



**2018/0180(COD)**

29.10.2018

# **AMENDMENTS**

## **26 - 266**

**Draft report**

**Neena Gill**

(PE628.440v01-00)

Low carbon benchmarks and positive carbon impact benchmarks

Proposal for a regulation

(COM(2018)0355 – C8-0209/2018 – 2018/0180(COD))



**Amendment 26**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Title 1**

*Text proposed by the Commission*

Proposal for a  
REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
amending Regulation (EU) 2016/1011 on  
*low carbon* benchmarks and positive  
*carbon* impact benchmarks  
(Text with EEA relevance)

*Amendment*

Proposal for a  
REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
amending Regulation (EU) 2016/1011 on  
*integration of sustainability indicators in*  
*the methodology of* benchmarks and *on*  
positive impact benchmarks  
(Text with EEA relevance)

Or. en

**Amendment 27**  
**Lieve Wierinck, Caroline Nagtegaal**

**Proposal for a regulation**  
**Title 1**

*Text proposed by the Commission*

Proposal for a  
REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
amending Regulation (EU) 2016/1011 on  
*low carbon* benchmarks and *positive*  
carbon impact benchmarks  
(Text with EEA relevance)

*Amendment*

Proposal for a  
REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
amending Regulation (EU) 2016/1011 on  
*climate transition* benchmarks and  
*negative* carbon impact benchmarks  
(Text with EEA relevance)

Or. en

**Amendment 28**  
**Molly Scott Cato**

**Proposal for a regulation**  
**Title 1**

*Text proposed by the Commission*

*Amendment*

Proposal for a  
REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
amending Regulation (EU) 2016/1011 on  
low carbon benchmarks and **positive  
carbon impact** benchmarks  
(Text with EEA relevance)

Proposal for a  
REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
amending Regulation (EU) 2016/1011 on  
low carbon benchmarks and **climate  
transition** benchmarks  
(Text with EEA relevance)

Or. en

**Amendment 29**  
**Matt Carthy**

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

*Text proposed by the Commission*

*Amendment*

**(2a) Whereas on 8 October 2018, the IPCC published its special report entitled 'Global Warming of 1.5°C' which warned of the extreme risks of reaching global warming of 2°C above pre-industrial levels and called for the limiting of global warming to 1.5°C, noting this would require "rapid, far-reaching and unprecedented changes in all aspects of society";**

Or. en

**Amendment 30**  
**Matt Carthy**

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

*Text proposed by the Commission*

*Amendment*

**(2b) Whereas the Union should promote the conclusions of the IPCC's special report on Global Warming of 1.5°C as the leading scientific input into the Katowice Climate Change Conference**

**Amendment 31**  
**Syed Kamall**

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

*Text proposed by the Commission*

(7) Regulation (EU) 2016/1011 of the European Parliament and of the Council<sup>30</sup> establishes uniform rules for benchmarks in the Union and caters for different types of benchmark. An increasing number of investors pursue low-carbon investment strategies and take recourse to low-carbon benchmarks to reference or measure the performance of investment portfolios.

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<sup>30</sup> Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds and amending Directives 2008/48/EC and 2014/17/EU and Regulation (EU) No 596/2014 (OJ L 171, 29.6.2016, p. 1).

*Amendment*

(7) Regulation (EU) 2016/1011 of the European Parliament and of the Council<sup>30</sup> establishes uniform rules for benchmarks in the Union and caters for different types of benchmark ***based on their characteristics, vulnerabilities and risks.*** An increasing number of investors pursue low-carbon investment strategies and take recourse to low-carbon benchmarks to reference or measure the performance of investment portfolios.

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<sup>30</sup> Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds and amending Directives 2008/48/EC and 2014/17/EU and Regulation (EU) No 596/2014 (OJ L 171, 29.6.2016, p. 1).

**Amendment 32**  
**Sirpa Pietikäinen**

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

*Text proposed by the Commission*

(7) Regulation (EU) 2016/1011 of the European Parliament and of the Council<sup>30</sup> establishes uniform rules for benchmarks in the Union and caters for different types of benchmark. An increasing number of investors pursue **low-carbon** investment strategies and take recourse to **low-carbon** benchmarks to reference or measure the performance of investment portfolios.

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<sup>30</sup> Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds and amending Directives 2008/48/EC and 2014/17/EU and Regulation (EU) No 596/2014 (OJ L 171, 29.6.2016, p. 1).

*Amendment*

(7) Regulation (EU) 2016/1011 of the European Parliament and of the Council<sup>30</sup> establishes uniform rules for benchmarks in the Union and caters for different types of benchmark. An increasing number of investors pursue **sustainable** investment strategies and take recourse to benchmarks to reference or measure the performance of investment portfolios.

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<sup>30</sup> Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds and amending Directives 2008/48/EC and 2014/17/EU and Regulation (EU) No 596/2014 (OJ L 171, 29.6.2016, p. 1).

Or. en

**Amendment 33**  
**Sirpa Pietikäinen**

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

*Text proposed by the Commission*

(8) A wide variety of indices **is** currently grouped together as low carbon indices. Those **low carbon** indices are used as benchmarks for investment portfolios and products that are sold across borders. The quality and integrity of **low carbon** benchmarks affect the effective functioning of the internal market in a wide variety of individual and collective investment portfolios. Many low carbon indices used as performance measures for investment portfolios, in particular for segregated investment accounts and collective investment schemes, are provided in one

*Amendment*

(8) A wide variety of indices **are** currently grouped together as low carbon **or sustainability** indices. Those indices are used as benchmarks for investment portfolios and products that are sold across borders. The quality and integrity of benchmarks affect the effective functioning of the internal market in a wide variety of individual and collective investment portfolios. Many low carbon **and sustainability** indices used as performance measures for investment portfolios, in particular for segregated investment accounts and collective investment

Member State but used by portfolio and asset managers in other Member States. In addition, portfolio and asset managers often hedge their carbon exposure risks by using benchmarks produced in other Member States.

schemes, are provided in one Member State but used by portfolio and asset managers in other Member States. In addition, portfolio and asset managers often hedge their carbon exposure **and environmental** risks by using benchmarks produced in other Member States.

Or. en

## Amendment 34 Sirpa Pietikäinen

### Proposal for a regulation Recital 9

*Text proposed by the Commission*

(9) Different categories of **low carbon** indices with various degrees of ambition have emerged in the marketplace. **While some benchmarks aim to lower the carbon footprint of a standard investment portfolio, others aim to select only components that contribute to attaining the 2°C degree objective set out in the Paris Climate Agreement.** Despite differences in objectives and strategies, all of these benchmarks are commonly promoted as **low-carbon** benchmarks.

*Amendment*

(9) Different categories of **sustainability** indices with various degrees of ambition have emerged in the marketplace. Despite differences in objectives and strategies, all of these benchmarks are commonly promoted as **sustainability** benchmarks.

Or. en

## Amendment 35 Syed Kamall

### Proposal for a regulation Recital 9

*Text proposed by the Commission*

(9) Different categories of low carbon indices with various degrees of ambition have emerged in the marketplace. While some benchmarks aim to lower the carbon

*Amendment*

(9) Different categories of low carbon indices with various degrees of ambition have emerged in the marketplace. While some benchmarks aim to lower the carbon

footprint of a standard investment portfolio, others aim to select only components that contribute to attaining the 2°C degree objective set out in the Paris Climate Agreement. Despite differences in objectives and strategies, **all** of these benchmarks are commonly promoted as low-carbon benchmarks.

footprint of a standard investment portfolio, others aim to select only components that contribute to attaining the 2°C degree objective set out in the Paris Climate Agreement. Despite differences in objectives and strategies, **many** of these benchmarks are commonly promoted as low-carbon benchmarks.

Or. en

**Amendment 36**  
**Markus Ferber**

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

*Text proposed by the Commission*

(10) Divergent approaches to benchmark methodologies result in fragmentation of the internal market because users of benchmarks do not have clarity on whether a particular low carbon index is a benchmark aligned to the 2C° objective or **merely** a benchmark that aims to lower the carbon footprint of a standard investment portfolio. ***To address potentially illegitimate claims by administrators about the low-carbon nature of their benchmarks, Member States are likely to adopt different rules to avoid the ensuing investors' confusion and ambiguity about the aims and level of ambition underpinning different categories of so called low carbon indices used as benchmarks for a low carbon investment portfolio.***

*Amendment*

(10) Divergent approaches to benchmark methodologies **may** result in fragmentation of the internal market because users of benchmarks do not have clarity on whether a particular low carbon index is a benchmark aligned to the 2C° objective or a benchmark that aims to lower the carbon footprint of a standard investment portfolio.

Or. en

*Justification*

*Both types of benchmarks are legitimate benchmarks and should be portrayed as such.*



## Amendment 37

Syed Kamall

### Proposal for a regulation

#### Recital 10

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

(10) Divergent approaches to benchmark methodologies result in fragmentation of the internal market because users of benchmarks do not have clarity on whether a particular low carbon index is a benchmark aligned to the 2C° objective or merely a benchmark that aims to lower the carbon footprint of a standard investment portfolio. To address potentially illegitimate claims by administrators about the low-carbon nature of their benchmarks, Member States **are likely to** adopt different rules to avoid the ensuing investors' confusion and ambiguity about the aims and level of ambition underpinning different categories of so called low carbon indices used as benchmarks for a low carbon investment portfolio.

##### *Amendment*

(10) Divergent approaches to benchmark methodologies result in fragmentation of the internal market because users of benchmarks do not have clarity on whether a particular low carbon index is a benchmark aligned to the 2C° objective or merely a benchmark that aims to lower the carbon footprint of a standard investment portfolio. To address potentially illegitimate claims by administrators about the low-carbon nature of their benchmarks, Member States **may** adopt different rules to avoid the ensuing investors' confusion and ambiguity about the aims and level of ambition underpinning different categories of so called low carbon indices used as benchmarks for a low carbon investment portfolio.

Or. en

## Amendment 38

Lieve Wierinck, Caroline Nagtegaal

### Proposal for a regulation

#### Recital 10

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

(10) Divergent approaches to benchmark methodologies result in fragmentation of the internal market because users of benchmarks do not have clarity on whether a particular low carbon index is a benchmark aligned to the 2C° objective or merely a benchmark that aims to lower the carbon footprint of a standard investment portfolio. To address potentially illegitimate claims by administrators about

##### *Amendment*

(10) Divergent approaches to benchmark methodologies result in fragmentation of the internal market because users of benchmarks do not have clarity on whether a particular low carbon index is a benchmark aligned to the 2C° objective or merely a benchmark that aims to lower the carbon footprint of a standard investment portfolio. To address potentially illegitimate claims by administrators about

the low-carbon nature of their benchmarks, Member States **are likely to** adopt different rules to avoid the ensuing investors' confusion and ambiguity about the aims and level of ambition underpinning different categories of so called low carbon indices used as benchmarks for a low carbon investment portfolio.

the low-carbon nature of their benchmarks, Member States **could** adopt different rules to avoid the ensuing investors' confusion and ambiguity about the aims and level of ambition underpinning different categories of so called low carbon indices used as benchmarks for a low carbon investment portfolio.

Or. en

**Amendment 39**  
**Sirpa Pietikäinen**

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

*Text proposed by the Commission*

*Amendment*

***(10a) As the Commission High-Level Expert Group on Sustainable Finance concluded, benchmarks need to be better aligned with sustainability and reflect their exposure to sustainability risks. Investors need comparable and holistic information regarding environmental risks and impact to assess their portfolios beyond carbon exposure. A narrow focus on carbon exposure could have negative spill-overs by redirecting investment flows to targets that carry other environmental risks. Hence, benchmark administrators should evaluate and disclose to what extent sustainability (environmental, social and governance) considerations are reflected within the methodology of the benchmark.***

Or. en

**Amendment 40**  
**Sirpa Pietikäinen**

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

**(10b) All benchmark administrators should incorporate key resource efficiency indicators into their benchmark methodologies, which in addition to CO2 emissions, cover other emissions, impact on biodiversity, production of waste, the use of energy, renewable energy, raw materials, water, and direct and indirect land use, to be developed in line with the Commission communications of 16 January 2018 on a monitoring framework for the circular economy and of 2 December 2015 entitled 'Closing the loop – An EU action plan for the Circular Economy' and European Parliament resolution of 9 July 2015 on resource efficiency: moving towards a circular economy (2014/2208(INI)).**

Or. en

**Amendment 41  
Sirpa Pietikäinen**

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

**(10c) As proposed by the Commission High-Level Expert Group on Sustainable Finance, the European Securities and Markets Authority (ESMA) should include references to environmental, social and governance (ESG) considerations in its guidance on the 'Benchmark statement'. ESMA, together with the European Financial Reporting Advisory Group (EFRAG), should develop guidance for benchmark administrators to integrate sustainability and circular economy indicators into benchmark methodologies.**

**Amendment 42**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Recital 11**

*Text proposed by the Commission*

(11) In the absence of a harmonised framework to ensure the accuracy and integrity of the **main categories of low carbon** benchmarks used in individual or collective investment portfolios, it is likely that differences in Member States' approaches will create obstacles to the smooth functioning of the internal market.

*Amendment*

(11) In the absence of a harmonised framework to ensure the accuracy and integrity of the benchmarks used in individual or collective investment portfolios, it is likely that differences in Member States' approaches will create obstacles to the smooth functioning of the internal market.

Or. en

**Amendment 43**  
**Lieve Wierinck, Caroline Nagtegaal**

**Proposal for a regulation**  
**Recital 11**

*Text proposed by the Commission*

(11) In the absence of a harmonised framework to ensure the accuracy and integrity of the main categories of low carbon benchmarks used in individual or collective investment portfolios, **it is likely that** differences in Member States' approaches **will** create obstacles to the smooth functioning of the internal market.

*Amendment*

(11) In the absence of a harmonised framework to ensure the accuracy and integrity of the main categories of low carbon benchmarks used in individual or collective investment portfolios, differences in Member States' approaches **could potentially** create obstacles to the smooth functioning of the internal market.

Or. en

**Amendment 44**  
**Lieve Wierinck, Caroline Nagtegaal**

**Proposal for a regulation**

## Recital 12

*Text proposed by the Commission*

(12) Therefore, to maintain the proper functioning of the internal market, to further improve the conditions of its functioning, and to ensure a high level of consumer and investor protection, it is appropriate to adapt Regulation (EU) 2016/1011 to lay down a regulatory framework for harmonised low carbon benchmarks at Union level.

*Amendment*

(12) Therefore, to maintain the proper functioning of the internal market, to further improve the conditions of its functioning, and to ensure a high level of consumer and investor protection, it is appropriate to adapt Regulation (EU) 2016/1011 to lay down a regulatory framework for harmonised low carbon ***or climate transition*** benchmarks at Union level. ***To offer climate transition or negative carbon benchmark is left to the discretion of the benchmark providers and shall not impede their ability to produce other benchmarks that measure or take into consideration the carbon footprint.***

Or. en

## Amendment 45 Markus Ferber

### Proposal for a regulation Recital 12

*Text proposed by the Commission*

(12) Therefore, to maintain the proper functioning of the internal market, to further improve the conditions of its functioning, and to ensure a high level of consumer and investor protection, it is appropriate to adapt Regulation (EU) 2016/1011 to lay down a regulatory framework for harmonised low carbon benchmarks at Union level.

*Amendment*

(12) Therefore, to maintain the proper functioning of the internal market, to further improve the conditions of its functioning, and to ensure a high level of consumer and investor protection, it is appropriate to adapt Regulation (EU) 2016/1011 to lay down a regulatory framework for harmonised low carbon benchmarks at Union level. ***This new regulatory framework for low carbon benchmarks shall not be applicable to any other type of benchmark though.***

Or. en

**Amendment 46**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Recital 12**

*Text proposed by the Commission*

(12) Therefore, to maintain the proper functioning of the internal market, to further improve the conditions of its functioning, and to ensure a high level of consumer and investor protection, it is appropriate to adapt Regulation (EU) 2016/1011 to lay down a regulatory framework for *harmonised low carbon benchmarks* at Union level.

*Amendment*

(12) Therefore, to maintain the proper functioning of the internal market, to further improve the conditions of its functioning, and to ensure a high level of consumer and investor protection, it is appropriate to adapt Regulation (EU) 2016/1011 to lay down a regulatory framework for *integrating circular economy indicators into benchmark methodologies* at Union level.

Or. en

**Amendment 47**  
**Syed Kamall**

**Proposal for a regulation**  
**Recital 12**

*Text proposed by the Commission*

(12) Therefore, to maintain the proper functioning of the internal market, to further improve the conditions of its functioning, and to ensure a high level of consumer and investor protection, it is appropriate to adapt Regulation (EU) 2016/1011 to lay down a regulatory framework for harmonised low carbon benchmarks at Union level.

*Amendment*

(12) Therefore, to maintain the proper functioning of the internal market *for the benefit of the end-investor*, to further improve the conditions of its functioning, and to ensure a high level of consumer and investor protection, it is appropriate to adapt Regulation (EU) 2016/1011 to lay down a regulatory framework for harmonised low carbon benchmarks at Union level.

Or. en

**Amendment 48**  
**Paul Tang**

**Proposal for a regulation**  
**Recital 12**

*Text proposed by the Commission*

(12) Therefore, to maintain the proper functioning of the internal market, to further improve the conditions of its functioning, and to ensure a high level of consumer and investor protection, it is appropriate to adapt Regulation (EU) 2016/1011 to lay down a regulatory framework for **harmonised** low carbon benchmarks at Union level.

*Amendment*

(12) Therefore, to maintain the proper functioning of the internal market, to further improve the conditions of its functioning, and to ensure a high level of consumer and investor protection, it is appropriate to adapt Regulation (EU) 2016/1011 to lay down a regulatory framework for **harmonisation and mainstreaming of** low carbon benchmarks at Union level.

Or. en

**Amendment 49**  
**Anne Sander**

**Proposal for a regulation**  
**Recital 12**

*Text proposed by the Commission*

(12) Therefore, to maintain the proper functioning of the internal market, to further improve the conditions of its functioning, and to ensure a high level of consumer and investor protection, it is appropriate to adapt Regulation (EU) 2016/1011 to lay down a **regulatory framework for harmonised low carbon** benchmarks at Union level.

