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#### **INFORMATION NOTE**

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| From:    | General Secretariat of the Council                                                                                                                                                                                                                                        |
| To:      | Permanent Representatives Committee/Council                                                                                                                                                                                                                               |
| Subject: | 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 |

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#### **I. INTRODUCTION**

The Committee on the Environment, Public Health and Food Safety presented a report consisting of 33 amendments to the proposal for a Directive.

In addition, the ENF political group tabled one amendment (amendment 34).

## II. DEBATE

The debate, which took place on 14 March 2017, was a joint debate which covered four Ordinary Legislative Procedure proposals:

- 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 (2015/0272 COD) - *see section III below for the voting results*;
- the proposal for a directive of the European Parliament and of the Council amending Directive 1999/31/EC on the landfill of waste (2015/0274 COD) - *see doc. 7274/17 for the voting results*;
- the proposal for a directive of the European Parliament and of the Council amending Directive 2008/98/EC on waste (2015/0275 COD) - *see doc. 7275/17 for the voting results*; and
- the proposal for a directive of the European Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste (2015/0276 (COD) - *see doc. 7276/17 for the voting results*.

The Rapporteur for all four proposals, Mrs Simona BONAFÈ (S&D - IT) opened the debate and:

- welcomed the broad agreement reached in the Committee on the Environment, Public Health and Food Safety, and the achievement of reaching agreement on more than a hundred compromise amendments in the context of more than 2,000 tabled amendments;
- stressed the need to meet the challenge of creating a new, sustainable, competitive and innovative economy;
- praised the Commission's proposals and identified two particular areas where the Committee on the Environment, Public Health and Food Safety was aiming to improve the Commission's proposals still further: upstream actions to prevent waste generation as well as promotion of an effective secondary market in waste; and
- highlighted the two targets of a 50% reduction in food waste (a moral as well as an environmental issue) and a 50% reduction in marine litter. Both targets originated in the UN, but have yet to be integrated into EU legislation.

- welcomed the progress already made in this area. Recycling rates in the EU have been increasing. Landfill is decreasing. Even so, the European Union still wastes around 600 million tons of materials which could otherwise be recycled or reused every year;
- noted the growth and job creation dimensions of waste policy;
- foresaw that much attention will be focused on the proposed target levels and noted that the Parliament is ambitious in this regard. He nonetheless argued that the Commission's proposals strike a good balance by setting targets that are challenging but feasible for the Member States to achieve. He also welcomed the Parliament's readiness to allow some Member States more time to meet their targets, but called for any such temporal derogations to be granted according to a simple procedure that ensures legal certainty. Target levels need to be considered in conjunction with the underlying rules for their calculation. He welcomed the two co-legislators' desire to ensure maximum comparability and a level playing field. The calculation rules must be robust and practical. This will avoid the problems of the existing legislation, which does not provide any methodological clarity;
- welcomed the focus on prevention of waste creation in the first place;
- noted the proposed targets on waste reduction, re-use, food waste and marine litter. These will require a thorough impact assessment, reliable data and agreed methodologies. He here once more highlighted the need to draw lessons from the current waste legislation, which does not provide any methodological clarity;
- argued that, at the EU level, more efficient and transparent Extended Producer Responsibility rules are key to encouraging better design and production techniques with a view to more efficient recycling; and
- welcomed the committee amendments to improve the performance of waste management systems.

Both speaking on behalf of the Committee on Industry, Research and Energy, Mr Pavel TELIČKA (ALDE-CZ) welcomed the ENVI committee's readiness to take on the ITRE amendments regarding the annex on incentives, the one-stop-shop and illegal shipments; and Mr João FERREIRA (EUL/NGL-PT) stressed the need to take more account of differing national circumstances when it comes to setting deadlines, and the need for adequate financial support.

Speaking on behalf of the EPP, Mr Karl-Heinz FLORENZ (EPP-DE) stressed the importance of education, welcomed the good cooperation he had had with the Rapporteur and approved of the introduction of one single concept to replace the six existing waste categories.

Speaking on behalf of the S&D, Mrs Miriam DALLI (S&D-MT) stressed the need for a sustainable approach, the importance of the employment dimension, the need for smart regulation with market-based instruments, and the need for smart implementation by the Member States.

