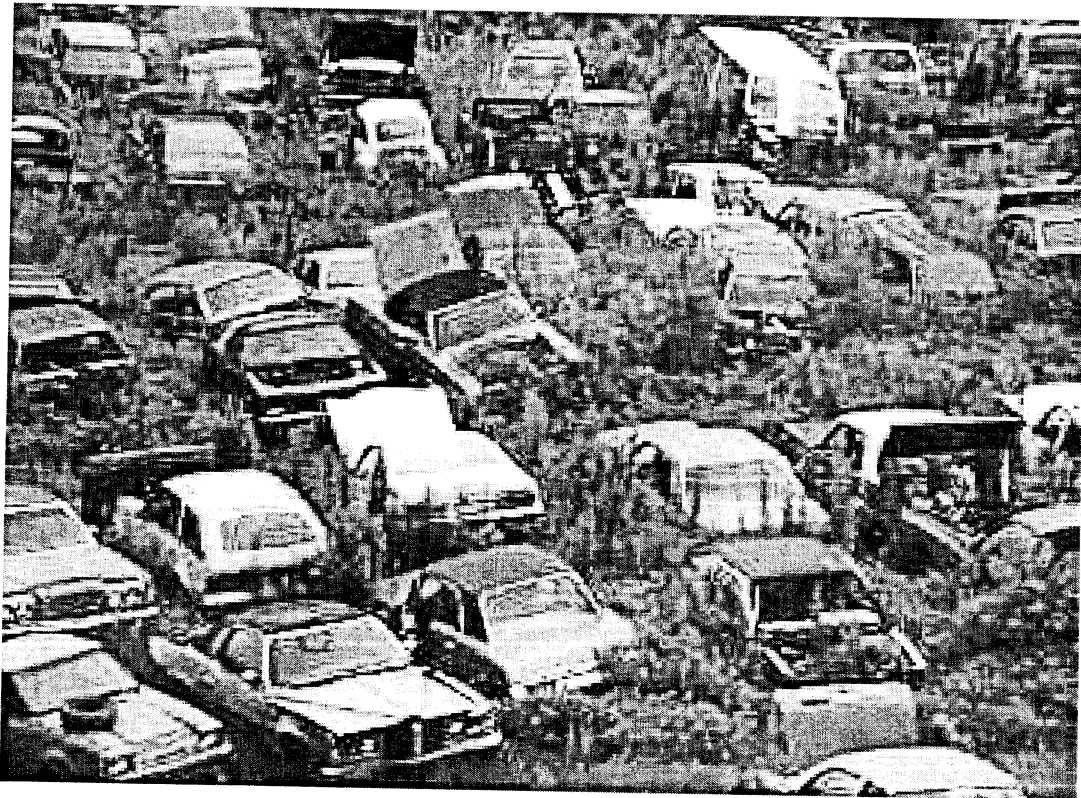


EUROPEAN COMMISSION

Directive 2000/53/EC on end-of-life vehicles



Guidance Document

Version 1 – January 2005

Foreword

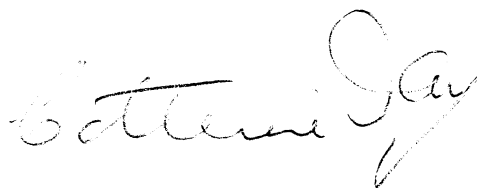
Vehicles which reach the end of their lives represent an important source of waste. Each year, the disposal of cars creates between 8 and 9 million tonnes of waste in the European Union, and this quantity is likely to increase further in the future as cars are constantly being replaced.

The disposal of cars is a major source of hazardous waste and toxic emissions. About 25% of a vehicle's weight is classified as hazardous waste, so vehicles account for up to 10% of the total amount of that waste generated annually in the European Union.

Directive 2000/53/EC on end-of-life vehicles aims to reduce hazardous waste from cars and to limit their final disposal by setting clear targets to encourage reuse, recovery and recycling. Furthermore, it aims to improve the environmental performance of all economic operators involved in the life-cycle of vehicles, and especially operators directly involved in the processing of end-of-life vehicles.

For its objectives to be achieved, this Directive must be correctly transposed into the national laws of the Member States, so that it binds the relevant economic operators. It is thus important to have a clear understanding of the key provisions of the Directive, as it needs to be applied in the same way throughout the Community.

This guidance document is being issued as part of the transparency policy of the Commission. It is intended as a tool to help the competent authorities in the Member States interpret the Directive, and, I hope, to enforce it fully. It can also be used as a reference by economic operators who will have to comply with national laws transposing the Directive.



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Introduction

BACKGROUND

The 6th Environment Action Programme (6EAP) lays down the key environmental objectives and priorities for the next ten years, starting from 22 July 2002.¹ In the field of the sustainable use and management of natural resources and wastes, the 6EAP identifies four specific objectives, including:

*“a significant reduction in the quantity of waste going to disposal and the volumes of hazardous waste produced, while avoiding an increase of emissions to air, water and soil” and “encouraging re-use and for wastes that are still generated: the level of their hazardousness should be reduced and they should present as little risk as possible, preference should be given to recovery and especially recycling; the quantity of waste for disposal should be minimised and should be safely disposed of (...)”.*²

Directive 2000/53/EC on end-of-life vehicles (hereinafter “the ELV Directive”), which was adopted by the European Parliament and the Council on 18 September 2000, also contributes to the objectives of the 6EAP in that its key provisions prohibit the use of mercury, lead, cadmium and hexavalent chromium in vehicle materials and components put on the market after 1 July 2003, in order to make cars less hazardous, and require the collection, reuse, recovery and recycling of end-of-life vehicles. The car producers play a crucial role in this exercise: they need to produce cars with without or with small quantities of toxic materials and constructs the cars in such a way that they become easier to recycle.

The Directive also introduces the principle of producer responsibility. It makes cars manufacturers responsible for the costs of treating end-of-life vehicles and allows the last owner to return an end of life vehicle to an authorised treatment facility free of charge (“free take-back principle”). The reuse, recovery and recycling of end-of-life vehicles is encouraged by setting clear targets at EU level, to apply from 1 January 2006.

The Member States had to transpose the Directive into their national laws by 21 April 2002. They are allowed to transpose some of its soft-law provisions by means of agreements between the national competent authorities and the economic sectors concerned. Obviously, when transposing the requirements of the Directive, the Member States should comply with the basic rules of the EC Treaty, such the obligation to respect the free movement of goods.

More than two years after expiry of the deadline for adoption of the national transposition measures, some Member States had still failed to officially communicate their national transposition measures to the European Commission. Moreover, some issues have been interpreted differently at national level. This could hinder the proper functioning of the internal market and distort competition in the European Union.

¹ O.J. L 242. 10.09.2002. p. 1.

² See Article 8 (1) third and fourth indent of the 6EAP.

PURPOSE OF THIS GUIDANCE DOCUMENT

The principal aim of this Document is to give Member States guidance on interpreting certain key concepts in the ELV Directive. This could facilitate implementation of the Directive and enforcement of national implementation laws. Indeed, merely transposing the obligations of the Directive is not enough. It follows from Article 175(4) of the EC Treaty, and from established case-law of the European Court of Justice, that the obligations of a Directive have first to be applied and then enforced. National enforcement measures must be proportionate, effective and preventive.³

As the economic operators concerned will have to comply with national implementation laws, they can also use this Document as a reference.

STRUCTURE OF THE DOCUMENT

It consists of: (i) some frequently asked questions, (ii) comments on the text of the Directive, and (iii) references to Community legislation and national implementation laws. The comments are in the form of a table with the text of the Directive in one column and any relevant comments and background information in the other. The titles of the Directive's provisions are given down the left-hand side to help the user identify the subject-matter of interest.

NATURE AND LIMITATIONS OF THE DOCUMENT

The Document reflects only the views of the Commission services and has no bearing on any formal infringement procedure concerning transposition of the Directive. The Document is not of a binding nature and does not grant any rights. It should be stressed that in the last resort it is up to the European Court of Justice to interpret Community law.

The interpretations contained in this Document cannot go beyond, or replace, the requirements of the ELV Directive. This is particularly important as this Directive follows the subsidiarity principle and therefore leaves the Member States considerable scope regarding its practical implementation. In any case, the Member States are free to choose how they want to implement the practical measures, provided they meet the general purpose of the Directive.

This is a guidance document and so by its very nature is not intended to be definitive. It may later be revised in the light of experience with implementation in the Member States, and general changes to European waste management policy.

Brussels, January 2005

³ See for example Case C-361/88 *Commission vs Germany* [1991] ECR I-2567 and Case C-198/97 *Commission vs Germany* [1999] ECR I-3257.

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1. SCOPE

Does the Directive cover spare parts?

Yes. According to Article 3 of the ELV Directive, it applies to vehicles and to end-of-life vehicles, including their components and materials, and spare and replacement parts.

Does the Directive cover all vehicles?

No. The vehicles covered by the Directive are defined as “*any vehicle designated as category M1 or N1 defined in Annex IIA to Directive 70/156/EEC and three-wheeled motor vehicles as defined in Directive 92/61/EEC, but excluding motor tricycles*”.

Annex II A, as amended by Council Directive 92/53/EEC of 18 June 1992 amending Directive 70/156/EEC (Official Journal L 225, 10/08/1992 P. 0001 – 0062), defines Category M1 as: “*Vehicles used for the carriage of passengers and comprising no more than eight seats in addition to the driver's seat*” and Category N1 as “*Vehicles used for the carriage of goods and having a maximum mass not exceeding 3.5 tonnes.*” Vehicles weighing more than 3.5 tonnes are therefore excluded from the scope of the Directive.

Does the Directive cover motor caravans?

Yes.

Directive 70/156/EEC gives the following definition of motor caravans:

“*5.1. "Motor caravan" means a special purpose M category vehicle constructed to include living accommodation which contains at least the following equipment:*

- *seats and table,*
- *sleeping accommodation which may be converted from the seats,*
- *cooking facilities, and*
- *storage facilities.*

This equipment shall be rigidly fixed to the living compartment; however, the table may be designed to be easily removable.”

Motor caravans are thus category M, or category M1 if the number of seats is less than or equal to 8. In that case, they are covered by the ELV Directive.

Are there special rules on certain types of vehicles covered by this Directive?

Yes. In the case of three-wheeled motor vehicles, only the collection and treatment obligations in Articles 5(1), 5(2) and 6 of the Directive apply. Furthermore, special purpose vehicles are excluded from the reuse and recovery obligations in Article 7 of the ELV Directive, and Member States may exempt producers that make or import only small volumes from the obligations in Article 7(4), 8 and 9 of the Directive.