*Amendment*

(12) Therefore, to maintain the proper functioning of the internal market, to further improve the conditions of its functioning, and to ensure a high level of consumer and investor protection, it is appropriate to adapt Regulation (EU) 2016/1011 to lay down a **series of minimum requirements applicable to low-carbon** benchmarks at Union level.

Or. fr

**Amendment 50**  
**Syed Kamall**

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

*Text proposed by the Commission*

*Amendment*

(13) *It is furthermore necessary to introduce* a clear distinction between low-carbon and ***positive carbon impact*** benchmarks. While the underlying assets in a low-carbon benchmark should be selected with the aim of reducing carbon emissions of the index portfolio when compared to the parent index, a ***positive carbon impact*** index should only comprise components *whose emissions savings exceed their* carbon emissions.

(13) *Introducing* a clear distinction between low-carbon and ***net emission reduction*** benchmarks, *and developing minimum standards for each of these types of benchmarks, will help facilitate consistency across benchmarks that choose to promote themselves as such.* While the underlying assets in a low-carbon benchmark should be selected with the aim of reducing carbon emissions of the index portfolio when compared to the parent index, a ***net emission reduction*** index should only comprise components *who contribute to the reduction of* carbon emissions *to a greater extent that the level of emission they produce.* *These two new categories of benchmark introduce optional requirements for industry and should only apply when a benchmark administrator decides to create a BMR-compliant low carbon or net emission reduction benchmark. A significant flexibility will be left to benchmark administrators in designing the formula for the calculation of their methodology, enabling market players to develop new strategies for addressing environmental issues.*

Or. en

**Amendment 51**  
**Molly Scott Cato**

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

*Text proposed by the Commission*

(13) It is furthermore necessary to introduce a clear distinction between low-carbon and ***positive carbon impact*** benchmarks. *While the underlying assets in a low-carbon benchmark should be selected with the aim of reducing carbon emissions of the index portfolio when compared to the parent index, a positive*

*Amendment*

(13) It is furthermore necessary to introduce a clear distinction between low-carbon and ***climate transition*** benchmarks. *The category of low carbon benchmark is focused on companies or segments of a specific market that are already compliant with the goals of the Paris Climate Agreement in the sense of being on a*



*carbon impact index should only comprise components whose emissions savings exceed their carbon emissions.*

*decarbonisation pathway that would keep global warming to 1.5°C by the end of this century. This benchmark overweights the economic activities that accelerate the decarbonisation of the market in question and underweights those that must decline for it to comply with the selected decarbonisation pathway.*

Or. en

**Amendment 52**  
**Sirpa Pietikäinen**

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

*Text proposed by the Commission*

(13) It is *furthermore* necessary to *introduce a clear distinction between low-carbon and positive carbon impact benchmarks. While* the underlying assets in a *low-carbon* benchmark *should be selected with the aim of reducing carbon emissions of the index portfolio when compared to the parent index, a positive carbon impact index* should only comprise components whose *emissions savings exceed their carbon emissions.*

*Amendment*

(13) *While* it is necessary to *integrate circular economy indicators in all benchmark methodologies, a category of positive environmental impact benchmark could be introduced.* The underlying assets in a *positive environmental impact* benchmark should only comprise components whose *net impact, based on harmonised circular economy indicators, is positive.*

Or. en

**Amendment 53**  
**Lieve Wierinck, Caroline Nagtegaal**

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

*Text proposed by the Commission*

(13) It is furthermore necessary to introduce a clear distinction between *low-carbon and positive* carbon impact benchmarks. While the underlying assets in

*Amendment*

(13) It is furthermore necessary to introduce a clear distinction between *climate transition and negative* carbon impact benchmarks. While the underlying

a low-carbon benchmark should be selected with the aim of reducing **carbon** emissions of the index portfolio when compared to the parent index, a **positive** carbon impact index should only comprise components whose emissions savings exceed their carbon emissions.

assets in a low-carbon benchmark should be selected with the aim of reducing **greenhouse gas** emissions of the index portfolio when compared to the parent index, a **negative** carbon impact index should only comprise components whose emissions savings exceed their carbon emissions.

Or. en

**Amendment 54**  
**Neena Gill**

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

*Text proposed by the Commission*

(13) It is furthermore necessary to introduce a clear distinction between low-carbon and **positive** carbon **impact** benchmarks. While the underlying assets in a low-carbon benchmark should be selected with the aim of reducing carbon emissions of the index portfolio when compared to the parent index, **a positive** carbon **impact index** should only comprise components whose emissions savings exceed their carbon emissions.

*Amendment*

(13) It is furthermore necessary to introduce a clear distinction between low-carbon and **negative** carbon **emissions** benchmarks. While the underlying assets in a low-carbon benchmark should be selected with the aim of reducing carbon emissions of the index portfolio when compared to the parent index, **negative** carbon **emissions benchmarks** should only comprise components whose emissions savings exceed their carbon emissions.

Or. en

**Amendment 55**  
**Molly Scott Cato**

**Proposal for a regulation**  
**Recital 14**

*Text proposed by the Commission*

(14) Each company whose assets are selected as underlying **in a positive impact benchmark should save more** carbon emissions **than it produces, hence have a**

*Amendment*

(14) **The climate transition benchmark indicates that an index is on a trajectory to achieve compliance with the Paris 1.5°C warming limit.** Each company

***positive impact on the environment. The asset and portfolio managers who claim to pursue an investment strategy compatible with the Paris Climate Agreement should therefore use positive carbon impact benchmarks.***

whose assets are selected as underlying ***must have in place a plan to reduce its carbon emissions gradually in accordance with a decarbonisation pathway that is based on a climate scenario in which global warming remains limited to 1.5°C. These plans must be made public and be credible in the sense that they represent a genuine commitment to decarbonisation and in the sense of being sufficiently detailed and technically viable.***

Or. en

**Amendment 56**  
**Syed Kamall**

**Proposal for a regulation**  
**Recital 14**

*Text proposed by the Commission*

(14) Each company whose assets are selected as underlying in a ***positive impact*** benchmark should save more carbon emissions than it produces, ***hence have a positive impact on the environment. The asset and portfolio managers who claim to pursue an investment strategy compatible with the Paris Climate Agreement should therefore use positive carbon impact benchmarks.***

*Amendment*

(14) Each company whose assets are selected as underlying in a ***net emission reduction*** benchmark should save more carbon emissions than it produces.

Or. en

**Amendment 57**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Recital 14**

*Text proposed by the Commission*

(14) ***Each company*** whose assets are selected as underlying in a positive impact

*Amendment*

(14) ***All companies*** whose assets are selected as underlying in a positive impact

benchmark should *save more carbon emissions than it produces, hence* have a positive impact on the environment. *The* asset and portfolio managers who claim to pursue *an* investment strategy *compatible with the Paris Climate Agreement* should therefore use positive *carbon* impact benchmarks.

benchmark should have a positive *net* impact on the environment, *without significantly harming any of the other environmental and circular economy indicators*. Asset and portfolio managers who claim to pursue *a sustainable* investment strategy should therefore use positive *environmental* impact benchmarks.

Or. en

## Amendment 58

Neena Gill

### Proposal for a regulation

#### Recital 14

*Text proposed by the Commission*

(14) Each company whose assets are selected as underlying in *a positive impact benchmark* should save more carbon emissions than it produces, hence have a positive impact on the environment. The asset and portfolio managers who claim to pursue an investment strategy compatible with the Paris Climate Agreement should therefore use *positive carbon impact* benchmarks.

*Amendment*

(14) Each company whose assets are selected as underlying in *negative carbon emissions benchmarks* should save more carbon emissions than it produces, hence have a positive impact on the environment. The asset and portfolio managers who claim to pursue an investment strategy compatible with the Paris Climate Agreement should therefore use *negative carbon emissions* benchmarks.

Or. en

## Amendment 59

Lieve Wierinck, Caroline Nagtegaal

### Proposal for a regulation

#### Recital 14

*Text proposed by the Commission*

(14) Each company whose assets are selected as underlying in a *positive* impact benchmark should save more carbon

*Amendment*

(14) Each company whose assets are selected as underlying in a *negative* impact benchmark should save more carbon

emissions than it produces, hence have a positive impact on the environment. The asset and portfolio managers who claim to pursue an investment strategy compatible with the Paris Climate Agreement should therefore use **positive** carbon impact benchmarks.

emissions than it produces, hence have a positive impact on the environment. The asset and portfolio managers who claim to pursue an investment strategy compatible with the Paris Climate Agreement should therefore use **negative** carbon impact benchmarks.

Or. en

**Amendment 60**  
**Lieve Wierinck, Caroline Nagtegaal**

**Proposal for a regulation**  
**Recital 14**

*Text proposed by the Commission*

(14) Each company whose assets are selected as underlying in a **positive** impact benchmark should save more carbon emissions than it produces, hence have a positive impact on the environment. The asset and portfolio managers who claim to pursue an investment strategy compatible with the Paris Climate Agreement should therefore use **positive** carbon impact benchmarks.

*Amendment*

(14) Each company whose assets are selected as underlying in a **negative** impact benchmark should save more carbon emissions than it produces, hence have a positive impact on the environment. The asset and portfolio managers who claim to pursue an investment strategy compatible with the Paris Climate Agreement should therefore use **negative** carbon impact benchmarks.

Or. en

**Amendment 61**  
**Molly Scott Cato**

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

*Text proposed by the Commission*

(15) ***A variety of benchmark administrators claim that their benchmarks pursue environmental, social and governance ('ESG') objectives. The users of those benchmarks do however not always have the necessary***

*Amendment*

(15) To enable market players to make well-informed choices, benchmark administrators should be required to disclose how their methodology for each benchmark or family of benchmarks ***takes ESG factors into consideration***. That

***information on the extent to which the methodology of those benchmark administrators takes into account those ESG objectives. The existing information is also often scattered and does not allow for effective comparison for investment purposes across borders.*** To enable market players to make well-informed choices, benchmark administrators should be required to disclose how their methodology ***takes into account the ESG factors*** for each benchmark or family of benchmarks ***that is promoted as pursuing ESG objectives.*** That information should also be disclosed in the benchmark statement. ***The administrators of benchmarks that do not promote or take into account the ESG objectives, should not be subject to this disclosure obligation.***

information should also be disclosed in the benchmark statement.

Or. en

#### *Justification*

*These amendments reflect the need to make attention to ESG concerns an integral aspect of all business transactions in the financial system, instead of relegating them to a niche.*

#### **Amendment 62** **Sirpa Pietikäinen**

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

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

(15) ***A variety of benchmark administrators claim that their benchmarks pursue environmental, social and governance ('ESG') objectives.*** The users of ***those*** benchmarks do ***however*** not always have the necessary information on the extent to which the methodology of ***those*** benchmark administrators takes into account ***those ESG objectives.*** The existing information is ***also*** often scattered and does not allow for effective comparison for investment purposes across borders. To

##### *Amendment*

(15) The users of benchmarks do not always have the necessary information on the extent to which the methodology of benchmark administrators takes into account ***ESG risks and impact.*** The existing information is often scattered and does not allow for effective comparison for investment purposes across borders. To enable market players to make well-informed choices, ***all*** benchmark administrators should be required to disclose how their methodology

enable market players to make well-informed choices, benchmark administrators should be required to disclose how their methodology ***takes into account the ESG factors*** for each benchmark ***or family of benchmarks that is promoted as pursuing ESG objectives***. That information should ***also*** be disclosed in the benchmark statement. ***The administrators of benchmarks that do not promote or take into account the ESG objectives, should not be subject to this disclosure obligation.***

***incorporates circular economy indicators and ESG risks*** for each benchmark. That information should be disclosed in the benchmark statement.

Or. en

### **Amendment 63** **Paul Tang**

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

*Text proposed by the Commission*

(15) A variety of benchmark administrators claim that their benchmarks pursue environmental, social and governance ('ESG') objectives. The users of those benchmarks do however not always have the necessary information on the extent to which the methodology of those benchmark administrators takes into account those ESG objectives. The existing information is also often scattered and does not allow for effective comparison for investment purposes across borders. To enable market players to make well-informed choices, benchmark administrators should be required to disclose how their methodology takes into account the ESG factors for each benchmark or family of benchmarks that is promoted as pursuing ESG objectives. That information should also be disclosed in the benchmark statement. ***The administrators of benchmarks that do not promote or take into account the ESG objectives,***

*Amendment*

(15) A variety of benchmark administrators claim that their benchmarks pursue environmental, social and governance ('ESG') objectives. The users of those benchmarks do however not always have the necessary information on the extent to which the methodology of those benchmark administrators takes into account those ESG objectives. The existing information is also often scattered and does not allow for effective comparison for investment purposes across borders. To enable market players to make well-informed choices, benchmark administrators should be required to disclose how their methodology takes into account the ESG factors for each benchmark or family of benchmarks that is promoted as pursuing ESG objectives. That information should also be disclosed in the benchmark statement.

*should not be subject to this disclosure obligation.*

Or. en

**Amendment 64**  
**Syed Kamall**

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

*Text proposed by the Commission*

(15) A variety of benchmark administrators claim that their benchmarks pursue environmental, social and governance ('ESG') objectives. The users of those benchmarks do however not always have the necessary information on the extent to which the methodology of those benchmark administrators takes into account those ESG objectives. The existing information is also often scattered and does not allow for effective comparison for investment purposes across borders. To enable market players to make well-informed choices, benchmark administrators should be required to disclose how their methodology takes into account the ESG factors for each benchmark or family of benchmarks that is promoted as pursuing ESG objectives. That information should also be disclosed in the benchmark statement. The administrators of benchmarks that do not promote or take into account the ESG objectives, should not be subject to this disclosure obligation.

*Amendment*

(15) A variety of benchmark administrators claim that their benchmarks pursue environmental, social and governance ('ESG') objectives. The users of those benchmarks do however not always have the necessary information on the extent to which the methodology of those benchmark administrators takes into account those ESG objectives, *i.e. the weighting they are given*. The existing information is also often scattered and does not allow for effective comparison for investment purposes across borders. **To enhance transparency** to enable market players to make well-informed choices, benchmark administrators should be required to disclose how their methodology takes into account the ESG factors for each benchmark or family of benchmarks that is promoted as pursuing ESG objectives. That information should also be disclosed in the benchmark statement. The administrators of benchmarks that do not promote or take into account the ESG objectives, should not be subject to this disclosure obligation.

Or. en

**Amendment 65**  
**Molly Scott Cato**

**Proposal for a regulation**



## Recital 16

*Text proposed by the Commission*

(16) For the same reasons, administrators of low-carbon and of ***positive carbon impact*** benchmarks should equally publish their methodology used for their calculation. That information should describe how the underlying assets were selected and weighted and which assets were excluded and for what reason. ***The benchmark administrators should also specify how the low carbon benchmarks differ from the underlying parent index, notably in terms of the applicable weights, market capitalisation and financial performance of the underlying assets. To assess how the benchmark contributes to the environmental objectives, the benchmark administrator should disclose how the carbon footprint and carbon savings of the underlying assets were measured, their respective values, including the total carbon footprint of the benchmark, and the type and source of the data used.*** To enable asset managers to choose the most appropriate benchmark for their investment strategy, benchmark administrators should explain the rationale behind the parameters of their methodology and explain how the benchmark contributes to the environmental objectives, including its impact on climate-change mitigation. The published information should also include details on the frequency of reviews and the procedure followed.

*Amendment*

(16) For the same reasons, administrators of low-carbon and of ***climate transition*** benchmarks should equally publish their methodology used for their calculation. That information should describe how the underlying assets were selected and weighted and which assets were excluded and for what reason. To enable asset managers to choose the most appropriate benchmark for their investment strategy, benchmark administrators should explain the rationale behind the parameters of their methodology and explain how the benchmark contributes to the environmental objectives, including its impact on climate-change mitigation. The published information should also include details on the frequency of reviews and the procedure followed.

Or. en

## Amendment 66

Syed Kamall

### Proposal for a regulation

#### Recital 16

(16) For the same reasons, administrators of low-carbon and of ***positive carbon impact*** benchmarks should equally publish their methodology used for their calculation. That information should describe how the underlying assets were selected and weighted and which assets were excluded and for what reason. The benchmark administrators should also specify how the low carbon benchmarks differ from the underlying parent index, notably in terms of the applicable weights, market capitalisation and financial performance of the underlying assets. To assess how the benchmark contributes to the environmental objectives, the benchmark administrator should disclose how the carbon footprint and carbon savings of the underlying assets were measured, their respective values, including the total carbon footprint of the benchmark, and the type and source of the data used. To enable asset managers to choose the most appropriate benchmark ***for*** their investment strategy, benchmark administrators should explain the rationale behind the parameters of their methodology and explain how the benchmark contributes to the environmental objectives, ***including its impact on climate-change mitigation. The published information should also include details on the frequency of reviews and the procedure followed.***

(16) For the same reasons, administrators of low-carbon and of ***net emission reduction*** benchmarks should equally publish their methodology used for their calculation. That information should describe how the underlying assets were selected and weighted and which assets were excluded and for what reason. The benchmark administrators should also specify how the low carbon benchmarks differ from the underlying parent index, notably in terms of the applicable weights, market capitalisation and financial performance of the underlying assets. To assess how the benchmark contributes to the environmental objectives, the benchmark administrator should disclose how the carbon footprint and carbon savings of the underlying assets were measured, their respective values, including the total carbon footprint of the benchmark, and the type and source of the data used. To enable asset managers to choose the most appropriate benchmark ***to reference in*** their investment strategy, benchmark administrators should explain the rationale behind the parameters of their methodology and explain how the benchmark contributes to the environmental objectives.

