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Committee on Regional Development

2011/0302(COD)

29.11.2012

OPINION

of the Committee on Regional Development

for the Committee on Transport and Tourism

on the proposal for a regulation of the European Parliament and of the Council
establishing the Connecting Europe Facility
(COM(2011)0665/2 – C7-0374/2011 – 2011/0302(COD))

Rapporteur: Markus Pieper

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SHORT JUSTIFICATION

The CEF is the main EU instrument aimed at funding projects on the core network that have the highest European added-value by achieving cross-border missing links, key bottlenecks and multimodal nodes. The CEF will benefit all Member States, providing equal access to the Internal Market and accelerating the infrastructure development that the EU needs.

As regards the €10 billion transferred from the Cohesion Fund and earmarked within CEF to transport infrastructure projects exclusively for Cohesion Member States, the latest have expressed some reservations and even opposition. Nevertheless, the funds earmarked for Cohesion countries should find targeted application, since, if not used, they will not flow back into the Cohesion Fund and therefore be lost. It is the European Parliament's responsibility, as co-legislator, to work on the Commission proposal and bring the necessary clarifications to the text, with a view of ensuring support of all Member States in order to achieve a good proposal with European added value. In this regard, your draftsman believes that the following clarifications should be made to the text:

The €10bn from the Cohesion Fund should not be counted for towards the 2,5% GDP cap.

The €10bn transferred from the Cohesion Fund should not be counted in for reaching the 2.5% GDP capping methodology, proposed in the MFF. At the level of principles, it does not make sense to include a centrally managed instrument like CEF in the capping. Most of the projects to be financed are cross-border projects and the capping could result in an uneven treatment on the two sides of a project. Moreover, it introduces for the Cohesion Member States an element of unequal treatment between the €21.7bn and €10bn amounts of money, as during the competition based project implementation, such ceiling, like the fully fixed country envelopes, is not possible to respect.

A stronger focus on cross -border projects in border regions

In many border areas, the current infrastructure still reflects narrow national principles (not an electoral priority for the Member States which prefer infrastructure investments in the centre, although crucial to benefit from the European integration process and the internal market), the respective regions suffering because of their peripheral location. A majority of priority projects does indeed concern transnational infrastructure projects, but often projects in the cross-border sections are finished in the very end or not finished at all. 26 out of the 30 priority projects of TEN-T so far concern works in border regions or have a cross-border dimension, but in all of these projects have investments in the border region been implemented last.

Strong synergies should be established between the CEF and the Cohesion funds.

Synergies with regard to cross-border infrastructure projects should be developed also with the territorial cooperation programmes financed by the European Regional Development Fund (ERDF) and the Cohesion Fund. Cross-border infrastructure projects also in richer regions should be explicitly eligible under the ERDF, in the growth and jobs programmes.

CEF should, in some cases, provide support for the comprehensive network.

Moreover, the CEF should be accessible for infrastructure projects on the comprehensive network with a capping of 5 %, especially for projects in cross-border regions.

A "deeper" connecting facility to strengthen investment in key infrastructure.

Countries with financial difficulties are most dependent on investment in infrastructure, as it stimulates growth and generates employment. Therefore, Member States with financial difficulties should, upon their own request, be able to use the resources flowing from corrected or recovered cash flows within the framework of the CEF and/or within their national envelopes for infrastructure projects. The respective amounts should be managed in a centralised way by the Commission in the framework of a programme on competitiveness and growth. This should encourage investment in national as well as transnational infrastructure projects and therefore contribute to a European added value.

Last but not least, it is worth highlighting that a EU-wide vision of long-distance corridor that goes beyond national boundaries is needed to identify the barriers (infrastructural ,technical and administrative) to a smooth, interoperable and intermodal transport and to address them. These barriers not only deeply harm the European competitiveness through an increase of costs and decrease of reliability of the logistic chain – they also affect asymmetrically the more peripheral countries thus worsening the EU territorial cohesion.

AMENDMENTS

The Committee on Regional Development calls on the Committee on Transport and Tourism, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation

Citation 1

Text proposed by the Commission

Having regard to the Treaty on the Functioning of the European Union, and in particular **Article** 172 thereof,

Amendment

Having regard to the Treaty on the Functioning of the European Union, and in particular **Articles 172, 174 and 349** thereof,

Amendment 2

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) A fully functioning single market depends on modern, highly performing infrastructure connecting Europe particularly in the areas of transport, energy and telecommunications. These growth enhancing connections would provide better access to the internal market and consequently contribute to a more competitive market economy in line with Europe 2020 Strategy's objectives and targets.

Amendment

(2) A fully functioning single market depends on modern, ***integrated***, highly performing infrastructure connecting Europe ***and its regions***, particularly in the areas of transport, energy and telecommunications. These growth enhancing connections would provide better access to the internal market and consequently contribute to a more competitive market economy in line with Europe 2020 Strategy's objectives and targets.

Amendment 3

Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) The Commission has committed to mainstream climate change into Union spending programmes and to direct at least 20% of the Union budget to climate-related objectives. It is important to ensure that climate change mitigation and adaptation as well as risk prevention and management are promoted in the preparation, design and implementation of projects of common interest. Infrastructure investments covered by this Regulation should contribute to promoting the transition to a low-carbon and climate- and disaster-resilient economy and society.

Amendment

(5) The Commission has committed to mainstream climate change into Union spending programmes and to direct at least 20% of the Union budget to climate-related objectives. It is important to ensure that climate change mitigation and adaptation as well as risk prevention and management are promoted in the preparation, design and implementation of projects of common interest. Infrastructure investments covered by this Regulation should contribute to promoting the transition to a low-carbon and climate- and disaster-resilient economy and society, ***without increasing the isolation of certain European regions, such as the outermost and island regions.***

Justification

Measures and actions to promote a low-carbon society and economy should not be a cause of increased isolation for regions which are already distant from the internal economy.

Amendment 4

Proposal for a regulation Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) Close synergies should be achieved between funding instruments of the CEF and the ERDF to finance infrastructure in cross-border regions in the framework of the comprehensive network.

Amendment 5

Proposal for a regulation Recital 10

Text proposed by the Commission

Amendment

(10) On the basis of the objectives set by the White Paper, the TEN-T guidelines as laid down in Regulation (EU) No XXX/2012 of the European Parliament and of the Council of ... identify the infrastructure of the trans-European transport network, specify the requirements to be fulfilled by it and provide for measures for their implementation. The Guidelines envisage in particular the completion of the core network by 2030.