What is the definition of an end-of-life vehicle?

To define when a vehicle becomes an ‘end-of-life vehicle’, the Directive refers to the general definition of waste in the Waste Framework Directive (Directive 75/442/EEC).

This means that end-of-life vehicles are vehicles that have become waste within the meaning of Article 1(a) of Directive 75/442/EEC, which defines waste as “any substance or object in the categories set out in Annex I which the holder discards or intends to discard or is required to discard”.

Do electrical or electronic devices such as car radios come within the scope of the ELV Directive or the RoHS Directive?

Vehicle owners may buy from repair shops, supermarkets or specialised shops electric or electronic devices for installation and use in their vehicles, such as radios, CD players, navigation systems, etc. The question is whether these devices are subject to the ELV or RoHS Directives.

Article 3(2) states that this Directive shall apply without prejudice to existing Community legislation and relevant national legislation, in particular as regards safety standards, air emissions, noise control, and the protection of soil and water. Article 2(2) of the RoHS Directive states: “*This Directive shall apply without prejudice to Community legislation on safety and health requirements and specific Community waste management legislation*”. This means that, if the ELV Directive applies, the WEEE and RoHS Directives are not applicable.

The Commission considers that, if a device is designed specifically for use in a vehicle (e.g. a car radio), the ELV Directive applies. If a device is not specifically designed for use in a vehicle, that device is covered by the RoHS Directive.

2. HEAVY METALS BAN

What is the heavy metals ban?

The ‘heavy metals ban’ is set out in Article 4(2)(a) which states that “*Member States shall ensure that materials and components of vehicles put on the market after 1 July 2003 do not contain lead, mercury, cadmium or hexavalent chromium, other than in the cases listed in Annex II under the conditions specified therein*”.

Does this apply to vehicles or to materials and components?

The heavy metals ban applies to vehicles and their materials and components. In other words, vehicle materials and components should be ‘heavy-metal-free’ as specified in Article 4(2)(a). This is illustrated by the fact that Article 4(2)(b) allows certain materials and components to be excluded from this ban.

Since when has this ban applied?

The heavy metals ban applies to only vehicle materials and components (and spare or replacement parts) put on the market after 1 July 2003. In other words, the heavy metals ban applies irrespective of whether the materials or components are used in vehicles put on the

market before or after 1 July 2003. The only relevant factor is the date on which materials, components, or spare or replacement parts (but not the vehicles) are put on the market.

Does the heavy metals ban cover spare parts?

Yes. It includes spare or replacement parts of vehicles, since those parts are covered by the term 'materials and components'. This is also illustrated by the fact that Annex II, which lists exemptions from the heavy metals ban, specifically includes spare or replacement parts (see last note in Commission Decision 2002/525/EC). If spare or replacement parts were not covered by the heavy metals ban in Article 4(2)(a), there would be no reason for specifying an exemption. Moreover, it would seem to follow from Article 3(1) that spare parts, service parts, repair parts or replacement parts should be classed as 'vehicle components'.

What do the words "put on the market" mean?

The words 'put on the market' in Article 4(2)(a) refer to the act of making a product available for the first time on the Community market. This happens when a product is transferred (e.g. either physical hand-over or transfer of ownership) from the producer to a distributor or final consumer or user on the Community market.

Article 2(3) of Directive 2000/53/EC defines 'producer' as "vehicle manufacturer or the professional importer of a vehicle into a Member State". This transfer may even take place within the same company, if this company deals with both production and distribution of vehicles.

The concept of placing on the market refers to each individual vehicle material or component, not to a type of product. Thus it should not be interpreted as the moment when the product, in this case a vehicle, is type-approved. The same or a similar term is used in many directives, such as internal market directives based on the New Approach and the Global Approach. The Guide to the implementation of directives based on the New Approach and the Global Approach defines "placing on the market" as follows:

"Placing on the market is the initial action of making a product available for the first time on the Community market, with a view to distribution or use in the Community. Making available can be either for payment or free of charge [...] A product is placed on the Community market when it is made available for the first time. This is considered to take place when a product is transferred from the stage of manufacture with the intention of distribution or use on the Community market. [...] The transfer of the product takes place either from the manufacturer, or the manufacturer's authorised representative in the Community, to the importer established in the Community or to the person responsible for distributing the product on the Community market. The transfer may also take place directly from the manufacturer, or authorised representative in the Community, to the final consumer or user. The product is considered to be transferred either when the physical hand-over or the transfer of ownership has taken place. This transfer can be for payment or free of charge, and it can be based on any type of legal instrument. Thus, a transfer of a product is considered to have taken place, for instance, in the circumstances of sale, loan, hire, leasing and gift." (p. 18). See <http://europa.eu.int/comm/enterprise/newapproach/legislation/guide/legislation.htm>.

Since it follows from the previous section that spare parts are also covered by the "heavy metal ban", it follows from this section that if spare parts are considered to be "put on the market" if the conditions explained above are met. This means that if spare parts are transferred from the

manufacturing to the distribution phase, and then are stored in view of a transfer from the distribution stage to the final end user, the spare parts are considered to be put on the market after the first transfer has been completed.

3. ANNEX II: LIST OF EXEMPTIONS FROM THE HEAVY METALS BAN

Are the labelling requirements harmonised?

Article 4(2)(b)(iv) of the Directive requires that components containing heavy metals should be labelled or made identifiable in some way, in order to avoid heavy metals ending up in shredder waste. Annex II further specifies which components should be labelled or made identifiable in accordance with this Article.

It should be noted that the marking requirements in Article 8 of the Directive serve a different purpose, namely to identify the components and materials that are suitable for reuse and recovery. This requirement is much wider in scope.

The Directive thus prescribes which parts should be labelled or coded. Since it does not prescribe how this should be done (marking and/or references in dismantling manuals), Member States are free to adopt the necessary requirements at national level.

Are spare parts exempt from the heavy metals ban?

The last note in Annex II allows an exemption for new replacement parts intended for the repair of vehicles until 1 July 2007. This note is currently being revised in order to allow a general exemption for all spare parts used to repair old cars (cars which were already on the market on 1 July 2002).

When and how will the list of exemptions be revised?

According to Article 4(2)(b) of the Directive, the Commission will amend Annex II on a regular basis in the light of technical and scientific progress. The purpose of revising Annex II is to delete exemptions if the use of cadmium, mercury, lead or hexavalent chromium in a certain application becomes avoidable.

Commission Decision 2002/525/EC of 27 June 2002 amended the list of exemptions in Annex II for the first time. It also provided for review of entries 2, 7, 8 and 21 by the end of this year or the beginning of next year. On the basis of this review, the Commission will decide whether there is any need to propose extending the expiry dates for these exemptions.

4. REVIEW

Does the Commission intend to amend the Directive?

The Commission has a mandate to amend the list of exemptions in Annex II in the light of technical and scientific progress using the comitology procedure (see Article 4(2)(b) of the Directive). The Commission will use this mandate first of all to assess whether there is a need to review entries 2, 7, 8 and 22 of Annex II.

The Commission will also review the Commission Decision on coding standards (Commission Decision 2003/138/EC) by 1 July 2005 in order to establish whether there is a need to include coding standards for other materials.

Apart from these technical changes, the Directive can only be amended by the European Parliament and the Council by the co-decision procedure on the basis of a proposal from the Commission. In this respect it should be pointed out that:

- Article 5(4) requires the Commission to monitor implementation of producer responsibility to ensure that it does not result in market distortions. This Article explicitly states that, if necessary, the Commission can propose an amendment to the European Parliament and the Council.
- Article 7(3) states that by 31 December 2005 the European Parliament and the Council must re-examine the 2015 targets (at least 95% reuse and recovery and at least 85% reuse and recycling) on the basis of a report from the Commission, which must be accompanied by a proposal.
- Article 7(4) requires the European Parliament and the Council, on the basis of a proposal from the Commission, to establish targets for reuse and recovery and for reuse and recycling for the years beyond 2015.

5. COMMISSION DECISION 2003/138/EC ON CODING STANDARDS

Are the coding standards mandatory?

Commission Decision 2003/138/EC establishes mandatory coding standards for plastic parts weighing more than 100 grams and for rubber parts weighing more than 200 grams.

Does the weight limit in the Annex apply to all components of the vehicle?

Yes. The weight limit for the coding requirements applies to all the vehicle components. The total weight of the components should thus be taken into account.

Commented text of the ELV Directive

REFERENCE	TEXT OF THE ELV DIRECTIVE	COMMISSION GUIDANCE
Legal basis	Article 175(1) of the EC Treaty	<p>Since the Directive is based on Article 175 (1) of the EC Treaty, Member States are allowed to go beyond the requirements of this Directive and to maintain or adopt stricter measures at national level. Those measures must be compatible with the requirements of the EC Treaty, e.g. on the free movement of goods (see Article 176 of the EC Treaty: <i>“The protective measures adopted pursuant to Article 175 shall not prevent any Member State from maintaining or introducing more stringent protective measures. Such measures must be compatible with this Treaty. They shall be notified to the Commission.”</i>).</p> <p>A consolidated version of the EC Treaty can be found at http://europa.eu.int/eur-lex/en/treaties/dat/EC_consol.pdf.</p>
Article 1 Objectives	This Directive lays down measures which aim, as a first priority, at the prevention of waste from vehicles and, in addition, at the reuse, recycling and other forms of recovery of end-of-life vehicles and their components so as to reduce the disposal of waste, as well as at the improvement in the environmental performance of all of the economic operators involved in the life cycle of vehicles and especially the operators directly involved in the treatment of end-of-life vehicles.	
Article 2 Definitions <i>‘vehicle’</i>	1. "vehicle" means any vehicle designated as category M1 or N1 defined in Annex IIA to Directive 70/156/EEC, and three wheeled motor vehicles as defined in Directive 92/61/EEC, but excluding motor tricycles;	Annex II A, as amended by Commission Directive 2001/116/EC of 20.12.01 amending Directive 70/156/EEC (Official Journal L 18 of 21.1.02, p. 1) defines Category M1 as: <i>“Vehicles designed and constructed for the carriage of passengers and comprising no more than eight seats in addition to the driver’s seat”</i> and Category N1 as <i>“Vehicles designed and constructed</i>

