

L.N. of 2020

**ENVIRONMENT PROTECTION ACT
(CAP. 549)**

**Waste Management (End of Life Vehicles)
(Amendment No. 2) Regulations, 2020**

IN EXERCISE of the powers conferred by articles 54 and 55 of the Environment Protection Act, the Minister for the Environment, Climate Change and Planning, after consultation with the Environment and Resources Authority, has made the following regulations

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Citation.

1. The title of these regulations is the Waste Management (End of Life Vehicles) (Amendment No. 2) Regulations, 2020 and these regulations shall be read and construed as one with the Waste Management (End of Life Vehicles) Regulations, hereinafter referred to as "the principal regulations".

S.L. 549. 36.

Amends regulation 1 of the principal regulations.

2. Regulation 1 of the principal regulations shall be amended as follows:

(a) in sub-regulation (3) thereof, the words "and Commission Delegated Directive 2020/363/EU of 17 December 2019" shall be substituted by the words ", Directive (EU) 2018/

849 of the European Parliament and of the Council of 30 May 2018 and Commission Delegated Directive 2020/363/EU of 17 December 2019"; and

(b) immediately after sub-regulation (4) thereof there shall be added the following new sub-regulation:

L.N. XX of 2020. "(5) These regulations shall be read and construed in the context of the provisions of the Extended Producer Responsibility Framework Regulations, 2020."

3. Sub-regulation (1) of regulation 2 of the principal regulations shall be amended as follows:

Amends regulation 2 of the principal regulations.

(a) the definition "Agreement" shall be deleted;

(b) immediately after the definition "dismantling information" there shall be added the following new definition:

S.L. 549.63. " "disposal" shall have the same meaning as in the Waste Regulations;"

(c) the definition "end of life vehicle" shall be substituted by the following new definition:

S.L. 549.63. " "end of life vehicle" means a vehicle which is waste within the meaning of regulation 4 of the Waste Regulations;"

(d) the definition "producer" shall be substituted by the following new definition:

" "producer" means the vehicle manufacturer or the professional importer of a vehicle into Malta;"

(e) immediately after the definition "put on the market" there shall be added the following new definition:

S.L. 549.63. " "recovery" shall have the same meaning as assigned to it in the Waste Regulations;"

(f) the definition "reuse" shall be substituted by the following new definition:

" "reuse" means any operation by which components of end-of life vehicles are used for the same purpose for which they were conceived;"

(g) the definition "vehicle" shall be substituted by the following new definition:

S.L. 427.23. " "vehicle" means a vehicle designated as category M1 or N1 as defined in Part A of Schedule ii to the EC Type-Approval of Motor Vehicles and their Trailers Regulations, and three-wheel motor
S.L. 427.43. vehicles as defined in the Approval and Market Surveillance of Two or Three-Wheel Vehicles and Quadricycles Regulations, but excluding motor tricycles;" and

(h) the definition "waste" shall be substituted by the following new definition:

S.L. 549.63. " "waste" shall have the same meaning as assigned to it in the Waste Regulations;"

Amends regulation 5 of the principal regulations.

4. Regulation 5 of the principal regulations shall be amended as follows:

(a) in paragraph (b) of sub-regulation (1) thereof, immediately after the words "collection facilities" there shall be added the words "within Malta"; and

(b) sub-regulation (5) thereof shall be substituted by the following new sub-regulation:

"(5) The competent authorities shall mutually recognise and accept the certificates of destruction issued by authorised treatment facilities established in other Member States, provided that such certificate was lawfully issued in accordance with the national system set up by such Member State to implement Article 5(3) of Directive 2000/53/EC, as amended."

Amends regulation 6 of the principal regulations.

5. In sub-regulation (1) of regulation 6 of the principal regulations, the words "provisions of the Waste Regulations" shall be substituted by the words "waste hierarchy and the general requirements laid down in regulation 4A of the Waste Regulations".