Speaking on behalf of the ECR, Mr Mark DEMESMAEKER (ECR-BE) underlined how recycling can boost competitiveness and called for new and consistent measurement methods.

Speaking on behalf of the ALDE, Mr Nils TORVALDS (ALDE - FI) welcomed the cooperation shown at the committee stage.

Speaking on behalf of the EUL/NGL, Mr Josu JUARISTI ABAUNZ (EUL/NGL - ES) stressed the need to send a clear message to the Council, wished that the Commission had submitted a more ambitious proposal, underlined the climate change dimension, called for a paradigm shift in society's attitudes and emphasised the need not to dilute the Parliament's ambition during the trilogue stage.

Speaking on behalf of the Greens/EFA political group, Mr Davor ŠKRLEC (Greens/EFA - HR) stressed the need to tackle the waste problem and called for ambitious legislation.

Speaking on behalf of the EFDD political group, Mrs Julia REID called for legislation at the national rather than the EU level.

Mr Peter Liese (EPP-DE) stressed the global warming threat posed by landfill methane emissions.

Mr Jo LEINEN (S&D-DE) called for the Commission to submit its ecodesign proposal so that action can be taken before the end of the current parliament.

Mrs Julie GIRLING (ECR-UK):

- warned against tightening the Commission's proposed target levels; and
- recognised the important role of Extended Producer Responsibility ("EPR"), but argued that the proposal to include minimum operating conditions was too prescriptive. The adoption of more and better schemes should be encouraged, but it is also important to allow flexibility in their design across Member States. The affirmation of 'producer pays' targets means that it is not necessary to follow such a rigid approach when setting requirements for Member States' EPR schemes.

Mr Gerben-Jan GERBRANDY (ALDE-NL) noted the economic benefits of the circular economy and the consequent desirability of increased targets.

Mrs Kateřina KONEČNÁ (EUL/NGL-CZ) welcomed the measures on microplastics and supported the action on landfill in principle - but opposed an absolute ban on incineration.

Mr Benedek JÁVOR (Greens/EFA-HU):

- recalled the Parliament's previous support for more ambitious targets. The Committee on the Environment, Public Health and Food Safety had recently called for the introduction of a binding target of 70% for the recycling of municipal waste by 2030 as well as a 5% limit on the amount of municipal waste that can be landfilled. The Committee had also called for a minimum of 5% of total municipal waste to be prepared for reuse, a binding target of 80% of packaging to be recycled and a 10% target of packaging waste to be reused by 2030. It is up to the Parliament to send a strong message on this to the Council and to the Commission as this is the only way to get the Member States to take action; and
- stressed the need for the Commission to enforce existing legislation.

Mrs Pilar AYUSO (EPP - ES) called for the criterion of quantity to be included in the definition of municipal waste.

Mrs Jadwiga WIŚNIEWSKA (ECR-PL) argued that it was unrealistic to expect Poland to be able to afford to meet the proposed targets.

Mrs Frédérique RIES (ALDE-BE) stressed the ethical as well as environmental dimension of food waste.

Mrs Sirpa PIETIKÄINEN (EPP - FI):

- called for more ambitious targets;
- argued that there should first be a requirement for separate collection and then for the sorting of communal waste prior to incineration;
- called for methodologies to be harmonised all over Europe;
- argued that food waste must include the whole food production chain; and
- called for a ban on the production of microplastics.

Commissioner TIMMERMANS once more took the floor and:

- argued that the EU would have to act on waste sooner or later. The longer the delay and/or the lower the ambition, the higher the eventual cost;
- recalled that EFSI funds are available for investment in this area; and
- applauded the Parliament's ambition. The more ambition in the Council, the better.

In her concluding remarks, Mrs BONAFÈ:

- declared that no Member State could be allowed to fall behind on waste management;
- stated that the success of the package ultimately depends on national and local authorities; and
- argued that the proposals would reduce living costs for EU citizens.

### **III. VOTE**

When it voted later on the same day of 14 March 2017, the plenary adopted 32 amendments (amendments 1-25 and 27-33) to the proposal for a Directive.