		<p><i>for the carriage of goods and having a maximum mass not exceeding 3.5 tonnes.”</i></p> <p>Furthermore, Directive 70/156/EEC gives the following definition of motor caravans:</p> <p><i>“5.1. "Motor caravan" means a special purpose M category vehicle constructed to include living accommodation which contains at least the following equipment:</i></p> <ul style="list-style-type: none"> <i>– seats and table,</i> <i>– sleeping accommodation which may be converted from the seats,</i> <i>– cooking facilities, and</i> <i>– storage facilities.</i> <p><i>This equipment shall be rigidly fixed to the living compartment; however, the table may be designed to be easily removable.”</i></p> <p>Motor caravans are thus category M and fall under category M1 if the number of seats is less than or equal to 8. In that case, they are covered by the ELV Directive.</p> <p>The Community legislation on the type-approval of vehicles can be found in at http://europa.eu.int/comm/enterprise/automotive/directives/vehicles/index.htm</p>
<p><i>‘end-of-life vehicle’</i></p>	<p>2. "end-of-life vehicle" means a vehicle which is waste within the meaning of Article 1(a) of Directive 75/442/EEC;</p>	<p>Article 1(a) of Directive 75/442/EC, as last amended by Regulation 1882/2003/EC (OJ L 284 of 31.10.2003, p. 1), defines waste as <i>“any substance or object in the categories set out in Annex I which the holder discards or intends to discard or is required to discard”</i>.</p> <p>Any additional criteria used to determine whether a vehicle should be regarded as an end-of-life vehicle that would lead to a less strict application of this definition, would not be in conformity with the Directive.</p> <p>A codified version of Directive 75/422/EEC (COM(2003) 731 final of 27.11.2003) can be found at:</p>

		http://europa.eu.int/eur-lex/en/consleg/index1.html .
<i>'producer'</i>	3. "producer" means the vehicle manufacturer or the professional importer of a vehicle into a Member State;	
<i>'prevention'</i>	4. "prevention" means measures aiming at the reduction of the quantity and the harmfulness for the environment of end-of-life vehicles, their materials and substances;	For further developments at EU level in the field of waste prevention, please refer to the Communication from the Commission "Towards a thematic strategy on the prevention and recycling of waste" at: http://europa.eu.int/comm/environment/waste/strategy.htm
<i>'treatment'</i>	5. "treatment" means any activity after the end-of-life vehicle has been handed over to a facility for depollution, dismantling, shearing, shredding, recovery or preparation for disposal of the shredder wastes, and any other operation carried out for the recovery and/or disposal of the end-of-life vehicle and its components;	It follows from the text that the term "treatment" includes recovery operations. See also Article 3(h) of Directive 2002/96/EC of waste electrical and electronic equipment (WEEE Directive) (OJ L 37 of 13.2.2003, p. 24). There is more information about the WEEE Directive at: http://europa.eu.int/comm/environment/waste/weee_index.htm .
<i>'reuse'</i>	6. "reuse" means any operation by which components of end-of-life vehicles are used for the same purpose for which they were conceived;	
<i>'recycling'</i>	7. "recycling" means the reprocessing in a production process of the waste materials for the original purpose or for other purposes but excluding energy recovery. Energy recovery means the use of combustible waste as a means to generate energy through direct incineration with or without other waste but with recovery of the heat;	For further developments at EU level in the field of recycling, please refer to the Communication from the Commission "Towards a thematic strategy on the prevention and recycling of waste", at http://europa.eu.int/comm/environment/waste/strategy.htm
<i>'recovery'</i>	8. "recovery" means any of the applicable operations provided for in Annex IIB to Directive 75/442/EEC;	The difference between recovery and disposal is currently being discussed in the framework of the Thematic Strategy on waste prevention and recycling. See http://europa.eu.int/comm/environment/waste/strategy.htm)

		<p>In a recently case, the European Court of Justice decided how to distinguish between waste recovery and waste disposal. According to the Court, a waste treatment operation should be classified as recovery when the fundamental objective of the operation is to use the waste instead of primary resources. In Case C-6/00 the Court concluded that filling a mine with waste is a recovery operation if the waste is used to replace primary resources that would otherwise have been used to fill the mine, e.g. so that the land can be reclaimed. This could for instance be the case when, for the purpose of establishing land, a mine must be filled. In Case C-228/00, the Court decided that using waste as a fuel in a cement kiln is recovery if excess heat is generated and is then used in the process.</p> <p>The case law of the European Court of Justice can be found at: http://europa.eu.int/jurisp/cgi-bin/form.pl?lang=en</p> <p>See also: http://europa.eu.int/comm/environment/law/cases_judgements.htm</p>
'disposal'	9. "disposal" means any of the applicable operations provided for in Annex IIA to Directive 75/442/EEC;	<p>In Case C-458/00 the Court decided that incineration in a dedicated municipal waste incinerator has the primary objective of disposing of the waste. The Court added that, in the cases it had examined, this classification as a waste disposal operation would not change even if, as a secondary effect of the process, energy were generated and used.</p> <p>Case-law of the European Court of Justice can be found at: http://europa.eu.int/jurisp/cgi-bin/form.pl?lang=en</p> <p>See also: http://europa.eu.int/comm/environment/la</p>

		w/cases_judgements.htm
<i>'economic operators'</i>	10. "economic operators" means producers, distributors, collectors, motor vehicle insurance companies, dismantlers, shredders, recoverers, recyclers and other treatment operators of end-of-life vehicles, including their components and materials;	
<i>'hazardous substance'</i>	11. "hazardous substance" means any substance which is considered to be dangerous under Directive 67/548/EEC	Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances, OJ L 196 of 16.8.1967, p.1, as amended by Commission Directive 98/98/EC (OJ L 355 of 30.12.1998, p.1) can be found at: http://europa.eu.int/eur-lex/en/search/search_lip.html
<i>'shredder'</i>	12. "shredder" means any device used for tearing into pieces or fragmenting end-of-life vehicles, including for the purpose of obtaining directly reusable metal scrap;	
<i>'dismantling information'</i>	13. "dismantling information" means all information required for the correct and environmentally sound treatment of end-of-life vehicles. It shall be made available to authorised treatment facilities by vehicle manufacturers and component producers in the form of manuals or by means of electronic media (e.g. CD-Rom, on-line services).	
Article 3 Scope	1. This Directive shall cover vehicles and end-of-life vehicles, including their components and materials. Without prejudice to Article 5(4), third subparagraph, this shall apply irrespective of how the vehicle has been serviced or repaired during use and irrespective of whether it is equipped with components supplied by the producer or with other components whose fitting as spare or replacement parts accords with the appropriate	It follows from this Article, and from Recital 8 of the ELV Directive, that all components and materials, including spare parts and replacement parts are covered by this Directive. Regulation 1400/2002/EC on the application of Article 81(3) of the Treaty to categories of vertical agreements and concerted practices in the motor vehicle sector (O. J. L 203 of 1.08.2002, p.30), defines "spare parts" as goods which are to be installed in or upon a motor vehicle so

	<p>Community provisions or domestic provisions.</p>	<p>as to replace components of that vehicle, including goods such as lubricants which are necessary for the use of a motor vehicle, with the exception of fuel. This definition could be used as a reference for the purpose of the ELV Directive.</p> <p>For more information about Regulation 1400/2002/EC, see: http://europa.eu.int/comm/competition/car_sector/</p>
<p><i>Application without prejudice</i></p>	<p>2. This Directive shall apply without prejudice to existing Community legislation and relevant national legislation, in particular as regards safety standards, air emissions and noise controls and the protection of soil and water.</p>	<p>Many electrical devices, such as radios, CD players and navigations systems, are used in cars. The question is whether these electronic devices are subject to the substance ban in the ELV Directive (see Article 4(2)(a) or to the substance ban in Article 4 of Directive 2002/95/EC on restriction of the use of hazardous substances in electrical and electronic equipment (RoHS Directive) (OJ L 03 of 13.02.2003; p.19).</p> <p>The Commission takes the position that if the devices are designed primarily for use in vehicles (e.g. car radios), the ELV Directive applies. If the devices are not specifically designed to be used in vehicles, those devices would be covered by the RoHS Directive</p> <p>For more information on the RoHS Directive see http://europa.eu.int/comm/environment/waste/weee_index.htm</p>
<p><i>Small volume production</i></p>	<p>3. Where a producer only makes or imports vehicles that are exempt from Directive 70/156/EEC by virtue of Article 8(2)(a) thereof, Member States may exempt that producer and his vehicles from Articles 7(4), 8 and 9 of this Directive.</p>	<p>This concerns vehicles produced in small volumes. These are listed in Annex XII to Directive 70/156/EEC. Member States may exempt their producers from the recyclability requirements to be laid down in the type-approval Directive (see COM(2004) 162 final), from the coding standards, and from the obligation to inform and report to treatment operators and consumers.</p>

		<p>Directive 70/156/EC can be found at: http://europa.eu.int/comm/enterprise/automotive/directives/vehicles/index.htm</p> <p>On 11 March 2003, the Commission adopted a Proposal for a Directive on the type-approval of motor vehicles with regard to their re-usability, recyclability and recoverability (COM 2004 (162) final).</p> <p>See: http://europa.eu.int/comm/enterprise/automotive/pagesbackground/recyclability/</p>
<i>Special purpose vehicles</i>	4. Special-purpose vehicles as defined in the second indent of Article 4(1)(a) of Directive 70/156/EEC shall be excluded from the provisions of Article 7 of this Directive.	<p>Special purpose vehicles are defined in Annex II Section A, paragraph 5 of Directive 70/156/EEC. Of M₁ vehicles, the definition covers, motor caravans, armoured vehicles, ambulances, and hearses. N₁ vehicles can also be considered special purpose vehicles if they are fitted with special equipment (e.g. a breakdown vehicle). The reuse/recovery and reuse/recycling targets do not apply to these vehicles.</p> <p>Directive 70/156/EC can be found at http://europa.eu.int/comm/enterprise/automotive/directives/vehicles/index.htm</p>
<i>Three-wheeled motor vehicles</i>	5. For three-wheeled motor vehicles only Articles 5(1), 5(2) and 6 of this Directive shall apply.	<p>Three-wheeled motor vehicles need to be collected, transferred to an authorised treatment facility and treated in accordance with the minimum requirements of the ELV Directive. Other provisions of the ELV Directive - such as Article 5(4) on producer responsibility and Article 7(2) on the mandatory reuse/recovery and reuse/recycling targets - do not apply to them.</p>
<p>Article 4</p> <p>Prevention</p> <p><i>Limitation of the use of</i></p>	<p>1. In order to promote the prevention of waste Member States shall encourage, in particular:</p> <p>(a) vehicle manufacturers, in liaison with material and equipment</p>	<p>The term ‘hazardous substance’ is defined in Article 2(11) of this Directive.</p>

