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General Secretariat

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WK 735/2025 INIT

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REQUEST FOR CONTRIBUTION

From: General Secretariat of the Council
To: Working Party on the Environment

N° Cion doc.: ST 11888/23 + ADD 1

Subject: End-of-Life Vehicles Regulation: Follow-up to the WPE on 20 January 2025 – Call for comments

Following the above WPE meeting, delegations are invited to send their written comments to the Presidency ([redacted]), copying the Commission ([redacted]) and the Council Secretariat ([redacted]) environment@consilium.europa.eu) by **Friday 24 January 2025, cob (Brussels time)**.

Delegations are kindly requested to use the attached form which can be downloaded separately.

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Member State	Question No	Reference Art	Question
	1	Annex I Part A and B	In Annex I part A point b (<i>it has one or more entry points been welded up or closed by insulating foam</i>) should be moved to part B of Annex I and added to point h. Do the Member States agree with the above proposal?
	2	Annex I Part A and B	Do the Member States believe that some other binding (A) or indicative (B) criteria should be deleted or moved from part A to part B? If so please specify which ones.
	3	Annex I	Do the Member States accept the current wording of the introductory part of Annex I? If not, what changes do the Member States wish to propose?
	4	36	Do the Member States believe that article 36(1) should be amended in order to be consistent with article 72(1) of the Batteries Regulation and take into account the requirements of the Waste Shipment Regulation concerning shipment between Member States? If so, could the following wording of <u>Article 36(1)</u> be accepted? <i>Treatment of end-of-life vehicles may be undertaken outside the Member State concerned or outside the Union, provided that the shipment of end-of-life vehicles or waste produced in the process of their treatment is in compliance with Regulation (EU) 2024/1157.</i>

5a	36	<p>Do the Member States believe that the proposed ELV Regulation should contain a provision mirroring Article 72(2) of the Batteries regulation? If so, can the following wording be accepted?</p> <p><i>NEW Article : In order to distinguish between used vehicles and end-of-life vehicles, the competent authorities of Member States may inspect shipments of used vehicles suspected to be end-of-life vehicles for compliance with the requirements set out in Article 37 and Annex I and monitor such shipments accordingly.</i></p> <p><i>Where the competent authorities in a Member State establish that an intended shipment of used vehicle consists of end-of-life vehicle, the costs of appropriate analyses, inspections and storage of the vehicles suspected to be end-of-life vehicles may be charged to the persons arranging the shipment.</i></p>
5b	36, 46	<p>Should it [NEW Article above] be added to Article 36 (which would be an approach consistent with the Batteries Regulation) or added to Article 46 (which deals with inspections)?</p>
6	37	<p><i>37(4): When assessing the damage of an accidented vehicle, the insurance company or any other economic operator conducting the assessment on its behalf shall also assess whether the vehicle is an end-of-life vehicle or not according to Annex I.</i></p> <p><i>Insurance companies shall ensure that competent authorities are provided at least once a year with a list of: (...).</i></p> <p>Do the Member States support the wording of article 37(4) suggested above?</p>

7a	38	<p>Do the Member States agree that an amendment of Article 38(3) is needed? If so, which of the options above do the Member States prefer?</p> <p><u>Option 1:</u> 3. Used vehicles may be exported only if they are roadworthy.</p> <p><u>Option 2:</u> 3. Used vehicles may be exported only if the documentation that they are roadworthy has been presented.</p>
7b	38	<p>Do the Member States agree that exports to third countries should be subject to a stricter regime than transfers of ownership within the Union? If so – should the stricter regime apply in the same way for exports to both OECD and non-OECD countries, or should just export to non-OECD countries be subject to a stricter regime?</p>
8	Chapter Va	<p>change the title of Chapter Va to: <i>EXPORT OF USED VEHICLES TO THIRD COUNTRIES</i></p> <p>Do the Member States agree with the above proposal?</p>
9	37	<p>change the title of Article 37 as follows: <i>Distinction between used vehicles and end-of-life vehicles upon transfer of ownership</i></p> <p>Do Member States agree with the above proposal?</p>
10	2	<p>Do the Member States agree that in Article 2(4), the following point should be added?</p> <p><i>2(4): (a1) Article 37a on competent authority;</i></p>
11	30, 31	<p>Delegations are invited to indicate whether they support the current wording of Articles 30 and 31 on the basis of the explanations provided in the steering note.</p>
12	28, 30	<p>Delegations are invited to indicate whether they accept the current wording of Articles 28(3) and 30(2) on the basis of the explanations provided in the steering note.</p>

13	Annex VII Part G	Delegations are invited to indicate whether Annex VII Part G point 2 letter (a) should refer the 0.1% value to free copper, or 0.15% or 0.20% of total copper content , or if any other specific amendments would be required to make it acceptable.
14	15	Delegations are invited to indicate whether they accept the current wording of Article 15(3) on the basis of the explanations provided in the steering note; or which specific amendments would be required to make it acceptable.
15	24	<i>NEW Article 24(4): By derogation from paragraph 2, Member States may provide that the delivery of end-of life vehicles is fully free of charge even if the end-of life vehicle does not contain some or all of the essential components of a vehicle.</i> Do the Member States agree with the above proposal?
16	24	Should such a possibility [NEW Article 24(4)] be conditional, e.g. upon the relevant Member State ensuring that ATFs are compensated for providing free of charge delivery of incomplete end-of-life vehicles?

	17	46	<p><i>Article 46</i></p> <p><i>1. Member States shall, for the purpose of enforcing this Regulation, inspect:</i></p> <p><i>(a) authorised treatment facilities;</i></p> <p><i>(b) collection points;</i></p> <p><i>(c) other identified facilities and economic operators, which may treat end-of-life vehicles, or sell used spare parts and components.</i></p> <p><i>2. The inspections shall cover at least 10 % of the operators listed in paragraph 1, points (a) and (c), in each calendar year.</i></p> <p><i>3. Member States shall also carry out inspections concerning export of used vehicles in order to verify compliance with Article 38.</i></p> <p><i>4. Member States should also establish inspection strategies aimed at detecting illegal activities in the area of collection and treatment of end-of-life vehicles and their parts and components.</i></p> <p>Do the Member States agree with the above proposal?</p>
	18	46	<p>Which option do the Member States prefer? [for the 10% inspection target]</p> <p><u>Option 1</u> – only authorised treatment facilities (point a);</p> <p><u>Option 2</u> – authorised treatment facilities, collection points and other identified facilities and economic operators, which may treat end-of-life vehicles, or sell used spare parts and components (points a, b and c);</p> <p><u>Option 3</u> - authorised treatment facilities and other identified facilities and economic operators, which may treat end-of-life vehicles, or sell used spare parts and components (points a and c);</p> <p><u>Option 4</u> - authorised treatment facilities and other identified facilities and economic operators, which may treat end-of-life vehicles (point a and part of point c).</p>

MS position	MS Comments



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Austria
Belgium
Bulgaria
Croatia
Republic of Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Malta
Netherlands
Poland
Portugal
Romania
Slovakia
Slovenia
Spain
Sweden

Position

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In favor
Object
Neutral
Scrutiny