

## **CORRESPONDENTS' GUIDELINES No 9**

### **Subject: Shipments of Waste Vehicles**

1. These Correspondents' guidelines represent the common understanding of all Member States on how Regulation (EC) No 1013/2006 on shipments of waste (Waste Shipment Regulation – WSR) should be interpreted. The guidelines were agreed by the correspondents at a meeting on 8 July 2011 organised pursuant to Article 57 of Regulation (EC) No 1013/2006. They are not legally binding. The binding interpretation of Community law is the exclusive competence of the European Court of Justice. The guidelines apply from 1 September 2011 and should be reviewed at the latest five years from the above date and, if necessary, revised.

### **1. Introduction**

2. These Correspondents' guidelines provide information for:

- (a) Persons arranging shipments of waste vehicles;
- (b) Holders of used vehicles arranging transboundary transports of used vehicles who wish to avoid non-compliance with the WSR (see Reference 1 in Appendix 4) as well as garage owners, dismantlers, recyclers, dealers, traders and
- (c) Authorities responsible for the enforcement of the WSR.

3. For the purpose of these guidelines, vehicles are any vehicles with at least four wheels as defined in Article 2 of Directive 70/156/EEC, including motor vehicles for the carriage of passengers or goods and trailers (see Reference 5 in Appendix 4), and any motor vehicles with two or three wheels as defined in Article 1 of Directive 2002/24/EC including mopeds, motorcycles, motor tricycles and quadricycles (see Reference 6 in Appendix 4). A used vehicle is a vehicle that has been previously used.

4. The control procedures that apply depend, in the first instance, on whether the item in question is waste as defined in Article 3(1) of Directive 2008/98/EC (Waste Framework Directive) (see Reference 4 in Appendix 4), in national legislation, or national interpretation. If the competent authorities of dispatch and of destination cannot agree on the classification as regards the distinction between waste and non-waste, the subject matter is, according to Article 28(1) of the WSR, to be treated as if it were waste.

5. Whether or not a substance is discarded as waste, and, when waste ceases to be waste is determined on a case-by-case basis and the interpretation of the law is ultimately a matter for the courts.

6. If the material is a waste, the control procedures depend on whether the shipment of the waste has to be notified or not under the WSR (see section 4), whether the waste is destined for recovery or disposal, and whether there are additional controls in the country of destination.

### **2. Distinction between waste vehicles and used vehicles**

7. A used vehicle becomes waste if its holder discards it, or intends or is required to discard it. To make this judgment it is necessary to examine the history of an item on a case-by-case basis. However, there are characteristics of a used vehicle that are likely to indicate whether it is waste or not.

8. A used vehicle should normally be classified as waste (waste vehicle depolluted (stripped vehicle) – type 3, or waste vehicle wreck not depolluted – type 4)<sup>1</sup> (intention to discard), if at least one of the following criteria applies:

- (a) The existence of a certificate of destruction;
- (b) The vehicle stems from a waste collection or waste treatment system;
- (c) The vehicle is destined for dismantling and reuse of spare parts or for shredding/scraping;
- (d) The vehicle has among its constituent parts, other than personal effects, anything that is required to be discarded, or is prohibited to be exported under European Union or national legislation<sup>2</sup>
- (e) The vehicle is a write-off /is not suitable for minor repair /has badly damaged essential parts (e.g. as a result of an accident) or is cut into pieces (e.g. two halves);
- (f) The piece(s) of evidence according to paragraph 11 has/have not been provided where a competent authority or any other state authority such as customs, police or other relevant bodies has requested it/them.

9. The following indicators may also be relevant for classifying a used vehicle as waste<sup>3</sup>:

- (a) The vehicle has not had its required national technical roadworthiness test for more than two years from the date when this was last required;
- (b) The vehicle has no identification number and the owner of the vehicle is unknown;
- (c) The vehicle was handed over to an authorised interim storage facility<sup>4</sup> or an authorised waste treatment facility;
- (d) The repair costs exceed the present value of the vehicle (exception: vintage cars or vehicles) and the possibility for repair cannot be assumed (repair costs in EU-Member State as basis for evaluation<sup>5</sup>);
- (e) The vehicle is not appropriately protected against damage during transportation, loading and unloading, e.g. against damage resulting from using it as "container" for items like spare parts, used EEE or wastes;
- (f) The vehicle is welded up or closed by insulating foam;
- (g) The vehicle poses a safety risk or a risk to the environment e.g. by:
  - i) Doors not being attached to the car,
  - ii) Discharge of fuel or fuel vapour (risk of fire and explosion),
  - iii) Leakage within the liquid gas system (risk of fire and explosion),
  - iv) Discharge of operating liquids (risk of water pollution caused by fuel, brake fluid, anti-freeze liquid, battery acid, coolant liquid),
  - v) Excessive wear of brake and steering components.