<p><i>hazardous substances</i></p> <p><i>Vehicle design</i></p>	<p>manufacturers, to limit the use of hazardous substances in vehicles and to reduce them as far as possible from the conception of the vehicle onwards, so as in particular to prevent their release into the environment, make recycling easier, and avoid the need to dispose of hazardous waste;</p> <p>(b) the design and production of new vehicles which take into full account and facilitate the dismantling, reuse and recovery, in particular the recycling, of end-of-life vehicles, their components and materials;</p> <p>(c) vehicle manufacturers, in liaison with material and equipment manufacturers, to integrate an increasing quantity of recycled material in vehicles and other products, in order to develop the markets for recycled materials.</p>	
<p><i>'Heavy metals ban'</i></p>	<p>2.(a) Member States shall ensure that materials and components of vehicles put on the market after 1 July 2003 do not contain lead, mercury, cadmium or hexavalent chromium other than in cases listed in Annex II under the conditions specified therein;</p>	<p>The "heavy metals ban" in this provision applies to vehicles and their materials and components. In other words, vehicle materials and components should be 'heavy metal free' as specified in Article 4(2)(a). This is illustrated by the fact that Article 4(2)(b) allows certain materials and components to be excluded from this ban.</p> <p>The Commission is of the opinion that the heavy metals ban also includes spare or replacement parts of vehicles, since those parts are covered by the term 'materials and components'. This is also illustrated by the fact that Annex II, which lists exemptions from the heavy metals ban, mentions specifically spare or replacement parts (see last note in Commission Decision 2002/525/EC amending Annex II for the first time (OJ L 170 of 29.06.2002, p. 81). Moreover, it follows from Article 3(1) that spare parts, service parts, repair parts or replacement parts should be classed as 'vehicle components'.</p> <p>The heavy metals ban only applies to</p>

vehicle materials and components (and spare or replacement parts) put on the market after 1 July 2003. In other words, the heavy metals ban applies irrespective of whether the materials or components are used in vehicles put on the market before or after 1 July 2003. The only relevant question is the date on which the materials, components or spare or replacement parts (not the vehicles) are put on the market.

The words 'put on the market' refer to the initial act of making a product available for the first time on the Community market. This happens when a product is transferred (either physical hand-over or transfer of ownership) from the producer to a distributor or final consumer or user on the Community market.

Article 2(3) defines 'producer' as vehicle manufacturer or the professional importer of a vehicle into a Member State. This transfer may even take place within the same company, if the company deals with both production and distribution of vehicles.

The concept of placing on the market refers to each individual vehicle material or component, not to a type of product. Thus it should not be interpreted as the moment when the product, in this case a vehicle, is type-approved. The same or a similar term is used in many directives, such as internal market directives based on the New Approach and the Global Approach. The Guide to the implementation of directives based on the New Approach and the Global Approach defines "placing on the market" as follows:

"Placing on the market is the initial action of making a product available for the first time on the Community market, with a view to distribution or use in the Community. Making available can be either for payment or free of charge [...] A product is placed on the Community market when it is made available for the first time. This is

		<p>considered to take place when a product is transferred from the stage of manufacture with the intention of distribution or use on the Community market. [...] The transfer of the product takes place either from the manufacturer, or the manufacturer's authorised representative in the Community, to the importer established in the Community or to the person responsible for distributing the product on the Community market. The transfer may also take place directly from the manufacturer, or authorised representative in the Community, to the final consumer or user. The product is considered to be transferred either when the physical hand-over or the transfer of ownership has taken place. This transfer can be for payment or free of charge, and it can be based on any type of legal instrument. Thus, a transfer of a product is considered to have taken place, for instance, in the circumstances of sale, loan, hire, leasing and gift." (p. 18). See http://europa.eu.int/comm/enterprise/newapproach/legislation/guide/legislation.htm.</p> <p>Commission Decision 2002/525/EC amending Annex II for the first time can be found at http://europa.eu.int/comm/environment/waste/elv_index.htm</p>
<p><i>Technical adaptation of Annex II</i></p>	<p>(b) in accordance with the procedure laid down in Article 11 the Commission shall on a regular basis, according to technical and scientific progress, amend Annex II, in order to:</p> <p>(i) as necessary, establish maximum concentration values up to which the existence of the substances referred to in subparagraph (a) in specific materials and components of vehicles shall be tolerated;</p> <p>(ii) exempt certain materials and components of vehicles from the provisions of subparagraph (a) if the use of these substances is unavoidable;</p> <p>(iii) delete materials and components of</p>	<p>Commission Decision 2002/525/EC of 27 June 2002 amends Annex II for the first time. The Commission had prepared the proposal for this revision of Annex II on the basis of an elaborate scientific and technical assessment. This assessment included a technical study on heavy metals in vehicles by an independent consultant. The study is available at: http://europa.eu.int/comm/environment/waste/heavy_metals.pdf.</p> <p>Commission Decision 2002/525/EC provides for assessment of entry 2 (the use of lead in aluminium for machining purposes), entry 7 (the use of lead in wheel balance weights), entry 8 (the use of lead</p>

	<p>vehicles from Annex II if the use of these substances is avoidable; (iv) under points (i) and (ii) designate those materials and components of vehicles that can be stripped before further treatment; they shall be labelled or made identifiable by other appropriate means;</p> <p>(c) the Commission shall amend Annex II for the first time not later than 21 October 2001. In any case none of the exemptions listed therein shall be deleted from the Annex before 1 January 2003.</p>	<p>in vulcanising agents and stabilisers) and entry 21 (the use of cadmium in batteries in electrical vehicles) by the end of 2004 or the beginning 2005. A public stakeholder consultation has been launched for this purpose; see: http://europa.eu.int/comm/environment/waste/pdf_comments/stakeholder_consult_an_nexii.pdf).</p>
<p>Article 5 Collection</p>	<p>1. Member States shall take the necessary measures to ensure:</p> <ul style="list-style-type: none"> – that economic operators set up systems for the collection of all end-of-life vehicles and, as far as technically feasible, of waste used parts removed when passenger cars are repaired, – the adequate availability of collection facilities within their territory. 	<p>The Commission made the following statement at the time of adoption of the Directive: “<i>The Commission confirms that Article 5(1), first indent, authorises Member States to use existing collection systems for the collection of waste used components and does not oblige them to set up separate collection systems (for waste used components) with specific financial requirements.</i>”</p>
<p><i>Transfer to authorised treatment facilities</i></p>	<p>2. Member States shall also take the necessary measures to ensure that all end-of-life vehicles are transferred to authorised treatment facilities.</p>	<p>The Commission made the following statement at the time the Directive: “<i>In line with Article 6(2) any treatment facility should have a permit from or be registered with the competent national authorities, in compliance with Articles 9, 10 and 11 of Directive 75/442/EEC.</i>”</p> <p>A codified version of Directive 75/422/EEC (COM(2003) 731 final of 27.11.2003) can be found at http://europa.eu.int/eur-lex/en/consleg/index1.html</p>
<p><i>Certificates</i></p>	<p>3. Member States shall set up a system according to which the presentation of a</p>	<p>The Commission made the following statement at the time of adoption of the</p>

<p><i>of destruction</i></p>	<p>certificate of destruction is a condition for deregistration of the end-of-life vehicle. This certificate shall be issued to the holder and/or owner when the end-of-life vehicle is transferred to a treatment facility. Treatment facilities, which have obtained a permit in accordance with Article 6, shall be permitted to issue a certificate of destruction. Member States may permit producers, dealers and collectors on behalf of an authorised treatment facility to issue certificates of destruction provided that they guarantee that the end-of-life vehicle is transferred to an authorised treatment facility and provided that they are registered with public authorities.</p> <p>Issuing the certificate of destruction by treatment facilities or dealers or collectors on behalf of an authorised treatment facility does not entitle them to claim any financial reimbursement, except in cases where this has been explicitly arranged by Member States.</p> <p>Member States which do not have a deregistration system at the date of entry into force of this Directive shall set up a system according to which a certificate of destruction is notified to the relevant competent authority when the end-of-life vehicle is transferred to a treatment facility and shall otherwise comply with the terms of this paragraph. Member States making use of this subparagraph shall inform the Commission of the reasons thereof.</p>	<p>Directive: “<i>The Commission considers that the reference to registration contained in Article 5(3), first subparagraph, authorises Member States to decide whether producers, dealers and collectors should be registered pursuant to the Directive 75/442/EEC, or whether they should be entered in a new register established specifically for that purpose.</i>”</p> <p>Member States should ensure that <u>any</u> treatment facility, which has a permit in accordance with Article 6 of the Directive, is allowed to issue a certificate of destruction.</p> <p>A codified version of Directive 75/422/EEC (COM(2003) 731 final of 27.11.2003) can be found at: http://europa.eu.int/eur-lex/en/consleg/index1.html</p>
<p><i>Free take back</i></p>	<p>4. Member States shall take the necessary measures to ensure that the delivery of the vehicle to an authorised treatment facility in accordance with paragraph 3 occurs without any cost for the last holder and/or owner as a result of the vehicle's having no or a negative market value.</p> <p>Member States shall take the necessary</p>	<p>It follows from Article 5(4), read in conjunction with Article 12 of the Directive, that by 1 July 2002, the last holder of an end-of-life vehicle will be able to dispose of it free of charge (“free take-back” principle) and that vehicle producers have to meet all, or a significant part of, the recycling and disposal cost of end-of-life vehicles. For vehicles put on the market before 1 July 2002 (“old vehicles”),</p>

