European Parliament
2019-2024

Committee on the Environment, Public Health and Food Safety

2021/0210(COD)

2.3.2022

AMENDMENTS
100 - 489

Draft opinion
Tiemo Wölken
(PE703.146v01-00)

The use of renewable and low-carbon fuels in maritime transport and amending Directive 2009/16/EC

Proposal for a regulation
Amendment 100
Jutta Paulus

Proposal for a regulation
Title 1

Text proposed by the Commission


Amendment


Or. en

Amendment 101
Idoia Villanueva Ruiz, Mick Wallace

Proposal for a regulation
Title 1

Text proposed by the Commission


Amendment


Or. en

Amendment 102
Anna Zalewska

Proposal for a regulation
Citation 1

Text proposed by the Commission


Amendment


Or. en
Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2) thereof,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2) and Article 192(2) thereof,

Amendment 103
Jutta Paulus

Proposal for a regulation
Citation 1

**Text proposed by the Commission**

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2) thereof,

**Amendment**

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) thereof,

**Justification**

_The objective of this Regulation is to reduce greenhouse gas emissions from energy used by ships, therefore the environmental legal basis should apply._

Amendment 104
Jutta Paulus

Proposal for a regulation
Recital 1

**Text proposed by the Commission**

(1) Maritime transport accounts for around 75% of EU external trade and 31% of EU internal trade in terms of volume. At the same time, ship traffic to or from ports in the European Economic Area accounts for some 11% of all EU CO₂ emissions from transport and 3-4% of total EU CO₂ emissions. 400 million passengers embark or disembark annually in ports of Member States, including around 14 million on cruise ships. Maritime transport is

**Amendment**

(1) Maritime transport accounts for around 75% of EU external trade and 31% of EU internal trade in terms of volume. At the same time, ship traffic to or from ports in the European Economic Area accounts for some 11% of all EU CO₂ emissions from transport and 3-4% of total EU CO₂ emissions. **CO₂ emissions from maritime transport both at global and European level are expected to increase, unless further action is taken respectively by 90**
therefore an essential component of
Europe’s transport system and plays a
critical role for the European economy. The maritime transport market is subject to strong competition between economic actors in the Union and beyond for which a level playing field is indispensable. The stability and prosperity of the maritime transport market and its economic actors rely on a clear and harmonised policy framework where maritime transport operators, ports and other actors in the sector can operate on the basis of equal opportunities. Where market distortions occur, they risk putting ship operators or ports at a disadvantage compared to competitors within the maritime transport sector or in other transport sectors. In turn, this can result in a loss of competitiveness of the maritime transport industry, and a loss of connectivity for citizens and businesses.

% to 130 % of 2008 emissions by 2050 and by 86 % compared with 1990 levels by 2050\textsuperscript{1a}. 400 million passengers embark or disembark annually in ports of Member States, including around 14 million on cruise ships. Maritime transport is therefore an essential component of Europe’s transport system and plays a critical role for the European economy, yet its environmental and climate impact needs to be tackled swiftly. All sectors of the economy must contribute to the swift reduction of GHG emissions towards net-zero GHG emissions by 2050 at the latest as enshrined in Regulation (EU) 2021/1119 of the European Parliament and of the Council. It is therefore essential for the Union to set an ambitious pathway for the swift ecological transition of the maritime sector, which would also contribute to maintaining and further promoting its global leadership and competitive advantage in the green technologies, services and solutions in the sector as well as contributing to the health of citizens and decreasing the stress on marine ecosystems by reducing noise and pollution of air and water framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU)2018/1999 (‘European Climate Law’)\textsuperscript{2a}.

\textsuperscript{1a} Fourth IMO GHG Study 2020, International Maritime Organization, London, 2021

\textsuperscript{2a} OJ L 243, 9.7.2021, p. 1

Amendment 105
Nils Torvalds, Andreas Glück

Proposal for a regulation
Recital 1
Text proposed by the Commission

(1) Maritime transport accounts for around 75% of EU external trade and 31% of EU internal trade in terms of volume. At the same time, ship traffic to or from ports in the European Economic Area accounts for some 11% of all EU CO\textsubscript{2} emissions from transport and 3-4% of total EU CO\textsubscript{2} emissions. 400 million passengers embark or disembark annually in ports of Member States, including around 14 million on cruise ships. Maritime transport is therefore an essential component of Europe’s transport system and plays a critical role for the European economy.

The maritime transport market is subject to strong competition between economic actors in the Union and beyond for which a level playing field is indispensable. The stability and prosperity of the maritime transport market and its economic actors rely on a clear and harmonised policy framework where maritime transport operators, ports and other actors in the sector can operate on the basis of equal opportunities. Where market distortions occur, they risk putting ship operators or ports at a disadvantage compared to competitors within the maritime transport sector or in other transport sectors. In turn, this can result in a loss of competitiveness of the maritime transport industry, and a loss of connectivity for citizens and businesses.

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The maritime transport market is subject to strong competition between economic actors in the Union and beyond for which a level playing field is indispensable. The stability and prosperity of the maritime transport market and its economic actors rely on a clear and harmonised policy framework where maritime transport operators, ports and other actors in the sector can operate on the basis of equal opportunities. Where market distortions occur, they risk putting ship operators or ports at a disadvantage compared to competitors within the maritime transport sector or in other transport sectors. In turn, this can result in a loss of competitiveness of the maritime transport industry, and a loss of connectivity for citizens and businesses. To avoid market distortion and to ensure a fair and level playing field for Member States, measures should be taken in FuelEU Maritime to address specific circumstances, such as those related to climate and weather.

Or. en

Justification

Climate and weather conditions affect Member States differently and as such, measures should not have a disproportionate impact on the well-functioning of the single market. However, measures need to be taken to ensure that climate targets and that the
decarbonisation of the sector is not jeopardised.

Amendment 106
Catherine Chabaud, Nils Torvalds, Michal Wiezik, Martin Hojsík, Frédérique Ries

Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) Maritime transport accounts for around 75% of EU external trade and 31% of EU internal trade in terms of volume. At the same time, ship traffic to or from ports in the European Economic Area accounts for some 11% of all EU CO₂ emissions from transport and 3-4% of total EU CO₂ emissions. 400 million passengers embark or disembark annually in ports of Member States, including around 14 million on cruise ships. Maritime transport is therefore an essential component of Europe’s transport system and plays a critical role for the European economy. The maritime transport market is subject to strong competition between economic actors in the Union and beyond for which a level playing field is indispensable. The stability and prosperity of the maritime transport market and its economic actors rely on a clear and harmonised policy framework where maritime transport operators, ports and other actors in the sector can operate on the basis of equal opportunities. Where market distortions occur, they risk putting ship operators or ports at a disadvantage compared to competitors within the maritime transport sector or in other transport sectors. In turn, this can result in a loss of competitiveness of the maritime transport industry, and a loss of connectivity for citizens and businesses.

Amendment

(1) Maritime transport accounts for around 75% of EU external trade and 31% of EU internal trade in terms of volume, and is an integral part of global warming, with pollution directly resulting from greenhouse gas emissions having a particular impact on marine and coastal ecosystems, marine biodiversity and human health. At the same time, ship traffic to or from ports in the European Economic Area accounts for some 11% of all EU CO₂ emissions from transport and 3-4% of total EU CO₂ emissions. 400 million passengers embark or disembark annually in ports of Member States, including around 14 million on cruise ships. Maritime transport is therefore an essential component of Europe’s transport system and plays a critical role for the European economy. The maritime transport market is subject to strong competition between economic actors in the Union and beyond for which a level playing field is indispensable. The stability and prosperity of the maritime transport market and its economic actors rely on a clear and harmonised policy framework where maritime transport operators, ports and other actors in the sector can operate on the basis of equal opportunities. Where market distortions occur, they risk putting ship operators or ports at a disadvantage compared to competitors within the maritime transport sector or in other transport sectors. In turn, this can result in a loss of competitiveness of the maritime transport industry, and a loss of
Amendment 107
Maria Spyrači, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Recital 1

Text proposed by the Commission
(1) Maritime transport accounts for around 75% of EU external trade and 31% of EU internal trade in terms of volume. At the same time, ship traffic to or from ports in the European Economic Area accounts for some 11% of all EU CO₂ emissions from transport and 3-4% of total EU CO₂ emissions. 400 million passengers embark or disembark annually in ports of Member States, including around 14 million on cruise ships. Maritime transport is therefore an essential component of Europe’s transport system and plays a critical role for the European economy. The maritime transport market is subject to strong competition between economic actors in the Union and beyond for which a level playing field is indispensable. The stability and prosperity of the maritime transport market and its economic actors rely on a clear and harmonised policy framework where maritime transport operators, ports and other actors in the sector can operate on the basis of equal opportunities. Where market distortions occur, they risk putting ship operators or ports at a disadvantage compared to competitors within the maritime transport sector or in other transport sectors. In turn, this can result in a loss of competitiveness of the maritime transport industry, fewer jobs and a loss of connectivity for citizens and businesses.

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Or. en
Amendment 108
Stanislav Polčák

Proposal for a regulation
Recital 1

*Text proposed by the Commission*

(1) Maritime transport accounts for around 75% of EU external trade and 31% of EU internal trade in terms of volume. At the same time, ship traffic to or from ports in the European Economic Area accounts for some 11% of all EU CO2 emissions from transport and 3-4% of total EU CO2 emissions. 400 million passengers embark or disembark annually in ports of Member States, including around 14 million on cruise ships. Maritime transport is therefore an essential component of Europe’s transport system and plays a critical role for the European economy. The maritime transport market is subject to strong competition between economic actors in the Union and beyond for which a level playing field is indispensable. The stability and prosperity of the maritime transport market and its economic actors rely on a clear and harmonised policy framework where maritime transport operators, ports and other actors in the sector can operate on the basis of equal opportunities. Where market distortions occur, they risk putting ship operators, or ports at a disadvantage compared to competitors within the maritime transport sector or in other transport sectors. In turn, this can result in a loss of competitiveness of the maritime transport industry, and a loss of connectivity for citizens and businesses.

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Or. cs

Amendment 109
Proposal for a regulation
Recital 1 a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
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<tbody>
<tr>
<td>(1a) As it recognises the negative impact of climate change, and especially maritime transports, on oceans, ecosystems and marine biodiversity, on the vulnerability of coastal regions, this Regulation should take into account the Special Report on the Ocean and Cryosphere in a Changing Climate of the IPCC(^{1a}); the Regulation (EU)2015/757 on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport (MRV)(^{1b}) as well as the objectives agreed upon by the Mission Starfish 2030: restore our Ocean and Waters(^{1c}).</td>
<td></td>
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</tbody>
</table>


Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) The maritime sector employs 2 million Europeans and contributes 149 billion Euros to the economy. For every million Euros generated in the shipping industry, 1,8 million Euros is generated elsewhere in the EU economy\(^a\).


Amendment 111
Catherine Chabaud, Michal Wiezik, Martin Hojsík, Frédérique Ries, Andreas Glück
Proposal for a regulation
Recital 1 b (new)

Text proposed by the Commission

Amendment

(1b) In view of the ecosystem services it provides to mankind, and in view of the pressures it faces, the ocean should be considered as a common good that calls for the individual and collective responsibility to protect it; the establishment of an Ocean Fund would contribute to the protection, restoration and better management of marine ecosystems largely impacted by climate change, such as marine protected areas. It should ensure as well the improvement of the energy efficiency of ships and support investment in innovative technologies and infrastructure to decarbonise the maritime transport sector, including in short-sea shipping (SSS) and ports, and the deployment of sustainable alternative fuels, such as green hydrogen and ammonia produced from renewables, and zero-emission propulsion technologies,
including wind technologies.

Amendment 112
Maria Spyrali, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Recital 1 b (new)

**Text proposed by the Commission**

(1b) Maritime transport is the most environmentally friendly transport mode with significantly lower greenhouse gas emissions per tonne of goods transported compared to other modes.\(^1\) At the same time, ship traffic to or from ports in the European Economic Area accounts for some 11% of all EU CO\(_2\) emissions from transport and 3-4% of total EU CO\(_2\) emissions.


**Justification**

Text from original recital 1 moved and amended.

Amendment 113
Catherine Chabaud, Frédérique Ries, Andreas Glück

Proposal for a regulation
Recital 2

**Text proposed by the Commission**

**Amendment**
(2) To enhance the Union’s climate commitment under the Paris Agreement and set out the steps to be taken to achieve climate neutrality by 2050, and to translate the political commitment into a legal obligation, the Commission adopted the (amended) proposal for a Regulation of the European Parliament and of the Council on establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law)\textsuperscript{19} as well as the Communication ‘Stepping up Europe’s 2030 climate ambition’\textsuperscript{20}. This also integrates the target of reducing greenhouse gas (GHG) emissions by at least 55% compared to 1990 levels by 2030. Accordingly, various complementary policy instruments are needed to motivate the use of sustainably produced renewable and low-carbon fuels, included in the maritime transport sector. The necessary technology development and deployment has to happen by 2030 to prepare for much more rapid change thereafter.

\textsuperscript{19} COM(2020) 563 final
\textsuperscript{20} COM(2020) 562 final

Amendment 114
Stanislav Polčák
Proposal for a regulation
Recital 2

**Text proposed by the Commission**

(2) To enhance the Union’s climate commitment under the Paris Agreement and set out the steps to be taken to achieve climate neutrality by 2050, and to translate the political commitment into a legal obligation, the Commission adopted the (amended) proposal for a Regulation of the European Parliament and of the Council on establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law)\(^{19}\), as well as the Communication ‘Stepping up Europe’s 2030 climate ambition’\(^{20}\). This also integrates the target of reducing greenhouse gas (GHG) emissions by at least 55% compared to 1990 levels by 2030. Accordingly, various complementary policy instruments are needed to motivate the use of sustainably produced renewable and low-carbon fuels, included in the maritime transport sector. The necessary technology development and deployment has to happen by 2030 to prepare for much more rapid change thereafter.

**Amendment**

(2) To enhance the Union’s climate commitment under the Paris Agreement and set out the steps to be taken to achieve climate neutrality by 2050, and to translate the political commitment into a legal obligation, the Commission adopted the (amended) proposal for a Regulation of the European Parliament and of the Council on establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law)\(^{19}\), as well as the Communication ‘Stepping up Europe’s 2030 climate ambition’\(^{20}\). This also integrates the target of reducing greenhouse gas (GHG) emissions by at least 55% compared to 1990 levels by 2030. Accordingly, various complementary policy instruments are needed to motivate the use of sustainably produced renewable and low-carbon fuels, included in the maritime transport sector. The necessary technology development and deployment has to happen by 2030 to prepare for much more rapid pace of change thereafter in the period to 2050 in order to ensure that the climate neutrality objective is achievable.

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\(^{19}\) COM(2020) 563 final.


**Amendment 115**

**Jutta Paulus**

**Proposal for a regulation**

**Recital 2**

**Text proposed by the Commission**

(2) To enhance the Union’s climate

**Amendment**

(2) To enhance the Union’s
commitment under the Paris Agreement and set out the steps to be taken to achieve climate neutrality by 2050, and to translate the political commitment into a legal obligation, the Commission adopted the (amended) proposal for a Regulation of the European Parliament and of the Council on establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law)\textsuperscript{19} as well as the Communication ‘Stepping up Europe’s 2030 climate ambition’\textsuperscript{20}. This also integrates the target of reducing greenhouse gas (GHG) emissions by at least 55\% compared to 1990 levels by 2030. Accordingly, various complementary policy instruments are needed to motivate the use of sustainably produced renewable and low-carbon fuels, included in the maritime transport sector. The necessary technology development and deployment has to happen by 2030 to prepare for much more rapid change thereafter.

\textsuperscript{19} COM(2020) 563 final
\textsuperscript{20} COM(2020) 562 final

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\textbf{Amendment 116}
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

\textbf{Proposal for a regulation}
\textbf{Recital 2}

\emph{Text proposed by the Commission}

(2) To enhance the Union’s climate commitment under the Paris Agreement and set out the steps to be taken to achieve climate neutrality by 2050, and to translate the political commitment into a legal obligation, the Commission adopted the (amended) proposal for a Regulation of the

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(2) To enhance the Union’s climate commitment under the Paris Agreement and set out the steps to be taken to achieve climate neutrality by 2050, and to translate the political commitment into a legal obligation, the Commission adopted the (amended) proposal for a Regulation of the
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\(^{19}\) COM(2020) 563 final  
\(^{20}\) COM(2020) 562 final

Amendment 117  
Jutta Paulus

Proposal for a regulation  
Recital 2 a (new)

*Text proposed by the Commission*

*Amendment*

\((2a)\) Currently, the fuel mix in the maritime sector relies entirely on fossil fuels. By weight, almost 40% of maritime trade itself consists of fossil fuels. The almost exclusive reliance on fossil fuels and the slow implementation of energy efficiency and emission reduction measures in the sector constitutes a major risk to the climate and the sector’s ability to achieve zero-emissions any time soon. For this reason, no fossil fuels or gases should be incentivised nor accounted for the achievement of the targets set out by this Regulation. This also includes fossil fuels.
LNG whose marginal or negative GHG benefits over existing marine fuels have been widely documented. In fact, the combination of CO₂ and methane leakage/slippage over the whole fuel life-cycle, from production to combustion (well-to-wake analysis), can make natural gas/LNG more damaging than fossil marine diesel, depending on the ship engine. This is also why financial authorities such as the World Bank have already explicitly called on regulators to avoid any policy support to LNG in the maritime sector, including as a, so-called, transitional fuel, due to the risk of technology lock-ins, stranded assets and unnecessary capital expenditure it creates. Accordingly, LNG and any other fuel that does not meet at least the sustainability and GHG saving criteria for transport fuels set out in Directive (EU) 2018/2001 of the European Parliament and of the Council should be considered to have the same emission factors as the least favourable fossil pathway for this type of fuel.

Amendment 118
Anna Zalewska
Proposal for a regulation
Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) The principles of subsidiarity, proportionality and solidarity should particularly be applied, considering the different starting points of Member States as well as their capacities to bring about changes into policies pertaining to sustainable maritime fuels.
Amendment 119  
Jutta Paulus

Proposal for a regulation  
Recital 2 b (new)

Text proposed by the Commission

(2b) Methane is a powerful greenhouse gas, over 80 times more potent than CO2 over a 20-year period, making it the second most important greenhouse gas, contributing to about a quarter of the global warming experienced today. Additionally, it is a precursor to ground-level ozone (O3) which is an important pollutant. Pathways modelled by the 1.5°C Special Report of the Intergovernmental Panel on Climate Change (IPCC), the IPCC Sixth Assessment Report and the 2021 Global Methane Assessment of the UN Environment Programme (UNEP) that limit global warming to 1.5°C with no or limited overshoot involve deep reductions in methane emissions. Therefore, in order to adequately capture the short-term climate forcing effects of methane, and thus accurately account for the climate impact of the use of fossil liquefied natural gas in the shipping sector over the envisaged timeframe of implementation of this Regulation, the use of a Global Warming Potential (GWP) value of methane over a 20-year time horizon (GWP20) is considered more appropriate than over a 100-year time. Therefore the total GHG intensity of LNG should be calculated using GWP 20 value = 82.5, as defined in the report of Working Group 1 for the upcoming IPCC 6th Assessment Report.

Or. en

Amendment 120
Jutta Paulus

Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) In the context of fuel transition to renewable and low carbon fuels and substitute sources of energy, it is essential to ensure the proper functioning of and fair competition in the EU maritime transport market regarding marine fuels, which account for a substantial share of ship operators’ costs. Differences in fuel requirements across Member States of the Union can significantly affect ship operators’ economic performance and negatively impact competition in the market. Due to the international nature of shipping, ship operators may easily bunker in third countries and carry large amounts of fuel. This may lead to carbon leakage and detrimental effects on the competitiveness of the sector if the availability of renewable and low carbon fuels in maritime ports under the jurisdiction of a Member State is not accompanied by requirements for their use that apply to all ship operators arriving at and departing from ports under the jurisdiction of Member States. This Regulation should lay down measures to ensure that the penetration of renewable fuels in the marine fuels market takes place under the conditions of fair competition on the EU maritime transport market.

Amendment

(3) In the context of fuel transition to sustainable renewable fuels and substitute sources of energy, it is essential to ensure the proper functioning of and fair competition in the EU maritime transport market regarding marine fuels, which account for a substantial share of ship operators’ costs. To avoid differences in fuel requirements across Member States of the Union, the availability of renewable fuels in maritime ports under the jurisdiction of a Member State is accompanied by requirements for their use that apply to all ship operators arriving at and departing from ports under the jurisdiction of Member States. This Regulation should lay down measures to ensure that the penetration of renewable fuels in the marine fuels market takes place under the conditions of fair competition on the EU maritime transport market.

Or. en

Amendment 121
Maria Spyraiki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Recital 3
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Amendment

(3) In the context of fuel transition to renewable and low carbon fuels and substitute sources of energy, it is essential to ensure the proper functioning of and fair competition in the EU maritime transport market regarding marine fuels, which account for a substantial share of ship operators’ costs – typically between 35% and 53% of shipping freight rates.

Differences in fuel requirements across Member States of the Union can significantly affect ship operators’ economic performance and negatively impact competition in the market. Due to the international nature of shipping, ship operators may easily bunker in third countries and carry large amounts of fuel. This may lead to carbon leakage and detrimental effects on the competitiveness of the sector if the availability of renewable and low carbon fuels in maritime ports under the jurisdiction of a Member State is not accompanied by requirements for their use that apply to all ship operators arriving at and departing from ports under the jurisdiction of Member States. This Regulation should lay down measures to ensure that the penetration of renewable low-carbon fuels in the marine fuels market takes place under the conditions of fair competition on the EU maritime transport market.

Or. en

Amendment 122
Stanislav Polčák
Proposal for a regulation
Recital 3

Text proposed by the Commission

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Differences in fuel requirements across Member States of the Union can significantly affect ship operators’ economic performance and negatively impact competition in the market. Due to the international nature of shipping, ship operators may easily bunker in third countries and carry large amounts of fuel. This may lead to carbon leakage and detrimental effects on the competitiveness of the sector if the availability of renewable and low carbon fuels in maritime ports under the jurisdiction of a Member State is not accompanied by requirements for their use that apply to all ship operators arriving at and departing from ports under the jurisdiction of Member States. This Regulation should lay down measures to ensure that the penetration of renewable low-carbon fuels in the marine fuels market takes place under the conditions of fair competition on the EU maritime transport market.
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Or. cs

Amendment 123
Maria Spyrači, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) The maritime sector is characterized by fierce international competition, and major differences in regulatory burdens across flag states have exacerbated unwanted practices such as the reflagging of vessels. The sector's
intrinsically global character underlines the importance of a favourable regulatory environment, which is a precondition for attracting new investments and safeguarding the competitiveness of European ports, ship owners and operators.

Or. en

Amendment 124
Jutta Paulus

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) In order to produce an effect on all the activities of the maritime transport sector, it is appropriate that this Regulation covers a share of the voyages between a port under the jurisdiction of a Member State and port under the jurisdiction of a third country. This Regulation should thus apply to half of the energy used by a ship performing voyages arriving at a port under the jurisdiction of a Member State from a port outside the jurisdiction of a Member State, half of the energy used by a ship performing voyages departing from a port under the jurisdiction of a Member State and arriving at a port outside the jurisdiction of a Member State, the entirety of the energy used by a ship performing voyages arriving at a port under the jurisdiction of a Member State from a port under the jurisdiction of a Member State, and the energy used at berth in a port under the jurisdiction of a Member State. Such coverage of a share of the energy used by a ship in both incoming and outgoing voyages between the Union and third countries ensures the effectiveness of this Regulation, including by increasing the positive impact on the environment of such framework.

Amendment

(4) In order to produce an effect on all the activities of the maritime transport sector, it is appropriate that this Regulation covers all voyages between a port under the jurisdiction of a Member State and port under the jurisdiction of a third country. This Regulation should thus apply to the entirety of the energy used by a ship performing voyages arriving at a port under the jurisdiction of a Member State from a port outside the jurisdiction of a Member State, the entirety of the energy used by a ship performing voyages departing from a port under the jurisdiction of a Member State and arriving at a port outside the jurisdiction of a Member State, the entirety of the energy used by a ship performing voyages arriving at a port under the jurisdiction of a Member State from a port under the jurisdiction of a Member State, and the energy used at berth in a port under the jurisdiction of a Member State. Such coverage of the energy used by a ship in both incoming and outgoing voyages between the Union and third countries ensures the effectiveness of this Regulation, including by increasing the positive impact on the environment of such framework. In order to ensure smooth
Simultaneously, such framework limits the risk of evasive port calls and the risk of delocalisation of transhipment activities outside the Union. In order to ensure smooth operation of maritime traffic, a level playing field among maritime transport operators and among ports, and avoid distortions in the internal market, all journeys arriving or departing from ports under jurisdiction of Member States, as well as the stay of ships in those ports should be covered by uniform rules contained in this Regulation.

**Amendment 125**  
Maria Spyraki, Liudas Mažylis, Elissavet Vozemberg-Vrionidi

**Proposal for a regulation**  
Recital 4

*Text proposed by the Commission*  
(4) In order to produce an effect on all the activities of the maritime transport sector, it is appropriate that this Regulation covers a share of the voyages between a port under the jurisdiction of a Member State and port under the jurisdiction of a third country. This Regulation should thus apply to half of the energy used by a ship performing voyages arriving at a port under the jurisdiction of a Member State from a port outside the jurisdiction of a Member State, half of the of the energy used by a ship performing voyages departing from a port under the jurisdiction of a Member State and arriving at a port outside the jurisdiction of a Member State, the entirety of the energy used by a ship performing voyages arriving at a port under the jurisdiction of a Member State from a port under the jurisdiction of a Member State, and the energy used at berth in a port under the jurisdiction of a Member State. Such coverage of a share of operation of maritime traffic, a level playing field among maritime transport operators and among ports, and avoid distortions in the internal market, all journeys arriving or departing from ports under jurisdiction of Member States, as well as the stay of ships in those ports should be covered by uniform rules contained in this Regulation.

*Amendment*  
(4) In order to produce an effect on all the activities of the maritime transport sector, it is appropriate that this Regulation covers a share of the voyages between a port under the jurisdiction of a Member State and port under the jurisdiction of a third country. This Regulation should thus apply to half of the energy supplied for use by a ship performing voyages arriving at a port under the jurisdiction of a Member State from a port outside the jurisdiction of a Member State, half of the of the energy supplied for use by a ship performing voyages departing from a port under the jurisdiction of a Member State and arriving at a port outside the jurisdiction of a Member State, the entirety of the energy supplied for use by a ship performing voyages arriving at a port under the jurisdiction of a Member State from a port under the jurisdiction of a Member State, and the energy used at berth in a port under the jurisdiction of a Member State. Such
the energy used by a ship in both incoming and outgoing voyages between the Union and third countries ensures the effectiveness of this Regulation, including by increasing the positive impact on the environment of such framework. Simultaneously, such framework limits the risk of evasive port calls and the risk of delocalisation of transhipment activities outside the Union. In order to ensure smooth operation of maritime traffic, a level playing field among maritime transport operators and among ports, and avoid distortions in the internal market, all journeys arriving or departing from ports under jurisdiction of Member States, as well as the stay of ships in those ports should be covered by uniform rules contained in this Regulation.

Amendment 126
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Recital 4 a (new)

Text proposed by the Commission

(4a) Given that this Regulation will impose additional compliance costs on the sector, compensatory actions need to be taken in order to prevent the total level of regulatory burden from increasing. The Commission should therefore be obliged to present, before the application of this Regulation, proposals offsetting the regulatory burdens introduced by this Regulation, through the revision or abolishment of provisions in other EU legislative acts that generate compliance costs for the maritime sector.
Amendment 127
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Recital 4 b (new)

Text proposed by the Commission

(4b) The FuelEU Maritime Regulation should be closely aligned and consistent with the proposal for a Regulation XXXX-XXX (Alternative Fuels Infrastructure Regulation), the proposal for a revision of Directive 2003/87/EC (EUETS), Directive XXXX-XXX (Renewable Energy Directive), and the proposal for a revision of Directive 2003/96/EC (Energy Taxation Directive), in order to ensure a coherent legislative framework for the shipping ecosystem, that contributes to massively increasing the production of alternative fuels, ensures the deployment of the necessary infrastructure and incentivises the use of these fuels in a steadily growing share of vessels.

Or. en

Amendment 128
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Recital 4 c (new)

Text proposed by the Commission

(4c) The obligation for ports to provide on-shore power supply should be complemented by a corresponding obligation for ships to connect to such charging infrastructure while at berth, in order to ensure effectiveness and avoid stranded assets. Furthermore, the costs associated with on-shore charging should be reduced by permanently exempting electricity supplied to vessels in port from taxation through revisions of the Energy
Amendment 129
Jutta Paulus

Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) The rules laid down in this Regulation should apply in a non-discriminatory manner to all ships regardless of their flag. For reasons of coherence with Union and international rules in the area of maritime transport, this Regulation should not apply to warships, naval auxiliaries, fish-catching or fish-processing ships, or government ships used for non-commercial purposes.

Amendment

(5) The rules laid down in this Regulation should apply in a non-discriminatory manner to all ships regardless of their flag.

Amendment 130
Stanislav Polčák

Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) The rules laid down in this Regulation should apply in a non-discriminatory manner to all ships regardless of their flag. For reasons of coherence with Union and international rules in the area of maritime transport, this Regulation should not apply to warships, naval auxiliaries, fish-catching or fish-processing ships, or government ships used for non-commercial purposes.

Amendment

(5) The rules laid down in this Regulation should apply in a non-discriminatory manner to all ships regardless of their flag. For reasons of coherence with Union and international rules in the area of maritime transport, this Regulation should not apply to warships, naval auxiliaries or government ships used for non-commercial purposes.
Amendment 131
Esther de Lange

Proposal for a regulation
Recital 5 a (new)

Text proposed by the Commission

(5a) It should be noted that a threshold of 5000 gross tonnage (GT) may in practice have unwanted adverse effects, as it does not incentivise smaller ships to reduce their emissions and may lead to the replacement of a ship above the threshold by several smaller ones, resulting in a lack of level playing field, as well as a negative impact on CO2 emissions and the environment. The European Commission shall closely monitor such adverse effects and where appropriate make proposals to address them.

Or. en

Amendment 132
Maria Spyraiki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Recital 5 a (new)

Text proposed by the Commission

(5a) To ensure a level playing field for ships built to operate in ice-covered waters on their way to, from or between Member State ports, specific information relating to a ship's ice class, and to its navigation through ice, should be considered when calculating GHG emission reductions on a vessel basis, as well as in the data monitored and reported on the basis of the EU MRV Regulation (Regulation (EU) 2015/757).
(6) The person or organisation responsible for the compliance with this Regulation should be the shipping company, defined as the shipowner or any other organisation or person, such as the manager or the bareboat charterer, that has assumed the responsibility for the operation of the ship from the shipowner and that, on assuming such responsibility, has agreed to take over all the duties and responsibilities imposed by the International Management Code for the Safe Operation of Ships and for Pollution Prevention. This definition is based on the definition of ‘company’ in Article 3, point (d) of Regulation (EU) 2015/757 of the European Parliament and of the Council, and in line with the global data collection system established in 2016 by the International Maritime Organization (IMO). In line with the polluter pays principle, the shipping company could, by means of a contractual arrangement, hold the entity that is directly responsible for the decisions affecting the greenhouse gas intensity of the energy used by the ship accountable for the compliance costs under this Regulation. This entity would normally be the entity that is responsible for the choice of fuel, route and speed of the ship.

21 Regulation (EU) 2015/757 of the European Parliament and of the Council of 29 April 2015 on the monitoring, reporting and verification of carbon...

Amendment 134
Maria Spyraiki, Liudas Mažylis, Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) The person or organisation responsible for the compliance with this Regulation should be the shipping company, defined as the shipowner or any other organisation or person, such as the manager or the bareboat charterer, that has assumed the responsibility for the operation of the ship from the shipowner and that, on assuming such responsibility, has agreed to take over all the duties and responsibilities imposed by the International Management Code for the Safe Operation of Ships and for Pollution Prevention. This definition is based on the definition of ‘company’ in Article 3, point (d) of Regulation (EU) 2015/757 of the European Parliament and of the Council21, and in line with the global data collection system established in 2016 by the International Maritime Organization (IMO). In line with the polluter pays principle, the shipping company could, by means of a contractual arrangement, hold the entity that is directly responsible for the decisions affecting the greenhouse gas intensity of the energy used by the ship accountable for the compliance costs under this Regulation. This entity would normally be the entity that is responsible for the choice of fuel, route and speed of the ship.

Amendment

(6) The person or organisation responsible for the compliance with this Regulation should be the shipping company, defined as the shipowner or any other organisation or person, such as the manager or the bareboat charterer, that has assumed the responsibility for the operation of the ship from the shipowner and that, on assuming such responsibility, has agreed to take over all the duties and responsibilities imposed by the International Management Code for the Safe Operation of Ships and for Pollution Prevention. This definition is based on the definition of ‘company’ in Article 3, point (d) of Regulation (EU) 2015/757 of the European Parliament and of the Council21. However, the shipping company is not always responsible for purchasing the fuel and/or taking operational decisions that affect the greenhouse gas intensity of the energy used by the ship. These responsibilities may be assumed by an entity other than the shipping company under a contractual agreement. In that case, in order to properly implement the ‘polluter pays’ principle and to encourage the uptake of cleaner fuels, a binding clause shall be included in these agreements for the purpose of passing on to that entity the costs under this Regulation, namely the penalties related to the under-performance of the ship. This
clause shall provide that the entity responsible for the operation of the ship shall reimburse the shipping company with respect to the penalties imposed for each non-compliant port call and failing to meet the limits on the greenhouse gas intensity of the energy used on-board the ship. In this regard operation of the ship means determining the cargo carried, the itinerary (including the port of calls), the routeing and/or the speed of the ship.


Amendment 135
Jutta Paulus
Proposal for a regulation
Recital 7

Text proposed by the Commission

(7) In order to limit the administrative burden, in particular that of smaller operators, this Regulation should not apply to wooden ships of a primitive build and ships not propelled by mechanical means and focus on ships with a gross tonnage above 5 000. Even though these latter ships represent only approximately 55% of all ships calling at ports under the Regulation (EU) 2015/757 of the European Parliament and of the Council, they are responsible for 90% of the carbon dioxide (CO₂) emissions from the maritime sector.

Amendment

(7) In order to limit the administrative burden, in particular that of smaller operators, this Regulation should not apply to wooden ships of a primitive build and ships not propelled by mechanical means except for fully wind-powered cargo ships and focus on ships with a gross tonnage above 400.
Amendment 136
Catherine Chabaud, Emma Wiesner, Michal Wiezik, Martin Hojsík, Frédérique Ries

Proposal for a regulation
Recital 7

Text proposed by the Commission

(7) In order to limit the administrative burden, in particular that of smaller operators, this Regulation should not apply to wooden ships of a primitive build and ships not propelled by mechanical means and focus on ships with a gross tonnage above 5 000. Even though these latter ships represent only approximately 55% of all ships calling at ports under the Regulation (EU) 2015/757 of the European Parliament and of the Council, they are responsible for 90% of the carbon dioxide (CO₂) emissions from the maritime sector.

