



**2016/0282(COD)**

13.3.2017

# **AMENDMENTS**

## **10 - 33**

**Draft opinion**  
**Wim van de Camp**  
(PE597.693v01-00)

Financial rules applicable to the general budget of the Union

Proposal for a regulation  
(COM(2016)0605 – C8-0372/2016 – 2016/0282(COD))



**Amendment 10**  
**Dominique Riquet, Pavel Telička**

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

*Text proposed by the Commission*

(3) The fundamental budgetary principles should be maintained. Derogations from those fundamental principles for specific areas such as research, external actions and structural funds should be reviewed and simplified as far as possible, taking into account their continuing relevance, their added-value for the budget, and the burden they impose on stakeholders.

*Amendment*

(3) The fundamental budgetary principles should be maintained. Derogations from those fundamental principles for specific areas such as research, external actions and structural funds should be reviewed and simplified as far as possible, taking into account their continuing relevance, their added-value for the budget, and the burden they impose on stakeholders.

***In particular, the Structural Funds should be able to be used in joint financing mechanisms to enable a project of high European added value in the field of transport infrastructure to be carried out in all categories of region including the most developed regions and transition regions.***

Or. fr

**Amendment 11**  
**Isabella De Monte**

**Proposal for a regulation**  
**Recital 22**

*Text proposed by the Commission*

(22) The name and the locality of the recipient and the amount and the purpose of the funds should not be published ***if it risks endangering*** the integrity of the recipient as protected by the Charter of Fundamental Rights of the European Union or would harm the legitimate commercial interests of the recipient.

*Amendment*

(22) The name and the locality of the recipient and the amount and the purpose of the funds should not be published ***where there is a proven risk that such publication may compromise*** the integrity of the recipient as protected by the Charter of Fundamental Rights of the European Union or would harm the legitimate

commercial interests of the recipient.

Or. it

**Amendment 12**  
**Merja Kyllönen**

**Proposal for a regulation**  
**Recital 138 a (new)**

*Text proposed by the Commission*

*Amendment*

***(138a) In order to meet international commitments and Union targets, it is crucial to make a comprehensive move towards a low-carbon economy. There is an immediate need, therefore, to renew the allocation criteria of different Union funds in order to foster the decarbonisation and energy-efficiency measures in different sectors and guarantee that those funds will not be allocated to projects which do not comply with CO2 reduction targets or policies of the Union. The Commission should carry out a comprehensive, cross-sectorial study of the impact of funding granted from the Union budget or otherwise pursuant to Union law on the mitigation of climate change. The Commission should present to the European Parliament and the Council a report of the findings of that study which should be accompanied, if appropriate, by legislative proposals aimed at discontinuing any Union funding which is not compatible with the CO2 reduction targets or policies of the Union. This should include the proposal of a mandatory ex-ante climate compatibility check which applies to every new Union investment from 2020 and the obligation to make the results public in a transparent and accessible way.***

Or. en

**Amendment 13**  
**Dominique Riquet, Pavel Telička**

**Proposal for a regulation**  
**Recital 152 a (new)**

*Text proposed by the Commission*

*Amendment*

*(12a) The financing of the EIB's guarantee fund under the EFSI is provided by the EU budget. The EIB should therefore be able to intervene systematically to provide first loss guarantees in the joint financing mechanisms for operations already supported by the EU budget (CEF, EFSI, etc.) in order to allow and facilitate additionality and the participation of private co-investors.*

Or. fr

**Amendment 14**  
**Nicola Caputo, Isabella De Monte, Lucy Anderson**

**Proposal for a regulation**  
**Recital 178 a (new)**

*Text proposed by the Commission*

*Amendment*

*(178a) The transfer of ESI Funds allocations to instruments established under the Financial Regulation or under sector-specific Regulations should never be used to jeopardise the adequate implementation of sectorial policies;*

Or. en

**Amendment 15**  
**Marie-Christine Arnautu**

**Proposal for a regulation**  
**Recital 239**

*Text proposed by the Commission*

(239) In order to increase the efficiency of the intervention, a blending facility or blending facilities may be established under the Connecting Europe Facility (CEF). Such blending facilities should finance blending operations which are actions combining non-reimbursable forms of support and/or financial instruments from the Union budget, including combination of CEF equity and CEF debt financial instruments, and financing from EIB Group (including EIB financing under EFSI) development or other finance institutions as well as investors.

