AMENDMENTS
1325 - 1477

Draft report
Peter Liese
(PE703.068v01-00)

Amending Directive 2003/87/EC establishing a system for greenhouse gas emission allowance trading within the Union, Decision (EU) 2015/1814 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme and Regulation (EU) 2015/757

Proposal for a directive
Amendment 1325
Michael Bloss

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point d a (new)
Directive 2003/87/EC
Article 12 – paragraph 3 a

Present text


Amendment

(da) paragraph 3a is replaced by the following:

"3a. An obligation to surrender allowances shall not arise in respect of unavoidable industrial process emissions, where no direct emission reduction options are available, verified as captured and transported for permanent storage to a facility for which a permit is in force in accordance with Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide."

Or. en

Justification

Considering the limited availability of sites for the environmentally safe and permanent geological storage of CO2, incentives should be restricted to unavoidable industrial process emissions for which no direct emission reduction options are available.

Amendment 1326
Javi López, César Luena, Nicolás González Casares, Eider Gardiazabal Rubial, Estrella Durá Ferrandis, Nacho Sánchez Amor, Adriana Maldonado López, Inma Rodríguez-Piñero, Isabel García Muñoz, Alicia Homs Ginel, Domènec Ruiz Devesa, Cristina Maestre Martín De Almagro, Lina Gálvez Muñoz, Ibán García Del Blanco, Marcos Ros Sempere, Juan Fernando López Aguilar

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point d a (new)
Directive 2003/87/EC
Article 12 – paragraph 3 a a (new)

Text proposed by the Commission

(da) the following paragraph is
inserted:
"
3aa. An obligation to surrender allowances shall not arise, until 2030, in respect of emissions from ships operating in deep-sea routes with Carbon Leakage risks and under an efficiency benchmark. The list of routes and the efficiency benchmark shall be determined by the Commission.
"

Or. en

Justification

There is a rising concern with the carbon leakage risks in transshipment ports of the EU close to non-EU transshipment ports as well as in deep-sea routes. By introducing a discount on the obligations to surrender allowances for emissions from deep-sea routes with carbon leakage risk, companies would have to surrender allowances only for emissions above an efficiency benchmark and therefore won’t be incentivized to change routes to evade the cost of carbon. The efficiency Benchmark and the routes with carbon leakage risk will be determined by the Commission.

Amendment 1327
Javi López, César Luena, Nicolás González Casares, Eider Gardiazabal Rubial, Estrella Durá Ferrandis, Nacho Sánchez Amor, Adriana Maldonado López, Inma Rodríguez-Piñero, Isabel García Muñoz, Alicia Homs Ginel, Domèneq Ruiz Devesa, Cristina Maestre Martín De Almagro, Lina Gálvez Muñoz, Ibán García Del Blanco, Marcos Ros Sempere, Juan Fernando López Aguilar

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point d b (new)
Directive 2003/87/EC
Article 12 – paragraph 3 a b (new)

Text proposed by the Commission

Amendment

(db) the following paragraph is inserted:
"
3ab. An obligation to surrender allowances shall not arise until 2030 in respect of:
(i) emissions from voyages between a port located in an outermost region of a member state and a port located in the same member state outside that outermost region;

(ii) emissions of ships operating under a public service contract concluded in accordance to Article 4 of Council Regulation (EEC) No 3577/92;

(iii) 50% of emissions of greenhouse gases for ships subject to public service obligations in accordance to Article 4 of Council Regulation (EEC) No 3577/92.

For the purpose of this Directive, the CO2 emissions from shipping shall not be taken into account in the following circumstances:

(i) humanitarian voyages;

(ii) search and rescue voyages or parts of normal voyages by ships where search and rescue activities had to be carried out.

"Or. en

Justification

This amendment proposes to introduce similar provisions as the ones applying for the aviation sector, to put both transport sectors on an equal footing. Voyages between outermost regions and their member states should be excluded from the obligation to surrender allowances until 2030.

Amendment 1328
Michael Bloss

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point e
Directive 2003/87/EC
Article 12 – paragraph 3 b – subparagraph 1

Text proposed by the Commission

An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to

Amendment

By 31 December 2024, the Commission may assess the feasibility and risks for the environmental integrity of the Directive to
have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.

exempt emissions that are considered to have been captured and fully utilised to become permanently chemically bound in long-lived products so that they do not enter the atmosphere under normal use, combustion or during the disposal phase of the products from the obligation to surrender allowances. This assessment shall be based on internationally recognised scientific evidence, after consultation of the European Scientific Advisory Board on Climate Change established by Article 3 of Regulation (EU) 2021/1119, and ensure net negative emissions taking into account the life-cycle emissions of the relevant technologies.

Or. en

Justification

There is at the moment no internationally recognised robust scientific methodologies to ensure that CO2 captured do not enter the atmosphere after being chemically bound in products through CCU. The Commission will come up with a proposal for an EU framework for the certification of carbon removals by the end of 2022.

Amendment 1329
Cristian-Silviu Buşoi

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point e
Directive 2003/87/EC
Article 12 – paragraph 3 b – subparagraph 1

Text proposed by the Commission

An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.

Amendment

An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and stored or utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use. Where recycled carbon fuels and renewable liquid and gaseous fuels of non-biological origin are produced from captured CO2
An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.

An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and stored or utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use. Where recycled carbon fuels and renewable liquid and gaseous fuels of non-biological origin are produced from captured CO2 within an ETS installation, the emission should not be accounted for under the activity where the CO2 is not emitted into the atmosphere. In this regard, the Commission shall review Implementing Regulation (EU) 2018/2066 as to incentivise the capture of CO2 from process emissions.
Proposal for a directive
Article 1 – paragraph 1 – point 15 – point e
Directive 2003/87/EC
Article 12 – paragraph 3 b – subparagraph 1

Text proposed by the Commission
An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.

Amendment
An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use, and in respect of greenhouse gases that are captured and used to produce recycled carbon fuels and renewable liquid and gaseous fuels of non-biological origin.

Or. en

Justification
The proposal exempts from the surrendering obligation only GHG emissions that are captured and utilised to be permanently chemically bound in a product. Other CCU applications would remain subject to the surrendering obligation. The overall environmental benefits of capturing and re-using carbon should be acknowledged and thus the compliance obligation should be on the activity finally releasing emissions rather than on the industrial installation capturing them.

Amendment 1332
Salvatore De Meo, Fulvio Martusciello, Aldo Patriciello

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point e
Directive 2003/87/EC
Article 12 – paragraph 3 b – subparagraph 1

Text proposed by the Commission
An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.

Amendment
An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use, and in respect of
greenhouse gases that are captured and used to produce recycled carbon fuels and renewable liquid and gaseous fuels of non-biological origin.

**Justification**

An emission should be considered as such only if and at the point of release in the atmosphere. Reconfirming this principle would foster investments in breakthrough technologies, such as Carbon, Capture, Usage and Storage (CCUS), and lead to environmental benefits. In this regard, the obligation to surrender allowances should be on the activity releasing emissions in the atmosphere rather than on the industrial installation capturing them.

