



EUROPEAN PARLIAMENT

2009 - 2014

---

*Committee on Economic and Monetary Affairs*

---

**2010/0220(NLE)**

12.10.2010

# **AMENDMENTS**

## **12 - 83**

**Draft report**  
**Bernhard Rapkay**  
(PE448.908v01-00)

on the proposal for a Council regulation on State aid to facilitate the closure of uncompetitive coal mines

Proposal for a regulation  
(COM(2010)0372 – C7-0296/2010 – 2010/0220(NLE))

AM\_Com\_LegReport

**Amendment 12**  
**Jürgen Klute**

**Proposal for a regulation**  
**Recital 1 a (new)**

*Draft legislative resolution*

*Amendment*

***(1a) Coal can be used not only as a fuel but also as a raw material for the chemical industry, and will become increasingly important in this role in future.***

Or. de

**Amendment 13**  
**Jürgen Klute**

**Proposal for a regulation**  
**Recital 1 b (new)**

*Draft legislative resolution*

*Amendment*

***(1b) Production capacity lost through pit closure in the EU coal mining industry will be made up by coal imports into the EU, resulting in the Union being supplied with coal at the expense of third countries.***

Or. de

**Amendment 14**  
**Werner Langen, Renate Sommer**

**Proposal for a regulation**  
**Recital 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***(1a) Some Member States are facing very high production costs compared to current and projected world market prices***

*and their production of coal is therefore currently uncompetitive.*

Or.de

**Amendment 15**  
**Werner Langen, Renate Sommer**

**Proposal for a regulation**  
**Recital 2**

*Text proposed by the Commission*

(2) The small contribution of subsidised coal to the overall energy mix ***no longer justifies the maintenance of such subsidies with a view of securing the supply of energy on a Union level.***

*Amendment*

(2) The small contribution of subsidised coal to the ***EU's*** overall energy mix ***means that subsidies for coal mining can only compensate to a limited extent for interruptions in the supply of energy. However, state aids in the coal sector are now so low that they can no longer have a distorting effect on competition. A minimum of coal production in the EU would maintain access to indigenous deposits in the interests of creating a strategic reserve.***

Or.de

**Amendment 16**  
**Pilar Ayuso, Agustín Díaz de Mera García Consuegra, Salvador Garriga Polledo, Veronica Lope Fontagné**

**Proposal for a regulation**  
**Recital 2**

*Text proposed by the Commission*

(2) ***The*** small contribution of ***subsidised*** coal to the overall energy mix ***no longer justifies the maintenance of such subsidies with a view of securing the supply of energy on a Union level.***

*Amendment*

(2) ***Although*** coal ***only makes*** a small contribution to the overall energy mix of ***the Union, provision should be made for the granting of aid to access indigenous coal reserves on the grounds of energy security.***

Or.es

### *Justification*

*Provision must be made for Member States to be able to access a strategic reserve, as provided for in the regulation currently in force.*

#### **Amendment 17**

**María Muñoz De Urquiza, Ramón Jáuregui Atondo, Antonio Masip Hidalgo, Iratxe García Pérez, Inés Ayala Sender, Miguel Angel Martínez Martínez, Sergio Gutiérrez Prieto, Ricardo Cortés Lastra, Teresa Riera Madurell, Vasilica Viorica Dăncilă**

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

##### **Recital 2**

#### *Text proposed by the Commission*

(2) The ***small*** contribution of subsidised coal to the overall energy mix ***no longer*** justifies the maintenance of such subsidies with a view *of* securing the supply of energy on a Union level.

#### *Amendment*

(2) The contribution of subsidised coal to the overall energy mix justifies the maintenance of such subsidies with a view *to* securing the supply of energy on a Union level, ***provided this is not secured by other means.***

Or.es

#### **Amendment 18**

**Werner Langen, Renate Sommer**

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

##### **Recital 2 a (new)**

#### *Text proposed by the Commission*

#### *Amendment*

***(2a) Mining regions in the EU, their workers and administrations rely on their national governments' compromises on coal and must not suffer as a result of inadequate harmonisation of the rules at EU and national level.***

Or.de

**Amendment 19**  
**Werner Langen, Renate Sommer**

**Proposal for a regulation**  
**Recital 2 b (new)**

*Text proposed by the Commission*

*Amendment*

***(2b) The expiry of Regulation (EC) No 1407/2002 will force some Member States at short notice to close their coal mines straight away and face the considerable social and regional consequences.***

Or.de

**Amendment 20**  
**Werner Langen, Renate Sommer**

**Proposal for a regulation**  
**Recital 2 c (new)**

*Text proposed by the Commission*

*Amendment*

***(2c) Premature pit closures would bring about a fundamental loss of confidence in politics, particularly among the workers affected.***

Or.de

**Amendment 21**  
**Werner Langen, Renate Sommer**

**Proposal for a regulation**  
**Recital 2 d (new)**

*Text proposed by the Commission*

*Amendment*

***(2d) In the light of the extremely serious socio-economic impact of pit closures, particularly in thinly populated regions, consideration should be given now to targeted support from the EU structural funds in future budgets, even if the regions affected by pit closures are in***

*Member States with less severe economic problems.*

Or.de

**Amendment 22**  
**Werner Langen, Renate Sommer**

**Proposal for a regulation**  
**Recital 2 e (new)**

*Text proposed by the Commission*

*Amendment*

*(2e) Under Article 194(2) TFEU the Member States have right to determine the conditions for exploiting their energy resources, their choice between different energy sources and the general structure of their energy supply.*