(10) On the basis of the objectives set by the White Paper, the TEN-T guidelines as laid down in Regulation (EU) No XXX/2012 of the European Parliament and of the Council of ... identify the infrastructure of the trans-European transport network, specify the requirements to be fulfilled by it and provide for measures for their implementation. The Guidelines envisage in particular the completion of the core network by 2030 ***through the creation of new infrastructure as well as the rehabilitation and upgrading of existing infrastructure.***

Amendment 6

Proposal for a regulation Recital 11

Text proposed by the Commission

Amendment

(11) Based on an analysis of the transport infrastructure plans of Member States, the Commission estimates that investment needs in transport amount to EUR **500** billion in the entirety of the TEN-T

(11) Based on an analysis of the transport infrastructure plans of Member States, the Commission estimates that investment needs in transport amount to EUR ***[500]*** billion in the entirety of the TEN-T

network for the period 2014-2020, of which an estimated EUR **250** billion will need to be invested in the core network of the TEN-T. Given the resources available at Union level, concentration on the projects with the highest European added value is necessary to achieve the desired impact. Support should therefore be focussed on the core network (in particular, the core network corridors) **and** on the projects of common interest in the field of traffic management systems (notably the air traffic management systems resulting from SESAR which require Union budgetary resources of about EUR 3 billion).

network for the period 2014-2020, of which an estimated EUR **[250]** billion will need to be invested in the core network of the TEN-T. Given the resources available at Union level, concentration on the projects with the highest European added value is necessary to achieve the desired impact. Support should therefore be focussed on the core network (in particular, the core network corridors), **without excluding support for the comprehensive network, which may effectively increase social and territorial cohesion and improve accessibility throughout the Union, as well as** on the projects of common interest in the field of traffic management systems (notably the air traffic management systems resulting from SESAR which require Union budgetary resources of about EUR 3 billion).

Justification

CEF support should be focussed on the core network, but should not completely exclude support for the comprehensive network in cases where projects provide added European value, particularly in areas such as the outermost regions, pursuant to the provisions of Articles 355 and 375 TFEU, which are covered by the comprehensive network, to prevent any increase in their isolation.

Amendment 7

Proposal for a regulation Recital 13

Text proposed by the Commission

(13) Experience with the current financial framework shows that **many** Member States, which are eligible to the Cohesion Fund, are facing significant obstacles in delivering on time complex cross-border transport infrastructure projects with a high Union added value. Therefore, in order to improve the delivery of transport projects, in particular cross-border ones, with a high Union added value, part of the Cohesion Fund allocation (EUR **10** billion) should be

Amendment

(13) Experience with the current financial framework shows that **some** Member States, which are eligible to the Cohesion Fund, are facing significant obstacles in delivering on time complex cross-border transport infrastructure projects with a high Union added value. Therefore, in order to improve the delivery of transport projects, in particular cross-border ones, with a high Union added value, part of the Cohesion Fund allocation (EUR **[XXX]** billion)

transferred to finance transport projects on the transport core network in the Member States eligible to the Cohesion Fund under the Connecting Europe Facility. The Commission should support Member States eligible to the Cohesion Fund to develop *an adequate pipeline of projects in order to give greatest possible priority to the national allocations under the Cohesion Fund.*

should be transferred to finance transport projects on the transport core network in the Member States eligible to the Cohesion Fund under the Connecting Europe Facility. *Until 31 December 2016, the selection of projects should fully respect the national allocations under Cohesion Fund. As from the 1st of January 2017, resources not yet committed to a transport infrastructure project should be made available to all Member States eligible to the Cohesion Fund under the rules of this Regulation. Greatest possible priority should be ensured for projects respecting the national allocations under the Cohesion Fund.* The Commission should support Member States eligible to the Cohesion Fund to develop *and implement projects of European added value listed in the Annex of this Regulation.*

Amendment 8

Proposal for a regulation Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) Institutional and administrative capacity are essential prerequisites for an effective delivery of the objectives of the Connecting Europe Facility. The Commission should ensure that they are always at a sufficient level to design and implement projects, and wherever necessary it should offer appropriate means to the Member State concerned.

Amendment 9

Proposal for a regulation Recital 24

Text proposed by the Commission

Amendment

(24) It is necessary to develop strong and coherent EU-wide networks for the digital

(24) It is necessary to develop strong and coherent EU-wide networks for the digital

delivery of public-good actions, involving both public and civil society actors at national **and** regional level, and to this end it is essential to ensure the structured EU financing of the costs of the system and software design, as well as maintenance of a resilient hub for such networks, leaving only in-country costs for national operator budgets.

Amendment 10

Proposal for a regulation Recital 37

Text proposed by the Commission

(37) The Connecting Europe Facility should propose financial instruments to promote substantial participation by the private sector investors and financial institutions in infrastructure investment. To be sufficiently attractive to the private sector, financial instruments should be designed and implemented with due regard to simplification and reduction of administrative burden, while with a level of flexibility in mind to be able to respond to identified financing needs in a flexible manner. The design of these instruments should draw from the experience gained in the implementation of financial instruments in the 2007-2013 Multi-Annual Financial Framework, such as the Loan Guarantee instrument for TEN-T projects (LGTT), the Risk Sharing Finance Facility (RSFF) and the 2020 European Fund for Energy, Climate Change, and Infrastructure (the “Marguerite Fund”).

Amendment 11

delivery of public-good actions, involving both public and civil society actors at national, regional **and local** level, and to this end it is essential to ensure the structured EU financing of the costs of the system and software design, as well as maintenance of a resilient hub for such networks, leaving only in-country costs for national operator budgets.

Amendment

(37) The Connecting Europe Facility should propose financial instruments to promote substantial participation by the private sector investors and financial institutions in infrastructure investment. To be sufficiently attractive to the private sector, financial instruments should be designed and implemented with due regard to simplification and reduction of administrative burden, while with a level of flexibility in mind to be able to respond to identified financing needs in a flexible manner. ***The responsible management authorities should create the necessary incentives for attracting private investors.*** The design of these instruments should draw from the experience gained in the implementation of financial instruments in the 2007-2013 Multi-Annual Financial Framework, such as the Loan Guarantee instrument for TEN-T projects (LGTT), the Risk Sharing Finance Facility (RSFF) and the 2020 European Fund for Energy, Climate Change, and Infrastructure (the “Marguerite Fund”).

Proposal for a regulation
Recital 41

Text proposed by the Commission

(41) Multi-annual programming for support from the Facility should be directed towards supporting the Union's priorities by ensuring the availability of the necessary financial resources and the consistency and continuity of joint action by the Union and the Member States. For proposals submitted following the implementation of the first multiannual work programme in the sector of transport, eligibility of cost should start on 1 January 2014 to ensure the continuity of projects already covered by Regulation (EC) No 680/2007 of the European Parliament and of the Council of 20 June 2007 laying down general rules for the granting of Community financial aid in the field of the trans-European transport and energy networks.

Amendment

(41) Multi-annual programming for support from the Facility should be directed towards supporting the Union's priorities by ensuring the availability of the necessary financial resources and the consistency, ***fairness*** and continuity of joint action by the Union and the Member States. For proposals submitted following the implementation of the first multiannual work programme in the sector of transport, eligibility of cost should start on 1 January 2014 to ensure the continuity of projects already covered by Regulation (EC) No 680/2007 of the European Parliament and of the Council of 20 June 2007 laying down general rules for the granting of Community financial aid in the field of the trans-European transport and energy networks.