**Amendment 1333**
Alexander Bernhuber, Angelika Winzig

**Proposal for a directive**
Article 1 – paragraph 1 – point 15 – point e
Directive 2003/87/EC
Article 12 – paragraph 3 b – subparagraph 1

**Text proposed by the Commission**
An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.

**Amendment**
An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use, and in respect of greenhouse gases that are captured and used to produce recycled carbon fuels and renewable liquid and gaseous fuels of non-biological origin.

**Justification**

The proposal exempts from the surrendering obligation only GHG emissions that are captured and utilised to be permanently chemically bound in a product. Other CCU applications would remain subject to the surrendering obligation. The overall environmental benefits of capturing and re-using carbon should be acknowledged and thus the compliance obligation should be on the activity finally releasing emissions rather than on the industrial
An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.

Or. en

Amendment 1335
Jens Gieseke, Dennis Radtke, Markus Pieper
renewable liquid and gaseous fuels of non-biological origin.

Amendment 1336
Kateřina Konečná

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point e
Directive 2003/87/EC
Article 12 – paragraph 3 b – subparagraph 1

Text proposed by the Commission
An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.

Amendment
An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use, and in respect of greenhouse gases that are captured and used to produce recycled carbon fuels and renewable liquid and gaseous fuels of non-biological origin.

Justification
The proposal exempts from the surrendering obligation only GHG emissions that are captured and utilised to be permanently chemically bound in a product. Other CCU applications would remain subject to the surrendering obligation. The overall environmental benefits of capturing and re-using carbon should be acknowledged and thus the compliance obligation should be on the activity finally releasing emissions rather than on the industrial installation capturing them.

Amendment 1337
Danilo Oscar Lancini, Rosanna Conte, Marco Dreosto, Catherine Griset, Gianantonio Da Re

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point e
Directive 2003/87/EC
An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.

An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use and in respect of greenhouse gases that are captured and used to produce recycled carbon fuels and renewable liquid and gaseous fuels of non-biological origin.

Or. en
Proposal for a directive
Article 1 – paragraph 1 – point 15 – point e
Directive 2003/87/EC
Article 12 – paragraph 3 b – subparagraph 1

Text proposed by the Commission

An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured \textit{and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.}

Amendment

An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured \textit{or transferred for further use.}

Or. en

Amendment 1340
Silvia Modig

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point e
Directive 2003/87/EC
Article 12 – paragraph 3 b – subparagraph 1

Text proposed by the Commission

An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.

Amendment

An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use \textit{and/or during the disposal phase of the product.}

Or. en

Amendment 1341
Peter Liese, Ljudmila Novak, Liudas Mažylis, Maria Spyraki, Lídia Pereira, Deirdre Clune

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point e
Directive 2003/87/EU
Article 12 – paragraph 3 b – subparagraph 1

**Text proposed by the Commission**
An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.

**Amendment**
An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use and disposal.

Or. en

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**Amendment 1342**
Jytte Guteland, Mohammed Chahim, Milan Brglez, Cyrus Engerer, Petar Vitanov, Tiemo Wölken, Robert Hajšel

**Proposal for a directive**
Article 1 – paragraph 1 – point 15 – point e
Directive 2003/87/EC
Article 12 – paragraph 3 b – subparagraph 1

**Text proposed by the Commission**
An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.

**Amendment**
An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use and disposal.

Or. en

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**Amendment 1343**
Tudor Ciuhodaru, Dan Nica

**Proposal for a directive**
Article 1 – paragraph 1 – point 15 – point e
Directive 2003/87/EC
Article 12 – paragraph 3 b – subparagraph 1

**Text proposed by the Commission**
An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.

**Amendment**
An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use and disposal.

Or. en
An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.

Or. en

**Amendment 1344**
Ivan David

**Proposal for a directive**
*Article 1 – paragraph 1 – point 15 – point e*
Directive 2003/87/EC
*Article 12 – paragraph 3 b – subparagraph 1*

**Text proposed by the Commission**

An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured and utilised to become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.

**Amendment**

An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases which are considered to have been captured or transferred for further use so that they did not enter the atmosphere under normal use.

**Justification**

The proposal exempts from the surrendering obligation only GHG emissions that are captured and utilised to be permanently chemically bound in a product. Other CCU applications would remain subject to the surrendering obligation. The overall environmental benefits of capturing and re-using carbon should be acknowledged and thus the compliance obligation should be on the activity finally releasing emissions rather than on the industrial installation capturing them.
Amendment 1345
Silvia Modig

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point e
Directive 2003/87/EC
Article 12 – paragraph 3 b – subparagraph 2

_text proposed by the Commission_

The Commission shall adopt implementing acts concerning the requirements to consider that greenhouse gases have become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.

_text proposed by the Commission_

The Commission shall adopt delegated acts concerning the requirements to consider that greenhouse gases have become permanently chemically bound in a product so that they do not enter the atmosphere under normal use and/or during the disposal phase of the product. In addition, the delegated acts shall define a monitoring, reporting and verification framework for the activities defined in the first sentence of this subparagraph. Furthermore, the delegated acts shall introduce penalties for events where the removed greenhouse gases re-enter the atmosphere. The delegated acts shall be based on the precautionary principle in accordance with Article 191(2) TFEU and include safeguards for the possibility of non-permanence of the chemically bound greenhouse gases.

Or. en

Amendment 1346
Jytte Guteland, Mohammed Chahim, Milan Brglez, Cyrus Engerer, Petar Vitanov, Tiemo Wölken, Robert Hajšel

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point e
Directive 2003/87/EC
Article 12 – paragraph 3 b – subparagraph 2

_text proposed by the Commission_

The Commission shall adopt implementing acts concerning the requirements to consider that greenhouse gases have become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.

_text proposed by the Commission_

The Commission shall adopt implementing acts concerning the requirements to consider that greenhouse gases have become permanently chemically bound in a product so that they do not enter the atmosphere under normal use and/or during the disposal phase of the product. In addition, the delegated acts shall define a monitoring, reporting and verification framework for the activities defined in the first sentence of this subparagraph. Furthermore, the delegated acts shall introduce penalties for events where the removed greenhouse gases re-enter the atmosphere. The delegated acts shall be based on the precautionary principle in accordance with Article 191(2) TFEU and include safeguards for the possibility of non-permanence of the chemically bound greenhouse gases.
become permanently chemically bound in a product so that they do not enter the atmosphere under normal use. and disposal.

Amendment 1347
Rovana Plumb

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point e
Directive 2003/87/EC
Article 12 – paragraph 3 b – subparagraph 2

Text proposed by the Commission

The Commission shall adopt implementing acts concerning the requirements to consider that greenhouse gases have become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.

Amendment

The Commission shall adopt implementing acts concerning the requirements on how to account at the point of release into the atmosphere, for the greenhouse gases transferred from a capturing installation.

Justification

The ETS scheme seeks to protect the environment by means of reduction of greenhouse gas emissions. Such reduction is achieved by a CO2 capturing entity which subsequently transfers the CO2 for further use or permanent storage without releasing the CO2 into the atmosphere. Implementing acts should specify how the CO2 emissions transferred from a capturing installation need to be accounted for at the point of release.