Or. en

**Amendment 67**  
**Sirpa Pietikäinen**

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

(16) For the same reasons, administrators of **low-carbon and of positive carbon** impact benchmarks should equally publish their methodology used for their calculation. That information should describe how the underlying assets were selected and weighted and which assets were excluded and for what reason. The benchmark administrators should also specify how the **low carbon** benchmarks differ from the underlying parent index, notably in terms of the applicable weights, market capitalisation and financial performance of the underlying assets. To assess how the benchmark contributes to the environmental objectives, the benchmark administrator should disclose how the **carbon footprint and carbon savings** of the underlying assets were measured, their respective values, including the total **carbon** footprint of the benchmark, and the type and source of the data used. To enable asset managers to choose the most appropriate benchmark for their investment strategy, benchmark administrators should explain the rationale behind the parameters of their methodology and explain how the benchmark contributes to the environmental objectives, **including its impact on climate-change mitigation**. The published information should also include details on the frequency of reviews and the procedure followed.

(16) For the same reasons, administrators of positive **environmental** impact benchmarks should equally publish their methodology used for their calculation. That information should describe how the underlying assets were selected and weighted and which assets were excluded and for what reason. The benchmark administrators should also specify how the **positive impact** benchmarks differ from the underlying parent index, notably in terms of the applicable weights, market capitalisation and financial performance of the underlying assets. To assess how the benchmark contributes to the environmental objectives, the benchmark administrator should disclose how the **environmental impact and risks** of the underlying assets were measured, their respective values, including the total **environmental** footprint of the benchmark, and the type and source of the data used. To enable asset managers to choose the most appropriate benchmark for their investment strategy, benchmark administrators should explain the rationale behind the parameters of their methodology and explain how the benchmark contributes to the environmental objectives. The published information should also include details on the frequency of reviews and the procedure followed.

Or. en

**Amendment 68**  
**Lieve Wierinck, Caroline Nagtegaal**

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

*Text proposed by the Commission*

(16) For the same reasons, administrators of **low-carbon** and of

*Amendment*

(16) For the same reasons, administrators of **climate transition** and of

**positive** carbon impact benchmarks should equally publish their methodology used for their calculation. That information should describe how the underlying assets were selected and weighted and which assets were excluded and for what reason. The benchmark administrators should also specify how the **low carbon** benchmarks differ from the underlying parent index, notably in terms of the applicable weights, market capitalisation and financial performance of the underlying assets. To assess how the benchmark contributes to the environmental objectives, the benchmark administrator should disclose how the carbon footprint and carbon savings of the underlying assets were measured, their respective values, including the total carbon footprint of the benchmark, and the type and source of the data used. To enable asset managers to choose the most appropriate benchmark for their investment strategy, benchmark administrators should explain the rationale behind the parameters of their methodology and explain how the benchmark contributes to the environmental objectives, including its impact on climate-change mitigation. The published information should also include details on the frequency of reviews and the procedure followed.

**negative** carbon impact benchmarks should equally publish their methodology used for their calculation. That information should describe how the underlying assets were selected and weighted and which assets were excluded and for what reason. The benchmark administrators should also specify how the **climate transition** benchmarks differ from the underlying parent index, notably in terms of the applicable weights, market capitalisation and financial performance of the underlying assets. To assess how the benchmark contributes to the environmental objectives, the benchmark administrator should disclose how the carbon footprint and carbon savings of the underlying assets were measured, their respective values, including the total carbon footprint of the benchmark, and the type and source of the data used. To enable asset managers to choose the most appropriate benchmark for their investment strategy, benchmark administrators should explain the rationale behind the parameters of their methodology and explain how the benchmark contributes to the environmental objectives, including its impact on climate-change mitigation. The published information should also include details on the frequency of reviews and the procedure followed.

Or. en

## Amendment 69

Neena Gill

### Proposal for a regulation

#### Recital 16

*Text proposed by the Commission*

(16) For the same reasons, administrators of low-carbon and of **positive** carbon **impact** benchmarks should equally publish their methodology used for

*Amendment*

(16) For the same reasons, administrators of low-carbon and of **negative** carbon **emissions** benchmarks should equally publish their methodology

their calculation. That information should describe how the underlying assets were selected and weighted and which assets were excluded and for what reason. The benchmark administrators should also specify how the low carbon benchmarks differ from the underlying parent index, notably in terms of the applicable weights, market capitalisation and financial performance of the underlying assets. To assess how the benchmark contributes to the environmental objectives, the benchmark administrator should disclose how the carbon footprint and carbon savings of the underlying assets were measured, their respective values, including the total carbon footprint of the benchmark, and the type and source of the data used. To enable asset managers to choose the most appropriate benchmark for their investment strategy, benchmark administrators should explain the rationale behind the parameters of their methodology and explain how the benchmark contributes to the environmental objectives, including its impact on climate-change mitigation. The published information should also include details on the frequency of reviews and the procedure followed.

used for their calculation. That information should describe how the underlying assets were selected and weighted and which assets were excluded and for what reason. The benchmark administrators should also specify how the low carbon benchmarks differ from the underlying parent index, notably in terms of the applicable weights, market capitalisation and financial performance of the underlying assets. To assess how the benchmark contributes to the environmental objectives, the benchmark administrator should disclose how the carbon footprint and carbon savings of the underlying assets were measured, their respective values, including the total carbon footprint of the benchmark, and the type and source of the data used. To enable asset managers to choose the most appropriate benchmark for their investment strategy, benchmark administrators should explain the rationale behind the parameters of their methodology and explain how the benchmark contributes to the environmental objectives, including its impact on climate-change mitigation. The published information should also include details on the frequency of reviews and the procedure followed.

Or. en

**Amendment 70**  
**Molly Scott Cato**

**Proposal for a regulation**  
**Recital 17**

*Text proposed by the Commission*

***(17) In addition, administrator of positive carbon impact benchmarks should disclose the positive carbon impact of each underlying asset included in those benchmarks, specifying the method used to determine whether the emission savings***

*Amendment*

***deleted***

*exceed the investment asset's carbon footprint.*

Or. en

**Amendment 71**  
**Lieve Wierinck, Caroline Nagtegaal**

**Proposal for a regulation**  
**Recital 17**

*Text proposed by the Commission*

(17) In addition, administrator of **positive** carbon impact benchmarks should disclose the **positive** carbon impact of each underlying asset included in those benchmarks, specifying the method used to determine whether the emission savings exceed the investment asset's carbon footprint.

*Amendment*

(17) In addition, administrator of **negative** carbon impact benchmarks should disclose the **negative** carbon impact of each underlying asset included in those benchmarks, specifying the method used to determine whether the emission savings exceed the investment asset's carbon footprint.

Or. en

**Amendment 72**  
**Syed Kamall**

**Proposal for a regulation**  
**Recital 17**

*Text proposed by the Commission*

(17) In addition, administrator of **positive carbon impact** benchmarks should disclose the **positive** carbon impact of each underlying asset included in those benchmarks, specifying the method used to determine whether the emission savings exceed the investment asset's carbon footprint.

*Amendment*

(17) In addition, administrator of **net emission reduction** benchmarks should disclose the carbon impact of each underlying asset included in those benchmarks, specifying the method used to determine whether the emission savings exceed the investment asset's carbon footprint.

Or. en

**Amendment 73**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Recital 17**

*Text proposed by the Commission*

(17) In addition, administrator of positive **carbon** impact benchmarks should disclose the positive **carbon** impact of each underlying asset included in those benchmarks, specifying the method used to determine whether the **emission savings exceed the investment asset's carbon footprint**.

*Amendment*

(17) In addition, administrator of positive impact benchmarks should disclose the positive **environmental** impact of each underlying asset included in those benchmarks, specifying the method **and indicators** used to determine whether the **net environmental impact is positive**.

Or. en

**Amendment 74**  
**Molly Scott Cato**

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

*Text proposed by the Commission*

*Amendment*

**(17a) It is important that the key elements of the methods used to compile low carbon and climate transition benchmarks have a solid foundation in climate science. This will routinely be achieved by adhering to the Paris Climate Agreement, for example, by using a climate scenario and corresponding decarbonisation path that is aligned with the goals of the Paris Agreement.**

Or. en

**Amendment 75**  
**Lieve Wierinck, Caroline Nagtegaal**

**Proposal for a regulation**  
**Recital 18**

*Text proposed by the Commission*

(18) To ensure continued adherence to the selected climate-change mitigation objective, administrators of **low-carbon and positive** carbon impact benchmarks should regularly review their methodologies and inform users of the applicable procedures for any material change. When introducing a material change, benchmark administrators should disclose the reasons for that change and explain how the change is consistent with the benchmarks' initial objectives.

*Amendment*

(18) To ensure continued adherence to the selected climate-change mitigation objective, administrators of **climate transition and negative** carbon impact benchmarks should regularly review their methodologies and inform users of the applicable procedures for any material change. When introducing a material change, benchmark administrators should disclose the reasons for that change and explain how the change is consistent with the benchmarks' initial objectives.

Or. en

**Amendment 76**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Recital 18**

*Text proposed by the Commission*

(18) To ensure **continued adherence to the selected climate-change mitigation objective**, administrators of **low-carbon and positive carbon** impact benchmarks should regularly review their methodologies and inform users of the applicable procedures for any material change. When introducing a material change, benchmark administrators should disclose the reasons for that change and explain how the change is consistent with the benchmarks' initial objectives.

*Amendment*

(18) To ensure **the accuracy of information to investors**, administrators of positive **environmental** impact benchmarks should regularly review their methodologies and inform users of the applicable procedures for any material change. When introducing a material change, benchmark administrators should disclose the reasons for that change and explain how the change is consistent with the benchmarks' initial objectives.

Or. en

**Amendment 77**  
**Neena Gill**

**Proposal for a regulation**



## Recital 18

*Text proposed by the Commission*

(18) To ensure continued adherence to the selected climate-change mitigation objective, administrators of low-carbon and **positive carbon impact** benchmarks should regularly review their methodologies and inform users of the applicable procedures for any material change. When introducing a material change, benchmark administrators should disclose the reasons for that change and explain how the change is consistent with the benchmarks' initial objectives.

*Amendment*

(18) To ensure continued adherence to the selected climate-change mitigation objective, administrators of low-carbon and **negative carbon emissions** benchmarks should regularly review their methodologies and inform users of the applicable procedures for any material change. When introducing a material change, benchmark administrators should disclose the reasons for that change and explain how the change is consistent with the benchmarks' initial objectives.

Or. en

## Amendment 78

**Syed Kamall**

### Proposal for a regulation

## Recital 18

*Text proposed by the Commission*

(18) To ensure continued adherence to the selected climate-change mitigation objective, administrators of low-carbon and **positive carbon impact** benchmarks should regularly review their methodologies and inform users of the applicable procedures for any material change. When introducing a material change, benchmark administrators should disclose the reasons for that change and explain how the change is consistent with the benchmarks' initial objectives.

*Amendment*

(18) To ensure continued adherence to the selected climate-change mitigation objective, administrators of low-carbon and **net emission reduction** benchmarks should regularly review their methodologies and inform users of the applicable procedures for any material change. When introducing a material change, benchmark administrators should disclose the reasons for that change and explain how the change is consistent with the benchmarks' initial objectives.

Or. en

## Amendment 79

**Molly Scott Cato**

**Proposal for a regulation**  
**Recital 18**

*Text proposed by the Commission*

(18) To ensure continued adherence to the selected climate-change mitigation objective, administrators of low-carbon and **positive carbon impact** benchmarks should regularly review their methodologies and inform users of the applicable procedures for any material change. When introducing a material change, benchmark administrators should disclose the reasons for that change and explain how the change is consistent with the benchmarks' initial objectives.

*Amendment*

(18) To ensure continued adherence to the selected climate-change mitigation objective, administrators of low-carbon and **climate transition** benchmarks should regularly review their methodologies and inform users of the applicable procedures for any material change. When introducing a material change, benchmark administrators should disclose the reasons for that change and explain how the change is consistent with the benchmarks' initial objectives.

Or. en

**Amendment 80**  
**Caroline Nagtegaal**

**Proposal for a regulation**  
**Recital 19**

*Text proposed by the Commission*

***(19) In order to enhance transparency and ensure an adequate level of harmonization, 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 to specify further the minimum content of the disclosure obligations that benchmark administrators that take into account the ESG objectives should be subject to, and to specify the minimum standards for harmonization of the methodology of low-carbon and positive carbon impact benchmarks, including the method for the calculation of carbon emissions and carbon savings associated with the underlying assets, taking into account the Product and Organisation Environmental***

*Amendment*

***deleted***

*Footprint methods as defined in points (a) and (b) of point 2 of Commission Recommendation 2013/179/EU<sup>31</sup>. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.*

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<sup>31</sup> *Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1).*

Or. en

**Amendment 81**  
**Molly Scott Cato**

**Proposal for a regulation**  
**Recital 19**

*Text proposed by the Commission*

(19) In order to enhance transparency and ensure an adequate level of harmonization, 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 to specify further the minimum content of the disclosure obligations that benchmark administrators *that take into account the*

*Amendment*

(19) In order to enhance transparency and ensure an adequate level of harmonization, 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 to specify further the minimum content of the *ESG-related* disclosure obligations that benchmark administrators should be

**ESG objectives** should be subject to, and to specify the minimum standards for harmonization of the methodology of low-carbon and **positive carbon impact** benchmarks, **including the method for the calculation of carbon emissions and carbon savings associated with the underlying assets, taking into account the Product and Organisation Environmental Footprint methods as defined in points (a) and (b) of point 2 of Commission Recommendation 2013/179/EU<sup>31</sup>**. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>31</sup> **Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1).**

subject to, and to specify the minimum standards for harmonization of the methodology of low-carbon and **climate transition** benchmarks. **The Commission should not prescribe a specific method, but should ensure that the methods are robust and evidence based.** It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

**Amendment 82**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Recital 19**

*Text proposed by the Commission*

*Amendment*

(19) In order to enhance transparency and ensure an adequate level of harmonization, 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 to specify further the minimum content of the disclosure obligations that benchmark administrators **that take into account the ESG objectives** should be subject to, and to specify the minimum standards for **harmonization of the methodology of low-carbon and positive carbon impact** benchmarks, including the method for the calculation of **carbon emissions and carbon savings** associated with the underlying assets, taking into account the Product and Organisation Environmental Footprint methods as defined in points (a) and (b) of point 2 of Commission Recommendation 2013/179/EU<sup>31</sup>. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>31</sup> Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1).

(19) In order to enhance transparency and ensure an adequate level of harmonization, 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 to specify further the minimum content of the disclosure obligations that benchmark administrators should be subject to, and to specify the minimum standards for **assessing ESG risks and integrating harmonised circular economy indicators into the methodology of benchmarks**, including the method for the calculation of **the net environmental impact** associated with the underlying assets, taking into account the Product and Organisation Environmental Footprint methods as defined in points (a) and (b) of point 2 of Commission Recommendation 2013/179/EU<sup>31</sup> **and circular economy indicators to be developed in line with the Commission Circular Economy Monitoring Platform and the Commission Circular Economy Action Plan**. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>31</sup> Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1).

**Amendment 83****Syed Kamall****Proposal for a regulation****Recital 19***Text proposed by the Commission*

(19) In order to enhance transparency and ensure an adequate level of harmonization, 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 to specify further the minimum content of the disclosure obligations that benchmark administrators that take into account the ESG objectives should be subject to, and to specify the minimum standards for harmonization of the methodology of low-carbon and **positive carbon impact** benchmarks, including the method for the calculation of carbon emissions and carbon savings associated with the underlying assets, taking into account the Product and Organisation Environmental Footprint methods as defined in points (a) and (b) of point 2 of Commission Recommendation 2013/179/EU<sup>31</sup>. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

*Amendment*

(19) In order to enhance transparency and ensure an adequate level of harmonization, 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 to specify further the minimum content of the disclosure obligations that benchmark administrators that take into account the ESG objectives should be subject to, and to specify the minimum standards for harmonization of the methodology of low-carbon and **net emission reduction** benchmarks, including the method for the calculation of carbon emissions and carbon savings associated with the underlying assets, taking into account the Product and Organisation Environmental Footprint methods as defined in points (a) and (b) of point 2 of Commission Recommendation 2013/179/EU<sup>31</sup>. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, **that they consider the progress on, and relevance of, other proposals within the 'Financing Sustainable Growth' Action Plan** and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts

systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>31</sup> Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1).

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<sup>31</sup> Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1).

Or. en

## **Amendment 84**

**Anne Sander**

### **Proposal for a regulation**

#### **Recital 19**

#### *Text proposed by the Commission*

(19) In order to enhance transparency and ensure an adequate level of harmonization, 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 to specify further the minimum content of the disclosure obligations that benchmark administrators that take into account the ESG objectives should be subject to, and to specify the minimum standards for harmonization of the methodology of low-carbon and positive carbon impact benchmarks, including the method for the calculation of carbon emissions and carbon savings associated with the underlying assets, taking into account the Product and Organisation Environmental Footprint methods as defined in points (a) and (b) of point 2 of Commission Recommendation 2013/179/EU<sup>31</sup>. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted

#### *Amendment*

(19) In order to enhance transparency and ensure an adequate level of harmonization, 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 to specify further the minimum content of the disclosure obligations that benchmark administrators that take into account the ESG objectives should be subject to, and to specify the minimum standards for harmonization of the methodology of low-carbon and positive carbon impact benchmarks, including the method for the calculation of carbon emissions and carbon savings associated with the underlying assets, taking into account the Product and Organisation Environmental Footprint methods as defined in points (a) and (b) of point 2 of Commission Recommendation 2013/179/EU<sup>31</sup>. It is of particular importance that the Commission carry out appropriate ***open and public*** consultations during its preparatory work ***on each of the delegated acts***, including at expert level,

in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>31</sup> Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1).

and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>31</sup> Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1).