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<sup>1</sup> See types of waste vehicles and descriptions of these types in Appendix 2.

<sup>2</sup> E.g. CFCs or HCFCs contained in air conditioning systems according to Regulation (EC) No 1005/2009.

<sup>3</sup> See types of waste vehicles and descriptions of these types in Appendix 2.

<sup>4</sup> Interim storage facility is a facility where operations D15 or R13 may take place.

<sup>5</sup> See "Vehicle is repairable" certification according to paragraph 11(b)(ii), if requested. If a vehicle is classified as waste sooner in a Member State of dispatch with higher labour or other costs, it may be reasonable to take into account the repair costs in the Member State of destination.

10. Unless one of the criteria contained in paragraph 8 applies, a used vehicle would normally not be considered waste:

(a) if it is

- i) an operational used vehicle (type 1), or
- ii) a repairable used vehicle (type 2),

whereby descriptions of these types are presented in Appendix 1 and where the criteria in paragraph 11 (a) to (c) are met; or

(b) if it is a vintage car or vehicle (type 2a) according to national provisions; cf. the description of this type in Appendix 1.

11. Where the holder of a vehicle claims that he intends to ship or is shipping an operational used vehicle (type 1) or a repairable used vehicle (type 2) and not waste, and the competent authority, or any other state authority such as customs, police or other relevant bodies, has a reasoned concern that the used vehicle may be classified as waste, then the following should be provided to the relevant authority, where requested upon the relevant competent authorities' decision, either generally and prior to the shipment, or on a case-by-case basis, in order to back up the holder's claim<sup>6</sup>:

(a) A copy of the invoice and contract relating to the sale and/or transfer of ownership of the vehicle with, for example in the case of an operational used vehicle (type 1), a guarantee stating that the vehicle is fully functional and roadworthy;

(b) (i) In the case of an operational used vehicle (type 1): Evidence of evaluation/ testing in the form of copy of the records as to proof of roadworthiness, conducted shortly before the shipment takes place (e.g. not more than one month before) and performed by an authorised inspector<sup>7</sup> under the national technical roadworthiness test regime, or alternatively upon the relevant competent authorities' decision, a motor assessor, vehicle mechanic or any other type of authorised inspector;

(ii) In the case of a repairable used vehicle (type 2), one of the following two options may be used:

- A "vehicle is repairable" certificate in order to decide if a repair is minor. A sample certificate is attached as Appendix 3 together with criteria for the assessment,
- Evidence referred to under (i) above in case it is applicable for the decision to be made as to whether a repair is minor;

(c) A declaration by the holder who arranges the transboundary shipment stating that the vehicle is not waste (as defined in Article 3(1) of the Waste Framework Directive).

Prior to any transboundary transport the holder should be in a position to provide information and documentation to any relevant state authorities, such as customs, police or other relevant bodies, demonstrating that the above criteria for an operational or repairable used vehicle can be met or are met.

### **3. Intermediate storage (in case of illegal shipment)**

12. In case of a necessary intermediate storage of stopped shipments of waste vehicles, which are not in compliance with the WSR, specific precautionary measures (e.g. impermeable surface; collecting

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<sup>6</sup> Following the provisions in Art. 28(1) of the WSR, subparagraph (b) does not apply to authorities in the country(ies) of transit.

<sup>7</sup> A legal or natural person authorised in a Member State to conduct vehicle inspections.

pans) should be taken in order to protect the environment against loss of water pollutant substances (e.g. motor oil).

#### **4. Shipments of waste vehicles**

13. Shipments of waste vehicles are regulated by the WSR. In certain circumstances the WSR provides for shipments of waste to be subject to additional controls under the national legislation of the Member States or other countries of import; for example there may be a prohibition on shipments of waste destined for disposal in certain Member States or other countries of import. Types of waste vehicles and descriptions of these types relevant for classifying waste vehicles are presented in Appendix 2.

