



**2021/0164(COD)**

12.9.2022

# **COMPROMISE AMENDMENTS**

## **1 - 6**

**Draft opinion**

**Peter Liese**

(PE736.372v01-00)

Amending Regulation (EU) 2021/241 as regards REPowerEU chapters in recovery and resilience plans and amending Regulation (EU) 2021/1060, Regulation (EU) 2021/2115, Directive 2003/87/EC and Decision (EU) 2015/1814

Proposal for a regulation

(COM(2022)0231 – C9-0183/2022 – 2021/0164(COD))





# Compromise amendment 1

## RePowerEU revenue

### ENVI EXCLUSIVE

Article 21a Title; Article 21a(1); Article 4 and 5; Recital 15, 16, 20  
Compromise amendment replacing Amendments 108-115; 172-198; 198; 60-71; 73; 75;  
81-83

- Amount: 20 billion EUR made available under RePowerEU
- Auctioning timeline: until 31 December 2025
- Sources of revenue for the 20 billion under RePowerEU: frontloading cap

#### RePowerEU resources from ETS/MSR

#### Proposal for a regulation Recital 17 a (new)

*Text proposed by the Commission*

*Amendment*

***(17 a) The EU Emission Trading System (ETS) was established to create an efficient, predictable and market driven system for reducing emissions and tackling the climate crises. While the amendment to Directive 2003/87/EC is justified by an exceptional situation, it remains important not to undermine trust in the ETS market through short-term interventions, and this amendment should therefore be seen as a one-off measure, which will not be repeated***

Or. en

#### Proposal for a regulation Article 1 – paragraph 1 – point 6 Regulation (EU) 2021/241 Article 21a – Title

*Text proposed by the Commission*

*Amendment*

***New revenue***

***Use of revenues generated by the EU Emissions Trading System (ETS)***

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
 Regulation (EU) 2021/241  
 Article 21a – paragraph 1

*Text proposed by the Commission*

(1) EUR **20 000 000 000** in current prices shall be available, in line with Article 10e(4) of Directive 2003/87/EC, for implementation under this Regulation to increase the resilience of the Union energy system through a decrease of dependence on fossil fuels and diversification of energy supplies at Union level. That amount shall be made available in the form of external assigned revenue within the meaning of Article 21(5) of the Financial Regulation.

*Amendment*

(1) EUR **20 000 000 000** in current prices shall be available, in line with Article 10e(4) of Directive 2003/87/EC, for implementation under this Regulation to increase the resilience of the Union energy system through a **rapid** decrease of dependence on fossil fuels and diversification of energy supplies at Union level. That amount shall be made available in the form of external assigned revenue within the meaning of Article 21(5) of the Financial Regulation.

Or. en

**Proposal for a regulation**  
**Article 5 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 5a**

**Entry into force and application**

***This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.***

***It shall apply from the date of entry into force of a Directive of the European Parliament and of the Council amending Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources, Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency.***

Or. en

Basket of revenue

**Proposal for a regulation**

**Article 4 – paragraph 1**

Decision (EU) 2015/1814

Article 10e – paragraph 1

*Text proposed by the Commission*

(1) For the period until 31 December **2026**, the allowances released pursuant to Article 1(6) of Decision (EU) 2015/1814 **shall be auctioned** until the amount of revenue obtained from such auctioning has reached EUR **20** billion. **This** revenue shall be made **available to** the Recovery and Resilience Facility established by Regulation (EU) **2021/241** and shall be implemented in accordance with **the provisions** of that Regulation.

*Amendment*

(1) For the period until 31 December **2025, the**

**allowances referred to in Article 10(3), second subparagraph, shall be auctioned until the amount of revenue obtained from such auctioning has reached EUR 20 billion;**

**The revenue referred to in the first subparagraph of this paragraph shall be made available to the Recovery and Resilience Facility established by Regulation (EU) 2021/241 for the purpose of contributing to the REPowerEU objectives as set out in Article 21c(1) of that Regulation and shall be implemented in accordance with the provisions of that Regulation.**

Or. en

**Proposal for a regulation**

**Article 4 – paragraph 1 – point 1b**

Directive 2003/87/EC

Article 10 – paragraph 3

(3) *in Article 10(3) of Directive 2003/87/EC, the following subparagraph is inserted after the first subparagraph:*

*“By way of derogation from the first subparagraph of this paragraph, as an extraordinary and one-time measure, for the period until 31 December 2025, a number of allowances shall be deducted from the volume of allowances to be auctioned from 1 January 2027 to 31 December 2030 by Member States in accordance with paragraph 2 of this Article and shall be auctioned over the period until 31 December 2025 in accordance with Article 10e, until the amount of revenue obtained from such auctioning has reached EUR 20 billion.”*

