Amendment 250
Hermann Tertsch
on behalf of the ECR Group

Report
Mohammed Chahim
Carbon border adjustment mechanism
(COM(2021)0564 – C9-0328/2021 – 2021/0214(COD))

Proposal for a regulation
Article 5 b (new)

Text proposed by the Commission

Amendment

Article 5 b

Export refund

1. For products consumed in the Union, the allowances obligation applicable to domestically produced products would correspond to the greenhouse emissions in excess of the product-specific benchmark, with the equivalent obligation imposed on imports consumed in the European Union through the application of the CBAM. This equivalent allowance shall be refunded when products are exported.

2. Any declarant wishing to obtain a refund to their emission allowances corresponding to the embedded emissions of the goods produced in the Union and exported outside customs union shall be registered as a declarant in accordance with Article 4 and shall notify the competent authorities of its intention at the time of lodging the predeparture declaration. Upon release of the goods, the customs office of export will transmit the necessary particulars of the export movement to the competent authority, which shall issue a certificate establishing the refund to be granted to calibrate the regulatory obligation.

3. The domestic producer shall provide evidence that the goods have been exported.
Amendment 251
Hermann Tertsch
on behalf of the ECR Group

Report
Mohammed Chahim
Carbon border adjustment mechanism
(COM(2021)0564 – C9-0328/2021 – 2021/0214(COD))

Proposal for a regulation
Article 24 b (new)

*Text proposed by the Commission*

**Article 24 b**

*Amendment*

**Use of revenues**

The revenues generated by the sale of CBAM certificates shall constitute internal assigned revenue in accordance with Article 21(3) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council. They shall be assigned to cover the costs of the operation and maintenance of the CBAM scheme and to support Union industry through the establishment of sectoral funds for the purpose of tackling competitive disadvantages triggered by CBAM.

Or. en
Amendment 252
Hermann Tertsch, Izabela-Helena Kloc
on behalf of the ECR Group

Report
Mohammed Chahim
Carbon border adjustment mechanism
(COM(2021)0564 – C9-0328/2021 – 2021/0214(COD))

Proposal for a regulation
Article 30 – paragraph 1

Text proposed by the Commission

1. The Commission shall collect the information necessary with a view to extending the scope of this Regulation to indirect emissions and goods other than those listed in Annex I, and develop methods of calculating embedded emissions based on environmental footprint methods.

Amendment

1. By 31 December 2025, the Commission shall, after consulting the relevant stakeholders, collect the information necessary with a view to extending the scope of this Regulation to indirect emissions as well as to other goods at risk of carbon leakage, such as plastics, hydrogen, finished goods and downstream products, and to develop methods of calculating embedded emissions based on the environmental footprint methods and shall submit a report to the European Parliament and to the Council setting out its calculations.
Amendment 253
Hermann Tertsch, Izabela-Helena Kloc
on behalf of the ECR Group

Report
Mohammed Chahim
Carbon border adjustment mechanism
(COM(2021)0564 – C9-0328/2021 – 2021/0214(COD))

Proposal for a regulation
Article 30 – paragraph 2

2. Before the end of the transitional period, the Commission shall present a report to the European Parliament and the Council on the application of this Regulation. The report shall contain, in particular, the assessment of the possibilities to further extend the scope of embedded emissions to indirect emissions and to other goods at risk of carbon leakage than those already covered by this Regulation, as well as an assessment of the governance system. It shall also contain the assessment of the possibility to further extend the scope to embedded emissions of transportation services as well as to goods further down the value chain and services that may be subject to the risk of carbon leakage in the future.

Amendment
2. Before the end of the administrative transitional period of 1 January 2023 to 31 December 2026, the Commission shall submit a report to the European Parliament and the Council on the transitional application of this Regulation. The report shall contain, in particular:

(a) the assessment of the possibilities to further extend the scope of embedded emissions, with a particular focus on energy-intensive sectors and any potential loss of indirect ETS cost compensation under Article 10a(6) of Directive 2003/87/EC;

(b) evaluation of the impact on sectors listed in Annex I to ensure that the complex production process and deeply integrated value chains of specific sectors have been appropriately taken into account;

(c) an in-depth assessment, developed in close cooperation with the stakeholders...
concerned, of the possibilities to further extend the scope of Annex I to indirect emissions, as well as to other goods at risk of carbon leakage, such as plastics, hydrogen, finished goods and downstream products, and to develop methods of calculating embedded emissions based on the environmental footprint methods;

(d) the assessment of the impact on competitiveness of Union industry and the maturity of new technologies, as well the downstream industry, in particular the impact on SMEs, with a proposal to remedy any negative impact on the competitiveness of such users, and any possible disproportionate administrative burden;

(e) an identification of possible circumvention and fraud practices and distortion in trade patterns;

(f) an assessment of the governance system.