Or. fr

## **Amendment 85**

### **Lieve Wierinck, Caroline Nagtegaal**

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

#### **Recital 19**

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

(19) In order to enhance transparency and ensure an adequate level of harmonization, 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 to specify further the minimum content of the disclosure obligations that benchmark administrators that take into account the ESG objectives should be subject to, and to specify the minimum standards for harmonization of the methodology of **low-carbon and positive** carbon impact benchmarks, including the method for the calculation of carbon emissions and carbon savings associated with the underlying

##### *Amendment*

(19) In order to enhance transparency and ensure an adequate level of harmonization, 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 to specify further the minimum content of the disclosure obligations that benchmark administrators that take into account the ESG objectives should be subject to, and to specify the minimum standards for harmonization of the methodology of **climate transition and negative** carbon impact benchmarks, including the method for the calculation of carbon emissions and carbon savings associated with the



assets, taking into account the Product and Organisation Environmental Footprint methods as defined in points (a) and (b) of point 2 of Commission Recommendation 2013/179/EU<sup>31</sup>. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>31</sup> Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1).

underlying assets, taking into account the Product and Organisation Environmental Footprint methods as defined in points (a) and (b) of point 2 of Commission Recommendation 2013/179/EU<sup>31</sup>. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>31</sup> Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1).

Or. en

## **Amendment 86**

### **Neena Gill**

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

#### **Recital 19**

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

(19) In order to enhance transparency and ensure an adequate level of harmonization, 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 to specify further the minimum content of the

##### *Amendment*

(19) In order to enhance transparency and ensure an adequate level of harmonization, 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 to specify further the minimum content of the

disclosure obligations that benchmark administrators that take into account the ESG objectives should be subject to, and to specify the minimum standards for harmonization of the methodology of low-carbon and *positive* carbon *impact* benchmarks, including the method for the calculation of carbon emissions and carbon savings associated with the underlying assets, taking into account the Product and Organisation Environmental Footprint methods as defined in points (a) and (b) of point 2 of Commission Recommendation 2013/179/EU<sup>31</sup>. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>31</sup> Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1).

disclosure obligations that benchmark administrators that take into account the ESG objectives should be subject to, and to specify the minimum standards for harmonization of the methodology of low-carbon and *negative* carbon *emissions* benchmarks, including the method for the calculation of carbon emissions and carbon savings associated with the underlying assets, taking into account the Product and Organisation Environmental Footprint methods as defined in points (a) and (b) of point 2 of Commission Recommendation 2013/179/EU<sup>31</sup>. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>31</sup> Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1).

Or. en

**Amendment 87**  
**Paul Tang**

**Proposal for a regulation**  
**Recital 19**

(19) In order to enhance transparency and ensure an adequate level of harmonization, 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 to specify further the minimum content of the disclosure obligations that benchmark administrators that take into account the ESG objectives should be subject to, and to specify the minimum standards for harmonization of the methodology of low-carbon and positive carbon impact benchmarks, including the method for the calculation of carbon emissions and carbon savings associated with the underlying assets, taking into account the Product and Organisation Environmental Footprint methods as defined in points (a) and (b) of point 2 of Commission Recommendation 2013/179/EU<sup>31</sup>. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, ***including at expert level***, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>31</sup> Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1).

(19) In order to enhance transparency and ensure an adequate level of harmonization, 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 to specify further the minimum content of the disclosure obligations that benchmark administrators that take into account the ESG objectives should be subject to, and to specify the minimum standards for harmonization of the methodology of low-carbon and positive carbon impact benchmarks, including the method for the calculation of carbon emissions and carbon savings associated with the underlying assets, taking into account the Product and Organisation Environmental Footprint methods as defined in points (a) and (b) of point 2 of Commission Recommendation 2013/179/EU<sup>31</sup>. It is of particular importance that the Commission carry out appropriate ***public*** consultations during its preparatory work, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>31</sup> Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1).

Or. en

**Amendment 88**  
**Caroline Nagtegaal**

**Proposal for a regulation**  
**Recital 19 a (new)**

*Text proposed by the Commission*

*Amendment*

**(19a) Data used for regulated data benchmarks should be sourced either directly from a trading venue or from an approved reporting mechanism or from an intermediary, as long as this intermediary enjoys no discretion to alter the input data.**

Or. en

**Amendment 89**  
**Matt Carthy**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 1**  
Regulation (EU) 2016/1011  
Article 3 – paragraph 1 – point 23 a (new)

*Text proposed by the Commission*

*Amendment*

(23a) '**low-carbon** benchmark' means a **benchmark where the underlying assets, for the purposes of point 1(b)(ii) of this paragraph, are selected so that the resulting benchmark portfolio has less carbon emissions when compared to the assets that comprise a standard capital-weighted benchmark** and which is constructed in accordance with the standards laid down in the delegated acts referred to in Article 19a(2);

(23a) '**Paris Agreement-aligned** benchmark' means a **broadly diversified benchmark that seeks to ensure a representation of a given market compatible with a decarbonisation pathway based on a climate scenario associated with at least a 75% probability to limit global warming to well below 2°C at the end of the 21st century, as per the objectives of the Paris Agreement (bearing in mind the possible revision of the target of the Paris Agreement to limit global warming to 1.5°C by the end of the 21st century based on the evidence presented in the IPCC's October special report)**, and which is constructed in accordance with the standards laid down in

the delegated acts referred to in Article 19a(2). ***Such benchmarks over-weigh the economic activities contributing to accelerate the decarbonisation of the given market, and under-weigh the economic activities meant to decline in the decarbonised market, in line with the proportions set in the selected decarbonisation pathway;***

Or. en

**Amendment 90**  
**Molly Scott Cato**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 1**  
Regulation (EU) 2016/1011  
Article 3 – paragraph 1 – point 23 a (new)

*Text proposed by the Commission*

(23a) ‘low-carbon benchmark’ means a benchmark ***where*** the underlying assets, ***for the purposes of point 1(b)(ii) of this paragraph,*** are selected so that ***the resulting benchmark portfolio has less carbon emissions when compared to the assets that comprise a standard capital-weighted benchmark and*** which is constructed in accordance with the standards laid down in the delegated acts referred to in ***Article 19a(2)***;

*Amendment*

(23a) ‘low-carbon benchmark’ means a benchmark ***in which*** the underlying assets are selected so that ***their activities are consistent with a 1.5°C Paris warming target,*** which is constructed in accordance with the standards laid down in the delegated acts referred to in ***Article 19a(2), and in which the underlying asset portfolio is not exposed to companies engaged in any of the following economic activities:***

- ***the exploration, extraction, distribution and processing of fossil fuels;***
- ***the construction and maintenance of power plants that burn fossil fuels;***
- ***the construction, operation and maintenance of aviation infrastructure;***

Or. en

**Amendment 91**  
**Syed Kamall**

## Proposal for a regulation

### Article 1 – paragraph 1 – point 1

Regulation (EU) 2016/1011

Article 3 – paragraph 1 – point 23 a (new)

#### *Text proposed by the Commission*

(23a) ‘low-carbon benchmark’ means a benchmark where the underlying assets, for the purposes of point 1(b)(ii) of this paragraph, are selected **so that the resulting benchmark portfolio has less carbon emissions when compared to the assets that comprise a standard capital-weighted benchmark** and which is constructed in accordance with the standards laid down in the delegated acts referred to in Article 19a(2);

#### *Amendment*

(23a) ‘low-carbon benchmark’ means a benchmark where the underlying assets, for the purposes of point 1(b)(ii) of this paragraph, are selected, **weighted or excluded on the basis that they have lower carbon emissions than the underlying assets that comprise a specified parent index**, and which is constructed in accordance with the standards laid down in the delegated acts referred to in Article 19a(2). **Parent index is an index which defines the underlying pool of assets available for inclusion within a benchmark, before any weighting, selection or exclusion criteria are applied;**

Or. en

## Amendment 92

Anne Sander

## Proposal for a regulation

### Article 1 – paragraph 1 – point 1

Regulation (EU) 2016/1011

Article 3 – paragraph 1 – point 23 a (new)

#### *Text proposed by the Commission*

(23a) ‘low-carbon benchmark’ means a benchmark where the underlying assets, for the purposes of point 1(b)(ii) of this paragraph, are selected so that the resulting benchmark portfolio has **less** carbon emissions when compared to the **assets that comprise a standard capital-weighted benchmark** and which is constructed in accordance with the standards laid down in

#### *Amendment*

(23a) ‘low-carbon benchmark’ means a benchmark where the underlying assets, for the purposes of point 1(b)(ii) of this paragraph, are selected so that the resulting benchmark portfolio has **fewer** carbon emissions when compared to the **benchmarks using the same methodology, but not taking carbon emissions into account** and which is constructed in accordance with the **minimum** standards laid down in the delegated acts referred to

the delegated acts referred to in Article 19a(2);

in Article 19a(2) *or with the benchmarks marketed as such*;

Or. fr

**Amendment 93**  
**Sirpa Pietikäinen**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 1**

Regulation (EU) 2016/1011

Article 3 – paragraph 1 – point 23 a (new)

*Text proposed by the Commission*

(23a) ‘**low-carbon** benchmark’ means a benchmark where the underlying assets, for the purposes of point 1(b)(ii) of this paragraph, are selected **so that the resulting benchmark portfolio has less carbon emissions when compared to the assets that comprise a standard capital-weighted benchmark** and which is constructed in accordance with the standards laid down in the delegated acts referred to in Article 19a(2);

*Amendment*

(23a) ‘**positive environmental impact** benchmark’ means a benchmark where the underlying assets, for the purposes of point 1(b)(ii) of this paragraph, are selected **on the basis that their net environmental footprint is positive** and which is constructed in accordance with the standards laid down in the delegated acts referred to in Article 19a(2);

Or. en

(<https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32016R1011>)

**Amendment 94**  
**Lieve Wierinck, Caroline Nagtegaal**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 1**

Regulation (EU) 2016/1011

Article 3 – paragraph 1 – point 23 a (new)

*Text proposed by the Commission*

(23a) ‘**low-carbon** benchmark’ means a benchmark where the underlying assets, for the purposes of point 1(b)(ii) of this paragraph, are selected so that the resulting benchmark portfolio has **less carbon**

*Amendment*

(23a) ‘**Climate transition** benchmark’ means a benchmark where the underlying assets, for the purposes of point 1(b)(ii) of this paragraph, are selected so that the resulting benchmark portfolio has

emissions when compared to the assets that comprise a standard capital-weighted benchmark and which is constructed in accordance with the standards laid down in the delegated acts referred to in Article 19a(2);

**greenhouse gas** emissions when compared to the assets that comprise a standard capital-weighted benchmark and which is constructed in accordance with the standards laid down in the delegated acts referred to in Article 19a(2);

Or. en

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R1011&from=EN>

**Amendment 95**  
**Matt Carthy**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 1**  
Regulation (EU) 2016/1011  
Article 3 – paragraph 1 – point 23 b (new)

*Text proposed by the Commission*

*Amendment*

**(23b) ‘positive carbon impact benchmark’ means a benchmark where the underlying assets, for the purposes of point 1(b)(ii) of this paragraph, are selected on the basis that their carbon emissions savings exceed the asset's carbon footprint and which is constructed in accordance with the standards laid down in the delegated acts referred to in Article 19a(2).;**

**deleted**

Or. en

**Amendment 96**  
**Molly Scott Cato**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 1**  
Regulation (EU) 2016/1011  
Article 3 – paragraph 1 – point 23 b (new)

*Text proposed by the Commission*

*Amendment*



(23b) ‘**positive carbon impact benchmark**’ means a benchmark *where* the underlying assets, *for the purposes of point 1(b)(ii) of this paragraph, are selected on the basis that their carbon emissions savings exceed the asset's carbon footprint and which* is constructed in accordance with the standards laid down in the delegated acts referred to in Article 19a(2).;

(23b) ‘**climate transition benchmark**’ means a benchmark *that meets all of the following requirements:*

(i) *the underlying assets selected for the benchmark are on a trajectory to become aligned with the Paris Agreement to limit global warming to 1.5°C;*

(ii) *the asset issuers’ emissions reduction plans must include measurable targets and time-based targets that are robust and evidence-based;*

(iii) *the companies responsible for the underlying assets have in place emissions reduction plans that are detailed and disaggregated down to the level of individual physical assets to enable a judgment to be made about it;*

(iv) *the asset issuers must report annually on the progress made towards these targets;*

(v) *the benchmark is constructed in accordance with the standards laid down in the delegated acts referred to in Article 19a(2).”;*

Or. en

**Amendment 97**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 1**  
Regulation (EU) 2016/1011  
Article 3 – paragraph 1 – point 23 b (new)

*Text proposed by the Commission*

*Amendment*

**(23b) ‘positive carbon impact benchmark’ means a benchmark where the underlying assets, for the purposes of point 1(b)(ii) of this paragraph, are selected on the basis that their carbon emissions savings exceed the asset's carbon footprint and which is constructed in accordance with the standards laid down in the delegated acts referred to in Article 19a(2).;**

*deleted*

Or. en

*(<https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32016R1011>)*

**Amendment 98**  
**Syed Kamall**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 1**  
Regulation (EU) 2016/1011  
Article 3 – paragraph 1 – point 23 b (new)

*Text proposed by the Commission*

**(23b) ‘positive carbon impact benchmark’ means a benchmark where the underlying assets, for the purposes of point 1(b)(ii) of this paragraph, are selected on the basis that *their* carbon emissions savings exceed the asset's carbon footprint and which is constructed in accordance with the standards laid down in the delegated acts referred to in Article 19a(2).;**

*Amendment*

**(23b) ‘net emission reduction benchmark’ means a benchmark where the underlying assets, for the purposes of point 1(b)(ii) of this paragraph, are selected on the basis that *the assets' contribution to the reduction of* carbon emissions *is greater than the emission*, and which is constructed in accordance with the standards laid down in the delegated acts referred to in Article 19a(2).;**

Or. en

**Amendment 99**  
**Anne Sander**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 1**  
Regulation (EU) 2016/1011  
Article 3 – paragraph 1 – point 23 b (new)

*Text proposed by the Commission*

(23b) ‘positive carbon impact benchmark’ means a benchmark where the underlying assets, for the purposes of point 1(b)(ii) of this paragraph, are selected on the basis that their carbon emissions savings exceed the asset’s carbon footprint and which is constructed in accordance with the standards laid down in the delegated acts referred to in Article 19a(2).

*Amendment*

(23b) ‘positive carbon impact benchmark’ means a benchmark where the underlying assets, for the purposes of point 1(b)(ii) of this paragraph, are selected on the basis that their carbon emissions savings exceed the asset’s carbon footprint and which is constructed in accordance with the **minimum** standards laid down in the delegated acts referred to in Article 19a(2).

Or. fr

**Amendment 100**

**Lieve Wierinck, Caroline Nagtegaal**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 1**

Regulation (EU) 2016/1011

Article 3 – paragraph 1 – point 23 b (new)

*Text proposed by the Commission*

(23b) ‘**positive** carbon impact benchmark’ means a benchmark where the underlying assets, for the purposes of point 1(b)(ii) of this paragraph, are selected on the basis that their carbon emissions savings exceed the asset’s carbon footprint and which is constructed in accordance with the standards laid down in the delegated acts referred to in Article 19a(2).;

*Amendment*

(23b) ‘**negative** carbon impact benchmark’ means a benchmark where the underlying assets, for the purposes of point 1(b)(ii) of this paragraph, are selected on the basis that their carbon emissions savings exceed the asset’s carbon footprint and which is constructed in accordance with the standards laid down in the delegated acts referred to in Article 19a(2).;

Or. en

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R1011&from=EN>

**Amendment 101**

**Neena Gill**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 1**

Regulation (EU) 2016/1011

Article 3 – paragraph 1 – point 23 b (new)

*Text proposed by the Commission*

*Amendment*

(23b) **'positive carbon impact benchmark'** means a benchmark where the underlying assets, for the purposes of point 1(b)(ii) of this paragraph, are selected on the basis that their carbon emissions savings exceed the asset's carbon footprint and which is constructed in accordance with the standards laid down in the delegated acts referred to in Article 19a(2).;

(23b) **"negative carbon emissions benchmarks"** means that the index companies, as a portfolio, produce goods in a manner that removes more carbon from the air than they emit. This means that the index components will have to prove that they balance all of their residual emissions with carbon removals (when compared to the traditional way of producing goods).

Or. en

## **Amendment 102**

**Matt Carthy**

### **Proposal for a regulation**

**Article 1 – paragraph 1 – point 1**

Regulation (EU) 2016/1011

Article 3 – paragraph 1 – point 23 b a (new)

*Text proposed by the Commission*

*Amendment*

(23ba) **'Climate transition benchmark'** means a benchmark where the underlying assets are selected on the basis that they have taken a clear, public, measurable and time-bound science-based target and the related detailed implementation plan at asset level to reduce their greenhouse gas emissions in alignment with a decarbonisation pathway based on a climate scenario associated with at least a 75% probability to limit global warming to well below 2°C at the end of the 21st century, as per the objectives of the Paris Agreement, (bearing in mind the possible revision of the target of the Paris Agreement to limit global warming to 1.5°C by the end of the 21st century based on the evidence presented in the IPCC's October special report) and annually report on the progress made towards achieving the target.