Or.de

**Amendment 23**  
**María Muñoz De Urquiza, Ramón Jáuregui Atondo, Antonio Masip Hidalgo, Iratxe García Pérez, Inés Ayala Sender, Miguel Angel Martínez Martínez, Sergio Gutiérrez Prieto, Ricardo Cortés Lastra, Teresa Riera Madurell, Vasilica Viorica Dăncilă**

**Proposal for a regulation**  
**Recital 3**

*Text proposed by the Commission*

*Amendment*

*(3) The Union's policies of encouraging renewable and lower carbon fossil fuels for power generation do not justify the indefinite support for uncompetitive coal mines. The categories of aid permitted by Regulation (EC) No 1407/2002 should therefore not be continued indefinitely.*

*deleted*

Or.es

#### Amendment 24

Pilar Ayuso, Agustín Díaz de Mera García Consuegra, Salvador Garriga Polledo,  
Veronica Lope Fontagné

#### Proposal for a regulation

##### Recital 3

*Text proposed by the Commission*

(3) The Union's policies of encouraging renewable and lower carbon fossil fuels for power generation do not justify the indefinite support for uncompetitive coal mines. The categories of aid permitted by Regulation (EC) No 1407/2002 should therefore not be continued indefinitely.

*Amendment*

(3) The Union's policies of encouraging renewable and lower carbon fossil fuels for power generation do not justify the indefinite support for uncompetitive coal mines. The categories of aid permitted by Regulation (EC) No 1407/2002 should therefore not be continued indefinitely.

***Nonetheless, it should be recognised that replacing subsidised coal with unsubsidised coal will not greatly benefit the environment.***

Or.es

#### Amendment 25

Jürgen Klute

#### Proposal for a regulation

##### Recital 3

*Text proposed by the Commission*

***(3) The Union's policies of encouraging renewable and lower carbon fossil fuels for power generation do not*** justify the indefinite support for uncompetitive coal mines. The categories of aid permitted by Regulation (EC) No 1407/2002 should therefore not be continued indefinitely.

*Amendment*

***(3) It is politically hard to*** justify indefinite support for uncompetitive coal mines. The categories of aid permitted by Regulation (EC) No 1407/2002 should therefore not be continued indefinitely.

Or.de



**Amendment 26**

**María Muñoz De Urquiza, Ramón Jáuregui Atondo, Antonio Masip Hidalgo, Iratxe García Pérez, Inés Ayala Sender, Miguel Angel Martínez Martínez, Sergio Gutiérrez Prieto, Ricardo Cortés Lastra, Teresa Riera Madurell, Vasilica Viorica Dăncilă**

**Proposal for a regulation**

**Recital 3 a (new)**

*Text proposed by the Commission*

*Amendment*

*(3a) Indigenous energy sources in the EU being scarce, the Union's policies of encouraging renewable and lower carbon fossil fuels for power generation do justify support for coal mines. The categories of aid permitted by Regulation (EC) No 1407/2002 should not be maintained indefinitely. In any event, State aid intended to reduce the pollutant effect of coal should be maintained. Mines that after this 10-year period are capable of being competitive but still need State assistance with regard to implementation of environmental technology investments should be exempted from this discontinuation of subsidies.*

Or.es

**Amendment 27**

**Werner Langen, Renate Sommer**

**Proposal for a regulation**

**Recital 3 a (new)**

*Text proposed by the Commission*

*Amendment*

*(3a) The major social effects of a premature end to coal mining, such as mass redundancies and long-term unemployment, are out of all proportion to any possible benefit to the climate.*

Or.de

**Amendment 28**  
**Markus Pieper, Renate Sommer**

**Proposal for a regulation**  
**Recital 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***(4a) In view of the particular situation in some regions, the Commission should allow, if necessary, national solutions for the extension of hard coal subsidies in accordance with Union law.***

Or.en

**Amendment 29**  
**María Muñoz De Urquiza, Ramón Jáuregui Atondo, Antonio Masip Hidalgo, Iratxe García Pérez, Inés Ayala Sender, Miguel Angel Martínez Martínez, Sergio Gutiérrez Prieto, Ricardo Cortés Lastra, Teresa Riera Madurell, Vasilica Viorica Dăncilă**

**Proposal for a regulation**  
**Recital 5**

*Text proposed by the Commission*

*Amendment*

(5) Without prejudice to the general State aid rules, Member States should be able to take measures to alleviate the social and regional consequences of the closure of those mines, that is to say the orderly winding down of activities in the context of an irrevocable closure plan and/or the financing of exceptional costs, inherited liabilities in particular.

(5) Without prejudice to the general State aid rules, Member States should be able to take measures to alleviate the social and regional consequences of the ***possible*** closure of those mines, that is to say the orderly winding down of activities in the context of an irrevocable closure plan and/or the financing of exceptional costs, inherited liabilities in particular.