Amendment

(7) In order to limit the administrative burden, in particular that of smaller operators, this Regulation should not apply to wooden ships of a primitive build and ships not propelled by mechanical means and focus on ships with a gross tonnage above 400, as ships above 5 000 gross tonnage represent only approximately 55% of all ships calling at ports under the Regulation (EU) 2015/757 of the European Parliament and of the Council, they are responsible for 90% of the carbon dioxide (CO₂) emissions from the maritime sector. The extension of this scope should also foster the development and application of the technological innovations for medium-sized ships.

Or. en

Amendment 137
Margarita de la Pisa Carrión

Proposal for a regulation
Recital 8

Text proposed by the Commission


Amendment

(8) The development and deployment of new fuels and energy solutions requires a suitable transition and realistic targets, together with a coordinated approach to match supply, demand and the provision of appropriate distribution infrastructure. While the current European regulatory framework already partly addresses fuel production with Directive (EU) 2018/2001
and distribution with Directive 2014/94/EU of the European Parliament and of the Council\textsuperscript{23}, there is also a need for a tool that establishes increasing levels of demand of renewable and low-carbon maritime fuels.


**Amendment 138**

**Jutta Paulus**

**Proposal for a regulation**

**Recital 8**

\textit{Text proposed by the Commission}

(8) The development and deployment of new fuels and energy solutions requires a coordinated approach to match supply, demand and the provision of appropriate distribution infrastructure. While the current European regulatory framework already partly addresses fuel production with Directive (EU) 2018/2001 of the European Parliament and of the Council\textsuperscript{22} and distribution with Directive 2014/94/EU of the European Parliament and of the Council\textsuperscript{23}, there is also a need for a tool that establishes increasing levels of demand of renewable and low-carbon maritime fuels.

\textit{Amendment}

(8) The development and deployment of sustainable renewable fuels and energy solutions requires a coordinated approach to match supply, demand and the provision of appropriate distribution infrastructure. While the current European regulatory framework already partly addresses fuel production with Directive (EU) 2018/2001 of the European Parliament and of the Council\textsuperscript{22} and distribution with Directive 2014/94/EU of the European Parliament and of the Council\textsuperscript{23}, there is also a need for a tool that establishes increasing levels of demand of renewable maritime fuels and other renewable energy sources.


Amendment 139
Catherine Chabaud, Emma Wiesner, Michal Wiezik, Martin Hojsík, Frédérique Ries, Andreas Glück

Proposal for a regulation
Recital 8 a (new)

Text proposed by the Commission

(8a) As underlined by article 3-g-c voted in the MRV regulation, the Ocean Fund should engage maritime actors in the energy transition and ensure the restoration of degraded marine and coastal ecosystems and provide substantial resources adapted to these challenges in order to achieve the established carbon emission reduction objectives.

Amendment

Or. en

Amendment 140
Pietro Fiocchi

Proposal for a regulation
Recital 9

Text proposed by the Commission

Amendment

Or. en
(9) While instruments such as carbon pricing or targets on the carbon intensity of activity promote improvements in energy efficiency, they are not suited to bring about a significant shift towards renewable and low-carbon fuels in the short and medium term. A specific regulatory approach dedicated to the deployment of renewable and low-carbon marine fuels and substitute sources of energy, such as wind or electricity, is therefore necessary.

The use of renewable and low-carbon marine fuels must however be made not only in a fuel and technology neutral approach but in the most cost-effective manner.

Or. en

Amendment 141
Jutta Paulus

Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) While instruments such as carbon pricing or targets on the carbon intensity of activity promote improvements in energy efficiency, they are not suited to bring about a significant shift towards renewable and low-carbon fuels in the short and medium term. A specific regulatory approach dedicated to the deployment of renewable and low-carbon marine fuels and substitute sources of energy, such as wind or electricity, is therefore necessary.

Amendment

(9) While instruments such as carbon pricing may promote some improvements in energy and operational efficiency, they are not suited to bring about a significant uptake of operational and energy efficiency measures nor a shift towards renewable fuels in the short and medium term. A specific regulatory approach dedicated to spur operational and energy efficiency measures as well as the deployment of renewable maritime fuels and substitute sources of energy, such as wind or electricity, is therefore necessary.

Or. en
(9) While instruments such as carbon pricing or targets on the carbon intensity of activity promote improvements in energy efficiency, they are not suited to bring about a significant shift towards renewable and low-carbon fuels in the short and medium term. A specific regulatory approach dedicated to the deployment of renewable and low-carbon marine fuels and substitute sources of energy, such as wind or electricity, is therefore necessary.

(9a) In line with the Energy Efficiency First principle and the Commission recommendation of 28 September 2021 entitled 'on Energy Efficiency First: from principles to practice. Guidelines and examples for its implementation in decision-making in the energy sector and beyond', this Regulation takes an integrated approach by introducing targets for energy efficiency, so that minimal energy would be required for various maritime activities, in addition to promoting fuel switch to sustainable renewable. An emission reduction target per transport work will stimulate shipowners and commercial operators to implement available operational and energy efficiency measures, according to
their needs, such as slow steaming, speed and planning optimisation, wind propulsion, anti-fouling coatings, electrification from renewable sources and energy storage, but also digitalisation and logistics optimisation. Equally important to correctly operationalise the energy efficiency first guidelines is to reward, hence incentivise, more energy efficient energy sources or propulsion technologies for energy used at sea and at berth to comply with the provisions in this Regulation.

Amendment 144
Catherine Chabaud, Nils Torvalds, Emma Wiesner, Frédérique Ries, Andreas Glück

Proposal for a regulation
Recital 9 a (new)

Text proposed by the Commission
(9a) Development of new innovative propulsion technologies, such as wind propulsion, should be fostered, including through the Ocean Fund.

Amendment

Or. en

Amendment 145
Jutta Paulus

Proposal for a regulation
Recital 10

Text proposed by the Commission
(10) Policy intervention to stimulate demand of renewable and low-carbon maritime fuels should be goal-based and respect the principle of technological neutrality. Accordingly, limits should be set on the greenhouse gas intensity of the

Amendment
(10) Policy intervention to stimulate demand of renewable maritime fuels should be goal-based and respect the energy efficiency and sustainability first principles. Accordingly, limits should be set on the greenhouse gas intensity of the
energy used on-board by ships *without prescribing the use* of any particular fuel or technology.

Moreover, dedicated incentives are deemed appropriate to stimulate the upscale and uptake of renewable fuels of non-biological origin which are set to play a key role to decarbonise those shipping applications without a more energy efficient and sustainable renewable-based alternative, such as direct renewable-based electrification or renewable propulsion technologies.

**Amendment 146**

Jutta Paulus

Proposal for a regulation

Recital 11

*Text proposed by the Commission*

(11) Development and deployment of renewable and low carbon fuels with a high potential for sustainability, commercial maturity and a high potential for innovation and growth to meet future needs should be promoted. This will support creating innovative and competitive fuels markets and ensure sufficient supply of sustainable maritime fuels in the short and long term to contribute to Union transport decarbonisation ambitions, while strengthening Union’s efforts towards a high level of environmental protection. *For this purpose, sustainable maritime fuels produced from feedstock listed in Parts A and B of Annex IX of Directive (EU) 2018/2001, as well as synthetic maritime fuels should be eligible. In particular, sustainable maritime fuels produced from feedstock listed in Part B of Annex IX of Directive (EU) 2018/2001 are essential, as*

*Amendment*

(11) Development and deployment of the most sustainable renewable solutions with a high energy efficiency potential as well as the potential for innovation and growth to meet future needs of the hardest to abate maritime applications should be promoted with priority. This will support creating innovative and competitive fuels markets and ensure sufficient supply of sustainable renewable maritime fuels and renewable propulsion technologies in the short and long term to contribute to Union climate, energy and transport decarbonisation ambitions, while strengthening Union’s efforts towards a high level of environmental protection.
Currently, the most commercially mature technology to decarbonise maritime transport already in the short term.

Amendment 147
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Recital 11

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
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<tbody>
<tr>
<td>(11) Development and deployment of renewable and low carbon fuels with a high potential for sustainability, commercial maturity and a high potential for innovation and growth to meet future needs should be promoted. This will support creating innovative and competitive fuels markets and ensure sufficient supply of sustainable maritime fuels in the short and long term to contribute to Union transport decarbonisation ambitions, while strengthening Union’s efforts towards a high level of environmental protection. For this purpose, sustainable maritime fuels produced from feedstock listed in Parts A and B of Annex IX of Directive (EU) 2018/2001, as well as synthetic maritime fuels should be eligible. In particular, sustainable maritime fuels produced from feedstock listed in Part B of Annex IX of Directive (EU) 2018/2001 are essential, as currently the most commercially mature technology to decarbonise maritime transport already in the short term.</td>
<td>(11) Development and deployment of renewable and low carbon fuels and propulsion technologies with a high potential for sustainability, commercial maturity and a high potential for innovation and growth to meet future needs should be promoted. This will support creating innovative and competitive fuels markets and ensure sufficient supply of sustainable maritime fuels in the short and long term to contribute to Union transport decarbonisation ambitions, while strengthening Union’s efforts towards a high level of environmental protection. For this purpose, sustainable maritime fuels produced from feedstock listed in Parts A and B of Annex IX of Directive (EU) 2018/2001, as well as synthetic maritime fuels should be eligible. In particular, sustainable maritime fuels produced from feedstock listed in Part B of Annex IX of Directive (EU) 2018/2001 are essential, as currently the most commercially mature technology to decarbonise maritime transport already in the short term.</td>
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Recital 12

Text proposed by the Commission

(12) Indirect land-use change occurs when the cultivation of crops for biofuels, bioliquids and biomass fuels displaces traditional production of crops for food and feed purposes. Such additional demand increases the pressure on land and can lead to the extension of agricultural land into areas with high-carbon stock, such as forests, wetlands and peatland, causing additional greenhouse gas emissions and loss of biodiversity. Research has shown that the scale of the effect depends on a variety of factors, including the type of feedstock used for fuel production, the level of additional demand for feedstock triggered by the use of biofuels, bioliquids and biomass fuels, and the extent to which land with high-carbon stock is protected worldwide. The level of greenhouse gas emissions caused by indirect land-use change cannot be unequivocally determined with the level of precision required for the establishment of emission factors required by the application of this regulation. However, there is evidence that all fuels produced from feedstock cause indirect land-use change to various degrees. In addition to the greenhouse gas emissions linked to indirect land-use change – which is capable of negating some or all greenhouse gas emissions savings of individual biofuels, bioliquids or biomass fuels – indirect land-use change poses risks to biodiversity. This risk is particularly serious in connection with a potentially large expansion of production determined by a significant increase in demand. Accordingly, no feed and food crop-based fuels should be promoted. Directive (EU) 2018/2001 already limits and sets a cap on the contribution of such biofuels, bioliquids and biomass to the GHG emissions.
savings targets in the road and rail transport sector considering their lower environmental benefits, lower performance in terms of greenhouse reduction potential and broader sustainability concerns.

Or. en

Justification

A coherent approach to biofuels, across transport modes, should be ensured in the revision of RED, not in sectorial prohibitions and derogations.

Amendment 149
Jutta Paulus

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) Indirect land-use change occurs when the cultivation of crops for biofuels, bioliquids and biomass fuels displaces traditional production of crops for food and feed purposes. Such additional demand increases the pressure on land and can lead to the extension of agricultural land into areas with high-carbon stock, such as forests, wetlands and peatland, causing additional greenhouse gas emissions and loss of biodiversity. Research has shown that the scale of the effect depends on a variety of factors, including the type of feedstock used for fuel production, the level of additional demand for feedstock triggered by the use of biofuels, bioliquids and biomass fuels, and the extent to which land with high-carbon stock is protected worldwide. The level of greenhouse gas emissions caused by indirect land-use change cannot be unequivocally determined with the level of precision required for the establishment of emission factors required by the application of this regulation. However, there is evidence that

Amendment

(12) Indirect land-use change occurs when the cultivation of crops for biofuels, bioliquids and biomass fuels displaces traditional production of crops for food and feed purposes. Such additional demand increases the pressure on land and can lead to the extension of agricultural land into areas with high-carbon stock, such as forests, wetlands and peatland, causing additional greenhouse gas emissions and loss of biodiversity. Research has shown that the scale of the effect depends on a variety of factors, including the type of feedstock used for fuel production, the level of additional demand for feedstock triggered by the use of biofuels, bioliquids and biomass fuels, and the extent to which land with high-carbon stock is protected worldwide. The level of greenhouse gas emissions caused by indirect land-use change cannot be unequivocally determined with the level of precision required for the establishment of emission factors required by the application of this regulation.
all fuels produced from feedstock cause indirect land-use change to various degrees. In addition to the greenhouse gas emissions linked to indirect land-use change – which is capable of negating some or all greenhouse gas emissions savings of individual biofuels, bioliquids or biomass fuels – indirect land-use change poses risks to biodiversity. This risk is particularly serious in connection with a potentially large expansion of production determined by a significant increase in demand. Accordingly, no feed and food crop-based fuels should be promoted. Directive (EU) 2018/2001 already limits and sets a cap on the contribution of such biofuels, bioliquids and biomass to the GHG emissions savings targets in the road and rail transport sector considering their lower environmental benefits, lower performance in terms of greenhouse reduction potential and broader sustainability concerns.

However, there is evidence that all fuels produced from feedstock cause indirect land-use change to various degrees. In addition to the greenhouse gas emissions linked to indirect land-use change – which is capable of negating some or all greenhouse gas emissions savings of individual biofuels, bioliquids or biomass fuels – indirect land-use change poses risks to biodiversity. This risk is particularly serious in connection with a potentially large expansion of production determined by a significant increase in demand. Accordingly, no crop-based fuels, including food and feed crops, intermediate crops, energy crops, as well as by-products already used in other sectors such as palm fatty acid distillates, animal fats category III, molasses, soapstock and derivatives should be promoted. Directive (EU) 2018/2001 already limits and sets a cap on the contribution of such biofuels, bioliquids and biomass to the GHG emissions savings targets in the road and rail transport sector considering their lower environmental benefits, lower performance in terms of greenhouse reduction potential and broader sustainability concerns.

Or. en

Amendment 150
Margarita de la Pisa Carrión

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) Indirect land-use change occurs when the cultivation of crops for biofuels, bioliquids and biomass fuels displaces traditional production of crops for food and feed purposes. Such additional demand increases the pressure on land and can lead

Amendment

(12) Indirect land-use change occurs when the cultivation of crops for biofuels, bioliquids and biomass fuels displaces traditional production of crops for food and feed purposes. Such additional demand can increase the pressure on land and lead to
to the extension of agricultural land into areas with high-carbon stock, such as forests, wetlands and peatland, causing additional greenhouse gas emissions and loss of biodiversity. Research has shown that the scale of the effect depends on a variety of factors, including the type of feedstock used for fuel production, the level of additional demand for feedstock triggered by the use of biofuels, bioliquids and biomass fuels, and the extent to which land with high-carbon stock is protected worldwide. The level of greenhouse gas emissions caused by indirect land-use change cannot be unequivocally determined with the level of precision required for the establishment of emission factors required by the application of this regulation. However, there is evidence that all fuels produced from feedstock cause indirect land-use change to various degrees. In addition to the greenhouse gas emissions linked to indirect land-use change – which is capable of negating some or all greenhouse gas emissions savings of individual biofuels, bioliquids or biomass fuels – indirect land-use change poses risks to biodiversity. This risk is particularly serious in connection with a potentially large expansion of production determined by a significant increase in demand. **Accordingly, no feed and food crop-based fuels should be promoted.**

Directive (EU) 2018/2001 already limits and sets a cap on the contribution of such biofuels, bioliquids and biomass to the GHG emissions savings targets in the road and rail transport sector considering their lower environmental benefits, lower performance in terms of greenhouse reduction potential and broader sustainability concerns.

### Amendment 151
**Adam Jarubas, Jarosław Kalinowski, Krzysztof Hetman**
Proposal for a regulation
Recital 12

(12) Indirect land-use change occurs when the cultivation of crops for biofuels, bioliquids and biomass fuels displaces traditional production of crops for food and feed purposes. Such additional demand increases the pressure on land and can lead to the extension of agricultural land into areas with high-carbon stock, such as forests, wetlands and peatland, causing additional greenhouse gas emissions and loss of biodiversity. Research has shown that the scale of the effect depends on a variety of factors, including the type of feedstock used for fuel production, the level of additional demand for feedstock triggered by the use of biofuels, bioliquids and biomass fuels, and the extent to which land with high-carbon stock is protected worldwide. The level of greenhouse gas emissions caused by indirect land-use change cannot be unequivocally determined with the level of precision required for the establishment of emission factors required by the application of this regulation. However, there is evidence that all fuels produced from feedstock cause indirect land-use change to various degrees. In addition to the greenhouse gas emissions linked to indirect land-use change – which is capable of negating some or all greenhouse gas emissions savings of individual biofuels, bioliquids or biomass fuels – indirect land-use change poses risks to biodiversity. This risk is particularly serious in connection with a potentially large expansion of production determined by a significant increase in demand. Accordingly, no feed and food crop-based fuels should be promoted.

Directive (EU) 2018/2001 already limits and sets a cap on the contribution of such biofuels, bioliquids and biomass to the GHG emissions savings targets in the road and rail transport sector considering their lower environmental benefits, lower...
and rail transport sector considering their lower environmental benefits, lower performance in terms of greenhouse reduction potential and broader sustainability concerns.

Amendment 152
Nils Torvalds, Andreas Glück, Emma Wiesner

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) Indirect land-use change occurs when the cultivation of crops for biofuels, bioliquids and biomass fuels displaces traditional production of crops for food and feed purposes. Such additional demand increases the pressure on land and can lead to the extension of agricultural land into areas with high-carbon stock, such as forests, wetlands and peatland, causing additional greenhouse gas emissions and loss of biodiversity. Research has shown that the scale of the effect depends on a variety of factors, including the type of feedstock used for fuel production, the level of additional demand for feedstock triggered by the use of biofuels, bioliquids and biomass fuels, and the extent to which land with high-carbon stock is protected worldwide. The level of greenhouse gas emissions caused by indirect land-use change cannot be unequivocally determined with the level of precision required for the establishment of emission factors required by the application of this regulation. However, there is evidence that all fuels produced from feedstock cause indirect land-use change to various degrees. In addition to the greenhouse gas emissions linked to indirect land-use change – which is capable of negating some or all greenhouse gas emissions

Amendment

(12) Indirect land-use change occurs when the cultivation of crops for biofuels, bioliquids and biomass fuels displaces traditional production of crops for food and feed purposes. Such additional demand increases the pressure on land and can lead to the extension of agricultural land into areas with high-carbon stock, such as forests, wetlands and peatland, causing additional greenhouse gas emissions and loss of biodiversity. Research has shown that the scale of the effect depends on a variety of factors, including the type of feedstock used for fuel production, the level of additional demand for feedstock triggered by the use of biofuels, bioliquids and biomass fuels, and the extent to which land with high-carbon stock is protected worldwide. The level of greenhouse gas emissions caused by indirect land-use change cannot be unequivocally determined with the level of precision required for the establishment of emission factors required by the application of this regulation. However, there is evidence that all fuels produced from feedstock cause indirect land-use change to various degrees. In addition to the greenhouse gas emissions linked to indirect land-use change – which is capable of negating some or all greenhouse gas emissions
savings of individual biofuels, bioliquids or biomass fuels – indirect land-use change poses risks to biodiversity. This risk is particularly serious in connection with a potentially large expansion of production determined by a significant increase in demand. **Accordingly, no feed and food crop-based fuels should be promoted.** Directive (EU) 2018/2001 already limits and sets a cap on the contribution of such biofuels, bioliquids and biomass to the GHG emissions savings targets in the road and rail transport sector considering their lower environmental benefits, lower performance in terms of greenhouse reduction potential and broader sustainability concerns.

**Justification**

*In order to ensure the availability of sustainable maritime fuels to decarbonise the maritime sector, sustainable food and feed crop based biofuels that pose no indirect land-use change-risk should be taken into account. The sustainability criteria for biofuels should primarily be set in Directive (EU) 2018/2001, to ensure alignment of and promotion of legislative coherence.*

**Amendment 153**

Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

**Proposal for a regulation**

**Recital 13**

*Text proposed by the Commission*

(13) However, this approach must be stricter in the maritime sector. The maritime sector has currently insignificant levels of demand for food and feed crops-based biofuels, bioliquids and biomass fuels, since over 99% of currently used marine fuels are of fossil origin. Therefore, the non-eligibility of food and feed crop-based fuels under this Regulation also minimises any risk to slow down the decarbonisation of the **Amendment**

deleted
transport sector, which could otherwise result from a shift of crop-based biofuels from the road to the maritime sector. It is essential to minimise such a shift, as road transport currently remains by far the most polluting transport sector and the maritime transport currently uses predominantly fuels of fossil origin. It is therefore appropriate to avoid the creation of a potentially large demand of food and feed crops-based biofuels, bioliquids and biomass fuels by promoting their use under this Regulation. Accordingly, the additional greenhouse gas emissions and loss of biodiversity caused by all types of feed and food crop-based fuels require that these fuels be considered to have the same emission factors as the least favourable pathway.

Amendment 154
Jutta Paulus
Proposal for a regulation
Recital 13

(13) However, this approach must be stricter in the maritime sector. The maritime sector has currently insignificant levels of demand for food and feed crops-based biofuels, bioliquids and biomass fuels, since over 99% of currently used marine fuels are of fossil origin. Therefore, the non-eligibility of food and feed crop-based fuels under this Regulation also minimises any risk to slow down the decarbonisation of the transport sector, which could otherwise result from a shift

Justification
A coherent approach to biofuels, across transport modes, should be ensured in the revision of RED, not in sectorial prohibitions and derogations.
of crop-based biofuels from the road to the maritime sector. It is essential to minimise such a shift, as road transport currently remains by far the most polluting transport sector and the maritime transport currently uses predominanatly fuels of fossil origin. It is therefore appropriate to avoid the creation of a potentially large demand of food and feed crops-based biofuels, bioliquids and biomass fuels by promoting their use under this Regulation.

Accordingly, the additional greenhouse gas emissions and loss of biodiversity caused by all types of feed and food crop-based fuels require that these fuels be considered to have the same emission factors as the least favourable pathway.

derivatives, under this Regulation also minimises any risk to slow down the decarbonisation of the transport sector, which could otherwise result from a shift of crop-based biofuels from the road to the maritime sector. It is essential to minimise such a shift, as road transport currently remains by far the most polluting transport sector and the maritime transport currently uses predominanatly fuels of fossil origin. Moreover, many feedstocks listed in Annex IX of Directive (EU) 2018/2001 have important existing uses which impacts their availability for other sectors. For example, Palm Fatty Acid Distillate (PFAD) is a by-product of the palm oil refining process of high value in other industries, such as oleochemicals; animal fats category III are by-products from the animal slaughter process and are already being used for the manufacture of oleochemicals (e.g. soaps, cosmetics), pet food and animal feeds; and molasses are by-products from the processing of sugar cane and sugar beet into sugar and are already being used for animal feed and in the yeast sector. It is therefore appropriate to avoid the creation of a potentially large demand of crops-based biofuels, bioliquids and biomass fuels, based on food and feed crops, intermediate crops, energy crops, palm fatty acid distillates, animal fats category III, used cooking oil, molasses, soapstock and derivatives, by promoting their use under this Regulation. Accordingly, the additional greenhouse gas emissions and loss of biodiversity caused by all types of crop-based fuels require these fuels to be considered to have the same emission factors as the least favourable fossil pathway. This also applies to by-products with important existing uses such as PFAD, used cooking oil, animal fats cat III, and molasses.
Amendment 155
Margarita de la Pisa Carrión

Proposal for a regulation
Recital 13

Text proposed by the Commission

(13) However, this approach must be stricter in the maritime sector. The maritime sector has currently insignificant levels of demand for food and feed crop-based biofuels, bioliquids and biomass fuels, since over 99% of currently used marine fuels are of fossil origin. Therefore, the non-eligibility of food and feed crop-based fuels under this Regulation also minimises any risk to slow down the decarbonisation of the transport sector, which could otherwise result from a shift of crop-based biofuels from the road to the maritime sector. It is essential to minimise such a shift, as road transport currently remains by far the most polluting transport sector and the maritime transport currently uses predominantly fuels of fossil origin. It is therefore appropriate to avoid the creation of a potentially large demand of food and feed crops-based biofuels, bioliquids and biomass fuels by promoting their use under this Regulation. Accordingly, the additional greenhouse gas emissions and loss of biodiversity caused by all types of feed and food crop-based fuels require that these fuels be considered to have the same emission factors as the least favourable pathway.

Amendment

(13) However, this approach must be stricter in the maritime sector. The maritime sector has currently insignificant levels of demand for food and feed crop-based biofuels, bioliquids and biomass fuels, since over 99% of currently used marine fuels are of fossil origin. Therefore, the non-eligibility of food and feed crop-based fuels under this Regulation also minimises any risk to slow down the decarbonisation of the transport sector, which could otherwise result from a shift of crop-based biofuels from the road to the maritime sector. It is essential to minimise such a shift, as road transport currently remains by far the most polluting transport sector and the maritime transport currently uses predominantly fuels of fossil origin. It is therefore appropriate to avoid the creation of a potentially large demand of food and feed crops-based biofuels, bioliquids and biomass fuels by promoting their use under this Regulation. Accordingly, the additional greenhouse gas emissions and loss of biodiversity caused by all types of feed and food crop-based fuels require that these fuels be considered to have the same emission factors as the least favourable pathway. *Imported biofuels must comply with the European sustainability criteria set out in the Renewable Energy Directive.*
Amendment 156
Nils Torvalds, Andreas Glück, Emma Wiesner

Proposal for a regulation
Recital 13

Text proposed by the Commission

(13) **However, this approach must be stricter in the maritime sector.** The maritime sector has currently insignificant levels of demand for *food and feed crops-based* biofuels, bioliquids and biomass fuels, since over 99% of currently used marine fuels are of fossil origin. Therefore, the **non-eligibility of food and feed crop-based** fuels under this Regulation **also minimises** any risk to slow down the decarbonisation of the transport sector, which could otherwise result from a shift of *crop-based* biofuels from the road to the maritime sector. It is essential to minimise such a shift, as road transport currently remains by far the most polluting transport sector and the maritime transport currently uses predominantly fuels of fossil origin. It is therefore appropriate to avoid the creation of a potentially large demand of *unsustainable* biofuels, bioliquids and biomass fuels by promoting their use under this Regulation, and **ensure that only biofuels, bioliquids and biomass fuels that comply with the sustainability criteria set out in Article 29 of Directive (EU) 2018/2001 and do not have a high indirect land-use change-risk are used.** Accordingly, the additional greenhouse gas emissions and loss of biodiversity caused by all types of *food and feed crop-based* fuels require that **these fuels be considered to have the same emission factors as the least favourable pathway.**

Amendment

(13) The maritime sector has currently insignificant levels of demand for biofuels, bioliquids and biomass fuels, since over 99% of currently used marine fuels are of fossil origin. Therefore, the **use of biofuels, bioliquids and biomass fuels** under this Regulation **must minimise** any risk to slow down the decarbonisation of the transport sector, which could result from a shift of biofuels from the road to the maritime sector. It is essential to minimise such a shift, as road transport currently remains by far the most polluting transport sector and the maritime transport currently uses predominantly fuels of fossil origin. It is therefore appropriate to avoid the creation of a potentially large demand of *unsustainable* biofuels, bioliquids and biomass fuels by promoting their use under this Regulation, and **ensure that only biofuels, bioliquids and biomass fuels that comply with the sustainability criteria set out in Article 29 of Directive (EU) 2018/2001 and do not have a high indirect land-use change-risk are used.** Accordingly, the additional greenhouse gas emissions and loss of biodiversity caused by all types of *biofuels, bioliquids and biomass fuels* require that **the greenhouse gas emission factors of these fuels shall be determined according to the methodologies set out in Directive (EU) 2018/2001.**

Or. en

*Justification*

To ensure that all sustainable biofuels can contribute to the decarbonisation of the maritime sector, sustainable food and feed crop based biofuels that pose no risk to indirect land-use change-risk should be taken into account. To ensure alignment and to promote legislative
coherence, the sustainability criteria for biofuels should primarily be set in Directive (EU) 2018/2001.

Amendment 157
Adam Jarubas, Jarosław Kalinowski, Krzysztof Hetman

Proposal for a regulation
Recital 13

Text proposed by the Commission

(13) However, this approach must be stricter in the maritime sector. The maritime sector has currently insignificant levels of demand for food and feed crop-based biofuels, bioliquids and biomass fuels, since over 99% of currently used marine fuels are of fossil origin. Therefore, the non-eligibility of food and feed crop-based fuels under this Regulation also minimises any risk to slow down the decarbonisation of the transport sector, which could otherwise result from a shift of crop-based biofuels from the road to the maritime sector. It is essential to minimise such a shift, as road transport currently remains by far the most polluting transport sector and the maritime transport currently uses predominantly fuels of fossil origin. It is therefore appropriate to avoid the creation of a potentially large demand of food and feed crop-based biofuels, bioliquids and biomass fuels by promoting their use under this Regulation. Accordingly, the additional greenhouse gas emissions and loss of biodiversity caused by all types of feed and food crop-based fuels require that these fuels be considered to have the same emission factors as the least favourable pathway.

Amendment

(13) The maritime sector has currently insignificant levels of demand for biofuels, bioliquids and biomass fuels, since over 99% of currently used marine fuels are of fossil origin. Therefore, use of biofuels, bioliquids and biomass fuels under this Regulation must minimise any risk to slow down the decarbonisation of the transport sector, which could result from a shift of biofuels from the road to the maritime sector. It is essential to minimise such a shift, as road transport currently remains by far the most polluting transport sector and the maritime transport currently uses predominantly fuels of fossil origin. It is therefore appropriate to avoid the creation of a potentially large demand of unsustainable biofuels, bioliquids and biomass fuels by promoting their use under this Regulation, and ensure that the maritime industry only uses biofuels, bioliquids and biomass fuels that comply with the sustainability criteria and greenhouse gas saving criteria set out in Article 29 of Directive (EU) 2018/2001. Accordingly, the additional greenhouse gas emissions and loss of biodiversity caused by all types of biofuels, bioliquids and biomass fuels require that the greenhouse gas emission factors of these fuels shall be determined according to the methodologies set out in Directive (EU) 2018/2001.
Amendment 158
Jutta Paulus

Proposal for a regulation
Recital 13 a (new)

Text proposed by the Commission

(13a) OLAF yearly investigations\(^1\) show concerning numbers of illegal input of biodiesel from the world market into the EU which are falsely described as having been obtained from used cooking oil (UCO). UCOs are currently used as feedstock for biofuels in the road sector and they are also expected to play an important role in the aviation sector. Especially since a distinction of UCO from virgin plant oils is hardly possible, it is appropriate to avoid the creation of a potentially large demand of UCO in the maritime sector, whereby its international nature would make enforcement and control of biofuels standards even more difficult than for imported biofuels. For this reason used cooking oil based biofuels should be considered to have the same emission factors as the least favourable fossil pathway.


Or. en

Amendment 159
Maria Spyraiki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Recital 14
(14) The long lead times associated to the development and deployment of new fuels and energy solutions for maritime transport require rapid action and the establishment of a clear and predictable long-term regulatory framework facilitating planning and investment from all the stakeholders concerned. A clear and stable long-term regulatory framework will facilitate the development and deployment of new fuels and energy solutions for maritime transport, and encourage investment from stakeholders. Such framework should define limits for the greenhouse gas intensity of the energy used on-board by ships until 2050. Those limits should become more ambitious over time to reflect the expected technology development and increased production of marine renewable and low carbon fuels. To ensure legal certainty and provide sufficient time for the sector to plan and prepare long-term, as well as to avoid stranded assets, possible future reviews of this Regulation should be limited in scope and avoid significant changes to the requirements.

Amendment 160
Jutta Paulus

Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) The long lead times associated to the development and deployment of new fuels and energy solutions for maritime transport require rapid action and the establishment of a clear and predictable long-term regulatory framework facilitating planning and investment from all the stakeholders concerned. A clear and stable long-term regulatory framework will facilitate the development and deployment of new fuels and energy solutions for maritime transport, as well as the long average lifespan of ships ranging between renewable fuels and energy solutions for maritime transport, as well as the long average lifespan of ships ranging between

Amendment

(14) The long lead times associated to the development and deployment of new fuels and energy solutions for maritime transport require rapid action and the establishment of a clear and predictable long-term regulatory framework facilitating planning and investment from all the stakeholders concerned. A clear and stable long-term regulatory framework will facilitate the development and deployment of new fuels and energy solutions for maritime transport, as well as the long average lifespan of ships ranging between
long-term regulatory framework facilitating planning and investment from all the stakeholders concerned. A clear and stable long-term regulatory framework will facilitate the development and deployment of new fuels and energy solutions for maritime transport, and encourage investment from stakeholders. Such framework should define limits for the greenhouse gas intensity of the energy used on-board by ships until 2050. Those limits should become more ambitious over time to reflect the expected technology development and increased production of marine renewable and low carbon fuels.

25 and 30 years, require rapid action and the establishment of a clear and predictable long-term regulatory framework facilitating planning and investment from all the stakeholders concerned. The accelerating climate crisis increases the importance of measures taken in the sector today. A clear, ambitious and stable long-term regulatory framework will facilitate the development and deployment of renewable energy solutions for maritime transport, and encourage investment from stakeholders. Such framework should define limits for the greenhouse gas intensity of the energy used on-board by ships until reaching zero emissions by 2040. Those limits should become more ambitious over time to reflect the expected technology development and increased production of marine renewable and low carbon fuels.

Amendment 161
Nils Torvalds

Proposal for a regulation
Recital 15

Text proposed by the Commission

(15) This Regulation should establish the methodology and the formula that should apply to calculate the yearly average greenhouse gas intensity of the energy used on-board by a ship. This formula should be based on the fuel consumption reported by ships and consider the relevant emission factors of these fuels. The use of substitute sources of energy, such as wind or electricity, should also be reflected in the methodology.

Amendment

(15) This Regulation should establish the methodology and the formula that should apply to calculate the yearly average greenhouse gas intensity of the energy used on-board by a ship. This formula should be based on the fuel consumption reported by ships and consider the relevant emission factors of these fuels. The use of substitute sources of energy, such as wind or electricity, should also be reflected in the methodology. To ensure a level playing field, a specific method should be applied to take into account the additional emissions resulting from sailing in ice conditions and the
additional emissions caused by the ship's ice strengthened design when sailing in open water. Such a method should not be used to justify not decarbonising the operations of an ice class vessel, but should work to remove market distorting impacts otherwise unavoidable through this regulation.

