


# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	2007/0036(COD) Procedure completed
Batteries and accumulators and waste batteries and accumulators: implementing powers conferred on the Commission Amending Directive 2006/66/EC <a href="#">2003/0282(COD)</a>	
Subject 3.70.12 Waste management, domestic waste, packaging, light industrial waste 3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport)	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>ENVI</b> Environment, Public Health and Food Safety		27/03/2007
		IND/DEM <a href="#">BLOKLAND Johannes</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Education, Youth, Culture and Sport</a>	<a href="#">2848</a>	14/02/2008
European Commission	Commission DG	Commissioner	
	<a href="#">Environment</a>	DIMAS Stavros	

Key events			
08/03/2007	Legislative proposal published	<a href="#">COM(2007)0093</a>	Summary
15/03/2007	Committee referral announced in Parliament, 1st reading		
05/06/2007	Vote in committee, 1st reading		Summary
12/06/2007	Committee report tabled for plenary, 1st reading	<a href="#">A6-0232/2007</a>	
24/10/2007	Results of vote in Parliament		
24/10/2007	Decision by Parliament, 1st reading	<a href="#">T6-0464/2007</a>	Summary
14/02/2008	Act adopted by Council after Parliament's 1st reading		
11/03/2008	Final act signed		
11/03/2008	End of procedure in Parliament		
19/03/2008	Final act published in Official Journal		

Technical information	
Procedure reference	2007/0036(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)

Procedure subtype	Legislation
Legislative instrument	Directive
	Amending Directive 2006/66/EC <a href="#">2003/0282(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 175-p1
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/6/47079

### Documentation gateway

Legislative proposal	<a href="#">COM(2007)0093</a>	09/03/2007	EC	Summary
Amendments tabled in committee	<a href="#">PE388.675</a>	10/05/2007	EP	
Economic and Social Committee: opinion, report	<a href="#">CES0803/2007</a>	30/05/2007	ESC	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0232/2007</a>	12/06/2007	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T6-0464/2007</a>	24/10/2007	EP	Summary
Commission response to text adopted in plenary	<a href="#">SP(2007)6028</a>	21/11/2007	EC	
Draft final act	<a href="#">03666/2007/LEX</a>	11/03/2008	CSL	

### Additional information

National parliaments	<a href="#">IPEX</a>
European Commission	<a href="#">EUR-Lex</a>

### Final act

[Directive 2008/12](#)  
[OJ L 076 19.03.2008, p. 0039](#) Summary

## Batteries and accumulators and waste batteries and accumulators: implementing powers conferred on the Commission

**PURPOSE:** to adjust Directive 2006/66/EC on batteries and accumulators so as to include, when appropriate, references to the new regulatory procedure with scrutiny.

**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 of 17 July 2006. Article 5a of 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.

Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC was subject to third reading agreement by the co-legislators just prior to the entry into force of the new comitology decision (see [CNS/2002/0298](#)). The Directive entered into force following publication in the Official Journal on 26 September 2006 and needs now to be adjusted so as to include, when appropriate, references to the new regulatory procedure with scrutiny.

## Batteries and accumulators and waste batteries and accumulators: implementing powers conferred on the Commission

The Committee on the Environment, Public Health and Food Safety adopted a report drawn up by Johannes BLOKLAND (IND/DEM, NL) and made an amendment to the proposal for a directive amending Directive 2006/66/EC on batteries and accumulators and waste batteries and

accumulators, as regards the implementing powers conferred on the Commission. It stipulated that the regulatory procedure with scrutiny should apply to Article 15(3) regarding exports, since the latter article should be coherent with Article 21(2) on detailed rules for the implementation of the labelling requirements, for which the regulatory procedure with scrutiny has been proposed by the Commission.

## Batteries and accumulators and waste batteries and accumulators: implementing powers conferred on the Commission

---

The European Parliament adopted a resolution drafted by Johannes BLOKLAND (IND/DEM, NL) and made an amendment to the proposal for a directive amending Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators, as regards the implementing powers conferred on the Commission. It stipulated that the regulatory procedure with scrutiny should apply to Article 15(3) regarding exports, since the latter article should be coherent with Article 21(2) on detailed rules for the implementation of the labelling requirements, for which the regulatory procedure with scrutiny has been proposed by the Commission.

## Batteries and accumulators and waste batteries and accumulators: implementing powers conferred on the Commission

---

**PURPOSE:** to amend Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators, by introducing a reference to the new regulatory procedure with scrutiny (comitology).

**LEGISLATIVE ACT:** Directive 2008/12/EC of the European Parliament and of the Council amending Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators, as regards the implementing powers conferred on the Commission.

**CONTENT:** Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission (comitology) has been amended by Council Decision 2006/512/EC (see [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 the co-decision procedure, 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 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 Directive, therefore, is to amend Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators, by introducing a reference to the new regulatory procedure with scrutiny.

**ENTRY INTO FORCE:** 20 March 2008.