Or.es

**Amendment 30**  
**Philippe Lamberts**

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

*Text proposed by the Commission*

*Amendment*

***(5a) Retraining of workers affected by the closure plans should be provided for immediately, and, for the financing, all possibilities to draw on regional, national and Union funds should be explored.***

Or.en

**Amendment 31**  
**Werner Langen, Renate Sommer**

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

*Text proposed by the Commission*

*Amendment*

***(5a) The financing of environmental protection measures and long-term closure costs will be a process continuing beyond the 2014 terminal date proposed by the Commission. A premature end to coal subsidies would lead to significant environmental and financial destabilisation in the affected regions and would ultimately be much more costly than the phasing out of Member State subsidies.***

Or.de

**Amendment 32**  
**Werner Langen, Renate Sommer**

**Proposal for a regulation**  
**Recital 6**

*Text proposed by the Commission*

*Amendment*

***(6) This Regulation marks the transition of the coal sector from sector-specific rules to the general State aid rules applicable to all sectors.***

***deleted***

**Amendment 33**

**Pilar Ayuso, Agustín Díaz de Mera García Consuegra, Salvador Garriga Polledo,  
Veronica Lope Fontagné**

**Proposal for a regulation  
Recital 6**

*Text proposed by the Commission*

(6) This Regulation marks the transition of the coal sector from sector-specific rules to the general State aid rules applicable to all sectors.

*Amendment*

(6) This Regulation marks the transition of the coal sector from sector-specific rules to the general State aid rules applicable to all sectors, *save in respect of aid to cover exceptional costs, aid for access to reserves and aid for research and development projects.*

Or.es

**Amendment 34**

**Pilar Ayuso, Agustín Díaz de Mera García Consuegra, Salvador Garriga Polledo,  
Veronica Lope Fontagné**

**Proposal for a regulation  
Recital 6 a (new)**

*Text proposed by the Commission*

*Amendment*

*(6a) The Community guidelines on State aid for environmental protection<sup>1</sup> reaffirm clearly the European Commission's positive attitude towards State aid for CO<sub>2</sub> capture, transport and storage. This regulation upholds this view, stating that aid for coal mining to provide raw materials for said projects is compatible with the internal market.*

---

<sup>1</sup> OJ C 37, 3.2.2001, p. 3.

Or.es

**Amendment 35**  
**Jürgen Klute**

**Proposal for a regulation**  
**Recital 7**

*Text proposed by the Commission*

(7) In order to minimise the distortion of competition in the internal market resulting from aid, such aid should ***be degressive*** and strictly limited to production units that are irrevocably planned for closure.

*Amendment*

(7) In order to minimise the distortion of competition in the internal market resulting from aid, such aid should ***follow a downward trend*** and should be limited to production units that are irrevocably planned for closure, ***except where they have become competitive by the scheduled date.***

Or.de

**Amendment 36**  
**Andreas Mölzer**

**Proposal for a regulation**  
**Recital 7**

*Text proposed by the Commission*

(7) In order to minimise the distortion of competition in the internal market resulting from aid, such aid should be ***degressive*** and ***strictly*** limited to production units that are ***irrevocably*** planned for closure.

*Amendment*

(7) In order to minimise the distortion of competition in the internal market resulting from aid, such aid should ***follow a downward trend*** and should be limited to production units that – ***unless they have become competitive by then*** – are planned for closure ***on expiry of the deadline.***

Or.de

*Justification*

*It is important to draw attention to the fact that production units may, over time, manage to become competitive again. However, it then logically becomes necessary to delete the word ‘irrevocably’.*

**Amendment 37**  
**Pilar Ayuso, Agustín Díaz de Mera García Consuegra, Salvador Garriga Polledo,**

**Veronica Lope Fontagné**

**Proposal for a regulation  
Recital 7**

*Text proposed by the Commission*

(7) In order to minimise the distortion of competition in the internal market ***resulting from aid, such*** aid should be degressive and strictly limited to production units that are irrevocably planned for closure.

*Amendment*

(7) In order to minimise the distortion of competition in the internal market, ***closure*** aid should be degressive and strictly limited to production units that are irrevocably planned for closure.

Or.es

**Amendment 38  
Werner Langen, Renate Sommer**

**Proposal for a regulation  
Recital 7 a (new)**

*Text proposed by the Commission*

*Amendment*

***(7a) The remediation of a mine site requires a number of measures, such as the removal of mining equipment from the mine, cleaning of the site, safety work underground and waste water disposal, the financing of which requires lengthy preparation.***

Or.de

**Amendment 39  
Jürgen Klute**

**Proposal for a regulation  
Recital 8**

*Text proposed by the Commission*

*Amendment*

***(8) In order to mitigate the negative environmental impact of aid to coal, the Member State should provide a plan of appropriate measures, for example in the***

***deleted***

*field of energy efficiency, renewable energy or carbon capture and storage.*

Or.de

**Amendment 40**  
**Werner Langen, Renate Sommer**

**Proposal for a regulation**  
**Recital 8**

*Text proposed by the Commission*

(8) In order to mitigate the ***negative environmental*** impact of aid to coal, the Member State should provide a plan of appropriate measures, ***for example in the field of energy efficiency, renewable energy or carbon capture and storage.***

*Amendment*

(8) In order to mitigate the ***social and economic*** impact of aid to coal, the Member State should provide a plan of appropriate measures.

Or.de

**Amendment 41**  
**Philippe Lamberts**

**Proposal for a regulation**  
**Recital 8**

*Text proposed by the Commission*

(8) In order to mitigate the negative environmental impact of aid to coal, the Member State should provide a plan of appropriate measures, for example in the field of energy efficiency, renewable energy ***or carbon capture and storage.***

*Amendment*

(8) In order to mitigate the negative environmental impact of aid to coal, the Member State should provide a plan of appropriate measures, for example in the field of energy efficiency ***and*** renewable energy.