Amendment 1348
Tudor Ciuhodaru, Dan Nica

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point e
Directive 2003/87/EC
Article 12 – paragraph 3 b – subparagraph 2

Text proposed by the Commission

The Commission shall adopt implementing acts concerning the requirements to

Amendment

The Commission shall adopt implementing acts concerning the requirements on how
consider that greenhouse gases have become permanently chemically bound in a product so that they do not enter the atmosphere under normal use.

to account at the point of release into the atmosphere, for the greenhouse gases transferred from a capturing installation.

Amendment 1349
Silvia Modig

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point e
Directive 2003/87/EC
Article 12 – paragraph 3 b – subparagraph 3

Text proposed by the Commission
Amendment

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 22a(2); deleted

Amendment 1350
Rovana Plumb

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point e
Directive 2003/87/EC
Article 12 – paragraph 3 b – subparagraph 3

Text proposed by the Commission
Amendment

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 22a(2); deleted

Justification

The ETS scheme seeks to protect the environment by means of reduction of greenhouse gas emissions. Such reduction is achieved by a CO2 capturing entity which subsequently transfers the CO2 for further use or permanent storage without releasing the CO2 into the atmosphere. Implementing acts should specify how the CO2 emissions transferred from a capturing
installation need to be accounted for at the point of release.

Amendment 1351
Esther de Lange

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point e a (new)
Directive 2003/87/EC
Article 12 – paragraph 3 b a (new)

Text proposed by the Commission

Amendment

(ea) the following paragraph is inserted:

“3ba. Innovative national policies to ensure and incentivise cooperation between sectors to assure the most optimal cross-sectoral uptake and ratio between CCU and CCS shall be stimulated if approved by the national emission authority.”

Or. en

Amendment 1352
Alexander Bernhuber, Angelika Winzig

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point e a (new)
Directive 2003/87/EC
Article 12 – paragraph 3 b a (new)

Text proposed by the Commission

Amendment

(ea) the following paragraph is inserted:

3ba. An obligation to surrender allowances shall not arise in respect of emissions of greenhouse gases caused by the production of goods listed in Annex I to Regulation [CBAM], or products processed of those goods, in case they are exported to third countries.
Amendment 1353
Marian-Jean Marinescu, Markus Ferber, Gheorghe Falcă

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point e b (new)
Directive 2003/87/EC
Article 12 – paragraph 4

Present text
4. Member States shall take the necessary steps to ensure that allowances will be cancelled at any time at the request of the person holding them. In the event of closure of electricity generation capacity in their territory due to additional national measures, Member States may cancel allowances from the total quantity of allowances to be auctioned by them referred to in Article 10(2) up to an amount corresponding to the average verified emissions of the installation concerned over a period of five years preceding the closure. The Member State concerned shall inform the Commission of such intended cancellation in accordance with the delegated acts adopted pursuant to Article 10(4).

Amendment
4. Member States shall take the necessary steps to ensure that allowances will be cancelled at any time at the request of the regulated entity holding them. In the event of closure of electricity generation capacity in their territory due to additional national measures, Member States may cancel allowances from the total quantity of allowances to be auctioned by them referred to in Article 10(2) up to an amount corresponding to the average verified emissions of the installation concerned over a period of five years preceding the closure. The Member State concerned shall inform the Commission of such intended cancellation in accordance with the delegated acts adopted pursuant to Article 10(4).

(Article 12(4))

Amendment 1354
Michael Bloss

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point e b (new)
Directive 2003/87/EC

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Article 12 – paragraph 4

Text proposed by the Commission

Amendment

(ec) paragraph 4 is replaced by the following:

"4. Member States shall take the necessary steps to ensure that allowances will be cancelled at any time at the request of the person holding them. In the event of closure of electricity generation capacity in their territory due to additional national measures, Member States shall cancel allowances from the total quantity of allowances to be auctioned by them referred to in Article 10(2) up to an amount corresponding to the average verified emissions of the installation concerned over a period of five years preceding the closure. The Member State concerned shall inform the Commission of such intended cancellation in accordance with the delegated acts adopted pursuant to Article 10(4)."

Or. en

Justification

Additional measures taken by Member States, such as national coal phase-out plans, are directly impacting the functioning of the EU ETS. The MSR may not be enough to address the impact of simultaneous coal phase-out decisions at Member States level. In order to ensure that climate action taken at national level does not hinder the EU ETS, it should be mandatory for Member States to unilaterally delete an amount of allowances equivalent to the emissions saved by those national measures.

Amendment 1355
Michael Bloss

Proposal for a directive
Article 1 – paragraph 1 – point 15 a (new)
Directive 2003/87/EC
Article 13
Amendment (15a) Article 13 is replaced by the following:

(Article 13)

Validity of allowances

Allowances issued from 1 January 2013 onwards shall be valid indefinitely.

Allowances issued from 1 January 2021 onwards shall include an indication showing in which ten-year period beginning from 1 January 2021 they were issued, and be valid for emissions from the first year of that period onwards.

Until 2030.

Allowances issued from 1 January 2021 onwards shall include an indication showing in which ten-year period beginning from 1 January 2021 they were issued, and be valid for emissions for that period.

Or. en

Justification

In order to remain within a 1.5°C compatible carbon budget, carry-over to subsequent ETS phases should be avoided.

Amendment 1356
Teuvo Hakkarainen

Proposal for a directive
Article 1 – paragraph 1 – point 16
Directive 2003/87/EC
Article 14 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

(16) in Article 14(1), first subparagraph, the following sentence is added:

‘Those implementing acts shall apply the sustainability and greenhouse gas emission saving criteria for the use of biomass established by Directive (EU) 2018/2001 of the European Parliament and of the Council(*), with any necessary adjustments for application under this Directive, for this biomass to be zero-rated. They shall specify how to account for storage of emissions from a mix of zero-rated sources and sources that are..."
not zero-rated. They shall also specify how to account for emissions from renewable fuels of non-biological origin and recycled carbon fuels, ensuring that these emissions are accounted for and that double counting is avoided.

emission saving criteria for the use of biomass established by Directive (EU) 2018/2001 of the European Parliament and of the Council(*), with any necessary adjustments for application under this Directive, for this biomass to be zero-rated. They shall specify how to account for storage of emissions from a mix of zero-rated sources and sources that are not zero-rated. They shall also specify how to account for emissions from renewable fuels of non-biological origin and recycled carbon fuels, ensuring that these emissions are accounted for and that double counting is avoided.”;

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 22a(2).