**Amendment 103**

**Anne Sander**

**Proposal for a regulation**

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

Regulation (EU) 2016/1011

**Article 3 – paragraph 1 – point 23 b (new)**

*Text proposed by the Commission*

*Amendment*

**23b.** *When developing the benchmarks referred to in points 23a and 23b, benchmark administrators must have the necessary flexibility to design the formula for the calculation of their methodology in order to take account of the rapid development of sustainability parameters and of the technologies used to measure those parameters.*

Or. fr

**Amendment 104**

**Caroline Nagtegaal**

**Proposal for a regulation**

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

Regulation (EU) 2016/1011

**Article 3 – paragraph 1 – point 24 a**

*Text proposed by the Commission*

*Amendment*

**1a.** *Article 3 paragraph 1 is amended as follows:*

**(a)** *point 24a is replaced*

*"(a) input data contributed entirely from:"*

*point 24, point a, sub-point vii is replaced:*

*"(vii) a service provider to which the benchmark administrator has outsourced the data collection in accordance with*

*Article 10, with the exception of Article 10(3)(f), provided that the service provider receives the data entirely from an entity referred to in points (i) to (vi);"*

Or. en

**Amendment 105**  
**Paul Tang**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 1 a (new)**  
Regulation (EU) 2016/1011  
Article 3 – paragraph 1 – subparagraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

**1a. In Article 3(1), the following subparagraph is added:**

***‘(1a) In four years after the entry of force of this Regulation, benchmark providers shall ensure that all the benchmarks provided and published are fully aligned with the Paris Climate Agreement commitments as implemented in Union law, and have a positive carbon and impact, on the base of a standardised methodology which will be developed by the Commission in a delegated act which shall be published not later than two years after the entry into force of this regulation. The Commission shall also consider how benchmarks can be in line with other environmental, social and governance factors.’***

Or. en

**Amendment 106**  
**Neena Gill**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 1 a (new)**  
Regulation (EU) 2016/1011  
Article 11 – paragraph 1 – subparagraph f (new)

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**1a.** *In Article 11, paragraph 1, the following is added:*

**“(f) by 2022, the administrator of critical and significant benchmarks shall only use input data which are aligned with the Paris Agreement commitments as implemented in EU legislation.”;**

Or. en

**Amendment 107**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2 – point a**  
Regulation (EU) 2016/1011  
Article 13 – paragraph 1 – point d (new)

*Text proposed by the Commission*

(d) an explanation of how the key elements of the methodology laid down in point (a) reflect environmental, social or governance (‘ESG’) factors **for each benchmark or family of benchmarks which pursue or take into account ESG objectives;**

*Amendment*

(d) an explanation of how the key elements of the methodology laid down in point (a) reflect environmental, social or governance (‘ESG’) factors, **including key circular economy indicators, such as CO2 emissions, other emissions, impact on biodiversity, production of waste, use of energy, renewable energy, raw materials, water, and direct and indirect land use, to be developed in line with the Commission communication of 16 January 2018 on a monitoring framework for the circular economy;**

Or. en

*(<https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32016R1011>)*

**Amendment 108**  
**Syed Kamall**

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

Regulation (EU) 2016/1011  
Article 13 – paragraph 1 – point d (new)

*Text proposed by the Commission*

(d) an explanation of how the key elements of the methodology laid down in point (a) reflect environmental, social or governance ('ESG') factors for each benchmark or family of benchmarks which ***pursue or take*** into account ESG objectives;;

*Amendment*

(d) an explanation of how the key elements of the methodology laid down in point (a) reflect environmental, social or governance ('ESG') factors for each benchmark or family of benchmarks which ***is promoted as pursuing or taking*** into account ESG objectives;;

Or. en

### **Amendment 109** **Molly Scott Cato**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2 – point a**  
Regulation (EU) 2016/1011  
Article 13 – paragraph 1 – point d (new)

*Text proposed by the Commission*

(d) an explanation of how the key elements of the methodology laid down in point (a) reflect environmental, social or governance ('ESG') factors for each benchmark or family of benchmarks ***which pursue or take into account ESG objectives;;***

*Amendment*

(d) an explanation of how the key elements of the methodology laid down in point (a) reflect environmental, social or governance ('ESG') factors for each benchmark or family of benchmarks;

Or. en

*Justification*

*This amendment reflects the need to make attention to ESG concerns an integral aspect of all business transactions in the financial system, instead of relegating them to a niche.*

### **Amendment 110** **Matt Carthy**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2 – point a**  
Regulation (EU) 2016/1011

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Article 13 – paragraph 1 – point d (new)

*Text proposed by the Commission*

(d) an explanation of how the key elements of the methodology laid down in point (a) reflect environmental, social or governance ('ESG') factors for each benchmark or family of benchmarks ***which pursue or take into account ESG objectives;***

*Amendment*

(d) an explanation of how the key elements of the methodology laid down in point (a) reflect environmental, social or governance ('ESG') factors for each benchmark or family of benchmarks;

Or. en

## **Amendment 111**

**Matt Carthy**

### **Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point a a (new)**

Regulation (EU) 2016/1011

Article 13 – paragraph 1 – point d a (new)

*Text proposed by the Commission*

*Amendment*

***(aa) “(da) an explanation of how the benchmark or family of benchmarks impact the climate, notably their degree of alignment with the objectives of the Paris Agreement;”***

Or. en

## **Amendment 112**

**Molly Scott Cato**

### **Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point a a (new)**

Regulation (EU) 2016/1011

Article 13 – paragraph 1 – point d a (new)

*Text proposed by the Commission*

*Amendment*

***(aa) (da) “information concerning the degree of alignment of each benchmark***

*or family of benchmarks with the goals of the Paris Climate Agreement;”;*

Or. en

*Justification*

*This amendment reflect the need to make attention to ESG concerns an integral aspect of all business transactions in the financial system, instead of relegating them to a niche.*

**Amendment 113**

**Markus Ferber**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point b**

Regulation (EU) 2016/1011

Article 13 – Paragraph 2 a (new)

*Text proposed by the Commission*

2a. The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the minimum content of the explanation referred to in point (d) of paragraph 1.;

*Amendment*

2a. ***After having consulted ESMA***, the Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the minimum content of the explanation referred to in point (d) of paragraph 1. ***The delegated acts shall not force benchmark administrators to disclose any information that is proprietary or confidential in nature.***

Or. en

**Amendment 114**

**Sirpa Pietikäinen**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – point b**

Regulation (EU) 2016/1011

Article 13 – Paragraph 2 a (new)

*Text proposed by the Commission*

2a. The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the minimum content of the

*Amendment*

2a. The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the minimum content of the

explanation referred to in point (d) of paragraph 1.;

explanation referred to in point (d) of paragraph 1 *of this Article, and to update guidance on the benchmark statement referred to in Article 27 to include references to ESG risks and sustainability indicators.*

Or. en

(<https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32016R1011>)

**Amendment 115**  
**Molly Scott Cato**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2 – point b**  
Regulation (EU) 2016/1011  
Article 13 – Paragraph 2 a (new)

*Text proposed by the Commission*

2a. The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the minimum content of the explanation referred to in *point (d)* of paragraph 1.;

*Amendment*

2a. The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the minimum content of the explanation referred to in *points (d) and (e)* of paragraph 1 *as well as the standard format to be used.*;

Or. en

**Amendment 116**  
**Lieve Wierinck, Caroline Nagtegaal**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EU) 2016/1011  
Title III – Chapter 3 a (new) – title

*Text proposed by the Commission*

*Low-carbon and positive* carbon impact benchmarks

*Amendment*

*Climate transition and negative* carbon impact benchmarks

Or. en

**Amendment 117**  
**Syed Kamall**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EU) 2016/1011  
Title III – Chapter 3 a (new) – title

*Text proposed by the Commission*

*Amendment*

Low-carbon and **positive carbon impact**  
benchmarks

Low-carbon and **net emission reduction**  
benchmarks

Or. en

*(This change in definition applies throughout the proposal)*

**Amendment 118**  
**Matt Carthy**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EU) 2016/1011  
Title III – Chapter 3 a (new) – title

*Text proposed by the Commission*

*Amendment*

**Low-carbon and positive carbon impact**  
benchmarks

**Paris-aligned and climate transition**  
benchmarks

Or. en

**Amendment 119**  
**Molly Scott Cato**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EU) 2016/1011  
Title III – Chapter 3 a (new) – title

*Text proposed by the Commission*

*Amendment*

Low-carbon and *positive carbon impact* benchmarks

Low-carbon and *climate transition* benchmarks

Or. en

**Amendment 120**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EU) 2016/1011  
Title III – Chapter 3 a (new) – title

*Text proposed by the Commission*

*Amendment*

*Low-carbon and positive carbon impact* benchmarks

Positive *environmental* impact benchmarks

Or. en

(<https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32016R1011>)

**Amendment 121**  
**Neena Gill**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EU) 2016/1011  
Title III – Chapter 3 a (new) – title

*Text proposed by the Commission*

*Amendment*

Low-carbon and *positive* carbon *impact* benchmarks

Low-carbon and *negative* carbon *emissions* benchmarks

Or. en

**Amendment 122**  
**Syed Kamall**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EU) 2016/1011  
Title III – Chapter 3 a (new) – Article 19 a – title

*Text proposed by the Commission*

*Amendment*

Low-carbon and **positive carbon impact** benchmarks

Low-carbon and **net emission reduction** benchmarks

Or. en

**Amendment 123**  
**Molly Scott Cato**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EU) 2016/1011  
Title III – Chapter 3 a (new) – Article 19 a – title

*Text proposed by the Commission*

*Amendment*

Low-carbon and **positive carbon impact** benchmarks

Low-carbon and **climate transition** benchmarks

Or. en

**Amendment 124**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EU) 2016/1011  
Title III – Chapter 3 a (new) – Article 19 a – title

*Text proposed by the Commission*

*Amendment*

**Low-carbon and positive carbon impact** benchmarks

Positive **environmental impact** benchmarks

Or. en

(<https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32016R1011>)

**Amendment 125**  
**Lieve Wierinck, Caroline Nagtegaal**

**Proposal for a regulation**

### Article 1 – paragraph 1 – point 3

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 1

*Text proposed by the Commission*

(1) The requirements laid down in Annex III shall apply to the provision of, and contribution to, **low-carbon or positive** carbon impact benchmarks in addition to, or as a substitute for, the requirements of Title II, III and IV.

*Amendment*

(1) The requirements laid down in Annex III shall apply to the provision of, and contribution to, **climate transition or negative** carbon impact benchmarks in addition to, or as a substitute for, the requirements of Title II, III and IV.

Or. en

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R1011&from=EN>

### Amendment 126

Neena Gill

#### Proposal for a regulation

### Article 1 – paragraph 1 – point 3

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 1

*Text proposed by the Commission*

(1) The requirements laid down in Annex III shall apply to the provision of, and contribution to, low-carbon or **positive** carbon **impact** benchmarks in addition to, or as a substitute for, the requirements of Title II, III and IV.

*Amendment*

(1) The requirements laid down in Annex III shall apply to the provision of, and contribution to, low-carbon or **negative** carbon **emissions** benchmarks in addition to, or as a substitute for, the requirements of Title II, III and IV.

Or. en

### Amendment 127

Syed Kamall

#### Proposal for a regulation

### Article 1 – paragraph 1 – point 3

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 1

*Text proposed by the Commission*

*Amendment*

(1) The requirements laid down in Annex III shall apply to the provision of, and contribution to, low-carbon or **positive carbon impact** benchmarks in addition to, or as a substitute for, the requirements of Title II, III and IV.

(1) The requirements laid down in Annex III shall apply to the provision of, and contribution to, low-carbon or **net emission reduction** benchmarks in addition to, or as a substitute for, the requirements of Title II, III and IV.

Or. en

## **Amendment 128**

**Matt Carthy**

### **Proposal for a regulation**

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

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 1

#### *Text proposed by the Commission*

(1) The requirements laid down in Annex III shall apply to the provision of, and contribution to, **low-carbon or positive carbon impact** benchmarks in addition to, or as a substitute for, the requirements of Title II, III and IV.

#### *Amendment*

(1) The requirements laid down in Annex III shall apply to the provision of, and contribution to **Paris-aligned or climate transition** benchmarks in addition to, or as a substitute for, the requirements of Title II, III and IV.

Or. en

## **Amendment 129**

**Molly Scott Cato**

### **Proposal for a regulation**

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

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 1

#### *Text proposed by the Commission*

(1) The requirements laid down in Annex III shall apply to the provision of, and contribution to, low-carbon or **positive carbon impact** benchmarks in addition to, or as a substitute for, the requirements of Title II, III and IV.

#### *Amendment*

(1) The requirements laid down in Annex III shall apply to the provision of, and contribution to, low-carbon or **climate transition** benchmarks in addition to, or as a substitute for, the requirements of Title II, III and IV.



**Amendment 130**  
**Sirpa Pietikäinen**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 1

*Text proposed by the Commission*

(1) The requirements laid down in Annex III shall apply to the provision of, and contribution to, **low-carbon or positive carbon** impact benchmarks in addition to, or as a substitute for, the requirements of Title II, III and IV.

*Amendment*

(1) The requirements laid down in Annex III shall apply to the provision of, and contribution to, positive **environmental** impact benchmarks in addition to, or as a substitute for, the requirements of Title II, III and IV.

Or. en

(<https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32016R1011>)

**Amendment 131**  
**Markus Ferber**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 2

*Text proposed by the Commission*

(2) ***The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the minimum standards for low-carbon and positive carbon impact benchmarks, including:***

(a) ***the criteria for the choice of the underlying assets, including, where applicable, the exclusion criteria for assets;***

*Amendment*

***deleted***

**(b) the criteria and method for the weighting of the underlying assets in the benchmark;**

**(c) the method for the calculation of carbon emissions and carbon savings associated with the underlying assets.;**

Or. en

*Justification*

*These are very far-reaching decisions that should not be done by means of a delegated act.*

**Amendment 132**  
**Anne Sander**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 2 – introductory part

*Text proposed by the Commission*

(2) The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the minimum standards for low-carbon and positive carbon impact benchmarks, **including:**

*Amendment*

(2) The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the minimum standards for low-carbon and positive carbon impact benchmarks. ***This must be compatible with the rapid development of sustainability parameters and with extensive flexibility for benchmark administrators as regards designing the formula for the calculation of their methodology. The minimum standards must include:***

Or. fr

**Amendment 133**  
**Lieve Wierinck**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 2 – introductory part

*Text proposed by the Commission*

*Amendment*

(2) The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the minimum standards for **low-carbon and positive** carbon impact benchmarks, including:

(2) The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the minimum standards for **climate transition and negative** carbon impact benchmarks, including:

Or. en

(<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R1011&from=EN>)

**Amendment 134**  
**Syed Kamall**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 2 – introductory part

*Text proposed by the Commission*

*Amendment*

(2) The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify **further the** minimum standards for low-carbon and **positive carbon impact** benchmarks, including:

(2) The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify minimum standards for **the construction of** low-carbon and **net emission reduction** benchmarks, including:

Or. en

**Amendment 135**  
**Caroline Nagtegaal**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 2 – introductory part

*Text proposed by the Commission*

*Amendment*

(2) The **Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the minimum standards for low-**

(2) The **administrator of a climate transition benchmark or a negative carbon benchmark shall formalise, document and make public any methodology used for the**

*carbon and positive carbon impact* benchmarks, including:

*calculation of these* benchmarks, including:

Or. en

**Amendment 136**  
**Neena Gill**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 2 – introductory part

*Text proposed by the Commission*

*Amendment*

(2) The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the minimum standards for low-carbon and *positive carbon impact* benchmarks, including:

(2) The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the minimum standards for low-carbon and *negative carbon emissions* benchmarks, including:

Or. en

**Amendment 137**  
**Molly Scott Cato**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 2 – introductory part

*Text proposed by the Commission*

*Amendment*

(2) The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the minimum standards for low-carbon and *positive carbon impact* benchmarks, including:

(2) The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the minimum standards for low-carbon and *climate transition* benchmarks, including:

Or. en

**Amendment 138**  
**Sirpa Pietikäinen**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 2 – introductory part

*Text proposed by the Commission*

(2) The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the minimum standards for **low-carbon and positive carbon** impact benchmarks, including:

*Amendment*

(2) The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the minimum standards for positive **environmental** impact benchmarks, including:

Or. en

(<https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32016R1011>)

**Amendment 139**  
**Matt Carthy**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 2 – IP – point c

*Text proposed by the Commission*

(c) the **method** for the **calculation of carbon emissions and carbon savings associated with** the underlying assets;

*Amendment*

(c) the **science-based methodological framework and decarbonisation pathway selected** for the **benchmark; the related metrics and thresholds used to select, weight and exclude the economic activities in line with the decarbonisation pathway, and to assess the exposure of** the underlying assets **to such economic activities**;

Or. en

**Amendment 140**  
**Sirpa Pietikäinen**

## Proposal for a regulation

### Article 1 – paragraph 1 – point 3

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 2 – IP – point c

*Text proposed by the Commission*

(c) the method for the calculation of carbon emissions **and carbon savings** associated with the underlying assets.;

*Amendment*

(c) the method for the calculation of carbon emissions, **other emissions, impact on biodiversity, production of waste and the use of energy, renewable energy, raw materials, water, and direct and indirect land use**, associated with the underlying assets.;

Or. en

(<https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32016R1011>)

## Amendment 141

Lieve Wierinck, Caroline Nagtegaal

## Proposal for a regulation

### Article 1 – paragraph 1 – point 3

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 2 – IP – point c

*Text proposed by the Commission*

(c) the method for the calculation of carbon emissions and carbon savings associated with the underlying assets.;

*Amendment*

(c) the method for the calculation of **greenhouse gases**, carbon emissions and carbon savings associated with the underlying assets.;

Or. en

(<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R1011&from=EN>)

## Amendment 142

Molly Scott Cato

## Proposal for a regulation

### Article 1 – paragraph 1 – point 3

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 2 – IP – point c

*Text proposed by the Commission*

*Amendment*

(c) the *method* for the *calculation of carbon emissions and carbon savings associated with the underlying assets*;

(c) the *general methodological framework and decarbonisation pathway* for the *benchmark*;

Or. en

#### **Amendment 143**

**Matt Carthy**

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

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

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 2 – IP – point c a new

*Text proposed by the Commission*

*Amendment*

*(ca) the comparison of the selected economic activities with the Union taxonomy;*

Or. en

#### **Amendment 144**

**Molly Scott Cato**

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

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

Regulation (EU) 2016/1011

Title III – Chapter 3 a (new) – Article 19 a – paragraph 2 – IP – point c a new

*Text proposed by the Commission*

*Amendment*

*(ca) the standard format for the disclosures required in Annex III."*

Or. en

#### **Amendment 145**

**Caroline Nagtegaal**

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

##### **Article 1 – paragraph 1 – point 3 a (new)**

Regulation (EU) 2016/1011

Article 21 – paragraph 3 – subparagraph 3

*Text proposed by the Commission*

*Amendment*

**3a.** *In article 21, the last subparagraph of paragraph (3) is amended as follows:*

*"By the end of that period, the competent authority shall review its decision to compel the administrator to continue to publish the benchmark and may, where necessary, extend the time period by an appropriate period not exceeding a further 12 months. The maximum period of mandatory administration shall not exceed 5 years in total.";*

Or. en

**Amendment 146**  
**Caroline Nagtegaal**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3 b (new)**  
Regulation (EU) 2016/1011  
Article 23 – paragraph 6 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

**3b.** *In article 23, last subparagraph of paragraph (6) is amended as follows:*

*"The maximum period of mandatory contribution under points (a) and (b) of the first subparagraph shall not exceed 5 years in total.";*

Or. en

**Amendment 147**  
**Matt Carthy**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 4**  
Regulation (EU) 2016/1011



Article 27 – paragraph 2 a (new)

*Text proposed by the Commission*

2a. For each requirement in paragraph 2, a benchmark statement shall contain an explanation of how environmental, social and governance factors are reflected for each benchmark or family of benchmarks provided and published *which pursue or take into account ESG* objectives.