Or.en

**Amendment 42**

**María Muñoz De Urquiza, Ramón Jáuregui Atondo, Antonio Masip Hidalgo, Iratxe García Pérez, Inés Ayala Sender, Miguel Angel Martínez Martínez, Sergio Gutiérrez Prieto, Ricardo Cortés Lastra, Teresa Riera Madurell, Vasilica Viorica Dăncilă**

**Proposal for a regulation**

**Recital 8 a (new)**

*Text proposed by the Commission*

*Amendment*

*(8a) A minimum level of coal production, together with other measures, in particular to promote renewable energy sources, will help to maintain a quota of primary energy sources, which will significantly boost the European Union's energy security. Furthermore, a quota of indigenous primary energy sources will also serve to promote environmental objectives within the framework of sustainable development. Within this context of boosting the Union's indigenous energy sources in order to counteract the continent's huge energy dependence, supplementing non-fossil indigenous energy sources with fossil ones needs to be considered, coal being the sole source of indigenous fossil energy in some Member States.*

Or.es

**Amendment 43**

**Pilar Ayuso, Agustín Díaz de Mera García Consuegra, Salvador Garriga Polledo, Veronica Lope Fontagné**

**Proposal for a regulation**

**Recital 8 a (new)**

*Text proposed by the Commission*

*Amendment*

*(8a) As the European Union is committed to developing CO<sub>2</sub> capture and storage technology under the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007-2013)<sup>1</sup>*



*maintaining access to reserves until this technology has been proven and made available is only reasonable.*

---

<sup>1</sup> OJ L 412, 30.12.2006, p. 1.

Or.es

**Amendment 44**  
**Werner Langen, Renate Sommer**

**Proposal for a regulation**  
**Recital 8 a (new)**

*Text proposed by the Commission*

*Amendment*

*(8a) In networks of coal-fired power plants, indigenous coal would be replaced with imported coal, leading to enormous transport costs and a negative climate footprint, without altering the real CO<sub>2</sub> footprint of electricity generation itself.*

Or.de

**Amendment 45**  
**Jürgen Klute**

**Proposal for a regulation**  
**Recital 8 a (new)**

*Text proposed by the Commission*

*Amendment*

*(8a) The conditions for coal mining vary in geological terms depending on the site, and in terms of social, safety and environmental standards (relating to subsidence and environmental damage) according to the political circumstances. This leads to a competitive imbalance, in particular between EU coal and imported coal, which has forced the coal industry to embark on substantial restructuring measures involving major cutbacks in activity over the past few decades.*

**Amendment 46**  
**Jürgen Klute**

**Proposal for a regulation**  
**Recital 8 b (new)**

*Text proposed by the Commission*

*Amendment*

***(8b) A minimum level of coal production, together with other measures, in particular to promote renewable energy sources, will help to maintain a proportion of indigenous primary energy sources, which will significantly boost the Union's energy security. Furthermore, a proportion of indigenous primary energy sources will also serve to promote environmental objectives within the framework of sustainable development.***

Or.de

**Amendment 47**  
**Jürgen Klute**

**Proposal for a regulation**  
**Recital 8 c (new)**

*Text proposed by the Commission*

*Amendment*

***(8c) A minimum level of production of subsidised coal will also help to maintain the prominent position of European mining and clean coal technology, enabling it in particular to be transferred to the major coal-producing areas outside the Union. Such a policy will contribute to a significant global reduction in pollutant and greenhouse gas emissions.***

Or.de

**Amendment 48**  
**Jürgen Klute**

**Proposal for a regulation**  
**Recital 8 d (new)**

*Text proposed by the Commission*

*Amendment*

*(8d) At present coal is used in the EU mainly for power generation and, to a lesser extent, for the production of coke for the steel industry. In the interests of the climate, coal-fired power generation should be halted as soon as possible in favour of 'green' power production. In the steel industry, on the other hand, coal is likely to be indispensable for the foreseeable future. In view of diminishing oil deposits ('peak oil'), coal is likely to become increasingly important as a substitute raw material for the chemical industry. In the long term, therefore, it seems sensible to keep access to EU coal deposits open with a view to maintaining a minimum level of production for technical reasons. That being so, a minimum level of production for technical reasons which does not distort competition should not be ruled out in principle even if it necessitates a lengthy period of state aid.*

Or.de

**Amendment 49**  
**Philippe Lamberts**

**Proposal for a regulation**  
**Recital 9 a (new)**

*Text proposed by the Commission*

*Amendment*

*(9a) Undertakings should, in accordance with the 'polluter pays' principle and because of the necessity for internalising external costs, be obliged to cover the costs for remedying the short and long-term environmental damage caused by*

*their activities.*

Or.en

**Amendment 50**

**Pilar Ayuso, Agustín Díaz de Mera García Consuegra, Salvador Garriga Polledo,  
Veronica Lope Fontagné**

**Proposal for a regulation  
Recital 9 a (new)**

*Text proposed by the Commission*

*Amendment*

***(9a) Given that in some regions of the European Union the opening of coal mines has had a huge impact on the landscape in areas that are part of the Natura 2000 network, remediation must be included into this regulation as an obligation.***

