CONTENTS

Preface page xv

PART I General principles of EC environmental law

- 1 EC Treaty, as amended by the 1986 Single European Act, the 1992 Treaty on European Union, the 1997 Treaty of Amsterdam and the 2001 Treaty of Nice (*extracts*) 3
- 1A EC Treaty, incorporating amendments introduced by the Treaty of Amsterdam, the TEU and the SEA (*extracts*; superseded by the entry into force of the Treaty of Nice on 1 February 2003) 27
- 1B EC Treaty, incorporating amendments introduced by the TEU and the SEA (*extracts*; superseded by the entry into force of the Treaty of Nice on 1 February 2003) 38
- EEC Treaty, incorporating amendments introduced by the SEA (*extracts*; superseded by the entry into force of the Treaty of Nice on 1 February 2003) 47
- 1D Treaty establishing a Constitution for Europe, adopted by the Intergovernmental Conference of Heads of State and Government of the Member States of the European Union on 28 October 2004 (extracts not yet in force) 51
 - Decision No 1600/2002/EC of the European Parliament and of the Council of 22 July 2002 laying down the Sixth Community Environment Action Programme
 (OJ L 242 10.09.2002 p. 1)
 63
 - Communication from the Commission of 2 February 2000 on the precautionary principle (COM (2000) 12.02.2000 p. 1) 90

4 Decision No 466/2002/EC of the European Parliament and of the Council of 1 March 2002 laying down a Community action programme promoting non-governmental organisations primarily active in the field of environmental protection

(OJ L 075 16.03.2002 p. 1) 116

Regulation (EC) No 2493/2000 of the European Parliament and of the Council of 7 November 2000 on measures to promote the full integration of the environmental dimension in the development process of developing countries

(OJ L 288 15.11.2000 p. 1) 128

PART II European Community institutions and legislation 139

- 6 EC Treaty, as amended by the 1986 Single European Act, the 1992 Treaty on European Union, the 1997 Treaty of Amsterdam, the 2001 Treaty of Nice and the 2003 Act of Accession (*selected articles*) 141
- Council Regulation (EEC) No 1210/90 of 7 May 1990 on the establishment of the European Environment Agency and the European environment information and observation network

 (OJ L 120 11.05.1990 p. 1) 168
- 7A Decision of 21 March 1997 on public access to European Environment Agency documents (OJ C 282 18.09.1997 p. 5) 181
 - 8 Council Resolution of 7 October 1997 on the drafting, implementation and enforcement of Community environmental law (OJ C 321 22.10.1997 p. 1) 185

PART III The relationship between environmental protection, financial assistance and free trade 193

9 75/436/Euratom, ECSC, EEC: Council Recommendation of 3 March 1975 regarding cost allocation and action by public authorities on environmental matters

(OJ L 194 25.07.1975 p. 1) 195

- Council Regulation (EC) No 1164/94 of 16 May 1994 establishing a
 Cohesion Fund
 (OJ L 130 25.05.1994 p. 1) 202
- Regulation (EC) No 1655/2000 of the European Parliament and of the Council of 17 July 2000 concerning the Financial Instrument for the Environment (LIFE)

(OJ L 192 28.07.2000 p. 1) 228

CONTENTS

Regulation (EC) No 1682/2004 of the European Parliament and of the Council of 15 September 2004 amending Regulation (EC) No 1655/2000 concerning the Financial Instrument for the Environment (LIFE)

(OJ L 308 05.10.2004 p. 1) 242

Community guidelines on State aid for environmental protection (OJ C 037 03.02.2001 p. 3) 249

PART IV Procedural techniques of environmental protection 273

Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment (OJ L 175 05.07.1985 p. 40) 275

Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197 21.07.2001 p. 30) 295

Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control (OJ L 257 10.10.1996 p. 26) 308

Recommendation 2001/331/EC of the European Parliament and of the Council of 4 April 2001 providing for minimum criteria for environmental inspections in the Member States

(OJ L 118 27.04.2001 p. 41) 333

Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41 14.02.2003 p. 26) 344

Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC (OJ L 156 25.06.2003 p. 17) 357

Directive 2004/35/EC of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage (OJ L 143 30.04.2004 p. 56) 363

