



2015/0272(COD)

19.5.2016

*****I**

DRAFT REPORT

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

Committee on the Environment, Public Health and Food Safety

Rapporteur: Simona Bonafè

Symbols for procedures

*	Consultation procedure
***	Consent procedure
***I	Ordinary legislative procedure (first reading)
***II	Ordinary legislative procedure (second reading)
***III	Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ■ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

CONTENTS

	Page
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION.....	5
EXPLANATORY MEMORANDUM	17

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the 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

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

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2015)0593),
 - having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0383/2015),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the reasoned opinion submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the French Senate, asserting that the draft legislative act does not comply with the principle of subsidiarity,
 - having regard to the opinion of the European Economic and Social Committee of 27 April 2016¹,
 - having regard to the opinion of the Committee of the Regions of ...²,
 - having regard to Rules 59 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinion of the Committee on Industry, Research and Energy (A8-0000/2016),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C ... / Not yet published in the Official Journal.

² OJ C ... / Not yet published in the Official Journal.

Amendment 1

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 2

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 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

Justification

In order to improve quality and reliability of data across the EU and in addition to common calculation methods existing for the three Directives concerned, the Commission should develop a common methodology for the collection of data and its processing.

Amendment 3

Proposal for a directive Recital 7a (new)

Text proposed by the Commission

Amendment

(7a) In order to ensure uniform conditions for the implementation of Directive 2000/53/EC in respect of the common methodology for data collection and processing and of the format for reporting data concerning the implementation of reuse and recovery targets for end-of life vehicles, for the implementation of 2006/66/EC in respect of the methodology for data collection and processing and for the implementation of Directive 2012/19/EU in respect of the methodology for data collection and processing and the format for reporting data concerning the implementation of the targets laid down for collection and recovery of electrical and electronic equipment, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council^{1a}.

^{1a} Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Or. en

Justification

Standard recital concerning the implementing powers of the Commission needs to be added.

Amendment 4

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) 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

Justification

Common methodology for data collection needs to be established in order to improve reliability and comparability of data.

Amendment 5

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

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.

data reported in accordance with this Article and publish a report on the results of its review. ***Until the common methodology for data collection and processing is established,*** the report shall assess of the organisation of the data collection, the sources of data and the methodology used in Member States. ***The Commission shall assess*** 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.

Or. en

Justification

The impact of the Directive on the environment and human health should be regularly assessed as well as its implementation.

Amendment 6

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 2000/53/EC

Article 9 – paragraph 1ca (new)

Text proposed by the Commission

Amendment

1ca. In the report, the Commission shall include information about the implementation of this Directive as a whole and its impact on the environment and human health. If appropriate, a proposal for revision of this Directive shall accompany the report.'

Or. en

Justification

The impact of the Directive on the environment and human health should be regularly assessed as well as its implementation.

Amendment 7

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 and processing and*** the format for reporting data in accordance with paragraph 1a. Those implementing acts shall be adopted in accordance with the ***examination*** procedure referred to in Article 11(2).

Or. en

Amendment 8

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 2000/53/EC

Article 9 – paragraph 1da (new)

Text proposed by the Commission

Amendment

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

Or. en

Justification

Different elements of this Directive should be assessed in the context of the EU Action Plan

on Circular Economy in order to identify loop wholes and to align the provisions with the objective of turning European economy into circular model.

Amendment 9

Proposal for a directive

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

Directive 2006/66/EC

Article 22a (new)

Text proposed by the Commission

Amendment

(1a) The following article shall be inserted:

'Article 22a

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 and processing and the 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

In order to improve the quality of the data, Commission should adopt implementing act in order to establish common methodology for data reporting: this would include collection, processing and transmission of data. Data should also be subject to quality check as it is proposed for the other Directives.

Amendment 10

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

1. 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

1. 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

Justification

The impact of the directive and its implementation should be regularly assessed in order to take account of technological developments and check if the essential provisions need to be updated.