Or. en

**MSR**

**Proposal for a regulation**

**Article 5 – paragraph 1 – subparagraph 2**

Decision 2015/1814/EU

Article 1 – paragraph 6

*Text proposed by the Commission*

*Amendment*

*By way of derogation from the first subparagraph, for a period until 31 December 2026, a number of allowances shall be released from the reserve and auctioned in accordance with Article 10e of Directive 2003/87/EC, until the amount of revenue obtained from such auctioning has reached EUR 20 billion.*

*Deleted*

Or. en

**Proposal for a regulation**

**Article 5 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

***In*** paragraph 5, ***first*** subparagraph, ***the third sentence*** is replaced by the following:

By way of derogation from the ***first and second sentences***, until 31 December 2030, the ***percentages and the 100 million*** allowances referred to in ***those sentences*** shall be doubled.

*Amendment*

Paragraph 5 subparagraph ***1*** is replaced by the following:

***In any given year, if the total number of allowances in circulation is between 700 million and 921 million, a number of allowances equal to the difference between the total number of allowances in circulation, as set out in the most recent publication as referred to in paragraph 4 of this Article, and 700 million, shall be deducted from the volume of allowances to be auctioned by the Member States under Article 10(2) of Directive 2003/87/EC and shall be placed in the reserve over a period of 12 months beginning on 1 September of that year. If the total number of allowances in circulation is above 921 million allowances, the number of allowances to be deducted from the volume of allowances to be auctioned by the Member States under Article 10(2) of Directive 2003/87/EC and to be placed in the reserve over a period of 12 months beginning on 1 September of that year shall be equal to 12 % of the total number of allowances in circulation. By way of derogation from the last sentence, until 31 December 2030, the percentage shall be doubled. As from 2025, the thresholds referred to in this subparagraph shall be reduced in proportion to the reduction of the Union-wide quantity of allowances referred to in Article 9 of Directive 2003/87/EC in the same year.***

Or. en

Recitals

**Proposal for a regulation**  
**Recital 15**

*Text proposed by the Commission*

(15) In addition, to incentivise a high level of ambition for reforms and investments to be included in the REPowerEU chapter, new dedicated funding sources should be provided.

*Amendment*

(15) In addition, to incentivise a high level of ambition for reforms and investments to be included in the REPowerEU chapter, new dedicated funding sources should be provided.

Or. en

**Proposal for a regulation**  
**Recital 16**

*Text proposed by the Commission*

(16) ***While extending the current intake rate of allowances to the Market Stability Reserve is needed to prevent in long term a significant increase of the surplus of allowances in the greenhouse gas emission allowance trading within the Union***, the current economical and geopolitical situation requires the Union to mobilise available resources to rapidly diversify Union's energy supply and reduce dependence on fossil fuels before 2030. In this context, ***Decision (EU) 2015/1814 of the European Parliament and of the Council<sup>4</sup>*** and Directive 2003/87/EC of the European Parliament and of the Council<sup>5</sup> should be amended to ***extend the doubling of the 24% intake rate of the Market Stability Reserve until 2030, while allowing for an exceptional release and monetisation of a portion of allowances from the Market Stability Reserve and directing revenues*** towards reforms and investments contributing to REPowerEU objectives, in the Recovery and Resilience Facility framework.

---

<sup>4</sup> Decision (EU) 2015/1814 of the European Parliament and of the Council of 6 October 2015 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme and amending

*Amendment*

(16) The current economical and geopolitical situation requires the Union to mobilise available resources to rapidly diversify Union's energy supply and reduce dependence on fossil fuels before 2030. In this context, Directive 2003/87/EC of the European Parliament and of the Council<sup>5</sup> should be amended to ***frontload the auctioning of allowances from the cap*** towards reforms and investments contributing to REPowerEU objectives, in the Recovery and Resilience Facility framework. ***In keeping with the objectives of Directive 2003/87/EC, such revenues should not support investments in fossil fuel infrastructure or facilities.***

---

<sup>4</sup> Decision (EU) 2015/1814 of the European Parliament and of the Council of 6 October 2015 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme and amending

Directive 2003/87/EC, OJ L 264/1

<sup>5</sup> 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

Directive 2003/87/EC, OJ L 264/1

<sup>5</sup> 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

**Proposal for a regulation**  
**Recital 16a (new)**

*Text proposed by the Commission*

*Amendment*

***The current intake rate of allowances to the Market Stability Reserve is needed to prevent in the long term a significant increase of the surplus of allowances in the greenhouse gas emission allowance trading within the Union. Therefore, Decision (EU) 2015/1814 of the European Parliament and of the Council<sup>4</sup> and Directive 2003/87/EC of the European Parliament and of the Council<sup>5</sup> should be amended to extend the doubling of the intake rate of the Market Stability Reserve to 24% until 2030 and to reduce the upper and buffer thresholds in proportion to the reduction of the Union-wide quantity of allowances as from 2025***

