



## CONSULTATION BRIEF ON THE WASTE MANAGEMENT (END OF LIFE VEHICLES) (AMENDMENT) REGULATIONS, 2018

### 1. BACKGROUND

The aim of the proposed regulations is to transpose the obligations arising from Commission Directive 2017/2096/EU of 15 November 2017 amending Annex II to Directive 2000/53/EC of the European Parliament and of the Council on end-of life vehicles. Directive 2000/53/EC (ELVs Directive) was originally transposed into national law through the Waste Management (End of Life Vehicles) Regulations (S.L 549.36), which aims to reduce the amount of waste and its impact from end-of-life vehicles (i.e. a vehicle which is waste). The designated Competent Authorities under the said regulations are the Environment and Resources Authority (ERA), the Malta Competition and Consumer Affairs Authority (MCCAA) and Transport Malta (TM).

Article 4(2) of the ELVs Directive prohibits the use of lead, mercury, cadmium or hexavalent Chromium in materials and components of vehicles put on the market after 1 July 2003 other than in cases listed in Annex II therein and under the conditions so specified. The aim is to prevent their release into the environment, make recycling easier, and avoiding the need to dispose of hazardous waste. Annex II of the Directive has been amended numerous times, the most recent being done through Commission Directive 2017/2096/EU. Article 4(2) and Annex II of the Directive are implemented nationally through regulation 4(2) and Schedule 3 of S.L 549.36. Consequently, these proposed regulations seek to amend this Schedule to cater for the amendments made to Annex II.

### 2. IMPLICATIONS

The proposed Waste Management (End of Life Vehicles) (Amendment) Regulations, 2018 replace Schedule 3 of S.L 549.36. This new Schedule takes into consideration technical and scientific developments on the use of lead for the materials and components covered by the exemptions listed in the Schedule. Current information suggests that lead substitutes may become available for certain material and components, and thus new review dates have been set for various exemptions therein; namely:

- Exemption 2(c), which was split into two sub-entries with different review dates:
  - 2(c)(i): Aluminium alloys for machining purposes with a lead content up to 0,4 % by weight – review date is 2021

- 2(c)(ii): Aluminium alloys not included in entry 2(c)(i) with a lead content up to 0,4 % by weight<sup>1</sup> – review date is 2024
- Exemption 3: Copper alloys containing up to 4 % lead by weight – review date is 2021;
- Exemption 5, which was split into two sub-entries:
  - 5(a): Lead in batteries in high-voltage systems<sup>2</sup> that are used only for propulsion in M1 and N1 vehicles – Exemption will expire for vehicles type-approved before 1 January 2019 and spare parts for these vehicles;
  - 5(b): Lead in batteries for battery applications not included in entry 5(a) – review date is 2021.

### 3. COMMENTS

The draft Waste Management (End of Life Vehicles) (Amendment) Regulations, 2018 are available from the following link:

<<https://era.org.mt/en/Pages/Draft-Policies.aspx>>

Comments will be received by email on [international.affairs@era.org.mt](mailto:international.affairs@era.org.mt), from **26 April 2018**, for a period of 4 weeks, ending on **24 May 2018**.

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<sup>1</sup> applies to aluminium alloys where lead is not intentionally introduced but is present due to the use of recycled aluminium

<sup>2</sup> Systems that have a voltage of > 75 V DC as defined in Directive 2006/95/EC of the European Parliament and of the Council of 12 December 2006 on the harmonisation of the laws of Member States relating to electrical equipment designed for use within certain voltage limits