*Amendment*

(239) In order to increase the efficiency of the intervention, a blending facility or blending facilities may be established under the Connecting Europe Facility (CEF). Such blending facilities should finance blending operations which are actions combining non-reimbursable forms of support and/or financial instruments from the Union budget, including combination of CEF equity and CEF debt financial instruments, and financing from EIB Group (including EIB financing under EFSI) development or other finance institutions as well as investors. ***These funds should be closely monitored, in particular by European, national and regional courts of auditors, to ensure that they do not lead to the introduction of a system of privatisation of profits and socialisation of losses to the detriment of European taxpayers. Any such funding should be the subject of an independent study upstream to determine the usefulness of the projects.***

Or. fr

**Amendment 16**  
**Michael Cramer**

**Proposal for a regulation**  
**Recital 239**

*Text proposed by the Commission*

(239) In order to increase the efficiency of the intervention, a blending facility or blending facilities may be established under the Connecting Europe Facility (CEF). Such blending facilities should finance blending operations which are

*Amendment*

(239) In order to increase the efficiency of the intervention, a blending facility or blending facilities may be established under the Connecting Europe Facility (CEF), ***once an independent evaluation of the EFSI and its effects on the transport***

actions combining non-reimbursable forms of support and/or financial instruments from the Union budget, including combination of CEF equity and CEF debt financial instruments, and financing from EIB Group (including EIB financing under EFSI) development or other finance institutions as well as investors.

*sector has been carried out and provided that that evaluation demonstrates that that fund has contributed to achieving the Union's objectives on decarbonisation, job creation and cross-border connectivity.* Such blending facilities should finance blending operations which are actions combining non-reimbursable forms of support and/or financial instruments from the Union budget, including combination of CEF equity and CEF debt financial instruments, and financing from EIB Group (including EIB financing under EFSI) development or other finance institutions as well as investors.

Or. en

#### *Justification*

*An opinion by the European Court of Auditors found that "European Commission plans to increase and extend the investment fund at the heart of the 'Juncker Plan' were drawn up too soon and with little evidence that the increase is justified" (Opinion No 2/2016). It therefore is not reasonable to use the scarce CEF funds to increase and extend the EFSI, as long as the no independent evaluation of the EFSI and, namely its effects on the transport sector, have been carried out.*

#### **Amendment 17**

**Dominique Riquet, Pavel Telička**

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

#### **Recital 239**

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

(239) In order to increase the efficiency of the intervention, a blending facility or blending facilities may be established under the Connecting Europe Facility (CEF). Such blending facilities should finance blending operations which are actions combining non-reimbursable forms of support and/or financial instruments from the Union budget, including combination of CEF equity and CEF debt

##### *Amendment*

(239) In order to increase the efficiency of the intervention, a blending facility or blending facilities may be established under the Connecting Europe Facility (CEF). Such blending facilities should finance blending operations which are actions combining non-reimbursable forms of support and/or financial instruments from the Union budget, including combination of CEF equity and CEF debt

financial instruments, and financing from EIB Group (including EIB financing under EFSI) development or other finance institutions as well as investors.

financial instruments, *European structural and investment funds* and financing from EIB Group (including EIB financing under EFSI) development or other finance institutions as well as investors.

Or. fr

**Amendment 18**  
**Marie-Christine Arnautu**

**Proposal for a regulation**  
**Recital 240**

*Text proposed by the Commission*

(240) A blending facility under CEF should aim to enhance the multiplier effect of Union spending by attracting additional resources from private investors. In addition, it should ensure that the actions supported become economically and financially viable.

*Amendment*

(240) A blending facility under CEF should aim to enhance the multiplier effect of Union spending by attracting additional resources from private investors. In addition, it should ensure that the actions supported become economically and financially viable. ***However, the public authorities concerned should be careful not to abandon the financing of strategic infrastructure on the pretext of profitability;***

Or. fr

**Amendment 19**  
**Michael Cramer**

**Proposal for a regulation**  
**Recital 240**

*Text proposed by the Commission*

(240) A blending facility under CEF should aim to enhance the multiplier effect of Union spending by attracting additional resources from private investors. In addition, it should ensure that the actions supported become economically and

*Amendment*

(240) A blending facility under CEF should aim to enhance the multiplier effect of Union spending by attracting additional resources from private investors. In addition, it should ensure that the actions supported become economically and



financially viable.

financially viable *and should contribute to the achievement of the Union's objectives on decarbonisation, job creation and cross-border connectivity.*

Or. en

**Amendment 20**  
**Dominique Riquet, Pavel Telička**

**Proposal for a regulation**  
**Recital 240 a (new)**

*Text proposed by the Commission*

*Amendment*

**20a.** *In the context of this blending under the CEF and noting that the financing of the EIB guarantee fund under the EFSI is provided by the EU budget, the EIB should be able to intervene systematically to provide first loss guarantees in these mechanisms in order to allow and facilitate additionality and the participation of private co-investors.*