**Proposal for a regulation**  
**Recital 20**

*Text proposed by the Commission*

*Amendment*

(20) A request for a dedicated funding for REPowerEU measures, including ***allocation from the Market Stability Reserve***, transfers from the funds governed by Regulation (EU) 2021/1060 and allocated from European Agricultural Fund for Rural Development, submitted in a plan, should be justified by a higher financial need linked to additional reforms and investments included in the REPowerEU chapter.

(20) A request for a dedicated funding for REPowerEU measures, including ***allowances for auctioning frontloaded within the EU Emissions Trading System***, transfers from the funds governed by Regulation (EU) 2021/1060 and allocated from European Agricultural Fund for Rural Development, submitted in a plan, should be justified by a higher financial need linked to additional reforms and investments included in the REPowerEU chapter.

## Compromise amendment 2

### RePowerEU objectives

### ENVI SHARED

Article 21a(3); 21(c)(1); Annex V; Recital 6  
 Compromise amendment replacing Amendments 118-119; 126-147; 199-212; 25-29; 55

#### Proposal for a regulation

##### Article 1 – paragraph 1 – point 6

Regulation (EU) 2021/241

Article 21c – paragraph 1

#### *Text proposed by the Commission*

The recovery and resilience plan submitted to the Commission after [the entry into force of this amending Regulation] shall contain a REPowerEU chapter. The REPowerEU chapter shall outline reforms and investments, with their corresponding milestones and targets, other than measures referred in paragraph 2 (a), aiming to contribute to the REPowerEU objectives, by:

#### *Amendment*

The recovery and resilience plan submitted to the Commission after [the entry into force of this amending Regulation] shall contain a REPowerEU chapter. The REPowerEU chapter shall outline reforms and investments, with their corresponding milestones and targets, other than measures referred in paragraph 2 (a), aiming to contribute to the REPowerEU objectives, by:

#### Proposal for a regulation

##### Article 1 – paragraph 1 – point 6

Regulation (EU) 2021/241

Article 21c – paragraph 1 – point a

#### *Text proposed by the Commission*

(a) improving energy infrastructure and facilities to meet immediate security of supply needs for **oil and** gas, notably to enable diversification of supply in the interest of the Union as a whole,

#### *Amendment*

(a) improving energy infrastructure and facilities to meet immediate security of supply needs for gas, **especially LNG**, notably to enable diversification of supply in the interest of the Union as a whole,

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
 Regulation (EU) 2021/241  
 Article 21c – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***(1 a) The total amount of resources made available in accordance with Article 14(1) of this Regulation and Article 26a(1) of Regulation (EU) 2021/1060 for reforms and investments aiming to contribute to the REPowerEU objectives in accordance with paragraph 1, point (a), of this Article shall be limited to a maximum amount of 10 billion EUR. The amount of revenue made available in accordance with Article 10e(1) of Directive 2003/87/EC for such reforms and investments shall not contribute to this objective.***

Or. en

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
 Regulation (EU) 2021/241  
 Article 21c – paragraph 1 – point b

*Text proposed by the Commission*

*Amendment*

(b) boosting energy efficiency in buildings, decarbonising industry, increasing production and uptake of sustainable biomethane and renewable or fossil-free hydrogen and increasing the share of renewable energy,

(b) boosting energy efficiency ***and savings*** in buildings ***with adequate priority for the needs of energy poor and vulnerable households and consumers, implementing demand-side measures to reduce energy use***, decarbonising industry, increasing the share of renewable energy ***as defined under and, where applicable, meeting the sustainable criteria set out in Directive (EU) 2018/2001, in particular by*** increasing production and uptake of sustainable biomethane, ***thermal renewable energy and renewable fuels of non-biological origin (RFNBOs); improving related electrification infrastructure and facilities; increasing***

*the production and uptake of renewable hydrogen; and speeding up permitting processes for plants producing renewable energy and electrification infrastructure in accordance with the provisions set out in [Directive (EU) .../... amending Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources, Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency];*

Or. en

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (E) 2021/241

Article 21c – paragraph 1 – point c

*Text proposed by the Commission*

(c) addressing internal and cross-border energy transmission bottlenecks and supporting zero emission transport and its infrastructure, including railways,

*Amendment*

(c) addressing internal and cross-border energy transmission bottlenecks, ***including the connection of grids to new renewable energy sources***, and supporting zero emission transport and its infrastructure ***in a just and inclusive way***, including railways ***and the functionality and affordability of public transportation***,

Or. en

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EU) 2021/241

Article 21c – paragraph 1 – point d

*Text proposed by the Commission*

(d) supporting the objectives in points (a), (b) and (c) through an accelerated requalification of the workforce towards green skills, as well as support of the value chains in key materials and technologies linked to the green transition.