Following an oral intervention from the Rapporteur, the plenary then approved her request for the proposal to be referred back to the Committee on the Environment, Public Health and Food Safety with a view to entering into inter-institutional negotiations.

The text of the amendments adopted by the plenary is set out in the annex to this document.

## End-of-life vehicles, waste batteries and accumulators and waste electrical and electronic equipment \*\*\*I

Amendments adopted by the European Parliament on 14 March 2017 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))<sup>1</sup>

(Ordinary legislative procedure: first reading)

### Amendment 1

#### Proposal for a directive Recital 1

##### *Text proposed by the Commission*

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

##### *Amendment*

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

### Amendment 2

#### Proposal for a directive Recital 1 a (new)

##### *Text proposed by the Commission*

##### *Amendment*

**(1a) A clean, effective and sustainable circular economy requires the removal of hazardous substances from products at the design stage and in this context circular economy should recognise explicit provisions in the Seventh Environment Action Programme which calls for the development of non-toxic**

<sup>1</sup> The matter was referred back for interinstitutional negotiations to the committee responsible, pursuant to Rule 59(4), fourth subparagraph (A8-0013/2017).

*material cycles so that recycled waste can be used as a major, reliable source of raw material for the Union.*

### **Amendment 3**

#### **Proposal for a directive Recital 1 b (new)**

*Text proposed by the Commission*

*Amendment*

*(1b) It is necessary to ensure the effective and low energy consumption management of secondary raw materials, and priority should be given to R&D efforts towards that objective. The Commission should also consider putting forward a proposal on the classification of waste to support the creation of a Union secondary raw materials market.*

### **Amendment 4**

#### **Proposal for a directive Recital 1 c (new)**

*Text proposed by the Commission*

*Amendment*

*(1c) Once recycled material re-enters the economy as it receives end-of-waste status, either by complying with specific end-of-waste criteria or being incorporated in a new product, it is required to be fully compliant with Union chemicals legislation.*

### **Amendment 5**

#### **Proposal for a directive Recital 2 a (new)**

**(2a) The industrial landscape has substantially changed in recent years, as a result of technology advances and of increasing globalised flows of merchandise. Those factors pose new challenges to the management and treatment of waste that is environmentally responsible that should 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, and therefore should be addressed with the objective of rooting it out, through a concerted effort of all main stakeholders, industry, customers and regulatory authorities.**

## Amendment 6

### Proposal for a directive Recital 3

(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.

(3) **Data and information** reported by Member States are essential for the Commission to assess compliance with waste legislation across the Member States. The quality, reliability and comparability of **reported data** should be improved by **establishing a common methodology for collection and processing of data based on reliable sources and** by introducing a single entry point for all waste data, deleting obsolete reporting requirements, benchmarking national reporting methodologies and introducing a data quality check report. **Reliable reporting of data concerning waste management is paramount to efficient implementation and to ensuring comparability of data**

*among Member States. Therefore, when reporting on the achievement of the targets set out in these Directives, Member States should use the common methodology developed by the Commission in cooperation with the national statistical offices of Member States and the national authorities responsible for waste management.*

## Amendment 7

### Proposal for a directive Recital 3 a (new)

*Text proposed by the Commission*

*Amendment*

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

## Amendment 8

### Proposal for a directive Recital 4

*Text proposed by the Commission*

*Amendment*

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

(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**

*methodology* developed by the Commission **and** the national statistical offices of the Member States.

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

## Amendment 9

### Proposal for a directive Recital 4 a (new)

*Text proposed by the Commission*

*Amendment*

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

## Amendment 10

### Proposal for a directive Recital 4 b (new)

*Text proposed by the Commission*

*Amendment*

**(4b) The waste hierarchy laid down in Directive 2008/98/EC applies as an order of priority in Union waste prevention and management law. That hierarchy therefore applies in the context of end-of-life vehicles, batteries and accumulators and waste batteries and accumulators, and waste electrical and electronic equipment. When complying with the objective of this Directive, Member States**

*should take the necessary measures to take the waste hierarchy priorities into account and ensure the practical implementation of those priorities.*