*Amendment*

2a. For each requirement in paragraph 2, a benchmark statement shall contain an explanation of how environmental, social and governance factors are reflected for each benchmark or family of benchmarks provided and published ***including their degree of alignment with the objectives of the Paris Agreement. This information should be disclosed in a standardised format, with colour-coded information on the degree of alignment with the Paris Agreement;***

Or. en

**Amendment 148**

**Anne Sander**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 4**

Regulation (EU) 2016/1011

Article 27 – paragraph 2 a (new)

*Text proposed by the Commission*

2a. For ***each requirement*** in paragraph 2, a benchmark statement shall contain an explanation of how environmental, social and governance factors are reflected for each benchmark or family of benchmarks provided and published which pursue or take into account ESG objectives.

*Amendment*

2a. For ***the requirements laid down*** in paragraph 2***(b), (c) and (g)***, a benchmark statement shall contain an explanation of how environmental, social and governance factors are reflected for each benchmark or family of benchmarks provided and published which pursue or take into account ESG objectives.

Or. fr

**Amendment 149**

**Molly Scott Cato**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 4**

Regulation (EU) 2016/1011  
Article 27 – paragraph 2 a (new)

*Text proposed by the Commission*

2a. For each requirement in paragraph 2, a benchmark statement shall contain an explanation of how environmental, social and governance factors are reflected **for** each benchmark or family of benchmarks provided **and published which pursue or take into account ESG objectives**.

*Amendment*

2a. For each requirement in paragraph 2, a benchmark statement shall contain an explanation of how environmental, social and governance factors are reflected **in** each benchmark or family of benchmarks provided, **including their degree of alignment with the goals of the Paris Climate Agreement**.

Or. en

*Justification*

*This amendment reflects the need to make attention to ESG concerns an integral aspect of all business transactions in the financial system, instead of relegating them to a niche.*

## **Amendment 150** **Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 4**  
Regulation (EU) 2016/1011  
Article 27 – paragraph 2 a (new)

*Text proposed by the Commission*

2a. For each requirement in paragraph 2, a benchmark statement shall contain an explanation of how environmental, social and governance factors are reflected for each benchmark or family of benchmarks provided and published **which pursue or take into account ESG objectives**.

*Amendment*

2a. For each requirement in paragraph 2, a benchmark statement shall contain an explanation of how environmental, social and governance factors are reflected for each benchmark or family of benchmarks provided and published.

Or. en

*(<https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32016R1011>)*

## **Amendment 151** **Paul Tang**

**Proposal for a regulation**

PE629.650v01-00

74/121

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**Article 1 – paragraph 1 – point 4**

Regulation (EU) 2016/1011

Article 27 – paragraph 2 a (new)

*Text proposed by the Commission*

2a. For each requirement in paragraph 2, a benchmark statement shall contain an explanation of how environmental, social and governance factors are reflected for each benchmark or family of benchmarks provided and published ***which pursue or take into account ESG objectives.***

*Amendment*

2a. For each requirement in paragraph 2, a benchmark statement shall contain an explanation of how environmental, social and governance factors are reflected for each benchmark or family of benchmarks provided and published.

Or. en

**Amendment 152**

**Syed Kamall**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 4**

Regulation (EU) 2016/1011

Article 27 – paragraph 2 a (new)

*Text proposed by the Commission*

2a. For each requirement in paragraph 2, a benchmark statement shall contain an explanation of how environmental, social and governance factors are reflected for each benchmark or family of benchmarks ***provided and published*** which ***pursue or take*** into account ESG objectives.

*Amendment*

2a. For each requirement in paragraph 2, a benchmark statement shall contain an explanation of how environmental, social and governance factors are reflected for each benchmark or family of benchmarks which ***is promoted as pursuing or taking*** into account ESG objectives.

Or. en

**Amendment 153**

**Caroline Nagtegaal**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 4**

Regulation (EU) 2016/1011

Article 27 – paragraph 2 b (new)

*Text proposed by the Commission*

*Amendment*

**2b.** *The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the information referred to in in paragraph 2a.*

*deleted*

Or. en

**Amendment 154**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 4**  
Regulation (EU) 2016/1011  
Article 27 – paragraph 2 b (new)

*Text proposed by the Commission*

2b. The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the information referred to in in paragraph 2a.

*Amendment*

2b. The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the information referred to in in paragraph 2a, **to update guidance on the 'Benchmark statement' to include references to and sustainability risks and indicators.**

Or. en

*(<https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32016R1011>)*

**Amendment 155**  
**Molly Scott Cato**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 4**  
Regulation (EU) 2016/1011  
Article 27 – paragraph 2 b (new)

*Text proposed by the Commission*

2b. The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the information referred to in **in** paragraph 2a.

*Amendment*

2b. The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to specify further the information referred to in

paragraph 2a *as well as standardised formats for its presentation.*

Or. en

**Amendment 156**  
**Anne Sander**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 4 a (new)**  
Regulation (EU) 2016/1011  
Article 51 – paragraphs 1 to 5

*Text proposed by the Commission*

*Amendment*

**4a. Article 51, is amended as follows:**

**"(a) in paragraph 1, the date '1 January 2020' is replaced by '1 January 2022';**

**(b) in paragraph 2, the date '1 January 2020' is replaced by '1 January 2022';**

**(c) in paragraph 3, the date '1 January 2020' is replaced by '1 January 2022';**

**(d) in paragraph 4, the date '1 January 2020' is replaced by '1 January 2022';**

**(e) in paragraph 5, the date '1 January 2020' is replaced by '1 January 2022';**

Or. en

**Amendment 157**  
**Caroline Nagtegaal**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 4 a (new)**  
Regulation (EU) 2016/1011  
Article 51 – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

**4a. In Article 51 the following paragraph is inserted:**

**"4a. An existing benchmark designated as critical by an implementing act adopted by**

*the Commission in accordance with Article 20 that does not meet the requirements to obtain an authorisation in accordance with Article 34 of this Regulation by 1 January 2020 may, if the competent authority considers that its discontinuation would affect financial stability, be used until 31 December 2021."*;

Or. en

## **Amendment 158**

**Markus Ferber**

### **Proposal for a regulation**

**Article 1 – paragraph 1 – point 4 a (new)**

Regulation (EU) 2016/1011

Article 51 – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

*4a. In Article 51, the following paragraph is inserted:*

*"4a. An existing benchmark designated as critical by an implementing act adopted by the European Commission in accordance with Article 20 may be used in existing and new financial instruments, financial contracts, or measurements of the performance of an investment fund until 31 December 2021."*

Or. en

*Justification*

*Certain widely used critical benchmarks are not in compliance with the benchmark regulation yet. Phasing them out before replacements are available might cause severe market disruptions. Hence, an extension of two years should be granted.*

## **Amendment 159**

**Molly Scott Cato**

### **Proposal for a regulation**

PE629.650v01-00

78/121

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**Article 1 – paragraph 1 – point 4 a (new)**  
Regulation (EU) 2016/1011  
Article 54 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

**4a. In Article 54, the following paragraph is inserted:**

**“3a. Once a comprehensive and detailed framework for sustainable investment, of which the [Regulation of the European Parliament and of the Council on the establishment of a framework to facilitate sustainable investment] is a first building block, has entered into force, the Commission shall publish without undue delay a report on the feasibility of including in Regulation (EU) 2016/1011 provisions for a 'sustainability benchmark' or 'ESG benchmark' on the basis of the framework for sustainable investment. This report shall be sent to the European Parliament and to the Council. The Commission shall make accompanying proposals as appropriate.”;**

Or. en

**Amendment 160**  
**Neena Gill**

**Proposal for a regulation**  
**Article 2 – paragraph 1**  
Regulation (EU) 2016/1011  
Article 59 – subparagraph 1

*Text proposed by the Commission*

*Amendment*

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

This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Union.  
***To ensure future consistency and legal certainty, it is imperative that as and when the EU taxonomy regulation comes into force, there is coherence between the both texts.***

**Amendment 161**

**Anne Sander**

**Proposal for a regulation**

**Article 2 – paragraph 1**

Regulation (EU) 2016/1011

Article 59 – paragraph 1

*Text proposed by the Commission*

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

*Amendment*

This Regulation shall enter into force ***12 months after the publication of the delegated acts provided for herein.***

Or. fr

**Amendment 162**

**Lieve Wierinck, Caroline Nagtegaal**

**Proposal for a regulation**

**Annex I – subheading 1**

*Text proposed by the Commission*

***Low-carbon and positive*** carbon impact benchmarks

*Amendment*

***Climate transition and negative*** carbon impact benchmarks

Or. en

**Amendment 163**

**Syed Kamall**

**Proposal for a regulation**

**Annex I – subheading 1**

*Text proposed by the Commission*

Low-carbon and ***positive carbon impact*** benchmarks

*Amendment*

Low-carbon and ***net emission reduction*** benchmarks



**Amendment 164**

**Matt Carthy**

**Proposal for a regulation**

**Annex I – subheading 1**

*Text proposed by the Commission*

**Low-carbon and positive carbon impact**  
benchmarks

*Amendment*

**Paris-aligned and climate transition**  
benchmarks

**Amendment 165**

**Molly Scott Cato**

**Proposal for a regulation**

**Annex I – subheading 1**

*Text proposed by the Commission*

Low-carbon and **positive carbon impact**  
benchmarks

*Amendment*

Low-carbon and **climate transition**  
benchmarks

**Amendment 166**

**Neena Gill**

**Proposal for a regulation**

**Annex I – subheading 1**

*Text proposed by the Commission*

Low-carbon and **positive carbon impact**  
benchmarks

*Amendment*

Low-carbon and **negative carbon**  
**emissions** benchmarks

**Amendment 167**

**Sirpa Pietikäinen**

**Proposal for a regulation  
Annex I – subheading 1**

*Text proposed by the Commission*

*Amendment*

**Low-carbon and positive carbon** impact benchmarks

Positive **environmental** impact benchmarks

Or. en

(<https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32016R1011>)

**Amendment 168  
Sirpa Pietikäinen**

**Proposal for a regulation  
Annex I – subheading 2**

*Text proposed by the Commission*

*Amendment*

Methodology for **low carbon** benchmarks

Methodology for **positive environmental impact** benchmarks

Or. en

**Amendment 169  
Lieve Wierinck, Caroline Nagtegaal**

**Proposal for a regulation  
Annex I – subheading 2**

*Text proposed by the Commission*

*Amendment*

Methodology for **low carbon** benchmarks

Methodology for **climate transition** benchmarks

Or. en

**Amendment 170  
Molly Scott Cato**

**Proposal for a regulation**

## Annex I – subheading 2

*Text proposed by the Commission*

**Methodology** for low carbon benchmarks

*Amendment*

**Disclosures** for low carbon benchmarks

Or. en

### Amendment 171

Sirpa Pietikäinen

#### Proposal for a regulation

##### Annex I – point 1 – introductory part

*Text proposed by the Commission*

1. The administrator of a **low-carbon** benchmark shall formalise, document and make public any methodology used for the calculation of **low carbon benchmarks**, describing the following:

*Amendment*

1. The administrator of a **positive environmental impact** benchmark shall formalise, document and make public any methodology used for the calculation of **the net environmental impact, based on the circular economy indicators**, describing the following:

Or. en

### Amendment 172

Syed Kamall

#### Proposal for a regulation

##### Annex I – point 1 – introductory part

*Text proposed by the Commission*

1. The administrator of a low-carbon benchmark shall formalise, document and make public any methodology used for the calculation of **low carbon** benchmarks, describing the following:

*Amendment*

1. The administrator of a low-carbon **benchmark or a net emission reduction** benchmark shall formalise, document and make public any methodology used for the calculation of **the** benchmarks, describing the following:

Or. en

**Amendment 173**  
**Lieve Wierinck, Caroline Nagtegaal**

**Proposal for a regulation**  
**Annex I – point 1 – introductory part**

*Text proposed by the Commission*

1. The administrator of a **low-carbon** benchmark shall formalise, document and make public any methodology used for the calculation of **low carbon** benchmarks, describing the following:

*Amendment*

1. The administrator of a **climate transition** benchmark shall formalise, document and make public any methodology used for the calculation of **climate transition** benchmarks, describing the following:

Or. en

**Amendment 174**  
**Matt Carthy**

**Proposal for a regulation**  
**Annex I – point 1 – introductory part**

*Text proposed by the Commission*

1. The administrator of a **low-carbon** benchmark shall formalise, document and make public any methodology used for the calculation of **low carbon** benchmarks, describing the following:

*Amendment*

1. The administrator of a **Paris-aligned** benchmark shall formalise, document and make public any methodology used for the calculation of **Paris-aligned** benchmarks, describing the following:

Or. en

**Amendment 175**  
**Syed Kamall**

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

*Text proposed by the Commission*

**(a) the list of the underlying assets that are used for calculating the low carbon benchmark;**

*Amendment*

**deleted**

**Amendment 176**  
**Lieve Wierinck, Caroline Nagtegaal**

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

*Text proposed by the Commission*

*Amendment*

(a) *the list of the underlying assets that are used for calculating the low carbon benchmark;* **deleted**

Or. en

**Amendment 177**  
**Sirpa Pietikäinen**

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

*Text proposed by the Commission*

*Amendment*

(a) the list of the underlying assets that are used for calculating the **low carbon** benchmark;

(a) the list of the underlying assets that are used for calculating the **positive net impact** benchmark;

Or. en

**Amendment 178**  
**Matt Carthy**

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

*Text proposed by the Commission*

*Amendment*

(a) the list of the underlying assets that are used for calculating the **low carbon** benchmark;

(a) the list of the underlying assets that are used for calculating the **Paris-aligned** benchmark;

Or. en

**Amendment 179**  
**Markus Ferber**

**Proposal for a regulation**  
**Annex I – point 1 – point b**  
Regulation 2016/1011  
Annex

*Text proposed by the Commission*

*Amendment*

**(b) all criteria and methods, including selection and weighting factors, metrics, proxies used in the benchmark calculation;** *deleted*

Or. en

*Justification*

*This is sensitive information that should not have to be disclosed to the public.*

**Amendment 180**  
**Syed Kamall**

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

*Text proposed by the Commission*

*Amendment*

**(b) all criteria and methods, including selection and weighting factors, metrics, proxies used in the benchmark calculation;**

**(b) all criteria and methods, including selection, *exclusion* and weighting factors, metrics *and* proxies used in the benchmark methodology;**

Or. en

**Amendment 181**  
**Syed Kamall**

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

*Text proposed by the Commission*

*Amendment*

**(c) the criteria applied to exclude assets or companies that are associated with a level of carbon footprint or a level of fossil reserves that are incompatible with inclusion in the low carbon benchmark;**

*deleted*

Or. en

## **Amendment 182**

**Lieve Wierinck, Caroline Nagtegaal**

### **Proposal for a regulation**

**Annex I – point 1 – point c**

*Text proposed by the Commission*

(c) the criteria applied to exclude assets or companies that are associated with a level of carbon footprint or a level of fossil reserves that are incompatible with inclusion in the **low carbon** benchmark;

*Amendment*

(c) the criteria applied to exclude assets or companies that are associated with a level of carbon footprint or a level of fossil reserves that are incompatible with inclusion in the **climate transition** benchmark;

Or. en

## **Amendment 183**

**Matt Carthy**

### **Proposal for a regulation**

**Annex I – point 1 – point c**

*Text proposed by the Commission*

(c) the criteria applied to exclude assets or companies that are associated with a level of carbon footprint or a level of fossil reserves that are incompatible with inclusion in the **low carbon** benchmark;

*Amendment*

(c) the criteria applied to exclude assets or companies that are associated with a level of carbon footprint or a level of fossil reserves that are incompatible with inclusion in the **Paris-aligned** benchmark;

Or. en

## **Amendment 184**

**Sirpa Pietikäinen**

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

*Text proposed by the Commission*

(c) the criteria applied to exclude assets or companies that are associated with a ***level of carbon footprint or a level of fossil reserves that are*** incompatible with inclusion in the ***low carbon*** benchmark;

*Amendment*

(c) the criteria applied to exclude assets or companies that are associated with a ***negative net environmental impact and therefore*** incompatible with inclusion in the ***positive impact*** benchmark;

Or. en

**Amendment 185  
Matt Carthy**

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

*Text proposed by the Commission*

(d) the ***criteria for and the methods of how the low carbon benchmark measures the carbon footprint and carbon savings associated with*** the underlying assets ***in the index portfolio***;

*Amendment*

(d) the ***science-based methodological framework and decarbonisation pathway selected for the benchmark; the related metrics and thresholds used to select, weight and exclude the economic activities in line with the decarbonisation pathway, and to assess the exposure of the*** underlying assets ***to such economic activities***;

Or. en

**Amendment 186  
Molly Scott Cato**

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

*Text proposed by the Commission*

(d) the ***criteria for and the methods of how the low carbon benchmark measures the carbon footprint and carbon savings***

*Amendment*

(d) the ***methodological framework and decarbonisation pathway selected for the benchmark as well as the metrics and***



*associated with the underlying assets in the index portfolio;*

*thresholds used to select, weight and exclude the economic activities in accordance with the decarbonisation pathway and to assess the exposure of the underlying assets to such economic activities;*

Or. en

**Amendment 187**  
**Syed Kamall**

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

*Text proposed by the Commission*

*Amendment*

(d) *the criteria for and the methods of* how the *low carbon* benchmark measures the carbon *footprint and* carbon savings associated with the underlying assets *in the index portfolio;*