*Amendment*

(d) supporting the objectives in points (a), (b) and (c) through an accelerated requalification of the workforce towards green skills, as well as support of the value chains in key materials and technologies linked to the green transition.

Or. en

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation 2021/241/EU  
Article 21c – paragraph 1 b (new)

*Text proposed by the Commission*

*Amendment*

*(1 b) Member States shall prioritise reforms and investments with a significant cross-border or multicountry impact contributing to the REPowerEU objectives in accordance with paragraph 1 in their REPowerEU chapters and shall reach a target of at least 50% of the total financial allocation of the REPowerEU chapters to be used to finance such investments and reforms. However, the Commission may, upon request of a Member State, decide to grant a derogation to that Member State from the obligation to reach that target and specify a reduced target, provided that the Commission establishes, following an assessment, that for the Member State concerned there is no Union added value of reaching a target of at least 50%.*

Or. en

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation (EU) 2021/241  
Article 21a, paragraph 3

*Text proposed by the Commission*

*Amendment*

(3) The amount referred to in paragraph 1 shall be allocated exclusively to measures referred to in Article 21c(1).

(3) The amount referred to in paragraph 1 shall be allocated exclusively to measures referred to in Article 21c(1).

Or. en

Annexes (aligned with objectives above)

**Proposal for a regulation**  
**Annex I – paragraph 1 – point a**  
Regulation (EU) 2021/241  
Annex V – Section 2 – point 2.12 – indent 1

*Text proposed by the Commission*

— the implementation of the envisaged measures is expected to significantly contribute to the improvement of energy infrastructure and facilities to meet immediate security of supply needs for **oil and** gas, notably to enable diversification of supply in the interest of the Union as a whole,

*Amendment*

— the implementation of the envisaged measures is expected to significantly contribute to the improvement of energy infrastructure and facilities to meet immediate security of supply needs for gas, **especially LNG**, notably to enable diversification of supply in the interest of the Union as a whole, **and is limited to a maximum amount of 10 billion EUR of the total amount of resources made available in accordance with Article 14(1) of this Regulation and Article 26a (1) of Regulation (EU) 2021/1060, excluding the amount of revenue made available in accordance with Article 10e(1) of Directive 2003/87/EC,**

Or. en

**Proposal for a regulation**

**Annex I – paragraph 1 – point a**

Regulation (EU) 2021/241

Annex V – section 2 – point 2.12 – indent 2

*Text proposed by the Commission*

— the implementation of the envisaged measures is expected to significantly contribute to boosting energy efficiency in buildings, decarbonising industry, increasing production and uptake of sustainable biomethane and renewable or fossil free hydrogen and increasing the share of renewable energy,

*Amendment*

— the implementation of the envisaged measures is expected to significantly contribute to boosting energy efficiency **and savings** in buildings **with adequate priority for the needs of energy poor and vulnerable households and consumers, implementing demand-side measures to reduce energy use,** decarbonising industry, increasing the share of renewable energy **as defined under and, where applicable, meeting the sustainable criteria set out in Directive (EU) 2018/2001, in particular by** increasing production and uptake of sustainable biomethane, **thermal renewable energy and renewable fuels of non-biological origin (RFNBOs); improving related electrification infrastructure and facilities; increasing the production and uptake of** renewable

hydrogen; *and speeding up permitting processes for plants producing renewable energy and electrification infrastructure in accordance with the provisions set out in [Directive (EU) .../... amending Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources, Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency]*

Or. en

**Proposal for a regulation**

**Annex I – paragraph 1 – point a**

Regulation 2021/241

Annex V – section 2 – point 2.12 – indent 3

*Text proposed by the Commission*

— the implementation of the envisaged measures is expected to address energy infrastructure bottlenecks, in particular by constructing cross-border links with other Member States, or supports zero-emission transport and its infrastructure, including railways,

*Amendment*

— the implementation of the envisaged measures is expected to address energy infrastructure bottlenecks, *including the connection of grids to new renewable energy sources*, in particular by constructing cross-border links with other Member States, or supports zero-emission transport and its infrastructure, including railways *and the functionality and affordability of public transportation*,

Or. en

**Proposal for a regulation**

**Annex I – paragraph 1 – point a**

Regulation (EU) 2021/241

Annex V – Section 2 – point 2.12 – indent 4

*Text proposed by the Commission*

— the implementation of the envisaged measures is expected to significantly contribute to supporting a requalification of the workforce towards green skills, as well as supporting value chains in key materials and technologies linked to the green transition,