#### **4.1 Shipments of waste vehicles destined for disposal**

##### 4.1.1 Shipments within the EU

14. All shipments of waste vehicles destined for disposal within the EU are subject to the procedure of prior written notification and consent referred to in the WSR. Member States may generally prohibit shipments of waste to or from other Member States for disposal and enquiries should be made by the relevant competent authorities to establish if the planned shipment for disposal is allowed under national legislation.

##### 4.1.2 Exports from the EU

15. All exports of waste vehicles from the EU destined for disposal are prohibited (except waste shipments to EFTA States being Parties to the Basel Convention).

##### 4.1.3 Imports into the EU

16. In principle, imports of waste vehicles from outside the EU destined for disposal are allowed unless the country of dispatch is not a Party to the Basel Convention and no particular agreement is in place. However, EU Member States may prohibit such imports where they consider that there are sound environmental reasons for doing so. Any allowed imports destined for disposal are subject to the procedure of prior written notification and consent referred to in the WSR.

#### **4.2 Shipments of waste vehicles destined for recovery**

##### 4.2.1 Shipments within the EU

17. Shipments of waste vehicles destined for recovery within the EU may be subject to either the procedure of prior written notification and consent referred to in the WSR or they may be subject to general information requirements (see Art. 18 of the WSR).

All shipments to certain Member States which apply transitional arrangements according to Article 63 of the WSR are subject to the procedure of prior written notification and consent referred to in the WSR.

The applicable controls are determined by the classification of the waste vehicles in question in the relevant lists of waste annexed to the WSR<sup>8</sup>. Waste not explicitly listed is subject to the prior written notification and consent procedure.

The WSR lists of waste differ from those in the European Waste List (EWL) in respect of shipments within the European Union. A precautionary approach should be taken to the

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<sup>8</sup> Regarding classifications for waste vehicles see first column of Appendix 2 (types 3 and 4).

classification of waste vehicles. If it is not clear that the waste vehicle in question is covered by an entry in Annex III (“Green” listed waste), IIIA or IIIB of WSR, the shipment should be notified.

#### 4.2.2 Exports from the EU

18. The controls that apply for exports of waste vehicles from the EU destined for recovery depend on the classification of the waste (‘non-hazardous’ (waste vehicle type 3 in Appendix 2) – ‘hazardous’ (waste vehicle type 4 in Appendix 2))<sup>9</sup> and the provisions applicable to the country of destination<sup>10</sup>. Exports of hazardous waste destined for recovery to countries to which the OECD Decision C(2001)107/Final does not apply are prohibited. Again, the lists that determine the levels of control are as annexed to the WSR and reference is made to the EWL for exports to countries to which the OECD Decision does not apply under specific circumstances as set out in the WSR.

#### 4.2.3 Imports into the EU

19. In principle, imports of waste vehicles from outside the EU destined for recovery are allowed, unless the country of dispatch is neither a Party to the Basel Convention, nor a country to which the OECD Decision applies and no particular agreement is in place. The classification of the waste determines whether the procedure of prior written notification and consent referred to in the WSR or general information requirements (see Art. 18 of the WSR for waste listed in Annex III, IIIA and IIIB) apply for such shipments.

All imports to certain Member States which apply transitional arrangements according to Article 63 of the WSR are subject to the procedure of prior written notification and consent referred to in the WSR.

### **5. Controls**

20. Inspections are undertaken by state authorities (e.g. police, customs and inspectors) at facilities and during transport, such as in ports. It is strongly recommended to take photographs during the inspection process.

21. Those persons shipping operational or repairable used vehicles should ensure that the vehicles have the appropriate documentation<sup>11</sup> requested by the relevant authorities in the country of dispatch and are appropriately protected<sup>12</sup> against damage during transportation, loading and unloading (e.g. through appropriate fixing) in order to demonstrate that they are not waste.

22. Where it is asserted that an operational or repairable used vehicle or a non-hazardous depolluted vehicle is being shipped, those responsible for the shipment should ensure that it is accompanied by evidence<sup>13</sup> requested by the relevant authorities in the country of dispatch to demonstrate what is being claimed.

23. In the absence of appropriate documentation and appropriate protection against damage during transportation, loading and unloading<sup>14</sup>, state authorities are likely to presume that the

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<sup>9</sup> See also the relevant parts of Appendix 2 of the Revised Correspondents’ Guidelines No 1 (see [Reference 8](#) in [Appendix 4](#)).