Or. en

Justification

The specific conditions relating to ice navigation and ice classed vessels needs to be taken into account, to avoid market distortion and disproportionate impacts on certain countries. This should however not take away the responsibility of the shipping sector to decarbonise their operations.

Amendment 162
Maria Spyra, Liudas Mažylis, Marian-Jean Marinescu, Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Recital 15

Text proposed by the Commission

(15) This Regulation should establish the methodology and the formula that should apply to calculate the yearly average greenhouse gas intensity of the energy used on-board by a ship. This formula should be based on the fuel consumption reported by ships and consider the relevant emission factors of these fuels. The use of substitute sources of energy, such as wind or electricity, should also be reflected in the methodology.

Amendment

(15) This Regulation should establish the methodology and the formula that should apply to calculate the yearly average greenhouse gas intensity of the energy used on-board by a ship. This formula should be based on the fuel consumption reported by ships and consider the relevant emission factors of these fuels on the basis of the information provided by the EU maritime fuel suppliers. The use of substitute sources of energy, such as wind or electricity, should also be reflected in the methodology.

Or. en

Amendment 163
Jutta Paulus
Proposal for a regulation
Recital 15

Text proposed by the Commission

(15) This Regulation should establish the methodology and the formula that should apply to calculate the yearly average greenhouse gas intensity of the energy used on-board by a ship. This formula should be based on the fuel consumption reported by ships and consider the relevant emission factors of these fuels. The use of substitute sources of energy, such as wind or electricity, should also be reflected in the methodology.

Amendment

(15) This Regulation should establish the methodology and the formula that should apply to calculate the yearly average greenhouse gas intensity of the energy used on-board by a ship. This formula should be based on the fuel consumption reported by ships and consider the relevant emission factors of these fuels. The use of substitute sources of energy, such as wind, solar or electricity both on board and at berth, should also be reflected in the methodology.

Or. en

Amendment 164
Adam Jarubas, Jarosław Kalinowski, Krzysztof Hetman

Proposal for a regulation
Recital 15

Text proposed by the Commission

(15) This Regulation should establish the methodology and the formula that should apply to calculate the yearly average greenhouse gas intensity of the energy used on-board by a ship. This formula should be based on the fuel consumption reported by ships and consider the relevant emission factors of these fuels. The use of substitute sources of energy, such as wind or electricity, should also be reflected in the methodology.

Amendment

(15) This Regulation should establish the methodology and the formula that should apply to calculate the yearly average greenhouse gas intensity of the energy used on-board by a ship. This formula should be based on the fuel consumption reported by ships and consider the relevant emission factors of these fuels. The use of substitute sources of energy, such as wind, solar or electricity and any associated emissions, should also be reflected in the methodology.

Or. en

Amendment 165
Pietro Fiocchi
Proposal for a regulation
Recital 15

Text proposed by the Commission

(15) This Regulation should establish the methodology and the formula that should apply to calculate the yearly average greenhouse gas intensity of the energy used on-board by a ship. This formula should be based on the fuel consumption reported by ships and consider the relevant emission factors of these fuels. The use of substitute sources of energy, such as wind or electricity, should also be reflected in the methodology.

Amendment

(15) This Regulation should establish the methodology and the formula that should apply to calculate the yearly average greenhouse gas intensity of the energy used on-board by a ship. This formula should be based on the fuel consumption reported by ships and consider the relevant emission factors of these fuels. The use of substitute sources of energy, such as wind or electricity, and any associated emissions, should also be reflected in the methodology.

Amendment 166
Maria Spyra, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) The well-to-wake performance of renewable and low-carbon maritime fuels should be established using default or actual and certified emission factors covering the well-to-tank and tank-to-wake emissions. The performance of fossil fuels should however only be assessed through the use of default emission factors as provided for by this Regulation.

Amendment

(17) The well-to-wake performance of maritime fuels should be established using default or actual and certified emission factors covering the well-to-tank and tank-to-wake emissions.

Justification

Real emissions are what counts, both for fossil and renewable fuels. Front-runners should always have the opportunity to use real emission values rather than default values, provided that they are duly controlled and certified.
Amendment 167
Adam Jarubas, Jarosław Kalinowski, Krzysztof Hetman

Proposal for a regulation
Recital 17

**Text proposed by the Commission**

(17) The well-to-wake performance of renewable and low-carbon maritime fuels should be established using default or actual and certified emission factors covering the well-to-tank and tank-to-wake emissions. The performance of fossil fuels should however only be assessed through the use of default emission factors as provided for by this Regulation.

**Amendment**

(17) The well-to-wake performance of *all* renewable and low-carbon maritime fuels should be established using default or actual and certified emission factors covering the well-to-tank and tank-to-wake emissions. The performance of fossil fuels should however only be assessed through the use of default emission factors as provided for by this Regulation.

Or. en

Amendment 168
Jutta Paulus

Proposal for a regulation
Recital 17

**Text proposed by the Commission**

(17) The well-to-wake performance of renewable and low-carbon maritime fuels should be established using default or actual and certified emission factors covering the well-to-tank and tank-to-wake emissions. *The performance of* fossil fuels should however only be assessed through the use of default emission factors as provided for by this Regulation.

**Amendment**

(17) The well-to-wake performance of renewable maritime fuels should be established using default or actual and certified emission factors covering the well-to-tank and tank-to-wake emissions. *Fossil fuels, including fossil gas*, should however only be assessed through the use of default emission factors as provided for by this Regulation.

Or. en

Amendment 169
Jutta Paulus
(18) A comprehensive approach on all the most relevant GHG emissions (CO₂, CH₄ and N₂O) is necessary to promote the use of energy sources providing a lower GHG footprint overall. In order to reflect the global warming potential of methane and nitrous oxides, the limit set by this Regulation should therefore be expressed in terms of ‘CO₂ equivalent’.

(18) A comprehensive approach on all the most relevant GHG emissions (CO₂, CH₄ and N₂O), including the climate impact of black carbon emissions, is necessary to promote the use of energy sources providing a lower GHG footprint overall. In order to reflect the global warming potential of methane, nitrous oxides and black carbon, the reference value and the limits set by this Regulation should therefore be expressed in terms of ‘CO₂ equivalent’. The reference value should be published by the European Commission no later than December 2022 and should correspond to the fleet average greenhouse gas intensity of the energy used on-board by ships in 2020 determined on the basis of data monitored and reported in the framework of Regulation (EU) 2015/757 and using the methodology and default values laid down in Annex I and Annex II to this Regulation.
in terms of ‘CO2 equivalent’.

International Maritime Organisation (IMO) guidelines must be compatible with the development of all EU maritime legislation.

Amendment 171
Jutta Paulus

Proposal for a regulation
Recital 19

Text proposed by the Commission

(19) The use of renewable energy sources and alternative propulsion, such as wind and solar energy, greatly reduces the greenhouse gas intensity of the overall ship energy use. The difficulty to accurately measure and quantify these energy sources (intermittence of the energy use, direct transfer as propulsion, etc.) should not impede their recognition in the overall ship energy use through means of approximations of their contribution to the ship’s energy balance.

Amendment

(19) The use of renewable energy sources and alternative propulsion, such as wind and solar energy, greatly reduces the greenhouse gas intensity of the overall ship energy use. Solutions to accurately measure and quantify these energy sources such as on board sensors and software for assessing route conditions are becoming increasingly available. Therefore, the contribution of renewable energy sources and alternative propulsion to the overall ship’s energy balance should be recorded and accounted as accurately as possible by using the best means of measuring available to date or, when that is proven not technically possible, through the best available approximations. For instance, the MEPC.1/Circ.896 from the International Maritime Organization (IMO) provides guidance on the treatment of innovative energy efficiency technology, including for estimating energy from wind assist propulsion.

Amendment 172
Jutta Paulus
Proposal for a regulation
Recital 20

Text proposed by the Commission

(20) Air pollution produced by ships (sulphur oxides, nitrogen oxides and particulate matter) at berth is a significant concern for coastal areas and port cities. Therefore, specific and stringent obligations should be imposed to reduce emissions at berth from ships that draw power from their engines during their stay in port. According to the data collected within the framework of Regulation (EU) 2015/757 in 2018, passenger ships and containerships are the ship categories producing the highest amount of emissions per ship at berth. Accordingly, emissions from these categories of ships should be addressed as a priority.

Amendment

(20) Air pollution produced by ships (sulphur oxides, nitrogen oxides and particulate matter) at berth is a significant concern for coastal areas and port cities, with an estimated impact of over 50 000 deaths per year in the Union. Therefore, specific and stringent obligations should be imposed to reduce emissions at berth from ships that draw power from their internal combustion engines during their stay in port. According to the data collected within the framework of Regulation (EU) 2015/757 in 2018, passenger ships and containerships are the ship categories producing the highest amount of emissions per ship at berth. Accordingly, emissions from these categories of ships should be addressed as a priority, followed soon after by measures and targets addressing emissions for all remaining ships in order to improve air quality in coastal areas and port cities.

Amendment 173
Jutta Paulus

Proposal for a regulation
Recital 20 a (new)

Text proposed by the Commission

(20a) Since it is the second largest contributor to climate warming caused by ships, measures to reduce black carbon should be included in this Regulation in order to tackle both air pollution and climate change as soon as possible. Setting stringent GHG intensity limits and
an operational energy efficiency target will help reduce both CO₂ and black carbon emissions. However as those targets will require some time to be implemented, additional measures are required to tackle with priority the release of black carbon close or near the Arctic. Therefore, all ships covered by this Regulation which sail through the Arctic should be required to use only distillates or renewable fuels or zero-emissions methods of propulsion.

Amendment 174
Adam Jarubas, Jarosław Kalinowski, Krzysztof Hetman

Proposal for a regulation
Recital 21

Text proposed by the Commission

(21) The use of on-shore power supply (OPS) abates air pollution produced by ships as well as reduces the amount of GHG emissions generated by maritime transport. OPS represents an increasingly clean power supply available to ships at berth, in view of the growing renewables share in the EU electricity mix. While only the provision on OPS connection points is covered by Directive 2014/94/EU (Alternative Fuels Infrastructure Directive – AFID), the demand for and, as a result, the deployment of this technology has remained limited. Therefore specific rules should be established to mandate the use of OPS by the most polluting ships.

Amendment

(21) The use of on-shore power supply (OPS) abates air pollution produced by ships and can reduce the amount of GHG emissions generated by maritime transport. OPS represents an increasingly clean power supply available to ships at berth, in view of the growing renewables share in the EU electricity mix. While only the provision on OPS connection points is covered by Directive 2014/94/EU (Alternative Fuels Infrastructure Directive – AFID), the demand for and, as a result, the deployment of this technology has remained limited. Therefore specific rules should be established to mandate the use of OPS by the most polluting ships, where, after accounting for the GHG emissions associated with electricity production, the use of OPS leads to a lowering of overall emissions.
Amendment 175
Maria Spyraiki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu
Proposal for a regulation
Recital 21

Text proposed by the Commission

(21) The use of on-shore power supply (OPS) abates air pollution produced by ships as well as reduces the amount of GHG emissions generated by maritime transport. OPS represents an increasingly clean power supply available to ships at berth, in view of the growing renewables share in the EU electricity mix. While only the provision on OPS connection points is covered by Directive 2014/94/EU (Alternative Fuels Infrastructure Directive – AFID), the demand for and, as a result, the deployment of this technology has remained limited. Therefore specific rules should be established to mandate the use of OPS by the most polluting ships.

Amendment

(21) The use of on-shore power supply (OPS) abates air pollution produced by ships as well as reduces the amount of GHG emissions generated by maritime transport \textit{when at berth}. OPS represents an increasingly clean power supply available to ships at berth, in view of the growing renewables share in the EU electricity mix. While only the provision on OPS connection points is covered by Directive 2014/94/EU (Alternative Fuels Infrastructure Directive – AFID), the demand for and, as a result, the deployment of this technology has remained limited. Therefore specific rules should be established to mandate the use of OPS by the most polluting ships \textit{in situations where it effectively reduces emissions at a reasonable cost}.

Or. en

Amendment 176
Jutta Paulus
Proposal for a regulation
Recital 21

Text proposed by the Commission

(21) The use of on-shore power supply (OPS) abates air pollution produced by ships as well as \textit{reduces} the amount of GHG emissions generated by maritime transport. OPS represents an increasingly clean power supply available to ships at berth, \textit{in view} of the \textit{growing renewables} share in the EU electricity mix. While only the provision on OPS connection points is

Amendment

(21) The use of on-shore power supply (OPS) abates air pollution produced by ships \textit{at berth} as well as \textit{reducing} the amount of GHG emissions generated by maritime transport \textit{at berth}. OPS represents an increasingly \textit{useful} power supply available to ships at berth, \textit{which will be as decarbonised as the proportion} of the \textit{renewable energy} share
covered by Directive 2014/94/EU (Alternative Fuels Infrastructure Directive – AFID), the demand for and, as a result, the deployment of this technology has remained limited. Therefore specific rules should be established to mandate the use of OPS by the most polluting ships.

In the EU electricity mix. While only the provision on OPS connection points is covered by Directive 2014/94/EU (Alternative Fuels Infrastructure Directive – AFID), the demand for and, as a result, the deployment of this technology has remained limited. Therefore specific rules should be established to mandate the use of OPS by all ships covered by this Regulation.

Amendment 177
Jutta Paulus

Proposal for a regulation
Recital 22

Text proposed by the Commission

(22) In addition to OPS, other technologies might be capable of offering equivalent environmental benefits in ports. When the use of an alternative technology is demonstrated to be equivalent to the use of OPS, a ship should be exempted from its use of OPS.

Amendment

(22) In addition to OPS, other technologies might be capable of offering equivalent environmental benefits in ports, such as renewable installation on board, batteries and batteries swaps. When the use of an alternative technology is demonstrated to be equivalent to the use of OPS in terms of air pollution and GHG emissions reduction, a ship should be exempted from its use of OPS.

Amendment 178
Maria Spyrraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Recital 23

Text proposed by the Commission

(23) Exceptions to the use of OPS should also be provided for a number of

Amendment

(23) Exceptions to the use of OPS should also be provided for a number of
objective reasons, certified by the managing body of the port of call and limited to unscheduled port calls for reasons of safety or saving life at sea, for short stays of ships at berth of less than two hours as this is the minimum time required for connection, and for the use of on-board energy generation under emergency situations.

or.

Amendment 179
Adam Jarubas, Jarosław Kalinowski, Krzysztof Hetman

Proposal for a regulation
Recital 23

Text proposed by the Commission

(23) Exceptions to the use of OPS should also be provided for a number of objective reasons, certified by the managing body of the port of call and limited to unscheduled port calls for reasons of safety or saving life at sea, for short stays of ships at berth of less than two hours as this is the minimum time required for connection, and for the use of on-board energy generation under emergency situations.

Amendment

(23) Exceptions to the use of OPS should also be provided for a number of objective reasons, certified by the managing body of the port of call, the terminal operator and/or the competent authority, depending on the governance model for ports in the different Member States. These exceptions should be limited to unscheduled port calls for reasons of safety or saving life at sea, for short stays of ships at berth of less than two hours as this is the minimum time required for connection, and for the use of on-board energy generation under emergency situations. In case it is impossible to supply sufficient on-shore power due to weak capacity in the local grid connecting to the port, this should not be considered as a failure by the port nor of the ship operator to comply with the requirements of this Regulation, as long as the insufficient local grid capacity is duly attested by the grid manager to the verifiers.
under emergency situations.

Amendment 180
Jutta Paulus

Proposal for a regulation
Recital 24

Text proposed by the Commission

(24) Exceptions in case of unavailability or incompatibility of OPS should be limited after ship and port operators have had sufficient time to make the necessary investments, in order to provide the necessary incentives for those investments and avoid unfair competition. As of 2035, ship operators should plan carefully their port calls to make sure that they can carry out their activities without emitting air pollutants and GHG at berth and compromise the environment in coastal areas and port cities. A limited number of exceptions in case of unavailability or incompatibility of OPS should be maintained in order to provide the possibility for occasional last-minute changes in port call schedules and calls in ports with incompatible equipment.

Amendment 181
Maria Spyraæi, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Recital 24

Text proposed by the Commission

(24) Exceptions in case of unavailability or incompatibility of OPS should be
limited after ship and port operators have had sufficient time to make the necessary investments, in order to provide the necessary incentives for those investments and avoid unfair competition. As of 2035, ship operators should plan carefully their port calls to make sure that they can carry out their activities without emitting air pollutants and GHG at berth and compromise the environment in coastal areas and port cities. A limited number of exceptions in case of unavailability or incompatibility of OPS should be maintained in order to provide the possibility for occasional last-minute changes in port call schedules and calls in ports with incompatible equipment.

(24) Exceptions in case of unavailability or incompatibility of OPS should be limited after ship and port operators have had sufficient time to make the necessary investments, in order to provide the necessary incentives for those investments and avoid unfair competition. As of 2035, ship operators should plan carefully their port calls to make sure that they can carry out their activities without emitting air pollutants and GHG at berth and compromise the environment in coastal areas and port cities. A limited number of exceptions in case of unavailability or incompatibility of OPS should be maintained in order to provide the possibility for occasional last-minute changes in port call schedules and calls in ports with incompatible equipment.

Amendment 182
Margarita de la Pisa Carrión

Proposal for a regulation
Recital 24

Text proposed by the Commission

(24) Exceptions in case of unavailability or incompatibility of OPS should be limited after ship and port operators have had sufficient time to make the necessary investments, in order to provide the necessary incentives for those investments and avoid unfair competition. As of 2035, ship operators should plan carefully their port calls to make sure that they can carry out their activities without emitting air pollutants and GHG at berth and compromise the environment in coastal areas and port cities. A limited number of exceptions in case of unavailability or incompatibility of OPS should be maintained in order to provide the possibility for occasional last-minute changes in port call schedules and calls in ports with incompatible equipment.

Amendment

(24) Exceptions in case of unavailability or incompatibility of OPS should be limited after ship and port operators have had sufficient time to make the necessary investments, in order to provide the necessary incentives for those investments and avoid unfair competition. As of the date on which the exemptions cease to apply, ship operators should plan carefully their port calls to make sure that they can carry out their activities without emitting air pollutants and GHG at berth and compromise the environment in coastal areas and port cities. A limited number of exceptions in case of unavailability or incompatibility of OPS should be maintained in order to provide the possibility for occasional last-minute changes in port call schedules and calls in ports with incompatible equipment.
areas and port cities. A limited number of exceptions in case of unavailability or incompatibility of OPS should be maintained in order to provide the possibility for occasional last-minute changes in port call schedules and calls in ports with incompatible equipment.

Amendment 183
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Recital 24 a (new)

Text proposed by the Commission

(24a) The targets for provision of OPS laid down in Regulation XXXX-XXX (Alternative Fuels Infrastructure Regulation) take into account the types of vessels served and the respective traffic volumes of maritime ports. The requirement for ships to connect to OPS while at berth should not apply to vessels when calling on ports exempted from the OPS requirement in the Alternative Fuels Infrastructure Regulation.

Amendment

Or. en

Amendment 184
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Recital 24 b (new)

Text proposed by the Commission

(24b) The implementation of this Regulation should take due consideration of the diverse governance models for ports across the Union, in particular as regards
the responsibility for issuing a certificate exempting a vessel from the obligation to connect to OPS.

Amendment 185
Maria Spyrači, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Recital 24 c (new)

Text proposed by the Commission

(24c) Coordination between ports and ship operators is crucial to ensure smooth connection procedures to on-shore power in ports. Ship operators should inform the ports they call at about their intentions to connect to on-shore power, their power needs during the given call, in particular when those exceed the estimated needs for this ship category.

Amendment 186
Jutta Paulus

Proposal for a regulation
Recital 25

Text proposed by the Commission

(25) A robust monitoring, reporting and verification system should be put in place by this Regulation in order to trace compliance with its provisions. Such system should apply in a non-discriminatory way to all ships and require third party verification in order to ensure the accuracy of the data submitted within this system. In order to facilitate achieving the objective of this Regulation, any data already reported for the purpose of monitoring, reporting and verification system should be put in place by this Regulation in order to trace compliance with its provisions. Such system should apply in a non-discriminatory way to all ships and require third party verification in order to ensure the accuracy of the data submitted within this system. In order to facilitate achieving the objective of this Regulation, any data already reported for
Regulation (EU) 2015/757 should be used, when necessary, for verifying compliance with this Regulation in order to limit administrative burden imposed on companies, verifiers and maritime authorities.

the purpose of Regulation (EU) 2015/757 should be used, when necessary, for verifying compliance with this Regulation in order to limit administrative burden imposed on companies, verifiers, maritime and administrative authorities.

Or. en

Amendment 187
Nils Torvalds

Proposal for a regulation
Recital 26

Text proposed by the Commission

(26) Companies should be responsible for monitoring and reporting the amount and type of energy used on-board by ships in navigation and at berth, as well as other relevant information, such as information on the type of engine on board or presence of wind assisting technologies, with a view to showing compliance with the limit on the greenhouse gas intensity of the energy used on-board by a ship set out by this Regulation. To facilitate the fulfilment of these monitoring and reporting obligations and the verification process by the verifiers, similarly to Regulation (EU) 2015/757, companies should document the envisaged monitoring method and provide further details on the application of the rules of this Regulation in a monitoring plan. The monitoring plan, as well as its subsequent modifications, if applicable, should be submitted to the verifier.

Amendment

(26) Companies should be responsible for monitoring and reporting the amount and type of energy used on-board by ships in navigation and at berth, as well as other relevant information, such as information on the type of engine on board or presence of wind assisting technologies, with a view to showing compliance with the limit on the greenhouse gas intensity of the energy used on-board by a ship set out by this Regulation. To facilitate the fulfilment of these monitoring and reporting obligations and the verification process by the verifiers, similarly to Regulation (EU) 2015/757, companies should document the envisaged monitoring method and provide further details on the application of the rules of this Regulation in a monitoring plan. The monitoring plan, as well as its subsequent modifications, if applicable, should be submitted to the verifier.

Information regarding ice-navigation and other relevant information on ice-classed vessels must be reported in order to apply the specific method laid out in Annex X.

Or. en
Justification

In order for the specific provisions to be applied to ice navigations, ships would have to report information regarding the distances sailed in ice, among other data. This ensures the integrity of the method and would ensure that a larger pool of data is accessible on ice conditions and relating to ice navigation.

Amendment 188
Jutta Paulus

Proposal for a regulation
Recital 26

Text proposed by the Commission

(26) Companies should be responsible for monitoring and reporting the amount and type of energy used on-board by ships in navigation and at berth, as well as other relevant information, such as information on the type of engine on board or presence of wind assisting technologies, with a view to showing compliance with the limit on the greenhouse gas intensity of the energy used on-board by a ship set out by this Regulation. To facilitate the fulfilment of these monitoring and reporting obligations and the verification process by the verifiers, similarly to Regulation (EU) 2015/757, companies should document the envisaged monitoring method and provide further details on the application of the rules of this Regulation in a monitoring plan. The monitoring plan, as well as its subsequent modifications, if applicable, should be submitted to the verifier.

Amendment

(26) Companies should be responsible for monitoring and reporting the amount and type of energy used on-board by ships in navigation and at berth, as well as other relevant information, such as information on the type of engine on board, technical specification of wind assisting technologies or any alternative source of energy present onboard, including the accounting of the energy they provide, with a view to showing compliance with the limit on the greenhouse gas intensity of the energy used on-board by a ship set out by this Regulation. To facilitate the fulfilment of these monitoring and reporting obligations and the verification process by the verifiers, similarly to Regulation (EU) 2015/757, companies should document the envisaged monitoring method and provide further details on the application of the rules of this Regulation in a monitoring plan. The monitoring plan, as well as its subsequent modifications, if applicable, should be submitted to the verifier.

Or. en

Amendment 189
(27) Certification of fuels is essential to achieve the objectives of this Regulation and guarantee the environmental integrity of the renewable and low-carbon fuels that are expected to be deployed in the maritime sector. Such certification should be undertaken by means of a transparent and non-discriminatory procedure. With a view to facilitating certification and limiting the administrative burden, the certification of biofuels, biogas, renewable fuels of non-biological origin and recycled carbon fuel should rely on the rules established by Directive (EU) 2018/2001. This approach of certification should also apply to fuels bunkered outside the Union, which should be considered as imported fuels, in a similar way as Directive (EU) 2018/2001. When companies intend to depart from the default values provided for by this Directive or this new framework, this should only be done when values can be certified by one of the voluntary schemes recognised under Directive (EU) 2018/2001 (for well-to-tank values) or by means of laboratory testing or direct emissions measurements (tank-to-wake).
monitored and reported by companies, the verifiers should calculate and establish the yearly average greenhouse gas intensity of energy used on-board by a ship and the ship’s balance with respect to the limit, including any compliance surplus or deficit, as well as the respect of the requirements to use on-shore power supply at berth. The verifier should notify this information to the company concerned. Where the verifier is the same entity as the verifier for the purpose of Regulation (EU) 2015/757, such notification could be done together with the verification report under that Regulation. Such information should be then reported by the company concerned to the Commission.

Amendment 191
Jutta Paulus
Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) The Commission should establish and ensure the functioning of an electronic database that registers the performance of each ship and ensures its compliance with this Regulation. In order to facilitate reporting and limit administrative burden to companies, verifiers and other users, this electronic database should build upon the existing THETIS-MRV module and take

Amendment

(30) The Commission should establish and ensure the functioning of a centrally managed electronic database for registering the performance of each ship and ensuring its compliance with the various provisions of this Regulation, as well as for collecting data on energy uses, penalties, flexibilities, exemptions and any other relevant information related to the
into account the possibility to reuse information and data collected for the purpose of Regulation (EU) 2015/757.

Regulation. In order to facilitate reporting and limit administrative burden to companies, verifiers and other users, this electronic database should build upon the existing THETIS-MRV module and take into account the possibility to reuse information and data collected for the purpose of Regulation (EU) 2015/757.

To enhance transparency while reducing the administrative burden for shipowners and operators, verifiers should aggregate at individual ship level the compliance data reported by shipowners and operators. The data entered in the database should be comparable and be made publicly available in an open format in order to allow the general public and, in particular, the civil society and the scientific community to track the ecological transition of the maritime sector.

Or. en

Amendment 192
Adam Jarubas, Jarosław Kalinowski, Krzysztof Hetman

Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) The Commission should establish and ensure the functioning of an electronic database that registers the performance of each ship and ensures its compliance with this Regulation. In order to facilitate reporting and limit administrative burden to companies, verifiers and other users, this electronic database should build upon the existing THETIS-MRV module and take into account the possibility to reuse information and data collected for the purpose of Regulation (EU) 2015/757.

Amendment

(30) The Commission should establish and ensure the functioning of an electronic database that registers the performance of each ship, ensures its compliance with this Regulation, and records journey lengths and times for the purposes of monitoring for the risk and occurrence of carbon leakage. In order to facilitate reporting and limit administrative burden to companies, verifiers and other users, this electronic database should build upon the existing THETIS-MRV module and take into account the possibility to reuse information and data collected for the purpose of

Amendment 193
Pietro Fiocchi

Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) The Commission should establish and ensure the functioning of an electronic database that registers the performance of each ship and ensures its compliance with this Regulation. In order to facilitate reporting and limit administrative burden to companies, verifiers and other users, this electronic database should build upon the existing THETIS-MRV module and take into account the possibility to reuse information and data collected for the purpose of Regulation (EU) 2015/757.

Amendment

(30) The Commission should establish and ensure the functioning of an electronic database that registers the performance of each ship and records journey lengths and times for the purposes of monitoring for the risk and occurrence of carbon leakage. In order to facilitate reporting and limit administrative burden to companies, verifiers and other users, this electronic database should build upon the existing THETIS-MRV module and take into account the possibility to reuse information and data collected for the purpose of Regulation (EU) 2015/757.

Or. en

Amendment 194
Jutta Paulus

Proposal for a regulation
Recital 31

Text proposed by the Commission

(31) Compliance with this Regulation would depend on elements that could be beyond control of the company, such as issues related to fuel availability or fuel quality. Therefore, companies should be allowed the flexibility of rolling-over a compliance surplus from one year to

Amendment

(31) Compliance with this Regulation would depend on elements that could be beyond control of the company, such as issues related to fuel availability or fuel quality. Therefore, companies should be allowed the flexibility of rolling-over a compliance surplus generated by
another or borrowing an advance compliance surplus, within certain limits, from the following year. The use of OPS at berth, being of high importance for local air quality in port cities and coastal areas should not be eligible for similar flexibility provisions.

Amendment 195
Jutta Paulus

Proposal for a regulation
Recital 32

Text proposed by the Commission

(32) In order to avoid technology lock-in and continue supporting the deployment of most performant solutions, companies should be allowed to pool the performances of different ships and use the possible over-performance of one ship to compensate for the under-performance of another ship. This creates a possibility to reward overcompliance and incentivises investment in more advanced technologies. The possibility to opt for pooled compliance should remain voluntary and subject to agreement of the concerned companies.

Amendment

(32) In order to avoid technology lock-in and continue supporting the deployment of most energy efficient and sustainable renewable energy solutions, companies should be allowed to pool the performances of ships powered by zero-emission fuels or zero-emission technologies and use the possible over-performance of one ship to compensate for the under-performance of another ship. This creates a possibility to reward overcompliance and incentivises investment in more advanced technologies. The possibility to opt for pooled compliance should remain voluntary and subject to agreement of the concerned companies.

Amendment 196
Jutta Paulus

Proposal for a regulation
Recital 33
(33) A document of compliance ('FuelEU certificate of compliance') issued by a verifier following the procedures established by this Regulation, should be kept on board ships as evidence of compliance with the limits on the greenhouse gas intensity of the energy used on-board by a ship, and with the requirements on the use of OPS at berth. Verifiers should inform the Commission of the issuance of such documents.

(35) Without prejudice to the possibility of complying through the flexibility and pooling provisions, the ships that do not meet the limits on the yearly average greenhouse gas intensity of the energy used on-board shall be subject to a penalty that has dissuasive effect. The penalty should be proportionate to the extent of the non-compliance and remove any economic advantage of non-compliance, thus preserving a level playing field in the sector. It should be based on the amount and cost of renewable and low-carbon fuel that the ships should have used to meet the requirements of the Regulation.

Amendment 197
Jutta Paulus
Proposal for a regulation
Recital 35

(33) A document of compliance ('FuelEU certificate of compliance') issued by a verifier following the procedures established by this Regulation, should be kept on board ships as evidence of compliance with the limits on the greenhouse gas intensity of the energy used on-board by a ship, and with the requirements on the use of OPS at berth, and on the use of distillates or other sustainable renewable fuels during journeys through the Arctic. Verifiers should inform the Commission of the issuance of such documents. Port authorities should check the certificates of all ships falling under the scope of this regulation that call at their ports.

(35) Without prejudice to the possibility of complying through the flexibility and pooling provisions, the ships that do not meet the limits on the yearly average greenhouse gas intensity of the energy used on-board shall be subject to a penalty that has dissuasive effect. The penalty should be double the amount and cost of renewable fuel that the ships should have used to meet the requirements of the Regulation.
Amendment 198
Jutta Paulus

Proposal for a regulation
Recital 36

Text proposed by the Commission

(36) The penalty imposed for each non-compliant port call should be proportionate to the cost of using the electricity and at sufficient level to have a dissuasive effect from the use of more polluting energy sources. The penalty should be based on the power installed on board the vessel, expressed in megawatts, multiplied by a fixed penalty in EUR per hour of stay at berth. Due to lack of accurate figures on the cost of providing OPS in the Union, this rate should be based on the EU average electricity price for non-household consumers multiplied by a factor of two to account for other charges related to the provision of the service, including among others connection costs and investment recovery elements.

Amendment

(36) The penalty imposed for each non-compliant port call should be proportionate to the cost of using the electricity and at sufficient level to have a dissuasive effect from the use of more polluting energy sources. The penalty should be based on the power installed on board the vessel, expressed in megawatts, multiplied by a fixed penalty in EUR per hour of stay at berth. Due to lack of accurate figures on the cost of providing OPS in the Union, this rate should be based on the most recent EU average electricity price for non-household consumers at the moment the penalty is imposed multiplied by a factor of two to account for other charges related to the provision of the service, including among others connection costs and investment recovery elements.

Amendment 199
Jutta Paulus

Proposal for a regulation
Recital 36 a (new)

Text proposed by the Commission

(36a) The penalty imposed for each non-compliant Arctic voyage should be set at the amount double that of the difference between the distillate cost and the cost of the non-compliant fuel used. The costs

Amendment

(36a) The penalty imposed for each non-compliant Arctic voyage should be set at the amount double that of the difference between the distillate cost and the cost of the non-compliant fuel used. The costs
should be determined as the Rotterdam spot price on the day of commencement of the voyage.

Amendment 200
Jutta Paulus

Proposal for a regulation
Recital 37

(37) The revenues generated from the payment of penalties should be used to promote the distribution and use of renewable and low-carbon fuels in the maritime sector and help maritime operators to meet their climate and environmental goals. For this purpose these revenues should be allocated to the Innovation Fund referred to in Article 10a(8) of Directive 2003/87/EC.

(37) The revenues generated from the payment of penalties should be used to promote the ecological just transition of the maritime sector by means of the rapid improvement of energy and operational efficiency of ships, including in short sea shipping and ports, the deployment of zero-emission propulsion technologies and the uptake of sustainable use of renewable energy, including wind, and in doing so helping maritime operators to meet their climate and environmental goals. In parallel, revenues should also be used to support the training, re- and up-skilling of workers along the entire value chain of the maritime sector, including shipyards, in order to equip them with environmentally friendly skills and technologies needed for the transition. Trainings for maritime navigators and captains, in particular, should also focus on the benefits and efficiency gains of slow steaming, route optimisation and cargo logistics as well as raising awareness of marine ecosystems and of the problem of marine litter. 20% of the yearly revenue generated from the payment of penalties shall be used to contribute to the protection, restoration and better management of marine ecosystems. For this purpose these revenues should be allocated to the Ocean Fund. In any case, at least 20% of the...
yearly revenues generated from the payment of the penalties shall be used to contribute to the protection, restoration and better management of marine ecosystems.

Amendment 201
Margarita de la Pisa Carrión
Proposal for a regulation
Recital 37

Text proposed by the Commission

(37) The revenues generated from the payment of penalties should be used to promote the distribution and use of renewable and low-carbon fuels in the maritime sector and help maritime operators to meet their climate and environmental goals. For this purpose these revenues should be allocated to the Innovation Fund referred to in Article 10a(8) of Directive 2003/87/EC.

Amendment

(37) The revenues generated from the payment of penalties should be used to promote the availability, distribution and use of renewable and low-carbon fuels in the maritime sector and help maritime operators, especially small and medium-sized enterprises struggling to obtain access to new types of fuel, to meet their climate and environmental goals. For this purpose these revenues should be allocated to the Innovation Fund referred to in Article 10a(8) of Directive 2003/87/EC.