Or. fr

**Amendment 21**  
**Michael Cramer**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 7**

*Text proposed by the Commission*

*Amendment*

7. ‘blending facility’ means a facility established as a cooperation framework between the Commission and development or other public finance institutions as well as commercial finance institutions and investors which aims *at achieving* certain Union priority objectives and policies in using blending operations and other

7. ‘blending facility’ means a facility, established as a cooperation framework between the Commission and development or other public finance institutions as well as commercial finance institutions and investors, which aims *to achieve* certain Union priority objectives and policies in using blending operations and other

individual actions;

individual actions *without leading to the privatisation of profits or the socialisation of losses*;

Or. en

**Amendment 22**  
**Merja Kyllönen**

**Proposal for a regulation**  
**Article 34 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 34a**

***Climate impact of Union funding***

***The Commission shall carry out a comprehensive, cross-sectorial study of the impact of funding granted from the Union budget or otherwise pursuant to Union law on the mitigation of climate change.***

***By 1 January 2019 the Commission shall present to the European Parliament and the Council a report on the findings of the study. That report shall be accompanied, if appropriate, by legislative proposals aimed at discontinuing any Union funding which is incompatible with the CO2 reduction targets or policies of the Union. Such proposals shall include the proposal of a mandatory ex-ante climate compatibility check, applicable to every new Union investment from 1 January 2020, including the obligation to make the results public in a transparent and accessible way.***

*(New article 35)*

Or. en

**Amendment 23**

**Inés Ayala Sender**

**Proposal for a regulation**

**Article 272 – paragraph -1 (new)**

Regulation (EU) No 1316/2013

Article 5 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

**-1. In Article 5 the following paragraph 1 a is added:**

**'At any event, the amounts for the following MFF shall not be less than 3.17% for the three sectors and 2.5% for the transport sector.'**

Or. es

**Amendment 24**

**Inés Ayala Sender**

**Proposal for a regulation**

**Article 272 – paragraph -1 a (new)**

Regulation (EU) No 1316/2013

Article 7– paragraph 1

*Text proposed by the Commission*

*Amendment*

**(-1a) In Article 7(1), the first subparagraph is replaced by the following:**

**'1. Only actions contributing to projects of common interest in accordance with Regulations (EU) No 1315/2013 and (EU) No 347/2013 and the Regulation on guidelines for trans-European networks in the area of telecommunications infrastructure, as well as programme support actions, shall be eligible for financial assistance from the Union in the form of grants, financial instruments, blending facilities and procurement.'**

Or. es

## *Justification*

*It is important to include in Article 7 which determines the projects that may be the subject of CEF interventions those projects that will be financed through the blending facilities. That is to say, under no circumstances may other projects not covered by the CEF and the trans-European transport networks regulation be subsidised by the blending facilities.*

### **Amendment 25** **Michael Cramer**

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

#### **Article 272 – paragraph 1 – point -1 (new)**

Regulation (EU) No 1316/2013

Article 15 – paragraph 1 – point b a (new)

*Text proposed by the Commission*

*Amendment*

***-1 In Article 15, paragraph 1 the following point is inserted:***

***“(ba) contribute to minimising external costs, including those caused by climate change and accidents;”***

Or. en

### **Amendment 26** **Michael Cramer**

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

#### **Article 272 – paragraph 1 – point 1**

Regulation (EU) No 1316/2013

Article 16 a – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. Blending Facilities in accordance with Article 153 of the Financial Regulation may be established under this Regulation for one or more of the CEF sectors.

1. Blending Facilities in accordance with Article 153 of the Financial Regulation may be established under this Regulation for one or more of the CEF sectors, ***once an independent evaluation of the EFSI and its effects on the transport sector has been carried out and provided that that independent evaluation demonstrates that the EFSI has***

*contributed to achieving the Union's objectives on decarbonisation, job creation and cross-border connectivity.*

Or. en

**Amendment 27**  
**Inés Ayala Sender**

**Proposal for a regulation**  
**Article 272 – paragraph 1 – point 1**  
Regulation (EU) No 1316/2013  
Article 16 a – paragraph 3

*Text proposed by the Commission*

3. The overall contribution from the Union budget to CEF Blending Facilities shall not exceed 10% of the overall financial envelopes of the CEF as referred to in Article 5(1).

*Amendment*

3. The *sum of the* overall contribution from the Union budget to CEF Blending Facilities *and the financial instruments laid down in Article 14, paragraph 2*, shall not exceed 10% of the overall financial envelopes of the CEF as referred to in Article 5(1).

