

Department for Environment, Food and Rural Affairs

Department of Energy and Climate Change

Table of key environment and climate change legislation

Call for Evidence – Environment and climate change report

May 2013

| Topic area and key EU legislation | Treaty base in TFEU | Description of the legislation |
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| Climate change | | |
| Council Decision 2002/358/EC concerning the approval, on behalf of the European Community, of the Kyoto Protocol to the United Nations Framework Convention on Climate Change and the joint fulfilment of commitments thereunder | 192, 218 | Authorises the EU ratification of the Kyoto Protocol, and describes the joint fulfilment of commitments made under the Kyoto Protocol. |
| Directive 2003/87/EC of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowance trading within the Community | 192 | Establishes a scheme for the trading of greenhouse gas emission allowance to enable the EU and the Member States to meet the commitments to reduce greenhouse gas emissions made in the context of the Kyoto Protocol |
| Council Directive 2003/96/EC restructuring the Community framework for the taxation of energy products and electricity | 113 | Imposes minimum levels of taxation for energy products and electricity and provides exemptions, including, for example, electricity from some renewable sources |

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| Decision 280/2004/EC of the European Parliament and of the Council concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol | 192 | Establishes a mechanism for monitoring and reporting greenhouse gas emissions in order to monitor progress made in reducing emissions with a view to complying with the EU's commitments under the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol |
| Regulation 842/2006 of the European Parliament and of the Council on certain fluorinated greenhouse gases | 192, 114 | Regulates the containment, use and marketing of listed fluorinated greenhouse gases covered by the Kyoto Protocol and products which contain them, in order to reduce emissions |
| Directive 2006/32/EC of the European Parliament and of the Council on energy end-use efficiency and energy services | 192 | Provides an energy savings target for member states to be reached by way of energy services and other energy efficiency improvement measures and provides for the promotion of end-use energy efficiency |
| Commission Decision 2006/780/EC on avoiding double counting of greenhouse gas emission reductions under the Community emissions trading scheme for project activities under the Kyoto Protocol | Directive 2003/87/EC 192 | Prevents Member States which host Kyoto Protocol project activities from issuing credits for those projects if the installations participate in the EU Emissions Trading Scheme (ETS) |
| Commission Decision 2006/944/EC determining the respective emission levels allocated to the Community and each of its Member States under the Kyoto Protocol pursuant to Council Decision 2002/358/EC | Council Decision 2002/358/EC 192 | Sets out the emission levels allocated to the EU and each Member State for the first commitment period of the Kyoto Protocol |
| Commission Decision 2007/589/EC establishing guidelines for the monitoring and reporting of greenhouse gas | 192 | Establishes new clearer and more accurate guidelines for monitoring and reporting of |

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| emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council | | greenhouse gas emissions under the EU ETS |
| Decision 406/2009/EC of the European Parliament and of the Council on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 | 192 | Sets out minimum contributions for Member States in terms of greenhouse gas emissions, following commitments made by the EU for the period from 2013 to 2020. Also defines the means for checking whether they have been met and provides for the contributions to be increased in line with international agreements |
| Directive 2009/28/EC of the European Parliament and of the Council on the promotion of the use of energy from renewable sources | 192, 114 | Establishes a common framework for the use of energy from renewable sources in order to limit greenhouse gas emissions and to promote cleaner transport. To this end, national action plans are defined, as are procedures for the use of biofuels |
| Regulation 911/2010 of the European Parliament and of the Council on the European Earth monitoring programme (GMES) and its initial operations (2011-2013). | 189 | Sets out the GMES operational programme. This builds on the research activities carried out under the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007-2013) and the GMES Space Component Programme of the European Space Agency (ESA) |
| Commission Regulation 920/2010 for the establishment of a system of standardised registries in the form of electronic databases for monitoring the issue, holding, transfer and cancellation | 2003/87/EC 280/2004/EC 192 | Establishes a system of standardised registries in the form of electronic databases for monitoring the issue, holding, transfer and |