Amendment 202
Maria Spyrali, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu
Proposal for a regulation
Recital 37

Text proposed by the Commission

(37) The revenues generated from the payment of penalties should be used to promote the distribution and use of renewable and low-carbon fuels in the maritime sector and help maritime operators to meet their climate and

Amendment

(37) The revenues generated from the payment of penalties should be used to promote the distribution and use of renewable and low-carbon fuels and propulsion technologies in the maritime sector and help maritime operators to meet
environmental goals. For this purpose these revenues should be allocated to the the Innovation Fund referred to in Article 10a(8) of Directive 2003/87/EC.

Amendment 203
Jutta Paulus

Proposal for a regulation
Recital 39

Text proposed by the Commission

(39) Given the importance of consequences that the measures taken by the verifiers under this Regulation may have for the companies concerned, in particular regarding the determination of non-compliant port calls, calculation of the amounts of penalties and refusal to issue a FuelEU certificate of compliance, those companies should be entitled to apply for a review of such measures to the competent authority in the Member State where the verifier was accredited. In the light of the fundamental right to an effective remedy, enshrined in Article 47 of the Charter of Fundamental Rights of the European Union, decisions taken by the competent authorities and the managing bodies of the port under this Regulation should be subject to judicial review, carried out in accordance with the national law of the Member State concerned.

Amendment

(39) Given the importance of consequences that the measures taken by the verifiers under this Regulation may have for the companies concerned, in particular regarding the determination of non-compliant port calls, calculation of the amounts of penalties and refusal to issue a FuelEU certificate of compliance, those companies should be entitled to apply for a review of such measures to the competent authority in the Member State where the verifier and the administering authority was accredited. In the light of the fundamental right to an effective remedy, enshrined in Article 47 of the Charter of Fundamental Rights of the European Union, decisions taken by the competent authorities and the managing bodies of the port under this Regulation should be subject to judicial review, carried out in accordance with the national law of the Member State concerned.

Amendment 204
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Recital 39

Text proposed by the Commission

(39) Given the importance of consequences that the measures taken by the verifiers under this Regulation may have for the companies concerned, in particular regarding the determination of non-compliant port calls, calculation of the amounts of penalties and refusal to issue a FuelEU certificate of compliance, those companies should be entitled to apply for a review of such measures to the competent authority in the Member State where the verifier was accredited. In the light of the fundamental right to an effective remedy, enshrined in Article 47 of the Charter of Fundamental Rights of the European Union, decisions taken by the competent authorities and the managing bodies of the port under this Regulation should be subject to judicial review, carried out in accordance with the national law of the Member State concerned.

Amendment

(39) Given the importance of consequences that the measures taken by the verifiers under this Regulation may have for the companies concerned, in particular regarding the determination of non-compliant port calls, the compilation of information for the calculation of the amounts of penalties and refusal to issue a FuelEU certificate of compliance, those companies should be entitled to apply for a review of such measures to the competent authority in the Member State where the verifier was accredited. In the light of the fundamental right to an effective remedy, enshrined in Article 47 of the Charter of Fundamental Rights of the European Union, decisions taken by the competent authorities and the managing bodies of the port under this Regulation should be subject to judicial review, carried out in accordance with the national law of the Member State concerned.

Or. en

Amendment 205
Jutta Paulus

Proposal for a regulation
Recital 40

Text proposed by the Commission

(40) In order to maintain a level playing field through the efficient functioning of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amendment of the list of well-to-wake emission factors, amendment of the list of the applicable zero-emission technologies or criteria for their use, to

Amendment

(40) In order to maintain a level playing field through the efficient functioning of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of complementing the requirements related to the energy and operational efficiency target, of defining or updating standards
establish the rules on conducting the laboratory testing and direct emissions measurements, adaptation of the penalty factor, accreditation of verifiers, adaptation of the penalty factor, and modalities for the payment of penalties. 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.

for measuring and accounting substitute sources of energy, of amendment of the list of well-to-wake emission factors, calculation of CO2-equivalent emissions, including for black carbon, amendment of the list of the applicable zero-emission technologies, criteria for their use or the measuring of their contribution to the ships' energy balance, to define the monitoring plans template, adaptation of the penalty factor and formulas, accreditation of verifiers, and modalities for the payment of penalties. 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 206
Maria Spyriaki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Recital 40

Text proposed by the Commission

(40) In order to maintain a level playing field through the efficient functioning of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in

Amendment

(40) In order to maintain a level playing field through the efficient functioning of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in
respect of amendment of the list of well-to-wake emission factors, amendment of the list of the applicable zero-emission technologies or criteria for their use, to establish the rules on conducting the laboratory testing and direct emissions measurements, adaptation of the penalty factor, accreditation of verifiers, adaptation of the penalty factor, and modalities for the payment of penalties. 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 207
Maria Spyriaki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Recital 42

Text proposed by the Commission

(42) Given the international dimension of the maritime sector, a global approach to limiting the greenhouse gas intensity of the energy used by ships is preferable as it could be regarded as more effective due to its broader scope. In this context, and with a view to facilitating the development of international rules within the International Maritime Organisation (IMO), the Commission should share relevant

Amendment

(42) Given the international dimension of the maritime sector, a global approach to limiting the greenhouse gas intensity of the energy used by ships is preferable as it would be significantly more effective due to its broader scope. In this context, and with a view to facilitating the development of international rules within the International Maritime Organisation (IMO), the Commission should share
information on the implementation of this Regulation with the IMO and other relevant international bodies and relevant submissions should be made to the IMO. Where an agreement on a global approach is reached on matters of relevance to this Regulation, the Commission should review the present Regulation with a view to aligning it, where appropriate, with the international rules.

Amendment 208
Catherine Chabaud, Michal Wiezik, Martin Hojsík, Frédérique Ries

Proposal for a regulation
Recital 42 a (new)

Text proposed by the Commission

Amendment

(42a) The decarbonisation of maritime transport should include the establishment of low-emission zones - Sulphur Emission Control Area (SECA) and NECA (Nitrogen Emission Control Area) as decided in the Mediterranean by the contracting parties to the Barcelona Convention in 2021 and scheduled to come into force on January 1, 2025, after validation adoption by resolution by the Marine Environment Protection Committee (MEPC) of the International Maritime Organisation. The extension of SECA and NECA zones should apply to all European seas, especially to the Mediterranean sea, which suffers from chronic sources of pollution with adverse effects on human health and marine biodiversity.

Amendment 209
Anna Zalewska
Proposal for a regulation
Recital 42 a (new)

Text proposed by the Commission

(42a) The endeavour to reduce greenhouse gases as well as increase carbon removal on a global scale is a global undertaking, and as such, the EU should encourage international partners at international fora, such as the upcoming UNFCCC COP27 and COP 28 summits, to also undertake additional commitments to reduce greenhouse gases as well as increase carbon removal.

Or. en

Amendment 210
Jutta Paulus

Proposal for a regulation
Recital 43

Text proposed by the Commission

(43) The uptake of renewable and low-carbon fuels and substitute sources of energy by ships arriving at, within or departing from ports under the jurisdiction of a Member State across the Union, is not an objective that can be sufficiently achieved by the Member States without risking to introduce barriers to the internal market and distortions of competition between ports and between maritime operators. This objective can be better achieved by introducing uniform rules at Union level that create economic incentives for maritime operators to continue operating unimpededly while meeting obligations on the use of renewable and low-carbon fuels. Accordingly, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union.

Amendment

(43) The uptake of renewable fuels and substitute sources of energy by ships arriving at, within or departing from ports under the jurisdiction of a Member State across the Union, is not an objective that can be sufficiently achieved by the Member States without risking to introduce barriers to the internal market and distortions of competition between ports and between maritime operators. This objective can be better achieved by introducing uniform rules at Union level that create economic incentives for maritime operators to continue operating unimpededly while meeting obligations on the use of renewable and low-carbon fuels. Accordingly, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union.
Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,

In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,

Amendment 211
Catherine Chabaud, Nils Torvalds, Emma Wiesner, Michal Wiezik, Martin Hojsík, Frédérique Ries, Andreas Glück

Proposal for a regulation
Recital 43 a (new)

Text proposed by the Commission

(43a) The Commission should ensure implementation and availability of tools for collaboration and exchange of best practices for the maritime transport sector, as defined in the ‘Better Regulation Guidelines'. It is essential that the regulations put in place under the Fit For 55 - Green Deal, EU ETS - as well as the European Recovery and Resilience Facility - are coherent and link actors from the maritime sector to make the EU the champion of green ships.


Justification

Tools for collaboration and exchange of best practices, such as the sectoral roadmaps, could help the sector to implement the new provisions provided by the Regulation thereby reducing emissions faster.

Amendment 212
(43a) Recognizing the importance to address the specific needs of islands and remote areas with a view to ensure connectivity, flexibility should be provided to the passenger maritime cabotage sector, as prescribed in Council Regulation (EEC) No 3577/92, in order to adapt to the scheme without compromising the current level of transport services.

Or. en

Amendment 213
Margarita de la Pisa Carrión

(43a) The Commission must ensure that the implementation of this Directive is compatible and consistent with that of other legislative instruments, such as the European Emissions Trading Scheme, that have a major impact on the sector.

Or. es

Amendment 214
Catherine Chabaud, Frédérique Ries, Andreas Glück
(43b) The Commission should encourage ship-owners to subscribe to the Green Marine Europe Label, a voluntary environmental certification program, which promotes the adoption of concrete measures by the maritime sector to reduce its environmental footprint.

Or. en

Amendment 215
Catherine Chabaud, Nils Torvalds, Emma Wiesner, Michal Wiezik, Martin Hojsík, Frédérique Ries, Andreas Glück

Proposal for a regulation
Recital 43 c (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(43c) The successful transition towards zero-emission and green ships requires going beyond the silo approach and implementing an integrated approach to promote innovative measures for greener ships, in line with other European legislation, such as the MRV or ETS Regulations. For example, regarding hull design, new engines and sustainable alternative fuels, wind propulsion, and operational measures that can be implemented in the short term to reduce fuel consumption and thus emissions, such as speed reduction or better route planning. Speed reduction, also referred to as slow steaming, was tested on a large scale between 2006 and 2012 due to the sharp increase in fuel prices: a 10% reduction in speed led to a reduction in consumption of around 19%1a and a corresponding reduction in emissions.</td>
<td></td>
</tr>
</tbody>
</table>

Amendment 216
Jutta Paulus
Proposal for a regulation
Article 1 – paragraph 1 – point -a (new)

Text proposed by the Commission
(-a) the reduction of the greenhouse gas (‘GHG’) emissions per transport work as an average across the ship fleet operated by the same company arriving at, staying within or departing from ports under the jurisdiction of a Member State;

Amendment

Or. en

Amendment 217
Maria Spyraki, Liudas Mažylis, Elissavet Vozemberg-Vrionidi
Proposal for a regulation
Article 1 – paragraph 1 – point a

Text proposed by the Commission
(a) the limit on the greenhouse gas (‘GHG’) intensity of energy used on-board by a ship arriving at, staying within or departing from ports under the jurisdiction of a Member State and

Amendment
(a) the limit on the greenhouse gas (‘GHG’) intensity of energy supplied by maritime fuel suppliers and used on-board by a ship staying within or departing from ports under the jurisdiction of a Member State and

Or. en

Amendment 218
Jutta Paulus
Proposal for a regulation
Article 1 – paragraph 1 – point a
(a) the limit on the greenhouse gas ('GHG') intensity of energy used on-board by a ship arriving at, staying within or departing from ports under the jurisdiction of a Member State and

(a) the limit on the greenhouse gas ('GHG') intensity of energy used on-board by a ship arriving at, staying within or departing from ports under the jurisdiction of a Member State;

Amendment 219
Jutta Paulus

Proposal for a regulation
Article 1 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) the obligation to use a share of renewable fuels of non-biological origin by a ship arriving at, staying within or departing from ports under the jurisdiction of a Member State;

Or. en

Amendment 220
Jutta Paulus

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

Text proposed by the Commission

Amendment

(ab) the obligation to use distillates, sustainable renewable fuels or zero-emission technologies for the energy used by ships navigating through the Arctic and arriving at, staying within or departing from ports under the jurisdiction of a Member State;

Or. en

Amendment 221
Jutta Paulus

Proposal for a regulation
Article 1 – paragraph 1

Text proposed by the Commission

in order to increase consistent use of renewable and low-carbon fuels and substitute sources of energy across the Union, while ensuring the smooth operation of maritime traffic and avoiding distortions in the internal market.

Amendment

in order to incentivise more energy efficient shipping operations and to increase consistent use of sustainable renewable energy and substitute sources of energy in replacement to fossil fuels across the Union and to achieve zero emissions in the maritime sector by 2040, while ensuring the smooth operation of maritime traffic and avoiding distortions in the internal market.

Or. en

Amendment 222
Margarita de la Pisa Carrión

Proposal for a regulation
Article 1 – paragraph 1

Text proposed by the Commission

in order to increase consistent use of renewable and low-carbon fuels and substitute sources of energy across the Union, while ensuring the smooth operation of maritime traffic and avoiding distortions in the internal market.

Amendment

in order to progressively increase consistent use of renewable and low-carbon fuels and substitute sources of energy across the Union, while ensuring the smooth operation of maritime traffic and avoiding distortions in the internal market.

Or. es

Amendment 223
Maria Spyraki, Liudas Mažylis, Marian-Jean Marinescu, Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Article 1 – paragraph 1
in order to increase consistent use of renewable and low-carbon fuels and substitute sources of energy across the Union, while ensuring the smooth operation of maritime traffic and avoiding distortions in the internal market.

Amendment
in order to increase consistent supply and use of renewable and low-carbon fuels and substitute sources of energy in maritime transport across the Union, while ensuring its smooth operation and avoiding distortions in the internal market.

Amendment 224
Maria Spyrači, Liudas Mažylis, Marian-Jean Marinescu, Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Article 2 – paragraph 1 – introductory part

Text proposed by the Commission
This Regulation applies to all ships above a gross tonnage of 5000, regardless of their flag in respect to:

Amendment
This Regulation applies to maritime fuel suppliers and to all ships above a gross tonnage of 5000, regardless of their flag, in respect to:

Or. en

Amendment 225
Catherine Chabaud, Emma Wiesner, Michal Wiezik, Martin Hojsík, Frédérique Ries

Proposal for a regulation
Article 2 – paragraph 1 – introductory part

Text proposed by the Commission
This Regulation applies to all ships above a gross tonnage of 5000, regardless of their flag in respect to:

Amendment
This Regulation applies to all ships above 400 gross tonnage and above, regardless of their flag in respect to:

Or. en

Amendment 226
Idoia Villanueva Ruiz, Mick Wallace
**Proposal for a regulation**

**Article 2 – paragraph 1 – introductory part**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>This Regulation applies to all ships <em>above a</em> gross tonnage of <strong>5000</strong>, regardless of their flag in respect to:</td>
<td>This Regulation applies to all ships <em>of 400</em> gross tonnage <em>and above</em>, regardless of their flag in respect to:</td>
</tr>
</tbody>
</table>

**Amendment 227**

**Jutta Paulus**

**Proposal for a regulation**

**Article 2 – paragraph 1 – introductory part**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>This Regulation applies to all ships above a gross tonnage of <strong>5000</strong>, regardless of their flag in respect to:</td>
</tr>
</tbody>
</table>

**Amendment 228**

**Maria Spyraki, Liudas Mažylis, Marian-Jean Marinescu, Elissavet Vozemberg-Vrionidi**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point a**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) the energy used during their stay within a port of call under the jurisdiction of a Member State,</td>
<td>(a) the energy supplied or used during their stay within a port of call under the jurisdiction of a Member State,</td>
</tr>
</tbody>
</table>

**Amendment 229**

**Maria Spyraki, Liudas Mažylis, Elissavet Vozemberg-Vrionidi**

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

Text proposed by the Commission

(b) the entirety of the energy used on voyages from a port of call under the jurisdiction of a Member State to a port of call under the jurisdiction of a Member State, and

Amendment

(b) the energy supplied for use on voyages from a port of call under the jurisdiction of a Member State to a port of call under the jurisdiction of a Member State, and

Or. en

Amendment 230
Pietro Fiocchi

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

Text proposed by the Commission

(c) a half of the energy used on voyages departing from or arriving to a port of call under the jurisdiction of a Member State, where the last or the next port of call is under the jurisdiction of a third country.

Amendment

deleted

(c)

Or. en

Amendment 231
Pietro Fiocchi

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

Text proposed by the Commission

(c) a half of the energy used on voyages departing from or arriving to a port of call under the jurisdiction of a Member State, where the last or the next port of call is under the jurisdiction of a third country.

Amendment

If a thorough ex ante impact assessment regarding the risks of cargo diversion establishes that no major negative impacts on EU ports are expected, the Commission shall propose an amendment to this Regulation aiming at applying the Regulation to X percent (X%) of the energy used on voyages

(c)

If a thorough ex ante impact assessment regarding the risks of cargo diversion establishes that no major negative impacts on EU ports are expected, the Commission shall propose an amendment to this Regulation aiming at applying the Regulation to X percent (X%) of the energy used on voyages
departing from or arriving to a port of call under the jurisdiction of a Member State, where the last or the next port of call is under the jurisdiction of a third country.

Amendment 232
Jutta Paulus

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

Text proposed by the Commission

(c) a half of the energy used on voyages departing from or arriving to a port of call under the jurisdiction of a Member State, where the last or the next port of call is under the jurisdiction of a third country.

Amendment

(c) the entirety of the energy used on voyages departing from or arriving to a port of call under the jurisdiction of a Member State, where the last or the next port of call is under the jurisdiction of a third country.

Amendment 233
Idoia Villanueva Ruiz, Mick Wallace

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

Text proposed by the Commission

(c) a half of the energy used on voyages departing from or arriving to a port of call under the jurisdiction of a Member State, where the last or the next port of call is under the jurisdiction of a third country.

Amendment

(c) the entirety of the energy used on voyages departing from or arriving to a port of call under the jurisdiction of a Member State, where the last or the next port of call is under the jurisdiction of a third country.

Amendment 234
Stanislav Polčák
Proposal for a regulation
Article 2 – paragraph 1 – point c

Text proposed by the Commission

(c) a half of the energy used on voyages departing from or arriving to a port of call under the jurisdiction of a Member State, where the last or the next port of call is under the jurisdiction of a third country.

Amendment

(c) a half of the energy used on voyages departing from or arriving to a port of call under the jurisdiction of a Member State, where the previous or the next port of call is under the jurisdiction of a third country.

Or. cs

Amendment 235
Maria Spyraki, Liudas Mažylis, Elissavet Vozemberg-Vrionidi

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

Text proposed by the Commission

(c) a half of the energy used on voyages departing from or arriving to a port of call under the jurisdiction of a Member State, where the last or the next port of call is under the jurisdiction of a third country.

Amendment

(c) the energy supplied for use on voyages departing from a port of call under the jurisdiction of a Member State, where the next port of call is under the jurisdiction of a third country.

Or. en

Amendment 236
Pietro Fiocchi

Proposal for a regulation
Article 2 – paragraph 1 – point c a (new)

Text proposed by the Commission

(ca) Every year over a period of five years as from the entry into force of the FuelEU Maritime Regulation, the EU Commission shall evaluate the impact of FuelEU Maritime on EU ports exposed to
competition from non-EU ports. A list of those ports shall be established, their emissions monitored and the evolution of the volumes tracked to determine whether variations are due to market conditions or can be attributed to carbon leakage. Should the cargo diversion be caused by the introduction of FuelEU Maritime, the EU Commission will compensate the loss of competitiveness through additional funding for clean port infrastructure and for the greening of superstructure such as new clean mobile service equipment.

Amendment 237
Jutta Paulus

Proposal for a regulation
Article 2 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) the entirety of the energy used on board for voyages though the Arctic that are departing from or arriving at a port of call under the jurisdiction of a Member State, where the last or the next port of call is under the jurisdiction of a third country;

Amendment 238
Jutta Paulus

Proposal for a regulation
Article 2 – paragraph 2

Text proposed by the Commission

Amendment

This Regulation does not apply to warships, naval auxiliaries, fish-catching or fish-processing ships, wooden ships of

This Regulation does not apply to wooden ships of a primitive build or ships not propelled by mechanical means except for
a primitive build, ships not propelled by mechanical means, or government ships used for non-commercial purposes.

fully wind-powered cargo ships.

Amendment 239
Maria Spyraki, Liudas Mažylis, Marian-Jean Marinescu, Elissavet Vozemberg-Vrionidi

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

Text proposed by the Commission

(a) By way of derogation, paragraph 1(b) shall not apply until 31th December 2029 to passenger and Ro-Ro passenger ships calling at ports of islands within the same Member State with less than 100,000 permanent residents, according to the latest official census of the population. Member States shall notify the Commission about the routes and islands exempted as well as for any alterations thereof.

Amendment

Or. en

Amendment 240
Jutta Paulus

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

Text proposed by the Commission

(a) ‘greenhouse gas emissions’ means the release of carbon dioxide (CO₂), methane (CH₄) and nitrous oxides (N₂O) into the atmosphere;

Amendment

(a) ‘greenhouse gas emissions’ means the release of carbon dioxide (CO₂), methane (CH₄) and nitrous oxide (N₂O) into the atmosphere and the direct radiative forcing of black carbon (BC) emissions;

Or. en
Amendment 241
Jutta Paulus

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

*Text proposed by the Commission*

(f) ‘food and feed crops’ means food and feed crops as defined in Article 2, point (40), of Directive (EU) 2018/2001;

*Amendment*

(f) ‘crops’ means food and feed crops as defined in Article 2, point (40), of Directive (EU) 2018/2001 and intermediate crops, energy crops, palm fatty acid distillates, animal fats category III, molasses, soap stock and derivatives;

Or. en

Amendment 242
Idoia Villanueva Ruiz

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

*Text proposed by the Commission*

(f) ‘food and feed crops’ means food and feed crops as defined in Article 2, point (40), of Directive (EU) 2018/2001;

*Amendment*

(f) ‘crops’ means food and feed crops as defined in Article 2, point (40), of Directive (EU) 2018/2001, including intermediate crops, energy crops, palm fatty acid distillates, animal fats category III and molasses;

Or. en

Amendment 243
Maria Spyrači, Liudas Mažylis, Marian-Jean Marinescu, Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Article 3 – paragraph 1 – point f a (new)

*Text proposed by the Commission*

(fa) ‘maritime fuel supplier’ means a fuel supplier as defined in Article 2,
paragraph 2, point 38 of Directive (EU) 2018/2001, supplying marine fuel at a maritime port under the jurisdiction of a Member State;

**Amendment 244**
Jutta Paulus

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

**Text proposed by the Commission**

(g) ‘zero-emission technology’ means a technology fulfilling the requirements of Annex III that does not imply the release of the following greenhouse gases and air pollutants into the atmosphere by ships: carbon dioxide (CO\(_2\)), methane (CH\(_4\)), nitrous oxides (N\(_2\)O), sulphur oxides (SO\(_x\)), nitrogen oxides (NO\(_x\)) and particulate matter (PM);

**Amendment**

(g) ‘zero-emission technology’ means a technology fulfilling the requirements of Annex III that does not imply the tailpipe release of the following greenhouse gases and air pollutants into the atmosphere by ships: carbon dioxide (CO\(_2\)), black carbon (BC), methane (CH\(_4\)), nitrous oxides (N\(_2\)O), sulphur oxides (SO\(_x\)), nitrogen oxides (NO\(_x\)) and particulate matter (PM);

**Amendment 245**
Jutta Paulus

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

**Text proposed by the Commission**

(i) ‘port of call’ means a port of call as defined in Article 3, point (b) of Regulation (EU) 2015/757;

**Amendment**

(i) ‘port of call’ means the port where a ship stops to load or unload a substantial part of its cargo or to embark or disembark passengers; consequently, stops for the sole purposes of refuelling, obtaining supplies, relieving the crew, going into dry-dock or making repairs to the ship and/or its equipment, stops in port because the ship is in need of assistance or in distress, ship-to-ship
transfers carried out outside ports, and
stops for the sole purpose of taking shelter
from adverse weather or rendered
necessary by search and rescue activities
are excluded;

Justification

This Amendment reflects the European Parliament position voted on Wednesday, 16
September 2020 on the revision of the "MRV Regulation" (Regulation (EU) 2015/757).

Amendment 246
Maria Spyrali, Liudas Mažylis, Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Article 3 – paragraph 1 – point k

Text proposed by the Commission
(k) ‘company’ means company as
defined in Article 3, point (d) of
Regulation (EU) 2015/757;

Amendment
(k) ‘company’ means company as
defined in Article 3, point (d) of
Regulation (EU) 2015/757; When the
responsibility for the purchase of the fuel
and/or the operation of the ship is
assumed, pursuant to a contractual
agreement, by an entity other than the
shipping company, that entity shall either
pay the penalties under article 20,
paragraph 1 and 2 of this Directive or
reimburse the shipping company for the
penalties paid. For the purposes of this
paragraph, operation of the ship shall
determine the cargo carried, the
itinerary, the routing and/or the speed of
the ship.

Amendment 247
Jutta Paulus

Proposal for a regulation
Article 3 – paragraph 1 – point k
Text proposed by the Commission

(k) ‘company’ means company as defined in Article 3, point (d) of Regulation (EU) 2015/757;

(k) ‘company’ means the shipowner or any other organisation or person such as the manager; the time charterer or the bareboat charterer, which has assumed the responsibility for the commercial operation of the ship from the shipowner and is responsible for paying for fuel consumed by the ship;

Justification

This Amendment reflects the European Parliament position voted on Wednesday, 16 September 2020 on the revision of the "MRV Regulation" (Regulation (EU) 2015/757).

Amendment 248
Nils Torvalds, Emma Wiesner

Proposal for a regulation
Article 3 – paragraph 1 – point m

Text proposed by the Commission

(m) ‘ship at berth’ means ship at berth as defined in Article 3, point (n) of Regulation (EU) 2015/757;

(m) ‘ship at berth’ means a ship which is securely moored at the quayside in a port falling under the jurisdiction of a Member State while it is loading, unloading and/or embarking/disembarking passengers or hoteling, including the time spent when not engaged in cargo/passenger operations;

Justification

For operational and health and safety related reasons in connection to OPS, the definition of 'ship at berth' should not include 'anchoring' which usually takes place outside the port at sea, but should only include an obligation to use OPS when the ship is physically in the port.

Amendment 249
Proposal for a regulation
Article 3 – paragraph 1 – point m

Text proposed by the Commission

(m) ‘ship at berth’ means ship at berth as defined in Article 3, point (n) of Regulation (EU) 2015/757;

Amendment

(m) ‘ship at berth’ means a ship which is securely moored along a quay in a port falling under the jurisdiction of a Member State while it is loading, unloading or hotelling, including the time spent when not engaged in cargo operations.

Justification

Definition in Regulation (EU) 2015/757 also covers ships anchored far from a quay, and it would be associated with big practical difficulties to include them in the requirement to connect to on-shore power.

Amendment 250

Proposal for a regulation
Article 3 – paragraph 1 – point n

Text proposed by the Commission

(n) ‘energy use on-board’ means the amount of energy, expressed in mega joules (MJ), used by a ship for propulsion and for the operation of any on-board equipment, at sea or at berth;

Amendment

(n) ‘energy use on-board’ means the amount of energy, expressed in mega joules (MJ), used by a ship for propulsion and for the operation of any on-board equipment, at sea or at berth without the additional energy used due to technical characteristics of a ship having the ice class IA or IA Super or an equivalent ice class and the additional energy used by a ship having the ice class IC, IB, IA or IA Super or an equivalent ice class due to sailing in ice conditions.

Justification

Or. en
Amendment 251
Nils Torvalds

Proposal for a regulation
Article 3 – paragraph 1 – point n

Text proposed by the Commission

(n) ‘energy use on-board’ means the amount of energy, expressed in mega joules (MJ), used by a ship for propulsion and for the operation of any on-board equipment, at sea or at berth;

Amendment

(n) ‘energy use on-board’ means the amount of energy, expressed in mega joules (MJ), used by a ship for propulsion and for the operation of any on-board equipment, at sea or at berth without the additional energy used due to technical characteristics of a ship having the ice class IA or IA Super or an equivalent ice class and the additional energy used by a ship having the ice class IC, IB, IA or IA Super or an equivalent ice class due to sailing in ice conditions;

Or. en

Justification

The technical specifications following the safety rules for vessels sailing in ice conditions leads to an increase in the use of energy both when sailing within the ice edge as well as in open waters. This should be taken into account in this regulation in order to avoid market distortion or negative impacts on the level playing field.

Amendment 252
Maria Spyra, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 3 – paragraph 1 – point q a (new)

Text proposed by the Commission

(qa) ‘ice class’ means the notation assigned to the ship by the competent national authorities of the flag State or an organisation recognised by that State, showing that the ship has been designed for navigation in sea-ice conditions.

Amendment

(qa) ‘ice class’ means the notation assigned to the ship by the competent national authorities of the flag State or an organisation recognised by that State, showing that the ship has been designed for navigation in sea-ice conditions.

Or. en
Amendment 253
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 3 – paragraph 1 – point q b (new)

Text proposed by the Commission

(qb) ‘sailing in ice conditions’ means sailing of an ice-classed ship in a sea area within the ice edge.

Amendment

Or. en

Amendment 254
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 3 – paragraph 1 – point q c (new)

Text proposed by the Commission

(qc) ‘ice edge’ is defined by paragraph 4.4. of the WMO Sea-Ice Nomenclature, March 2014, as the demarcation at any given time between the open sea and sea ice of any kind, whether fast or drifting.

Amendment

Or. en

Amendment 255
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 3 – paragraph 1 – point r

Text proposed by the Commission

(r) ‘on-shore power supply’ means the system to supply electricity to ships at berth, at low or high voltage, alternate or direct current, including ship side and shore side installations, when feeding directly the ship main distribution

Amendment

(r) ‘on-shore power supply’ means the system to supply electricity to ships at berth, at low or high voltage, alternate or direct current, including ship side and shore side installations, feeding the ship main distribution switchboard for powering
switchboard for powering hotel, service workloads or charging secondary batteries; hotel, service workloads or charging secondary batteries; 

Amendment 256
Idoia Villanueva Ruiz, Mick Wallace

Proposal for a regulation
Article 3 – paragraph 1 – point s a (new)

Text proposed by the Commission

Amendment

(sa) The administering authority in respect of a shipping company as defined in article 3 (g) (d) of proposal 2021/0211(COD).

Amendment 257
Idoia Villanueva Ruiz, Mick Wallace

Proposal for a regulation
Article 3 – paragraph 1 – point u

Text proposed by the Commission

Amendment

(u) FuelEU certificate of compliance’ means a certificate specific to a ship, issued to a company by a verifier, which confirms that that ship has complied with this Regulation for a specific reporting period;

(u) ‘FuelEU certificate of compliance’ means a certificate specific to a ship, issued to a company by the administering authority in respect of a shipping company, which confirms that that ship has complied with this Regulation for a specific reporting period;

Amendment 258
Jutta Paulus

Proposal for a regulation
Article 3 – paragraph 1 – point x a (new)
(xa) ‘non-compliant Arctic voyage’ means a ship voyage that does not comply with the requirements set out in Article 5a;

Or. en

Amendment 259
Jutta Paulus

Proposal for a regulation
Article 3 – paragraph 1 – point y

(y) ‘least favourable pathway’ means the most carbon-intensive production pathway used for any given fuel;

(y) ‘least favourable pathway’ means the most GHG-intensive production pathway used for any given fuel;

Or. en

Amendment 260
Jutta Paulus

Proposal for a regulation
Article 3 – paragraph 1 – point z

(z) ‘CO₂ equivalent’ means the metric measure used to compute the emissions from CO₂, CH₄ and N₂O on the basis of their global-warming potential, by converting amounts of CH₄ and N₂O to the equivalent amount of carbon dioxide with the same global warming potential;

(z) ‘CO₂ equivalent’ means the metric measure used to compute the emissions from CO₂, BC, CH₄ and N₂O on the basis of their global-warming potential, by converting amounts of BC, CH₄ and N₂O to the equivalent amount of carbon dioxide with the same global warming potential (GWP) using GWP 20 figures;

Or. en
Amendment 261
Jutta Paulus

Proposal for a regulation
Article 3 – paragraph 1 – point ee a (new)

Text proposed by the Commission

Amendment

(eea) 'administering authority in respect of a shipping company' means:

(i) in the case of a company registered in a Member State, the Member State in which the company is registered;

(ii) in the case of a company that is not registered in a Member State, the Member State with the greatest estimated number of port calls from voyages performed by that company in the last two monitoring years and falling within the scope set out in Article 2;

(iii) in the case of a company that is not registered in a Member State and that did not carry out any voyage falling within the scope set out in Article 2 in the preceding two monitoring years, the administering authority means the Member State from where the company has started its first voyage falling within the scope set out in Article 2.

Or. en

Justification


Amendment 262
Nils Torvalds

Proposal for a regulation
Article 3 – paragraph 1 – point ee a (new)
(eea) ‘sailing in ice conditions’ means sailing of an ice-classed ship in a sea area within the ice edge.

Amendment 263
Jutta Paulus
Proposal for a regulation
Article 3 – paragraph 1 – point ee b (new)

Text proposed by the Commission

(eeb) ‘Arctic’ means all marine waters of the geographical area including all of Alaska, Canada North of 60°N, together with northern Quebec and Labrador, all of Greenland, the Faroe Islands, and Iceland, and the northernmost counties of Norway, Sweden and Finland, and in Russia the Murmansk Oblast, the Nenets, Yamalo-Nenets, Taimyr, and Chukotka autonomous krugs, Vorkuta City in the Komi Republic, Norilsk and Igerska in Krasnoyarsky Kray, and those parts of the Sakha Republic whose boundaries lie closest to the Arctic Circle1eeb.

1eeb An integrated European Union policy for the Arctic, JOIN/2016/021 final.

Or. en

Amendment 264
Nils Torvalds
Proposal for a regulation
Article 3 – paragraph 1 – point ee b (new)

Text proposed by the Commission

(eeb) "ice edge" is defined by paragraph 4.4. of the WMO Sea-Ice Nomenclature,
March 2014 as the demarcation at any given time between the open sea and sea ice of any kind, whether fast or drifting.

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<tr>
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<td>II REQUIREMENTS ON ENERGY USED ON-BOARD BY SHIPS</td>
<td>II REQUIREMENTS ON ENERGY USES ON-BOARD BY SHIPS</td>
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<tr>
<td>Operational and energy efficiency: Greenhouse gas intensity per transport of work</td>
<td></td>
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<tr>
<td>1. Companies shall linearly reduce the annual GHG emissions per transport work by at least 40% by 2030 as an average across all ships under their responsibility, compared to the average performance per ship category of ships of the same size and type as reported under this Regulation or, where appropriate, under the Regulation (EU) 2015/757.</td>
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<tr>
<td>2. Where, in a given reporting period, a company fails to comply with the annual reduction referred to in paragraph 1 of</td>
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</table>
this Article, the administering authority in respect of the company shall impose an effective, proportionate and dissuasive financial penalty. Payment of the excess emissions penalty shall not release the company from its obligation under paragraph 1 of this Article. In the case of companies that have failed to comply with the emission limits laid down under this Article, the provisions of Article 23(3) apply.