	<p>measures to ensure that producers meet all, or a significant part of, the costs of the implementation of this measure and/or take back end-of-life vehicles under the same conditions as referred to in the first subparagraph.</p> <p>Member States may provide that the delivery of end-of-life vehicles is not fully free of charge if the end-of-life vehicle does not contain the essential components of a vehicle, in particular the engine and the coachwork, or contains waste which has been added to the end-of-life vehicle.</p> <p>The Commission shall regularly monitor the implementation of the first subparagraph to ensure that it does not result in market distortions, and if necessary shall propose to the European Parliament and the Council an amendment thereto.</p>	<p>the free take-back scheme will apply only from 1 January 2007.</p> <p>It follows from these provisions that delivery to any treatment facility that meets the requirements of this Directive should be free of charge for the last owner/holder of the end-of-life vehicle. Therefore, any additional requirements for application of free take-back, e.g. whether the treatment facility has signed an agreement with a vehicle manufacturer or with an association representing the interests of the vehicle manufacturers, would limit the scope of this provision and would thus not be in conformity with the Directive.</p> <p>Free take-back does not cover the cost of transport to the collection point. The words "delivery" in the English version and, more clearly, "Ablieferung" in the German version refer to the act of handing the car over to the treatment operator (who now, unlike before, is obliged to take back from the owner a car without market value free of charge) but not to the transport cost. Furthermore, the last words of the first sentence in Article 5(4) ("as a result of a vehicle having no or a negative market value"), refer to the further treatment costs of the end-of-life vehicle, after the vehicle has been handed over to an authorised treatment facility.</p> <p>Since the last owner has to cover the cost of transport to the treatment facility, the second indent of Article 5(1) requires Member States to make sure that there are sufficient collection points in their national territory.</p> <p>The last holder or owner of an end-of-life vehicle can be charged for take-back only in the limited number of cases specified in this Article, namely</p> <ul style="list-style-type: none">– if the end-of-life vehicle does not contain the essential components of a vehicle, in particular the engine and the
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		<p>coachwork, or</p> <ul style="list-style-type: none"> – if the end-of-life vehicle contains waste which has been added to the end-of-life vehicle. <p>Any additional criteria which would limit the scope of the free-take back principle would not be in conformity with the Directive.</p>
<p><i>Minimum requirements for certificate of destruction – mutual recognition</i></p>	<p>5. 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 draw up, not later than 21 October 2001 the minimum requirements for the certificate of destruction.</p>	<p>Commission Decision 2002/151/EC of 19 February 2002 establishes minimum requirements for the certificate of destruction. (OJ L 50 of 21.02.2002, p.94). See http://europa.eu.int/comm/environment/waste/elv_index.htm.</p>
<p>Article 6</p> <p>Treatment</p> <p><i>Storage and treatment in line with Directive 75/442/EEC</i></p> <p><i>Permit or registration of treatment operators</i></p> <p><i>Derogation from permit requirement</i></p>	<p>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.</p> <p>2. Member States shall take the necessary measures to ensure that any establishment or undertaking carrying out treatment operations obtains a permit from or be registered with the competent authorities, in compliance with Articles 9, 10 and 11 of Directive 75/442/EEC.</p> <p>The derogation from the permit requirement referred to in Article 11(1)(b) of Directive 75/442/EEC may apply to recovery operations concerning waste of end-of-life vehicles after they</p>	<p>In addition to the general minimum requirements in Directive 75/442/EC, the ELV Directive lays down minimum requirements for the treatment of end-of-life vehicles. Since the ELV Directive is based on Article 175 of the EC Treaty, Member States are allowed to adopt stricter protective measures for the environment on their national territory, provided that those national rules comply with the other provisions of the EC Treaty. In other words, as long as the EC Treaty provisions are respected, Member States can decide to adopt stricter requirements for treatment facilities and/or operations in order to protect the environment.</p> <p>In principle, a dismantling facility does not seem to fall under one of the technical descriptions of the waste management operations described in Annex I, heading 5, of Directive 96/61/EC (IPPC Directive). However, if a dismantling facility also carries out any of the disposal or recovery operations listed under that heading it may be covered by the IPPC Directive. Then a</p>

<p><i>Minimum treatment requirements - Annex I</i></p> <p><i>De-pollution should be carried out as soon as possible</i></p> <p><i>Environmental management systems</i></p>	<p>have been treated according to Annex 1(3) to this Directive if there is an inspection by the competent authorities before the registration. This inspection shall verify:</p> <p>(a) type and quantities of waste to be treated;</p> <p>(b) general technical requirements to be complied with;</p> <p>(c) safety precautions to be taken, in order to achieve the objectives referred to in Article 4 of Directive 75/442/EEC. This inspection shall take place once a year. Member States using the derogation shall send the results to the Commission.</p> <p>3. Member States shall take the necessary measures to ensure that any establishment or undertaking carrying out treatment operations fulfils at least the following obligations in accordance with Annex I:</p> <p>(a) end-of-life vehicles shall be stripped before further treatment or other equivalent arrangements are made in order to reduce any adverse impact on the environment. Components or materials labelled or otherwise made identifiable in accordance with Article 4(2) shall be stripped before further treatment;</p> <p>(b) hazardous materials and components shall be removed and segregated in a selective way so as not to contaminate subsequent shredder waste from end-of-life vehicles;</p> <p>(c) stripping operations and storage shall be carried out in such a way as to ensure the suitability of vehicle components for reuse and recovery, and in particular for recycling.</p> <p>Treatment operations for depollution of end-of-life vehicles as referred to in Annex I(3) shall be carried out as soon as possible.</p> <p>4. Member States shall take the</p>	<p>number of additional requirements have to be met, e.g. using the best available techniques (BAT) for preventing or reducing emissions, and environmental impact in general.</p> <p>Member States can also decide to apply the requirements of the IPPC Directive to dismantling facilities which are not covered by the Directive. Indeed, the IPPC Directive is also based on Article 175 of the EC Treaty, which allows Member States to adopt stricter national protective measures as long as these national requirements comply with the provisions of the EC Treaty.</p> <p>A codified version of Directive 75/422/EEC (COM(2003) 731 final of 27.11.2003) can be found at: http://europa.eu.int/eur-lex/en/consleg/index1.html</p> <p>More information about the IPPC Directive can be found at: http://europa.eu.int/comm/environment/ippc/index.htm.</p> <p>More information about EMAS can be found at: http://europa.eu.int/comm/environment/emass/index_en.htm.</p>
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	<p>necessary measures to ensure that the permit or registration referred to in paragraph 2 includes all conditions necessary for compliance with the requirements of paragraphs 1, 2 and 3.</p> <p>5. Member States shall encourage establishments or undertakings, which carry out treatment operations to introduce, certified environmental management systems.</p>	
<p>Article 7 <i>Reuse and recovery</i></p>	<p>1. Member States shall take the necessary measures to encourage the reuse of components which are suitable for reuse, the recovery of components which cannot be reused and the giving of preference to recycling when environmentally viable, without prejudice to requirements regarding the safety of vehicles and environmental requirements such as air emissions and noise control.</p>	<p>The Commission made the following statement at the time of adoption of the Directive: <i>“The Commission states that Article 7(1) does not introduce any additional requirements, measures or criteria with regard to technical controls.”</i></p>
<p><i>Targets</i></p>	<p>2. Member States shall take the necessary measures to ensure that the following targets are attained by economic operators:</p> <p>(a) no later than 1 January 2006, for all end-of-life vehicles, the reuse and recovery shall be increased to a minimum of 85 % by an average weight per vehicle and year. Within the same time limit the reuse and recycling shall be increased to a minimum of 80 % by an average weight per vehicle and year;</p> <p>for vehicles produced before 1 January 1980, Member States may lay down lower targets, but not lower than 75 % for reuse and recovery and not lower than 70 % for reuse and recycling. Member States making use of this subparagraph shall inform the Commission and the other Member States of the reasons thereof;</p> <p>(b) no later than 1 January 2015, for all end-of-life vehicles, the reuse and</p>	<p>The targets apply to vehicles which become waste as from 1 January 2006. Existing stockpiles of end-of-life vehicles national territory should be treated in accordance with the other requirements of the Directive, but they are not covered by the targets.</p>

	recovery shall be increased to a minimum of 95 % by an average weight per vehicle and year. Within the same time limit, the re-use and recycling shall be increased to a minimum of 85 % by an average weight per vehicle and year.	
<i>Review 2015 targets</i>	By 31 December 2005 at the latest the European Parliament and the Council shall re-examine the targets referred to in paragraph (b) on the basis of a report of the Commission, accompanied by a proposal. In its report the Commission shall take into account the development of the material composition of vehicles and any other relevant environmental aspects related to vehicles.	
<i>Rules to monitor compliance with the targets</i>	The Commission shall, in accordance with the procedure laid down in Article 11, establish the detailed rules necessary to control compliance of Member States with the targets set out in this paragraph. 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 Commission shall take this measure not later than 21 October 2002.	The Commission is currently preparing the rules, which are expected to be adopted in the second half of 2004. In September 2002, a report was published on this issue, preparing adoption of these rules. The report can be found at: http://europa.eu.int/comm/environment/waste/studies/elv/compliance_art7.2.pdf .
<i>Targets beyond 2015</i>	3. On the basis of a proposal from the Commission, the European Parliament and the Council shall establish targets for reuse and recovery and for reuse and recycling for the years beyond 2015.	
<i>Recyclability standards in the type-approval Directive</i>	4. In order to prepare an amendment to Directive 70/156/EEC, the Commission shall promote the preparation of European standards relating to the dismantlability, recoverability and recyclability of vehicles. Once the standards are agreed, but in any case no later than by the end of 2001, the European Parliament and the Council, on the basis of a proposal from the Commission, shall amend Directive 70/156/EEC so that vehicles type-approved in accordance with that	On 11 March 2003, the Commission adopted a Proposal for a Directive on the type-approval of motor vehicles with regard to their re-usability, recyclability and recoverability (COM 2004 (162) final). See: http://europa.eu.int/comm/enterprise/automotive/pagesbackground/recyclability/

	<p>Directive and put on the market after three years after the amendment of the Directive 70/156/EEC are re-usable and/or recyclable to a minimum of 85 % by weight per vehicle and are re-usable and/or recoverable to a minimum of 95 % by weight per vehicle. 5. In proposing the amendment to Directive 70/156/EEC relating to the ability to be dismantled, recoverability and recyclability of vehicles, the Commission shall take into account as appropriate the need to ensure that the reuse of components does not give rise to safety or environmental hazards.</p>	
<p>Article 8 <i>Coding standards</i> / <i>dismantling information</i></p>	<p>1. Member States shall take the necessary measures to ensure that producers, in concert with material and equipment manufacturers, use component and material coding standards, in particular to facilitate the identification of those components and materials which are suitable for reuse and recovery.</p>	
<p><i>Coding standards</i></p>	<p>2. Not later than 21 October 2001 the Commission shall, in accordance with the procedure laid down in Article 11 establish the standards referred to in paragraph 1 of this Article. 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.</p>	<p>Commission Decision 2003/138/EC of 27 February 2003 establishes component and material coding standards for vehicle (OJ L 053, 28.02.2003, p. 58). It requires the labelling and identification of plastic components and materials weighing more than 100 grams and elastomer components and materials weighing more than 200 grams. This Commission Decision will be reviewed by 1 July 2005 in order to establish, if necessary, component and materials coding standards for other materials.</p> <p>Commission Decision 2003/138/EC can be found at: http://europa.eu.int/comm/environment/waste/elv_index.htm.</p>