<sup>10</sup> See Commission Regulation (EC) No 1418/2007 (see [Reference 9](#) in [Appendix 4](#)).

<sup>11</sup> See paragraph 11 and Appendices 1 and 2.

<sup>12</sup> If a specific protection of the vehicle is missing, a repairable used vehicle needs not necessarily to be waste, especially considering transports for minor repair, for example repair of dented fenders and repainting of a vehicle with scratched paint.

<sup>13</sup> See paragraph 11 and Appendices 1 and 2.

<sup>14</sup> Regarding classifications for waste vehicles see first column of Appendix 2 (types 3 and 4).

material is a waste, and a decision should be taken as to whether it is a non-hazardous or a hazardous waste. Moreover, in particular in the absence of a consent in accordance with the WSR, state authorities are likely to presume that the vehicle comprises an illegal shipment. In these circumstances the relevant competent authorities will be informed and the vehicle will be dealt with in accordance with articles 24 and 25 of the WSR. In the majority of cases those responsible for the shipment will have to take back the waste to the country of dispatch at their own expense and may be liable to a criminal sanction. In those Member States where the burden is on the state authorities to prove the vehicle is waste rather than a used vehicle, absence of the appropriate documentation and protection against damage is likely to lead to significant delays to the onward transport of the vehicle whilst the necessary investigations are carried out to establish the status of the vehicle being shipped.

## Types of used vehicles and descriptions of these types

Type	Description	
<b>Type 1: Operational used vehicle - non-waste<sup>15</sup></b>	<p><b><u>Description</u></b></p> <p><b>A vehicle that is roadworthy in accordance with European safety standards and can be used directly and for which no repair is needed in the country of dispatch.</b></p> <p><b><u>Shipment information</u></b></p> <p>Such a vehicle is not a waste and will not be subject to the WSR controls.</p>	
	<p><b><u>Quality</u></b></p> <ol style="list-style-type: none"> <li>1. Vehicle is in good working order</li> <li>2. No significant corrosion and no damage to the axle or body of the vehicle is present</li> <li>3. Tyre profile is above the wear limit</li> <li>4. Vehicle does not need to be repaired in the country of dispatch prior to export</li> <li>5. Vehicle conforms to import restrictions in the country of destination, e.g. as to the age of the vehicle</li> </ol>	<p><b><u>Indicators</u></b></p> <ol style="list-style-type: none"> <li>1. One of the following three documents: <ol style="list-style-type: none"> <li>i) Vehicle motor assessor certificate</li> <li>ii) Vehicle mechanic certificate</li> <li>iii) Valid national technical roadworthiness test certificate</li> </ol> </li> <li>2. Vehicle is appropriately protected against damage during transportation, loading and unloading, e.g. against damage resulting from using it as "container" for items like spare parts, used EEE or wastes</li> <li>3. Vehicle is not welded up or closed by insulating foam</li> <li>4. Vehicle does not pose a safety risk or a risk to the environment e.g. by: <ol style="list-style-type: none"> <li>i) Doors not being attached to the car,</li> <li>ii) Discharge of fuel or fuel vapour (risk of fire and explosion),</li> </ol> </li> </ol>

<sup>15</sup> Unless one of the criteria listed in paragraph 8 applies.

		<ul style="list-style-type: none"> <li>iii) Leakage within the liquid gas system (risk of fire and explosion),</li> <li>iv) Discharge of operating liquids (risk of water pollution caused by fuel, brake fluid, anti-freeze liquid, battery acid, coolant liquid),</li> <li>v) Excessive wear of brake and steering components.</li> </ul>
<p><b>Type 2: Repairable used vehicle - non-waste<sup>16</sup></b></p>	<p><b><u>Description</u></b></p> <p><b>A vehicle that requires minor repairs and is capable of being repaired. The vehicle can become roadworthy, be used for its original purpose and meet European safety standards after minor repairs.</b></p> <p><b><u>Shipment information</u></b></p> <p>Such a vehicle is not a waste and will not be subject to the WSR controls.</p>	
	<p><b><u>Quality</u></b></p> <p><b><u>Only minor repairs are needed for issues such as:</u></b></p> <ol style="list-style-type: none"> <li>1. Windscreen broken or cracked</li> <li>2. Broken lights e.g. tails or headlights</li> <li>3. Engine exposed due to missing vehicle bonnet</li> <li>4. Door/s cannot be opened or closed, or is /are off the hinges (every door is attached to the vehicle)</li> <li>5. Brake pads need to be replaced</li> <li>6. Battery is missing or is flat</li> <li>7. Tyre tread is bare</li> <li>8. Non-essential vehicle part is damaged</li> </ol> <p><b><u>In addition</u></b></p>	<p><b><u>Indicators</u></b></p> <ol style="list-style-type: none"> <li>1. Evidence of a valid national technical roadworthy test certificate</li> <li>2. Generally good condition of the vehicle</li> <li>3. The vehicle may be operational or will be after the minor repairs</li> <li>4. Vehicle is appropriately protected against damage during transportation, loading and unloading, e.g. against damage resulting from using it as "container" for items like spare parts, used EEE or wastes</li> <li>5. Vehicle is not welded up or closed by insulating foam</li> <li>6. Vehicle does not pose a safety risk or a risk to the</li> </ol>