3. The Commission shall adopt delegated acts by... [6 months after the entry into force of this Regulation] in accordance with Article 26 in order to supplement this Regulation by:

(i) defining the average performance per ship category referred to in paragraph 1;

(ii) determining the baseline and the annual linear reduction factor to be applied for each ship category by using the data from the THETIS-MRV, including the mandatory parameter ‘cargo carried’, and the IMO DCS, when available, while fully recognising the emission reductions already undertaken by the ‘decarbonising first movers’ companies, so as to achieve the target referred to in paragraph 1;

(iii) specifying the rules and means for calculating and collecting the excess emissions penalty referred to in paragraph 2;

(iv) specifying any other rule and methods necessary for the monitoring, compliance and verification of compliance of this Article, for all ships falling under the scope of this Regulation.

Or. en

Justification

This Amendment reflects the European Parliament position voted on Wednesday, 16 September 2020 on the revision of the "MRV Regulation" (Regulation (EU) 2015/757)
Amendment 267
Jutta Paulus

Proposal for a regulation
Article 4 – title

Text proposed by the Commission

Greenhouse gas intensity limit of energy used on-board by a ship

Amendment

Greenhouse gas intensity limit of energy used on-board by a ship and mandate for the uptake of renewable fuels of non-biological origin

Or. en

Amendment 268
Maria Spyraki, Liudas Mažylis, Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Article 4 – title

Text proposed by the Commission

Greenhouse gas intensity limit of energy supplied to ships

Amendment

Greenhouse gas intensity limit of energy supplied to ships

Or. en

Amendment 269
Maria Spyraki, Liudas Mažylis, Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Article 4 – paragraph 1

Text proposed by the Commission

1. The yearly average greenhouse gas intensity of the energy used on-board by a ship during a reporting period shall not exceed the limit set out in paragraph 2.

Amendment

1. The yearly average greenhouse gas intensity of the energy supplied to a ship within a port of call under the jurisdiction of a Member State during a reporting period shall not exceed the limit set out in paragraph 2.

Or. en
Amendment 270
Jutta Paulus
Proposal for a regulation
Article 4 – paragraph 2 – indent 1

Text proposed by the Commission

Amendment

— -2% from 1 January 2025;
— -4.4% from 1 January 2025;

Or. en

Amendment 271
Catherine Chabaud, Emma Wiesner, Michal Wiezik, Martin Hojsík
Proposal for a regulation
Article 4 – paragraph 2 – indent 1

Text proposed by the Commission

Amendment

— -2% from 1 January 2025;
— -4% from 1 January 2025;

Or. en

Amendment 272
Jutta Paulus
Proposal for a regulation
Article 4 – paragraph 2 – indent 2

Text proposed by the Commission

Amendment

— -6% from 1 January 2030;
— -22.4% from 1 January 2030;

Or. en

Amendment 273
Catherine Chabaud, Emma Wiesner, Michal Wiezik, Martin Hojsik
Proposal for a regulation
Article 4 – paragraph 2 – indent 2

Text proposed by the Commission

Amendment

— -2% from 1 January 2025;
— -4% from 1 January 2025;

Or. en
Proposal for a regulation
Article 4 – paragraph 2 – indent 3

Text proposed by the Commission
—  -6% from 1 January 2030;

Amendment
—  -13% from 1 January 2030;

Or. en

Amendment 274
Jutta Paulus

Proposal for a regulation
Article 4 – paragraph 2 – indent 3

Text proposed by the Commission
—  -13% from 1 January 2035;

Amendment
—  -75.4% from 1 January 2035;

Or. en

Amendment 275
Catherine Chabaud, Emma Wiesner, Michal Wiezik, Martin Hojsík

Proposal for a regulation
Article 4 – paragraph 2 – indent 3

Text proposed by the Commission
—  -13% from 1 January 2035;

Amendment
—  -26% from 1 January 2035;

Or. en

Amendment 276
Jutta Paulus

Proposal for a regulation
Article 4 – paragraph 2 – indent 4

Text proposed by the Commission
—  -26% from 1 January 2040;

Amendment
—  -100% from 1 January 2040;

Or. en
Amendment 277
Catherine Chabaud, Emma Wiesner, Michal Wiezik, Martin Hojsík

Proposal for a regulation
Article 4 – paragraph 2 – indent 4

Text proposed by the Commission Amendment
— -26% from 1 January 2040; — -59% from 1 January 2040;

Or. en

Amendment 278
Jutta Paulus

Proposal for a regulation
Article 4 – paragraph 2 – indent 5

Text proposed by the Commission Amendment
— -59% from 1 January 2045; deleted

Or. en

Amendment 279
Catherine Chabaud, Emma Wiesner, Michal Wiezik, Martin Hojsík

Proposal for a regulation
Article 4 – paragraph 2 – indent 5

Text proposed by the Commission Amendment
— -59% from 1 January 2045; — -75% from 1 January 2045;

Or. en

Amendment 280
Jutta Paulus

Proposal for a regulation
Article 4 – paragraph 2 – indent 6
— -75% from 1 January 2050. deleted

Amendment 281
Catherine Chabaud, Emma Wiesner, Michal Wiezik, Martin Hojsík

Proposal for a regulation
Article 4 – paragraph 2 – indent 6

Text proposed by the Commission

— -75% from 1 January 2050.

Amendment

— -100% from 1 January 2050.

Or. en

Amendment 282
Margarita de la Pisa Carrión

Proposal for a regulation
Article 4 – paragraph 2 – indent 6

Text proposed by the Commission

— -75% from 1 January 2050.

Amendment

— -65% from 1 January 2050.

Or. es

Amendment 283
Maria Spyraki, Liudas Mažylis, Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Article 4 – paragraph 2 – subparagraph 1

Text proposed by the Commission

[Asterix: The reference value, which calculation will be carried out at a later stage of the legislative procedure, corresponds to the fleet average greenhouse gas intensity of the energy used on-board by ships in 2020 determined on the basis data monitored and reported in

Amendment

[Asterix: The reference value, which calculation will be carried out at a later stage of the legislative procedure, corresponds to the fleet average greenhouse gas intensity of the energy supplied to ships and used on-board by ships in 2020 as determined on the basis
the framework of Regulation (EU) 2015/757 and using the methodology and default values laid down in *Annex I to that Regulation.*]

data monitored and reported in the framework of Regulation (EU) 2015/757 and using the methodology and default values laid down in *Annexes I and II to this Regulation.* *In view of adopting Lifecycle Assessment (LCA) Guidelines in IMO, the Commission should review this methodology with a view to aligning it with the global one once agreed.*

*Ships shall comply with the limits referred to in paragraph 2 in relation to the energy supplied within a port of call under the jurisdiction of a Member State.*

*Maritime fuel suppliers shall ensure that the energy made available to ships in ports under the jurisdiction of a Member State complies with the limits referred to in paragraph 2.*

Or. en

**Amendment 284**

**Pietro Fiocchi**

**Proposal for a regulation**

**Article 4 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

[Asterix: The reference value, which calculation will be carried out at a later stage of the legislative procedure, corresponds to the fleet average greenhouse gas intensity of the energy used on-board by ships in 2020 determined on the basis data monitored and reported in the framework of Regulation (EU) 2015/757 and using the methodology and default values laid down in Annex I to that Regulation.*]

*Amendment*

[Asterix: The reference value, which calculation will be carried out at a later stage of the legislative procedure, corresponds to the fleet average greenhouse gas intensity of the energy used on-board by ships in 2020 determined on the basis data monitored and reported in the framework of Regulation (EU) 2015/757 and using the methodology and default values laid down in Annex I to that Regulation.*]

*The phase-in timescale, as laid down in Paragraph 2, shall be linked to the actual availability of alternative solutions to the use of current fuels and be revised, as appropriate, based on the report that the Commission shall present on the*
evolution of technologies and market for renewable and low fuels in maritime transport, pursuant to Article 28 of the present Regulation.

Amendment 285
Idoia Villanueva Ruiz

Proposal for a regulation
Article 4 – paragraph 2 – subparagraph 1

Text proposed by the Commission

[Asterix: The reference value, which calculation will be carried out at a later stage of the legislative procedure, corresponds to the fleet average greenhouse gas intensity of the energy used on-board by ships in 2020 determined on the basis data monitored and reported in the framework of Regulation (EU) 2015/757 and using the methodology and default values laid down in Annex I to that Regulation.]

Amendment

[Asterix: The reference value, which calculation will be carried out at a later stage of the legislative procedure, corresponds to the fleet average greenhouse gas intensity of the energy used on-board by ships in 2020 determined on the basis data monitored and reported in the framework of Regulation (EU) 2015/757 and using the methodology and default values laid down in Annex I and II to that Regulation.]

Amendment 286
Maria Spyrači, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 4 – paragraph 2 – subparagraph 1

Text proposed by the Commission

[Asterix: The reference value, which calculation will be carried out at a later stage of the legislative procedure, corresponds to the fleet average greenhouse gas intensity of the energy used on-board by ships in 2020 determined on the basis data monitored and reported in the framework of Regulation (EU) 2015/757 and using the methodology and default values laid down in Annex I to that Regulation.]

Amendment

[Asterix: The reference value, which calculation will be carried out at a later stage of the legislative procedure, corresponds to the EU fleet average greenhouse gas intensity of the energy used on-board by ships in 2019 determined on the basis data monitored and reported in the framework of Regulation (EU).]
Amendment 287
Jutta Paulus

Proposal for a regulation
Article 4 – paragraph 2 a (new)

Text proposed by the Commission

2a. From 1 January 2030, ships shall meet at least 14% of their yearly average energy used on-board during a reporting period with RFNBOs or direct use of renewable energy.

Amendment

2a. From 1 January 2030, ships shall meet at least 14% of their yearly average energy used on-board during a reporting period with RFNBOs or direct use of renewable energy.

Amendment 288
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

3. The greenhouse gas intensity of the energy used on-board by a ship shall be calculated as the amount of greenhouse gas emissions per unit of energy according to the methodology specified in Annex I.

Amendment

3. The greenhouse gas intensity of the energy used on-board by a ship shall be calculated as the amount of greenhouse gas emissions per unit of energy according to the methodology specified in Annex I, including a correction factor for ice classed ships, deducting the higher fuel consumption linked to ice navigation. As a basis for the calculation of emission factors, default values are provided in Annex II of this Regulation. These default values can be replaced by actual values certified by means of laboratory testing or direct emissions measurements.
Amendment 289
Jutta Paulus

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

3. The greenhouse gas intensity of the energy used on-board by a ship shall be calculated as the amount of greenhouse gas emissions per unit of energy according to the methodology specified in Annex I.

Amendment

3. The greenhouse gas intensity of the energy used on-board by a ship shall be calculated as the amount of greenhouse gas emissions per unit of energy according to the methodology specified in Annex I.

The Commission is empowered to adopt delegated acts in accordance with Article 26 to amend Annex I in order to insert or update reference standards for accurately measuring and accounting for the contribution of substitute sources of energy in the light of scientific and technical progress\(^3a\).

\(^3a\) MEPC.1/Circ.896: 2021 Guidance on treatment of innovative energy efficiency technologies for calculation and verification of the attained eedi and eexi.

Amendment 290
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

4. The Commission is empowered to adopt delegated acts in accordance with Article 26 to amend Annex II in order to include the well-to-wake emission factors related to any new sources of energy or to

Amendment

deleted
adapt the existing emission factors to ensure consistency with future international standards or the legislation of the Union in the field of energy.

Amendment 291
Jutta Paulus

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

4. The Commission is empowered to adopt delegated acts in accordance with Article 26 to amend Annex II in order to include the well-to-wake emission factors related to any new sources of energy or to adapt the existing emission factors to ensure consistency with future international standards or the legislation of the Union in the field of energy.

Amendment

4. The Commission is empowered to adopt delegated acts in accordance with Article 26 to amend Annex II in order to ensure the emission factors are as representative as possible to real emissions according to the best available scientific and technical knowledge, to include the well-to-wake emission factors related to black carbon and any new sources of energy, to adapt the existing emission factors to ensure consistency with more ambitious future international standards or legislations of the Union in the fields of energy, environment and climate.

Amendment 292
Maria Spyraiki, Liudas Mažylis, Marian-Jean Marinescu, Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Article 4 a (new)

Text proposed by the Commission

Article 4 a

Reporting obligations for maritime fuel suppliers

Amendment
By 31 March of each reporting year, maritime fuel suppliers shall report in the compliance database referred to in Article 16, the following information relative to the reporting period:

(a) The volume of renewable and low-carbon fuels at ports under the jurisdiction of a Member State, and for each type of energy;

(b) The lifecycle emissions, origin of feedstock and conversion process of each renewable and low-carbon fuel type supplied at ports under the jurisdiction of a Member State.

Amendment 293
Idoia Villanueva Ruiz, Mick Wallace

Proposal for a regulation
Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4 a

Minimum quota for electricity or renewable fuels of non-biological origin for ships

1. The yearly share of electricity or renewable fuels of non-biological origin of the energy used on-board by a ship during a reporting period shall be at least the following values:

- 7% from 1 January 2030;
- 30% from 1 January 2035;
- 70% from 1 January 2040;
- 90% from 1 January 2045;
- 100% from 1 January 2050.
Amendment 294
Pietro Fiocchi

Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

1. From 1 January 2030, a ship at berth in a port of call under the jurisdiction of a Member State shall connect to on-shore power supply and use it for all energy needs while at berth.

Amendment

1. From 1 January 2030, a ship at berth in a port of call covered by Article 9 of the Alternative Fuels Infrastructure Regulation under the jurisdiction of a Member State shall connect to on-shore power supply and use it for all energy needs except boilers and other thermal devices for which electrical supply is not applicable while at berth.

Or. en

Amendment 295
Maria Spyraki, Jørgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

1. From 1 January 2030, a ship at berth in a port of call under the jurisdiction of a Member State shall connect to on-shore power supply and use it for all energy needs while at berth.

Amendment

1. From 1 January 2030, a ship at berth in a port of call covered by Article 9 of the Alternative Fuels Infrastructure Regulation shall connect to on-shore power supply and use it for all its electricity needs while at berth, with exemption for auxiliary boilers.

Or. en

Amendment 296
Jutta Paulus

Proposal for a regulation
Article 5 – paragraph 1
1. **From 1 January 2030,** a ship at berth in a port of call under the jurisdiction of a Member State shall connect to on-shore power supply and use it for all energy needs while at berth.

1. A ship at berth in a port of call under the jurisdiction of a Member State shall connect to on-shore power supply and use it for all energy needs while at berth.

**Amendment 297**
Idoia Villanueva Ruiz, Mick Wallace

**Proposal for a regulation**
**Article 5 – paragraph 1**

**Text proposed by the Commission**

1. **From 1 January 2030,** a ship at berth in a port of call under the jurisdiction of a Member State shall connect to on-shore power supply and use it for all energy needs while at berth.

1. A ship at berth in a port of call under the jurisdiction of a Member State shall connect to on-shore power supply and use it for all energy needs while at berth.

**Or. en**

**Amendment 298**
Jutta Paulus

**Proposal for a regulation**
**Article 5 – paragraph 2 – introductory part**

**Text proposed by the Commission**

2. Paragraph 1 shall apply to:

2. Paragraph 1 shall apply:

**Or. en**

**Amendment 299**
Jutta Paulus

**Proposal for a regulation**
**Article 5 – paragraph 2 – point a**
Text proposed by the Commission

(a) containerships;

Amendment

(a) by 1 January 2025, to passenger ships and all seagoing containerships above 400 gross tonnes;

Or. en

Amendment 300
Idoia Villanueva Ruiz, Mick Wallace

Proposal for a regulation
Article 5 – paragraph 2 – point a

Text proposed by the Commission

(a) containerships;

Amendment

(a) by 1 January 2025 to passenger ships and containerships;

Or. en

Amendment 301
Jutta Paulus

Proposal for a regulation
Article 5 – paragraph 2 – point b

Text proposed by the Commission

(b) passenger ships.

Amendment

(b) by 1 January 2030 to all types of ships above 400 gross tonnes.

Or. en

Amendment 302
Idoia Villanueva Ruiz, Mick Wallace

Proposal for a regulation
Article 5 – paragraph 2 – point b

Text proposed by the Commission

Amendment
(b) passenger ships.  

(b) by 1 January 2030 to tankers and bulk carriers;

---

Amendment 303
Idoia Villanueva Ruiz, Mick Wallace

Proposal for a regulation
Article 5 – paragraph 2 – point b a (new)

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<td>(ba) by 1 January 2035 to all remaining ships above 400 gross tonnes;</td>
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</table>

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Amendment 304
Jutta Paulus

Proposal for a regulation
Article 5 – paragraph 3 – introductory part

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
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<tr>
<td>3. Paragraph 1 shall not apply to ships:</td>
<td>3. Paragraphs 1 and 2 shall not apply to ships:</td>
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Amendment 305
Jutta Paulus

Proposal for a regulation
Article 5 – paragraph 3 – point a

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
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<tbody>
<tr>
<td>(a) that are at berth for less than two hours, calculated on the basis of hour of departure and arrival monitored in accordance with Article 14;</td>
<td>deleted</td>
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</tbody>
</table>
Amendment 306
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 5 – paragraph 3 – point a a (new)

Text proposed by the Commission

Amendment

(aa) that were estimated to be at berth for less than two hours, but were hindered from departing within that timeframe due to unforeseeable events outside the operator’s control.

Amendment 307
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 5 – paragraph 3 – point c

Text proposed by the Commission

Amendment

(c) that have to make an unscheduled port call for reasons of safety or saving life at sea; (c) that have to make an unscheduled port call for reasons of safety or saving life at sea or in emergency situations or under conditions of force majeure;

Amendment 308
Jutta Paulus

Proposal for a regulation
Article 5 – paragraph 3 – point d

Text proposed by the Commission

Amendment

(d) that are unable to connect to on-shore power supply due to unavailable deleted
connection points in a port;

Amendment 309
Pietro Fiocchi

Proposal for a regulation
Article 5 – paragraph 3 – point d

**Text proposed by the Commission**

(d) that are unable to connect to on-shore power supply due to unavailable connection points in a port;

**Amendment**

(d) that are unable to connect to on-shore power supply **and use** on-shore power supply e.g. due to unavailable connection points **at the visited berth** in a port;

Amendment 310
Stanislav Polčák

Proposal for a regulation
Article 5 – paragraph 3 – point f

**Text proposed by the Commission**

f) which, for a limited period of time, require the use of on-board energy generation, under emergency situations representing immediate risk to life, the ship, the environment or for other reasons of force majeure.

**Amendment**

f) which, for a limited period of time, require the use of on-board energy generation, under emergency situations representing immediate risk to life, the ship, the environment or for other reasons of force majeure **that could not have been reasonably foreseen**.

Amendment 311
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 5 – paragraph 3 a (new)
Text proposed by the Commission

3a. **Ship operators shall inform the ports they call at about their intentions to connect to on-shore power and indicate the amount of power they require during the given call.**

Or. en

Amendment 312
Maria Spyrraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 5 – paragraph 4

Text proposed by the Commission

4. **The Commission is empowered to adopt delegated acts in accordance with Article 26 to amend Annex III in order to insert references to new technologies in the list of applicable zero-emission technologies or criteria for their use, where these new technologies are found equivalent to the technologies listed in that Annex in the light of scientific and technical progress.**

Or. en

Amendment 313
Jutta Paulus

Proposal for a regulation
Article 5 – paragraph 4

Text proposed by the Commission

4. The Commission is empowered to adopt delegated acts in accordance with Article 26 to amend Annex III in order to insert references to new technologies in the list of applicable zero-emission technologies or criteria for their use, where
these new technologies are found equivalent to the technologies listed in that Annex in the light of scientific and technical progress.

use, where these new technologies or other uses criteria are found equivalent or better in term of emissions reduction to the technologies and criteria for uses listed in that Annex in the light of scientific and technical progress as well as developments in the Union’s climate, environmental and energy legislation.

Or. en

Amendment 314
Maria Spyrači, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 5 – paragraph 5

Text proposed by the Commission

5. The managing body of the port of call shall determine whether the exceptions set in paragraph 3 apply and issue or refuse to issue the certificate in accordance with the requirements set out in Annex IV.

Amendment

5. The managing body of the port of call, or where applicable the terminal operator or the competent authority, shall determine whether the exceptions set in paragraph 3 apply and issue or refuse to issue the certificate in accordance with the requirements set out in Annex IV.

Or. en

Amendment 315
Jutta Paulus

Proposal for a regulation
Article 5 – paragraph 6

Text proposed by the Commission

6. From 1 January 2035, the exceptions listed in paragraph 3, points (d) and (e), may not be applied to a given ship, in total, more than five times during one reporting year. A port call shall not be counted for the purpose of compliance with this provision where the company demonstrates that it could not have

Amendment

deleted
reasonably known that the ship will be unable to connect for reasons referred to in paragraph 3, points (d) and (e).

Or. en

Amendment 316
Pietro Fiocchi

Proposal for a regulation
Article 5 – paragraph 6

Text proposed by the Commission

6. From 1 January 2035, the exceptions listed in paragraph 3, points (d) and (e), may not be applied to a given ship, in total, more than five times during one reporting year. A port call shall not be counted for the purpose of compliance with this provision where the company demonstrates that it could not have reasonably known that the ship will be unable to connect for reasons referred to in paragraph 3, points (d) and (e).

Amendment

6. From 1 January 2035, the exceptions listed in paragraph 3, points (d) and (e), may not be applied to a given ship, in total, more than five times during one reporting year. A port call shall not be counted for the purpose of compliance with this provision where the company demonstrates that it could not have reasonably known that the ship will be unable to connect for reasons referred to in paragraph 3, points (d) and (e). In line with Article 28, the European Commission should present a report on the availability of infrastructure for on shore power supply in European ports by 2030. Unless it is ascertained that the infrastructure is available in the ports visited by the ship, the exceptions under paragraph 3 should remain.

Or. en

Amendment 317
Margarita de la Pisa Carrión

Proposal for a regulation
Article 5 – paragraph 6

Text proposed by the Commission

6. From 1 January 2035, the

Amendment

6. From 1 January 2040, the

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exceptions listed in paragraph 3, points (d) and (e), may not be applied to a given ship, in total, more than five times during one reporting year. A port call shall not be counted for the purpose of compliance with this provision where the company demonstrates that it could not have reasonably known that the ship will be unable to connect for reasons referred to in paragraph 3, points (d) and (e).

Amendment 318
Maria Spyra, Jörgen Warborn, Liudas Mažyliš, Marian-Jean Marinescu

Proposal for a regulation
Article 5 – paragraph 6

Text proposed by the Commission

6. From 1 January 2035, the exceptions listed in paragraph 3, points (d) and (e), may not be applied to a given ship, in total, more than five times during one reporting year. A port call shall not be counted for the purpose of compliance with this provision where the company demonstrates that it could not have reasonably known that the ship will be unable to connect for reasons referred to in paragraph 3, points (d) and (e).

Amendment

6. From 1 January 2035, the exceptions listed in paragraph 3, point (e), may not be applied to a given ship, in total, more than five times during one reporting year. A port call shall not be counted for the purpose of compliance with this provision where the company demonstrates that it could not have reasonably known that the ship will be unable to connect for reasons referred to in paragraph 3, point (e).

Or. en

Amendment 319
Jutta Paulus

Proposal for a regulation
Article 5 a (new)

Text proposed by the Commission

Amendment

Article 5 a
Additional requirement for the energy used for voyages through the Arctic

1. A ship which navigates through the Arctic shall employ for its non-renewable energy needs distillates or sustainable renewable fuels, unless it is fully powered by zero-emission technologies as defined in Annex III.

2. Paragraph 1 is without prejudice to more ambitious requirements in term of energy uses at sea or at berth that may result from the application of Articles 4 and 5.

Or. en

Amendment 320
Jutta Paulus

Proposal for a regulation
Article 6 – paragraph 2

Text proposed by the Commission

2. Monitoring and reporting shall be complete and cover the energy used on-board by ships, while the ships are at sea as well as at berth. Companies shall apply appropriate measures to prevent any data gaps within the reporting period.

Amendment

2. Monitoring and reporting shall be complete and cover the energy used on-board by ships, while the ships are at sea as well as at berth, and the necessary temporal and geographical information needed to precisely identify the energy used by ships navigating through the Arctic.

Or. en

Amendment 321
Jutta Paulus

Proposal for a regulation
Article 6 – paragraph 3

Text proposed by the Commission

3. Monitoring and reporting shall be

Amendment

3. Monitoring and reporting shall be
consistent and comparable over time. To that end, companies shall use the same monitoring methodologies and data sets subject to modifications assessed by the verifier. Companies shall enable reasonable assurance of the integrity of the data to be monitored and reported.

Amendment 322
Jutta Paulus
Proposal for a regulation
Article 6 – paragraph 4

Text proposed by the Commission

4. Companies shall obtain, record, compile, analyse and document monitoring data, including assumptions, references, emission factors and activity data, in a transparent and accurate manner, so that the verifier can determine the greenhouse gas intensity of the energy used on-board by ships.

Amendment

4. Companies shall obtain, record, compile, analyse and document monitoring data, including assumptions, references, emission factors and activity data, in a transparent, complete and accurate manner, so that the verifier can determine the greenhouse gas intensity of the energy used on-board by ships, the share of Renewable Fuels of Non-Biological Origins (RFNBOs), the energy used on-board for voyages through the Arctic and any other information required to comply with this Regulation.

Amendment 323
Jutta Paulus
Proposal for a regulation
Article 6 – paragraph 5

Text proposed by the Commission

5. In undertaking the monitoring and reporting activities set out in Articles 7 to 9 and 14 of this Regulation, information and

Amendment

5. In undertaking the monitoring and reporting activities set out in Articles 7, 8 and 14 of this Regulation, information and
data collected for the purpose of Regulation (EU) 2015/757 shall be used where appropriate.

Amendment 324
Jutta Paulus

Proposal for a regulation
Article 7 – paragraph 3 – point d

Text proposed by the Commission
(d) a description that the ship has installed and certified equipment to allow connection to onshore power supply, at a specified voltage and frequency, including the gear specified in IEC/IEEE 80005-1 (High Voltage) and IEC/IEEE 80005-3 (Low Voltage) or is equipped with substitute sources of energy or a zero-emission technology as specified in Annex III;

Amendment
(d) a description that the ship has installed and certified equipment to allow connection to onshore power supply, at a specified voltage and frequency, including the gear specified in IEC/IEEE 80005-1 (High Voltage) and IEC/IEEE 80005-3 (Low Voltage) or is equipped with substitute sources of energy or a zero-emission technology as specified in Annex III together with a description of their main technical specifications, including their capacity expressed in megajoules (MJ) when relevant;

Amendment 325
Jutta Paulus

Proposal for a regulation
Article 7 – paragraph 3 – point e

Text proposed by the Commission
(e) a description of the intended source(s) of energy to be used on-board while in navigation and at berth to comply with the requirements set out in Articles 4 and 5;

Amendment
(e) a description of the intended source(s) of energy to be used on-board while in navigation and at berth to comply with the requirements set out in Articles 4, 5, including the sources of energy intended to power the zero-emission technology specified in Annex III, such as
main intended energy source to charge
the on board-electricity storage and to
power the fuel cells, and in Article 5a;

Or. en

Amendment 326
Jutta Paulus

Proposal for a regulation
Article 7 – paragraph 3 – point f

*Text proposed by the Commission*

(f) a description of the procedures for
monitoring the fuel consumption of the
ship as well as the energy provided by
substitute sources of energy or a zero-
emission technology as specified in Annex
III;

*Amendment*

(f) a description of the procedures for
monitoring and accounting the fuel
consumption of the ship as well as the
energy provided by substitute sources of
energy or a zero-emission technology as
specified in Annex III;

Or. en

Amendment 327
Jutta Paulus

Proposal for a regulation
Article 7 – paragraph 3 – point i

*Text proposed by the Commission*

(i) a description of the procedures used
for determining activity data per voyage,
including the procedures, responsibilities,
formulae and data sources for determining
and recording the time spent at sea between
the port of departure and the port of arrival
and the time spent at berth;

*Amendment*

(i) a description of the procedures used
for determining activity data per voyage,
including the procedures, responsibilities,
formulae and data sources for determining
and recording the time spent at sea between
the port of departure and the port of arrival
and the time spent at berth, including for
voyages through the Arctic;

Or. en

Amendment 328
Jutta Paulus

Proposal for a regulation
Article 7 – paragraph 3 – point k

Text proposed by the Commission

(k) a description of the method to be used to determine surrogate data for closing data gaps;

Amendment

(k) a description of the measures taken to prevent data gaps and fraud and of the method to be used to determine surrogate data for closing unavoidable data gaps as well as methods to identify data errors;

Or. en

Amendment 329
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 7 – paragraph 3 – point l a (new)

Text proposed by the Commission

(la) information on the ice class of the ship, if the additional energy due to the ship's ice class is to be left out from the scope of the energy used on-board;

Amendment

(la) information on the ice class of the ship, if the additional energy due to the ship's ice class is to be left out from the scope of the energy used on-board;

Or. en

Amendment 330
Nils Torvalds

Proposal for a regulation
Article 7 – paragraph 3 – point l a (new)

Text proposed by the Commission

(la) information on the ice class of the ship, if the additional energy due to the ship's ice class is to be left out from the scope of the energy used on-board;

Amendment

(la) information on the ice class of the ship, if the additional energy due to the ship's ice class is to be left out from the scope of the energy used on-board;

Or. en
Amendment 331
Jutta Paulus

Proposal for a regulation
Article 7 – paragraph 3 – point l a (new)

Text proposed by the Commission

Amendment

(la) a list of the personnel which is entitled to enter data in the monitoring plan and a documentation of their training.

Or. en

Amendment 332
Maria Spyraiki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 7 – paragraph 3 – point l b (new)

Text proposed by the Commission

Amendment

(lb) a description of the procedure for monitoring the distance travelled for the whole voyage and when sailing in ice conditions, the date and time when sailing in ice conditions, the fuel consumption and the energy provided by substitute sources of energy or a zero emission technology as specified in Annex III when sailing in ice conditions, if the additional energy due to sailing in ice conditions is to be left out from the scope of the energy used on-board.

Or. en

Amendment 333
Nils Torvalds

Proposal for a regulation
Article 7 – paragraph 3 – point l b (new)
(lb) a description of the procedure for monitoring the distance travelled for the whole voyage and when sailing in ice conditions, the date and time when sailing in ice conditions, the fuel consumption and the energy provided by substitute sources of energy or a zero emission technology as specified in Annex III when sailing in ice conditions, if the additional energy due to sailing in ice conditions is to be left out from the scope of the energy used on-board.

Or. en

Amendment 334
Jutta Paulus

Proposal for a regulation
Article 7 – paragraph 4

Text proposed by the Commission

4. Companies shall use standardised monitoring plans based on templates. The Commission shall, by means of implementing acts, determine those templates, including the technical rules for their uniform application. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(3).

Amendment

4. Companies shall use standardised monitoring plans based on templates. The Commission shall adopt delegated acts in accordance with Article 26 supplementing this Regulation by establishing standardised monitoring plans based on templates, including the technical rules for their uniform application and use.

Or. en

Amendment 335
Maria Spyraki, Liudas Mažylis, Marian-Jean Marinescu, Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Article 7 a (new)
Text proposed by the Commission

Amendment

Article 7a

FuelEU maritime non-availability report

1. If a ship, despite best efforts, fails to obtain at a port under the jurisdiction of a Member State fuels enabling it to comply with the limits referred to in paragraph 2 of Article 4, it shall report the inability to the competent authority of the Member State concerned and to the competent authority of the port of destination, if that port is also under the jurisdiction of a Member State, by means of a FuelEU non-availability report. This report should include the reasons of the non-availability of fuels such as shortage of fuels and lack of port infrastructure.

2. The Commission is empowered to adopt implementing acts in accordance with Article 26 to create a template for the FuelEU maritime non-availability report referred to in paragraph 1 of this Article.

3. The competent authorities of the Member State shall report in the compliance database referred to in Article 16 the cases of fuel non-availability.

4. The Member State of the port shall investigate the reports of non-availability.

Or. en

Amendment 336
Jutta Paulus

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

Amendment

1. Companies shall check regularly, and at least annually, whether a ship’s monitoring plan reflects the nature and functioning of the ship and whether any of
the data it contains can be improved.

Or. en

Amendment 337
Stanislav Polčák

Proposal for a regulation
Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

2. Companies shall modify the monitoring plan in any of the following situations:

Amendment

2. Companies shall modify the monitoring plan without undue delay in any of the following situations:

Or. cs

Amendment 338
Jutta Paulus

Proposal for a regulation
Article 8 – paragraph 2 – point e a (new)

Text proposed by the Commission

Amendment

(ea) where methods to prevent data gaps and identify data errors have been found inadequate for ensuring data solidity and transparency.

Or. en

Amendment 339
Jutta Paulus

Proposal for a regulation
Article 8 – paragraph 4

Text proposed by the Commission

4. Modifications of the monitoring plan referred to in paragraph 2, points (b),

Amendment

4. Modifications of the monitoring plan referred to in paragraph 2, points (b),
(c) and (d) of this Article shall be subject to assessment by the verifier. Following the assessment, the verifier shall notify the company concerned whether those modifications are in conformity with Article 6.

(c), (d) and (ea) of this Article shall be subject to assessment by the verifier. Following the assessment, the verifier shall notify the company concerned whether those modifications are in conformity with Article 6.

Or. en

Amendment 340
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 8 a (new)

Text proposed by the Commission

Amendment

Article 8 a

Certification of fossil fuels

1. Companies shall be entitled to divert from the established default values for the tank-to-wake emission factors provided that actual values are certified by means of laboratory testing or direct emissions measurements. The Commission is empowered to adopt delegated acts to supplement this Regulation by establishing the rules on conducting the laboratory testing and direct emissions measurements.

2. Companies shall be entitled to divert from the established default values for the well-to-tank emission factors provided that actual values are certified. The Commission is empowered to adopt delegated acts to supplement this Regulation by establishing the rules on certifying actual well-to-tank emissions.

Or. en

Amendment 341
Maria Spyraki, Liudas Mažylis, Marian-Jean Marinescu, Elissavet Vozemberg-Vrionidi
Proposal for a regulation
Article 8 b (new)

Text proposed by the Commission

Amendment

Article 8 b

FuelEU Maritime Bunker Certificate

1. Maritime fuel suppliers shall provide to the master of the ship a ‘FuelEU Maritime Bunker Certificate’, which should be annexed to the Bunker Delivery Note. The fuel supplier shall be responsible for the accuracy of the information.

2. The Commission is empowered to adopt implementing acts in accordance with Article 26 to create a template for the FuelEU Maritime Bunker Certificate referred to in paragraph 1 of this Article.