It shall also contain the assessment of the possibility to further extend the scope to embedded emissions of transportation services as well as to goods further down the value chain and services that may be subject to the risk of carbon leakage in the future.

Or. en
Amendment 254
Hermann Tertsch, Izabela-Helena Kloc
on behalf of the ECR Group

Report
Mohammed Chahim
Carbon border adjustment mechanism
(COM(2021)0564 – C9-0328/2021 – 2021/0214(COD))

Proposal for a regulation
Article 30 – paragraph 2 b (new)

Text proposed by the Commission

2 b. The effective implementation of CBAM and the contingent phase out of free allocations shall be continuously monitored. The Commission may consider review mechanisms to appropriately address the results of the monitoring procedure in this Article.

Amendment

Or. en
Amendment 255
Hermann Tertsch, Izabela-Helena Kloc
on behalf of the ECR Group

Report
Mohammed Chahim
Carbon border adjustment mechanism
(COM(2021)0564 – C9-0328/2021 – 2021/0214(COD))

Proposal for a regulation
Article 30 – paragraph 2 c (new)

Text proposed by the Commission

Amendment

2 c. The Commission report referred to in paragraph 2 shall, where appropriate, be accompanied by a legislative proposal to extend the scope of this Regulation to other sectors listed in Annex I and to indirect emissions provided for in paragraph 2, point (c).

Or. en
Amendment 256
Hermann Tertsch, Izabela-Helena Kloc
on behalf of the ECR Group

Report
Mohammed Chahim
Carbon border adjustment mechanism
(COM(2021)0564 – C9-0328/2021 – 2021/0214(COD))

Proposal for a regulation
Article 30 – paragraph 2 d (new)

Text proposed by the Commission

2 d. A comprehensive transitional period shall be established from 1 January 2027 to 31 December 2027. The Commission shall establish a framework for the purpose of ensuring that the measures applied during that period comply with WTO rules.

Amendment

Or. en
Amendment 257
Hermann Tertsch, Izabela-Helena Kloc
on behalf of the ECR Group

Report
Mohammed Chahim
Carbon border adjustment mechanism
(COM(2021)0564 – C9-0328/2021 – 2021/0214(COD))

Proposal for a regulation
Article 31 – paragraph 1

Text proposed by the Commission

1. The CBAM certificates to be surrendered in accordance with Article 22 shall be adjusted to reflect the extent to which EU ETS allowances are allocated free of charge in accordance with Article 10a of Directive 2003/87/EC to installations producing, within the Union, the goods listed in Annex I.

Amendment

1. By 31 December 2026, the CBAM certificates shall be surrendered in accordance with Article 22. The Commission shall implement those measures in accordance with WTO rules.
2.6.2022 A9-0160/258

Amendment 258
Hermann Tertsch, Izabela-Helena Kloc
on behalf of the ECR Group

Report A9-0160/2022
Mohammed Chahim
Carbon border adjustment mechanism
(COM(2021)0564 – C9-0328/2021 – 2021/0214(COD))

Proposal for a regulation
Article 31 – paragraph 1 b (new)

Text proposed by the Commission Amendment

1 b. The authorised declarant shall surrender additional certificates equal to the number of certificates describe in paragraph 1. However, in 2027 only 10% of this number are to be surrendered, increasing each year by 10%, and reaching the full number in 2036.

Or. en
Amendment 259
Hermann Tertsch, Izabela-Helena Kloc
on behalf of the ECR Group

Report
Mohammed Chahim
Carbon border adjustment mechanism
(COM(2021)0564 – C9-0328/2021 – 2021/0214(COD))

Proposal for a regulation
Article 31 – paragraph 1 c (new)

Text proposed by the Commission

1 c. In order to ensure a level playing field for Union products destined for export, in the sectors covered by the scope of Annex I, the Commission shall, by 31 December 2027, submit to the European Parliament and to the Council a report, if necessary accompanied by legislative measures, on the impact of Union exports of those sectors in the global markets, assessing a possible export adjustment mechanism that balances or compensates for the costs of CO2 with the different pricing schemes of third countries, subject to WTO rules.

Amendment

Or. en