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Amendment 1358
Silvia Modig

Proposal for a directive
Article 1 – paragraph 1 – point 16
Directive 2003/87/EC
Article 14 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

(16) in Article 14(1), first subparagraph, the following sentence is deleted
Those implementing acts shall apply the sustainability and greenhouse gas emission saving criteria for the use of biomass established by Directive (EU) 2018/2001 of the European Parliament and of the Council(*), with any necessary adjustments for application under this Directive, for this biomass to be zero-rated. They shall specify how to account for storage of emissions from a mix of zero-rated sources and sources that are not zero-rated. They shall also specify how to account for emissions from renewable fuels of non-biological origin and recycled carbon fuels, ensuring that these emissions are accounted for and that double counting is avoided.”;

Or. en

Amendment 1359
Michael Bloss

Proposal for a directive
Article 1 – paragraph 1 – point 16
Directive 2003/87/EC
Article 14 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Those implementing acts shall apply the sustainability and greenhouse gas emission saving criteria for the use of biomass established by Directive (EU) 2018/2001 of the European Parliament and of the Council(*), with any necessary adjustments for application under this Directive, for this biomass to be zero-rated. They shall specify how to account for storage of emissions from a mix of zero-rated sources and sources that are not zero-rated. They shall also specify how to account for emissions from renewable fuels of non-biological origin and recycled carbon fuels, ensuring that these emissions are accounted for and that double counting is avoided.”;

Amendment

Those implementing acts shall apply the internationally recognized emission factors for solid biomass and biofuels for stationary combustion in the energy sector. They shall specify how to account for storage of emissions from a mix of energy sources. They shall also specify how to account for emissions from renewable fuels of non-biological origin and recycled carbon fuels, ensuring that these emissions are accounted for and that double counting is avoided.”;
Those implementing acts shall apply the sustainability and greenhouse gas emission saving criteria for the use of biomass established by Directive (EU) 2018/2001 of the European Parliament and of the Council(*), with any necessary adjustments for application under this Directive, for this biomass to be zero-rated. They shall specify how to account for storage of emissions from a mix of zero-rated sources and sources that are not zero-rated. They shall also specify how to account for emissions from renewable fuels of non-biological origin and recycled carbon fuels, ensuring that these emissions are accounted for and that double counting is avoided.”;

For maritime transport, the implementing acts shall specify how to account for the well-to-tank emissions of renewable and low-carbon fuels.;
Those implementing acts shall **apply the sustainability and greenhouse gas emission saving criteria for the use of biomass** established by Directive (EU) 2018/2001 of the European Parliament and of the Council(*), with any necessary adjustments for application under this Directive, for this biomass to be zero-rated. They shall specify how to account for storage of emissions from a mix of zero-rated sources and sources that are not zero-rated. They shall also specify how to account for emissions from renewable fuels of non-biological origin and recycled carbon fuels, ensuring that these emissions are accounted for and that double counting is avoided.”;

Organised the transition between the current zero-rating of biomass and biofuels emissions and the use of internationally recognized emission factors for solid biomass and biofuels for stationary combustion in the energy industries ensuring these are applied in full to all biomass and biofuels emissions by the year 2026 at the latest. They shall also specify how to account for emissions from renewable fuels of non-biological origin and recycled carbon fuels, ensuring that these emissions are accounted for and that double counting is avoided.”;

**Justification**

as per Table 2.2, “Solid biofuels”, pp. 2.16–2.17. Intergovernmental Panel on Climate Change (2006), Guidelines for National Greenhouse Gas Inventories, Vol. 2 (Energy), See https://www.ipcc-nggip.iges.or.jp/public/2006gl/pdf/2_Volume2/V2_2_Ch2_Stationary_Combustion.pdf. The purpose of the European Trading Scheme (EU ETS) is to “promote reductions of greenhouse gas emissions...”. Solid biomass and biofuels, in particular woody biomass, have the highest GHG emissions at the smokestack by unit of energy produced of all fuels, but energy providers burning biomass have so far been exempted from having to buy carbon credits for these emissions under the premise that biomass would be “carbon-neutral”. This is erroneous.

**Amendment 1362**

Agnès Evren

**Proposal for a directive**

**Article 1 – paragraph 1 – point 16**

Directive 2003/87/EC
Article 14 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Those implementing acts shall apply the sustainability and greenhouse gas emission saving criteria for the use of biomass established by Directive (EU) 2018/2001 of the European Parliament and of the Council(*), with any necessary adjustments for application under this Directive, for this biomass to be zero-rated. They shall specify how to account for storage of emissions from a mix of zero-rated sources and sources that are not zero-rated. They shall also specify how to account for emissions from renewable fuels of non-biological origin and recycled carbon fuels, ensuring that these emissions are accounted for and that double counting is avoided.”;

Amendment

Those implementing acts shall organise the transition between the current zero-rating of biomass and biofuels emissions and the use of internationally recognized emission factors for solid biomass and biofuels for stationary combustion in the energy industries ensuring these are applied in full to all biomass and biofuels emissions by the year 2026 at the latest. They shall also specify how to account for emissions from renewable fuels of non-biological origin and recycled carbon fuels, ensuring that these emissions are accounted for and that double counting is avoided.”;
sustainability and greenhouse gas emission saving criteria for the use of biomass established by Directive (EU) 2018/2001 of the European Parliament and of the Council (*), with any necessary adjustments for application under this Directive, for this biomass to be zero-rated. They shall specify how to account for storage of emissions from a mix of zero-rated sources and sources that are not zero-rated. They shall also specify how to account for emissions from renewable fuels of non-biological origin and recycled carbon fuels, ensuring that these emissions are accounted for and that double counting is avoided.”;

Amendment 1363
Silvia Modig

Proposal for a directive
Article 1 – paragraph 1 – point 16 a (new)
Directive 2003/87/EC
Article 14 – paragraph 2 – subparagraph 1

Present text

(16a) in Article 14(2), the first subparagraph is replaced by the following:

"2. The acts referred to in paragraph 1 shall take into account the most accurate and up-to-date scientific evidence available, in particular from the IPCC, and may also specify requirements for operators to report on emissions associated with the production of goods produced by energy intensive industries which may be subject to international competition. These acts may also specify requirements for this information to be verified independently. The acts shall be aligned with the Union’s climate-neutrality objective by 2050 at the latest and the aim

Amendment

2. The acts referred to in paragraph 1 shall take into account the most accurate and up-to-date scientific evidence available, in particular from the IPCC, and may also specify requirements for operators to report on emissions associated with the production of goods produced by energy intensive industries which may be subject to international competition. These acts may also specify requirements for this information to be verified independently. The acts shall be aligned with the Union’s climate-neutrality objective by 2050 at the latest and the aim
to achieve negative emissions thereafter laid out in Article 2(1) of Regulation (EU) 2021/1119 and the “do no significant harm” principle as set out in the Article 17 of the Regulation (EU) 2020/852 of the European Parliament and of the Council."

Amendment 1364
Michael Bloss

Proposal for a directive
Article 1 – paragraph 1 – point 16 a (new)
Directive 2003/87/EC
Article 14 – paragraph 3 a (new)

Text proposed by the Commission

(16b) in Article 14, the following paragraph is inserted:

"3a. By ... [6 months after the entry into force], the Commission, in cooperation with EASA and EEA, shall establish a pilot Monitoring, Reporting and Verification (MRV) scheme with the objective to establish a solid MRV methodology adapted to the specificities of non-CO2 emissions and their climate impact and to develop a robust CO2 equivalence calculation for non-CO2 effects. Aircraft operators adhering to this schemes shall be exempted from the payment of the multiplier referred to in Article 12(2aa). The pilot MRV should ensure that at least the following data at cruising altitude is monitored, reported and verified:

(a) fuel flow;
(b) mass of aircraft;
(c) ambient humidity;"
(d) latitude, longitude and altitude;
(e) humidity and temperature;
(f) emissions factors for CO2, H2O and NOx.