Amendment 12

Proposal for a regulation
Recital 44

Text proposed by the Commission

(44) On the basis of the sector specific guidelines laid down in separate Regulations, a list of priority areas for which this Regulation should apply has been drawn up and should be included in the Annex. In order to take into account possible changes in political priorities and technological capabilities, as well as traffic flows, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of adopting amendments to the Annex. ***It is of particular importance that*** the Commission carry out appropriate

Amendment

(44) On the basis of the sector specific guidelines laid down in separate Regulations, a list of priority areas for which this Regulation should apply has been drawn up and should be included in the Annex. In order to take into account possible changes in political priorities and technological capabilities, as well as traffic flows, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of adopting amendments to the Annex. The Commission ***should*** carry out appropriate consultations during its

consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Amendment 13

Proposal for a regulation Article 2 – point 10 a (new)

Text proposed by the Commission

preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Amendment

(10a) "comprehensive network" means a Europe-wide transport network, as provided for in Chapter II of Regulation (EU) No XXXX/2012 [TEN-T Guidelines] ensuring the access to the internal market and interconnectivity of all regions in the Union, including the remote, outermost and very sparsely populated regions, thus strengthening the economic, social and territorial cohesion between Member States, within them and between Member States and third countries;

Amendment 14

Proposal for a regulation Article 3

Text proposed by the Commission

The Connecting Europe Facility shall enable the preparation and implementation of projects of common interest within the framework of the trans-European networks policy in the sectors of energy, transport and telecommunications. In particular the Connecting Europe Facility shall support the implementation of projects aiming at the development and construction of new or upgrading of existing infrastructure in the field of transport, energy and telecommunications. To this end, the

Amendment

The Connecting Europe Facility shall enable the preparation and implementation of projects of common interest within the framework of the trans-European networks policy in the sectors of energy, transport and telecommunications. In particular the Connecting Europe Facility shall support the implementation of projects aiming at the development and construction of new or upgrading of existing infrastructure in the field of transport, energy and telecommunications ***and giving priority to***

Connecting Europe Facility shall pursue the following objectives:

(a) contribute to smart, sustainable and inclusive growth by developing modern and high performing trans-European networks, thus bringing forward benefits for the entire European Union in terms of competitiveness and economic, social and territorial cohesion within the Single Market and creating an environment more conducive to private and public investment through a combination of financial instruments and Union direct support and by exploiting synergies across the sectors. The achievement of this objective will be measured by the volume of public and private investment in projects of common interest, and in particular the volume of public and private investments in projects of common interest realised through the financial instruments under this Regulation.

(b) *enable the Union to achieve its* targets of a 20% reduction of greenhouse gas emissions, a 20% increase in energy efficiency and raising the share of renewable energy to 20% up to 2020, while ensuring greater solidarity among Member States.

Amendment 15

Proposal for a regulation Article 3 – point b a (new)

Text proposed by the Commission

missing infrastructure. To this end, the Connecting Europe Facility shall pursue the following objectives:

(a) contribute to smart, sustainable and inclusive growth by developing modern and high performing trans-European networks, *which take account of future traffic flows*, thus bringing forward benefits for the entire European Union in terms of competitiveness and economic, social and territorial cohesion within the Single Market and creating an environment more conducive to private and public investment through a combination of financial instruments and Union direct support and by exploiting synergies across the sectors. The achievement of this objective will be measured by the volume of public and private investment in projects of common interest, and in particular the volume of public and private investments in projects of common interest realised through the financial instruments under this Regulation *as well as in conjunction with other financial resources*.

(b) *contribute to achieve the Union* targets of a 20% reduction of greenhouse gas emissions, a 20% increase in energy efficiency and raising the share of renewable energy to 20% up to 2020, while ensuring greater solidarity among Member States.

Amendment

(ba) bridge missing links and remove bottlenecks, notably in cross-border sections.

Justification

Border regions suffer from their peripheral location and are therefore especially dependant on connections to the EU transport network. Infrastructure projects to build missing links and remove bottlenecks should herewith be encouraged in border regions connecting those to the core network and thus granting better access to the internal market.

Amendment 16

Proposal for a regulation Article 4

Text proposed by the Commission

1. Further to the general objectives set out under Article 3, the Connecting Europe Facility should contribute to achieving the following sector specific objectives:

(a) In the field of transport, the Connecting Europe Facility shall support projects of common interest pursuing the objectives set out below, as further specified under Article 4 of Regulation (EU) No xxxx/2012 [TEN-T Guidelines]:

(i) removing bottlenecks and bridging missing links, to be measured by the number of new and improved cross-border connections and removed bottlenecks on transport routes which have benefited from CEF;

(ii) ensuring sustainable and efficient transport in the long run, to be measured by the length of the conventional railway network in the EU-27 and the length of high-speed railway network in the EU-27;

(iii) optimise the integration and interconnection of transport modes and enhancing interoperability of transport services. The achievement of this objective will be measured by the number of ports

Amendment

1. Further to the general objectives set out under Article 3, the Connecting Europe Facility should contribute to achieving the following sector specific objectives:

(a) In the field of transport, the Connecting Europe Facility shall support projects of common interest pursuing the objectives set out below, as further specified under Article 4 of Regulation (EU) No xxxx/2012 [TEN-T Guidelines]:

(i) removing bottlenecks and bridging missing links, ***there by also using quotas and the co-financing rates as referred to in Article 10 of this Regulation and taking into account geographically disadvantaged regions*** to be measured by the number of new and improved ***internal and*** cross-border connections and removed bottlenecks on transport routes which have benefited from CEF;

(ii) ensuring sustainable and efficient transport in the long run, to be measured by the length of the conventional railway network in the EU-27 and the length of high-speed railway network in the EU-27;

(iii) optimise the integration and interconnection of transport modes and enhancing interoperability of transport services. The achievement of this objective will be measured by the number of ports

and airports connected to the railway network.

(b) In the field of energy, the Connecting Europe Facility shall support projects of common interest pursuing the following objectives, as further specified in Regulation (EU) No xxxx/2012:

(i) promoting the further integration of the internal energy market and the interoperability of electricity and gas networks across borders, including by ensuring that no Member State is isolated from the European network, to be measured by the number of projects effectively interconnecting Member states' networks and removing internal bottlenecks;

(ii) enhancing Union security of supply, to be measured by the evolution of system resilience and security of system operations as well as number of projects allowing diversification of supply sources, supplying counterparts and routes;

(iii) contributing to sustainable development and protection of the environment, notably by fostering the integration of energy from renewable sources into the transmission network and developing carbon dioxide networks, to be measured by the transmission of renewable energy from generation to major consumption centers and storage sites, and the sum of CO₂ emissions prevented by the construction of the projects which benefited from CEF.

(c) In the field of telecommunications networks the Connecting Europe Facility shall provide for action to support projects of common interest pursuing the following objectives, as further specified in

and airports connected to the railway network;

(iv) preparing for future transport flows.

(b) In the field of energy, the Connecting Europe Facility shall support projects of common interest pursuing the following objectives, as further specified in Regulation (EU) No xxxx/2012:

(i) promoting the further integration of the internal energy market and the interoperability of electricity and gas networks across borders, including by ensuring that no Member State is isolated from the European network, to be measured by the number of projects effectively interconnecting Member states' networks and removing internal bottlenecks;

(ii) enhancing Union security ***and efficiency*** of supply, ***by means of infrastructure modernisation*** to be measured by the evolution of system resilience and security of system operations as well as number of projects allowing diversification of supply sources, supplying counterparts and routes;

(iii) contributing to sustainable development and protection of the environment, notably by fostering the integration of energy from renewable sources into the transmission network and developing carbon dioxide networks, to be measured by the transmission of renewable energy from generation to major consumption centers and storage sites, and the sum of CO₂ emissions prevented by the construction of the projects which benefited from CEF.