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| of allowances | | cancellation of allowances within the EU ETS. These registries also guarantee public access to information, confidentiality and conformity with the provisions of the Kyoto Protocol |
| Commission Regulation 1031/2010 on the timing, administration and other aspects of auctioning of greenhouse gas emission allowances pursuant to Directive 2003/87/EC of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowances trading within the Community | 2003/87/EC 192 | Establishes a system, including the use of electronic auction platforms, for the auctioning of allowances in the EU ETS which are not allocated free of charge |
| Water and marine | | |
| Council Directive 79/923/EEC on the quality required of shellfish waters | 114, 352 | Requires Member States to set quality standards for designated shellfish waters |
| Council Directive 91/271/EEC concerning urban waste water treatment | 192 | Requires Member States to take measures for the collection and treatment of urban waste water |
| Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources | 192 | Requires Member States to establish action programmes in nitrate vulnerable zones to reduce water pollution, including by limiting use of nitrogen-containing fertilizers and livestock manure |
| Council Directive 98/83/EC on the quality of water intended for human consumption | 192 | Establishes minimum standards for the quality of drinking water (other than natural mineral water) |
| Directive 2000/60/EC of the European Parliament and of the Council establishing a framework for Community action in the field of water policy | 192 | Establishes the framework for the protection of inland surface waters, transitional waters, coastal waters and groundwater |

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| Directive 2006/7/EC of the European Parliament and of the Council concerning the management of bathing water quality | 192 | Establishes measures for the monitoring, classification and management of bathing water quality |
| Directive 2007/60/EC of the European Parliament and of the Council on the assessment and management of flood risks | 192 | Establishes the framework for the assessment and management of flood risks |
| Directive 2008/56/EC of the European Parliament and of the Council establishing a framework for community action in the field of marine environmental policy | 192 | Establishes the marine strategy framework requiring Member States to take measures to achieve or maintain good environmental status in the marine environment |
| Directive 2008/105/EC of the European Parliament and of the Council on environmental quality standards in the field of water policy | 192 | Lays down environmental quality standards for bodies of surface water in respect of specified pollutants |
| Air quality | | |
| Directive 2001/81/EC of the European Parliament and of the Council on national emission ceilings for certain atmospheric pollutants | 192 | Sets upper limits for Member States' emissions of sulphur dioxide, nitrogen oxides, volatile organic compounds and ammonia |
| Directive 2004/107/EC of the European Parliament and of the Council relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air | 192 | Sets emission target values and criteria for assessment for concentrations in respect of the specified substances |
| Directive 2008/50/EC of the European Parliament and of the Council on ambient air quality and cleaner air for Europe | 192 | Sets limit values for Member States for various pollutants in outdoor air such as particulate matter and nitrogen dioxide |
| Industrial pollution | | |
| Council Directive 78/176/EEC on waste from the titanium dioxide industry | 114, 352 | Establishes measures governing the disposal of |

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| | | titanium dioxide industrial waste |
| Council Directive 82/883/EEC on procedures for the surveillance and monitoring of environments concerned by waste from the titanium dioxide industry | 114, 352 | Lays down procedures for the monitoring of the effects on the environment of titanium dioxide industrial waste |
| Council Directive 92/112/EEC on procedures for harmonizing the programmes for the reduction and eventual elimination of pollution caused by waste from the titanium dioxide industry | 114 | Approximates Member State rules relating to titanium dioxide production conditions |
| Council Directive 1999/13/EC on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations | 192 | Requires Member States to reduce levels of emissions of volatile organic compounds by installations to specified levels |
| Directive 2000/76/EC of the European Parliament and of the Council on the incineration of waste | 192 | Sets emission limit values for waste incineration and co-incineration plants |
| Directive 2001/80/EC of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from large combustion plants | 192 | Sets emission limit values for large combustion plants |
| Directive 2006/21/EC of the European Parliament and of the Council on the management of waste from extractive industries | 192 | Establishes rules for the management of waste from mining industries |
| Regulation 166/2006 of the European Parliament and of the Council concerning the establishment of a European Pollutant Release and Transfer Register | 192 | Establishes an integrated pollutant release and transfer register at EU level in the form of a publicly accessible electronic database |
| Directive 2008/1/EC of the European Parliament and of the Council concerning integrated pollution prevention and control | 192 | Establishes a general framework for integrated pollution prevention and control |