<p><i>Dismantling information</i></p>	<p>3. Member States shall take the necessary measures to ensure that producers provide dismantling information for each type of new vehicle put on the market within six months after the vehicle is put on the market. This information shall identify, as far as it is needed by treatment facilities in order to comply with the provisions of this Directive, the different vehicle components and materials, and the location of all hazardous substances in the vehicles, in particular with a view to the achievement of the objectives laid down in Article 7.</p> <p>4. Without prejudice to commercial and industrial confidentiality, Member States shall take the necessary measures to ensure that manufacturers of components used in vehicles make available to authorised treatment facilities, as far as it is requested by these facilities, appropriate information concerning dismantling, storage and testing of components which can be reused.</p>	
<p>Article 9</p> <p><i>Reporting and information</i></p> <p><i>National implementation reports</i></p> <p><i>Questionnaire</i></p>	<p>1. At three-year intervals Member States shall send a report to the Commission on the implementation of this Directive. The report shall be drawn up on the basis of a questionnaire or outline drafted by the Commission in accordance with the procedure laid down in Article 6 of Directive 91/692/EEC with a view to establishing databases on end-of-life vehicles and their treatment. The report shall contain relevant information on possible changes in the structure of motor vehicle dealing and of the collection, dismantling, shredding, recovery and recycling industries, leading to any distortion of competition between or within Member States. The questionnaire or outline shall be sent to the Member States six months before the start of the period covered by the</p>	<p>Commission Decision 2001/753/EC of 17 October 2001 establishes a questionnaire for Member State reports on the implementation of Directive 2000/53/EC (OJ L 277 of 20.10.2001, p.27).</p> <p>The first national report on the implementation will cover the period 21 April 2002 – 21 April 2005. The national reports will have to be communicated to the Commission by 21 January 2006 at the latest. On the basis of these national reports, the Commission will publish a report on the implementation of this Directive by 21 October 2006.</p>

	<p>Commission thereof.</p> <p>When Member States adopt these measures, these shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by Member States.</p>	
	<p>2. Member States shall communicate to the Commission the text of the main provisions of domestic law, which they adopt in the field governed by this Directive.</p>	<p>By 21 April 2002, all Member States had failed to communicate their national transposition measures to the Commission. The Commission started infringement cases for non-communication against the EU-15. By the first half of 2004, four Member States of the EU-15 had still failed to communicate their national transposition measures. The Court cases for non-communication of national transposition laws are continuing. For the other Member States of the EU-15 who communicated the national transposition measures, the Commission is currently carrying out a compliance check in order to make sure that the obligations of the Directive are correctly transposed into the national laws of the Member States.</p> <p>None of the new EU-10 requested a transitional period for the implementation of the ELV Directive, so their national transposition measures should have been in place by 1 May 2004. So, far nine of the new Member States have officially communicated their national transposition measures to the Commission.</p> <p><i><u>Background information</u></i></p> <p>As guardian of the EC Treaty, the Commission must make sure that the legal requirements of the Treaty and legislation adopted under the Treaty are respected by the Member States. Article 226 of the Treaty gives the Commission powers to take legal action against a Member State that is not meeting its obligations.</p> <p>If the Commission considers that there</p>

		<p>may be an infringement of EU law that warrants the opening of an infringement procedure, it addresses a "Letter of Formal Notice" to the Member State concerned, asking it to send its comments by a specific date, usually two months later.</p> <p>In the light of the reply or absence of a reply from the Member State concerned, the Commission may decide to address a "Reasoned Opinion" (or second written warning) to the Member State. This clearly and definitively explains the reasons why it considers there to have been an infringement of EU law and calls upon the Member State to comply within a specified period, usually two months.</p> <p>If the Member State fails to comply with the Reasoned Opinion, the Commission may decide to bring the case before the Court of Justice.</p> <p>Article 228 of the Treaty gives the Commission the power to act against a Member State that does not comply with a previous ruling of the Court of Justice. The Article also allows the Commission to ask the Court to impose a fine on the Member State concerned.</p> <p>Current statistics on infringements are at: http://europa.eu.int/comm/secretariat_general/sgb/droit_com/index_en.htm#infractions</p>
	<p>3. Provided that the objectives set out in this Directive are achieved, Member States may transpose the provisions set out in Articles 4(1), 5(1), 7(1), 8(1), 8(3) and 9(2) and specify the detailed rules of implementation of Article 5(4) by means of agreements between the competent authorities and the economic sectors concerned. Such agreements shall meet the following requirements</p> <p>(a) agreements shall be enforceable;</p> <p>(b) agreements need to specify</p>	<p>This provision allows Member States to implement the provisions on vehicle design, collection points, reuse, recovery and recycling, coding standards, and information requirements under voluntary agreements if certain conditions are met.</p> <p>See also the Commission Communication on environmental agreements (COM (1996) 561 final): http://europa.eu.int/comm/environment/docum/96561sm.htm.</p>

	<p>objectives with the corresponding deadlines;</p> <p>(c) agreements shall be published in the national official journal or an official document equally accessible to the public and transmitted to the Commission;</p> <p>(d) the results achieved under an agreement shall be monitored regularly, reported to the competent authorities and to the Commission and made available to the public under the conditions set out in the agreement;</p> <p>(e) the competent authorities shall make provisions to examine the progress reached under an agreement;</p> <p>(f) in case of non-compliance with an agreement Member States must implement the relevant provisions of this Directive by legislative, regulatory or administrative measures.</p>	
<p>Article 11</p> <p>Committee procedure</p>	<p>1. The Commission shall be assisted by the committee established by Article 18 of Directive 75/442/EEC, hereinafter referred to as "the Committee".</p> <p>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.</p> <p>The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.</p> <p>3. The Committee shall adopt its rules of procedure.</p> <p>4. The Commission, according to the procedure laid down in this Article, shall adopt:</p> <p>(a) the minimum requirements, as referred to in Article 5(5), for the certificate of destruction;</p> <p>(b) the detailed rules referred to in Article 7(2), third subparagraph;</p> <p>(c) the formats relating to the database system referred to in Article 9;</p> <p>(d) the amendments necessary for</p>	<p>Using the "comitology" procedure, the Commission has adopted the following decisions:</p> <ul style="list-style-type: none"> - Commission Decision 2001/753/EC concerning a questionnaire for Member States reports on the implementation of the ELV Directive (OJ L 282 of 26.10.2001, p.77). - Commission Decision 2002/151/EC of 19 February 2002 establishes the minimum requirements for the certificate of destruction. (OJ L 050 of 21.02.2002, p.94). - Commission Decision 2003/138/EC of 27 February 2003 establishes component and material coding standards for vehicle (OJ L 53, 28.02.2003, p. 58). - Commission Decision 2002/525/EC of 27 June of amending Annex II (OJ L 170 of 29.6.2002, p. 81)

	adapting the Annexes to this Directive to scientific and technical progress.	
Article 12 <i>Entry into force</i>	<p>1. This Directive shall enter into force on the day of its publication in the Official Journal of the European Communities.</p> <p>2. Article 5(4) shall apply:</p> <ul style="list-style-type: none"> – as from 1 July 2002 for vehicles put on the market as from this date, – as from 1 January 2007 for vehicles put on the market before the date referred to in the first indent. <p>3. Member States may apply Article 5(4) in advance of the dates set out in paragraph 2.</p>	
Article 13 <i>Addressees</i>	This Directive is addressed to the Member States.	
Annex I <i>Minimum technical requirements for treatment in accordance with Article 6(1) and (3)</i> <i>Sites for storage</i>	<p>1. Sites for storage (including temporary storage) of end-of-life vehicles prior to their treatment:</p> <ul style="list-style-type: none"> – impermeable surfaces for appropriate areas with the provision of spillage collection facilities, decanters and cleanser-degreasers, – equipment for the treatment of water, including rainwater, in compliance with health and environmental regulations. 	Annex I lays down minimum treatment requirements. Since the ELV Directive is based on Article 175 of the EC Treaty, Member States are allowed to adopt stricter protective measures for the environment in their national territory, provided that those national rules comply with the other provisions of the EC Treaty. In other words, as long as the EC Treaty provisions are respected, Member States can decide to adopt stricter requirements for storage operations in order to protect the environment.
<i>Sites for treatment</i>	<p>2. Sites for treatment:</p> <ul style="list-style-type: none"> – impermeable surfaces for appropriate areas with the provision of spillage collection facilities, decanters and cleanser-degreasers, – appropriate storage for dismantled spare parts, including impermeable 	

	<p>storage for oil-contaminated spare parts,</p> <ul style="list-style-type: none"> – appropriate containers for storage of batteries (with electrolyte neutralisation on site or elsewhere), filters and PCB/PCT-containing condensers, – appropriate storage tanks for the segregated storage of end-of-life vehicle fluids: fuel, motor oil, gearbox oil, transmission oil, hydraulic oil, cooling liquids, antifreeze, brake fluids, battery acids, air-conditioning system fluids and any other fluid contained in the end-of-life vehicle, – equipment for the treatment of water, including rainwater, in compliance with health and environmental regulations, – appropriate storage for used tyres, including the prevention of fire hazards and excessive stockpiling. 	
<p><i>Treatment operations for depollution</i></p>	<p>3. Treatment operations for de-pollution of end-of-life vehicles:</p> <ul style="list-style-type: none"> – removal of batteries and liquefied gas tanks, – removal or neutralisation of potential explosive components, (e.g. air bags), – removal and separate collection and storage of fuel, motor oil, transmission oil, gearbox oil, hydraulic oil, cooling liquids, antifreeze, brake fluids, air-conditioning system fluids and any other fluid contained in the end-of-life vehicle, unless they are necessary for the re-use of the parts concerned, – removal, as far as feasible, of all components identified as containing 	<p>The de-pollution of end-of-life vehicles requires removal and separate collection and storage of air-conditioning system fluids, unless they are necessary for the reuse of the parts concerned (Annex I, point 3, 3rd indent).</p> <p>“Air conditioning system fluids” are all oils in the air-conditioning system, all refrigerants covered by the Montreal Protocol (i.e. ozone depleting substances), all fluorinated gases covered by the Kyoto Protocol (e.g. HFC-134a, HFC-152a), and propane or other volatile organic compounds.</p>

	mercury.	
<i>Treatment operations in order to promote recycling</i>	<p>4. Treatment operations in order to promote recycling:</p> <ul style="list-style-type: none"> – removal of catalysts, – removal of metal components containing copper, aluminium and magnesium if these metals are not segregated in the shredding process, – removal of tyres and large plastic components (bumpers, dashboard, fluid containers, etc), if these materials are not segregated in the shredding process in such a way that they can be effectively recycled as materials, – removal of glass. 	
<i>Storage</i>	Storage operations are to be carried out avoiding damage to components containing fluids or to recoverable components and spare parts.	
Annex II <i>Materials and components exempt from Article 4(2)(a)</i>		
<i>Labelling requirements</i>	Entry 5, 6, 7, 11, 12, 14, 18, 19, 21.	<p>Article 4(2)(b)(iv) of the Directive requires components containing heavy metals to be labelled or somehow made identifiable in order to avoid heavy metals ending up in shredder waste. Annex II further specifies which components should be labelled or made identifiable in accordance with this Article.</p> <p>It should be noted that the marking requirements in Article 8 of the Directive serve a different purpose, namely to identify components and materials which are suitable for reuse and recovery. Article</p>