Or. es

*Justification*

*If we add the ceiling of 8.4% for financial instruments (FI) to the 10% for combined financing (CF), we find that almost 20% of the CEF total may be used for financial aid in the form of loans which are not the most appropriate form for transport that depends mainly on grants, given the market failures of this sector. On the other hand, the situation might arise that there are no more calls for grants but only for CF.*

**Amendment 28**  
**Inés Ayala Sender**

**Proposal for a regulation**  
**Article 272 – paragraph 1 – point 1**  
Regulation (EU) No 1316/2013  
Article 16 a – paragraph 4

*Text proposed by the Commission*

4. Support provided under the CEF

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*Amendment*

4. Support provided under the CEF

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Blending Facility in the form of grants shall comply with the eligibility and conditions for financial assistance set out in Article 7. The amount of financial assistance to be granted to the Blending operations supported by means of a CEF Blending Facility shall be modulated on the basis of a cost-benefit analysis and the need to maximise the leverage of Union funding.

Blending Facility in the form of grants shall comply with the eligibility and conditions for financial assistance set out in Article 7. The amount of financial assistance to be granted to the Blending operations supported by means of a CEF Blending Facility shall be modulated on the basis of a cost-benefit analysis and the need to maximise the leverage of Union funding ***and in any case the grant accorded shall not exceed the financing percentages laid down in Article 10.***

Or. es

#### *Justification*

*It should be stipulated that, for blending, as far as grants are concerned, the percentages established in the CEF mechanism itself may not be exceeded in any case. Otherwise arbitrary situations might arise and ways of circumventing the rules that the co-legislators have established for the development of the TEN-T.*

#### **Amendment 29**

**Dominique Riquet, Pavel Telička**

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

**Article 272 – paragraph 1 – point 1 a (new)**

Regulation (EU) No 1316/2013

Article 16 a – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

***4a. In the context of this blending under the CEF and noting that the financing of the EIB guarantee fund under the EFSI is provided by the EU budget, the EIB is studying the possibility of systematically providing first loss guarantees in these mechanisms in order to allow and facilitate additionality and the participation of private co-investors.***

Or. fr

**Amendment 30**  
**Inés Ayala Sender**

**Proposal for a regulation**  
**Article 272 – paragraph 1 – point 1**  
Regulation (EU) No 1316/2013  
Article 16 a – paragraph 5

*Text proposed by the Commission*

5. The Union, any Member State and other investors may contribute to CEF Blending Facilities, provided that the Commission agrees to ***any specification*** of the eligibility criteria of blending operations and/or the investment strategy of the facility ***which may be necessary due to the additional contribution***. Those additional resources shall be implemented by the Commission in accordance with paragraph 2.

*Amendment*

5. The Union, any Member State and other investors may contribute to CEF Blending Facilities, provided that, ***exceptionally***, the Commission agrees to ***and justifies other specifications*** of the eligibility criteria of blending operations and/or the investment strategy of the facility ***wherever necessary for the implementation of a project of common interest. The Commission shall adopt a delegated act in accordance with Article 21 for the adoption of specifications other than those laid down in the CEF***. Those additional resources shall be implemented by the Commission in accordance with paragraph 2.

Or. es

**Amendment 31**  
**Inés Ayala Sender**

**Proposal for a regulation**  
**Article 272 – paragraph 1 – point 1**  
Regulation (EU) No 1316/2013  
Article 16 a – paragraph 6

*Text proposed by the Commission*

6. Blending operations supported by means of a CEF Blending Facility shall be selected on the basis of maturity ***and*** shall ***seek*** sectoral diversification in accordance with Articles 3 and 4 as well as geographical balance across the Member States. They shall:

*Amendment*

6. Blending operations supported by means of a CEF Blending Facility shall be selected on the basis of maturity, ***taking into account a set of criteria which shall be set by the Commission by means of a delegated act in accordance with Article 21, seeking*** sectoral diversification in

accordance with Articles 3 and 4 as well as geographical balance across the Member States. They shall:

Or. es

**Amendment 32**  
**Inés Ayala Sender**

**Proposal for a regulation**  
**Article 272 – paragraph 1 – point 1**  
Regulation (EU) No 1316/2013  
Article 16 a – paragraph 7

*Text proposed by the Commission*

7. Blending operations in third countries may be supported by means of a CEF **Transport** Blending Facility if those actions are necessary for the implementation of a project of common interest.

*Amendment*

7. Blending operations in third countries may be supported by means of a CEF Blending Facility if those actions are necessary for the implementation of a project of common interest.

Or. es

**Amendment 33**  
**Inés Ayala Sender**

**Proposal for a regulation**  
**Article 272 – paragraph 1 – point 2**  
Regulation (EU) No 1316/2013  
Article 17 – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

2. *In Article 17, in paragraph 3, the second subparagraph is replaced by the following:*

*"The amount of the financial envelope shall lie within a range of 80% to 95% of the budgetary resources referred to in point (a) of Article 5(1)."*

*Amendment*

*deleted*

Or. es