All data collected through the pilot MRV shall be published annually, at least on an aggregated level per aircraft operator.

Two years after the start of the MRV pilot project, the Commission shall present a report to the Parliament and the Council on the results of the MRV pilot project and specifying the amount of EU ETS allowances required to cover for the CO2 equivalent per flight calculated under its pilot MRV. The report shall be accompanied by a legislative proposal to amend the present Directive to introduce MRV requirements for non-CO2 aviation emissions as well as to expand the scope of the EU ETS to non-CO2 aviation emissions.

Justification

The updated analysis of the non-CO2 impacts of aviation published by the Commission confirmed that the climate impacts of aviation is at least twice bigger than the one of its CO2 emissions alone, notably due to airline contrails. A monitoring, reporting and verification system should therefore be introduced to take into account the non-CO2 climate impacts of aviation, and serve as a basis for a future carbon pricing of those non-CO2 impacts. In the meantime, the amount of CO2 emissions that one ETS allowance can allow should be divided by two for aircraft operators.

Amendment 1365
Silvia Modig

Proposal for a directive
Article 1 – paragraph 1 – point 18 – point a a (new)
Directive 2003/87/EC
Article 16 – paragraph 3

Present text

Amendment

(aa) paragraph 3 is replaced by the
3. Member States shall ensure that any operator or aircraft operator who does not surrender sufficient allowances by 30 April of each year to cover its emissions during the preceding year shall be held liable for the payment of an excess emissions penalty. The excess emissions penalty shall be EUR 100 for each tonne of carbon dioxide equivalent emitted for which the operator or aircraft operator has not surrendered allowances. Payment of the excess emissions penalty shall not release the operator or aircraft operator from the obligation to surrender an amount of allowances equal to those excess emissions when surrendering allowances in relation to the following calendar year.

following:

"3. Member States shall ensure that any operator or aircraft operator who does not surrender sufficient allowances by 30 April of each year to cover its emissions during the preceding year shall be held liable for the payment of an excess emissions penalty. The excess emissions penalty shall be \(300\%\) of the average of the price of EU ETS over the preceding year or at least EUR 100 for each tonne of carbon dioxide equivalent emitted for which the operator or aircraft operator has not surrendered allowances. Payment of the excess emissions penalty shall not release the operator or aircraft operator from the obligation to surrender an amount of allowances equal to those excess emissions when surrendering allowances in relation to the following calendar year."

Or. en


Justification

As the price of ETS allowance may surpass 100 EUR in the coming years, the amount of penalties should be adjusted accordingly.

Amendment 1366
Silvia Modig

Proposal for a directive
Article 1 – paragraph 1 – point 18 – point b a (new)
Directive 2003/87/EC
Article 16 – paragraph 3 a a (new)

Text proposed by the Commission

Amendment

(ba) the following paragraph is inserted:

“3aa. All payments received under paragraphs 3 and 3a of this Article shall be used to augment the budget of the
Amendment 1367
Michael Bloss

Proposal for a directive
Article 1 – paragraph 1 – point 19 a (new)
Directive 2003/87/EC
Article 19 – paragraph 2

Present text

2. Any person may hold allowances. The registry shall be accessible to the public and shall contain separate accounts to record the allowances held by each person to whom and from whom allowances are issued or transferred.

Amendment

(19a) In Article 19, paragraph 2 is replaced by the following:

"2. Any person may hold allowances. The registry shall be accessible to the public, in a user friendly manner on an online website allowing research on the amount of allowances held by each person, and shall contain separate accounts to record the allowances held by each person at any time to whom and from whom allowances are issued or transferred."

Justification

Provisions from the EU Registry Regulation should be amended to ensure that citizens and research organisations can have real-time information on who holds ETS allowances. This would also give a better picture of the importance and impact of speculation from financial markets.

Amendment 1368
Marian-Jean Marinescu, Markus Ferber, Gheorghe Falcă

Proposal for a directive
Article 1 – paragraph 1 – point 19 a (new)
Directive 2003/87/EC
Article 19 – paragraph 2

Present text

2. **Any person** may hold allowances. The registry shall be accessible to the public and shall contain separate accounts to record the allowances held by each **person** to whom and from whom allowances are issued or transferred.

Amendment

(19a) In Article 19, paragraph 2 is replaced by the following

"2. Without prejudice to paragraph 5 of this article, besides the central and national administration accounts, only regulated entities with past, current, or predictable future EU ETS compliance obligations may hold allowances. The registry shall be accessible to the public and shall contain separate accounts to record the allowances held by each **entity** to whom and from whom allowances are issued or transferred."


Amendment 1369
Marian-Jean Marinescu, Markus Ferber, Gheorghe Falcă

Proposal for a directive
Article 1 – paragraph 1 – point 19 b (new)
Directive 2003/87/EC
Article 19 – paragraph 4 a (new)

Present text

(19b) In Article 19, the following paragraph is added:

“4a. Regulated entities with total annual emissions lower than 25 000 tonnes of carbon dioxide equivalent per year may mandate a natural person or a legal entity to open to operate registry accounts belonging to the regulated entity and conduct all types of transactions to which that account is entitled, on behalf of the regulated entity. Responsibility for compliance remains with the regulated entity. When mandating the natural
person or the legal entity, the regulated entity shall ensure that there is no conflict of interest amongst the mandated person or entity and competent authorities, national administrators, verifiers or other bodies subject to the provisions of this Directive."

(Directive 2003/87/EC)

Amendment 1370
Silvia Modig

Proposal for a directive
Article 1 – paragraph 1 – point 19 b (new)
Directive 2003/87/EC
Article 23 – paragraph 2

Present text

2. The power to adopt delegated acts referred to in Articles 3d(3), 10(4), 10a(1) and (8), 10b(5), 19(3), Article 22, Articles 24(3), 24a(1), 25a(1) and Article 28c shall be conferred on the Commission for an indeterminate period of time from 8 April 2018.

Amendment

(19a) In Article 23, paragraph 2 is replaced by the following:

"2. The power to adopt delegated acts referred to in Articles 3d(3), 3g(1a), 3gda(6), 10(4), 10a(1) and (8), 10b(5), 12(3b), 14(1), 19(3), Article 22, Articles 24(3), 24a(1), 25a(1) and Article 28c shall be conferred on the Commission for an indeterminate period of time from 8 April 2018."


Amendment 1371
Silvia Modig

Proposal for a directive
Article 1 – paragraph 1 – point 19 b (new)
Directive 2003/87/EC
Article 23 – paragraph 3
3. The delegation of power referred to in Articles 3d(3), 10(4), 10a(1) and (8), 10b(5), 19(3), Article 22, Articles 24(3), 24a(1), 25a(1) and Article 28c 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.

"3. The delegation of power referred to in Articles 3d(3), 3g(1a), 3gda(6), 10(4), 10a(1) and (8), 10b(5), 12(3b), 14(1), 19(3), Article 22, Articles 24(3), 24a(1), 25a(1) and Article 28c 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

Proposal for a directive
Article 1 – paragraph 1 – point 19 c (new)
Directive 2003/87/EC
Article 23 – paragraph 4

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.
April 2016 on Better Law-Making and ensure that the delegated act is not counterproductive to the Union’s climate-neutrality objective by 2050 at the latest and the aim to achieve negative emissions thereafter laid out in Article 2(1) of Regulation (EU) 2021/1119 and the obligations for the Union and its Member States under the Paris Agreement.”