Or.es

**Amendment 51**

**María Muñoz De Urquiza, Ramón Jáuregui Atondo, Antonio Masip Hidalgo, Iratxe García Pérez, Inés Ayala Sender, Miguel Angel Martínez Martínez, Sergio Gutiérrez Prieto, Ricardo Cortés Lastra, Teresa Riera Madurell, Vasilica Viorica Dăncilă**

**Proposal for a regulation  
Recital 10**

*Text proposed by the Commission*

*Amendment*

(10) In accomplishing its task, the European Commission should ensure that normal conditions of competition are established, maintained and complied with. With regard *to more especially* the electricity market, aid to the coal industry should not be such as to affect electricity producers' choice of sources of primary energy supply. Consequently, the prices and quantities of coal should be freely agreed between the contracting parties in the light of prevailing conditions on the world market.

(10) In accomplishing its task, the European Commission should ensure that normal conditions of competition are established, maintained and complied with. With regard *more especially to* the electricity market, aid to the coal industry should not be such as to affect electricity producers' choice of sources of primary energy supply. Consequently, the prices and quantities of coal should be freely agreed between the contracting parties in the light of prevailing conditions on the world market. ***In any event, and to prevent***

*social or environmental dumping, the Community authorities should ensure that the social and environmental standards in mines in non-EU countries producing coal for marketing in the Union equate to the standards required of European coal mines.*

Or.es

**Amendment 52**  
**Werner Langen, Renate Sommer**

**Proposal for a regulation**  
**Recital 10**

*Text proposed by the Commission*

(10) In accomplishing its task, the **European** Commission should ensure that normal conditions of competition are established, maintained and complied with. With regard to more especially the electricity market, aid to the coal industry should not be such as to affect electricity producers' choice of sources of primary energy supply. Consequently, the prices and quantities of coal should be freely agreed between the contracting parties in the light of prevailing conditions on the world market.

*Amendment*

(10) In accomplishing its task, the Commission should ensure that normal conditions of competition are established, maintained and complied with. With regard to more especially the electricity market, aid to the coal industry should not be such as to affect electricity producers' choice of sources of primary energy supply. Consequently, the prices and quantities of coal should be freely agreed between the contracting parties in the light of prevailing conditions on the world market. ***In view of the likely rise in energy prices, the Commission should carry out a regular review of the potential contribution of EU coal to energy security.***

Or.de

**Amendment 53**  
**Pilar Ayuso, Agustín Díaz de Mera García Consuegra, Salvador Garriga Polledo,**  
**Veronica Lope Fontagné**

**Proposal for a regulation**  
**Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

***(10a) The Commission needs to ensure that the Member States make effective and selective use of the aid for regeneration of mining basins so as to encourage their economic diversification and overcome their dependence on economic activities linked to coal, especially in the regions most affected by the closures. Future regional policy after 2013 should provide the framework for setting objectives and establishing the necessary control mechanisms to help improve competitiveness in these regions.***

Or.es

**Amendment 54**

**Pilar Ayuso, Agustín Díaz de Mera García Consuegra, Salvador Garriga Polledo,  
Veronica Lope Fontagné**

**Proposal for a regulation**

**Article 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***aa) ‘plan for accessing coal reserves’ means a plan drawn up by a Member State, providing for the production of the minimum quantity of indigenous coal necessary to guarantee access to coal reserves;***

Or.es

**Amendment 55**

**Pilar Ayuso, Agustín Díaz de Mera García Consuegra, Salvador Garriga Polledo,  
Veronica Lope Fontagné**

**Proposal for a regulation**

**Article 2 – paragraph 1**

*Text proposed by the Commission*

1. ***In the context of*** definite closure of uncompetitive mines, aid to the coal industry may be considered compatible with the proper functioning of the internal market if it complies with the provisions of this Regulation.

*Amendment*

1. ***As far as*** definite closure of uncompetitive mines, ***coverage of exceptional costs, access to reserves and support for research and development projects are concerned***, aid to the coal industry may be considered compatible with the proper functioning of the internal market if it complies with the provisions of this Regulation.

Or.es

**Amendment 56**

**María Muñiz De Urquiza, Ramón Jáuregui Atondo, Antonio Masip Hidalgo, Iratxe García Pérez, Inés Ayala Sender, Miguel Angel Martínez Martínez, Sergio Gutiérrez Prieto, Ricardo Cortés Lastra, Teresa Riera Madurell, Vasilica Viorica Dăncilă**

**Proposal for a regulation**

**Article 2 – paragraph 2**

*Text proposed by the Commission*

2. Aid shall cover ***only*** costs in connection with coal for the production of electricity, the combined production of heat and electricity, the production of coke and the fuelling of blast furnaces in the steel industry, where such use takes place in the Union.

*Amendment*

2. Aid shall cover costs in connection with coal for the production of electricity, the combined production of heat and electricity, the production of coke, the fuelling of blast furnaces in the steel industry, ***research and technology investment designed to reduce pollutant emissions from coal***, where such use takes place in the Union.