(d) how the benchmark measures the carbon *emissions or* carbon savings associated with the underlying assets, *as relevant;*

Or. en

**Amendment 188**  
**Lieve Wierinck, Caroline Nagtegaal**

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

*Text proposed by the Commission*

*Amendment*

(d) the criteria for and the methods of how the *low carbon* benchmark measures the carbon footprint and carbon savings associated with the underlying assets in the index portfolio;

(d) the criteria for and the methods of how the *climate transition* benchmark measures the carbon footprint and carbon savings associated with the underlying assets in the index portfolio;

Or. en

**Amendment 189**  
**Sirpa Pietikäinen**

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

*Text proposed by the Commission*

(d) the criteria for and the methods of how the *low carbon* benchmark measures the *carbon footprint and carbon savings* associated with the underlying assets in the index portfolio;

*Amendment*

(d) the criteria for and the methods of how the *positive environmental impact* benchmark measures the *environmental impact* associated with the underlying assets in the index portfolio;

Or. en

**Amendment 190**  
**Matt Carthy**

**Proposal for a regulation**  
**Annex I – point 1 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

*(da) the comparison of the selected economic activities with the EU taxonomy*

Or. en

**Amendment 191**  
**Molly Scott Cato**

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

*Text proposed by the Commission*

*Amendment*

*(e) the tracking error between the low carbon benchmark and the parent index;*

*deleted*

Or. en

*Justification*

*Deletion reflects Green redefinition of 'low carbon benchmarks' in a way that doesn't resort to comparison with a parent index.*

**Amendment 192**  
**Syed Kamall**

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

*Text proposed by the Commission*

*Amendment*

**(e) the tracking error between the low carbon benchmark and the parent index;** **deleted**

Or. en

**Amendment 193**  
**Markus Ferber**

**Proposal for a regulation**  
**Annex I – point 1 – point e**  
Regulation 2016/1011  
Annex

*Text proposed by the Commission*

*Amendment*

**(e) the tracking error between the low carbon benchmark and the parent index;** **deleted**

Or. en

*Justification*

*The tracking error is not part of the methodology, but rather a result of the methodology.*

**Amendment 194**  
**Caroline Nagtegaal**

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

*Text proposed by the Commission*

*Amendment*

**(e) the tracking error between the low carbon benchmark and the parent index;**

**(e) if the benchmark is tracking a parent benchmark, the tracking error between the climate transition benchmark and the parent index;**

**Amendment 195**  
**Sirpa Pietikäinen**

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

*Text proposed by the Commission*

(e) the tracking error between the **low carbon** benchmark and the parent index;

*Amendment*

(e) the tracking error between the **positive environmental impact** benchmark and the parent index;

Or. en

**Amendment 196**  
**Lieve Wierinck**

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

*Text proposed by the Commission*

(e) the tracking error between the **low carbon** benchmark and the parent index;

*Amendment*

(e) the tracking error between the **climate transition** benchmark and the parent index;

Or. en

**Amendment 197**  
**Matt Carthy**

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

*Text proposed by the Commission*

(e) the tracking error between the **low carbon** benchmark and the parent index;

*Amendment*

(e) the tracking error between the **Paris-aligned** benchmark and the parent index;

Or. en

**Amendment 198**  
**Molly Scott Cato**

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

*Text proposed by the Commission*

*Amendment*

**(f) the positive reweighting of low-carbon assets in the low carbon benchmark versus the parent index and the explanation of why this reweighting is necessary to reflect the chosen objectives of the low carbon benchmark;**

**deleted**

Or. en

*Justification*

*This deletion is part of the effort to eliminate from the Commission proposal provisions that force index providers to stick to just one - outdated - method.*

**Amendment 199**  
**Caroline Nagtegaal**

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

*Text proposed by the Commission*

*Amendment*

**(f) the positive reweighting of low-carbon assets in the *low carbon* benchmark versus the parent index and the explanation of why this reweighting is necessary to reflect the chosen objectives of the *low carbon* benchmark;**

**(f) *if the benchmark is tracking a parent benchmark*, the positive reweighting of low-carbon assets *and low greenhouse gas assets* in the *climate transition* benchmark versus the parent index and the explanation of why this reweighting is necessary to reflect the chosen objectives of the *climate transition* benchmark;**

Or. en

**Amendment 200**  
**Lieve Wierinck**

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

*Text proposed by the Commission*

(f) the positive reweighting of low-carbon assets in the **low carbon** benchmark versus the parent index and the explanation of why this reweighting is necessary to reflect the chosen objectives of the **low carbon** benchmark;

*Amendment*

(f) the positive reweighting of low-carbon assets **and low greenhouse gas assets** in the **climate transition** benchmark versus the parent index and the explanation of why this reweighting is necessary to reflect the chosen objectives of the **climate transition** benchmark;

Or. en

**Amendment 201**  
**Sirpa Pietikäinen**

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

*Text proposed by the Commission*

(f) the positive reweighting of **low-carbon** assets in the **low carbon** benchmark versus the parent index and the explanation of why this reweighting is necessary to reflect the chosen objectives of the **low carbon** benchmark;

*Amendment*

(f) the positive reweighting of assets **with environmentally positive impact** in the benchmark versus the parent index and the explanation of why this reweighting is necessary to reflect the chosen objectives of the **positive impact** benchmark;

Or. en

**Amendment 202**  
**Matt Carthy**

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

*Text proposed by the Commission*

(f) the positive reweighting of low-carbon assets in the **low carbon** benchmark versus the parent index and the explanation of why this reweighting is necessary to

*Amendment*

(f) the positive reweighting of low-carbon assets in the **Paris-aligned** benchmark versus the parent index and the explanation of why this reweighting is

reflect the chosen objectives of the *low carbon* benchmark;

necessary to reflect the chosen objectives of the *Paris-aligned* benchmark;

Or. en

### Amendment 203

Syed Kamall

#### Proposal for a regulation Annex I – point 1 – point f

*Text proposed by the Commission*

(f) *the positive reweighting of low-carbon assets in the low carbon benchmark versus the parent index and the explanation of why this reweighting is necessary to reflect the chosen objectives of the low carbon benchmark;*

*Amendment*

(f) *where the benchmark has a related parent index based on which it is alternatively weighted, an explanation of why this reweighting is necessary to reflect the chosen objectives of the benchmark;*

Or. en

### Amendment 204

Molly Scott Cato

#### Proposal for a regulation Annex I – point 1 – point g

*Text proposed by the Commission*

(g) *the ratio between the market value of the securities that are in the low carbon benchmark and the market value of the securities in the parent index;*

*Amendment*

*deleted*

Or. en

*Justification*

*This deletion is part of the effort to eliminate from the Commission proposal provisions that force index providers to stick to just one - outdated - method.*

### Amendment 205

Syed Kamall

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

*Text proposed by the Commission*

*Amendment*

(g) *the ratio between the market value of the securities that are in the **low carbon benchmark** and the market value of the securities in the parent index;*

*deleted*

Or. en

**Amendment 206**  
**Caroline Nagtegaal**

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

*Text proposed by the Commission*

*Amendment*

(g) the ratio between the market value of the securities that are in the **low carbon benchmark** and the market value of the securities in the parent index;

(g) *if the benchmark is tracking a **parent benchmark***, the ratio between the market value of the securities that are in the **climate transition benchmark** and the market value of the securities in the parent index;

Or. en

**Amendment 207**  
**Lieve Wierinck**

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

*Text proposed by the Commission*

*Amendment*

(g) the ratio between the market value of the securities that are in the **low carbon benchmark** and the market value of the securities in the parent index;

(g) the ratio between the market value of the securities that are in the **climate transition benchmark** and the market value of the securities in the parent index;

Or. en



**Amendment 208**  
**Sirpa Pietikäinen**

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

*Text proposed by the Commission*

(g) the ratio between the market value of the securities that are in the **low carbon** benchmark and the market value of the securities in the parent index;

*Amendment*

(g) the ratio between the market value of the securities that are in the **positive impact** benchmark and the market value of the securities in the parent index;

Or. en

**Amendment 209**  
**Matt Carthy**

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

*Text proposed by the Commission*

(g) the ratio between the market value of the securities that are in the **low carbon** benchmark and the market value of the securities in the parent index;

*Amendment*

(g) the ratio between the market value of the securities that are in the **Paris-aligned** benchmark and the market value of the securities in the parent index;

Or. en

**Amendment 210**  
**Markus Ferber**

**Proposal for a regulation**  
**Annex I – point 1 – point h**  
Regulation 2016/1011  
Annex

*Text proposed by the Commission*

**(h) the type and source of input data used for the selection of assets or**

*Amendment*

**deleted**

*companies eligible for the low carbon benchmark, including:*

- (i) emissions from sources that are controlled by the company;*
- (ii) emissions from the consumption of purchased electricity, steam, or other sources of energy generated upstream from the company;*
- (iii) emissions that are a consequence of the operations of a company but that are not directly controlled by the company;*
- (iv) emissions which would continue to exist if the company's products or services would be replaced by more carbon emitting substitutes ('emission savings');*
- (v) whether the input data uses the Product and Organisation Environmental Footprint methods as defined in points (a) and (b) of point 2 of Commission Recommendation 2013/179/EU;*

Or. en

*Justification*

*This is sensitive information that should not have to be disclosed to the public.*

**Amendment 211**  
**Syed Kamall**

**Proposal for a regulation**  
**Annex I – point 1 – point h – introductory part**

*Text proposed by the Commission*

(h) the type and source of input data **used for** the selection **of** assets **or** companies eligible for the low carbon benchmark, including:

*Amendment*

(h) the type and source of input data **and how it is used within the benchmark methodology to determine** the selection, **exclusion or re-weighting of the underlying** assets, including:

Or. en

**Amendment 212**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Annex I – point 1 – point h – introductory part**

*Text proposed by the Commission*

(h) the type and source of input data used for the selection of assets or companies eligible for the **low carbon** benchmark, including:

*Amendment*

(h) the type and source of input data used for the selection of assets or companies eligible for the **positive environmental impact** benchmark, including:

Or. en

**Amendment 213**  
**Lieve Wierinck, Caroline Nagtegaal**

**Proposal for a regulation**  
**Annex I – point 1 – point h – introductory part**

*Text proposed by the Commission*

(h) the type and source of input data used for the selection of assets or companies eligible for the **low carbon** benchmark, including:

*Amendment*

(h) the type and source of input data used for the selection of assets or companies eligible for the **climate transition** benchmark, including:

Or. en

**Amendment 214**  
**Matt Carthy**

**Proposal for a regulation**  
**Annex I – point 1 – point h – introductory part**

*Text proposed by the Commission*

(h) the type and source of input data used for the selection of assets or companies eligible for the **low carbon** benchmark, **including**:

*Amendment*

(h) the type and source of input data used for the selection of assets or companies eligible for the **Paris-aligned** benchmark:

Or. en

**Amendment 215**  
**Molly Scott Cato**

**Proposal for a regulation**  
**Annex I – point 1 – point h – introductory part**

*Text proposed by the Commission*

*Amendment*

(h) the type and source of input data used for the selection of assets or companies eligible for the low carbon benchmark, ***including:***

(h) the type and source of input data used for the selection of assets or companies eligible for the low carbon benchmark;

Or. en

*Justification*

*These disclosure requirements effectively prescribe a specific method that is now outdated.*

**Amendment 216**  
**Molly Scott Cato**

**Proposal for a regulation**  
**Annex I – point 1 – point h – point i**

*Text proposed by the Commission*

*Amendment*

(i) ***emissions from sources that are controlled by the company;***

***deleted***

Or. en

*Justification*

*These disclosure requirements effectively prescribe a specific method that is now outdated.*

**Amendment 217**  
**Matt Carthy**

**Proposal for a regulation**  
**Annex I – point 1 – point h – point i**

*Text proposed by the Commission*

*Amendment*

(i) *emissions from sources that are controlled by the company;* *deleted*

Or. en

**Amendment 218**  
**Syed Kamall**

**Proposal for a regulation**  
**Annex I – point 1 – point h – point i**

*Text proposed by the Commission*

*Amendment*

(i) emissions from sources that are controlled by the company;

(i) **carbon** emissions **generated** from sources that are controlled by the company **associated with the underlying assets;**

Or. en

**Amendment 219**  
**Anne Sander**

**Proposal for a regulation**  
**Annex I – point 1 – point h – point i**  
Regulation (EU) 2016/1011  
Annex I – point 1 – point h – point i

*Text proposed by the Commission*

*Amendment*

(i) emissions from sources that are controlled by the company;

(i) emissions **generated** from sources that are controlled by the **issuing** company **or specific to the underlying assets;**

Or. fr

**Amendment 220**  
**Matt Carthy**

**Proposal for a regulation**  
**Annex I – point 1 – point h – point ii**

*Text proposed by the Commission*

*Amendment*

**(ii) emissions from the consumption of purchased electricity, steam, or other sources of energy generated upstream from the company;** *deleted*

Or. en

**Amendment 221**  
**Molly Scott Cato**

**Proposal for a regulation**  
**Annex I – point 1 – point h – point ii**

*Text proposed by the Commission*

*Amendment*

**(ii) emissions from the consumption of purchased electricity, steam, or other sources of energy generated upstream from the company;** *deleted*

Or. en

*Justification*

*These disclosure requirements effectively prescribe a specific method that is now outdated.*

**Amendment 222**  
**Syed Kamall**

**Proposal for a regulation**  
**Annex I – point 1 – point h – point ii**

*Text proposed by the Commission*

*Amendment*

**(ii) emissions from the consumption of purchased electricity, steam, or other sources of energy generated upstream from the company;**

**(ii) emissions from the consumption of purchased electricity, steam, or other sources of energy generated upstream from the company *associated with the underlying assets*;**

Or. en

**Amendment 223**

**Matt Carthy**

**Proposal for a regulation  
Annex I – point 1 – point h – point iii**

*Text proposed by the Commission*

*Amendment*

**(iii) emissions that are a consequence of the operations of a company but that are not directly controlled by the company;** **deleted**

Or. en

**Amendment 224  
Molly Scott Cato**

**Proposal for a regulation  
Annex I – point 1 – point h – point iii**

*Text proposed by the Commission*

*Amendment*

**(iii) emissions that are a consequence of the operations of a company but that are not directly controlled by the company;** **deleted**

Or. en

*Justification*

*These disclosure requirements effectively prescribe a specific method that is now outdated.*

**Amendment 225  
Syed Kamall**

**Proposal for a regulation  
Annex I – point 1 – point h – point iii**

*Text proposed by the Commission*

*Amendment*

**(iii) emissions that are a consequence of the operations of a company but that are not directly controlled by the company;**

**(iii) emissions that are a consequence of the operations of a company *associated with the underlying assets*, but that are not directly controlled by the company, *if these***

*are considered within the benchmark methodology;*

Or. en

**Amendment 226**

**Anne Sander**

**Proposal for a regulation**

**Annex I – point 1 – point h – point iii**

*Text proposed by the Commission*

(iii) emissions that are a consequence of the operations of a company but that are not directly controlled by the company;

*Amendment*

(iii) *if applicable and where data are available*, emissions that are a consequence of the operations of a company but that are not directly controlled by the company;

Or. fr

**Amendment 227**

**Matt Carthy**

**Proposal for a regulation**

**Annex I – point 1 – point h – point iv**

*Text proposed by the Commission*

(iv) *emissions which would continue to exist if the company's products or services would be replaced by more carbon emitting substitutes ('emission savings');*

*Amendment*

*deleted*

Or. en

**Amendment 228**

**Molly Scott Cato**

**Proposal for a regulation**

**Annex I – point 1 – point h – point iv**

*Text proposed by the Commission*

*Amendment*



**(iv) emissions which would continue to exist if the company's products or services would be replaced by more carbon emitting substitutes ('emission savings');** *deleted*

Or. en

*Justification*

*These disclosure requirements effectively prescribe a specific method that is now outdated.*

**Amendment 229**

**Lieve Wierinck, Caroline Nagtegaal**

**Proposal for a regulation**

**Annex I – point 1 – point h – point iv**

*Text proposed by the Commission*

*Amendment*

**(iv) emissions which would continue to exist if the company's products or services would be replaced by more carbon emitting substitutes ('emission savings');** *deleted*

Or. en

**Amendment 230**

**Anne Sander**

**Proposal for a regulation**

**Annex I – point 1 – point h – point iv**

Regulation (EU) 2016/1011

Annex I – point 1 – point h – point iv

*Text proposed by the Commission*

*Amendment*

(iv) emissions which would continue to exist if the company's products or services would be replaced by more carbon emitting substitutes ('emission savings');

(iv) ***if applicable and where data are available***, emissions which would continue to exist if the company's products or services would be replaced by more carbon emitting substitutes ('emission savings');

Or. fr

**Amendment 231**  
**Molly Scott Cato**

**Proposal for a regulation**  
**Annex I – point 1 – point h – point v**

*Text proposed by the Commission*

*Amendment*

(v) *whether the input data uses the Product and Organisation Environmental Footprint methods as defined in points (a) and (b) of point 2 of Commission Recommendation 2013/179/EU;* **deleted**

Or. en

*Justification*

*These disclosure requirements effectively prescribe a specific method that is now outdated.*

**Amendment 232**  
**Matt Carthy**

**Proposal for a regulation**  
**Annex I – point 1 – point h – point v**

*Text proposed by the Commission*

*Amendment*

(v) *whether the input data uses the Product and Organisation Environmental Footprint methods as defined in points (a) and (b) of point 2 of Commission Recommendation 2013/179/EU;* **deleted**

Or. en

**Amendment 233**  
**Syed Kamall**

**Proposal for a regulation**  
**Annex I – point 1 – point h – point v**

*Text proposed by the Commission*

*Amendment*

(v) *whether the input data uses **the Product and Organisation Environmental*** (v) *whether the input data uses **global standards such as TCFD (the FSB 'Task***