*Amendment*

— the implementation of the envisaged measures is expected to significantly contribute to supporting a requalification of the workforce towards green skills, as well as supporting value chains in key materials and technologies linked to the green transition,

**Proposal for a regulation****Annex I – paragraph 1 – point a**

Regulation 2021/241

Annex V – Section 2 – point 2.12 – indent 5

*Text proposed by the Commission*

— whether the measures and explanation, provided under Article 21c (1) are complementary to each other and significantly contribute, together with measures under Article 21c(2), points (a) and (b), to achieve the Union’s diversification of energy supply or reduction of dependence on fossil fuels before 2030.’

*Amendment*

— whether the measures and explanation, provided under Article 21c (1) are complementary to each other and significantly contribute, together with measures under Article 21c(2), points (a) and (b), to achieve the Union’s diversification of energy supply or reduction of dependence on fossil fuels before 2030.’

Or. en

**Proposal for a regulation****Recital 6***Text proposed by the Commission*

(6) The REPowerEU chapter should include new reforms and investments contributing to the REPowerEU aims. Furthermore, that chapter should contain an outline of other measures, financed from sources other than the Recovery and Resilience Facility, contributing to the energy-related objectives outlined in recital (3). The outline should cover measures whose implementation should take place between 1 February 2022 to 31 December 2026, the period during which the objectives set by this Regulation are to be achieved. As regards *natural gas* infrastructure, the investments and reforms of the REPowerEU chapters to diversify supply away from Russia should build on the needs currently identified through the assessment conducted and agreed by the European Network of Transmission System Operators for Gas (ENTSOG), established in the spirit of solidarity as regards security of supply and take into

*Amendment*

(6) The REPowerEU chapter should include new reforms and investments contributing to the REPowerEU aims. Furthermore, that chapter should contain an outline of other measures, financed from sources other than the Recovery and Resilience Facility, contributing to the energy-related objectives outlined in recital (3). The outline should cover measures whose implementation should take place between 1 February 2022 to 31 December 2026, the period during which the objectives set by this Regulation are to be achieved. As regards natural gas infrastructure, *especially LNG*, the investments and reforms of the REPowerEU chapters to diversify supply away from Russia should build on the needs currently identified through the assessment conducted and agreed by the European Network of Transmission System Operators for Gas (ENTSOG), established in the spirit of solidarity as

account the reinforced preparedness measures taken to adapt to new geopolitical threats. Finally, the REPowerEU chapters should provide an explanation and a quantification of the effects of the combination of the reforms and investments financed by the Recovery and Resilience Facility and the other measures financed by other sources than the Recovery and Resilience Facility.

regards security of supply, take into account the reinforced preparedness measures taken to adapt to new geopolitical threats ***and accordingly be limited to a maximum of 10 billion EUR of the total amount of resources for RePowerEU, excluding the revenues generated by the EU ETS.*** Finally, the REPowerEU chapters should provide an explanation and a quantification of the effects of the combination of the reforms and investments financed by the Recovery and Resilience Facility and the other measures financed by other sources than the Recovery and Resilience Facility.

### **Proposal for a regulation Recital 13 a (new)**

*Text proposed by the Commission*

*Amendment*

***(13 a) Cross-border and multi-country projects, particularly those in the field of energy, have an important contribution to the Union-wide achievement of the REPowerEU objectives. Therefore, Member States should prioritise investments and reforms with a significant cross-border or multicountry impact in their national plans and reach at least 50% of the financial allocation of their REPowerEU chapter for such projects. In very limited cases where there is no Union added value in reaching this target for a particular Member State, the Commission may specify a reduced target for the Member State concerned.***

Or. en

# Compromise amendment 3

## DNSH derogation

### ENVI SHARED

Article 21(c)(4); recital 13

Compromise amendment replacing Amendments 156-162; 31(part 1); 47-54

#### Proposal for a regulation

#### Article 1 – paragraph 1 – point 6

Regulation (EU) 2021/241

Article 21c – paragraph 4

#### *Text proposed by the Commission*

(4) By way of derogation from Articles 5(2), 17(4), 18(4) point (d) and 19(3) points (d), the principle of “do no significant harm” within the meaning of Article 17 of Regulation (EU) 2020/852 shall not apply to the reforms and investments *expected to contribute* to the REPowerEU objectives under paragraph 1, point (a) of this Article.