Amendment 11

Proposal for a directive

Article 2 – paragraph 1 – point 2 – point b

Directive 2006/66/EC

Article 23 – paragraph 2

Text proposed by the Commission

2. In ***its*** report, the Commission shall include an evaluation on the following aspects of this Directive:

Amendment

2. In ***the*** report, the Commission shall include an evaluation on, ***inter alia***, the following aspects of this Directive:

Or. en

Amendment 12

Proposal for a directive

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

Directive 2006/66/EC

Article 23 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(ba) The following paragraph shall be 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 the Union's circular economy policy objectives and initiatives. The review shall be accompanied by a legislative proposal, if appropriate.'

Or. en

Justification

The Directive should be evaluated if its provisions fully contribute to the objective of moving to circular economy and if appropriate revisions should be introduced in order to close loop wholes with other legislative instruments and policy initiatives.

Amendment 13

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 and processed using the common methodology*** and 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

Data collection should be improved in order to ensure quality and reliability.

Amendment 14

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. ***Until the common methodology for data collection and processing is established,*** the report shall cover an assessment of the organisation of the data collection, the sources of data and the methodology used in Member States. ***The Commission shall assess*** 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.

Or. en

Justification

The impact of the Directive should be regularly assessed to ensure that the essential elements of the Directive are fit for purpose.

Amendment 15

Proposal for a directive

Article 3 – paragraph 1 – point 1 – point b

Directive 2012/19/EU

Article 16 – paragraph 5ca (new)

Text proposed by the Commission

Amendment

5ca. In the report, the Commission shall include information about the implementation of the Directive as a

whole and its impact on the environment and human health. If appropriate, a proposal for revision of this Directive shall accompany the report.'

Or. en

Amendment 16

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

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).

Amendment

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

Or. en

Amendment 17

Proposal for a directive

Article 3 – paragraph 1 – point 1 – point b

Directive 2012/19/EU

Article 16 – paragraph 5da (new)

Text proposed by the Commission

Amendment

5da. By 1 January 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 the Union's circular economy policy objectives and initiatives. The review shall be accompanied by a legislative proposal,

if appropriate.

Or. en

Justification

The Commission should carry out comprehensive review of this directive and assess the need to review the essential elements, including the targets, given the fact that WEEE represents a source of valuable and increasingly scarce strategic materials and increasing consumer demand for EEE leads to a large increasingly diverse end-of-life waste.

EXPLANATORY MEMORANDUM

The aim of this proposal is simplify the obligations of Member States as far as reporting obligations are concerned and align them with the reporting provisions in the Waste Framework Directive, the Packaging and Packaging Waste Directive and the Landfill Directive. This proposal also aims at aligning the comitology provisions to the Lisbon Treaty.

Rapporteur broadly agrees with the objectives of this proposal and is of the view that verification of implementation of the targets should be based on sound and reliable data. Therefore, Member States should focus their efforts on proper collection and transmission of data to the Commission. Amendments aim to strengthen the quality of data by means of introducing a quality check in the Batteries Directive. The Commission should also develop a common methodology for collection, organisation and processing of data in cooperation with national statistical offices in order to ensure comparability of quality data. Amendments also aim at retaining the obligation on the European Commission to assess and report on the implementation of the Directives as well as on their impacts on the environment and human health. In the evaluation reports, Commission should assess if the essential parts of the Directives, including the targets, may require revision in order to keep the legislation fit for purpose. The reports should be accompanied by legislative proposals, if a need for improvement and more ambition arises. Amendments were also introduced to align the text to the new Interinstitutional Agreement of 16 April 2016.

Given that WEEE, batteries and ELV are subject to increasing demand leading to divers end-of-life waste and that this waste is a source of valuable and scarce materials, the three Directives should be made subject to a comprehensive review in the near future in the context of the circular economy based on proper impact assessment and taking into account the eco-design, the need to recover more secondary raw materials, technological development as well as other Union's circular economy policy objectives and initiatives.

