>	Commissioner	

Key events			
29/04/2003	Legislative proposal published	<a href="#">COM(2003)0219</a>	Summary
12/05/2003	Committee referral announced in Parliament, 1st reading		
01/10/2003	Vote in committee, 1st reading		Summary
01/10/2003	Committee report tabled for plenary, 1st reading	<a href="#">A5-0324/2003</a>	
21/10/2003	Decision by Parliament, 1st reading	<a href="#">T5-0437/2003</a>	Summary
24/11/2003	Act adopted by Council after Parliament's 1st reading		
08/12/2003	Final act signed		
08/12/2003	End of procedure in Parliament		
31/12/2003	Final act published in Official Journal		

Technical information	
Procedure reference	2003/0084(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Amending Directive 2002/96/EC <a href="#">2000/0158(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 175-p1
Stage reached in procedure	Procedure completed

Documentation gateway					
Legislative proposal		<a href="#">COM(2003)0219</a>	29/04/2003	EC	Summary
Economic and Social Committee: opinion, report		<a href="#">CES0961/2003</a> <a href="#">OJ C 234 30.09.2003, p. 0091-0092</a>	16/07/2003	ESC	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0324/2003</a>	01/10/2003	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T5-0437/2003</a> OJ C 082 01.04.2004, p. 0025-0076 E	21/10/2003	EP	Summary

Additional information	
European Commission	<a href="#">EUR-Lex</a>

Final act
<a href="#">Directive 2003/108</a> <a href="#">OJ L 345 31.12.2003, p. 0106-0107</a> Summary

## Waste electrical and electronic equipment (WEEE): financing

**PURPOSE** : to amend Directive 2002/96/EC on waste electrical and electronic equipment in order to clarify the rules applying to the financing of historical waste from non-household sources in Article 9, so as to avoid the concerns raised in relation to the implications. **CONTENT** : to recall, the European Parliament and the Council recently adopted Directive 2002/96/EC which provides for the collection and environmentally sound treatment of WEEE. The original Commission proposal left the financing of historical waste from non-household sources to agreement between producers and users of the equipment at the time of purchase. During the first reading, this provision was changed into a formulation stipulating that the financing of the cost of management shall be provided for by producers. At that time, this was acceptable to all the institutions. However, it wasn't until the final stages of the adoption of the WEEE Directive was the attention of the institutions drawn to the financing implications of Article 9 of this Directive. As no second reading amendment was made on this article, it was impossible to change the text at that stage. Nevertheless, the European Parliament, the Council and the Commission agreed on a Joint Declaration stating their intention to examine this issue at the earliest occasion and if necessary propose an amendment to Article 9 of the Directive. This proposal follows up this declaration. The proposal changes the responsibility to finance historical waste from non-household sources from producers of the waste equipment to producers supplying a new product, where such a new product exists. For historical waste that its not replaced by new products, the users other than private households shall be responsible. It should also be noted that this proposal does not alter any of the rules applying to household sources nor the individual responsibility applying to the financing of new waste from non-household sources nor any other aspect of the WEEE Directive. ?

## Waste electrical and electronic equipment (WEEE): financing

The committee adopted the report by Karl-Heinz FLORENZ (EPP-ED, D) approving the proposal unamended under the 1st reading of the codecision procedure.?

## Waste electrical and electronic equipment (WEEE): financing

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The European Parliament adopted a resolution drafted by Karl-Heinz FLORENZ (EPP-ED, Germany) and approved the Commission's proposal. ?

## Waste electrical and electronic equipment (WEEE): financing

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**PURPOSE** : to establish certain rules on the financial responsibility for the collection, treatment, re-use, recovery and recycling of WEEE from users other than private households. **LEGISLATIVE ACT** : Directive 2003/108/EC of the European Parliament and of the Council amending Directive 2002/96/EC on waste electrical and electronic equipment (WEEE). **CONTENT** : As a result of concerns expressed, Commission has examined the financial implications for producers following from the wording of Article 9 of Directive 2002/96/EC. The commission found that the take-back obligation for WEEE put on the market in the past creates a retroactive liability for which no provision was made and which is likely to expose certain producers to serious economic risks. In order to prevent such risks, this Directive provides that the financial responsibility for the collection, treatment, re-use, recovery and recycling of WEEE from users other than private households put on the market before 13 August 2005 should be borne by producers when supplying new products replacing products of equivalent type or fulfilling the same functions. Where such waste is not replaced by new products, the responsibility should be borne by those users. Member States, producers and users may make alternative arrangements. **ENTRY INTO FORCE** : 31/12/03. **DATE OF TRANSPOSITION** : 13/08/04.?