**Footprint methods as defined in points (a) and (b) of point 2 of Commission Recommendation 2013/179/EU;**

**Force on Climate-related Financial Disclosures');**

Or. en

**Amendment 234**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Annex I – point 1 – point h – point v a (new)**

*Text proposed by the Commission*

*Amendment*

**(va) impact calculated based on other circular economy indicators in addition to CO<sub>2</sub> emissions, to be developed in line with the Commission communications of 16 January 2018 on a monitoring framework for the circular economy and of 2 December 2015 entitled 'Closing the loop – an EU action plan for the Circular Economy', including other emissions, impact on biodiversity, production of waste, use of energy and renewable energy, raw materials, water and direct and indirect land use.**

Or. en

**Amendment 235**  
**Anne Sander**

**Proposal for a regulation**  
**Annex I – point 1 – point h – point v a (new)**

*Text proposed by the Commission*

*Amendment*

**(va) the assumed emissions of the company;**

Or. fr

**Amendment 236**  
**Syed Kamall**

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

*Text proposed by the Commission*

(i) *the total carbon-footprint exposure of the index portfolio and the estimated impacts on climate-change mitigation of the low carbon strategy pursued by the benchmark;*

*Amendment*

(i) *where the benchmark has a related parent index based on which it is alternatively weighted based on carbon emissions, the difference in carbon emissions between the benchmark and the parent index;*

Or. en

**Amendment 237**  
**Lieve Wierinck, Caroline Nagtegaal**

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

*Text proposed by the Commission*

(i) the total carbon-footprint exposure of the index portfolio and the estimated impacts on climate-change mitigation of the *low carbon* strategy pursued by the benchmark;

*Amendment*

(i) the total carbon-footprint exposure of the index portfolio and the estimated impacts on climate-change mitigation of the *climate transition* strategy pursued by the benchmark;

Or. en

**Amendment 238**  
**Sirpa Pietikäinen**

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

*Text proposed by the Commission*

(i) the *total carbon-footprint exposure* of the index portfolio and the estimated *impacts on climate-change mitigation* of the *low carbon* strategy pursued by the benchmark;

*Amendment*

(i) the *net environmental impact* of the index portfolio and the estimated *impact on the environment* of the strategy pursued by the benchmark;

**Amendment 239**

**Matt Carthy**

**Proposal for a regulation**

**Annex I – point 1 – point i**

*Text proposed by the Commission*

(i) ***the total carbon-footprint exposure of the index portfolio and*** the estimated impacts on climate-change mitigation of the low carbon strategy pursued by the benchmark;

*Amendment*

(i) the estimated impacts on climate-change mitigation ***and contribution to the objectives of the Paris Agreement*** of the low carbon strategy pursued by the benchmark;

Or. en

**Amendment 240**

**Molly Scott Cato**

**Proposal for a regulation**

**Annex I – point 1 – point i**

*Text proposed by the Commission*

(i) ***the total carbon-footprint exposure of the index portfolio and*** the estimated impacts on climate-change mitigation of the low carbon strategy pursued by the benchmark;

*Amendment*

(i) the estimated impacts on climate-change mitigation, ***as defined by the goals of the Paris Agreement,*** of the low carbon strategy pursued by the benchmark;

Or. en

**Amendment 241**

**Sirpa Pietikäinen**

**Proposal for a regulation**

**Annex I – point 1 – point j**

*Text proposed by the Commission*

(j) the rationale for adopting a particular ***low-carbon*** methodology

*Amendment*

(j) the rationale for adopting a particular methodology, ***and where***

strategy or objective and an explanation of why the methodology is appropriate for the calculation of the **low-carbon** objectives of the benchmark;

**relevant, a sustainability** strategy or objective, and an explanation of why the methodology is appropriate for the calculation of the **environmental impact, and where relevant, sustainability strategies or** objectives of the benchmark;

Or. en

## Amendment 242

Syed Kamall

### Proposal for a regulation

#### Annex I – point 1 – point j

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

(j) the rationale for adopting a particular low-carbon **methodology** strategy or objective and an explanation of **why** the methodology is **appropriate for the calculation of the low-carbon objectives of the benchmark**;

##### *Amendment*

(j) the rationale for adopting a particular low-carbon strategy or objective and an explanation of **how** the methodology is **aligned with this strategy or objective**;

Or. en

## Amendment 243

Matt Carthy

### Proposal for a regulation

#### Annex I – point 1 – point j

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

(j) the rationale for adopting a particular low-carbon methodology strategy or objective and an explanation of why the methodology is appropriate for the calculation of the **low-carbon** objectives of the benchmark;

##### *Amendment*

(j) the rationale for adopting a particular low-carbon methodology strategy or objective and an explanation of why the methodology is appropriate for the calculation of the **Paris-aligned** objectives of the benchmark;

Or. en

**Amendment 244**  
**Molly Scott Cato**

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

*Text proposed by the Commission*

*Amendment*

**(k) the procedure for internal review and approval of a given methodology, as well as the frequency of such internal review.** **deleted**

Or. en

*Justification*

*Redundant, because already required by Article 13 (1, b) of the Financial Benchmarks Regulation.*

**Amendment 245**  
**Markus Ferber**

**Proposal for a regulation**  
**Annex I – point 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**1a. When disclosing the abovementioned elements, the benchmark administrator shall not be required to disclose information that is proprietary or confidential in nature.**

Or. en

**Amendment 246**  
**Syed Kamall**

**Proposal for a regulation**  
**Annex I – subheading 3**

*Text proposed by the Commission*

*Amendment*

*Methodology for positive carbon impact benchmarks*                      *deleted*

Or. en

*Justification*

*No longer necessary given the redrafting of paragraph 1 of the Annex to include both benchmarks*

**Amendment 247**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Annex I – subheading 3**

*Text proposed by the Commission*

*Amendment*

Methodology for positive *carbon* impact benchmarks

*Further* methodology for positive *environmental* impact benchmarks

Or. en

**Amendment 248**  
**Neena Gill**

**Proposal for a regulation**  
**Annex I – subheading 3**

*Text proposed by the Commission*

*Amendment*

Methodology for *positive* carbon *impact* benchmarks

Methodology for *negative* carbon *emissions* benchmarks

Or. en

**Amendment 249**  
**Lieve Wierinck**

**Proposal for a regulation**  
**Annex I – subheading 3**

*Text proposed by the Commission*

*Amendment*



Methodology for *positive* carbon impact benchmarks

Methodology for *negative* carbon impact benchmarks

Or. en

**Amendment 250**  
**Molly Scott Cato**

**Proposal for a regulation**  
**Annex I – subheading 3**

*Text proposed by the Commission*

*Amendment*

*Methodology for positive carbon impact benchmarks*

*Disclosures for climate transition benchmarks*

Or. en

**Amendment 251**  
**Matt Carthy**

**Proposal for a regulation**  
**Annex I – subheading 3**

*Text proposed by the Commission*

*Amendment*

Methodology for *positive carbon impact* benchmarks

Methodology for *climate transition* benchmarks

Or. en

**Amendment 252**  
**Syed Kamall**

**Proposal for a regulation**  
**Annex I – point 2**

*Text proposed by the Commission*

*Amendment*

**2. The administrator of a positive carbon impact benchmark, in addition to the obligations applicable to the administrator of a low carbon benchmark,**

**deleted**

*shall disclose the positive carbon impact of each underlying asset included in the benchmark and shall specify the formula or calculation that is used to determine whether the emission savings exceed the investment asset's or company's carbon footprint ('positive carbon impact ratio').*

Or. en

**Amendment 253**  
**Matt Carthy**

**Proposal for a regulation**  
**Annex I – point 2**

*Text proposed by the Commission*

2. The administrator of a **positive carbon impact** benchmark, in addition to the obligations applicable to the administrator of a **low carbon** benchmark, shall disclose the **positive carbon impact** of each underlying asset included in the benchmark and shall specify the **formula or calculation that is used to determine whether the emission savings exceed the investment asset's or company's carbon footprint ('positive carbon impact ratio')**.

*Amendment*

2. The administrator of a **climate transition** benchmark, in addition to the obligations applicable to the administrator of a **Paris-aligned** benchmark, shall disclose the **measurable and time-bound science-based target, and the link to the related implementation plan and the annual report on progress made towards achieving the target**, of each underlying asset included in the benchmark and shall specify the **science-based methodological framework and decarbonisation pathway selected for the benchmark; the related metrics and thresholds used to select, weight and exclude the economic activities in line with the decarbonisation pathway, and to assess the exposure of the underlying assets to such economic activities**;

Or. en

**Amendment 254**  
**Molly Scott Cato**

**Proposal for a regulation**  
**Annex I – point 2**

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*Text proposed by the Commission*

2. ***The administrator of a positive carbon impact benchmark***, in addition to the obligations applicable to the administrator of a low carbon benchmark, shall disclose ***the positive carbon impact of each underlying asset included*** in the benchmark ***and shall specify the formula or calculation that is used to determine whether the emission savings exceed the investment asset's or company's carbon footprint ('positive carbon impact ratio')***.

*Amendment*

2. In addition to the obligations applicable to the administrator of a low carbon benchmark, ***administrators of climate transition benchmarks*** shall disclose, ***for each asset in the benchmark, the measurable and time-based targets as well as details about the asset issuers' decarbonisation plans and their annual progress reports. Administrators shall further disclose their methodological frameworks and decarbonisation pathways selected for the benchmark as well as the metrics and thresholds used to select, weight and exclude the economic activities in accordance with the decarbonisation pathway and to assess the exposure of the underlying assets to such economic activities***

Or. en

**Amendment 255**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Annex I – point 2**

*Text proposed by the Commission*

2. The administrator of a positive ***carbon*** impact benchmark, in addition to the obligations ***applicable to the administrator of a low carbon benchmark***, shall disclose the positive ***carbon*** impact of each underlying asset included in the benchmark and shall specify the formula or calculation that is used to determine whether the ***emission savings exceed the investment asset's or company's carbon footprint ('positive carbon impact ratio')***.

*Amendment*

2. The administrator of a positive impact benchmark, in addition to the obligations ***stated above***, shall disclose the positive ***environmental*** impact of each underlying asset included in the benchmark and shall specify the formula or calculation that is used to determine whether the ***net*** impact.

Or. en

## Amendment 256

Neena Gill

### Proposal for a regulation

#### Annex I – point 2

*Text proposed by the Commission*

2. The administrator of a **positive** carbon **impact benchmark**, in addition to the obligations applicable to the administrator of a low carbon benchmark, shall disclose the **positive** carbon impact of each underlying asset included in the benchmark and shall specify the formula or calculation that is used to determine whether the emission savings exceed the investment asset's or company's carbon footprint (**'positive** carbon impact ratio').

*Amendment*

2. The administrator of **negative** carbon **emissions benchmarks** in addition to the obligations applicable to the administrator of a low carbon benchmark, shall disclose the carbon impact of each underlying asset included in the benchmark and shall specify the formula or calculation that is used to determine whether the emission savings exceed the investment asset's or company's carbon footprint (**negative** carbon **emissions** impact ratio').

Or. en

## Amendment 257

Lieve Wierinck, Caroline Nagtegaal

### Proposal for a regulation

#### Annex I – point 2

*Text proposed by the Commission*

2. The administrator of a **positive** carbon impact benchmark, in addition to the obligations applicable to the administrator of a **low carbon** benchmark, shall disclose the **positive** carbon impact of **each underlying asset included in the benchmark** and shall specify the formula or calculation that is used to determine whether the emission savings exceed the investment asset's or company's carbon footprint (**'positive** carbon impact ratio').

*Amendment*

2. The administrator of a **negative** carbon impact benchmark, in addition to the obligations applicable to the administrator of a **climate transition** benchmark, shall disclose the **negative** carbon impact **at the level of the portfolio** and shall specify the formula or calculation that is used to determine whether the emission savings exceed the investment asset's or company's carbon footprint (**negative** carbon impact ratio').

Or. en

## Amendment 258

Lieve Wierinck, Caroline Nagtegaal

**Proposal for a regulation  
Annex I – point 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. The administrator of a negative carbon benchmark shall document and make public any methodology used for the calculation of emissions which would continue to exist if the company's products or services would be replaced by more carbon emitting substitutes ('emission savings') and the corresponding amount of emissions savings;**

Or. en

**Amendment 259  
Molly Scott Cato**

**Proposal for a regulation  
Annex I – point 3**

*Text proposed by the Commission*

*Amendment*

**3. Administrators of low-carbon and positive carbon impact benchmarks shall adopt and make public to users procedures for and the rationale of any proposed material change in their methodology. Those procedures shall be consistent with the overriding objective that benchmark calculations adhere continuously to the low-carbon or positive carbon impact objectives. Those procedures shall provide:**

**deleted**

**(a) advance notice in a clear time frame that gives users sufficient opportunity to analyse and comment on the impact of such proposed changes, having regard to the administrators' calculation of the overall circumstances;**

**(b) for the possibility for users to comment on those changes and for the administrators to respond to those comments, where those comments shall be accessible for all market users after any given consultation period, except where the commenter has requested confidentiality.**

Or. en

*Justification*

*These procedures are effectively equivalent to, and partly lifted verbatim from, paragraphs 1 and 2 of Article 13 of Regulation 2016/1011.*

**Amendment 260**

**Lieve Wierinck, Caroline Nagtegaal**

**Proposal for a regulation**

**Annex I – point 3 – introductory part**

*Text proposed by the Commission*

3. Administrators of **low-carbon and positive** carbon impact benchmarks shall adopt and make public to users procedures for and the rationale of any proposed material change in their methodology. Those procedures shall be consistent with the overriding objective that benchmark calculations adhere continuously to the low-carbon or **positive** carbon impact objectives. Those procedures shall provide:

*Amendment*

3. Administrators of **climate transition and negative** carbon impact benchmarks shall adopt and make public to users procedures for and the rationale of any proposed material change in their methodology. Those procedures shall be consistent with the overriding objective that benchmark calculations adhere continuously to the **low greenhouse gas**, low-carbon or **negative** carbon impact objectives. Those procedures shall provide:

Or. en

**Amendment 261**

**Neena Gill**

**Proposal for a regulation**

**Annex I – point 3 – introductory part**

*Text proposed by the Commission*

*Amendment*

3. Administrators of low-carbon and **positive** carbon **impact** benchmarks shall adopt and make public to users procedures for and the rationale of any proposed material change in their methodology. Those procedures shall be consistent with the overriding objective that benchmark calculations adhere continuously to the low-carbon or **positive** carbon **impact** objectives. Those procedures shall provide:

3. Administrators of low-carbon and **negative** carbon **emissions** benchmarks shall adopt and make public to users procedures for and the rationale of any proposed material change in their methodology. Those procedures shall be consistent with the overriding objective that benchmark calculations adhere continuously to the low-carbon or **the negative** carbon **emissions** objectives. Those procedures shall provide:

Or. en

### **Amendment 262** **Sirpa Pietikäinen**

#### **Proposal for a regulation** **Annex I – point 3 – introductory part**

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

3. Administrators of **low-carbon and positive carbon** impact benchmarks shall adopt and make public to users procedures for and the rationale of any proposed material change in their methodology. Those procedures shall be consistent with the overriding objective that benchmark calculations adhere continuously to the **low-carbon** or positive **carbon** impact objectives. Those procedures shall provide:

##### *Amendment*

3. Administrators of positive impact benchmarks shall adopt and make public to users procedures for and the rationale of any proposed material change in their methodology. Those procedures shall be consistent with the overriding objective that benchmark calculations adhere continuously to the **sustainability** or positive **environmental** impact objectives. Those procedures shall provide:

Or. en

### **Amendment 263** **Lieve Wierinck, Caroline Nagtegaal**

#### **Proposal for a regulation** **Annex I – point 4**

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

4. Administrators of **low-carbon and positive** carbon impact benchmarks shall

##### *Amendment*

4. Administrators of **climate transition and negative** carbon impact

regularly examine their methodologies to ensure that they reliably reflect the relevant low-carbon or **positive** carbon objectives and shall have a process in place for taking the views of relevant users into account.”.

benchmarks shall regularly examine their methodologies to ensure that they reliably reflect the relevant **low greenhouse gas,** low-carbon or **negative** carbon objectives and shall have a process in place for taking the views of relevant users into account.”.

Or. en

## **Amendment 264** **Sirpa Pietikäinen**

### **Proposal for a regulation** **Annex I – point 4**

#### *Text proposed by the Commission*

4. Administrators of **low-carbon and positive carbon** impact benchmarks shall regularly examine their methodologies to ensure that they reliably reflect the **relevant low-carbon or positive carbon** objectives and shall have a process in place for taking the views of relevant users into account.”.

#### *Amendment*

4. Administrators of positive impact benchmarks shall regularly examine their methodologies to ensure that they reliably reflect the **stated** objectives and shall have a process in place for taking the views of relevant users into account.”.

Or. en

## **Amendment 265** **Neena Gill**

### **Proposal for a regulation** **Annex I – point 4**

#### *Text proposed by the Commission*

4. Administrators of low-carbon and **positive** carbon **impact** benchmarks shall regularly examine their methodologies to ensure that they reliably reflect the relevant low-carbon or **positive** carbon objectives and shall have a process in place for taking the views of relevant users into account.”.

#### *Amendment*

4. Administrators of low-carbon and **negative** carbon **emissions** benchmarks shall regularly examine their methodologies to ensure that they reliably reflect the relevant low-carbon or **negative** carbon **emissions** objectives and shall have a process in place for taking the views of relevant users into account.”.



**Amendment 266**  
**Molly Scott Cato**

**Proposal for a regulation**  
**Annex I – point 4**

*Text proposed by the Commission*

4. Administrators of low-carbon and **positive carbon impact** benchmarks shall **regularly examine** their methodologies to ensure that they reliably reflect the relevant low-carbon or **positive carbon** objectives and shall have a process in place for taking the views of relevant users into account.”.

*Amendment*

4. Administrators of low-carbon and **climate transition** benchmarks shall **review** their methodologies **at least annually** to ensure that they reliably reflect the relevant low-carbon or **climate transition** objectives and shall have a process in place for taking the views of **all** relevant users into account.”.

Or. en

*Justification*

*This amendment brings the text in line with Article 5(3) of Regulation 2016/1011. It also clarifies that administrators must take the views of all relevant users into consideration, not just those of a select group.*