Or. en


Amendment 1373
Silvia Modig

Proposal for a directive
Article 1 – paragraph 1 – point 19 d (new)
Directive 2003/87/EC
Article 23 – paragraph 6

Present text

6. A delegated act adopted pursuant to Articles 3d(3), 10(4), 10a(1) and (8), 10b(5), 19(3), Article 22, Articles 24(3), 24a(1), 25a(1) and Article 28c 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 to 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

(19d) In Article 23, paragraph 6 is replaced by the following:

"6. A delegated act adopted pursuant to Articles 3d(3), 3g(1a), 3gda(6), 10(4), 10a(1) and (8), 10b(5), 12(3b), 14(1) 19(3), Article 22, Articles 24(3), 24a(1), 25a(1) and Article 28c 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 to 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."

Or. en
Amendment 1374
Michael Bloss

Proposal for a directive
Article 1 – paragraph 1 – point 19 b (new)
Directive 2003/87/EC
Article 24 a (new)

Text proposed by the Commission

Amendment

(19b) Article 24a is deleted;

Or. en

Justification

The Commission’s proposal fails to recognise the danger of reopening the EU ETS for
offsetting through article 24a. Offsetting is a zero sum game, and emissions must be reduced
across all sectors of the EU economy - we do not have time to waste by allowing ETS sectors
to continue emitting because of emission reduction projects outside of the EU ETS. neutrality.
In light of the urgent need to tackle the climate crisis, this oversight and shortcoming needs to
be corrected.

Amendment 1375
Silvia Modig

Proposal for a directive
Article 1 – paragraph 1 – point 19 e (new)
Directive 2003/87/EC
Article 26

Present text

Amendment

(19e) Article 26 is deleted;

Or. en

(https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02003L0087-
20210101&qid=1641400487702)

Amendment 1376
1. Following consultation with the operator, Member States may exclude from the EU ETS installations which have reported to the competent authority emissions of less than 25,000 tonnes of carbon dioxide equivalent and, where they carry out combustion activities, have a rated thermal input below 35 MW, excluding emissions from biomass, in each of the three years preceding the notification under point (a), and which are subject to measures that will achieve an equivalent contribution to emission reductions, if the Member State concerned complies with the following conditions:

(a) it notifies the Commission of each such installation, specifying the equivalent measures applying to that installation that will achieve an equivalent contribution to emission reductions that are in place, before the list of installations pursuant to Article 11(1) has to be submitted and at the latest when this list is submitted to the Commission;

(b) it confirms that monitoring arrangements are in place to assess whether any installation emits 25,000 tonnes or more of carbon dioxide equivalent, excluding emissions from biomass, in any one calendar year. Member States may allow simplified monitoring, reporting and verification measures for installations with average annual verified emissions between 2008 and 2010 which are below 5,000 tonnes a year, in accordance with Article 14;

(19a) In Article 27, paragraph 1 is replaced by the following:

“1. Following consultation with the operator, Member States may exclude from the EU ETS installations which have reported to the competent authority emissions of less than 50,000 tonnes of carbon dioxide equivalent and, where they carry out combustion activities, have a rated thermal input below 35 MW, excluding emissions from biomass, in each of the three years preceding the notification under point (a), and which are subject to measures that will achieve an equivalent contribution to emission reductions, if the Member State concerned complies with the following conditions:

(a) it notifies the Commission of each such installation, specifying the equivalent measures applying to that installation that will achieve an equivalent contribution to emission reductions that are in place, before the list of installations pursuant to Article 11(1) has to be submitted and at the latest when this list is submitted to the Commission;

(b) it confirms that monitoring arrangements are in place to assess whether any installation emits 50,000 tonnes or more of carbon dioxide equivalent, excluding emissions from biomass, in any one calendar year. Member States may allow simplified monitoring, reporting and verification measures for installations with average annual verified emissions between 2008 and 2010 which are below 5000 tonnes a year, in accordance with Article 14;
(c) it confirms that if any installation emits **25 000** tonnes or more of carbon dioxide equivalent, excluding emissions from biomass, in any one calendar year or the measures applying to that installation that will achieve an equivalent contribution to emission reductions are no longer in place, the installation will be reintroduced into the EU ETS;

(d) it publishes the information referred to in points (a), (b) and (c) for public comment.

Hospitals may also be excluded if they undertake equivalent measures.

(c) it confirms that if any installation emits **50 000** tonnes or more of carbon dioxide equivalent, excluding emissions from biomass, in any one calendar year or the measures applying to that installation that will achieve an equivalent contribution to emission reductions are no longer in place, the installation will be reintroduced into the EU ETS;

(d) it publishes the information referred to in points (a), (b) and (c) for public comment.

Hospitals may also be excluded if they undertake equivalent measures.”

Or. en


**Amendment 1377**
Anna Zalewska

Proposal for a directive
**Article 1 – paragraph 1 – point 19 a (new)**
Directive 2003/87/EC
Article 27 – paragraph 1

Present text

1. Following consultation with the operator, Member States may exclude from the EU ETS installations which have reported to the competent authority emissions of less than **25 000** tonnes of carbon dioxide equivalent and, where they carry out combustion activities, have a rated thermal input below 35 MW, excluding emissions from biomass, in each of the three years preceding the notification under point (a), and which are subject to measures that will achieve an equivalent contribution to emission reductions, if the Member State concerned complies with the

Amendment

1. Following consultation with the operator, Member States may exclude from the EU ETS installations which have reported to the competent authority emissions of less than **50 000** tonnes of carbon dioxide equivalent and, where they carry out combustion activities, have a rated thermal input below 35 MW, excluding emissions from biomass, in each of the three years preceding the notification under point (a), and which are subject to measures that will achieve an equivalent contribution to emission reductions, if the Member State concerned complies with the
following conditions:

(a) it notifies the Commission of each such installation, specifying the equivalent measures applying to that installation that will achieve an equivalent contribution to emission reductions that are in place, before the list of installations pursuant to Article 11(1) has to be submitted and at the latest when this list is submitted to the Commission;

(b) it confirms that monitoring arrangements are in place to assess whether any installation emits 25 000 tonnes or more of carbon dioxide equivalent, excluding emissions from biomass, in any one calendar year. Member States may allow simplified monitoring, reporting and verification measures for installations with average annual verified emissions between 2008 and 2010 which are below 5 000 tonnes a year, in accordance with Article 14;

(c) it confirms that if any installation emits 25 000 tonnes or more of carbon dioxide equivalent, excluding emissions from biomass, in any one calendar year or the measures applying to that installation that will achieve an equivalent contribution to emission reductions are no longer in place, the installation will be reintroduced into the EU ETS;

(d) it publishes the information referred to in points (a), (b) and (c) for public comment.