#### *Amendment*

(4) By way of derogation from Articles 5(2), 17(4), 18(4) point (d) and 19(3) points (d), the principle of “do no significant harm” within the meaning of Article 17 of Regulation (EU) 2020/852 shall not apply to *investments in LNG terminals and infrastructure contributing* to the REPowerEU objectives under paragraph 1, point (a) of this Article. *This derogation shall only apply to reforms and investments to be in operation by 31 June 2024.*

*In accordance with Article 31 of Regulation (EU) 2021/241, the Commission shall also present in its reports to the European Parliament and the Council the environmental and climate-related impact of the time-limited application of this derogation and present which measures are taken by the European Union and the Member States to compensate for any resulting negative impact on the environment and the path to reach the EU's emissions reduction target as set out in Regulation (EU) 2021/1119.*

Or. en

**Proposal for a regulation**  
**Recital 13**

*Text proposed by the Commission*

(13) The application of the ‘do no significant harm’ principle is essential to ensure that the investments and reforms undertaken as part of the recovery from the pandemic are implemented in a sustainable manner. It should continue to apply to the reforms and investments supported by the Facility, with one targeted exemption to safeguard the EU’ immediate energy security concerns. Considering the objective of diversifying energy supplies away from Russian suppliers, the reforms and investments set out in those REPowerEU chapters which aim to improve energy infrastructure and facilities to meet immediate security of supply needs for oil and gas should not be required to comply with the principle of ‘do no significant harm’ and should therefore be exempted from such assessment.

*Amendment*

(13) The application of the ‘do no significant harm’ principle is essential to ensure that the investments and reforms undertaken as part of the recovery from the pandemic are implemented in a sustainable manner **and advance the green transition of the European Union**. It should continue to apply to the reforms and investments supported by the Facility, with one targeted **and timely** exemption to safeguard the EU’ immediate energy security concerns. Considering the objective of diversifying energy supplies away from Russian suppliers, the reforms and investments **in LNG terminals and infrastructure** set out in those REPowerEU chapters which aim to improve energy infrastructure and facilities, **as well as ensuring their hydrogen-readiness**, to meet immediate security of supply needs for gas **and to be in operation by 31 June 2024** should not be required to comply with the principle of ‘do no significant harm’ and should therefore be exempted from such assessment. **To ensure that such an exemption does not jeopardise the integrity of the European Union’s 2030 and 2050 climate targets, the Commission should also include an assessment of the climate and environmental impacts of this time-limited derogation and measures how to compensate them in its annual reports.**

Or. en

# Compromise amendment 4

## Use of EAFRD transfers

### ENVI SHARED

Article 21(b)(b); recital 18

Compromise amendment replacing Amendments 123-125; 76-79

#### Proposal for a regulation

##### Article 1 – paragraph 1 – point 6

Regulation (EU) 2021/241

Article 21b – paragraph 1 – point b

#### *Text proposed by the Commission*

(b) Resources allocated under Article 81a of Regulation (EU) 2021/2115 shall support measures in Article 21c(1)(b) of this Regulation for farm investments for the benefit of farmers or groups of farmers, in particular to contribute reducing the use of synthetic fertilisers, increasing production of renewable energy and sustainable biomethane, and boosting energy efficiency.

#### *Amendment*

(b) Resources allocated under Article 81a of Regulation (EU) 2021/2115 shall support measures in Article 21c(1)(b) of this Regulation for farm investments for the benefit of farmers or groups of farmers, in particular to contribute reducing the use of synthetic fertilisers, increasing production of renewable energy and sustainable biomethane, and boosting energy efficiency.

#### Proposal for a regulation

##### Recital 18

#### *Text proposed by the Commission*

(18) Regulation (EU) 2021/2115 of the European Parliament and of the Council<sup>7</sup> should also be amended to allow for a possibility to deliver up to 12.5% of the European Agricultural Fund for Rural Development through the Recovery and Resilience Facility. Such method of delivery is justified by complementarity and synergies between these instruments with regard to the objectives of reducing the use of synthetic fertilisers, or increasing production of sustainable biomethane or renewable energy, in accordance with the

#### *Amendment*

(18) Regulation (EU) 2021/2115 of the European Parliament and of the Council<sup>7</sup> should also be amended to allow for a possibility to deliver up to 12.5% of the European Agricultural Fund for Rural Development through the Recovery and Resilience Facility. Such method of delivery is justified by complementarity and synergies between these instruments with regard to the objectives of reducing the use of synthetic fertilisers, or increasing production of sustainable biomethane or renewable energy, in accordance with the

objectives of the Common Agricultural Policy set out in Article 39 of TFEU. The delivery via the Recovery and Resilience Facility should accelerate the disbursement of funds to beneficiaries from the agricultural sector which is vital considering the urgency of the energy-related objectives.