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| Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control) | 192 | Lays down rules on integrated prevention and control of pollution arising from industrial activities |
| Chemicals | | |
| Regulation 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), and establishing a European Chemicals Agency, | 114 | Governs the manufacture, placing on the market or use of chemicals and establishes a European Chemicals Agency |
| Regulation 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures | 114 | Harmonises the criteria for classification of substances, and the rules on labelling and packaging for hazardous substances |
| Import and export of hazardous chemicals | | |
| Regulation 649/2012 of the European Parliament and of the Council concerning the export and import of hazardous chemicals | 192, 207 | Implements the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade |
| Control of major accident hazards | | |
| Directive 2012/18/EU of the European Parliament and of the Council on the control of major-accident hazards involving dangerous substances | 192 | Lays down rules for the prevention of major accidents which involve dangerous substances |
| Pesticides | | |
| Regulation 396/2005 of the European Parliament and of the Council on maximum residue levels of pesticides in or on food and feed of plant and animal origin | 43, 168(4)(b) | Establishes harmonized rules on maximum levels of pesticide residues in or on food and feed of plant and animal origin |
| Directive 2009/128/EC of the European Parliament and of the Council establishing a framework for Community | 192 | Establishes the framework for the use of pesticides in |

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| action to achieve the sustainable use of pesticides | | Member States |
| Regulation 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market | 43, 114, 168(4)(b) | Lays down rules for the authorisation of plant protection products in commercial form and for their placing on the market, use and control within the EU |
| Biocides | | |
| Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market | 114 | Provides for the authorisation and the placing on the market for use of biocidal products within the Member States and for the mutual recognition of authorisations within the EU |
| Genetically Modified Organisms | | |
| Council Directive 90/219/EEC on the contained use of genetically modified micro-organisms | 192 | Lays down common measures for the contained use of genetically modified micro-organisms |
| Directive 2001/18/EC of the European Parliament and of the Council on the deliberate release into the environment of genetically modified organisms | 114 | Governs the deliberate release into the environment of genetically modified organisms and the placing on the market of genetically modified organisms within the EU |
| Regulation 1830/2003 of the European Parliament and of the Council concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms | 114 | Establishes the framework for the traceability of products consisting of or containing genetically modified organisms |
| Regulation 1946/2003 of the European Parliament and of the Council on transboundary movements of genetically modified organisms | 192 | Establishes a common system of notification for transboundary movements of genetically modified |

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| Waste | | |
| European Parliament and Council Directive 94/62/EC on packaging and packaging waste | 114 | Establishes harmonized rules concerning the management of all packaging placed on the market in the Community and all packaging waste |
| Council Directive 1999/31/EC on the landfill of waste | 192 | Requires Member States to regulate landfills for hazardous, non-hazardous and inert waste |
| Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles | 192 | Establishes harmonized rules concerning the disposal of end-of life vehicles |
| Directive 2000/76/EC of the European Parliament and of the Council on the incineration of waste | 192 | Sets emission limit values for waste incineration and co-incineration plants within the EU |
| Regulation 1013/2006 of the European Parliament and of the Council on shipments of waste | 192 | Establishes procedures and control regimes for the shipment of waste between Member States and into and out of the EU |
| Directive 2008/98/EC of the European Parliament and of the Council on waste | 192 | Establishes the framework for the handling of waste in the EU |
| Directive 2012/19/EU of the European Parliament and of the Council on waste electrical and electronic equipment | 192 | Lays down measures concerning the generation and management of waste from electrical and electronic equipment and resource use |
| Nature protection/biodiversity | | |
| Council Regulation 348/81 on common rules for imports of whales or other cetacean products | 352 | Prohibits the importation of the main whale and other cetacean products for commercial purposes |