Hospitals may also be excluded if they undertake equivalent measures.

following conditions:

(a) it notifies the Commission of each such installation, specifying the equivalent measures applying to that installation that will achieve an equivalent contribution to emission reductions that are in place, before the list of installations pursuant to Article 11(1) has to be submitted and at the latest when this list is submitted to the Commission;

(b) it confirms that monitoring arrangements are in place to assess whether any installation emits 50 000 tonnes or more of carbon dioxide equivalent, excluding emissions from biomass, in any one calendar year. Member States may allow simplified monitoring, reporting and verification measures for installations with average annual verified emissions between 2008 and 2010 which are below 5000 tonnes a year, in accordance with Article 14;

(c) it confirms that if any installation emits 50 000 tonnes or more of carbon dioxide equivalent, excluding emissions from biomass, in any one calendar year or the measures applying to that installation that will achieve an equivalent contribution to emission reductions are no longer in place, the installation will be reintroduced into the EU ETS;

(d) it publishes the information referred to in points (a), (b) and (c) for public comment.

Hospitals may also be excluded if they undertake equivalent measures.”

Amendment 1378
Salvatore De Meo, Fulvio Martusciello, Aldo Patriciello

Proposal for a directive
Article 1 – paragraph 1 – point 19 a (new)
Directive 2003/87/EC
Article 27 – paragraph 1

Present text

1. Following consultation with the operator, Member States may exclude from the EU ETS installations which have reported to the competent authority emissions of less than 25 000 tonnes of carbon dioxide equivalent and, where they carry out combustion activities, have a rated thermal input below 35 MW, excluding emissions from biomass, in each of the three years preceding the notification under point (a), and which are subject to measures that will achieve an equivalent contribution to emission reductions, if the Member State concerned complies with the following conditions:

(a) it notifies the Commission of each such installation, specifying the equivalent measures applying to that installation that will achieve an equivalent contribution to emission reductions that are in place, before the list of installations pursuant to Article 11(1) has to be submitted and at the latest when this list is submitted to the Commission;

(b) it confirms that monitoring arrangements are in place to assess whether any installation emits 25 000 tonnes or more of carbon dioxide equivalent, excluding emissions from biomass, in any one calendar year. Member States may allow simplified monitoring, reporting and verification measures for installations with average annual verified emissions between 2008 and 2010 which are below 5 000 tonnes a year, in accordance with Article 14;

(c) it confirms that if any installation emits 25 000 tonnes or more of carbon

Amendment

1. Following consultation with the operator, Member States may exclude from the EU ETS installations which have reported to the competent authority emissions of less than 50 000 tonnes of carbon dioxide equivalent and, where they carry out combustion activities, have a rated thermal input below 35 MW, excluding emissions from biomass, in each of the three years preceding the notification under point (a), and which are subject to measures that will achieve an equivalent contribution to emission reductions, if the Member State concerned complies with the following conditions:

(a) it notifies the Commission of each such installation, specifying the equivalent measures applying to that installation that will achieve an equivalent contribution to emission reductions that are in place, before the list of installations pursuant to Article 11(1) has to be submitted and at the latest when this list is submitted to the Commission;

(b) it confirms that monitoring arrangements are in place to assess whether any installation emits 50 000 tonnes or more of carbon dioxide equivalent, excluding emissions from biomass, in any one calendar year. Member States may allow simplified monitoring, reporting and verification measures for installations with average annual verified emissions between 2008 and 2010 which are below 5 000 tonnes a year, in accordance with Article 14;

(c) it confirms that if any installation emits 50 000 tonnes or more of carbon
dioxide equivalent, excluding emissions from biomass, in any one calendar year or the measures applying to that installation that will achieve an equivalent contribution to emission reductions are no longer in place, the installation will be reintroduced into the EU ETS;

(d) it publishes the information referred to in points (a), (b) and (c) for public comment.

Hospitals may also be excluded if they undertake equivalent measures.

(d) it publishes the information referred to in points (a), (b) and (c) for public comment.

Hospitals may also be excluded if they undertake equivalent measures.”

Or. en


Justification

The proposal exempts from the surrendering obligation only GHG emissions that are captured and utilised to be permanently chemically bound in a product. Other CCU applications would remain subject to the surrendering obligation. The overall environmental benefits of capturing and re-using carbon should be acknowledged and related technologies should be further promoted in an increased number of installations.

Amendment 1379
Danilo Oscar Lancini, Rosanna Conte, Marco Dreosto, Catherine Griset, Gianantonio Da Re

Proposal for a directive
Article 1 – paragraph 1 – point 19 a (new)
Directive 2003/87/EC
Article 27 – paragraph 1

Present text

Amendment

(19a) In Article 27, paragraph 1 is replaced by the following:

“1. Following consultation with the operator, Member States may exclude from the EU ETS installations which have reported to the competent authority emissions of less than 25 000 tonnes of carbon dioxide equivalent and, where they carry out combustion activities, have a
rated thermal input below 35 MW, excluding emissions from biomass, in each of the three years preceding the notification under point (a), and which are subject to measures that will achieve an equivalent contribution to emission reductions, if the Member State concerned complies with the following conditions:

(a) it notifies the Commission of each such installation, specifying the equivalent measures applying to that installation that will achieve an equivalent contribution to emission reductions that are in place, before the list of installations pursuant to Article 11(1) has to be submitted and at the latest when this list is submitted to the Commission;

(b) it confirms that monitoring arrangements are in place to assess whether any installation emits 25 000 tonnes or more of carbon dioxide equivalent, excluding emissions from biomass, in any one calendar year. Member States may allow simplified monitoring, reporting and verification measures for installations with average annual verified emissions between 2008 and 2010 which are below 5 000 tonnes a year, in accordance with Article 14;

(c) it confirms that if any installation emits 25 000 tonnes or more of carbon dioxide equivalent, excluding emissions from biomass, in any one calendar year or the measures applying to that installation that will achieve an equivalent contribution to emission reductions are no longer in place, the installation will be reintroduced into the EU ETS;

(d) it publishes the information referred to in points (a), (b) and (c) for public comment.

Hospitals may also be excluded if they undertake equivalent measures.

Hospital may also be excluded if they undertake equivalent measures.
Amendment 1380  
Alexandr Vondra, Grzegorz Tobiszowski, Jadwiga Wiśniewska, Nicola Procaccini, Pietro Fiocchi

Proposal for a directive  
Article 1 – paragraph 1 – point 19 c (new)  
Directive 2003/87/EC  
Article 27 – paragraph 1

Present text

1. Following consultation with the operator, Member States may exclude from the installations which have reported to the competent authority emissions of less than 25 000 tonnes of carbon dioxide equivalent and, where they carry out combustion activities, have a rated thermal input below 35 MW, excluding emissions from biomass, in each of the three years preceding the notification under point (a), and which are subject to measures that will achieve an equivalent contribution to emission reductions, if the Member State concerned complies with the following conditions:

(a) it notifies the Commission of each such installation, specifying the equivalent measures applying to that installation that will achieve an equivalent contribution to emission reductions that are in place, before the list of installations pursuant to Article 11(1) has to be submitted and at the latest when this list is submitted to the Commission;

(b) it confirms that monitoring arrangements are in place to assess whether any installation emits 25 000 tonnes or more of carbon dioxide equivalent, excluding emissions from biomass, in any one calendar year. Member States may

