



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 22.12.2006
COM(2006) 922 final

2006/0287 (COD)

Proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending

**Directive 2000/53/CE
on end-of life vehicles, as regards the implementing powers conferred to the
Commission**

(presented by the Commission)

Proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending

Directive 2000/53/CE

on end-of life vehicles, as regards the implementing powers conferred to the Commission

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 175, paragraph 1 thereof,

Having regard to the proposal from the Commission¹,

Having regard to the opinion of the European Economic and Social Committee²,

Having regard to the opinion of the Committee of the Regions³,

Acting in accordance with the procedure laid down in Article 251 of the Treaty⁴

Whereas:

- (1) Directive 2000/53/EC of the European parliament and of the Council⁵ provides that certain measures are to be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁶.
- (2) Decision 1999/468/EC has been amended by Decision 2006/512/CE, which introduced a regulatory procedure with scrutiny to be used for the adoption of implementing measures of general scope which seek to amend non-essential elements of a basic instrument adopted in accordance with the procedure referred to in Article 251 of the Treaty, including by deleting some of those elements or by supplementing the instrument by the addition of new non-essential elements.

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OJ L 269, 21.10.2000, p. 34-43

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OJ L 184, 17.7.1999, p. 23. Decision as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

- (3) In accordance with the joint statement of the European Parliament, the Council and the Commission⁷ on Decision 2006/512/EC, instruments which are already in force must be adjusted in accordance with the applicable procedures. That statement indicates a list of instruments that should be adjusted as a matter of urgency, including the Directive 2000/53/EC.
- (4) In particular power should be conferred on the Commission to amend Annexes, to establish certain technical requirements and control rules. Since those measures are of general scope and are designed to amend non-essential elements of Directive 2000/53/EC and to supplement it by the addition of new non-essential elements, they should be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.
- (5) Directive 2000/53/EC should therefore be amended accordingly.
- (6) Since the amendments to be made to Directive 2000/53/EC by this Directive are adjustments of a technical nature which only concern the committee procedures, they do not need to be transposed by the Member States. It is therefore not necessary to lay down provisions to that effect.

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Directive 2000/53/EC is amended as follows:

(1) In Article 4(2), point (b) is amended as follows:

(a) The introductory phrase is replaced by the following:

"The Commission shall on a regular basis, according to technical and scientific progress, amend Annex II, in order to:"

(b) The following second subparagraph is added:

"Those measures, designed to amend non essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11 (3)."

(2) In Article 5, paragraph 5 is replaced by the following:

"Member States shall take the necessary measures to ensure that competent authorities mutually recognise and accept the certificates of destruction issued in other Member States in accordance with paragraph 3.

To this end, the Commission shall establish, not later than 21 October 2001 the minimum requirements for the certificate of destruction. That measure, designed to amend non essential elements of this Directive by supplementing it, shall be adopted

⁷ OJ C 255, 21.10.2006, p.1

in accordance with the regulatory procedure with scrutiny referred to in Article 11(3)."

(3) In Article 6, the following paragraph 6 is added:

"6. The Commission shall amend Annex I according to technical and scientific progress. That measure, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3)."

(4) In Article 7 (2) the third subparagraph is replaced by the following:

Not later than 21 October 2001, the Commission shall establish the detailed rules necessary to control compliance of Member States with the targets set out in the first subparagraph. In doing so the Commission shall take into account all relevant factors, inter alia the availability of data and the issue of exports and imports of end-of life vehicles. The detailed rules, designed to amend non essential elements of this Directive by supplementing it, shall be adopted in accordance with the procedure referred to in Article 11(3)."

(5) In Article 8, paragraph 2 is replaced by the following:

"Not later than 21 October 2001 the Commission shall, establish the standards referred to in paragraph 1. In so doing, the Commission shall take account of the work going on in this area in the relevant international forums and contribute to this work as appropriate. That measure, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the procedure referred to in Article 11(3)."

(6) In Article 9 (1) the following subparagraph is added:

"The formats relating to the database system shall be adopted in accordance with the regulatory procedure laid down in Article 11(2)".

(7) Article 11 is replaced by the following:

"Article 11

Committee procedure

1. The Commission shall be assisted by the committee established by Article 18 of Directive 75/442/EEC, hereinafter referred to as "the Committee".

2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. Where reference is made to this paragraph, Article 5a(1) to (4) and (5)(b), and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

Article 2

This Directive shall enter into force on the [...] day following that of its publication in the *Official Journal of the European Union*.

Article 3

This Directive is addressed to the Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President