



Council of the
European Union

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COVER NOTE

From:	European Commission
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To:	General Secretariat of the Council

No. Cion doc.:	D040865/02
Subject:	Commission Directive ../.../EU of XXX amending Annex II to Directive 2000/53/EC of the European Parliament and of the Council on the end-of-life vehicles

Delegations will find attached document D040865/02.

Encl.: D040865/02



Brussels, **XXX**
D040865/02
[...](2015) **XXX** draft

COMMISSION DIRECTIVE/.../EU

of **XXX**

**amending Annex II to Directive 2000/53/EC of the European Parliament and of the
Council on the end-of-life vehicles**

COMMISSION DIRECTIVE/EU

of **XXX**

amending Annex II to Directive 2000/53/EC of the European Parliament and of the Council on the end-of-life vehicles

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles¹, and in particular Article 4(2)(b),

Whereas:

- (1) Article 4(2)(a) of Directive 2000/53/EC prohibits the use of lead, mercury, cadmium or hexavalent chromium in materials and components of vehicles put on the market after 1 July 2003.
- (2) Annex II to Directive 2000/53/EC lists vehicle materials and components exempted from the prohibition set out in Article 4(2)(a) thereof. Exemptions 8(e), 8(f), 8(g), 8(h), 8(j) and 10 (d) of Annex II shall be reviewed in 2014.
- (3) An assessment of technical and scientific progress has demonstrated that the use of lead in the applications covered by exemptions 8(h), 8(j) and 10 (d) should not be prolonged because the use of lead in these applications has become avoidable.
- (4) The assessment of technical and scientific progress has also demonstrated that the use of lead in the applications covered by exemptions 8(e), 8(f) and 8(g) remains unavoidable as substitutes have not become available yet. However, since information exists on possible future lead substitutes in these applications, it is appropriate to introduce a review date allowing to establish if the use of lead in these applications can be discontinued.
- (5) The measures provided for in this Directive are in accordance with the opinion of the Committee established by Article 39 of Directive 2008/98/EC of the European Parliament and of the Council².

¹ OJ L 269, 21.10.2000, p. 34

² OJ L 312, 22.11.2008, p. 3.

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex II to Directive 2000/53/EC is replaced by the text set out in the Annex to this Directive.

Article 2

1. Member States shall adopt and publish, within six months of its publication in the *Official Journal of the European Union* at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels,

For the Commission

Jean-Claude Juncker
The President