---

<sup>7</sup> Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 (OJ L 435, 6.12.2021, p. 1).

objectives of the Common Agricultural Policy set out in Article 39 of TFEU. The delivery via the Recovery and Resilience Facility should accelerate the disbursement of funds to beneficiaries from the agricultural sector which is vital considering the urgency of the energy-related objectives.

---

<sup>7</sup> Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 (OJ L 435, 6.12.2021, p. 1).

Or. en

## **Compromise amendment 5**

### **General objectives of RRF/RePowerEU Chapter**

#### **NO ENVI EXCLUSIVE/SHARED**

Article 4(1); Annex V(2)(12): recital 1; recital 3

Compromise amendment replacing Amendments 90-95; 199-201; 5-7; 13-18

#### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 1**

Regulation (EU) 2021/241

Article 4 – paragraph 1

#### *Text proposed by the Commission*

1. In line with the six pillars referred in Article 3 of this Regulation, the coherence and synergies they generate, and in the context of the COVID-19 crisis, the

#### *Amendment*

1. In line with the six pillars referred in Article 3 of this Regulation, the coherence and synergies they generate, and in the context of the COVID-19 crisis, the

general objective of the Facility shall be to promote the Union's economic, social and territorial cohesion by improving the resilience, crisis preparedness, adjustment capacity and growth potential of the Member States, by mitigating the social and economic impact of that crisis, in particular on *women*, by contributing to the implementation of the European Pillar of Social Rights, by supporting the green transition, by contributing to the achievement of the Union's 2030 climate targets set out in point (11) of Article 2 of Regulation (EU) 2018/1999, and by complying with the objective of EU climate neutrality by 2050 and of the digital transition, by increasing the resilience of the Union energy system through a decrease of dependence on fossil fuels and diversification of energy supplies at Union level ('REPowerEU objectives') thereby contributing to the upward economic and social convergence, restoring and promoting sustainable growth and the integration of the economies of the Union, fostering high quality employment creation, and contributing to the strategic autonomy of the Union alongside an open economy and generating European added value.

general objective of the Facility shall be to promote the Union's economic, social and territorial cohesion by improving the resilience, crisis preparedness, adjustment capacity and growth potential of the Member States, by mitigating the social and economic impact of that crisis, in particular on *gender inequality*, by contributing to the implementation of the European Pillar of Social Rights, by supporting the *just* green transition, by contributing to the achievement of the Union's 2030 climate targets set out in point (11) of Article 2 of Regulation (EU) 2018/1999, and by complying with the objective of EU climate neutrality by 2050 and of the digital transition, by increasing the resilience of the Union energy system through a *rapid* decrease *towards an end* of dependence on fossil fuels and diversification of energy supplies at Union level ('REPowerEU objectives') thereby contributing to the upward economic and social convergence, *supporting the achievement of the European Green Deal objectives*, restoring and promoting sustainable growth and the integration of the economies of the Union, fostering high quality employment creation, and contributing to the strategic autonomy of the Union alongside an open economy and generating European added value.

Or. en

## **Proposal for a regulation**

### **Annex I – paragraph 1 – point a**

Regulation 2021/241

Annex V – section 2 – point 2.12

#### *Text proposed by the Commission*

The measures referred to in Article 21c (1) and (2) are expected to effectively contribute towards the Union's security of supply for the Union as a whole, notably through a diversification of energy supply *or* reduction of dependence on fossil fuels

#### *Amendment*

The measures referred to in Article 21c (1) and (2) are expected to effectively contribute towards the Union's security of supply for the Union as a whole, notably through a diversification of energy supply *and rapid* reduction of dependence on

before 2030.’.

fossil fuels before 2030.’.

Or. en

## Proposal for a regulation

### Recital 1

#### *Text proposed by the Commission*

(1) Since the adoption of Regulation (EU) 2021/241 of the European Parliament and of the Council establishing the Recovery and Resilience Facility,<sup>3</sup> unprecedented geopolitical events and their direct and indirect socio-economic consequences have considerably affected the Union’s society and economy. In particular, it has become clearer than ever that the Union’s energy security is indispensable for a successful, sustainable and inclusive recovery from the COVID-19 crisis, as it is also a major factor contributing to the resilience of the European economy.

---

<sup>3</sup> Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17).

#### *Amendment*

(1) Since the adoption of Regulation (EU) 2021/241 of the European Parliament and of the Council establishing the Recovery and Resilience Facility,<sup>3</sup> unprecedented geopolitical events, *i.e. **Russia's unprovoked and illegal military invasion of Ukraine***, and their direct and indirect socio-economic consequences have considerably affected the Union’s society and economy. In particular, it has become clearer than ever that the Union’s energy security *and independence from fossil fuels* is *essential* for a successful, sustainable and inclusive recovery from the COVID-19 crisis, as it is also a major factor contributing to the resilience of the European economy.

