

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1.	Member to Agreement notifying: <u>THE NETHERLANDS</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2.	Agency responsible: Ministry of Housing, Spatial Planning and the Environment Name and address (including telephone and fax numbers, e-mail and web-site addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: National Enquiry Point – EC WTO TBT Enquiry Point
3.	Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Vehicles as referred to in Article 2(1) of Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles (OJ L 269) (hereinafter: End-of-life Vehicles Directive), as well as end-of-life vehicles and materials or components thereof.
5.	Title, number of pages and language(s) of the notified document: Draft Decree implementing Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles (Decree on the Management of End-of-life vehicles).
6.	Description of content: The purport of this draft Decree is to implement the End-of-life Vehicles Directive. In this draft Decree, manufacturers and importers of vehicles are required to take preventive measures so as to prevent or limit the emergence or disposal of vehicle waste. In addition, these manufacturers and importers are required to set up a collection and processing system, including a system to provide information and a monitoring system, for the vehicles they introduced onto the market, which have reached the waste stage in the Netherlands. This draft Decree contains the following technical regulations: (a) Regulations promoting prevention (Articles 3 and 4); (b) regulations promoting reuse and recovery (Article 8); (c) regulations with regard to coding components and materials (Article 9) and the making available of information to car dismantling companies (Article 10) and to consumers (Article 15(4)). The above-mentioned regulations under (a)-(c) correspond to the regulations included in the End-of-life Vehicles Directive. In that sense, the terms of the regulations, as referred to under (b), are stricter than those

	<p>included in Article 7(2) of the End-of-life Vehicles Directive, for the objectives in terms of reuse and recovery must be achieved sooner than the dates referred to in the aforementioned article paragraph of the End-of-life Vehicles Directive.</p> <p>Since Article 8 of the draft Decree does not prescribe concrete requirements for products, a clause of mutual recognition has not been included.</p>
7.	<p>Objective and rationale, including the nature of urgent problems where applicable:</p> <p>Both objectives referred to in Article 7(2) of the End-of-life Vehicles Directive for the year 2006, and one of the objectives referred to therein for the year 2015 (85% product reuse and material recycling) were realised in the Netherlands back in 1997. In view of the objectives already obtained in the Netherlands and in view of the progress made in terms of the development and implementation of technologies for the recovery of shredder waste originating from end-of-life vehicles, Article 8(2) of this Decree stipulates that the remaining objective for the year 2015 (95% product reuse and recovery) should be obtained sooner in the Netherlands, namely by 1 January 2005. That is also in the interest of continuity of the Dutch system. The incentive to increase the percentage level of product reuse and recovery over the next 15 years is reportedly insufficient if the requirement for vehicle manufacturers and importers were not expected to achieve the objective of 95% product reuse and recovery until 1 January 2015. In this connection, it is logical to stipulate that the objectives for the year 2006, included in the End-of-life Vehicles Directive, must be achieved sooner in the Netherlands. Pursuant to this Decree, those objectives must also be achieved by 1 January 2003.</p>
8.	<p>Relevant documents:</p> <p>*Articles 1.1, paragraph 3, 8.2, paragraph 2, 8.40, 8.45, 10.15, 10.16, 10.17, 10.18, 10.24 and 10.61 paragraph 1, of the Environmental Management Act.</p> <p>*Articles 1,2 and 3 of the Decree on the disposal of car tyres</p>
9.	<p>Proposed date of adoption: February 2002</p> <p>Proposed date of entry into force: 1 April 2001</p>
10.	<p>Final date for comments: 25 October 2001</p>
11.	<p>Texts available from: National enquiry point [X] or address, telephone and fax numbers, e-mail and web-site addresses, if available of the other body:</p>