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| Council Directive 83/129 concerning the importation into Member States of skins of certain seal pups and products derived therefrom | 352 | Requires Member States to ensure that certain seal skins and products are not commercially imported into their territories. This does not apply to products resulting from traditional hunting by the Inuit people |
| Council Regulation 3254/91 prohibiting the use of leghold traps in the Community and the introduction into the Community of pelts and manufactured goods of certain wild animal species originating in countries which catch them by means of leghold traps or trapping methods which do not meet international humane trapping standards | 192, 207 | Prohibits the use of leghold traps in the EU and the importation into the EU of certain products |
| Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora | 192 | Provides for the Natura 2000 network of special areas of conservation and requires Member States to take measures to protect certain habitats and species |
| Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein | 192 | Applies the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in the EU, regulating international trade in specimens of endangered species of fauna and flora |
| Council Regulation 2173/2005 on the establishment of a FLEGT licensing scheme for imports of timber into the European Community | 207 | Establishes EU rules for the import of certain timber products for the purposes of implementing the FLEGT licensing scheme, which is itself implemented through bilateral Partnership Agreements with timber producing countries |
| Directive 2009/147/EC of the European Parliament and of the Council on the | 192 | Establishes rules for the protection, management and |

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| conservation of wild birds | | control of all species of naturally occurring wild birds in the EU |
| Regulation 1007/2009 of the European Parliament and of the Council on trade in seal products | 114 | Establishes harmonised rules concerning the placing on the market of seal products |
| Regulation 995/2010 of the European Parliament and of the Council laying down the obligations of operators who place timber and timber products on the market | 192 | Prohibits the placing on the EU market for the first time of certain timber and timber products, and imposes due diligence and record-keeping obligations |
| Noise | | |
| Council Directive 70/157/EEC relating to the permissible sound level and the exhaust system of motor vehicles | 114 | Harmonises Member State technical requirements relating to the sound level and exhaust systems of motor vehicles |
| Council Directive 80/51/EEC on the limitation of noise emissions from subsonic aircraft | 100 | Requires Member States to fix limits to noise emissions from aircraft by reference to International Civil Aviation Organization standards |
| Directive 2000/14/EC relating to the noise emission in the environment by equipment for use outdoors | 114 | Harmonises Member State laws on noise emission standards, conformity assessment procedures, marking, technical documentation and collection of data concerning the noise emission in the environment of equipment for use outdoors |
| Directive 2002/49/EC of the European Parliament and the Council relating to the assessment and management of environmental noise | 192 | Requires Member States to prepare strategic noise maps for various sources of noise and prepare action plans designed to manage certain noise issues within their |

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| Environmental assessment | | |
| Directive 2001/42/EC of the European Parliament and of the Council on the assessment of the effects of certain plans and programmes on the environment | 192 | Requires a prior strategic environmental assessment to be carried out for most plans and programmes prepared by public authorities in Member States |
| Directive 2011/92/EU of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment | 192 | Requires environmental impact assessments to be produced before development consent is given for certain public and private projects |
| Access to environmental information | | |
| Directive 2003/4/EC of the European Parliament and of the Council on public access to environmental information | 192 | Requires Member States to ensure that public authorities make environmental information they hold available to any applicant on request |
| Environmental liability | | |
| Directive 2004/35/EC of the European Parliament and of the Council on environmental liability with regard to the prevention and remedying of environmental damage | 192 | Establishes a framework of environmental liability based on the "polluter-pays" principle |
| Environmental Crime | | |
| Directive 2008/99/EC of the European Parliament and of the Council on the protection of the environment through criminal law | 192 | Requires Member States to provide for criminal penalties for certain conduct or serious infringement of specified provisions of EU law on the protection of the environment |

The European Environment Agency

Council Regulation 1210/90 on the establishment of the European Environment Agency and the European environment information and observation network

192

Establishes the European Environment Agency and the European Environment Information and Observation Network

LIFE

Regulation 614/2007 of the European Parliament and of the Council concerning the Financial Instrument for the Environment (LIFE+)

192

Provides funding for projects contributing to the achievement of specified EU environmental objectives