(c) In the field of telecommunications networks the Connecting Europe Facility shall provide for action to support projects of common interest pursuing the following objectives, as further specified in

Regulation (EU) No xxxx/2012 [INFSO Guidelines]:

(i) accelerating the deployment of fast and ultrafast broadband networks **networks** and their uptake, including by small and medium sized enterprises (SMEs), to be measured by the level of broadband and ultrafast broadband coverage and the number of households having subscribed for broadband connections for above 100 Mbps;

(ii) promoting the interconnection and interoperability of national public services on-line as well as access to such networks, to be measured by the percentage of citizens and businesses using public services on-line and the availability of such services across borders.

Regulation (EU) No xxxx/2012 [INFSO Guidelines]:

(i) accelerating the deployment of fast and ultrafast broadband networks and their uptake **in and between all regions of the EU and also in rural areas**, including by small and medium sized enterprises (SMEs), to be measured by the level of broadband and ultrafast broadband coverage and the number of households having subscribed for broadband connections for above 100 Mbps;

(ii) promoting the interconnection and interoperability of national public services on-line as well as access to such networks, to be measured by the percentage of citizens and businesses using public services on-line and the availability of such services across borders.

Amendment 17

Proposal for a regulation

Article 4 – paragraph 1 – point b – point iii

Text proposed by the Commission

(iii) contributing to sustainable development and protection of the environment, notably by fostering the integration of energy from renewable sources into the transmission network **and** developing carbon dioxide networks, to be measured by the transmission of renewable energy from generation to major consumption centers and storage sites, and the sum of CO2 emissions prevented by the construction of the projects which benefited from CEF.

Amendment

(iii) contributing to sustainable development and protection of the environment, notably by fostering the integration of energy from renewable sources into the transmission network, developing carbon dioxide networks **and investing in sustainable transport**, to be measured by the transmission of renewable energy from generation to major consumption centers and storage sites, and the sum of CO2 emissions prevented by the construction of the projects which benefited from CEF.

Amendment 18

Proposal for a regulation

Article 5

Text proposed by the Commission

1. The financial envelope for the implementation of the Connecting Europe Facility for the period 2014 to 2020 shall be EUR **50 000 000 000**. That amount shall be distributed among the sectors referred to in Article 3 as follows:

(a) transport: EUR **31 694 000 000**, out of which EUR **10 000 000 000** shall be transferred from the Cohesion Fund to be spent in line with this Regulation in Member States eligible for funding from the Cohesion Fund;

(b) energy: EUR **9 121 000 000**;

(c) telecommunications: EUR **9 185 000 000**.

2. The financial envelope of the Connecting Europe Facility may cover expenses pertaining to, preparatory, monitoring, control, audit and evaluation activities which are required for the management of the Programme and the achievement of its objectives, in particular studies, meetings of experts, as far as they are related to the general objectives of this Regulation, expenses linked to IT networks focusing on information processing and exchange, together with all other technical and administrative assistance expenses incurred by the Commission for the management of the Programme.

The financial allocation may also cover the technical and administrative assistance expenses necessary to ensure the transition between the Programme and the measures adopted under Regulation (EC) No 680/2007. If necessary, appropriations

Amendment

1. The financial envelope for the implementation of the Connecting Europe Facility for the period 2014 to 2020 shall be EUR **[XXX]**. That amount shall be distributed among the sectors referred to in Article 3 as follows:

(a) transport: EUR **[XXX]**, out of which EUR **[XXX]** shall be transferred from the Cohesion Fund to be spent in line with this Regulation, **with Regulation (EU) No [...]/2012 [CPR], and with Regulation (EU) No [...]/2012 [Cohesion Fund], exclusively** in Member States eligible for funding from the Cohesion Fund **for projects listed in Annex 1 and in full respect of national allocations under the Cohesion Fund until 31 December 2016**;

(b) energy: EUR **[XXX]**;

(c) telecommunications: EUR **[XXX]**.

2. The financial envelope of the Connecting Europe Facility may cover expenses pertaining to, preparatory, monitoring, control, audit and evaluation activities which are required for the management of the Programme and the achievement of its objectives, in particular studies, meetings of experts, as far as they are related to the general objectives of this Regulation, expenses linked to IT networks focusing on information processing and exchange, together with all other technical and administrative assistance expenses incurred by the Commission for the management of the Programme.

The financial allocation may also cover the technical and administrative assistance expenses necessary to ensure the transition between the Programme and the measures adopted under Regulation (EC) No 680/2007. If necessary, appropriations

could be entered in the budget beyond 2020 to cover similar expenses, in order to enable the management of actions not yet completed by 31 December 2020.

3. Following the mid-term evaluation according to Article 26.1, the Commission may transfer appropriations between the sectors of the allocation set out in paragraph 1, with the exception of the EUR **10 000 000 000** transferred from the Cohesion Fund to finance transport sector projects in the Cohesion Fund eligible Member States.

could be entered in the budget beyond 2020 to cover similar expenses, in order to enable the management of actions not yet completed by 31 December 2020.

3. Following the mid-term evaluation according to Article 26.1, the Commission may transfer appropriations between the sectors of the allocation set out in paragraph 1, **up to a maximum of 3% per sector**, with the exception of the EUR **[XXX]** transferred from the Cohesion Fund to finance transport sector projects in the Cohesion Fund eligible Member States.

Amendment 19

Proposal for a regulation Article 7

Text proposed by the Commission

1. Only actions contributing to projects of common interest according to Regulations (EU) No XXX/2012 [TEN-T Guidelines], (EU) No XXX/2012 [TEN-E Guidelines], (EU) No XXX/2012 [Guidelines for energy infrastructure] and XXX/2012 [INFSO Guidelines] as well as programme support actions shall be eligible for support through EU financial aid in the form of grants, financial instruments and procurement.

2. In the field of transport, only actions contributing to projects of common interest according to Regulation (EU) No XXX/2012 [TEN-T Guidelines] and programme support actions, shall be eligible for support through Union financial aid in the form of procurement and financial instruments under this Regulation. In the form of grants, only the following actions shall be eligible to receive Union financial aid under this Regulation:

(a) actions implementing the core network according to Chapter III of Regulation

Amendment

1. Only actions contributing to projects of common interest according to Regulations (EU) No XXX/2012 [TEN-T Guidelines], (EU) No XXX/2012 [TEN-E Guidelines], (EU) No XXX/2012 [Guidelines for energy infrastructure] and XXX/2012 [INFSO Guidelines] as well as programme support actions shall be eligible for support through EU financial aid in the form of grants, financial instruments and procurement.

2. In the field of transport, only actions contributing to projects of common interest according to Regulation (EU) No XXX/2012 [TEN-T Guidelines] and programme support actions, shall be eligible for support through Union financial aid in the form of procurement and financial instruments under this Regulation. In the form of grants, only the following actions shall be eligible to receive Union financial aid under this Regulation:

(a) actions implementing the core network according to Chapter III of Regulation

(EU) No XXXX/2012 [TEN-T Guidelines], including the deployment of new technologies and innovation according to Article 39 of Regulation (EU) No XXXX/2012 [TEN-T Guidelines];

(b) studies for projects of common interest as defined in Article 8(1)(b) and (c) of Regulation (EU) No XXXX/2012 [TEN-T Guidelines];

(c) actions supporting projects of common interest as defined in Article 8(1)(a) and (d) of Regulation (EU) No XXXX/2012 [TEN-T Guidelines];

(d) actions supporting traffic management systems in accordance with Article 37 of Regulation (EU) No XXX/2012 [TEN-T Guidelines];

(e) actions supporting freight transport services in accordance with Article 38 of Regulation XXX/2012 [TEN-T Guidelines];

(f) actions **to reduce rail freight** noise by retrofitting of existing rolling stock;

(g) programme support actions.