PART V Protection of air quality 389

- Council Directive 84/360/EEC of 28 June 1984 on the combating of air pollution from industrial plants
 (OJ L 188 16.07.1984 p. 20) 391
- Council Directive 93/76/EEC of 13 September 1993 to limit carbon dioxide emissions by improving energy efficiency (SAVE)

 (OJ L 237 22.09.1993 p. 28) 400
- Council Directive 96/62/EC of 27 September 1996 on ambient air quality assessment and management
 (OJ L 296 21.11.1996 p. 55) 406
- Regulation (EC) No 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer (OJ L 244 29.09.2000 p. 1) 420
- Directive 2002/3/EC of the European Parliament and of the Council of
 12 February 2002 relating to ozone in ambient air
 (OJ L 067 09.03.2002 p. 14)
 459
- Directive 2002/91/EC of the European Parliament and of the Council of
 December 2002 on the energy performance of buildings
 (OJ L 001 04.01.2003 p. 65)
 485
- Directive 2003/30/EC of the European Parliament and of the Council of 8 May 2003 on the promotion of the use of biofuels or other renewable fuels for transport
 (OJ L 123 17.05.2003 p. 42) 498
- Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275 25.10.2003 p. 32) 507
- Directive 2004/101/EC of the European Parliament and of the Council of 27 October 2004 amending Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading within the Community, in respect of the Kyoto Protocol's project mechanisms (OJ L 338 13.11.2004 p. 18) 532

CONTENTS

Operation No 280/2004/EC of the European Parliament and of the Council of 11 February 2004 concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol (OJ L 049 19.02.2004 p. 1) 541

PART VI Biodiversity and nature conservation 553

Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds

(OJ L 103 25.04.1979 p. 1) 555

- Council Regulation (EEC) No 348/81 of 20 January 1981 on common rules for imports of whales or other cetacean products

 (OJ L 039 12.02.1981 p. 1) 565
- Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora

 (OJ L 206 22.07.1992 p. 7) 568
- Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein (OJ L 061 03.03.1997 p. 1) 584
- Council Directive 1999/22/EC of 29 March 1999 relating to the keeping of wild animals in zoos (OJ L 094 09.04.1999 p. 24) 609

PART VII Waste 615

- 33 Council Directive 75/442/EEC of 15 July 1975 on waste (OJ L 194 25.07.1975 p. 39) 617
- 34 Council Directive 91/689/EEC of 12 December 1991 on hazardous waste (OJ L 377 31.12.1991 p. 20) 627
- Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community

(OJ L 030 06.02.1993 p. 1) 638

36 Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste (OJ L 182 16.07.1999 p. 1) 672

- Directive 2000/53/EC of the European Parliament and of the Council of
 September 2000 on end-of-life vehicles
 (OJ L 269 21.10.2000 p. 34)
 698
- Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste

 (OJ L 332 28.12.2000 p. 91) 716

PART VIII Dangerous substances 741

- Council Directive 92/3/Euratom of 3 February 1992 on the supervision and control of shipments of radioactive waste between Member States and into and out of the Community

 (OJ L 035 12.02.1992 p. 24) 743
- Council Regulation (Euratom) No 1493/93 of 8 June 1993 on shipments of radioactive substances between Member States

 (OJ L 148 19.06.1993 p. 1) 753
- Council Directive 96/82/EC of 9 December 1996 on the control of major-accident hazards involving dangerous substances (OJ L 010 14.01.1997 p. 13) 761
- Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC

 (OJ L 106 17.04.2001 p. 1) 787

PART IX Water quality 837

- Council Directive 75/440/EEC of 16 June 1975 concerning the quality required of surface water intended for the abstraction of drinking water in the Member States

 (OJ L 194 25.07.1975 p. 26) 839
- Council Directive 76/160/EEC of 8 December 1975 concerning the quality of bathing water (OJ L 031 05.02.1976 p. 1) 845
- Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment(OJ L 135 30.05.1991 p. 40) 851

- Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption (OJ L 330 05.12.1998 p. 32) 865
- Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy

 (OJ L 327 22.12.2000 p. 1) 879