## **Amendment 11**

### **Proposal for a directive Recital 5 a (new)**

*Text proposed by the Commission*

*Amendment*

*(5a) Since there is a growing need to handle and recycle waste within the Union, in line with the circular economy, emphasis should be given to ensuring that the shipment of waste is in line with the principles and requirements of Union environmental law, in particular the principle of proximity, priority for recovery and self-sufficiency. The Commission should examine the desirability of introducing a one-stop-shop for the administrative procedure for shipments of waste, with a view to reducing administrative burdens. Member States should take the necessary measures to prevent illegal shipment of waste.*

## **Amendment 12**

### **Proposal for a directive Recital 7a (new)**

*Text proposed by the Commission*

*Amendment*

*(7a) In order to supplement certain non-essential elements of Directive 2000/53/EC and Directive 2012/19/EU, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission 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 under*

*Directive 2000/53/EC and 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 under Directive 2012/19/EU. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.*

## **Amendment 13**

### **Proposal for a directive Recital 7 b (new)**

*Text proposed by the Commission*

*Amendment*

*(7b) In order to lay down the methodology for data collection and processing and the format for reporting data for batteries and accumulators and waste batteries and accumulators, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level and that those consultations be conducted in accordance*

*with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.*

## **Amendment 14**

### **Proposal for a directive Article 1 – paragraph -1 (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*

***In Article 6, paragraph 1 is replaced by the following:***

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

## **Amendment 15**

### **Proposal for a directive Article 1 – paragraph 1 – point 2**

Directive 2000/53/EC

Article 9 – paragraph 1 a

*Text proposed by the Commission*

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

**Amendment 16**

**Proposal for a directive  
Article 1 – paragraph 1 – point 2**

Directive 2000/53/EC

Article 9 – paragraph 1 c

*Amendment*

1a. Member States shall report the data concerning the implementation of Article 7(2) for each calendar year to the Commission. They shall ***collect and process*** this data ***in accordance with the common methodology referred to in paragraph 1d of this Article and report it*** electronically within **12** months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 1d.

*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. ***Until the common methodology for data collection and processing referred to in paragraph 1d is established, the*** report shall assess the organisation of the data collection, the sources of data and the methodology used in Member States. ***The Commission shall also 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.

## Amendment 17

### Proposal for a directive

#### Article 1 – paragraph 1 – point 2

Directive 2000/53/EC

Article 9 – paragraph 1 ca (new)

*Text proposed by the Commission*

*Amendment*

***1ca. In the report, the Commission may include information about the implementation of this Directive as a whole and its impact on the environment and human health. If appropriate, a legislative proposal to amend this Directive shall accompany that report.***

## Amendment 18

### Proposal for a directive

#### Article 1 – paragraph 1 – point 2

Directive 2000/53/EC

Article 9 – paragraph 1 d

*Text proposed by the Commission*

*Amendment*

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).***

1d. The Commission shall adopt ***delegated*** acts ***in order to supplement this Directive by*** laying down the ***common methodology for data collection and processing and*** the format for reporting data in accordance with paragraph 1a.

## Amendment 19

### Proposal for a directive

#### Article 1 – paragraph 1 – point 2

Directive 2000/53/EC

Article 9 – paragraph 1 da (new)

*Text proposed by the Commission*

*Amendment*

***1da. By 31 December 2018, in the context of the Circular Economy Action Plan and in view of the Union’s commitment to make the transition towards a circular economy, the Commission shall review this Directive as a whole and in particular its scope and the targets, based on an impact assessment and shall take into account the Union's circular economy policy objectives and initiatives. A special focus shall be on shipments of used vehicles that are suspected to be end-of-life vehicles. For that purpose, the Correspondents' Guidelines No 9 on shipments of end-of-life vehicles shall be used. The Commission shall also examine the possibility of setting resource specific targets, in particular for critical raw materials. That review shall be accompanied by a legislative proposal, if appropriate.***

## **Amendment 20**

**Proposal for a directive  
Article 1 – paragraph 1 a (new)**

Directive 2000/53/EC

Article 9 a (new)

*Text proposed by the Commission*

*Amendment*

***The following Article is inserted:  
“Article 9a***

*Instruments to promote a shift to a more circular economy*

*In order to contribute to the objectives laid down in this Directive, Member States shall make use of adequate economic instruments and shall take other measures to provide incentives for the application of the waste hierarchy. Such instruments and measures may include those indicated in Annex IVa in Directive 2008/98/EC.”*