<sup>16</sup> Unless one of the criteria listed in paragraph 8 applies.

	<ol style="list-style-type: none"> <li>1. Vehicle is not a write-off (accident-damaged vehicle beyond repair)</li> <li>2. No essential parts or areas (e.g. engine, pillars, roof, axle, fuel injection system or transmission holders) are missing or badly damaged and which might cost too much to repair in the country of dispatch (e.g. from an accident)<sup>17</sup></li> <li>3. No signs of dismantling are present, e.g. if seats are missing<sup>18</sup></li> </ol>	<p>environment e.g. by:</p> <ol style="list-style-type: none"> <li>i) Doors not being attached to the car,</li> <li>ii) Discharge of fuel or fuel vapour (risk of fire and explosion),</li> <li>iii) Leakage within the liquid gas system (risk of fire and explosion),</li> <li>iv) Discharge of operating liquids (risk of water pollution caused by fuel, brake fluid, anti-freeze liquid, battery acid, coolant liquid),</li> <li>v) Excessive wear of brake and steering components.</li> </ol> <p>7. Maximum carrying capacity of vehicle is not exceeded</p>
<p><b>Type 2a: Vintage cars or vehicles - non-waste</b></p>	<p>It is referred to the description of vintage vehicles in recital 10 of the ELV Directive (see <a href="#">Reference 7</a> in <a href="#">Appendix 4</a>). Note there are differing definitions in Member States concerning what constitutes a vintage car or vehicle. Whether or not a car/vehicle is supposed to be a vintage (veteran) car/vehicle is normally regulated by national/international provisions and if in doubt the relevant authorities could be contacted.</p>	

<sup>17</sup> See paragraph 9(d) above.

<sup>18</sup> A sign that there is an intention for the vehicle to be used as a source of spare parts and not for its original purpose.

Types of waste vehicles and descriptions of these types<sup>19</sup>

Type	Description	
<p><b>Type 3:</b> <b>Waste vehicle – depolluted (stripped vehicle) - non-hazardous waste</b></p> <p><b>Waste List:</b></p> <p><b>WSR Annex III entry B1250</b> (Waste end of life motor vehicles containing neither liquids nor other hazardous components)</p> <p><b>EC list of wastes entry 16 01 06</b> (end-of-life vehicles, containing neither liquids nor other hazardous components)</p>	<p><b><u>Description</u></b></p> <p><b>A waste vehicle which is depolluted (a stripped vehicle) containing neither liquids nor other hazardous components e.g. batteries or brake fluids. This may also include a depolluted baled/compacted waste vehicle<sup>20</sup>.</b></p> <p><b><u>Shipment Information</u><sup>21</sup></b></p> <p>Shipment of this type of waste from the EU is subject to Annex VII requirements of WSR (Green listed waste) unless another control procedure is specified by the country of destination (non-OECD member country) in which case the procedure, as specified by the country of destination, applies; refer to Commission Regulation (EC) No 1418/2007.</p>	
	<p><b><u>Quality</u></b></p> <ol style="list-style-type: none"> <li>1. Certificate of destruction according to the ELV Directive, where applicable</li> <li>2. The following liquids and hazardous substances have been removed (compare minimum requirements according to the ELV Directive, Annex 1); interpretation follows the relevant national provisions:               <ol style="list-style-type: none"> <li>i) Fuels, such as gasoline and diesel</li> </ol> </li> </ol>	<p><b><u>Indicators</u></b></p> <ol style="list-style-type: none"> <li>1. Proof that a vehicle has all the hazardous liquids and components removed as per minimum technical requirements of the ELV Directive</li> </ol>

<sup>19</sup> With regard to 'Quality' and 'Indicators', see also paragraphs 8 and 9, respectively.