---

<sup>3</sup> Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17).

Or. en

## Proposal for a regulation

### Recital 3

#### *Text proposed by the Commission*

(3) The Versailles Declaration of 10-11 March 2022 of the Heads of States and Governments invited the Commission to propose by the end of May a REPowerEU plan to phase out the dependency on Russian fossil fuel imports, which was subsequently reiterated in the European Council Conclusions of 24-25 March 2022.

This should be done well before 2030 in a way that is consistent with the EU's Green Deal and the climate objectives for 2030 and 2050 enshrined in the European Climate Law. Regulation (EU) 2021/241 should therefore be amended to enhance its ability to support reforms and investments dedicated to diversifying energy supplies, *in particular* fossil fuels, thereby strengthening the strategic autonomy of the Union alongside an open economy. Support should also be given to reforms and investments increasing the energy efficiency of the Member States' economies.

This should be done well before 2030 in a way that is consistent with the EU's Green Deal and the climate objectives for 2030 and 2050 enshrined in the European Climate Law. Regulation (EU) 2021/241 should therefore be amended to enhance its ability to support reforms and investments dedicated to diversifying energy supplies *and rapidly reducing the Union's dependence on* fossil fuels, thereby strengthening the strategic autonomy of the Union alongside an open economy. Support should also be given to reforms and investments increasing the *decarbonisation and* energy efficiency of the Member States' economies *and reducing energy use*.

Or. en

## **Compromise amendment 6**

### **National RePowerEU Chapters + Monitoring**

#### **NO ENVI EXCLUSIVE/SHARED**

Article 21c(2) and (3); Article 21d(2)  
Compromise amendment replacing Amendments 148-154; 163-164

#### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 6**

Regulation (EU) 2021/241

Article 21c – paragraph 2 – point aa (new)

*Text proposed by the Commission*

*Amendment*

*(a a) Where applicable, an outline of reforms and investments in the already adopted Council implementing decisions that need to be revised in order to contribute to the REPowerEU objectives;*

Or. en

#### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 6**

Regulation (EU) 2021/241  
Article 21c – paragraph 2 – point b

*Text proposed by the Commission*

(b) an outline of other measures contributing to the REPowerEU objectives with a corresponding calendar, to be implemented from 1 February 2022 until 31 December 2026 without financial support under the Facility;

*Amendment*

(b) an outline of other measures contributing to the REPowerEU objectives with a corresponding calendar, to be implemented from 1 February 2022 until 31 December 2026 without financial support under the Facility;

Or. en

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation (EU) 2021/241  
Article 21c – paragraph 2 – point c

*Text proposed by the Commission*

(c) an explanation on how the combination of the measures referred to in paragraph 1 and points (a) and (b) of this paragraph is coherent, effective and expected to contribute to the REPowerEU objectives, including a quantification of the energy savings.

*Amendment*

(c) an explanation on how the combination of the measures referred to in paragraph 1 and points (a) and (b) of this paragraph is coherent, effective and expected to contribute to the REPowerEU objectives ***and are in line with the National Energy and Climate Plans of that Member State and with the EU climate targets set out in Regulation (EU) 2021/1119***, including a quantification of the energy savings, ***how solutions that do not require new infrastructure investments were prioritised, and how the measures contribute to support energy poor and vulnerable households and consumers.***

Or. en

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation (EU) 2021/241  
Article 21c – paragraph 3

*Text proposed by the Commission*

(3) The estimated costs of the reforms

*Amendment*

(3) The estimated costs of the reforms

and investments of the REPowerEU chapter under paragraph 1 shall not be taken into account for the calculation of the plan's total allocation under Article 18(4), point (f) and Article 19(3), point (f).

and investments of the REPowerEU chapter under paragraph 1 shall not be taken into account for the calculation of the plan's total allocation under Article 18(4), point (f) and Article 19(3), point (f), **and under Article 18(4) point (e) and Article 19(3) point (e).**

Or. en

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation (EU) 2021/241  
Article 21d – paragraph 2

*Text proposed by the Commission*

(2) The Commission shall provide information on the progress of implementation of the REPowerEU chapter in the annual report to the European Parliament and the Council, in accordance with Article 31.

*Amendment*

(2) The Commission shall provide information on the progress of implementation of the REPowerEU chapter in the annual report to the European Parliament and the Council, in accordance with Article 31. ***The report shall be made available to the public, in an easily accessible form.***

Or. en

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation (EU) 2021/241  
Article 21d – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

***(2 a) The Commission shall assess how the measures outlined in the REPowerEU chapter prioritized support for energy poor and vulnerable households and consumers.***

Or. en