Or. en

Amendment 342
Jutta Paulus

Proposal for a regulation
Article 9 – title

Text proposed by the Commission

Amendment

Certification of biofuels, biogas, renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels

Sustainability and GHG saving criteria of transport fuels

Or. en

Amendment 343
Idoia Villanueva Ruiz, Mick Wallace

Proposal for a regulation
Article 9 – title
Certification of biofuels, biogas, renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels

Certification of biofuels, biogas, renewable liquid and gaseous transport fuels of non-biological origin and other fuels

Amendment 344
Jutta Paulus

Proposal for a regulation
Article 9 – paragraph 1 – introductory part

1. Where biofuels, biogas, renewable fuels of non-biological origin and recycled carbon fuels, as defined in Directive (EU) 2018/2001, are to be taken into account for the purposes referred to in Articles 4(1) of this Regulation, the following rules apply:

1. Where biofuels, biogas and renewable fuels of non-biological origin, as defined in Directive (EU) 2018/2001, and other fuels or gases are to be taken into account for the purposes referred to in Articles 4 of this Regulation, the following rules apply:

Amendment 345
Jutta Paulus

Proposal for a regulation
Article 9 – paragraph 1 – point a

(a) greenhouse gas emission factors of biofuels and biogas that comply with the sustainability and greenhouse gas saving criteria set out in Article 29 of Directive (EU) 2018/2001 shall be determined according to the methodologies set out in that Directive;

(a) greenhouse gas emission factors of biofuels and biogas shall comply with the sustainability and greenhouse gas saving criteria set out in Article 29 of Directive (EU) 2018/2001 and shall be determined according to the methodologies set out in that Directive;
Amendment 346
Idoia Villanueva Ruiz

Proposal for a regulation
Article 9 – paragraph 1 – point a

Text proposed by the Commission
(a) greenhouse gas emission factors of biofuels and biogas that comply with the sustainability and greenhouse gas saving criteria set out in Article 29 of Directive (EU) 2018/2001 shall be determined according to the methodologies set out in that Directive;

Amendment
(a) greenhouse gas emission factors of biofuels and biogas shall comply with the sustainability and greenhouse gas saving criteria set out in Article 29 of Directive (EU) 2018/2001 and shall be determined according to the methodologies set out in that Directive;

Or. en

Amendment 347
Jutta Paulus

Proposal for a regulation
Article 9 – paragraph 1 – point b

Text proposed by the Commission
(b) greenhouse gas emissions factors of renewable fuels of non-biological origin and recycled carbon fuel that comply with the greenhouse gas emission savings thresholds set out in Article 27(3) of Directive (EU) 2018/2001 shall be determined according to the methodologies set out in that Directive;

Amendment
(b) greenhouse gas emissions factors of renewable fuels of non-biological origin shall comply with the greenhouse gas emission savings thresholds set out in Article 27(3) of Directive (EU) 2018/2001, and the related delegated acts on additionality and GHG methodology, and shall be determined according to the methodologies set out in that Directive;

Or. en

Amendment 348
Idoia Villanueva Ruiz

Proposal for a regulation
Article 9 – paragraph 1 – point b

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Text proposed by the Commission

(b) greenhouse gas emissions factors of renewable fuels of non-biological origin and recycled carbon fuel that comply with the greenhouse gas emission savings thresholds set out in Article 27(3) of Directive (EU) 2018/2001 shall be determined according to the methodologies set out in that Directive;

Amendment

(b) greenhouse gas emissions factors of renewable fuels of non-biological origin shall comply with the greenhouse gas emission savings thresholds set out in Article 27(3) of Directive (EU) 2018/2001 and shall be determined according to the methodologies set out in that Directive;

Or. en

Amendment 349
Jutta Paulus
Proposal for a regulation
Article 9 – paragraph 1 – point c

Text proposed by the Commission

(c) biofuels and biogas that do not comply with point (a) or that are produced from food and feed crops shall be considered to have the same emission factors as the least favourable fossil fuel pathway for this type of fuel;

Amendment

(c) biofuels and biogas that do not comply with point (a) or that are produced from food and feed crops, intermediate crops, energy crops, palm fatty acid distillates, used cooking oil, animal fats category III, molasses, soapstocks and derivatives, shall be considered to have the same emission factors as the least favourable fossil fuel pathway for this type of fuel;

Or. en

Amendment 350
Idoia Villanueva Ruiz
Proposal for a regulation
Article 9 – paragraph 1 – point c

Text proposed by the Commission

(c) biofuels and biogas that do not comply with point (a) or that are produced from food and feed crops shall be

Amendment

(c) biofuels and biogas that do not comply with point (a) or that are produced from crops, including intermediate crops,
considered to have the same emission factors as the least favourable fossil fuel pathway for this type of fuel; energy crops, palm fatty acid distillates, used cooking oil, animal fats category III and molasses shall be considered to have the same emission factors as the least favourable fossil fuel pathway for this type of fuel;

Amendment 351
Nils Torvalds, Andreas Glück, Emma Wiesner

Proposal for a regulation
Article 9 – paragraph 1 – point c

Text proposed by the Commission
(c) biofuels and biogas that do not comply with point (a) or that are produced from food and feed crops shall be considered to have the same emission factors as the least favourable fossil fuel pathway for this type of fuel;

Amendment
(c) biofuels and biogas that do not comply with point (a) or that are produced from food and feed crops with high indirect land-use change-risk shall be considered to have the same emission factors as the least favourable fossil fuel pathway for this type of fuel;

Or. en

Justification
To ensure that all sustainable biofuels can contribute to the decarbonisation of the maritime sector, sustainable food and feed crop based biofuels that pose no indirect land-use change-risk should be taken into account. Furthermore, to promote legislative coherence, sustainability criteria for biofuels should be primarily set in Directive (EU) 2018/2001.

Amendment 352
Adam Jarubas, Jarosław Kalinowski, Krzysztof Hetman

Proposal for a regulation
Article 9 – paragraph 1 – point c

Text proposed by the Commission
(c) biofuels and biogas that do not comply with point (a) or that are produced from food and feed crops shall be

Amendment
(c) biofuels and biogas that do not comply with point (a) shall be considered to have the same emission factors as the
considered to have the same emission factors as the least favourable fossil fuel pathway for this type of fuel; least favourable fossil fuel pathway for this type of fuel;

Amendment 353
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 9 – paragraph 1 – point c

Text proposed by the Commission

(c) biofuels and biogas that do not comply with point (a) or that are produced from food and feed crops shall be considered to have the same emission factors as the least favourable fossil fuel pathway for this type of fuel;

Amendment

(c) biofuels and biogas that do not comply with point (a) shall be considered to have the same emission factors as the least favourable fossil fuel pathway for this type of fuel;

Justification

A coherent approach to biofuels, across transport modes, should be ensured in the revision of RED, not in sectorial prohibitions and derogations.

Amendment 354
Jutta Paulus

Proposal for a regulation
Article 9 – paragraph 1 – point d

Text proposed by the Commission

(d) renewable fuels of non-biological origin and recycled carbon fuels that do not comply with point (b) shall be considered to have the same emission factors as the least favourable fossil fuel pathway for this type of fuels.

Amendment

(d) renewable fuels of non-biological origin that do not comply with point (b) and any other hydrogen-derived synthetic fuels or hydrogen types shall be considered to have the same emission factors as the least favourable fossil fuel pathway for this type of fuels;
Amendment 355
Idoia Villanueva Ruiz, Mick Wallace

Proposal for a regulation
Article 9 – paragraph 1 – point d a (new)

(Text proposed by the Commission) Amendment
(da) any other fuel that does not comply with the sustainability and greenhouse gas saving criteria set out in Directive (EU) 2018/2001 shall be considered to have the same emission factors as the least favourable fossil fuel pathway for this type of fuels;

Or. en

Amendment 356
Jutta Paulus

Proposal for a regulation
Article 9 – paragraph 1 – point d a (new)

(Text proposed by the Commission) Amendment
(da) fossil gas and any other fossil-derived fuel pathways shall be considered to have the same emission factors as the least favourable fossil fuel pathway for this type of fuels.

Or. en

Amendment 357
Jutta Paulus

Proposal for a regulation
Article 9 – paragraph 2

(Text proposed by the Commission) Amendment
2. Companies shall provide accurate and reliable data on the GHG emission
2. Companies shall provide accurate, complete and reliable data on the GHG emission
intensity and the sustainability characteristics of biofuels, biogas, renewable fuels of non-biological origin and recycled carbon fuel, verified by a scheme that is recognised by the Commission in accordance with Article 30(5) and (6) of the Directive (EU) 2018/2001.

Amendment 358
Jutta Paulus

Proposal for a regulation
Article 9 – paragraph 3

Text proposed by the Commission

3. Companies shall be entitled to divert from the established default values for the tank-to-wake emission factors provided that actual values are certified by means of laboratory testing or direct emissions measurements. The Commission is empowered to adopt delegated acts in accordance with Article 26, in order to supplement this Regulation by establishing the rules on conducting the laboratory testing and direct emissions measurements.

Amendment

deleted

Or. en

Amendment 359
Jutta Paulus

Proposal for a regulation
Article 10 – paragraph 1

Text proposed by the Commission

1. The verifier shall assess the conformity of the monitoring plan with the requirements laid down in Articles 6 to 9.

Amendment

1. The verifier shall assess the conformity of the monitoring plan with the requirements laid down in Articles 6 to 9.
Where the verifier’s assessment identifies non-conformities with those requirements, the company concerned shall revise its monitoring plan accordingly and submit the revised plan for a final assessment by the verifier before the reporting period starts. The company concerned shall agree with the verifier on the timeframe necessary to introduce those revisions. That timeframe shall in any event not extend beyond the beginning of the reporting period.

Where the verifier’s assessment identifies non-conformities with those requirements, the company concerned shall revise \textit{without undue delay} its monitoring plan accordingly and submit the revised plan for a final assessment by the verifier before the reporting period starts. The company concerned shall agree with the verifier on the timeframe necessary to introduce those revisions. That timeframe shall in any event not extend beyond \textit{one month before} the beginning of the reporting period.

\textbf{Amendment 360}

\textbf{Jutta Paulus}

\textbf{Proposal for a regulation}

\textbf{Article 10 – paragraph 3}

\textit{Text proposed by the Commission}

3. Where the verification assessment identifies incorrect statements or non-conformities with this Regulation, the verifier shall inform the company concerned thereof in a timely manner. That company shall then amend the incorrect statements or non-conformities so as to enable the verification process to be completed in time.

\textit{Amendment}

3. Where the verification assessment identifies incorrect statements or non-conformities with this Regulation, the verifier shall inform the company concerned thereof in a timely manner. That company shall then amend \textit{without undue delay} the incorrect statements or non-conformities so as to enable the verification process to be completed in time.

\textbf{Amendment 361}

\textbf{Jutta Paulus}

\textbf{Proposal for a regulation}

\textbf{Article 11 – paragraph 2 – point d}

\textit{Text proposed by the Commission}

(d) the use of on-shore power supply or

\textbf{Amendment}

(d) the use of on-shore power supply or
the presence of exceptions certified in accordance with Article 5(5).

the presence of exceptions listed in Article 5(3) as certified in accordance with Article 5(5).

Amendment 362
Jutta Paulus

Proposal for a regulation
Article 11 – paragraph 2 – point d a (new)

Text proposed by the Commission  
Amendment
(da) the reported energy sources used in order to comply with the provisions defined in Article 5a;

Amendment 363
Jutta Paulus

Proposal for a regulation
Article 11 – paragraph 2 – point d b (new)

Text proposed by the Commission  
Amendment
(db) the relevant records of the ship are complete, transparent and consistent.

Amendment 364
Jutta Paulus

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission  
Amendment
1. The verifier shall identify potential risks related to the monitoring and
reporting process by comparing reported amount, type and emission factor of the energy used on-board by ships with estimated data based on ship tracking data and characteristics such as the installed engine power. Where significant deviations are found, the verifier shall carry out further analyses.

Or. en

Amendment 365
Jutta Paulus

Proposal for a regulation
Article 12 – paragraph 4 a (new)

Text proposed by the Commission

4 a. The verifier shall provide, for each of the ships under its surveillance, an individual quality management program of measures to be taken to prevent data gaps and errors.

Or. en

Amendment 366
Jutta Paulus

Proposal for a regulation
Article 13 – paragraph 1

Text proposed by the Commission

1. Verifiers shall be accredited for activities under the scope of this Regulation by a national accreditation body pursuant to Regulation (EC) No 765/2008.

1. Verifiers shall be accredited for activities under the scope of this Regulation by a national accreditation body pursuant to Regulation (EC) No 765/2008. The national accreditation body shall notify without undue delay to the Commission the list of accredited verifiers together with the information allowing their identification and record them in the database.
Amendment 367
Jutta Paulus

Proposal for a regulation
Article 13 – paragraph 3

Text proposed by the Commission

3. The Commission is empowered to adopt delegated acts in accordance with Article 26, in order to supplement this Regulation by establishing further methods and criteria of accreditation of verifiers. The methods specified in those delegated acts shall be based on the principles for verification provided for in Articles 10 and 11 and on relevant internationally accepted standards.

Amendment

3. The Commission is empowered to adopt delegated acts in accordance with Article 26, in order to supplement this Regulation by establishing further methods and criteria of accreditation of verifiers and to ensure the verifiers’ independence and impartiality. The methods specified in those delegated acts shall be based on the principles for verification provided for in Articles 10 and 11 and on relevant internationally accepted standards.

Amendment 368
Jutta Paulus

Proposal for a regulation
Article 14 – paragraph 1 – point b

Text proposed by the Commission

(b) for each ship that the requirement of Article 5(1) applies, the connection to and use of on-shore power or the existence of any of the exceptions listed in Article 5(3);

Amendment

(b) for each ship that the requirement of Article 5(1) applies, the connection to and use of on-shore power or the existence of any of the exceptions listed in Article 5(3) as certified in accordance with Article 5(5);

Amendment 369
Maria Spyrači, Jörgen Warborn, Liudas Mažyliš, Marian-Jean Marinescu
Proposal for a regulation
Article 14 – paragraph 1 – point c

Text proposed by the Commission

(c) the amount of each type of fuel consumed at berth and at sea;

Amendment

(c) the amount of each type of fuel consumed at berth, in port and at sea;

Or. en

Amendment 370
Jutta Paulus

Proposal for a regulation
Article 14 – paragraph 1 – point e

Text proposed by the Commission

(e) the amount of each type of substitute source of energy consumed at berth and at sea.

Amendment

(e) the amount of each type of substitute source of energy consumed at berth and at sea, including the amount of each source of energy powering the zero-emission technologies, such as wind, solar energy, source of electricity stored on batteries, type of fuels powering the fuel cells and batteries.

Or. en

Amendment 371
Jutta Paulus

Proposal for a regulation
Article 14 – paragraph 1 – point e a (new)

Text proposed by the Commission

(ea) where applicable, the date, time and geographic location of entering/leaving the Arctic and the amount of each type of fuel consumed at berth and at sea;

Amendment

Or. en
Amendment 372  
Maria Spyraiki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu  
Proposal for a regulation  
Article 14 – paragraph 1 – point e a (new)  

Text proposed by the Commission  

Amendment  

(ea) the ship's ice class, if the additional energy due to ship's ice class is to be left out from the scope of the energy used on-board;  

Or. en  

Amendment 373  
Nils Torvalds  
Proposal for a regulation  
Article 14 – paragraph 1 – point e a (new)  

Text proposed by the Commission  

Amendment  

(ea) the ship's ice class, if the additional energy due to ship's ice class is to be left out from the scope of the energy used on-board;  

Or. en  

Amendment 374  
Maria Spyraiki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu  
Proposal for a regulation  
Article 14 – paragraph 1 – point e b (new)  

Text proposed by the Commission  

Amendment  

(eb) the date and time when sailing in ice conditions, the amount of each type of fuel consumed when sailing in ice conditions, the amount of each type of substitute source of energy consumed when sailing in ice conditions, the
distance travelled when sailing in ice conditions, the distance travelled during the voyage, the amount of each type of fuel consumed at sea, the amount of each type of substitute source of energy consumed at sea, if the additional energy due to sailing in ice conditions is to be left out from the scope of the energy used on-board;

Or. en

Amendment 375
Nils Torvalds

Proposal for a regulation
Article 14 – paragraph 1 – point e b (new)

Text proposed by the Commission

Amendment

(eb) the date and time when sailing in ice conditions, the amount of each type of fuel consumed when sailing in ice conditions, the amount of each type of substitute source of energy consumed when sailing in ice conditions, the distance travelled when sailing in ice conditions, the distance travelled during the voyage, the amount of each type of fuel consumed at sea, the amount of each type of substitute source of energy consumed at sea, if the additional energy due to sailing in ice conditions is to be left out from the scope of the energy used on-board;

Or. en

Amendment 376
Jutta Paulus

Proposal for a regulation
Article 14 – paragraph 2
2. Companies shall record the information and data listed in paragraph 1 in a timely and transparent manner, that enables the verification of compliance with this Regulation by the verifier.

Or. en

Amendment 377
Jutta Paulus

Proposal for a regulation
Article 15 – paragraph 2 – point a a (new)

Text proposed by the Commission

(aa) calculate, when applicable, the percentage of RFNBOs over the yearly average energy used on-board by the ship concerned;

Or. en

Amendment 378
Jutta Paulus

Proposal for a regulation
Article 15 – paragraph 2 – point a b (new)

Text proposed by the Commission

(ab) calculate, when applicable, the percentage of direct use of renewable energy over the yearly average energy used on-board by the ship concerned;

Or. en

Amendment 379
Jutta Paulus
Proposal for a regulation
Article 15 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) assess, when relevant, the compliance with the requirements set out in Article 5a new;

Or. en

Amendment 380
Maria Spyraiki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 15 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) calculate the amount of the penalties referred to in Article 20(1) and (2).

deleted

Or. en

Justification

Moved to become a task for Competent Authorities.

Amendment 381
Jutta Paulus

Proposal for a regulation
Article 15 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) calculate the amount of the penalties referred to in Article 20(1) and (2).

deleted

Or. en
Amendment 382
Jutta Paulus

Proposal for a regulation
Article 15 – paragraph 2 – point d a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(da) separately aggregate on an annual basis the information monitored and recorded in accordance with Article 14(1), point (c), (d), (e) and (ea) for each ship and provide it to companies for their submission to the database in accordance with Article 16(3);</td>
<td></td>
</tr>
</tbody>
</table>

Or. en

Amendment 383
Maria Spyrači, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 15 – paragraph 2 – point d a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(da) compile the aforementioned information and submit it to the Member State’s competent authority.</td>
<td></td>
</tr>
</tbody>
</table>

Or. en

Amendment 384
Jutta Paulus

Proposal for a regulation
Article 15 – paragraph 2 – point d b (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(db) assess quality and coherence of monitoring plan, data input and adherence to the quality management system.</td>
<td></td>
</tr>
</tbody>
</table>

Or. en
Amendment 385
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 15 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. On the basis of the information provided by the verifier, the Member State’s competent authority shall calculate the amount of the penalties referred to in Article 20(1) and (2).

Or. en

Amendment 386
Jutta Paulus

Proposal for a regulation
Article 16 – title

Text proposed by the Commission

Amendment

Compliance database and reporting

REES FuelEU Maritime database, reporting and publication of information

Or. en

Amendment 387
Jutta Paulus

Proposal for a regulation
Article 16 – paragraph 1

Text proposed by the Commission

Amendment

1. The Commission shall develop, ensure functioning and update an electronic compliance database for the monitoring of compliance with Articles 4 and 5. The compliance database shall be

1. The Commission shall develop a centrally managed electronic REES FuelEU Maritime database for keeping record of the main provisions of this Regulation and shall ensure its
used to keep a record of the compliance balance of the ships and the use of the flexibility mechanisms set out in Articles 17 and 18. It shall be accessible to the companies, the verifiers, the competent authorities and the Commission.

The compliance database shall be used to monitor compliance with Articles (-4), 4, 5 and 5a, keep a record of the compliance balance of the ships, the use of the exemptions set out in Article 5(3), the use of the flexibility mechanisms set out in Articles 17 and 18, the penalties set out in Article 20, the data submitted in accordance with paragraph 3 of this Article, the sanctions notified in accordance with Article 23 and the list of competent authorities referred to in Article 25(1). The database shall be made publicly available in an open data format and freely accessible to the companies, the verifiers, the competent authorities, the Commission and the general public in a transparent, downloadable and user-friendly manner.

Or. en

Amendment 388
Maria Spyrraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu
Proposal for a regulation
Article 16 – paragraph 1

Text proposed by the Commission

1. The Commission shall develop, ensure functioning and update an electronic compliance database for the monitoring of compliance with Articles 4 and 5. The compliance database shall be used to keep a record of the compliance balance of the ships and the use of the flexibility mechanisms set out in Articles 17 and 18. It shall be accessible to the companies, the verifiers, the competent authorities and the

Amendment

1. The Commission shall develop, ensure functioning and update an electronic compliance database, within the THETIS-MRV module, for the monitoring of compliance with Articles 4 and 5. The compliance database shall be used to keep a record of the compliance balance of the ships and the use of the flexibility mechanisms set out in Articles 17 and 18. It shall be accessible to the companies, the
Commission. verifiers, the competent authorities and the Commission.

Amendment 389
Jutta Paulus

Proposal for a regulation
Article 16 – paragraph 2

**Text proposed by the Commission**

2. The Commission shall, by means of implementing acts, lay down the rules for access rights and the functional and technical specifications of the compliance database. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(3).

**Amendment**

2. The Commission shall, by means of implementing acts, lay down the rules for access rights and the functional and technical specifications of the database, *while ensuring the public accessibility of the data*. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(3).

Amendment 390
Jutta Paulus

Proposal for a regulation
Article 16 – paragraph 3

**Text proposed by the Commission**

3. By 30 April of each year, the company shall record in the compliance database for each of its ships the information referred to in Article 15(2), as ascertained by the verifier, together with information allowing to identify the ship, the company, as well as the identity of the verifier that carried out the assessment.

**Amendment**

3. By 30 April of each year, the company shall record in the compliance database for each of its ships the information referred to in Article 15(2), as ascertained *and calculated* by the verifier, the yearly exceptions applied under Article 5(3), if any, together with information allowing to identify the ship, the company, as well as the identity of the verifier that carried out the assessment.
Amendment 391
Jutta Paulus

Proposal for a regulation
Article 16 – paragraph 3 a (new)

Text proposed by the Commission

3a. By 30 June of each year, the Commission shall make publicly available all the information recorded in the database for a given reporting period. Information for previous reporting period shall remain publicly available at any time. The information shall be provided in an open, downloadable and raw format without anonymization or further aggregation.

Or. en

Amendment 392
Idoia Villanueva Ruiz, Mick Wallace

Proposal for a regulation
Article 17 – paragraph 1 a (new)

Text proposed by the Commission

1a. Ships are allowed to bank their compliance surplus between reporting periods to meet the requirements of Article 4 only to the extent that the compliance surplus is generated by electricity or renewable fuels of non-biological origin.

Or. en

Amendment 393
Jutta Paulus

Proposal for a regulation
Article 17 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Ships shall be allowed to bank their compliance surplus between reporting periods to meet the requirements set in Article 4 only if such surplus is generated by using renewable energy sources.

Or. en

Amendment 394
Jutta Paulus

Proposal for a regulation

Article 17 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. Companies shall be allowed to bank compliance surplus from ships fully propelled with renewable energy such as wind or solar as long as these ships are not used for leisure purposes only.

Or. en

Amendment 395
Jutta Paulus

Proposal for a regulation

Article 17 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. Where the ship has a compliance deficit for the reporting period, the company may borrow an advance compliance surplus of the corresponding amount from the following reporting period. The advance compliance surplus shall be added to the ship’s balance in the reporting period and subtracted from the
same ship’s balance in the following reporting period. The amount to be subtracted in the following reporting period shall be equal to the advance compliance surplus multiplied by 1.1. The advance compliance surplus may not be borrowed:

If the ship ceases operation before fulfilling the advance compliance surplus, it shall pay a penalty calculated in accordance with Article 20. The advance compliance surplus may not be borrowed:

Amendment 396
Maria Spyrači, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 17 – paragraph 2 – introductory part

Text proposed by the Commission

2. Where the ship has a compliance deficit for the reporting period, the company may borrow an advance compliance surplus of the corresponding amount from the following reporting period. The advance compliance surplus shall be added to the ship’s balance in the reporting period and subtracted from the same ship’s balance in the following reporting period. The amount to be subtracted in the following reporting period shall be equal to the advance compliance surplus multiplied by 1.1. The advance compliance surplus may not be borrowed:

Amendment

2. Where the ship has a compliance deficit for the reporting period, the company may borrow an advance compliance surplus of the corresponding amount from the following reporting period. The advance compliance surplus shall be added to the ship’s balance in the reporting period and subtracted from the same ship’s balance in the following reporting period. The amount to be subtracted in the following reporting period shall be equal to the advance compliance surplus. The advance compliance surplus may not be borrowed:

Amendment 397
Jutta Paulus

Proposal for a regulation
Article 17 – paragraph 2 – point a
Text proposed by the Commission

(a) for the amount exceeding by more than 2% the limit set out in Article 4(2), multiplied by the energy consumption of the ship calculated in accordance with Annex I;

Amendment

(a) for the amount exceeding by more than 1% the limit set out in Article 4(2), multiplied by the energy consumption of the ship calculated in accordance with Annex I;

Or. en

Amendment 398
Jutta Paulus

Proposal for a regulation
Article 17 – paragraph 2 – point b a (new)

Text proposed by the Commission

(ba) by a ship that is in its last year of operation;

Amendment

Or. en

Amendment 399
Jutta Paulus

Proposal for a regulation
Article 17 – paragraph 2 – point b b (new)

Text proposed by the Commission

(bb) by a ship that has taken over a borrowed advance compliance surplus from a ship that has ceased operation;

Amendment

Or. en

Amendment 400
Jutta Paulus

Proposal for a regulation
Article 17 – paragraph 3
3. By 30 April of the year following the reporting period, the company shall record the advance compliance surplus, following approval by its verifier, in the 
compliance database.

3. By 30 April of the year following the reporting period, the company shall record the advance compliance surplus, following approval by its verifier, in the database referred to in Article 16.

Amendment 401
Jutta Paulus

Proposal for a regulation
Article 18 – paragraph 1

Text proposed by the Commission

1. The compliance balances of two or more ships, which are verified by the same verifier, may be pooled for the purposes of fulfilling the requirements of Article 4. A ship’s compliance balance may not be included in more than one pool in the same reporting period.

Amendment

1. The compliance balances of two or more ships, which are verified by the same verifier, may be pooled for the purposes of fulfilling the requirements of Article 4. Pooling compliance surplus shall be restricted to ships powered by zero-emission fuels, in accordance with values in Annex II, and zero-emission technologies, in accordance with Annex III. A ship’s compliance balance may not be included in more than one pool in the same reporting period.

Amendment 402
Idoia Villanueva Ruiz, Mick Wallace

Proposal for a regulation
Article 18 – paragraph 1

Text proposed by the Commission

1. The compliance balances of two or more ships, which are verified by the same verifier, may be pooled for the purposes of fulfilling the requirements of Article 4.

Amendment

1. The compliance balances of two or more ships, which are verified by the same verifier, may be pooled for the purposes of fulfilling the requirements of Article 4.
ship’s compliance balance may not be included in more than one pool in the same reporting period.

Pooling shall be restricted to compliance surplus derived from electricity and renewable fuels of non-biological origin only.

Amendment 403
Traian Băsescu

Proposal for a regulation
Article 19 – paragraph 3

*Text proposed by the Commission*

3. The FuelEU certificate of compliance shall be valid for the period of **18** months after the end of the reporting period.

**Amendment**

3. The FuelEU certificate of compliance shall be valid for the period of **24** months after the end of the reporting period.

Amendment 404
Maria Spyraki, Liudas Mažylis, Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Article 20 – paragraph 1

*Text proposed by the Commission*

1. *Where on* 1 May of the year following the reporting period the ship has a compliance deficit, the company shall pay a penalty. The verifier shall calculate the amount of the penalty on the basis of the formula specified Annex V.

**Amendment**

1. *Where on* 1 May of the year following the reporting period the ship has a compliance deficit, the company shall pay a penalty. The verifier shall calculate the amount of the penalty on the basis of the formula specified Annex V. The verifier shall also allocate the proportion of the compliance deficit to the entity that is ultimately responsible for the purchase of the fuel and/or the operation of the ship, calculate the proportionate penalty and notify the shipping company and that other entity for the sake of payment or reimbursement.
Amendment 405  
Jutta Paulus

Proposal for a regulation  
Article 20 – paragraph 1

Text proposed by the Commission

1. Where on 1 May of the year following the reporting period the ship has a compliance deficit, the company shall pay a penalty. *The verifier* shall calculate the amount of the penalty on the basis of the formula specified Annex V.

Amendment

1. Where on 1 May of the year following the reporting period the ship has a compliance deficit, such deficit shall be added to the ship’s balance in the following reporting period, and the company shall pay a *dissuasive* penalty double the amount and cost of renewable fuels that the ships should have used to meet the requirements of this Regulation. The administering authority with respect to the shipping company shall calculate the amount of the penalty on the basis of the formula specified in Annex V.

Or. en

Amendment 406  
Idoia Villanueva Ruiz, Mick Wallace

Proposal for a regulation  
Article 20 – paragraph 1

Text proposed by the Commission

1. Where on 1 May of the year following the reporting period the ship has a compliance deficit, the company shall pay a penalty. *The verifier* shall calculate the amount of the penalty on the basis of the formula specified Annex V.

Amendment

1. Where on 1 May of the year following the reporting period the ship has a compliance deficit, the company shall pay a penalty. The *administering entity of a shipping company* shall calculate the amount of the penalty on the basis of the formula specified at Annex V.

Or. en
Amendment 407
Maria Spyraκi, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 20 – paragraph 2

Text proposed by the Commission

2. The company shall pay a penalty for each non-compliant port call. The verifier shall calculate the amount of the penalty by multiplying the amount of EUR 250 by megawatts of power installed on-board and by the number of completed hours spent at berth.

Amendment

2. The company shall pay a penalty for each non-compliant port call. The Member State’s competent authority shall, based on the information provided by the verifier, calculate the amount of the penalty by multiplying the amount of EUR 250 by megawatts of power installed on-board and by the number of completed hours spent at berth.

Or. en

Amendment 408
Jutta Paulus

Proposal for a regulation
Article 20 – paragraph 2

Text proposed by the Commission

2. The company shall pay a penalty for each non-compliant port call. The verifier shall calculate the amount of the penalty by multiplying the amount of EUR 250 by megawatts of power installed on-board and by the number of completed hours spent at berth.

Amendment

2. The company shall pay a dissuasive penalty for each non-compliant port call. The administering authority with respect to the shipping company shall calculate the amount of the penalty by multiplying the amount of EUR 250 by megawatts of power installed on-board and by the number of completed hours spent at berth.

Or. en

Amendment 409
Idoia Villanuevα Ruiz, Mick Wallace

Proposal for a regulation
Article 20 – paragraph 2
Text proposed by the Commission

2. The company shall pay a penalty for each non-compliant port call. The verifier shall calculate the amount of the penalty by multiplying the amount of EUR 250 by megawatts of power installed on-board and by the number of completed hours spent at berth.

Amendment

2. The company shall pay a penalty for each non-compliant port call. The administering entity shall calculate the amount of the penalty by multiplying the amount of EUR 250 by megawatts of power installed on-board and by the number of completed hours spent at berth.

Or. en

Amendment 410
Jutta Paulus

Proposal for a regulation
Article 20 – paragraph 2 a (new)

Text proposed by the Commission

2a. The company shall pay a dissuasive penalty for each non-compliant Arctic voyage. The administering authority with respect to the shipping company shall calculate the penalty as the double of the cost difference between the costs of distillate and the costs of the fuel used. The costs shall be determined as the Rotterdam spot price on the day of commencement of the voyage.

Amendment

2a. The company shall pay a dissuasive penalty for each non-compliant Arctic voyage. The administering entity with respect to the shipping company shall calculate the penalty as the double of the cost difference between the costs of distillate and the costs of the fuel used. The costs shall be determined as the Rotterdam spot price on the day of commencement of the voyage.

Or. en

Amendment 411
Catherine Chabaud

Proposal for a regulation
Article 20 – paragraph 3

Text proposed by the Commission

3. Notwithstanding Article 19(1), the verifier shall issue a FuelEU certificate of compliance once the penalties referred to in paragraphs 1 and 2 of this Article have

Amendment

3. Notwithstanding Article 19(1), the verifier shall issue a FuelEU certificate of compliance once the penalties referred to in paragraphs 1 and 2 of this Article have
been paid. The actions referred to in this Article as well as the proof of the financial payments in accordance with Article 21 shall be recorded in the FuelEU certificate of compliance.

Or. en

Amendment 412
Idoia Villanueva Ruiz, Mick Wallace

Proposal for a regulation
Article 20 – paragraph 3

Text proposed by the Commission

3. Notwithstanding Article 19(1), the verifier shall issue a FuelEU certificate of compliance once the penalties referred to in paragraphs 1 and 2 of this Article have been paid. The actions referred to in this Article as well as the proof of the financial payments in accordance with Article 21 shall be recorded in the FuelEU certificate of compliance.

Amendment

3. Notwithstanding Article 19(1), the verifier shall issue a FuelEU certificate of compliance after the penalties referred to in paragraphs 1 and 2 of this Article have been paid for a maximum of two consecutive years. For the second consecutive year of non-compliance both the penalties, referred to in paragraphs 1 and 2 of this Article, and the compliance...
deficit to be added to the ship’s balance in the following reporting period shall be doubled. For a third year of non-compliance the verifier shall not issue a FuelEU certificate of compliance. The actions referred to in this Article as well as the proof of the financial payments in accordance with Article 21 shall be recorded in the FuelEU certificate of compliance.

Or. en

Amendment 414
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 20 – paragraph 4

Text proposed by the Commission

4. The Commission is empowered to adopt delegated acts in accordance with Article 26 to amend Annex V in order to adapt the formula referred to in paragraph 1 of this Article, and to amend the amount of the fixed penalty laid down in paragraph 2 of this Article, taking into account the developments in the cost of energy.

Amendment

deleted

Or. en

Amendment 415
Jutta Paulus

Proposal for a regulation
Article 20 – paragraph 4

Text proposed by the Commission

4. The Commission is empowered to adopt delegated acts in accordance with Article 26 to amend Annex V in order to adapt the formula referred to in paragraph

Amendment

4. The Commission is empowered to adopt delegated acts in accordance with Article 26 to amend Annex V in order to adapt the formula referred to in paragraph
1 of this Article, and to amend the amount of the fixed penalty laid down in paragraph 2 of this Article, taking into account the developments in the cost of energy.

1 of this Article, and to amend the amount of the fixed penalty laid down in paragraph 2 of this Article, as soon as the developments in the cost of energy undermine the dissuasive effect of those penalties.

Amendment 416
Maria Spyraki, Liudas Mažylis, Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Article 20 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Member States shall ensure that penalties are imposed on maritime fuel suppliers failing to comply with the obligations laid down in Article 4 relative to the yearly average greenhouse gas intensity of the energy supplied. Member States shall lay down provisions on penalties applicable to maritime fuel suppliers and shall take all the measures necessary to ensure that they are applied. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify the Commission of the relevant provisions of national law by 31.12.2024.