		<p>4(2)(b)(iv) is much wider in scope.</p> <p>The Directive thus prescribes which parts should be labelled or coded. Since the Directive does not prescribe how parts are to be labelled or identified (marking and/or references in dismantling manuals), Member States are free to adopt the necessary requirements at national level.</p>
Entry 4	Lead as an alloying element in lead-bronze bearing shells and bushes	<p>Most lead-bronze bearings, shells and bushes consist of three layers: steel, lead-bronze (primary layer) and a thin coating layer which may also contain lead-bronze.</p> <p>Only lead-bronze bearing shells and bushes are covered by this exemption. The definition of lead-bronze bearing shells does not include lead-tin bearing shells (no bronze). Products of PTFE overlay with lead fillers are not covered by the exemption either.</p>
Entry 11	Lead and lead compounds in solder in electronic circuit boards and other electric applications	<p>This exemption applies where soldering material is already affixed to an electronic component, e.g. as a "pin" attached to a connector, where the component is intended to be soldered onto another electric application device, such as an electronic circuit board (PCB), cable or wire harness. The assumption is that only the soldering material contains any lead content.</p> <p>All electrical application where lead is used in the solder are covered by this exemption. 'Other applications' of solder are also electrical applications if the solder has at least a conductive function.</p>
Entry 14	Lead and lead compounds in electrical components which contain lead in a glass or ceramic matrix compound except glass bulbs and glaze of spark plugs	<p>Headlamps are not covered by the exemption. In most cases, headlamps are already lead-free. In the exceptional cases where headlamps contain lead, the Directive requires the use of lead will to be phased out by 1 July 2003.</p>
Entry 19	Mercury in discharge lamps and instrument panel displays	<p>This exemption does not cover entertainment screens.</p>

<p><i>Notes</i></p> <p><i>Maximum concentration levels</i></p>	<ul style="list-style-type: none"> – a maximum concentration value up to 0,1 % by weight and per homogeneous material, for lead, hexavalent chromium and mercury and up to 0,01 % by weight per homogeneous material for cadmium shall be tolerated, provided these substances are not intentionally introduced – a maximum concentration value up to 0,4 % by weight of lead in aluminium shall also be tolerated provided it is not intentionally introduced, – a maximum concentration value up to 0,4 % by weight of lead in copper intended for friction materials in brake linings shall be tolerated until 1 July 2007 provided it is not intentionally introduced. <p>"Intentionally introduced" shall mean "deliberately utilised in the formulation of a material or component where its continued presence is desired in the final product to provide a specific characteristic, appearance or quality". The use of recycled materials as feedstock for the manufacture of new products, where some portion of the recycled materials may contain amounts of regulated metals, is not to be considered as intentionally introduced</p>	<p>A homogeneous material is a material that can not be mechanically broken down into different materials. The term "homogeneous" basically means "of uniform composition throughout". "Mechanically broken down" means separating by mechanical action, e.g. unscrewing, shredding, cutting, crushing, grinding and abrasion.</p>
<i>Reuse</i>	the reuse of parts of vehicles which were already on the market at the date of expiry of an exemption is allowed without limitation since it is not covered by Article 4(2)(a),	
<i>Spare parts</i>	until 1 July 2007, new replacement parts intended for repair of parts of vehicles exempted from the provisions of Article 4(2)(a) shall also benefit from the same	<p>'New replacement part' is interpreted in the following way:</p> <ul style="list-style-type: none"> – "New" refers to the fact that the

	<p>exemptions.</p> <p>This clause applies to replacement parts and not to components intended for normal servicing of vehicles. It does not apply to wheel balance weights, carbon brushes for electric motors and brake linings as these components are covered in specific entries</p>	<p>replacement part is put on the market after 1 July 2003;</p> <ul style="list-style-type: none">- Replacement parts intended for repair are normally produced with the placing on the market of a new vehicle;- Replacement parts intended for repair are not used to replace components on a regular basis during the normal servicing of vehicles, but only exceptionally;- The following components could qualify as replacement parts intended for repair:<ul style="list-style-type: none">- Aluminium for machining purposes- Vulcanising agents and stabilisers for elastomers in fluid-handling and power-train applications- Stabiliser in protective paints- Valve seats- Pyrotechnic initiators;- Thick film pastes.- In any event, components intended for normal servicing of vehicles, as well as wheel balance weights, carbon brushes for electric motors and brake linings, are not classed as replacement parts intended for repair. <p>'Intended for the repair of parts of vehicles exempted from the provisions of Article 4(2)(a)' refers to the repair of components of materials of vehicles put on the market before 1 July 2003. Vehicles put on the market after 1 July 2003, will automatically be heavy-metal-free since materials and components of vehicles put on the market after 1 July 2003 have to be free of heavy metals.</p> <p>'Shall benefit from the same exemptions' refers to the fact that those replacement parts can only benefit from the list of exemptions in Annex II. In other words: the exemptions listed in Annex II will be prolonged until 1 July 2007.</p>
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		<p>This note is currently under review and will be amended to allow an exemption for all spare parts put on the market after 1 July 2002, but used to repair 'old' vehicles (vehicles which were already on the market on 1 July 2002).</p>
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References to Community legislation

- Directive 2000/53/EC on end-of-life vehicles, OJ L 269 of 21.10.2000, p. 34.
- Commission Decision 2001/753/EC concerning a questionnaire for Member States reports on the implementation of Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles, OJ L 282 of 26.10.2001, p. 77.
- Commission Decision 2002/151/EC on minimum requirements for the certificate of destruction issued in accordance with Article 5(3) of Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles, OJ L 50 of 21.2.2002, p. 94.
- Commission Decision 2002/525/EC amending Annex II of Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles, L 170 of 29.6.2002, p. 81.
- Commission Decision 2003/138/EC establishing component and material coding standards for vehicle pursuant to Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles, OJ L 53 of 28.2.2003, p. 58.

A Commission Decision establishing detailed rules to monitor compliance with the targets of Article 7(1) of the Directive, and a Commission Decision amending the last note of Annex II, are currently under preparation.

All legislative texts can be found at: http://europa.eu.int/comm/environment/waste/elv_index.htm

References to national implementation legislation

Member State	Code ISO	National implementation law	Contact
Belgium	BE	<p><u>Décret 'VLAREA' du 5 décembre 2003</u> Besluit van de Vlaamse regering van 5 december 2003 tot vaststelling van het Vlaams reglement inzake afvalvoorkoming en -beheer (VLAREA)". M.B. 30.04.2004 p. 36057</p> <p><u>Arrêté du Gouvernement wallon du 25 avril 2002</u> instaurant une obligation de reprise de certains déchets en vue de leur valorisation ou de leur gestion. M.B. 18.06.2002 p. 27730</p> <p><u>Arrêté du Gouvernement wallon du 27 février 2003</u> déterminant les conditions sectorielles des installations de regroupement ou de tri de déchets métalliques recyclables, des installations de regroupement, de tri ou de récupération de pièces de véhicules hors d'usage, des centres de démantèlement et de dépollution des véhicules hors d'usage et des centres de destruction de véhicules hors d'usage et de traitement des métaux ferreux et non ferreux. M.B. 14.03.2003 p. 12506</p> <p><u>Arrêté du Gouvernement de la Région de Bruxelles-Capitale du 18 juillet 2002</u> instaurant une obligation de reprise de certains déchets en vue de leur valorisation ou de leur gestion. M.B. 27.09.02 p. 43849</p> <p>. <u>Arrêté du Gouvernement de la Région de Bruxelles-Capitale du 6 septembre 2001</u> relatif à l'agrément des exploitants de centres d'élimination de véhicules hors d'usage habilités à délivrer un certificat de destruction, et aux conditions d'exploitation desdits centres. M.B. 26.09.2001 p. 32275</p> <p>See http://www.febelauto.be/nl/index.asp?file=6 http://www.febelauto.be/FR/index.asp?file=6</p>	<p>Federal Public Service Health, Safety of the food Chain and Environment Directorate general Environment Product Policy Boulevard Montagne de l'Oratoire 20 box 3 B- 1010 Brussels</p> <p>OVAM Stationsstraat 110 B-2800 Mechelen</p>
Denmark	DK	<p>Statutory order no. 480 of 19. June 2002 on management of waste in the form of motor vehicles and derived waste fractions,</p> <p>Statutory order no. 570 of 23. June 2002 on import and sales of passenger cars, light trucks etc. containing</p>	<p>Danish EPA Strandgade 29 DK-1401 Copenhagen</p>