<sup>20</sup> It is not allowed to compact/bale vehicles that are not depolluted (see Art. 6(3) of Directive 2000/53/EC on end-of life vehicles). Vehicles that have been compacted/baled without a written statement from the depollution facility that prior depollution has taken place will be covered by type 4.

<sup>21</sup> See also Section 4 of the Guidelines.

<ul style="list-style-type: none"> <li>ii) Waste oils (motor oil, transmission oil, gearbox oil, hydraulic oil)</li> <li>iii) Hydraulic fluids</li> <li>iv) Oil filters, air filters contaminated with oil and fuel filters including oil from shock absorbers</li> <li>v) Gasoline filters</li> <li>vi) Brake fluid</li> <li>vii) Cooling fluids</li> <li>viii) Anti-freeze agents</li> <li>ix) Batteries</li> <li>x) Refrigerant from air conditioning systems</li> <li>xi) Capacitors containing PCB</li> <li>xii) LNG (liquid natural gas) systems</li> <li>xiii) Potential explosive components such as airbags and pre-loading devices for seat belts (containing explosive substances) (neutralisation instead of removal possible)</li> <li>xiv) Mercury-containing lamps</li> <li>xv) Oil fluids from shock absorbers (buffers)</li> <li>xvi) Adsorption refrigerators in motor homes</li> </ul> <p>3. Hazardous products and wastes not attached to the vehicles (e.g. fire extinguishers) have been removed</p>	
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<p><b>Type 4:</b>  <b>Waste vehicle wreck not depolluted - hazardous waste</b></p> <p><u>Waste list</u></p> <p><b>WSR Non-listed waste</b></p> <p><b>EC list of wastes entry 16 01 04*</b>  (end-of-life vehicles)</p>	<p><b><u>Description</u></b></p> <p><b>A waste vehicle not drained of its liquids, or with hazardous components not removed</b>  <b>Normally, such a vehicle is not operational and is not capable of being repaired e.g. accident damaged or a total write off.</b></p> <p><b>In addition, note that the country of destination may, according to its legislation, deem a vehicle to be waste, or even hazardous waste, for example on age grounds, even where the country of dispatch may deem it an operational or repairable used vehicle.</b></p> <p><b><u>Shipment Information</u><sup>22</sup></b></p> <p>Shipment of this type of waste is not permitted to non-OECD-countries under the WSR. Prior written notification is required (Amber List procedure for non-listed waste) in the case of shipments to OECD/EU-Member States (see <u>References 2 and 3 in Appendix 4</u>).</p>	
	<p><b><u>Quality</u></b></p> <ol style="list-style-type: none"> <li>2. Certificate of destruction according to the ELV Directive, where applicable</li> <li>3. Liquids and hazardous substances have not been removed (see details under quality for type 3 above)</li> <li>4. Vehicle that has been compacted/baled in disregard of the requirement for prior depollution</li> <li>5. Vehicle is a write-off or is not suitable for minor repair</li> <li>6. Vehicle has badly damaged essential parts or areas (e.g. engine, pillars, roof, axle, fuel injection system or transmission holders)</li> </ol>	<p><b><u>Indicators</u></b></p> <ol style="list-style-type: none"> <li>1. Vehicle with liquids or hazardous substances/ components not removed e.g. crushed vehicles with fluids present.</li> <li>2. Not operational</li> </ol>

<sup>22</sup> See also Section 4 of the Guidelines.

**“Vehicle is repairable” Certification**

A repairable used vehicle is a vehicle that is certified (or if acceptable to the competent authority, or any other state authority such as customs, police or other relevant bodies, a declaration to that effect may be made in writing), in accordance with the criteria mentioned under B below, as being capable of being repaired and used for its original purpose after minor repair.