Amendment 417
Jutta Paulus

Proposal for a regulation
Article 20 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. By 1 January 2027, the Commission shall adopt a delegated act in
accordance with Article 26 supplementing this Regulation by laying down the formula for the calculation of the amount of the penalty for failing to comply with the RFNBOs mandate set out in Article 4(2), point (b), the criteria for its application and the rules for its enforcement.

Amendment 418
Jutta Paulus

Proposal for a regulation
Article 21 – title

**Text proposed by the Commission**

Allocation of penalties to support renewable and low-carbon fuels in the maritime sector

**Amendment**

Allocation of penalties to support the just ecological transition of the maritime sector

Amendment 419
Jutta Paulus

Proposal for a regulation
Article 21 – paragraph 1

**Text proposed by the Commission**

1. The penalties referred to in Article 20(1) and 20(2) shall be allocated to support common projects aimed at the rapid deployment of renewable and low carbon fuels in the maritime sector. Projects financed by the funds collected from the penalties shall stimulate the production of greater quantities of renewable and low carbon fuels for the maritime sector, facilitate the construction of appropriate bunkering facilities or electric connection ports in ports, and

**Amendment**

1. The penalties referred to in Article 20 shall be allocated to support common projects aimed to accelerate the just ecological transition of the maritime sector by means of the rapid improvement of energy and operational efficiency of ships, the deployment of zero-emission propulsion technologies and the uptake of sustainable renewable energy in the maritime sector, as well as to help the protection, restoration and better management of marine ecosystems. These
support the development, testing and deployment of the most innovative European technologies in the fleet to achieve significant emission reductions. Revenues should be allocated to the Ocean Fund referred to in Directive 2003/87/EC. In any case, at least 20% of the yearly revenues generated from the payment of the penalties shall be used to contribute to the protection, restoration and better management of marine ecosystems. Projects financed by the funds collected from the penalties shall apply the energy efficiency first principle and stimulate the production of greater quantities of sustainable renewable fuels and on-board renewable generation solutions for the maritime sector, facilitate the construction of the relative bunkering facilities, electric connection points in ports, and support the development, testing and deployment of the most innovative European technologies in the fleet to achieve a zero-emission, highly energy efficient and fully renewable-based maritime sector as soon as possible. Projects financed by the funds collected shall contextually support, in dialogue with social partners, the redeployment, re-skilling and up-skilling of the workers to provide the environmentally friendly and technology-related skills required for the transition.

Amendment 420
Catherine Chabaud, Nils Torvalds, Emma Wiesner, Michal Wiezik, Martin Hojsík, Frédérique Ries, Andreas Glück

Proposal for a regulation
Article 21 – paragraph 1

Text proposed by the Commission

1. The penalties referred to in Article 20(1) and 20(2) shall be allocated to support common projects aimed at the rapid deployment of renewable and low carbon fuels in the maritime sector. Projects financed by the funds collected from the penalties shall stimulate the

Amendment

1. The penalties referred to in Article 20(1) and 20(2) shall be allocated, through the Ocean Fund, to support common projects aimed at the rapid deployment of renewable and low carbon fuels in the maritime sector. Projects financed by the funds collected from the penalties shall
production of greater quantities of renewable and low carbon fuels for the maritime sector, facilitate the construction of appropriate bunkering facilities or electric connection ports in ports, and support the development, testing and deployment of the most innovative European technologies in the fleet to achieve significant emission reductions.

stimulate the production of greater quantities of renewable and low carbon fuels for the maritime sector, facilitate the construction of appropriate bunkering facilities or electric connection ports in ports, and support the development, testing and deployment of the most innovative European technologies, such as wind propulsion, in the fleet to achieve significant emission reductions.

Amendment 421
Pietro Fiocchi
Proposal for a regulation
Article 21 – paragraph 1

Text proposed by the Commission

1. The penalties referred to in Article 20(1) and 20(2) shall be allocated to support common projects aimed at the rapid deployment of renewable and low carbon fuels in the maritime sector. Projects financed by the funds collected from the penalties shall stimulate the production of greater quantities of renewable and low carbon fuels for the maritime sector, facilitate the construction of appropriate bunkering facilities or electric connection ports in ports, and support the development, testing and deployment of the most innovative European technologies in the fleet to achieve significant emission reductions.

Amendment

1. The penalties referred to in Article 20(1) and 20(2) shall be allocated to support the rapid deployment of renewable and low carbon fuels in the maritime sector. Projects financed by the funds collected from the penalties shall stimulate the production of required quantities of renewable and low carbon fuels for the maritime sector, facilitate the construction of appropriate bunkering facilities or electric connection ports in ports, and support the deployment of onboard ships of the most innovative European technologies in the fleet, as well as stimulating fleet renewal across the European Union shipbuilding industry, to achieve significant emission reductions.

Amendment 422
Jutta Paulus
Proposal for a regulation

PE719.782v01-00 178/226 AM\1250326EN.docx
Article 21 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. 20% of the yearly collected penalties referred to in paragraph 1 shall be used to contribute to the protection, restoration and better management of marine ecosystems impacted by global warming, such as marine protected areas, and to promote a crosscutting sustainable blue economy, such as renewable marine energy. All the projects supported by the funds collected from penalties shall be recorded and made available to the public.

Or. en

Amendment 423
Jutta Paulus

Proposal for a regulation
Article 21 – paragraph 2

Text proposed by the Commission

Amendment

2. The revenues generated from penalties referred to in paragraph 1 shall be allocated to the Innovation Fund referred to in Article 10a(8) of Directive 2003/87/EC. These revenues shall constitute external assigned revenue in accordance with Article 21(5) of the Financial Regulation, and shall be implemented in accordance with the rules applicable to the Innovation Fund.

Or. en

Justification

The EP's position on the revision of the "MRV regulation" Regulation (EU) 2015/757, calls for the creation of an "Ocean Fund" under the Directive 2003/87/EC dedicated to supporting innovation and decarbonisation in the shipping sector. This position has been re-tabled in the draft report on the Revision of the EU ETS 2021/0211(COD). We propose to be consistent
with the EP's position and channel the funds collected through the penalties of this Regulation to the Ocean Fund to be allocated according to principles aligned with the EP's MRV voted position.

Amendment 424
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 21 – paragraph 2

Text proposed by the Commission

2. The revenues generated from penalties referred to in paragraph 1 shall be allocated to the Innovation Fund referred to in Article 10a(8) of Directive 2003/87/EC. These revenues shall constitute external assigned revenue in accordance with Article 21(5) of the Financial Regulation, and shall be implemented in accordance with the rules applicable to the Innovation Fund.

Amendment

2. The revenues generated from penalties referred to in paragraph 1 shall be allocated to the Innovation Fund referred to in Article 10a(8) of Directive 2003/87/EC and should be used to promote the distribution and use of renewable and low-carbon fuels and propulsion technologies in the maritime sector. These revenues shall constitute external assigned revenue in accordance with Article 21(5) of the Financial Regulation, and shall be implemented in accordance with the rules applicable to the Innovation Fund.

Or. en

Amendment 425
Jutta Paulus

Proposal for a regulation
Article 21 – paragraph 3

Text proposed by the Commission

3. The Commission is empowered to adopt delegated acts in accordance with Article 26 to supplement this Regulation concerning the modalities for the payment of the penalties referred to in Article 20(1) and 20(2).

Amendment

3. The Commission is empowered to adopt delegated acts in accordance with Article 26 to supplement this Regulation concerning the modalities for the payment of the penalties referred to in Article 20(1) and 20(2) and the modalities for making the information on the supported projects
available to the public.

Or. en

Amendment 426
Jutta Paulus

Proposal for a regulation
Article 23 – paragraph 1

Text proposed by the Commission

1. Member States shall lay down the rules on sanctions applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The sanctions provided for must be effective, proportionate and dissuasive. Member States shall notify those provisions to the Commission by [dd/mm/20xx], and shall notify to the Commission without delay any subsequent amendments.

Amendment

1. Member States shall lay down the rules on sanctions applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The sanctions provided for must be effective, proportionate and dissuasive. Member States shall notify those provisions to the Commission by 31 July 2024 and shall notify to the Commission without delay any subsequent amendments. By 1 January 2025, the Commission shall report to the European Parliament and the Council the overview of the national measures laid down by Member States and report without delay any subsequent amendments.

Or. en

Amendment 427
Jutta Paulus

Proposal for a regulation
Article 23 – paragraph 2

Text proposed by the Commission

2. Each Member State shall ensure that any inspection of a ship in a port under its jurisdiction carried out in accordance with Directive 2009/16/EC includes checking that a valid FuelEU certificate of

Amendment

2. Each Member State shall ensure that any inspection of a ship in a port under its jurisdiction carried out in accordance with Directive 2009/16/EC includes checking that a valid FuelEU certificate of
compliance is carried on board.

and standard procedures applied for port calls by the port authorities.

Amendment 428
Jutta Paulus

Proposal for a regulation
Article 23 – paragraph 3

Text proposed by the Commission

3. Where a ship has failed to present a valid FuelEU certificate of compliance for two or more consecutive reporting periods and where other enforcement measures have failed to ensure compliance, the competent authority of the Member State of the port of call may, after giving the opportunity to the company concerned to submit its observations, issue an expulsion order. The competent authority of the Member State shall notify the expulsion order to the Commission, the other Member States and the flag State concerned. Every Member State, with the exception of any Member State whose flag the ship is flying, shall refuse entry of the ship which is subject to the expulsion order into any of its ports until the company fulfils its obligations. Where the ship flies the flag of a Member State, the Member State concerned shall, after giving the opportunity to the company concerned to submit its observations, order a flag detention until the company fulfils its obligations.

Amendment

3. Where a ship has failed to present a valid FuelEU certificate of compliance and where other enforcement measures have failed to ensure compliance, the competent authority of the Member State of the port of call shall, after giving the opportunity to the company concerned to submit its observations, issue an expulsion order. The competent authority of the Member State shall notify the expulsion order to the Commission, the other Member States and the flag State concerned. Every Member State, with the exception of any Member State whose flag the ship is flying, shall refuse entry of the ship which is subject to the expulsion order into any of its ports until the company fulfils its obligations. Where the ship flies the flag of a Member State, the Member State concerned shall, after giving the opportunity to the company concerned to submit its observations, order a flag detention until the company fulfils its obligations as set out by this Regulation.

Amendment 429
Jutta Paulus
Proposal for a regulation
Article 23 – paragraph 5

Text proposed by the Commission

5. Sanctions against a specified ship by any Member State shall be notified to the Commission, to the other Member States and to the flag State concerned.

Amendment

5. Sanctions against a specified ship by any Member State shall be notified to the Commission, to the other Member States and to the flag State concerned. The Commission shall record each notified sanction in the database.

Or. en

Amendment 430
Anna Zalewska

Proposal for a regulation
Article 23 a (new)

Text proposed by the Commission

Article 23 a

Enabling measures

1. Member States shall receive additional financial, and where appropriate, technical and know-how support proportional to the starting points of Member States, their capacity to bring about additional ambitions, as well as their country-specific circumstances, so that the EU is best enabled to achieve its increased targets under this Regulation.

2. Member States shall also receive the support referred to in the previous paragraph where specific problems are impeding a Member State's progress in achieving its targets set out in this Regulation.

Amendment 431
Jutta Paulus
Proposal for a regulation
Article 25 – paragraph 1

Text proposed by the Commission

Member States shall designate one or more competent authorities as responsible for the application and enforcement of this Regulation (‘competent authorities’). They shall communicate their names and contact information to the Commission. The Commission shall publish on its website the list of competent authorities.

Amendment

Member States shall designate one or more independent competent authorities as responsible for the application and enforcement of this Regulation (‘competent authorities’). They shall communicate their names and contact information to the Commission. The Commission shall publish on its website, and on the database, the list of competent authorities.

Or. en

Amendment 432
Jutta Paulus

Proposal for a regulation
Article 26 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Articles 4(6), 5(4), 9(3), 13(3), 20(4), and 21(3) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Regulation].

Amendment

2. The power to adopt delegated acts referred to in Articles 3a, 4(3), 4(4), 5(4), 7(4), 13(3), 20(4), 20(4a) and 21(3) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Regulation].

Or. en

Amendment 433
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 26 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts

Amendment

2. The power to adopt delegated acts
referred to in Articles 4(6), 5(4), 9(3), 13(3), 20(4), and 21(3) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Regulation].

Amendment 434
Jutta Paulus
Proposal for a regulation
Article 26 – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in Articles 4(7), 5(4), 9(3), 13(3), 20(4), and 21(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment

3. The delegation of power referred to in Articles 3a, 4(3), 4(4), 5(4), 7(4), 13(3), 20(4), 20(4a) and 21(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Or. en

Amendment 435
Maria Spyrači, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu
Proposal for a regulation
Article 26 – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in Articles 4(7), 5(4), 9(3), 13(3), 20(4), and 21(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that

Amendment

3. The delegation of power referred to in Articles 9(3), 13(3) and 21(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall
decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment 436
Jutta Paulus

Proposal for a regulation
Article 26 – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Articles 4(7), 5(4), 9(3), 13(3), 20(4), and 21(3) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Articles 3a, 4(3), 4(4), 5(4), 7(4), 13(3), 20(4), 20(4a) and 21(3) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Amendment 437
Maria Spyrazi, Jörgen Warborn, Liudas Mažyliis, Marian-Jean Marinescu

Proposal for a regulation
Article 26 – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Articles 4(7), 5(4), 9(3), 13(3), 20(4), and 21(3) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Articles 9(3), 13(3) and 21(3) shall enter
21(3) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Amendment 438
Jutta Paulus

Proposal for a regulation
Article 28 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission shall report to the European Parliament and the Council, by 1 January 2030, the results of an evaluation on the functioning of this Regulation and the evolution of the technologies and market for renewable and low-carbon fuels in maritime transport and its impact on the maritime sector in the Union. The Commission shall consider possible amendments to:

Amendment

1. The Commission shall report to the European Parliament and the Council, by 1 January 2027 and every 5 years thereafter, the results of an evaluation on the functioning of this Regulation and the evolution of the technologies and market for zero-emission technologies and sustainable renewable energy in maritime transport and its impact on the maritime sector in the Union.

In the report the Commission shall also examine the ambition and overall environmental integrity of the Regulation in relation to the targets under the Paris Agreement, to the Union economy-wide GHG emissions reduction target for 2030 and to the climate-neutrality objective as defined in the European Climate Law, as well as to the Renewable energy and Energy efficiency targets.

The Commission shall consider amendments to the entire proposal regarding its environmental integrity and
Effectiveness in relation to the Paris Agreement, the Union’s GHG emissions reduction targets and the energy legislation, and at least:

Or. en

Amendment 439
Adam Jarubas, Jarosław Kalinowski, Krzysztof Hetman

Proposal for a regulation
Article 28 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. The Commission shall report to the European Parliament and the Council, by 1 January 2030, the results of an evaluation on the functioning of this Regulation and the evolution of the technologies and market for renewable and low-carbon fuels in maritime transport and its impact on the maritime sector in the Union. The Commission shall consider possible amendments to:

Or. en

Amendment 440
Pietro Fiocchi

Proposal for a regulation
Article 28 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment
1. The Commission shall report to the European Parliament and the Council, by 1 January 2030, the results of an evaluation on the functioning of this Regulation and the evolution of the technologies and market for renewable and low-carbon fuels in maritime transport and its impact on the maritime sector in the Union. The Commission shall consider possible amendments to:

Amendment 441
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 28 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission shall report to the European Parliament and the Council, by 1 January 2030, the results of an evaluation on the functioning of this Regulation and the evolution of the technologies and market for renewable and low-carbon fuels in maritime transport and its impact on the maritime sector in the Union. The Commission shall consider possible amendments to:

Amendment

1. The Commission shall report to the European Parliament and the Council, by 1 January 2030, and every three years thereafter until 2050, the results of an evaluation on the functioning of this Regulation and the evolution of the technologies and market for renewable and low-carbon fuels in maritime transport and its impact on the maritime sector in the Union, with emphasis on this Regulation’s impact on the functioning of the single market, the sector’s competitiveness, transport freight rates and the magnitude of carbon leakage. The Commission shall consider possible amendments to:
Amendment 442
Maria Spyralki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 28 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the limit referred to in Article 4(2); deleted

Or. en

Amendment 443
Jutta Paulus

Proposal for a regulation
Article 28 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the limit referred to in Article 4(2); (a) make the limit referred to in Article 4(2) more stringent;

Or. en

Amendment 444
Maria Spyralki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 28 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) the scope of this Regulation in terms of
- the gross tonnage threshold referred to in Article 2,
- the share of energy used by ships in voyage to and from third countries referred to in Article 2 point (c)

Or. en
Amendment 445
Jutta Paulus
Proposal for a regulation
Article 28 – paragraph 1 – point a (new)

Text proposed by the Commission

Amendment

(aa) strengthen the operational and energy efficiency target in Article -4(new) and extend it, in a suitable form, beyond 2030;

Or. en

Amendment 446
Jutta Paulus
Proposal for a regulation
Article 28 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the ship types to which Article 5(1) applies;

(b) expand the ship types to which this Regulation applies to;

Or. en

Amendment 447
Jutta Paulus
Proposal for a regulation
Article 28 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) the exceptions listed in Article 5(3).

(c) limit the exceptions listed in Article 5(3).

Or. en
Amendment 448
Esther de Lange

Proposal for a regulation
Article 28 – paragraph 1 – point c a (new)

*Text proposed by the Commission*

(ca) the scope referred to in Article 2, on the basis of an assessment of the level-playing field of all ships and possible unwanted adverse effects on CO₂ emissions caused by the replacement of ships above 5000 gross tonnage by several ones below this threshold.

*Amendment*

Or. en

Amendment 449
Maria Spyraši, Jörven Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 28 – paragraph 1 a (new)

*Text proposed by the Commission*

1a. The Commission shall report to the European Parliament and the Council, by 1 January 2030, and every fifth year until 2050, the results of a comprehensive evaluation of the aggregated macroeconomic impact of the Fit for 55 legislative package,\(^a\) with particular emphasis on the effects on the Union's competitiveness, job creation, transport freight rates, household purchasing power and the magnitude of carbon leakage.

\(^a\) Communication from the Commission (COM/2021/550), 14 July 2021.

*Amendment*

Or. en
Amendment 450
Margarita de la Pisa Carrión
Proposal for a regulation
Article 28 – paragraph 1 a (new)

Text proposed by the Commission

 Amendment

1a. By 2030, the Commission shall draw up a detailed impact study on the availability of new fuels, competition with other modes of transport, market development and coordination between the various regulatory instruments affecting the maritime sector. If appropriate, the impact assessment shall be accompanied by legislative proposals.

Or. es

Amendment 451
Jutta Paulus
Proposal for a regulation
Article 28 – paragraph 1 a (new)

Text proposed by the Commission

 Amendment

1a. The European Parliament through its competent committees may provide an opinion on the report by the Commission including proposals for amending this Regulation.

Or. en

Amendment 452
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu
Proposal for a regulation
Article 28 – paragraph 1 b (new)

Text proposed by the Commission

 Amendment

1b. The Commission shall consider
possible amendments to this Regulation with regards to regulatory simplification. The Commission and the competent authorities shall continuously adapt to best practice administrative procedures and take all measures to simplify the enforcement of this Regulation, keeping administrative burdens to a minimum for ship owners, operators, ports and verifiers.

Amendment 453
Jutta Paulus

Proposal for a regulation
Article 28 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. The Commission shall reply in writing to the opinion adopted by the European Parliament as well as respond to any call for action concerning the different provisions of the Regulation, including providing justifications for foreseen inaction, and to any question addressed to it by the European Parliament or by the Council within five weeks of its receipt.

Amendment 454
Maria Spyra, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 28 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

1c. The Commission shall propose amendments to this Regulation in the event the International Maritime
Organization adopts global carbon emission standards, in order to fully align the respective provisions.

Amendment 455
Maria Spyraki, Liudas Mažylis, Marian-Jean Marinescu, Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Article 28 – paragraph 1 d (new)

Text proposed by the Commission

Amendment

Id. In the event of the adoption by the International Maritime Organization of a global low-GHG carbon fuel standard, the Commission shall present a report to the European Parliament and to the Council examining such measure, accompanied by a legislative proposal to the European Parliament and to the Council to appropriately amend this Regulation in order to align it with international rules.

Amendment 456
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Article 28 a (new)

Text proposed by the Commission

Amendment

Article 28 a

Compensatory regulatory reduction

The Commission shall present, by 1 January 2024, and in line with its communication on the application of the "one in, one out" principle\(^a\), proposals offsetting the regulatory burdens introduced by this Regulation, through the revision or abolishment of provisions
in other EU legislative acts that generate compliance costs in the maritime sector.

\textit{1a} EC press release on the working methods of the von der Leyen Commission, 4 December 2019.

Amendment 457
Jutta Paulus
Proposal for a regulation
Article 29 – paragraph 1

\textit{Text proposed by the Commission}
The following point shall be added to the list set out in Annex IV to Directive 2009/16/EC: ‘51. The FuelEU certificate of compliance issued under Regulation (EU) xxxx on the use of renewable and low-carbon fuels in maritime transport’.

\textit{Amendment}
The following point shall be added to the list set out in Annex IV to Directive 2009/16/EC: ‘51. The FuelEU certificate of compliance issued under Regulation (EU) xxxx on the energy efficiency and the use of renewable energy sources in maritime transport’.

Amendment 458
Pietro Fiocchi
Proposal for a regulation
Annex I – paragraph 2

\textit{Text proposed by the Commission}
\textit{For the purpose of calculating the greenhouse gas intensity limit of the energy used on-board a ship, the following formula, referred to as Equation (1) shall apply:}

\textit{Amendment}
deleted

Or. en
Amendment 459
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Annex I – paragraph 4 – introductory part

Text proposed by the Commission

In the case of fossil fuels, the default values in Annex II shall be used.

Amendment

In the case of fossil fuels, the default values in Annex II should be used unless the operator provides actual values certified by means of laboratory testing or direct emissions measurements.

Or. en

Amendment 460
Adam Jarubas, Jarosław Kalinowski, Krzysztof Hetman

Proposal for a regulation
Annex I – paragraph 4 – subparagraph 1

Text proposed by the Commission

For the purpose of this regulation the numerator of Equation (1) shall be set to zero.

Amendment

deleted

Or. en

Amendment 461
Idoia Villanueva Ruiz

Proposal for a regulation
Annex I – paragraph 4 – subparagraph 1 – introductory part

Text proposed by the Commission

For the purpose of this regulation the numerator of Equation (1) shall be set to zero.

Amendment

For the purpose of this regulation, the term MULT in the denominator of Equation (1) shall be set to five for the amounts of electricity and RFNBOs exceeding the minimum shares set at article 4(a)(new).
Amendment 462  
Nils Torvalds  

Proposal for a regulation  
Annex I – paragraph 5  

*Text proposed by the Commission*  
The $M_i$ mass of fuel shall be determined using the amount reported in accordance with the framework of the reporting under Regulation (EU) 2015/757 for voyages falling within the scope of this Regulation based on the chosen monitoring methodology by the company.  

*Amendment*  
The mass of fuel $M_i$ shall be determined using the amount reported in accordance with the framework of the reporting under Regulation (EU) 2015/757 for voyages falling within the scope of this Regulation based on the chosen monitoring methodology by the company. *The adjusted mass of fuel* $M_{i,A}$ *may be used instead of the mass of fuel* $M_i$ *for a ship having the ice-class IC, IB, IA or IA Super or an equivalent ice class. The adjusted mass* $M_{i,A}$ *is defined in Annex X.*

Amendment 463  
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu  

Proposal for a regulation  
Annex I – paragraph 5  

*Text proposed by the Commission*  
The $[M_i]$ mass of fuel shall be determined using the amount reported in accordance with the framework of the reporting under Regulation (EU) 2015/757 for voyages falling within the scope of this Regulation based on the chosen monitoring methodology by the company.

*Amendment*  
The mass $[M_i]$ of fuel shall be determined using the amount reported in accordance with the framework of the reporting under Regulation (EU) 2015/757 for voyages falling within the scope of this Regulation based on the chosen monitoring methodology by the company. *The adjusted mass of fuel* $[M_{i,A}]$ *may be used instead of the mass of fuel* $[M_i]$ *for a ship having the ice-class IC, IB, IA or IA Super or an equivalent ice class. The*
adjusted mass \([M_A]\) is defined in Annex X.

Amendment 464
Pietro Fiocchi

Proposal for a regulation
Annex II – paragraph 2

Text proposed by the Commission


Amendment

The emissions factors of all biofuels, biogas, renewable fuels of non-biological origin and recycled carbon fuels shall be determined according to the methodologies set out in Annex 5 part C of Directive (EU) 2018/2001.

Amendment 465
Adam Jarubas, Jaroslaw Kalinowski, Krzysztof Hetman

Proposal for a regulation
Annex II – paragraph 2

Text proposed by the Commission


Amendment

The emissions factors of all biofuels, biogas, renewable fuels of non-biological origin and recycled carbon fuels shall be determined according to the methodologies set out in Annex 5 part C of Directive (EU) 2018/2001.

Amendment 466
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Annex II – paragraph 2 a (new)

Text proposed by the Commission

Amendment

The emission factors for all fuels can alternatively be determined on actual values certified by means of laboratory testing or direct emissions measurements.

Or. en

Amendment 467
Pietro Fiocchi

Proposal for a regulation
Annex II – paragraph 6

Text proposed by the Commission

Amendment

Column 2 identifies the name or the pathway of the relevant fuels within the class. For the Liquid Biofuels, Gaseous Biofuels, RFNBO (e-Fuels) the values for the WtT section shall be taken from Directive (EU) 2018/2001 (without combustion\textsuperscript{32}); for fossils fuels only the default values in the table shall be used.

\textsuperscript{32} Reference is made to Directive (EU) 2018/2001, Annex V.C.1.(a) to the term $e_u$ ‘emissions from the fuel in use’.

Column 2 identifies the name or the pathway of the relevant fuels within the class. For the Liquid Biofuels and for Gaseous Biofuels with the exception of main products/wastes/ feedstock mix, RFNBO (e-Fuels) the values for the WtT section shall be taken from Directive (EU) 2018/2001 (without combustion\textsuperscript{32}); for fossils fuels only the default values in the table shall be used.

\textsuperscript{32} Reference is made to Directive (EU) 2018/2001, Annex V.C.1.(a) to the term $e_u$ ‘emissions from the fuel in use’.

Or. en

Amendment 468
Maria Spyraki, Jörgen Warborn, Liudas Mažylis, Marian-Jean Marinescu

Proposal for a regulation
Annex II – paragraph 8

Text proposed by the Commission

Amendment

Column 4 contains the CO\textsubscript{2eq} emissions

Column 4 contains the CO\textsubscript{2eq} emissions
values in \( \text{[gCO}_{2\text{eq}}/\text{MJ]} \). For fossils fuels only the default values in the table shall be used. For all other fuels, (except were expressly indicated), values shall be calculated by using the methodology or the default values as per in Directive (EU) 2018/2001 deducted of the combustion emissions considering full oxidation of the fuel\(^{33}\).

\(^{33}\) Reference is made to Directive (EU) 2018/2001, Annex V.C.1.(a) to the term \( e_u \) ‘emissions from the fuel in use’

Amendment 469
Pietro Fiocchi

Proposal for a regulation
Annex II – paragraph 11

Text proposed by the Commission

Column 7 contains the emission factor \( C_f \) for methane in \([\text{gCH}_4/\text{gfuel}]\). Default values as contained in the table shall be used. Values certified by mean of testing can be used in place of the default values. For LNG fuels \( C_f \) for methane are set to zero.

Amendment

Column 7 contains the emission factor \( C_f \) for methane in \([\text{gCH}_4/\text{gfuel}]\). Default values as contained in the table shall be used. Values certified by mean of testing can be used in place of the default values. For LNG fuels \( C_f \) for methane may be set to zero if the value for amount of fuel lost as fugitive emissions (\( C_{\text{slip}} \)) accurately accounts for all methane emissions.

Amendment 470
Adam Jarubas, Jarosław Kalinowski, Krzysztof Hetman

Proposal for a regulation
Annex II – paragraph 11
Column 7 contains the emission factor $C_f$ for methane in $[\text{gCH}_4/\text{gfuel}]$. Default values as contained in the table shall be used. Values certified by mean of testing can be used in place of the default values. For LNG fuels $C_f$ for methane are set to zero.

The following table provides a non-exhaustive list of zero-emission technologies as referred to in Article 5(3)(b), as well as, specific criteria for their use as applicable according to Article 3(g).

<table>
<thead>
<tr>
<th>Zero-emission technology: Criteria for use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fuel cells: Fuel cells used on board for power generation while at berth should be fully powered by renewable and low carbon fuels.</td>
</tr>
<tr>
<td>On-board Electricity Storage: The use of on-board electricity storage is allowed taking into account the GHG intensity in the electricity production pathway of the stored power (on-board generation or on-shore in case of battery swapping).</td>
</tr>
<tr>
<td>On-board Electricity production from wind and solar energy: Any ship that is capable to sustain energy needs at berth through the use of wind and solar energy. The use of any zero-emission technologies shall continuously achieve emissions that are equivalent to the emissions reductions...</td>
</tr>
</tbody>
</table>
that would be achieved by using on-shore power supply.

Amendment 472
Maria Spyraki, Jörgen Warborn

Proposal for a regulation
Annex I – Equation 2

**Text proposed by the Commission**

\[
CO_{eq, \text{TW}} = \left( C_{f,i} + C_{CH,i} \times GW_{P,CH,i} + C_{CH,i} \times GW_{P,CH,i} + C_{CH,i} \times GW_{P,CH,i} \right)_{i} \tag{2}
\]

<table>
<thead>
<tr>
<th>Term</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i)</td>
<td>Index corresponding to the fuels delivered to the ship in the reference period</td>
</tr>
<tr>
<td>(j)</td>
<td>Index corresponding to the fuel combustion units on board the ship. For the purpose of this Regulation the units considered are the main engine(s), auxiliary engine(s) and fired oil boilers</td>
</tr>
<tr>
<td>(k)</td>
<td>Index corresponding to the connection points ((c)) where electricity is supplied per connection point.</td>
</tr>
<tr>
<td>(c)</td>
<td>Index corresponding to the number of electrical charging points</td>
</tr>
<tr>
<td>(m)</td>
<td>Index corresponding to the number of energy consumers</td>
</tr>
<tr>
<td>(M_{c,i})</td>
<td>Mass of the specific fuel (i) oxidised in consumer (j) ([\text{kJ}])</td>
</tr>
<tr>
<td>(E_{c,j})</td>
<td>Electricity delivered to the ship per connection point (k) if more than one ([\text{kJ}])</td>
</tr>
<tr>
<td>(CO_{eq,\text{GWPM},k})</td>
<td>Wt GHG emission factor of fuel (i) ([\text{gCO}_{2eq}/\text{MJ}])</td>
</tr>
<tr>
<td>(CO_{eq,\text{GWPM},k})</td>
<td>Wt GHG emission factor associated to the electricity delivered to the ship at berth per connection point (k) ([\text{gCO}_{2eq}/\text{MJ}])</td>
</tr>
<tr>
<td>(LCV_{c})</td>
<td>Lower Calorific Value of fuel (i) ([\text{kJ}/\text{MJ}])</td>
</tr>
<tr>
<td>(\epsilon_{\text{engine slip}})</td>
<td>Engine fuel slippage (non-combusted fuel) coefficient as a percentage of the mass of the fuel (i) used by combustion unit (j) ([%])</td>
</tr>
<tr>
<td>(\epsilon_{TW})</td>
<td>TrW GHG emissions factors by combusted fuel in combustion unit (j) ([\text{gGHG/gFuel}])</td>
</tr>
<tr>
<td>(\epsilon_{TW})</td>
<td>TrW CO(<em>2) equivalent emissions of combusted fuel (j) in combustion unit (j) ([\text{gCO}</em>{2eq/gFuel}])</td>
</tr>
<tr>
<td>(\epsilon_{TW})</td>
<td>TrW CO(_2) emissions factors by slipped fuel towards combustion unit (j) ([\text{gGHG/gFuel}])</td>
</tr>
<tr>
<td>(\epsilon_{TW})</td>
<td>TrW CO(<em>2) equivalent emissions of slipped fuel (j) towards combustion unit (j) ([\text{gCO}</em>{2eq/gFuel}])</td>
</tr>
<tr>
<td>(\epsilon_{TW})</td>
<td>TrW CO(_2) emissions factors by slipped fuel towards combustion unit (j) ([\text{gGHG/gFuel}])</td>
</tr>
<tr>
<td>(GW_{P,CH,i})</td>
<td>Global Warming Potential over 100 years</td>
</tr>
</tbody>
</table>

**Amendment**

\[
CO_{eq, \text{TW}} = \left( C_{f,i} + C_{CH,i} \times GW_{P,CH,i} + C_{CH,i} \times GW_{P,CH,i} + C_{CH,i} \times GW_{P,CH,i} \right)_{i} \tag{2}
\]

<table>
<thead>
<tr>
<th>Term</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i)</td>
<td>Index corresponding to the fuels delivered to the ship in the reference period</td>
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<tr>
<td>(j)</td>
<td>Index corresponding to the fuel combustion units on board the ship. For the purpose of this Regulation the units considered are the main engine(s), auxiliary engine(s) and fired oil boilers</td>
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<tr>
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<tr>
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<td>Index corresponding to the number of energy consumers</td>
</tr>
<tr>
<td>(M_{c,i})</td>
<td>Mass of the specific fuel (i) oxidised in consumer (j) ([\text{kJ}])</td>
</tr>
<tr>
<td>(E_{c,j})</td>
<td>Electricity delivered to the ship per connection point (k) if more than one ([\text{kJ}])</td>
</tr>
<tr>
<td>(CO_{eq,\text{GWPM},k})</td>
<td>Wt GHG emission factor of fuel (i) ([\text{gCO}_{2eq}/\text{MJ}])</td>
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<tr>
<td>(CO_{eq,\text{GWPM},k})</td>
<td>Wt GHG emission factor associated to the electricity delivered to the ship at berth per connection point (k) ([\text{gCO}_{2eq}/\text{MJ}])</td>
</tr>
<tr>
<td>(LCV_{c})</td>
<td>Lower Calorific Value of fuel (i) ([\text{kJ}/\text{MJ}])</td>
</tr>
<tr>
<td>(\epsilon_{\text{engine slip}})</td>
<td>Engine fuel slippage (non-combusted fuel) coefficient as a percentage of the mass of the fuel (i) used by combustion unit (j) ([%])</td>
</tr>
</tbody>
</table>
**Amendment 473**  
Maria Spyraki, Jörgen Warborn

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

<table>
<thead>
<tr>
<th>Equation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>( T_tW ) GHG emission factors by combusted fuel in combustion unit ( j ) [gGHG/gFuel]</td>
<td>CO₂eq, ( T_tW, j )</td>
</tr>
<tr>
<td>( c_{f_CO_2,j} \times F_{comb, j} + c_{f_CH_4,j} \times F_{comb, j} + c_{f_N_2O,j} \times F_{comb, j} )</td>
<td>( T_tW ) CO₂ equivalent emissions of combusted fuel ( j ) in combustion unit ( j ) [gCO₂eq/gFuel]</td>
</tr>
<tr>
<td>( c_{s,f_CO_2,j} \times F_{slip, j} + c_{s,f_CH_4,j} \times F_{slip, j} + c_{s,f_N_2O,j} \times F_{slip, j} )</td>
<td>( T_tW ) GHG emissions factors by slipped fuel towards combustion unit ( j ) [gGHG/gFuel]</td>
</tr>
<tr>
<td>( c_{f_CO_2,j} \times GWP_{CO_2} + c_{f_CH_4,j} \times GWP_{CH_4} + c_{f_N_2O,j} \times GWP_{N_2O} )</td>
<td>CO₂eq, ( T_tW, j ) = ( T_tW ) CO₂ equivalent emissions of combusted fuel ( i ) towards combustion unit ( j ) [gCO₂eq/gFuel]</td>
</tr>
<tr>
<td>( c_{s,f_CO_2,j} \times GWP_{CO_2} + c_{s,f_CH_4,j} \times GWP_{CH_4} + c_{s,f_N_2O,j} \times GWP_{N_2O} )</td>
<td>( T_tW ) CO₂ equivalent emissions of slipped fuel ( i ) towards combustion unit ( j ) [gCO₂eq/gFuel]</td>
</tr>
</tbody>
</table>

\( M_{ij} \) Adjusted mass of the specific fuel \( i \) oxidized in consumer \( j \) \[gFuel\] due to sailing in ice conditions in the case of a ship having the ice class IC, IB, IA or IA Super or an equivalent ice class \(^1\) and due to technical properties of a ship having the ice class IA or IA Super or an equivalent ice class. The adjusted mass \( M_{ij} \) is used in Equation (1) instead of the mass \( M_0 \) when appropriate.