		<p>certain hazardous substances,</p> <p>Statutory order no. 782 of 17. September 2002 on collection of environment and scrapping premiums and payment of reimbursement in connection with dismantling and scrapping of vehicles</p> <p>See: http://www.mst.dk/homepage/default.asp?Sub=http://www.mst.dk/facts/01000000.htm</p>	
Germany	DE	<p>Gesetz über die Entsorgung von Altfahrzeugen (Altfahrzeug-Gesetz-Altfahrz.G) vom 21/06/2002 - ref: BGBl. n° 41 Teil I du 28/06/2002 p. 2199.</p> <p>Verordnung des Bundesministers für Land- und Forstwirtschaft, Umwelt und Wasserwirtschaft über die Abfallvermeidung, Sammlung und Behandlung von Altfahrzeugen (Altfahrzeugeverordnung) - ref: BGBl. n° 407 Teil II du 05/11/2002 p. 2887.</p> <p>See: http://www.bmu.de/files/vchicles.pdf</p>	<p>Umweltbundesamt Seecktstr.6-10 13 581 Berlin</p> <p>Ministerium für Umwelt und Verkehr Postfach 103439, 70029 Stuttgart</p> <p>Bundesumweltministerium Robert-Schuman-Platz 3, 53175 Bonn</p>
Greece	EL	<p>Décret présidentiel n° 116/2004- ref: FEK n° 81 A du 05/03/2004 p. 4281.</p>	<p>Ministry for the Environment 147 Patisision Str 11251 Athens Greece</p>
Spain	ES	<p>Real Decreto 1383/2002, de 20 de diciembre, sobre gestion de vehiculos al final de su vida util - ref: BOE n° 3 du 03/01/2003 p. 185.</p> <p>See www.boe.es, go to « Diario del BOE. Boletines anteriores » and click on calendar, January, 3rd. 2003.</p>	<p>Ministerio de Medio Ambiente Plaza de San Juan de la Cruz s/n E-28071 Madrid</p>
France	FR	<p>Décret n° 2003-727 du 1/8/2003 relatif à la construction des véhicule set à l'élimination des véhicules hors d'usage - ref: JORF du 5/8/2003 p. 13487.</p> <p>See: http://www.legifrance.gouv.fr/WAspad/Visu?cid=24620&indice=15&table=CONSOLIDE&ligneDeb=1</p>	<p>Ministère de l'Environnement Avenue de Ségur 20 F-75007 Paris 07SP</p>
Ireland	IE	<p>Enabling provisions for the transposition of Directive 2000/53/EC on end-of-life vehicles is set out in</p>	<p>Department of Environment, Heritage and</p>

		Section 44 of the Protection of the Environment Act 2003 - enacted on 14 July 2003. A copy may be obtained from: - http://www.oireachtas.ie/viewdoc.asp?fn=/documents/bills28/acts/2003/a2703.pdf	Local Government, Waste Prevention and Recovery Section, Custom House, Dublin 1, Ireland.
Italy	IT	Decreto Legislativo n° 209 del 24/6/2003 - Attuazione della Direttiva 2000/53 relativa ai veicoli fuori uso - ref: GURI - Serie generale, n° 182 del 07/08/2003 p. 5.	Ministry of the Environment Via Cristoforo Colombo 44 00147 Roma Italy
Luxembourg	LU	Règlement grand-ducal du 17/03/2003 relatif aux véhicules hors d'usage - ref: Mémorial GD n° 39 du 31/03/2003 p. 631	Environment Agency 16, rue Eugene Ruppert L - 2453 Luxembourg
Netherlands	NL	Besluit beheer autowrakken of 24.05.2002- ref: Staatsblad n° 259/2002. Regeling uitzondering verbod zware metalen in voertuigen 2003, ref: Staatscourant nr 233, 3 december 2002. Wijziging regeling uitzonderingen verbod zware metalen in voertuigen 2003 - ref: Staatscourant n° 119 of 25.06.2003. See: http://www.arn.nl/files/pdf%20bba.PDF	Ministry of Environment PO Box 30945 NL - 2500 GX Den Haag
Austria	AT	Bundesgesetz, mit dem ein Bundesgesetz über eine nachhaltige Abfallwirtschaft (Abfallwirtschaftsgesetz 2002 - AWG 2002) erlassen und das Kraftfahrzeuggesetz 1967 und das Immissionsschutzgesetz-Luft geändert werden - ref: BGBl n° 102 du 16/07/2002, p. 989. Verordnung des Bundesministers für Land- und Forstwirtschaft, Umwelt und Wasserwirtschaft über die Abfallvermeidung, Sammlung und Behandlung von Altfahrzeugen (Altfahrzeugeverordnung) -ref: BGBl Teil II n° 407 vom 05/11/2002 p. 2887. See: http://www.lebensministerium.at/en/umwelt/	Bundesministerium für Umwelt, Jugend und Familie Stubenbastei, 5 A - 1010 Wien
Portugal	PT	Decreto-Lei n° 196/2003 de 23/8/2003 - ref: Diário da República I Série A n° 194 de 23/8/2003 p. 5489	Instituto dos residuos av. almirante GAGO Continho, n° 30(5°) P - 1000- 017 LISBOA
Finland	FI	Valtioneuvoston asetus eräiden vaarallisten aineiden	Ympäristöministeriö

		<p>käytön rajoittamisesta ajoneuvoissa. - ref: SSK n° 572 annettu 18/6/2003 p. 2390.</p> <p>Laki jätelain muuttamisesta – ref: SSK n° 452 annettu 4/4/2004 p. 1318</p> <p>Valtioneuvoston asetus romuajoneuvoista – ref: SSK n° 581 annettu 23/6/2004 p. 1617</p>	<p>PO-Box 35 FIN-0023 GOVERNMENT, FINLAND</p>
Sweden	SE	<p>See: http://www.internat.naturvardsverket.se/index.php3?main=/documents/legal/vehicle/vehiclif.htm</p>	<p>Swedish Environmental Protection Agency (Naturvårdsverket) SE-106 48 Stockholm, Sweden Blekholmsterrassen 36</p>
United Kingdom	UK	<p>See a UK guide on minimum treatment and storage: http://www.environment-agency.gov.uk/commondata/105385/elvguidance_v1.2_591023.pdf</p> <p>See also: http://www.dti.gov.uk/sustainability/pub.htm http://www.dti.gov.uk/sustainability/pub.htm</p>	<p>Department of Trade and Industry 151 Buckingham Palace Road SW1W 9SS London U.K.</p>
Cyprus	CY	<p>Cyprus Gazette of 3/10/2003, p. 860 I (1) – 861 I (1) num. 3758, 1376, I (1) – 1409, I (1) num. 3758.</p>	<p>Ministry of Agriculture, Natural Resources and Environment of Cyprus CY-1411 Nicosia</p>
Estonia	EE	<p>Waste Law, passed 28 January 2004, entered into force 1 May 2004 https://www.riigiteataja.ee/ert/act.jsp?id=749804</p> <p>Some drafts of secondary legislative acts are being circulated for approval: 1 regulation of the Government of Estonia and 1 regulation of the Ministry of the Environment</p>	<p>Ministry of the Environment Toompuiestu 24 EE-5172 TALLINN</p>
Hungary	HU	<p>Act XLIII of 2000 on Waste Management Magyar Közlöny 2000. 53. sz. p. 3126 Government Decree No 98/2001 (VI. 15.) on the Conditions of Activities Concerning Hazardous Waste .) Magyar Közlöny 2001. 66. sz. p. 4270 Ministry of Economy and Transport Decree No 29/2004. (III.12.) on the conditions of activities concerning the automobile repairs Magyar Közlöny 2004. 29. sz. p. 2468 Ministry of Economy and Transport Decree No 34/2004. (III.30.) Magyar Közlöny 2004. 38. sz. p. 3461</p>	<p>Ministry of the Environment Fő utca 44-50 HU-1011 BUDAPEST</p>

		<p>Ministry of Economy and Transport Decree No 35/2004. (III.30.) Magyar Közlöny 2004. 38. sz. p. 3463</p> <p>Ministry of the Interior Decree No 34/2004. (VI.28.) Magyar Közlöny 2004. 91. sz. p. 8876</p>	
Latvia	LV	<p>Nolietotu transportlīdzekļu apsaimniekošanas likums (Publicēts:Vēstnesis 25 17.02.2004)</p> <p>Ministru kabineta 2004.gada 6.aprīļa noteikumi Nr.241 "Nolietota transportlīdzekļa likvidācijas sertifikāta aizpildīšanas un izsniegšanas kārtība" (Publicēts:Vēstnesis 59 15.04.2004)</p> <p>Ministru kabineta 2004.gada 6.aprīļa noteikumi Nr.242 "Noteikumi par transportlīdzekļu sastāvdaļām un materiāliem, kuri drīkst saturēt svīnu, dzīvsudrabu, kadmiju vai sešvērtīgā hroma savienojumus" (Publicēts:Vēstnesis 59 15.04.2004)</p> <p>Ministru kabineta 2004.gada 6.aprīļa noteikumi Nr.243 "Prasības nolietotu transportlīdzekļu pārstrādei un vides prasības apstrādes uzņēmumiem" (Publicēts:Vēstnesis 65 27.04.2004)</p>	<p>Ministry of the Environment Peldu str. 25 LV- 1494 RIGA</p>
Lituania	LT		<p>Ministry of the Environment A Jaksto 4/9 LT - 2600 VILNIUS</p>
Malta	MT		<p>Malta Environment and Planning Authority P.O. Box 200 CMR 01 Valetta Malta</p>
Poland	PL		<p>Ministry for European Integration AL. UJAZDOWSKIE 9 00-918 WARSZAWA</p>
Czech Republic	CZ		<p>Ministry of Environment Vrsovicka 65 Prague 10 CZ- 100 10</p>
Slovakia	SK	<p>6th part of Act on Wastes 223/2001 as amended, Ministerial order 125/2004 on details about treatment of ELV's and some provisions for vehicles production, Governmental order 153/2004 on reuse and recovery targets and reuse and recycling targets. See also: www.enviro.gov.sk</p>	<p>Ministry of Environment Nam I. Stura 1 SK - 812 35 BRATISLAVA</p>

Slovenia	SI		Ministry of the Environment, Spatial Planning and Energy Dunajska 48 1000 LJUBLJANA Slovenia
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Norway	NO	<p>Link to the national Regulations regarding ELV: http://www.lovddata.no/for/sf/md/xd-20020626-0750.html</p> <p>We have also the Regulation in English: http://www.sft.no/english/legislation/regulations_vehicles.pdf (Please note: The translation does not contain the latest amendments)</p>	<p>Wenche R. Sørvik Norwegian Pollution Control Authority (SFT) E-mail: wenche-rubi.sorvik@sft.no Phone: +47 22 57 36 86 - Fax: +47 22 67 67 06 Address: Postboks 8100 Dep, NO-0032 Oslo, Norway (Strømsveien 96) Web: http://www.sft.no</p>
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