Basic information

2006/0302(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Waste electrical and electronic equipment (WEEE): implementing powers conferred on the Commission Amending Directive 2002/96/EC 2000/0158(COD) **Subject** 3.40.06 Electronics, electrotechnical industries, ICT, robotics 3.70.12 Waste management, domestic waste, packaging, light industrial waste	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Food Safety	FLORENZ Karl-Heinz (PPE-DE)	27/02/2007

Council of the European Union

Council configuration	Meetings	Date
Environment	2856	2008-03-03

European Commission

Commission DG	Commissioner
Environment	DIMAS Stavros

Key events

Date	Event	Reference	Summary
22/12/2006	Legislative proposal published	COM(2006)0914	Summary
17/01/2007	Committee referral announced in Parliament, 1st reading		
08/05/2007	Vote in committee, 1st reading		Summary
15/05/2007	Committee report tabled for plenary, 1st reading	A6-0188/2007	
11/07/2007	Decision by Parliament, 1st reading	T6-0333/2007	Summary
11/07/2007	Results of vote in Parliament		
03/03/2008	Act adopted by Council after Parliament's 1st reading		
11/03/2008	Final act signed		
11/03/2008	End of procedure in Parliament		

20/03/2008	Final act published in Official Journal		

Technical information

Procedure reference	2006/0302(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Amending Directive 2002/96/EC 2000/0158(COD)
Legal basis	EC Treaty (after Amsterdam) EC 175-p1
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/6/44695

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A6-0188/2007	15/05/2007	
Text adopted by Parliament, 1st reading/single reading		T6-0333/2007	11/07/2007	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	03649/2007/LEX	11/03/2008	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2006)0914	22/12/2006	Summary
Commission response to text adopted in plenary	SP(2007)4170	29/08/2007	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Directive 2008/0034
OJ L 081 20.03.2008, p. 0065

Waste electrical and electronic equipment (WEEE): implementing powers conferred on the Commission

2006/0302(COD) - 22/12/2006 - Legislative proposal

PURPOSE : to amend Directive 2002/96/EC on waste electrical and electronic equipment (WEEE) by introducing a reference to the new regulatory procedure with scrutiny (comitology).

PROPOSED ACT: Directive of the European Parliament and of the Council.

CONTENT: Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission has been amended by Council Decision 2006/512/EC (CNS/2002/0298).

The amended Decision introduces a new *regulatory procedure with scrutiny* to be used for measures of general scope which seek to amend non-essential elements of a basic instrument, adopted under co-decision, including by deleting some of those elements or by supplementing the instrument by the addition of new non-essential elements.

This procedure allows the legislator to oppose the adoption of "quasi-legislative" measures implementing a codecision-based instrument when it considers that the draft exceeds the implementing powers provided for in the basic instrument, or that the draft is incompatible with the aim or the content of that instrument or fails to respect the principles of subsidiarity or proportionality.

In a joint statement, the three institutions agreed on a list of 26 basic instruments already in force to be adjusted without delay in accordance with the new regulatory procedure with scrutiny (see ACI/2006/2152). Each case has been assessed on its own merits, notably in view of the nature of the implementing powers conferred on the Commission and the specificity of each sector.

Lastly, in accordance with the abovementioned statement, the Commission is proposing to repeal any provisions of these instruments that provide for a time-limit on the delegation of implementing powers to the Commission.

Waste electrical and electronic equipment (WEEE): implementing powers conferred on the Commission

2006/0302(COD) - 11/07/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted, subject to amendments, the report drafted by Karl-Heinz **FLORENZ** (EPP-ED, DE) on the Directive 2002/96/EC on waste electrical and electronic equipment (WEEE), as regards the implementing powers conferred to the Commission.

A new series of amendments were approved by the EPP-ED, PES, ADLE, Greens/ALE, and UEN political groups which aim to amend the proposed directive.

The amendments are of a technical nature aiming to clarify the proposal and to state that the amendment to this proposal is consistent with the joint declaration from the Parliament, Commission and the Council on Decision 2006/512/EC on the introduction of the regulatory procedure with scrutiny for a series of basic instruments.

Waste electrical and electronic equipment (WEEE): implementing powers conferred on the Commission

2006/0302(COD) - 11/03/2008 - Final act

PURPOSE: to amend the WEEE Directive, by introducing a reference to the new regulatory procedure with scrutiny (comitology).

LEGISLATIVE ACT: Directive 2008/34/EC of the European Parliament and of the Council amending Directive 2002/96/EC on waste electrical and electronic equipment (WEEE), as regards the implementing powers conferred on the Commission,

CONTENT: to recall, Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission has been amended by Council Decision 2006/512/EC (CNS/2002/0298).

The amended Decision introduces a new *regulatory procedure with scrutiny* to be used for measures of general scope which seek to amend non-essential elements of a basic instrument, adopted under co-decision. This may include deleting some of those elements or supplementing the instrument, by the addition of new non-essential elements.

This procedure allows the legislator to oppose the adoption of "quasi-legislative" measures implementing a codecision-based instrument in cases where:

- the draft may exceed the implementing powers provided for in the basic instrument;
- the draft is incompatible with the aim or the content of that instrument; or
- the draft fails to respect the principles of subsidiarity or proportionality.

In a joint statement, the three institutions agreed on a list of 26 basic instruments already in force to be adjusted without delay in accordance with the new regulatory procedure with scrutiny (see ACI/2006/2152). Each case has been assessed on the nature of the implementing powers conferred on the Commission and the specificity of each sector.

The purpose of this act, therefore, is to amend the WEEE Directive, by introducing the new *regulatory procedure with scrutiny*.

ENTRY INTO FORCE: 21 March 2008.