---

**Amendment 474**  
Maria Spyraki, Jörgen Warborn

**Proposal for a regulation**  
Annex I – Method for determining \([M_i]\)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>In the case of fossil fuels, the default values in Annex II shall be used. For the purpose of this regulation the term ( \sum_k E_k \times CO_{2eq,electricity, k} ) in the numerator of Equation (1) shall be set to zero.</td>
<td>In the case of fossil fuels, the default values in Annex II should be used unless actual values can be provided by means of laboratory testing or direct emissions measurements. For the purpose of this regulation the term ( \sum_k E_k \times CO_{2eq,electricity, k} ) in the numerator of Equation (1) shall be set to zero.</td>
</tr>
</tbody>
</table>

---

\(^1\) For further information on correspondence between ice classes, see HELCOM Recommendation 25/7 at [http://www.helcom.fi](http://www.helcom.fi).
Regulation (EU) 2015/757 for voyages falling within the scope of this Regulation based on the chosen monitoring methodology by the company.

The adjusted mass of fuel \(M_{iA}\) may be used instead of the mass of fuel \(M_i\) for a ship having the ice-class IC, IB, IA or IA Super or an equivalent ice class. The adjusted mass \(M_{iA}\) is defined in Annex X.

Amendment 475
Maria Spyraki, Jörgen Warborn

Proposal for a regulation
ANNEX I - Methods for determining the reward factors linked to substitute sources of energy

Text proposed by the Commission
Amendment

Methods for determining the reward factors linked to substitute sources of energy

In case substitute sources of energy are installed on board, a reward factor for substitute sources of energy can be applied. In case of wind power such reward factor is determined as follow:

Methods for determining the reward factors linked to substitute sources of energy

In case substitute sources of energy are installed on board, a reward factor for substitute sources of energy can be applied. This reward factor can be applied on all types of fossil free energy generated on board, including but not limited to, wind energy. In case of wind power such reward factor is determined as follow:

Or. en

Amendment 476
Maria Spyraki, Jörgen Warborn

Proposal for a regulation
ANNEX I - Methods for determining the reward factors linked to substitute sources of energy

Text proposed by the Commission
In case substitute sources of energy are installed on board, a reward factor for substitute sources of energy can be applied. In case of wind power such reward factor is determined as follow:

<table>
<thead>
<tr>
<th>Reward factor for substitute sources of energy- ( WIND (f_{wind}) )</th>
<th>( \frac{P_{Wind}}{P_{Tot}} )</th>
</tr>
</thead>
<tbody>
<tr>
<td>0,99</td>
<td>0,1</td>
</tr>
<tr>
<td>0,97</td>
<td>0,2</td>
</tr>
<tr>
<td>0,95</td>
<td>( \geq 0,3 )</td>
</tr>
</tbody>
</table>

**Amendment**

**In case of other fossil free sources of power such reward factor is determined as follows:**

<table>
<thead>
<tr>
<th>Reward factor for substitute sources of energy- ( FOSSIL FREE (f_{FossilFree}) )</th>
<th>( \frac{P_{FossilFree}}{P_{Tot}} )</th>
</tr>
</thead>
<tbody>
<tr>
<td>0,99</td>
<td>0,1</td>
</tr>
<tr>
<td>0,97</td>
<td>0,2</td>
</tr>
<tr>
<td>0,95</td>
<td>( \geq 0,3 )</td>
</tr>
</tbody>
</table>

**Or. en**

**Amendment 477**  
**Maria Spyraki, Jörgen Warborn**

**Proposal for a regulation**  
**ANNEX I – Verification and Certification**

**Text proposed by the Commission**  
**Table A – NATIONAL OVERALL TARGETS**

**Verification and Certification**

<table>
<thead>
<tr>
<th>Fuel Class</th>
<th>WT</th>
<th>TW</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fossil</td>
<td>Default values shall be used as provided in Table 1 of this Regulation.</td>
<td>MRV Regulation CO2 carbon factors shall be used for fuels for which such factor is provided For all other emissions factors, default values can be used as provided in Table 1 of this Regulation, alternatively Certified values by mean of</td>
</tr>
</tbody>
</table>
### Amendment

**Verification and Certification**

<table>
<thead>
<tr>
<th>Fuel Class</th>
<th>WtT</th>
<th>TtW</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fossil</td>
<td>Default values shall be used as provided in Table 1 of this Regulation unless actual values can be provided by means of laboratory testing or direct emissions measurements.</td>
<td>MRV Regulation CO₂ carbon factors shall be used for fuels for which such factor is provided for all other emissions factors, default values can be used as provided in Table 1 of this Regulation, alternatively Certified values by mean of laboratory testing or direct emissions measurements</td>
</tr>
<tr>
<td>Sustainable Renewable Fuels</td>
<td>CO₂eq values as provided in RED II (without combustion) can be used for all fuels whose pathways are included in RED II, alternatively RED II approved certification scheme can be used.</td>
<td>Emissions factors, default values can be used as provided in Table 1 of this Regulation, alternatively Certified values by mean of laboratory testing or direct emissions measurements.</td>
</tr>
<tr>
<td>(Bio Liquids, Bio Gases, e-Fuels)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

**Certified values by mean of laboratory testing or direct emissions measurements.**

---

**Emissions factors, default values can be used as provided in Table 1 of this Regulation, alternatively**

---

**CO₂eq values as provided in RED II (without combustion) can be used for all fuels whose pathways are included in RED II, alternatively RED II approved certification scheme can be used.**

---

**Default values shall be used as provided in Table 1 of this Regulation unless actual values can be provided by means of laboratory testing or direct emissions measurements.**

---

**MRV Regulation CO₂ carbon factors shall be used for fuels for which such factor is provided for all other emissions factors, default values can be used as provided in Table 1 of this Regulation, alternatively Certified values by mean of laboratory testing or direct emissions measurements.**
| Others (including electricity) | CO\textsubscript{2eq} values as provided in RED II (without combustion) can be used for all fuels whose pathways are included in RED II, Alternatively RED II approved certification scheme can be used | Emissions factors, default values can be used as provided in Table 1 of this Regulation, alternatively Certified values by mean of laboratory testing or direct emissions measurements. |

**Amendment 478**  
**Maria Spyraki, Jörgen Warborn**  
**Proposal for a regulation**  
**ANNEX II**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
</table>
| The emissions factors for fossils fuels contained in this Annex shall be used for the determination of the greenhouse gas intensity index referred to in Annex I of this Regulation. The emissions factors of biofuels, biogas, renewable fuels of non-biological origin and recycled carbon fuels shall be determined according to the methodologies set out in Annex 5 part C of Directive (EU) 2018/2001. In the table:  
– TBM stands for To Be Measured  
– N/A stands for Not Available  
– The dash means not applicable | The emissions factors for fossils fuels contained in this Annex shall be used for the determination of the greenhouse gas intensity index referred to in Annex I of this Regulation. The emissions factors of biofuels, biogas, renewable fuels of non-biological origin and recycled carbon fuels shall be determined according to the methodologies set out in Annex 5 part C of Directive (EU) 2018/2001. **The emission factors for all fuels can alternatively be determined on actual values certified by mean of laboratory testing or direct emissions measurements.**  
In the table:  
– TBM stands for To Be Measured  
– N/A stands for Not Available |
Amendment 479
Maria Spyraki, Jörgen Warborn

Proposal for a regulation
ANNEX II – Column 4

Text proposed by the Commission

Column 4 contains the CO$_{2\text{eq}}$ emissions values in [gCO$_{2\text{eq}}$/MJ]. For fossils fuels only the default values in the table shall be used. For all other fuels, (except were expressly indicated), values shall be calculated by using the methodology or the default values as per in Directive (EU) 2018/2001 deducted of the combustion emissions considering full oxidation of the fuel$^2$.

Amendment

Column 4 contains the CO$_{2\text{eq}}$ emissions values in [gCO$_{2\text{eq}}$/MJ]. For fossils fuels only the default values in the table shall be used unless actual values can be provided by means of laboratory testing or direct emissions measurements. For all other fuels, (except were expressly indicated), values shall be calculated by using the methodology or the default values as per in Directive (EU) 2018/2001 deducted of the combustion emissions considering full oxidation of the fuel$^3$.

Amendment 480
Maria Spyraki, Jörgen Warborn

Proposal for a regulation
ANNEX III – Zero-emission technology

ANNEX III

CRITERIA FOR THE USE OF ZERO-EMISSION TECHNOLOGY AS REFERRED TO IN ARTICLES 5(3)(b) and 7(3), points (d) and (f)

The following table provides a list of zero-emission technologies as referred to in Article 5(3)(b), as well as, specific criteria for their use as applicable.

---

$^2$ Reference is made to Directive (EU) 2018/2001, Annex V.C.1.(a) to the term $e_u$ ‘emissions from the fuel in use’

$^3$ Reference is made to Directive (EU) 2018/2001, Annex V.C.1.(a) to the term $e_u$ ‘emissions from the fuel in use’
Zero-emission technology | Criteria for use
---|---
Fuel cells | Fuel cells used on board for power generation while at berth should be fully powered by renewable and low carbon fuels.
On-board Electricity Storage | The use of on-board electricity storage is allowed irrespective on the source of energy that produced the stored power (on-board generation or on-shore in case of battery swapping).
On-board Electricity production from wind, and solar energy | Any ship that is capable to sustain energy needs at berth through the use of wind, and solar energy.

The use of these zero-emission technologies shall continuously achieve emissions that are equivalent to the emissions reductions that would be achieved by using on-shore power supply.

*Amendment*

**ANNEX III**

**CRITERIA FOR THE USE OF ZERO-EMISSION TECHNOLOGY AS REFERRED TO IN ARTICLES 5(3)(b) and 7(3), points (d) and (f)**

The following table provides a list of zero-emission technologies as referred to in Article 5(3)(b), as well as, specific criteria for their use as applicable.

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<thead>
<tr>
<th>Zero-emission technology</th>
<th>Criteria for use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fuel cells</td>
<td>Fuel cells used on board for power generation while at berth should be fully powered by renewable and low carbon fuels.</td>
</tr>
<tr>
<td>On-board Electricity Storage</td>
<td>The use of on-board electricity storage is allowed irrespective on the source of energy that produced the stored power (on-board generation or on-shore in case of battery swapping).</td>
</tr>
<tr>
<td>On-board Electricity production from wind, solar <em>and/or other fossil free sources of</em> energy</td>
<td>Any ship that is capable to sustain energy needs at berth through the use of wind, solar <em>and/or other fossil free sources of</em> energy.</td>
</tr>
</tbody>
</table>

The use of these zero-emission technologies shall continuously achieve emissions that are equivalent to the emissions reductions that would be achieved by using on-shore power supply.

*Or. en*
ANNEX I

Text proposed by the Commission

METHODOLOGY FOR ESTABLISHING THE GREENHOUSE GAS INTENSITY LIMIT ON THE ENERGY USED ON-BOARD BY A SHIP

For the purpose of calculating the greenhouse gas intensity limit of the energy used on-board a ship, the following formula, referred to as Equation (1) shall apply:

\[
\frac{\text{GHG intensity index} \left[ \frac{\text{gCO}_2\text{eq}}{\text{MJ}} \right]}{\text{WIT}} = \frac{\sum_{i} \left[ \text{CO}_2\text{eq, fuel}_i \times \text{LCV}_i \times \text{MULTI}_i + \text{CO}_2\text{eq, electricity}_i \times \text{MULTI}_i \right]}{\sum_{i} \text{LCV}_i + \sum_{i} \text{MULTI}_i}
\]

\[
\frac{\text{GHG intensity index} \left[ \frac{\text{gCO}_2\text{eq}}{\text{MJ}} \right]}{\text{TW}} = \frac{\sum_{i} \left( \text{CO}_2\text{eq, fuel}_i \times \text{LCV}_i \times \text{MULTI}_i + \text{CO}_2\text{eq, electricity}_i \times \text{MULTI}_i \right)}{\sum_{i} \text{LCV}_i + \sum_{i} \text{MULTI}_i + \sum_{k} \text{MULTI}_k}
\]

Amendment

METHODOLOGY FOR ESTABLISHING THE GREENHOUSE GAS INTENSITY LIMIT ON THE ENERGY USED ON-BOARD BY A SHIP

For the purpose of calculating the greenhouse gas intensity limit of the energy used on-board a ship, the following formula, referred to as Equation (1) shall apply:

\[
\frac{\text{GHG intensity index} \left[ \frac{\text{gCO}_2\text{eq}}{\text{MJ}} \right]}{\text{WIT}} = \frac{\sum_{i} \left[ \text{CO}_2\text{eq, fuel}_i \times \text{LCV}_i + \sum_{k} \text{MULTI}_k \times \sum_{j} \text{engine slip}_j \times \left( \text{CO}_2\text{eq, engine slip}_j \times \text{LCV}_j \right) \right]}{\sum_{i} \text{LCV}_i + \sum_{k} \text{MULTI}_k + \sum_{j} \text{engine slip}_j \times \sum_{i} \text{LCV}_i}
\]

\[
\frac{\text{GHG intensity index} \left[ \frac{\text{gCO}_2\text{eq}}{\text{MJ}} \right]}{\text{TW}} = \frac{\sum_{i} \left( \text{CO}_2\text{eq, fuel}_i \times \text{LCV}_i + \sum_{k} \text{MULTI}_k \times \sum_{j} \text{engine slip}_j \times \left( \text{CO}_2\text{eq, engine slip}_j \times \text{LCV}_j \right) \right)}{\sum_{i} \text{LCV}_i + \sum_{k} \text{MULTI}_k + \sum_{j} \text{engine slip}_j \times \sum_{i} \text{LCV}_i + \sum_{i} \text{MULTI}_i + \sum_{k} \text{MULTI}_k}
\]

Or. en

Amendment 482
Idoia Villanueva Ruiz

Proposal for a regulation

ANNEX I

Text proposed by the Commission

Potential over 100 years, CH4 and N2O

Global Warming Potential over 20 years, as referred to in the IPCC 6th Assessment report.

Or. en

AM\1250326EN.docx 211/226 PE719.782v01-00
Amendment 483
Idoia Villanueva Ruiz

Proposal for a regulation
ANNEX I multiplier

Text proposed by the Commission

\[ MULT_i = \text{Multiplier applied to fuel } i \]

or en

Amendment 484
Adam Jarubas, Krzysztof Hetman, Jaroslaw Kalinowski

Proposal for a regulation
Annex II – Table 1 – Default factors

Text proposed by the Commission

<table>
<thead>
<tr>
<th>Class / Feedstock</th>
<th>Pathway name</th>
<th>LCV ([MJ])</th>
<th>(CO_{2eq\ Wt}) ([gCO_2eq\ MJ])</th>
<th>Energy Converter Class</th>
<th>Energy Converter Class</th>
<th>Energy Converter Class</th>
<th>Energy Converter Class</th>
<th>Energy Converter Class</th>
<th>Energy Converter Class</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fossil HFO</td>
<td>0,0405</td>
<td>13,5</td>
<td>ALL ICEs</td>
<td>Gas Turbine</td>
<td>3,114 MEPC245 (66)</td>
<td>0,00005</td>
<td>0,00018</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Steam Turbines and Boilers</td>
<td>Regulation (EU) 2015/757</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Aux Engines</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Fossil LSFO</td>
<td>0,0405</td>
<td>13,2, crude 13,7 blend</td>
<td>ALL ICEs</td>
<td>Gas Turbine</td>
<td>3,114</td>
<td>0,00005</td>
<td>0,00018</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Steam Turbines and Boilers</td>
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<td></td>
<td>Aux Engines</td>
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<td></td>
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</tr>
<tr>
<td>Fossil ULSFO</td>
<td>0,0405</td>
<td>13,2</td>
<td>ALL ICEs</td>
<td>Gas Turbine</td>
<td>3,114</td>
<td>0,00005</td>
<td>0,00018</td>
<td>-</td>
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<td></td>
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<td>Steam Turbines and Boilers</td>
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<td>Aux Engines</td>
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**Amendment**

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For the purpose of calculating the greenhouse gas intensity limit of the energy used on-board a ship, the following formula, referred to as Equation (1) shall apply:

\[
\text{GHG intensity index} = \frac{\sum_{i} \left( E_{\text{fuel}} \times CO_{\text{eq}} \times C_{\text{lower}} \times (1 - \text{engine slippage}) \times \text{TtW emission factors by combusted fuel} \right)}{\sum_{i} \left( E_{\text{fuel}} \times CO_{\text{eq}} \times C_{\text{lower}} \right)}
\]

where the following formula is referred to as Equation (2):

\[
C_{\text{eq,\text{fuel}}} = \left( \frac{E_{\text{fuel}} \times CO_{\text{eq}} \times C_{\text{lower}} \times (1 - \text{engine slippage}) \times \text{TtW emission factors by combusted fuel}}{E_{\text{fuel}} \times CO_{\text{eq}} \times C_{\text{lower}}} \right)
\]

Or.en

**Amendment 485**

**Jutta Paulus**

**Proposal for a regulation**

**Annex I**

**Text proposed by the Commission**

**ANNEX I**

**METHODOLOGY FOR ESTABLISHING THE GREENHOUSE GAS INTENSITY LIMIT ON THE ENERGY USED ON-BOARD BY A SHIP**

For the purpose of calculating the greenhouse gas intensity limit of the energy used on-board a ship, the following formula, referred to as Equation (1) shall apply:

\[
\text{GHG intensity index} = \frac{\sum_{i} \left( E_{\text{fuel}} \times CO_{\text{eq}} \times C_{\text{lower}} \times (1 - \text{engine slippage}) \times \text{TtW emission factors by combusted fuel} \right)}{\sum_{i} \left( E_{\text{fuel}} \times CO_{\text{eq}} \times C_{\text{lower}} \right)}
\]

where the following formula is referred to as Equation (2):

\[
C_{\text{eq,\text{fuel}}} = \left( \frac{E_{\text{fuel}} \times CO_{\text{eq}} \times C_{\text{lower}} \times (1 - \text{engine slippage}) \times \text{TtW emission factors by combusted fuel}}{E_{\text{fuel}} \times CO_{\text{eq}} \times C_{\text{lower}}} \right)
\]
For the purpose of this regulation the term \( \sum_{k} E_k \times C_{\text{CO}_2\text{eq}\text{electricity}, k} \) in the numerator of Equation (1) shall be set to zero.

**Annex I**

For the purpose of calculating the greenhouse gas intensity limit of the energy used on-board a ship, the following formula, referred to as Equation (1) shall apply:

<table>
<thead>
<tr>
<th>Term</th>
<th>Explanation</th>
</tr>
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<tbody>
<tr>
<td>( i )</td>
<td>Index corresponding to the fuels delivered to the ship in the reference period</td>
</tr>
<tr>
<td>( j )</td>
<td>Index corresponding to the fuel combustion units on board the ship. For the purpose of this Regulation the units considered are the main engine(s), auxiliary engine(s) and fired oil boilers</td>
</tr>
<tr>
<td>( k )</td>
<td>Index corresponding to the connection points (c) where electricity is supplied per connection point.</td>
</tr>
<tr>
<td>( w )</td>
<td>Index corresponding to the wind installation (w) where energy is supplied per wind installation.</td>
</tr>
<tr>
<td>( s )</td>
<td>Index corresponding to the solar installation (s) where electricity is supplied per installation.</td>
</tr>
<tr>
<td>( c )</td>
<td>Index corresponding to the number of electrical charging points</td>
</tr>
<tr>
<td>( m )</td>
<td>Index corresponding to the number of energy consumers</td>
</tr>
<tr>
<td>( x )</td>
<td>Mass of the specific fuel ( i ) oxidised in consumer ( j ) [gFuel]</td>
</tr>
<tr>
<td>( E_k )</td>
<td>Electricity delivered to the ship per connection point ( k ) if more than one [MJ]</td>
</tr>
<tr>
<td>( E_w )</td>
<td>Energy delivered to the ship per wind installation (w) if more than one [MJ]</td>
</tr>
<tr>
<td>( E_s )</td>
<td>Electricity delivered to the ship per solar installation point (s) if more than one [MJ]</td>
</tr>
<tr>
<td>( C_{\text{CO}_2\text{eq}\text{fuel}} )</td>
<td>WtT GHG emission factor of fuel ( i ) [gCO(_2\text{eq})/MJ]</td>
</tr>
<tr>
<td>( C_{\text{CO}_2\text{eq}\text{connection}} )</td>
<td>WtT GHG emission factor associated to the electricity delivered to the ship at berth per connection point ( k ) [gCO(_2\text{eq})/MJ]</td>
</tr>
<tr>
<td>( LCV_i )</td>
<td>Lower Calorific Value of fuel ( i ) [MJ/kgFuel]</td>
</tr>
<tr>
<td>( \xi_{\text{fuel slip}} )</td>
<td>Engine fuel slippage (non-combusted fuel) coefficient as a percentage of the mass of the fuel ( i ) used by combustion unit ( j ) [%]</td>
</tr>
<tr>
<td>( \xi_{\text{combustion}} )</td>
<td>WtT GHG emission factors by combusted fuel in combustion unit ( j ) [gGHG/gFuel]</td>
</tr>
<tr>
<td>( C_{\text{CO}_2\text{eq}\text{combustion}} )</td>
<td>WtT CO(_2) equivalent emissions of combusted fuel ( i ) in combustion unit ( j ) [gCO(_2\text{eq})/gFuel]</td>
</tr>
<tr>
<td>( C_{\text{CO}_2\text{eq}\text{slipped}} )</td>
<td>WtT GHG emissions factors by slipped fuel towards combustion unit ( j ) [gCO(_2\text{eq})/gFuel]</td>
</tr>
<tr>
<td>( \text{MULT}_f )</td>
<td>CO(_2), CH(_4), N(_2)O Global Warming Potential over 20 years</td>
</tr>
<tr>
<td>( \text{MULT}_w )</td>
<td>Multiplier applied to RFNBO fuel, or direct use of renewable energy</td>
</tr>
</tbody>
</table>

In the case of fossil fuels, the default values in Annex II shall be used.

For the purpose of this regulation the term \( \sum_{k} E_k \times C_{\text{CO}_2\text{eq}\text{electricity}, k} \) in the numerator of Equation (1) shall be set to zero.
The term MULT in the denominator of Equation (1) shall be set to five for the amount of RFNBOs or direct use of renewable energy exceeding the 18% of a ship’s yearly average energy used on-board during a reporting period, as referred to in article 4.2a new.

Justification

\( \alpha \) is a variable accounting directly for the amount of energy generated on board by wind. This would de facto replace the reward factor for wind (below) which is not proportionate to the actual energy generated by wind, hence not incentivising wind propulsion enough.

\( \gamma \), is a variable accounting directly for the amount of energy generated on board by any eventual solar installation.

MULT, it is a multiplier giving a bonus to the use of sustainable RFNBOs or direct use of renewable energy when complying with the target. This is done by adding a multiplier in the denominator of the GHG equation, as also recommended by the Commission’s impact assessment. At the moment, the attractiveness and cost competitiveness of e-fuels is too low compared to other fuels and such a multiplier can help tackle this issue by making them more cost attractive. Smaller multipliers would not be sufficient to make for example e-ammonia cost competitive. The multiplier of 5 should come on top of the mandate for RFNBOs, i.e. apply to the volumes beyond the 18% mandate added in Article 4. This is because the multiplier virtually reduces the amount of fuel needed to comply with the mandate. Moreover, applying the multiplier on volumes above the 18% mandate incentivises operators to run their ships increasingly on RFNBOs and renewable energy.

Or.en

Amendment 486
Jutta Paulus

Proposal for a regulation
Annex I

Text proposed by the Commission

ANNEX I

[...]

Methods for determining the reward factors linked to substitute sources of energy

In case substitute sources of energy are installed on board, a reward factor for substitute sources of energy can be applied. In case of wind power such reward factor is determined as follow:

\[
\begin{array}{|c|c|}
\hline
\text{Reward factor for substitute sources of energy- WIND (f_{wind})} & \frac{P_{\text{Wind}}}{P_{\text{Tot}}} \\
0.99 & 0.1 \\
\hline
\end{array}
\]
The ship GHG intensity index is then calculated by multiplying the result of Equation (1) by the reward factor.

Amendment

Deleted

Justification

This part which is rewarding the wind energy used on board on the basis of an approximation, is not necessary after the inclusion in the equation 1 of the new variable \( \Pi_k \). The latter can in fact better reward wind by directly account its entire contribution to the overall energy used on board.

Amendment 487
Jutta Paulus

Proposal for a regulation
Annex II – Table 1 – Default factors

Text proposed by the Commission

ANNEX II

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<td>Pathway name</td>
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<td>( CO_{2eq \text{ wet}} ) ( [gCO2eq/MJ] )</td>
<td>Energy Converter Class</td>
<td>( \frac{C_{\text{CO}<em>2}}{g</em>{Fuel}} )</td>
<td>( \frac{C_{\text{CH}<em>4}}{g</em>{Fuel}} )</td>
<td>( \frac{C_{\text{N}<em>2O}}{g</em>{Fuel}} )</td>
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<td>( \frac{\text{CO}_{2eq}}{g} )</td>
<td>( \frac{\text{CH}_4}{g} )</td>
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**Amendment**
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<tbody>
<tr>
<td>Bio-diesel</td>
<td>0,0372</td>
<td>ALL ICEs</td>
</tr>
<tr>
<td>HVO</td>
<td>0,044</td>
<td>ALL ICEs</td>
</tr>
<tr>
<td>Bio-LNG</td>
<td>0,05</td>
<td>ALL ICEs</td>
</tr>
<tr>
<td>Bio-H2</td>
<td>0,12</td>
<td>N/A</td>
</tr>
<tr>
<td>Gas</td>
<td>N/A</td>
<td>ICE</td>
</tr>
<tr>
<td>Bio-LNG</td>
<td>0,0427</td>
<td>ALL ICEs</td>
</tr>
<tr>
<td>Renewable Fuels of non-Biological Origin (RFNBO)</td>
<td>2018/2001</td>
<td>2015/757</td>
</tr>
<tr>
<td>e-diesel</td>
<td>0,0199</td>
<td>ALL ICEs</td>
</tr>
<tr>
<td>e-methanol</td>
<td>0,0199</td>
<td>All ICEs</td>
</tr>
<tr>
<td>e-LNG</td>
<td>0,0491</td>
<td>ALL ICEs</td>
</tr>
<tr>
<td>e-H2</td>
<td>0,12</td>
<td>3,6</td>
</tr>
<tr>
<td>e-NH3</td>
<td>0,0186</td>
<td>0</td>
</tr>
</tbody>
</table>

**Justification**

The first change is a technical amendment to correct the 6th and 7th columns values for bioLNG. Bio-LNG is used in LNG engines, not in diesel engines. Thus, tank to wake emission
factors of bioLNG should use the same factors as LNG (respectively 0 and 0.00011).

The deletion “e-fuel”, is to clarify that the emission factors listed under RFNBOs applies only to renewable based e-fuels, namely RFNBOs and not e-fuels in general.

Amendment 488
Jutta Paulus
Proposal for a regulation
Annex IV
Text proposed by the Commission

ANNEX IV

CERTIFICATE TO BE ISSUED BY THE MANAGING BODY OF THE PORT OF CALL IN CASES WHERE SHIPS CANNOT MAKE USE OF OPS FOR JUSTIFIED REASONS (ARTICLE 5(5)) - MINIMUM ELEMENTS TO BE INCLUDED IN THE CERTIFICATE

For the purposes of this Regulation, the certificate referred to in Article 5(5) shall contain at least the following information:

(1) Ship identification
   (a) IMO number
   (b) Ship name
   (c) Call sign
   (d) Ship type
   (e) Flag
(2) Port of call
(3) Location/terminal name
(4) Arrival date and time (ATA)
(5) Departure date and time (ATD)

The confirmation from the managing body of the port that the ship was found among any of the following cases:

– the ship made an unscheduled port call for reasons of safety or saving life at sea (Article 5(2), point (c))
– the ship was unable to connect to on-shore power supply due to unavailable connection points in the port (Article 5(2), point (d))
– the on-shore power supply equipment on board was found to be incompatible with the shore installation at the port (Article 5(2), point (e))
that the ship used, for a limited period of time on-board energy generation, under emergency situations representing immediate risk to life, the ship, or the environment (Article 5(2), point (f)).

(6) Details of the managing body of the port
   (a) Name
   (b) contact (phone, email)

(7) Date of issue

Amendment

ANNEX IV

CERTIFICATE TO BE ISSUED BY THE MANAGING BODY OF THE PORT OF CALL IN CASES WHERE SHIPS CANNOT MAKE USE OF OPS FOR JUSTIFIED REASONS (ARTICLE 5(5)) - MINIMUM ELEMENTS TO BE INCLUDED IN THE CERTIFICATE

For the purposes of this Regulation, the certificate referred to in Article 5(5) shall contain at least the following information:

(8) Ship identification
   (a) IMO number
   (b) Ship name
   (c) Call sign
   (d) Ship type
   (e) Flag

(9) Port of call

(10) Location/terminal name

(11) Arrival date and time (ATA)

(12) Departure date and time (ATD)

The confirmation, *proven by reasonable evidence*, from the managing body of the port that the ship was found among any of the following cases:

– the ship made an unscheduled port call for reasons of safety or saving life at sea (Article 5(2), point (c))

– that the ship used, for a limited period of time on-board energy generation, under emergency situations representing immediate risk to life, the ship, or the environment (Article 5(2), point (f)).

(13) Details of the managing body of the port
   (a) Name
   (b) contact (phone, email)

(14) Date of issue
**Justification**

*Changes reflecting Amendments in Article 5.*

Or.en

**Amendment 489**

**Jutta Paulus**

**Proposal for a regulation**

**Annex V**

*Text proposed by the Commission*

**ANNEX V**

**FORMULAS FOR CALCULATING THE COMPLIANCE BALANCE AND PENALTY LAID DOWN IN ARTICLE 20(1)**

**Formula for calculating the ship’s compliance balance**

For the purpose of calculating the compliance balance of a ship the following formula shall apply:

\[
\text{Compliance balance} \left[ \frac{\text{gCO}_2}{\text{MJ}} \right] = \frac{[\text{GHGIE}_{\text{target}} - \text{GHGIE}_{\text{actual}}] \times \sum_{i=1}^{n} M_i \times \text{LCY}_i + \sum_{i}^{t} \text{E}_i}{\text{GHGIE}_{\text{actual}}} 
\]

Where:

<table>
<thead>
<tr>
<th>Symbol</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>gCO&lt;sub&gt;2&lt;/sub&gt;</td>
<td>Grams of CO&lt;sub&gt;2&lt;/sub&gt; equivalent</td>
</tr>
<tr>
<td>GHGIE&lt;sub&gt;target&lt;/sub&gt;</td>
<td>Greenhouse gas intensity limit of the energy used on-board a ship according to Article 4(2) of this Regulation</td>
</tr>
<tr>
<td>GHGIE&lt;sub&gt;actual&lt;/sub&gt;</td>
<td>Yearly average of the greenhouse gas intensity of the energy used on-board a ship calculated for the relevant reporting period</td>
</tr>
</tbody>
</table>

**Formula for calculating the penalty laid down in Article 20(1)**

The amount of the penalty laid down in Article 20(1) shall be calculated as follows:

\[
\text{Penalty} = \left( \frac{\text{Compliance balance}}{\text{GHGIE}_{\text{actual}}} \right) \times \text{conversion factor from MJ to tonnes of VLSFO (41.0 MJ / kg)} \times \text{EUR 2400}
\]
Amendment

ANNEX V

FORMULAS FOR CALCULATING THE COMPLIANCE BALANCE AND PENALTY LAID DOWN IN ARTICLE 20(1)

Formula for calculating the ship’s compliance balance

For the purpose of calculating the compliance balance of a ship the following formula shall apply:

\[
\text{Compliance balance} \frac{[\text{gCO}_2/\text{MJ}]}{\text{MJ}} = \frac{(\text{GHGIE}_{\text{target}} - \text{GHGIE}_{\text{actual}})}{\sum_{i}^{m} \text{Fuel}_i \times \text{LCV}_i + \sum_{i}^{m} F_i}
\]

Where:

<table>
<thead>
<tr>
<th>Symbol</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>gCO₂eq</td>
<td>Grams of CO₂ equivalent</td>
</tr>
<tr>
<td>GHGIE_{target}</td>
<td>Greenhouse gas intensity limit of the energy used on-board a ship according to Article 4(2) of this Regulation</td>
</tr>
<tr>
<td>GHGIE_{actual}</td>
<td>Yearly average of the greenhouse gas intensity of the energy used on-board a ship calculated for the relevant reporting period</td>
</tr>
</tbody>
</table>

Formula for calculating the penalty laid down in Article 20(1)

The amount of the penalty laid down in Article 20(1) shall be calculated as follows:

\[
\text{Penalty} = \left( \frac{- \text{Compliance balance}}{\text{GHGIE}_{\text{actual}}} \right) \times \text{conversion factor from MJ to tonnes of VLSFO (41.0 MJ/kg) \times EUR 3000}
\]

Justification:

The first change is an editorial amendment needed to add a negative sign at the beginning of the equation.

The second change is to make the penalty more dissuasive considering the 2020 prices.