Transport-related actions involving a cross-border section or a part of such a section shall be eligible to receive Union financial

(EU) No XXXX/2012 [TEN-T Guidelines], including the deployment of new technologies and innovation according to Article 39 of Regulation (EU) No XXXX/2012 [TEN-T Guidelines];

(aa) actions implementing the comprehensive network according to Chapter II of Regulation (EU) No XXXX/2012[TEN-T Guidelines]when such actions contribute to facilitating cross border traffic flows or removing bottlenecks and when these actions also contribute to the development of the core network and ensure the interconnection between regions, including the most remote and outermost regions, up to a ceiling of 5% of the financial envelope for transport, as specified in Article 5 of this Regulation.

(b) studies for projects of common interest as defined in Article 8(1)(b) and (c) of Regulation (EU) No XXXX/2012 [TEN-T Guidelines];

(c) actions supporting projects of common interest as defined in Article 8(1)(a) and (d) of Regulation (EU) No XXXX/2012 [TEN-T Guidelines];

(d) actions supporting traffic management systems in accordance with Article 37 of Regulation (EU) No XXX/2012 [TEN-T Guidelines];

(e) actions supporting freight transport services in accordance with Article 38 of Regulation XXX/2012 [TEN-T Guidelines];

f) actions **targeting the reduction of rail** noise **including** by retrofitting **and modernisation** of existing rolling stock;

(g) programme support actions;

(ga) actions supporting new technologies and innovation for all modes of transport.

Transport-related actions involving a cross border section or a part of such a section shall be eligible to receive Union financial

aid if there is a written agreement between the Member States concerned or between the Member States and third countries concerned relating to the completion of the cross-border section. Exceptionally, when a project is necessary to link to the network of a neighbouring Member State or a third country but does not actually cross the border, the written agreement referred to above shall not be required.

Grant funding for projects with significant user-based revenue sources shall be primarily available for purposes of project preparation, in particular PPP assessment.

3. In the field of energy, the specific eligibility conditions of actions implementing projects of common interest for Union financial aid in the form of financial instruments and grants under this Regulation are set out in Article 15 of Regulation (EU) No XXXX/2012 [Guidelines for energy infrastructure].

4. In the field of telecommunication, all actions implementing the projects of common interest and programme support actions set out in the Annex of the Regulation (EU) No XXXX/2012 [INFSO Guidelines] shall be eligible to receive Union financial aid in the form of a grant, procurement and financial instruments under this Regulation.

aid if there is a written agreement between the Member States concerned or between the Member States and third countries concerned, relating to the completion of the cross-border section. ***The Commission shall provide assistance for the conclusion of the agreement and shall report yearly to the Parliament on the cases where problems are encountered, and on the nature of the difficulties.*** Exceptionally, when a project is necessary to link to the network of a neighbouring Member State or a third country but does not actually cross the border, the written agreement referred to above shall not be required.

Grant funding for projects with significant user-based revenue sources shall be primarily available for purposes of project, in particular PPP assessment.

3. In the field of energy, the specific eligibility conditions of actions implementing projects of common interest for Union financial aid in the form of financial instruments and grants under this Regulation are set out in Article 15 of Regulation (EU) No XXXX/2012 [Guidelines for energy infrastructure].

4. In the field of telecommunication, all actions implementing the projects of common interest and programme support actions set out in the Annex of the Regulation (EU) No XXXX/2012 [INFSO Guidelines] shall be eligible to receive Union financial aid in the form of a grant, procurement and financial instruments under this Regulation.

Amendment 20

Proposal for a regulation Article 8

Text proposed by the Commission

1. Grants under this Regulation may take any of the forms provided for by Article XXX of Regulation (EU) No XXX/2012 [New Financial Regulation].

The Work Programmes shall establish the forms of grants that may be used to fund the actions concerned.

2. Expenditure may be eligible from the date on which an application for aid is submitted. [Expenditure for actions resulting from projects included in the first multiannual programme may be eligible as from 1 January 2014].

3. Only expenditure incurred in Member States may be eligible, except where the project of common interest involves the territory of third countries and where the action is indispensable to achieve the objectives of the given project.

4. The cost of equipment and infrastructure which is treated as capital expenditure by the beneficiary may be eligible up to its entirety.

5. Expenditure related to environmental studies on the protection of the environment and on compliance with the Union acquis may be eligible.

6. Expenditure related to the purchase of land shall not be an eligible cost.

7. VAT shall **not** be an eligible cost.

8. Rules on the eligibility of costs incurred by beneficiaries shall apply *mutatis mutandis* to costs incurred by implementing bodies.

Amendment

1. Grants under this Regulation may take any of the forms provided for by Article XXX of Regulation (EU) No XXX/2012 [New Financial Regulation].

The Work Programmes shall establish the forms of grants that may be used to fund the actions concerned.

2. Expenditure may be eligible from the date on which an application for aid is submitted. [Expenditure for actions resulting from projects included in the first multiannual programme may be eligible as from 1 January 2014].

3. Only expenditure incurred in Member States may be eligible, except where the project of common interest involves the territory of third countries and where the action is indispensable to achieve the objectives of the given project.

4. The cost of equipment and infrastructure which is treated as capital expenditure by the beneficiary may be eligible up to its entirety.

5. Expenditure related to environmental studies on the protection of the environment and on compliance with the Union acquis may be eligible.

6. Expenditure related to the purchase of land **not built on** shall not be an eligible cost.

7. **Not recoverable** VAT shall be an eligible cost.

8. Rules on the eligibility of costs incurred by beneficiaries shall apply *mutatis mutandis* to costs incurred by implementing bodies.

8a. Technical and administrative

assistance shall be considered as eligible cost.

Amendment 21

Proposal for a regulation Article 9 – paragraph 1

Text proposed by the Commission

1. Proposals may be submitted by one or several Member States, international organisations, joint undertakings, or public or private undertakings or bodies established in Member States.

Amendment

1. Proposals may be submitted by one or several Member States, international organisations, joint undertakings, ***such as EGTC***, or public or private undertakings or bodies established in Member States.

Justification

The European Grouping of Territorial Cooperation is a unique EU level tool, which can conceptualise and develop local strategies, represent the managing authority in complex programmes combining various sources of funding, and implement projects or programmes. The EGTC makes it possible to reduce administrative costs and complexity, with an extra added value in cross-border situations.

Amendment 22

Proposal for a regulation Article 10

Text proposed by the Commission

1. Except in cases referred to in Article XXX of Regulation (EU) No XXXX/2012 [New Financial Regulation], proposals shall be selected through calls for proposals based on the work programmes referred to in Article 17.

2. In the field of transport:

(a) with regard to grants for studies, the amount of Union financial aid shall not exceed 50% of the eligible costs;

(b) with regard to grants for works:

(i) rail and inland waterways: the amount of Union financial aid shall not exceed

Amendment

1. Except in cases referred to in Article XXX of Regulation (EU) No XXXX/2012 [New Financial Regulation], proposals shall be selected through calls for proposals based on the work programmes referred to in Article 17.

