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From: Maltese House of Representatives
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To: General Secretariat of the Council

Subject: Proposal for a Directive of the European Parliament and of the Council amending Directives 2008/98/EC on waste, 94/62/EC on packaging and packaging waste, 1999/31/EC on the landfill of waste, 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment

[11598/14 ENV 655 COMPET 439 SAN 275 MI 520 IND 204 CONSUM 143 ENT 153 CODEC 1570 - COM(2014) 397 final]

- Opinion¹ on the application of the Principle of Subsidiarity and Proportionality

Delegations will find annexed a copy of the above opinion.

¹ Translation(s) of the opinion may be available on the Interparliamentary EU Information Exchange site IPEX at the following address: <http://www.ipex.eu/IPEXL-WEB/search.do>



KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

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2nd October 2014

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Proposal for a Directive of the European Parliament and of the Council amending Directives 2008/98/EC on waste, 94/62/EC on packaging and packaging waste, 1999/31/EC on the landfill of waste, 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment (Com(2014)397)

In the course of examining the above-mentioned legislative proposal, the Standing Committee on Foreign and European Affairs of the House of Representatives of Malta, acting in its scrutiny function, while acknowledging that it does not breach the principle of subsidiarity, is hereby communicating to the Commission as part of the on-going political dialogue its concerns arising from the targets set with regard to the Waste Framework Directive, the Landfill Directive and the Packaging and Packaging Waste Directive:-

- i. bearing in mind that existing waste management plans which may have been recently adopted in order to implement current EU waste obligations, in particular those arising from Directive 1999/31/EC on Landfill, as is the case for Malta, include measures to achieve existing targets and that waste facilities have an operational life span of approximately 20-25 years, achieving higher targets in a six year time frame or even less, depending on the length of the negotiations, could have severe financial, economic and social repercussion on existing waste infrastructure and pipeline investments;
- ii. the setting of “one-size-fits-all” targets to be achieved within the same timeframes could hinder economic growth in less wealthy Member States when considering major differences in relative wealth and economic growth which exists across the 28 Member States;

- iii. there may be instances whereby recovery would be a more justifiable option to recycling and thus any increase in recycling rates should be construed in light of the provisions laid down in Article 4(2) of the Waste Framework Directive; and
- iv. unless the price of recycled materials would be lower or comparable to primary raw materials, all efforts to increase recycling rates so as to move towards a circular economy could be futile as there would be no economic incentive to opt for recycled materials over raw materials.



Luciano Busuttill
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Standing Committee on Foreign and European Affairs
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