## **Amendment 21**

**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*

**(1a) The following Article is inserted:**

**“Article 22a**

**Data**

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

**2. The Commission shall adopt delegated acts in accordance with Article 23a in order to supplement this Directive by establishing methodology for data collection and processing and the format of reporting.”**

## **Amendment 22**

**Proposal for a directive**

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

Directive 2006/66/EC

Article 23 – title

*Present text*

*Amendment*

**"Review"**

***(-a) In Article 23, the title is replaced by the following:***

***"Reporting and review"***

## **Amendment 23**

**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*

*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.

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.***

## **Amendment 24**

**Proposal for a directive**

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

Directive 2006/66/EC

Article 23 – paragraph 3 a (new)

***(ba) The following paragraph is added:***

***“3a. By 31 December 2018, in the context of Circular Economy Action Plan and in view of the Union’s commitment to make the transition towards a circular economy, the Commission shall review this Directive as a whole and in particular its scope and the targets, based on an impact assessment. That review shall take into account the Union's circular economy policy objectives and initiatives, and the technical development of new types of batteries that do not use hazardous substances, in particular no heavy or other metals or metal ions. The Commission shall also examine the possibility of setting resource specific targets, in particular for critical raw materials. That review shall be accompanied by a legislative proposal, if appropriate.”***

## **Amendment 25**

### **Proposal for a directive**

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

Directive 2006/66/EC

Article 23 aa (new)

***(2a) The following Article is inserted:***

***“Article 23aa***

***Instruments to promote a shift to a more circular economy***

***In order to contribute to the objectives laid down in this Directive, Member States shall make use of adequate economic***

*instruments and shall take other measures to provide incentives for the application of the waste hierarchy. Such instruments and measures may include those indicated in Annex IVa in Directive 2008/98/EC.”*

## Amendment 27

### Proposal for a directive

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

Directive 2012/19/EU

Article 8 – paragraph 5 – subparagraph 4

#### *Present text*

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

#### *Amendment*

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

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

## Amendment 28

### 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 **collect and process** this data ***in accordance with the common methodology referred to in paragraph 5d of this Article and report it*** electronically within **12** months of the end of the reporting year for which the data are collected. ***Member States shall ensure that data from all actors collecting or treating WEEE are reported.*** The data shall be reported in the format established by the Commission in accordance with paragraph 5d.

**Amendment 29**

**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 referred to in paragraph 5d 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 also 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.

## Amendment 30

### 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 legislative proposal to amend this Directive shall accompany that report.***

## Amendment 31

### Proposal for a directive

#### Article 3 – paragraph 1 – point 1 – point b

Directive 2012/19/EU

Article 16 – paragraph 5 d

*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)***.

5d. The Commission shall adopt ***delegated*** acts ***in accordance with Article 20 in order to supplement this Directive by laying down the common methodology for data collection and processing and the format for reporting data in accordance with paragraph 5a.***

## **Amendment 32**

### **Proposal for a directive**

#### **Article 3 – paragraph 1 – point 1 – point b**

Directive 2012/19/EU

Article 16 – paragraph 5 da (new)

*Text proposed by the Commission*

*Amendment*

***5da. During the review referred to in paragraph 5c, in the context of Circular Economy Action Plan and in view of the Union’s commitment to make the transition towards a circular economy, 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 Commission shall examine the possibility of setting resource specific targets, in particular for critical raw materials. That review shall be accompanied by a legislative proposal, if appropriate.***

## **Amendment 33**

### **Proposal for a directive**

#### **Article 3 – paragraph 1 – point 1 a (new)**

Directive 2012/19/EU

Article 16 a (new)

*Text proposed by the Commission*

*Amendment*

***(1a) The following Article is inserted:***

***“Article 16a***

***Instruments to promote a shift to a more circular economy***

*In order to contribute to the objectives laid down in this Directive, Member States shall make use of adequate economic instruments and shall take other measures to provide incentives for the application of the waste hierarchy. Such instruments and measures may include those indicated in Annex IVa in Directive 2008/98/EC.”*

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