Or.es

**Amendment 57**

**Pilar Ayuso, Agustín Díaz de Mera García Consuegra, Salvador Garriga Polledo, Veronica Lope Fontagné**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

a) the operation of the production units concerned must form part of a closure plan the deadline of which does not extend beyond **1 October 2014**;

a) the operation of the production units concerned must form part of a closure plan the deadline of which does not extend beyond **31 December 2022**;

Or.es

**Amendment 58**

**María Muñiz De Urquiza, Ramón Jáuregui Atondo, Antonio Masip Hidalgo, Iratxe García Pérez, Inés Ayala Sender, Miguel Angel Martínez Martínez, Sergio Gutiérrez Prieto, Ricardo Cortés Lastra, Teresa Riera Madurell, Vasilica Viorica Dăncilă**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

a) the operation of the production units concerned must form part of a closure plan the deadline of which does not extend beyond **1 October 2014**;

a) the operation of the production units concerned must form part of a closure plan the deadline of which does not extend beyond **31 December 2020**;

Or.es

**Amendment 59**

**Werner Langen, Renate Sommer**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

a) the operation of the production units concerned must form part of a closure plan the deadline of which does not extend beyond **1. October 2014**;

a) the operation of the production units concerned must form part of a closure plan the deadline of which does not extend beyond **31 December 2020**;

Or.de

*Justification*

*The terminal date of 2014 proposed by the Commission has been selected completely indiscriminately. Under the terms of the Commission's own impact assessment, there is no*



way of halting subsidised coal mining in a socially responsible manner before the end of 2020.

## **Amendment 60**

**Jürgen Klute**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point a**

*Text proposed by the Commission*

a) the operation of the production units concerned must form part of a closure plan the deadline of which does not extend beyond **1. October 2014**;

*Amendment*

a) the operation of the production units concerned must form part of a closure plan the deadline of which does not extend beyond **1 October 2020**;

Or.de

## **Amendment 61**

**Arlene McCarthy**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) the operation of the production units concerned must form part of a closure plan the deadline of which does not extend beyond 1 October **2014**;

*Amendment*

(a) the operation of the production units concerned must form part of a closure plan the deadline of which does not extend beyond 1 October **2013**;

Or.en

## **Amendment 62**

**María Muñoz De Urquiza, Ramón Jáuregui Atondo, Antonio Masip Hidalgo, Iratxe García Pérez, Inés Ayala Sender, Miguel Angel Martínez Martínez, Sergio Gutiérrez Prieto, Ricardo Cortés Lastra, Teresa Riera Madurell, Vasilica Viorica Dăncilă**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point b**

*Text proposed by the Commission*

b) the production units concerned must be closed definitively in accordance with the

*Amendment*

b) the production units concerned must be closed definitively in accordance with the

closure plan;

closure plan *if they have not become competitive by that date and provided that the Union's energy needs do not require their continued existence*;

Or.es

#### **Amendment 63**

**Markus Pieper, Renate Sommer**

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

#### **Article 3 – paragraph 1 – point b**

##### *Text proposed by the Commission*

(b) the production units concerned must be closed definitively in accordance with the closure plan;

##### *Amendment*

(b) the production units concerned must be closed definitively in accordance with the closure plan, *unless, by the deadline in that closure plan, the legitimacy, in accordance with Union law, of a singular public initial funding for coal-based power generation by a mine is established on the basis that the mine concerned has a clear perspective to become competitive by 31 December 2022*;

Or.en

#### **Amendment 64**

**Jürgen Klute**

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

#### **Article 3 – paragraph 1 – point b**

##### *Text proposed by the Commission*

b) the production units concerned must be closed definitively in accordance with the closure plan;

##### *Amendment*

b) the production units concerned must be closed definitively in accordance with the closure plan *if they have not become competitive by that date*;

Or.de

#### **Amendment 65**

**Pilar Ayuso, Agustín Díaz de Mera García Consuegra, Salvador Garriga Polledo,**

Veronica Lope Fontagné

**Proposal for a regulation**

**Article 3 – paragraph 1 – point f**

*Text proposed by the Commission*

*Amendment*

f) the overall amount of closure aid granted by a Member State for any particular undertaking must follow a downward trend, *where the reduction between successive periods of fifteen months must not be less than 33 percent of the aid provided in the initial fifteen month period of the closure plan;*

f) the overall amount of closure aid granted by a Member State for any particular undertaking must follow a downward trend;

Or.es

**Amendment 66**

**María Muñiz De Urquiza, Ramón Jáuregui Atondo, Antonio Masip Hidalgo, Iratxe García Pérez, Inés Ayala Sender, Miguel Angel Martínez Martínez, Sergio Gutiérrez Prieto, Ricardo Cortés Lastra, Teresa Riera Madurell, Vasilica Viorica Dăncilă**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point f**

*Text proposed by the Commission*

*Amendment*

f) the overall amount of closure aid granted by a Member State for any particular undertaking must follow a downward trend, *where the reduction between successive periods of fifteen months must not be less than 33 percent of the aid provided in the initial fifteen month period of the closure plan;*

f) the overall amount of closure aid granted by a Member State for any particular undertaking must follow a downward trend. *This reduction in aid shall not apply to mines that, having managed to be competitive in this period, still require public sector investment solely for the purpose of reducing pollution produced by coal;*

Or.es

**Amendment 67**

**Werner Langen, Renate Sommer**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point f**

*Text proposed by the Commission*

f) the overall amount of closure aid granted by a Member State for any particular undertaking must follow a downward trend, where the reduction ***between successive periods of fifteen months*** must not be less than ***33 percent*** of the aid provided in the ***initial fifteen month period*** of the closure plan;

