



**INF. 12**

7 November 2017

(English only)

**RID:** 8<sup>th</sup> Session of the RID Committee of Experts' standing working group  
(Utrecht, 20 to 24 November 2017)

**Subject:** Proposed amendment to 2.1.3.5.5 in document OTIF/RID/CE/GTP/2017/15

**Proposal transmitted by the European Union**

### Summary

**Executive summary:** A new amendment to 2.1.3.5.5 was proposed at the last session of the RID/ADR Joint Meeting. The reference to the basic Directive does not need to be removed, but the current wording in RID 2017 could be amended.

**Reference documents:** OTIF/RID/CE/GTP/2017/15,  
ECE/TRANS/WP.15/AC.1/148/Add.1 – OTIF/RID/RC/2017-B/  
Add.1 (Report of the Joint Meeting in September 2017)

### Introduction

1. At the last session of the Joint Meeting, the following amendment was adopted in square brackets:

[2.1.3.5.5 Amend footnote 1 to read as follows:

<sup>“1</sup> Such legislation is for instance the Commission Decision No 2014/955/EU of 18 December 2014 amending Decision 2000/532/EC on the list of waste pursuant to Directive 2008/98/EC of the European Parliament and of the Council (Official Journal of the European Union No. L 370 of 30 December 2014, pages 44 to 86) and Commission Regulation (EU) No 1357/2014 of 18 December 2014 replacing Annex III to Directive 2008/98/EC of the European Parliament and of the Council on waste and repealing certain Di-

rectives (Official Journal of the European Union No. L 365 of 19 December 2014, pages 89 to 96).”.]

(Reference document: informal document INF.21)

2. The proposed text aims to update the reference with the most recently adopted legal instruments concerning wastes, but it also excludes references to basic acts.
3. The documents that are referred to in the amendment are only partial amendments to the basic acts, as follows:
  - [Commission Decision \(EU\) 2014/955](#) (annex) amends the list of wastes referred to in article 7 of Directive 2008/98/EC;
  - [Commission Regulation \(EU\) 1357/2014](#) replaces Annex III to Directive 2008/98/EC – Properties of wastes which render it hazardous.
4. The correct way of referring to EU legislation is to make reference to the basic act, with its entire title, followed "as amended".
5. [Commission Decision 2000/532/EC](#) and [Directive 2008/98/EC](#) are the basic acts on wastes in the EU legislation. It is therefore proposed that the reference to these legal instruments be kept, adding a statement that the latest version in force applies.

### Proposal

6. Amend footnote 1 to 2.1.3.5.5 of RID 2017 as follows (new text is bold and underlined):

“<sup>1</sup> Such legislation is for instance Commission Decision 2000/532/EC of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous wastes pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous wastes (Official Journal of the European Communities No. L 226 of 6 September 2000, page 3), **as amended**; and Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (Official Journal of the European Union No. L 312 of 22 November 2008, pages 3-30), **as amended**.”

*Note by the OTIF Secretariat: This proposal was adopted by the 103<sup>rd</sup> session of WP.15 (Geneva, 6-10 November 2017).*