**A. Sample certificate or declaration<sup>23</sup>**

1. Name and address of the vehicle holder -----  
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2. Vehicle type: Class of vehicle, brand and model -----
3. Vehicle identification number (chassis) -----
4. Mileage on the clock -----
5. Estimated current market value -----
6. Parts to be repaired and cost of same (including material and labour costs in the country of dispatch) -----  
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7. The testing procedure for the vehicle -----  
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8. Name and address of the facility where the vehicle was tested -----  
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9. Name and contact details of the authorised inspector, motor assessor or vehicle mechanic<sup>24</sup> who has tested the vehicle -----  
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10. I declare that the vehicle specified above has been repaired/needs only a minor repair and is repairable, is/can become roadworthy, is suitable for use for its original purpose and meets/can meet European safety standards.
11. Signed by the authorised inspector, motor assessor or vehicle mechanic -----  
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12. Date and stamp of the facility-----  
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<sup>23</sup> It is noted that the repairs may be conducted in the course of the certification.

<sup>24</sup> Motor assessor: a registered professional who routinely assesses (e.g. for the vehicle insurance industry) damage and value of the vehicles, and is accredited in the country of dispatch for the shipment.

Vehicle mechanic: a person skilled in maintaining, repairing and operating vehicles and motors and with appropriate certification as to his/her skills from a National Accreditation Body in the country of dispatch for the shipment; where no such accreditation exists, the opinion may be acceptable where issued by a licensed garage.

## **B. Criteria for the assessment that a “Vehicle is repairable”**

The “Vehicle is repairable” certificate declares that the vehicle concerned has been repaired/needs only minor repair and is repairable, is/can become roadworthy, is suitable for use for its original purpose and meets/can meet European safety standards. The following may be used to gauge if the vehicle is repairable:

- a) Present market value (cf. Eurotax lists) of the vehicle;
- b) Condition of the vehicle by reference to:
  - i) The extent of the damage,
  - ii) Year of construction,
  - iii) Mileage/kilometre on the clock;
- c) Description of the repairs needed; and
- d) Repair costs by reference to repair costs in the EU Member States of dispatch

Notes:

- 1. The defective part(s) should, if considered reasonable, (for example a cracked windscreen need not be removed) be removed prior to the transport.
- 2. A non-exhaustive list with examples of minor repairs is provided in Appendix 1 (type 2, column “Quality”).

### References

1. Regulation (EC) No 1013/2006 of the European Parliament and the Council of 14 June 2006 on shipments of waste (Waste Shipment Regulation)  
<http://ec.europa.eu/environment/waste/shipments/index.htm>  
  
This web site contains a summary of all EU legislation on waste shipments and should be consulted in order to get the up to date legislation.
2. EU Member States, correspondents and competent authorities can be found on the website listed at 1 above.
3. OECD countries and non-OECD countries  
[http://www.oecd.org/countrieslist/0,3025,en\\_33873108\\_33844430\\_1\\_1\\_1\\_1\\_1,00.html](http://www.oecd.org/countrieslist/0,3025,en_33873108_33844430_1_1_1_1_1,00.html)
4. Waste Framework Directive: Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives  
<http://ec.europa.eu/environment/waste/framework/index.htm>
5. Council Directive of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers  
[http://ec.europa.eu/enterprise/sectors/automotive/documents/directives/directive-70-156-ec\\_en.htm](http://ec.europa.eu/enterprise/sectors/automotive/documents/directives/directive-70-156-ec_en.htm)
6. Directive 2002/24/EC of the European Parliament and of the Council of 18 March 2002 relating to the type-approval of two or three-wheel motor vehicles and repealing Council Directive 92/61/EEC  
[http://ec.europa.eu/enterprise/sectors/automotive/documents/directives/directive-2002-24-ec\\_en.htm](http://ec.europa.eu/enterprise/sectors/automotive/documents/directives/directive-2002-24-ec_en.htm)
7. ELV Directive: Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles  
[http://ec.europa.eu/environment/waste/elv\\_index.htm](http://ec.europa.eu/environment/waste/elv_index.htm)
8. Revised Correspondents' Guidelines No 1 on Shipments of Waste Electrical and Electronic Equipment (WEEE); details on this and other Correspondents' Guidelines can be found at  
[http://ec.europa.eu/environment/waste/shipments/pdf/correspondents\\_guidelines\\_en.pdf](http://ec.europa.eu/environment/waste/shipments/pdf/correspondents_guidelines_en.pdf)
9. Commission Regulation (EC) No 1418/2007 of 29 November 2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) No 1013/2006 of the European parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of waste does not apply and its amendments: see the website listed at 1 above.