2. In the field of transport:

(a) with regard to grants for studies, the amount of Union financial aid shall not exceed 50% of the eligible costs;

(b) with regard to grants for works:

(i) rail and inland waterways: the amount of Union financial aid shall ***be at least***

20% of the eligible cost; the funding rate *may* be increased to 30% for actions addressing bottlenecks; the funding rate *may* be increased to 40% for actions concerning cross-border sections;

(ii) inland transport connections to ports and airports, actions to reduce rail freight noise by retrofitting of existing rolling stock, as well as development of ports *and multi-modal platforms*: the amount of Union financial aid shall not exceed 20% of the eligible cost.

(c) with regard to grants for traffic management systems and services:

(i) the European Rail Traffic Management System (ERTMS): the amount of Union financial aid shall not exceed 50% of the eligible cost;

(ii) traffic management systems, freight transport services, secure parkings on the road core network, as well as actions to support the development of Motorways of the Seas: the amount of Union financial aid shall not exceed 20% of the eligible cost.

3. In the field of energy:

(a) the amount of Union financial aid shall not exceed 50% of the eligible cost of studies and/or works;

(b) co-financing rates may be increased to a maximum of 80% for actions which based on the evidence referred to in Article 15(2) (a) of Regulation (EU) No XXXX/2012 [Guidelines for energy infrastructure], provide a high degree of regional or Union-wide security of supply, or strengthen solidarity of the Union or

20%, *but shall* not exceed 30% of the eligible cost; the funding rate *shall* be increased *up* to 30% for actions addressing bottlenecks; the funding rate *shall* be increased *up* to 40% for actions concerning cross-border sections; **25% of the funding under the CEF shall be earmarked for programmes on border crossing points.**

(ii) inland transport connections to ports and airports, actions to reduce rail freight noise by retrofitting of existing rolling stock *and by facilitating its modernisation*, as well as development of ports, *thereby taking geographically disadvantaged regions into account, and actions supporting new technologies and innovation for all modes of transport*: the amount of Union financial aid shall not exceed 20% of the eligible cost.

(c) with regard to grants for traffic management systems and services:

(i) the European Rail Traffic Management System (ERTMS) *and the River Information Systems*: the amount of Union financial aid shall not exceed 50% of the eligible cost;

(ii) traffic management systems, freight transport services, secure parkings on the road core network, as well as actions to support the development of Motorways of the Seas: the amount of Union financial aid shall not exceed 20% of the eligible cost.

3. In the field of energy:

(a) the amount of Union financial aid shall not exceed 50% of the eligible cost of studies and/or works;

(b) co-financing rates may be increased to a maximum of 80% for actions which based on the evidence referred to in Article 15(2) (a) of Regulation (EU) No XXXX/2012 [Guidelines for energy infrastructure], provide a high degree of regional or Union-wide security of supply, or strengthen solidarity of the Union or

comprise highly innovative solutions.

4. In the field of telecommunications:

(a) actions in the field of broadband networks: the amount of Union financial aid shall not exceed 50% of the eligible cost;

(b) actions in the field of generic services: the amount of Union financial aid shall not exceed 75% of the eligible costs;

(c) core service platforms shall be typically funded by procurement. In exceptional cases, they may be funded by a grant covering up to 100% of eligible costs, without prejudice to the co-financing principle;

(d) programme support actions including infrastructure mapping, twinning and technical assistance: the amount of Union financial aid shall not exceed 75% of the eligible costs.

5. Co-financing rates mentioned above may be increased by up to 10 percentage points for actions having cross-sector synergies, reaching climate mitigation objectives, enhancing climate resilience or reducing the greenhouse gas emissions. This increase should not apply to co-financing rates referred to in Article 11.

6. The amount of financial aid to be granted to the actions selected will be modulated based on a cost-benefit analysis of each project, availability of budget resources, and the need to maximise the leverage of EU funding.

comprise highly innovative solutions.

4. In the field of telecommunications:

(a) actions in the field of broadband networks: the amount of Union financial aid shall not exceed 50% of the eligible cost;

(b) actions in the field of generic services: the amount of Union financial aid shall not exceed 75% of the eligible costs;

(c) core service platforms shall be typically funded by procurement. In exceptional cases, they may be funded by a grant covering up to 100% of eligible costs, without prejudice to the co-financing principle;

(d) programme support actions including infrastructure mapping, twinning and technical assistance: the amount of Union financial aid shall not exceed 75% of the eligible costs.

5. Co-financing rates mentioned above may be increased by up to 10 percentage points for actions having cross-sector synergies, reaching climate mitigation objectives, enhancing climate resilience or reducing the greenhouse gas emissions. This increase should not apply to co-financing rates referred to in Article 11.

6. The amount of financial aid to be granted to the actions selected will be modulated based on a cost-benefit analysis of each project, availability of budget resources, and the need to maximise the leverage of EU funding.

Amendment 23

Proposal for a regulation

Article 11

Text proposed by the Commission

1. As regards the EUR **10 000 000 000** transferred from the Cohesion Fund

Amendment

1. As regards the EUR **[XXX]** transferred from the Cohesion Fund [Regulation XXX

[Regulation XXX Article XX] to be spent in Member States eligible for funding from the Cohesion Fund, specific calls shall be launched for projects implementing the core network exclusively in Member States eligible for funding from the Cohesion Fund.

2. Applicable rules for the transport sector under this Regulation shall apply to these specific calls. ***When implementing these calls, greatest possible priority shall be given to projects*** respecting the national allocations under the Cohesion Fund.

3. By the way of derogation from Article 10, and as regards the EUR ***10 000 000 000*** transferred from the Cohesion Fund [Regulation XXX Article XX] to be spent in Member States eligible for funding from the Cohesion Fund, the maximum funding rates shall be those applicable to the Cohesion Fund referred to in Article 22 and Article 110.3 of Regulation (EU) No XXX2012 [Regulation laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund covered by the Common Strategic Framework and laying down general provisions on the European

Article XX] to be spent in Member States eligible for funding from the Cohesion Fund, specific calls shall be launched for projects implementing the core network, exclusively in Member States eligible for funding from the Cohesion Fund.

2. Applicable rules for the transport sector under this Regulation shall apply to these specific calls, ***pursuing the goal of eliminating obstacles to mobility. The selection of eligible projects shall be done on the basis of their sufficient maturity, quality and EU-added value according to the objectives and criteria specified in this Regulation, and*** respecting the national allocations under the Cohesion Fund ***until 31 December 2016. As of 1 January 2017, resources transferred to the Connecting Europe Facility which have not been committed to a transport infrastructure project shall be made available to all Member States eligible to the Cohesion Fund to finance transport infrastructure projects, according to the rules of this Regulation. Nevertheless, greatest possible priority shall be ensured for projects respecting the national allocations under the Cohesion Fund.***

3. By the way of derogation from Article 10, and as regards the EUR ***[XXX]*** transferred from the Cohesion Fund [Regulation XXX Article XX] to be spent in Member States eligible for funding from the Cohesion Fund, the maximum funding rates shall be those applicable to the Cohesion Fund referred to in Article 22 and Article 110.3 of Regulation (EU) No XXX2012 [Regulation laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund covered by the Common Strategic Framework and laying down general provisions on the European

Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1083/2006] for the following actions:

- (a) with regard to grants for studies;
- (b) with regard to grants for works:
 - (i) rail and inland waterways;
 - (ii) actions to support cross-border road sections;
 - (iii) inland transport connections to ports and airports, development of multi-modal platforms and of ports;
- (c) with regard to grants for traffic management systems and services:
 - (i) the European Rail Traffic Management System (ERTMS);
 - (ii) traffic management systems.

Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1083/2006] for the following actions:

- (a) with regard to grants for studies;
- (b) with regard to grants for works:
 - (i) rail and inland waterways;
 - (ii) actions to support cross-border road sections;
 - (iii) inland transport connections to ports and airports, development of multi-modal platforms and of ports;
- (c) with regard to grants for traffic management systems and services:
 - (i) the European Rail Traffic Management System (ERTMS), *the River information Services (RIS) and the Vessel Traffic Monitoring and Information systems (VTMIS)*;
 - (ii) traffic management systems;
 - (iii) *motorways of the sea.*

In order to support Member States eligible to the cohesion Fund, which may experience difficulties in designing projects that are of a sufficient maturity, quality and EU-added value, the Commission shall organise additional calls at least on a yearly basis. To ensure the highest possible absorption of the transferred funds in all Member States eligible to the cohesion Fund, particular attention shall be given to programme support actions under the Connecting Europe Facility aimed at strengthening institutional capacity and the efficiency of public administrations and public services related to the development and implementation of projects listed in Annex 1 of this Regulation.

3a. The EUR [XXX] transferred from the Cohesion Fund shall not be counted in the 2.5% GDP capping methodology for Cohesion countries.

3b. The resources of the Cohesion Fund used to finance for transport sector projects in the Cohesion Fund eligible Member States shall not count against the Cohesion Policy's capping system.

Amendment 24

Proposal for a regulation Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11a

1. Member States with financial difficulties, falling under the provisions of Art. 22 and 100(3) of Regulation (EU) No XXX/XXXX (Common Provisions Regulation) , besides the higher co-financing rate with up to 10% also under CEF¹, may, upon their own request, use

(i) resources flowing from recovered cash flows in the framework of the CEF for infrastructure projects;

(ii) the resources flowing from corrected and/or recovered cash flows within their national envelopes for infrastructure projects;

(iii) the respective amounts should be managed in a centralised way by the Commission in the framework of a programme on competitiveness and growth. This shall encourage investment in national as well as transnational infrastructure projects and therefore contribute to a European added value.

¹ *Idem 3, art 11 (3)*

Justification

Member States with financial difficulties are especially dependant on infrastructure as it boosts employment and stimulates growth.

Amendment 25

Proposal for a regulation Article 12 – paragraph 2 – point c

Text proposed by the Commission

(c) following an evaluation of the progress of the project, in particular in the event of major delays in the implementation of the action.

Amendment

(c) following an evaluation of the progress of the project, in particular in the event of major delays in the implementation of the action ***resulting from direct responsibility of the beneficiaries.***

Amendment 26

Proposal for a regulation Article 12 – paragraph 4

Text proposed by the Commission

4. Before the Commission takes any of the decisions provided for in paragraphs 1, 2 and 3, it shall examine the case at hand and inform the beneficiaries concerned so that they may present their observations within ***a given timeframe.***

Amendment

4. Before the Commission takes any of the decisions provided for in paragraphs 1, 2 and 3, it shall examine the case at hand and inform the beneficiaries concerned so that they may present their observations within ***a minimum of three months.***

Justification

A minimum timeframe of 3 months should provide sufficient time for national and local authorities to prepare in depth analysis and submit meaningful observations on a given project before the EC takes action.

Amendment 27

Proposal for a regulation Article 15 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Financial instruments shall address one or more specific policy objectives of the Union, operate in a non-discriminatory fashion, must have a clear

end-date, respect the principles of sound financial management and be complementary to traditional instruments such as grants.

Justification

The use of financial instruments should be well regulated and sufficient guarantees should be provided to minimise risk to public money and enhance the leverage effects.

Amendment 28

Proposal for a regulation
Article 21 – paragraph 2

Text proposed by the Commission

Member States shall for projects related to transport **and** energy sectors, undertake the technical monitoring and financial control of actions in close cooperation with the Commission and shall certify the reality and the conformity of the expenditure incurred in respect of projects or parts of projects. The Member States may request the participation of the Commission during on-the-spot checks.

Amendment

Member States shall for projects related to transport, energy **and telecommunications** sectors, undertake the technical monitoring and financial control of actions in close cooperation with the Commission and shall certify the reality and the conformity of the expenditure incurred in respect of projects or parts of projects. The Member States may request the participation of the Commission during on-the-spot checks.

Amendment 29

Proposal for a regulation
Article 21 – paragraph 3

Text proposed by the Commission

In the field of telecommunications **in particular**, the national regulatory authorities shall make every effort to ensure the required legal certainty and investment conditions facilitating the implementation of the projects receiving Union financial aid under this Regulation.

Amendment

In the field of telecommunications the national regulatory authorities shall **also** make every effort to ensure the required legal certainty and investment conditions facilitating the implementation of the projects receiving Union financial aid under this Regulation.

Amendment 30

Proposal for a regulation
Article 23 – paragraph 1

Text proposed by the Commission

1. The Commission shall take appropriate measures ensuring that, when actions financed under this Regulation are implemented, the financial interests of the Union are protected by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and, if irregularities are detected, by the recovery of the amounts wrongly paid and, where appropriate, by effective, proportional and deterrent penalties.

Amendment

1. The Commission shall take appropriate measures ensuring that, when actions financed under this Regulation are implemented, the financial interests of the Union are protected by ***ensuring that costs are not disproportionate for infrastructure of the same type in the different Member States taking into due consideration local prices***, by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and, if irregularities are detected, by the recovery of the amounts wrongly paid and, where appropriate, by effective, proportional and deterrent penalties.

Justification

It must be ensured, to the maximum possible extent, that the cost of infrastructure projects financed by EU money is homogeneous in the different Member States, on the basis of the cost of local labour and materials.

Amendment 31

Proposal for a regulation
Article 24 – paragraph 1

Text proposed by the Commission

1. The Commission shall be assisted by a Coordination Committee of the Facility. ***That committee*** shall be ***a committee*** within the meaning of Regulation (EU) No 182/2011.

Amendment

1. The Commission shall be assisted by a Coordination Committee of the Facility ***and by committees established for each of the three sectors of the Instrument - transport, energy and telecommunications infrastructure. These committees*** shall be ***committees*** within the meaning of Regulation (EU) No 182/2011.

Amendment 32

Proposal for a regulation
Article 24 – paragraph 3

Text proposed by the Commission

3. The committee shall ensure a horizontal overview of the work programmes referred to in Article 17 to ensure consistency and that synergies are identified and exploited between sectors.