*Amendment*

f) the overall amount of closure aid granted by a Member State for any particular undertaking must follow a downward trend, where the ***annual*** reduction must not be less than ***10 percent*** of the aid provided in the first ***year*** of the closure plan;

Or.de

**Amendment 68**  
**Jürgen Klute**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point f**

*Text proposed by the Commission*

f) the overall amount of closure aid granted by a Member State for any particular undertaking must follow a downward trend, where the reduction ***between successive periods of fifteen months*** must not be less than ***33 percent*** of the aid provided ***in the initial fifteen month period of the closure plan***;

*Amendment*

f) the overall amount of closure aid granted by a Member State for any particular undertaking must follow a downward trend, where the ***annual*** reduction must not be less than ***10 percent*** of the aid provided ***for the previous year***;

Or.de

**Amendment 69**  
**Jürgen Klute**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point g**

*Text proposed by the Commission*

g) the overall amount of closure aid to the coal industry of a Member State must not exceed, for any year after 2010, the amount of aid granted by that Member State and authorised by the Commission in

*Amendment*

g) the overall amount of closure aid to the coal industry of a Member State must not exceed, for any year after 2010 – ***adjusted in line with inflation and wage increases since that date*** – the amount of aid granted

accordance with Articles 4 and 5 of Regulation (EC) No 1407/2002 for the year 2010.

by that Member State and authorised by the Commission in accordance with Articles 4 and 5 of Regulation (EC) No 1407/2002 for the year 2010.

Or.de

**Amendment 70**  
**Jürgen Klute**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point h**

*Text proposed by the Commission*

***h) the Member State must provide a plan to take measures aimed at mitigating the environmental impact of the use of coal, for example in the field of energy efficiency, renewable energy or carbon capture and storage. The inclusion of measures constituting State aid within the meaning of Article 107 (1) in such a plan is without prejudice to the notification and standstill obligations imposed on the Member State with respect to these measures by Article 108 (3) TFEU, and to the compatibility of these measures with the internal market."***

*Amendment*

***deleted***

Or.de

**Amendment 71**  
**Werner Langen, Renate Sommer**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point h**

*Text proposed by the Commission*

***h) the Member State must provide a plan to take measures aimed at mitigating the environmental impact of the use of coal, for example in the field of energy efficiency, renewable energy or carbon capture and storage. The inclusion of***

*Amendment*

***h) the Member State must provide a plan to take measures aimed at mitigating the social and economic impact of halting coal production. The inclusion of measures constituting State aid within the meaning of Article 107 (1) in such a plan is***

measures constituting State aid within the meaning of Article 107 (1) in such a plan is without prejudice to the notification and standstill obligations imposed on the Member State with respect to these measures by Article 108 (3) TFEU, and to the compatibility of these measures with the internal market."

without prejudice to the notification and standstill obligations imposed on the Member State with respect to these measures by Article 108 (3) TFEU, and to the compatibility of these measures with the internal market."

Or.de

**Amendment 72**  
**Philippe Lamberts**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point h**

*Text proposed by the Commission*

(h) the Member State must provide a plan to take measures aimed at mitigating the environmental impact of the use of coal, for example in the field of energy efficiency, renewable energy ***or carbon capture and storage***. The inclusion of measures constituting State aid within the meaning of Article 107 (1) in such a plan is without prejudice to the notification and standstill obligations imposed on the Member State with respect to these measures by Article 108 (3) TFEU, and to the compatibility of these measures with the internal market."

*Amendment*

(h) the Member State must provide a plan to take measures aimed at mitigating the environmental impact of the use of coal, for example in the field of energy efficiency ***and*** renewable energy. The inclusion of measures constituting State aid within the meaning of Article 107 (1) in such a plan is without prejudice to the notification and standstill obligations imposed on the Member State with respect to these measures by Article 108 (3) TFEU, and to the compatibility of these measures with the internal market.

Or.en

**Amendment 73**  
**Werner Langen, Renate Sommer**

**Proposal for a regulation**  
**Article 3 – paragraph 2**

*Text proposed by the Commission*

***2. If the production units to which aid is granted pursuant to paragraph 1 are not***

*Amendment*

***deleted***

*closed at the date fixed in the closure plan as authorised by the Commission, the Member State concerned shall recover all aid granted in respect of the whole period covered by the closure plan.*

Or.de

#### **Amendment 74**

**María Muñoz De Urquiza, Ramón Jáuregui Atondo, Antonio Masip Hidalgo, Iratxe García Pérez, Inés Ayala Sender, Miguel Angel Martínez Martínez, Sergio Gutiérrez Prieto, Ricardo Cortés Lastra, Teresa Riera Madurell, Vasilica Viorica Dăncilă**

#### **Proposal for a regulation Article 3 – paragraph 2**

##### *Text proposed by the Commission*

2. If the production units to which aid is granted pursuant to paragraph 1 are not closed at the date fixed in the closure plan as authorised by the Commission, the Member State concerned shall recover all aid granted in respect of the whole period covered by the closure plan.

##### *Amendment*

2. If the production units to which aid is granted pursuant to paragraph 1 are not closed at the date fixed in the closure plan as authorised by the Commission, ***have not become competitive and the energy sufficiency situation in the Member State concerned does not require their continued existence***, the Member State concerned shall recover all aid granted in respect of the whole period covered by the closure plan.

Or.es

#### **Amendment 75**

**Jürgen Klute**

#### **Proposal for a regulation Article 3 – paragraph 2**

##### *Text proposed by the Commission*

2. If the production units to which aid is granted pursuant to paragraph 1 are not closed at the date fixed in the closure plan as authorised by the Commission, the Member State concerned shall recover all aid granted in respect of the whole period

##### *Amendment*

2. If the production units to which aid is granted pursuant to paragraph 1 are not closed at the date fixed in the closure plan as authorised by the Commission, the Member State concerned shall recover all aid granted in respect of the whole period

covered by the closure plan.

covered by the closure plan. *This scheme shall not include production units which have become competitive by the closure date set by the Commission in the closure plan.*

Or.de

**Amendment 76**

**Pilar Ayuso, Agustín Díaz de Mera García Consuegra, Salvador Garriga Polledo,  
Veronica Lope Fontagné**

**Proposal for a regulation**

**Article 4 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*2a. Aid may not be granted for costs arising from the remediation of mining areas if, under the legislation in force at the time mining began, setting up a bond to cover remediation costs was compulsory.*

Or.es

**Amendment 77**

**Pilar Ayuso, Agustín Díaz de Mera García Consuegra, Salvador Garriga Polledo,  
Veronica Lope Fontagné**

**Proposal for a regulation**

**Article 4 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 4a*

*Aid for accessing reserves*

*1. Aid to coal production units to access reserves is intended specifically to cover current production losses and may be considered compatible with the internal market provided it satisfies the following conditions:*



- a) operation of these coal production units must form part of a plan for accessing coal reserves;*
- b) the aid notified must not exceed the difference between the foreseeable production costs and the foreseeable revenue for a coal year; the aid actually paid must be subject to annual correction, based on the actual costs and revenue, at the latest by the end of the coal production year following the year for which the aid was granted;*
- c) the amount of aid per tonne of coal equivalent must not cause prices for Union coal at delivery point to be lower than those for coal of a similar quality from third countries;*
- d) the production units concerned must have been in activity on 31 December 2009;*
- e) the overall amount of aid for accessing reserves granted by a Member State to any particular undertaking must follow a downward trend;*
- f) the overall amount of closure aid to the coal industry of a Member State must not exceed, for any year after 2010, the amount of aid granted by that Member State and authorised by the Commission in accordance with Articles 4 and 5 of Regulation (EC) No 1407/2002 for the year 2010.*

*Aid for accessing reserves constitutes an operating subsidy intended to cover the current production losses of coal production units forming part of a plan for accessing reserves.*

Or.es

**Amendment 78**

**Pilar Ayuso, Agustín Díaz de Mera García Consuegra, Salvador Garriga Polledo,  
Veronica Lope Fontagné**

**Proposal for a regulation**

**Article 7 – paragraph 2 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***da) the status of remediation work at closed or abandoned production units and, where applicable, the estimated period of time required for complete remediation of the mines.***

Or.es

**Amendment 79**

**Pilar Ayuso, Agustín Díaz de Mera García Consuegra, Salvador Garriga Polledo,  
Veronica Lope Fontagné**

**Proposal for a regulation**

**Article 7 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. Member States which intend to grant aid for accessing reserves as referred to in Article 2a shall advise the Commission of the plan for accessing reserves at the production units concerned. The plan shall contain at least the following:***

***a) identification of the production units;***

***b) the real or estimated production costs for each production unit per coal year;***

***c) estimated coal production, per coal year, of production units forming the subject of a plan for accessing reserves;***

***d) the estimated amount of aid for accessing reserves per coal year.***

Or.es

#### **Amendment 80**

**Pilar Ayuso, Agustín Díaz de Mera García Consuegra, Salvador Garriga Polledo,  
Veronica Lope Fontagné**

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

##### **Article 7 – paragraph 3**

*Text proposed by the Commission*

3. Member States shall notify any amendments to the closure plan **to** the Commission.

*Amendment*

3. Member States shall notify the Commission **of** any amendments to the closure plan **and the plan for accessing reserves**.

Or.es

#### **Amendment 81**

**Pilar Ayuso, Agustín Díaz de Mera García Consuegra, Salvador Garriga Polledo,  
Veronica Lope Fontagné**

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

##### **Article 7 – paragraph 6**

*Text proposed by the Commission*

6. When notifying aid **as referred to in Articles 4 and 5** and when informing the Commission on aid actually paid, Member States shall supply all the information necessary for the Commission to verify that the provisions of this Regulation are complied with.

*Amendment*

6. When notifying aid and when informing the Commission on aid actually paid, Member States shall supply all the information necessary for the Commission to verify that the provisions of this Regulation are complied with.

Or.es

#### **Amendment 82**

**Sławomir Witold Nitras, Bogdan Kazimierz Marcinkiewicz, Danuta Jazłowiecka**

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

##### **Article 8 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 8a**

**Review**

*On the basis of the information provided by the Member States in accordance with Article 7, the Commission may, if necessary, submit to the Council a proposal for the amendment of this Regulation concerning its prolonged application to aid to cover exceptional costs.*

Or.en

**Amendment 83**

**Pilar Ayuso, Agustín Díaz de Mera García Consuegra, Salvador Garriga Polledo,  
Veronica Lope Fontagné**

**Proposal for a regulation  
Article 9 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. This Regulation shall expire on 31  
December 2026.**

***deleted***

Or.es