Amendment

3. The **Coordination** committee shall ensure a horizontal overview of the work programmes referred to in Article 17 to ensure consistency and that synergies are identified and exploited between sectors. ***The committees of respective sectors shall help the Commission monitor implementation of the respective guidelines and shall take part in their reviews.***

Amendment 33

Proposal for a regulation
Article 25 – paragraph 2

Text proposed by the Commission

2. The power ***to adopt delegated acts*** referred to in Article 20 shall be conferred on the Commission for ***an indeterminate period from the date of entry into force of this Regulation.***

Amendment

2. The ***delegations of*** power referred to in Article 20 shall be conferred on the Commission for ***a period of 3 years from ...*** *. ***The Commission shall draw up a report in respect of the delegation of power not later than 9 months before the end of the three-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than 3 months before the end of each period.***

**** OJ: Please insert the date of entry into force of this Regulation.***

Justification

Delegated acts should not pre-empt on the powers of the legislators and therefore provisions should be included to allow for a regular monitoring of the executive powers of the Commission.

Amendment 34

Proposal for a regulation Article 25 – paragraph 5

Text proposed by the Commission

5. A delegated act adopted pursuant to Article 20 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of **two months** of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two months** at the initiative of the European Parliament or of the Council.

Amendment

5. A delegated act adopted pursuant to Article 20 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of **3 months** of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **3 months** at the initiative of the European Parliament or of the Council.

Amendment 35

Proposal for a regulation Article 26 – paragraph 1

Text proposed by the Commission

1. No later than **mid-2018**, an evaluation report shall be established by the Commission on the achievement of the objectives of all the measures (at the level of results and impacts), the efficiency of the use of resources and its European added value, in view of a decision on the renewal, modification or suspension of the measures. The evaluation shall additionally address the scope for simplification, its internal and external coherence, the continued relevance of all objectives, as well as the contribution of the measures to the Union priorities of smart, sustainable and inclusive growth. It shall take into account evaluation results on the long-term impact of the predecessor measures.

Amendment

1. No later than **mid-2017**, an evaluation report shall be established by the Commission on the achievement of the objectives of all the measures (at the level of results and impacts), the efficiency of the use of resources and its European added value, in view of a decision on the renewal, modification or suspension of the measures. The evaluation shall additionally address the scope for simplification, its internal and external coherence, the continued relevance of all objectives, as well as the contribution of the measures to the Union priorities of smart, sustainable and inclusive growth, **including impact on economic, social and territorial cohesion**. It shall take into account evaluation results on the long-term impact of the predecessor measures.

Amendment 36

Proposal for a regulation

Annex – part 1 - section a – point 2 – paragraph 1

Text proposed by the Commission

BY border – Warszawa – Poznań –
Frankfurt/Oder – Berlin – Hannover –
Osnabrück – Enschede – **Utrecht** –
Amsterdam/Rotterdam – Felixstowe –
Birmingham/Manchester – Liverpool

Amendment

BY border – Warszawa – Poznań –
Frankfurt/Oder – Berlin – Hannover –
Osnabrück – **Rheine-
Twente/Mittellandkanal-** Enschede –
Hengelo-Utrecht – Amsterdam/Rotterdam
– Felixstowe – Birmingham/Manchester –
Liverpool

***Inland Waterway (IWW): Feasibility
study for the connection between the
Mittellandcanal and the Twentecanal***

Amendment 37

Proposal for a regulation

Annex 1 – part 1 - section a – point 2 – paragraph 1

Text proposed by the Commission

BY border – Warszawa – Poznań –
Frankfurt/Oder – Berlin – Hannover –
Osnabrück – Enschede – Utrecht –
Amsterdam/Rotterdam – Felixstowe –
Birmingham/Manchester – Liverpool

Amendment

BY border – Warszawa – Poznań –
Frankfurt/Oder – Berlin – Hannover –
Osnabrück – **Airport Münster/Osnabrück
FMO** – Enschede – Utrecht –
Amsterdam/Rotterdam – Felixstowe –
Birmingham/Manchester – Liverpool

***Rail, Airport: rail – airport Münster-
Osnabrück interconnection***

Amendment 38

Proposal for a regulation

Annex 1 – part 1 - section a – point 2 – paragraph 1

Text proposed by the Commission

BY border – Warszawa – Poznań –
Frankfurt/Oder – Berlin – Hannover –

Amendment

BY border – Warszawa – Poznań –
Frankfurt/Oder – Berlin – Hannover –

Osnabrück – Enschede – Utrecht –
Amsterdam/Rotterdam – Felixstowe –
Birmingham/Manchester – Liverpool

Osnabrück – **Hengelo/Twente** – Enschede
– Utrecht – Amsterdam/Rotterdam –
Felixstowe – Birmingham/Manchester –
Liverpool

***Rail: upgrading of several sections
(Hannover – Osnabrück –
Hengelo/Twente; especially
Minden/Seelze - Hannover and Twente-
Bypass)***

Amendment 39

Proposal for a regulation

Annex 1 – part 1 - section a – point 2 – paragraph 1

Text proposed by the Commission

BY border – Warszawa – Poznań –
Frankfurt/Oder – Berlin – Hannover –
Osnabrück – Enschede – Utrecht –
Amsterdam/Rotterdam – Felixstowe –
Birmingham/Manchester – Liverpool

Amendment

BY border – Warszawa – Poznań –
Frankfurt/Oder – Berlin – Hannover –
West-German Canals, Mittellandkanal –
Osnabrück – Enschede – Utrecht –
Amsterdam/Rotterdam – Felixstowe –
Birmingham/Manchester – Liverpool

***Pre-identified sections: West-German
Canals, Mittellandkanal, Hannover –
Magdeburg - Berlin***

Mode: IWW

***Description/dates: Upgrading (e.g.
elevation of the bridges allowing three
layers of containers) incl. links to the
other modes***

PROCEDURE

Title	Connecting Europe Facility			
References	COM(2011)0665 – C7-0374/2011 – 2011/0302(COD)			
Committees responsible Date announced in plenary	ITRE 17.11.2011	TRAN 17.11.2011		
Opinion by Date announced in plenary	REGI 17.11.2011			
Rapporteur Date appointed	Markus Pieper 23.11.2011			
Rule 51 – joint committee meetings Date announced in plenary	15.3.2012			
Discussed in committee	23.11.2011	20.6.2012	12.7.2012	17.9.2012
Date adopted	27.11.2012			
Result of final vote	+: –: 0:	39 1 2		
Members present for the final vote	François Alfonsi, Luís Paulo Alves, Victor Boştinaru, John Bufton, Salvatore Caronna, Nikos Chrysogelos, Francesco De Angelis, Tamás Deutsch, Danuta Maria Hübner, Filiz Hakaeva Hyusmenova, María Irigoyen Pérez, Seán Kelly, Mojca Kleva, Constanze Angela Krehl, Petru Constantin Luhan, Ramona Nicole Mănescu, Vladimír Maňka, Iosif Matula, Erminia Mazzoni, Miroslav Mikolášik, Jens Nilsson, Jan Olbrycht, Younous Omarjee, Markus Pieper, Tomasz Piotr Poręba, Monika Smolková, Ewald Stadler, Georgios Stavrakakis, Nuno Teixeira, Lambert van Nistelrooij, Oldřich Vlasák, Kerstin Westphal, Hermann Winkler, Joachim Zeller			
Substitute(s) present for the final vote	Jan Březina, Andrea Cozzolino, Ivars Godmanis, Karin Kadenbach, Lena Kolarska-Bobińska, Heide Rühle, Vilja Savisaar-Toomast, Elisabeth Schroedter			