Amendment

(19c) In Article 27, paragraph 1 is replaced by the following:

1. Following consultation with the operator, Member States may exclude from the installations which have reported to the competent authority emissions of less than 50 000 tonnes of carbon dioxide equivalent and, where they carry out combustion activities, have a rated thermal input below 35 MW, excluding emissions from biomass, in each of the three years preceding the notification under point (a), and which are subject to measures that will achieve an equivalent contribution to emission reductions, if the Member State concerned complies with the following conditions:

(a) it notifies the Commission of each such installation, specifying the equivalent measures applying to that installation that will achieve an equivalent contribution to emission reductions that are in place, before the list of installations pursuant to Article 11(1) has to be submitted and at the latest when this list is submitted to the Commission;

(b) it confirms that monitoring arrangements are in place to assess whether any installation emits 50 000 tonnes or more of carbon dioxide equivalent, excluding emissions from biomass, in any one calendar year. Member States may
allow simplified monitoring, reporting and verification measures for installations with average annual verified emissions between 2008 and 2010 which are below 5,000 tonnes a year, in accordance with Article 14;

(c) it confirms that if any installation emits 25,000 tonnes or more of carbon dioxide equivalent, excluding emissions from biomass, in any one calendar year or the measures applying to that installation that will achieve an equivalent contribution to emission reductions are no longer in place, the installation will be reintroduced into the;

(d) it publishes the information referred to in points (a), (b) and (c) for public comment.

Hospitals may also be excluded if they undertake equivalent measures.

allow simplified monitoring, reporting and verification measures for installations with average annual verified emissions between 2008 and 2010 which are below 5,000 tonnes a year, in accordance with Article 14;

(c) it confirms that if any installation emits 50,000 tonnes or more of carbon dioxide equivalent, excluding emissions from biomass, in any one calendar year or the measures applying to that installation that will achieve an equivalent contribution to emission reductions are no longer in place, the installation will be reintroduced into the;

(d) it publishes the information referred to in points (a), (b) and (c) for public comment.

Hospitals may also be excluded if they undertake equivalent measures."

(Directive 2003/87/EC)

Amendment 1381
Pietro Fiocchi

Proposal for a directive
Article 1 – paragraph 1 – point 19 b (new)
Directive 2003/87/EC
Article 27 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(19b) In Article 27, the following paragraph is inserted:

“1a. Member States may also exclude from the EU ETS installations which have reported to the competent authority emissions of above 25,000 tonnes but below 50,000 tonnes of carbon dioxide equivalent, complying all other conditions, on the basis of a qualitative assessment of competitiveness, in case
other installations in that same sector in a given Member State are already within the scope of the "opt out" measures."

Amendment 1382
Michael Bloss

Proposal for a directive
Article 1 – paragraph 1 – point 19 d (new)
Directive 2003/87/EC
Article 27 a – paragraph 1 – introductory part

Text proposed by the Commission

(19d) In Article 27a, the introductory part is replaced by the following:

1. Member States may exclude from the EU ETS installations that have reported to the competent authority of the Member State concerned emissions of less than 2500 tonnes of carbon dioxide equivalent, disregarding emissions from biomass, in each of the three years preceding the notification under point (a), provided that the Member State concerned:

Justification

Emissions from biomass should be fully taken into account applying internationally recognised emissions factors.

Amendment 1383
Tudor Ciuhodaru, Dan Nica

Proposal for a directive
Article 1 – paragraph 1 – point 19 a (new)
Directive 2003/87/EC
Article 29
Text proposed by the Commission

Article 29

Report to ensure the better functioning of the carbon market

If, on the basis of the regular reports on the carbon market referred to in Article 10(5), the Commission has evidence that the carbon market is not functioning properly, it shall submit a report to the European Parliament and to the Council. The report may be accompanied, if appropriate, by proposals aiming at increasing transparency of the carbon market and addressing measures to improve its functioning.

Amendment

(19a) Article 29 is replaced by the following:

“Article 29

Report to ensure the better functioning of the carbon market

If, on the basis of the regular reports on the carbon market referred to in Article 10(5), the Commission has evidence that the carbon market is not functioning properly, for instance due to the role of noncompliance operators such as financial investors, it shall submit a report to the European Parliament and to the Council. The report may be accompanied, if appropriate, by proposals aiming at increasing transparency of the carbon market and addressing measures to improve its functioning and to tackle the role and impact of financial speculation.”

Or. en

Justification

A stronger monitoring role should be attributed to the Commission with regard to the functioning of the market and the risks of speculations

Amendment 1384

Silvia Modig

Proposal for a directive

Article 1 – paragraph 1 – point 19 f (new)

Directive 2003/87/EC

Article 29

Present text

Amendment

(19f) Article 29 is replaced by the following:

“Article 29

Report to ensure the better functioning of the carbon market

If, on the basis of the regular reports on the
carbon market referred to in Article 10(5), the Commission has evidence that the carbon market is not functioning properly, it shall submit a report to the European Parliament and to the Council. The report may be accompanied, if appropriate, by proposals aiming at increasing transparency of the carbon market and addressing measures to improve its functioning.

Amendment 1385
Kateřina Konečná

Proposal for a directive
Article 1 – paragraph 1 – point 19 b (new)
Directive 2003/87/EC
Article 29a

Present text

Article 29a
Measures in the event of excessive price fluctuations

1. If, for more than six consecutive months, the allowance price is more than three times the average price of allowances during the two preceding years on the European carbon market, the Commission shall immediately convene a meeting of the Committee established by Article 9 of Regulation (EU) 2021/1119 and the Union’s and its Member States obligations under the Paris Agreement.

Amendment

(19b) Article 29a is replaced by the following:

“Article 29a
Measures in the event of excessive price fluctuations

1. Where, for more than three consecutive months, the average price of allowance in the auctions carried out in accordance with the act adopted under Article 10(4) is more than [1,4] times the average price of allowance during the six preceding consecutive months in the auctions for the allowances covered by...
Decision No 280/2004/EC.

2. If the price evolution referred to in paragraph 1 does not correspond to changing market fundamentals, one of the following measures may be adopted, taking into account the degree of price evolution:

(a) a measure which allows Member States to bring forward the auctioning of a part of the quantity to be auctioned;

(b) a measure which allows Member States to auction up to 25% of the remaining allowances in the new entrants reserve.

Those measures shall be adopted in accordance with the management procedure referred to in Article 23(4).

3. Any measure shall take utmost account of the reports submitted by the Commission to the European Parliament and to the Council pursuant to Article 29, as well as any other relevant information provided by Member States.

4. The arrangements for the application of these provisions shall be laid down in the acts referred to in Article 10(4).

2. Where, for more than three consecutive months, the average price of allowance in the auctions carried out in accordance with the act adopted under Article 10(4) is more than 2.1 times the average price of allowance during the six preceding consecutive months in the auctions for the allowances covered by this Chapter, the Commission shall, as a matter of urgency, adopt a decision to release 150 million allowances covered by this Chapter from the Market Stability Reserve in accordance with Article 1(7) of Decision (EU) 2015/1814 equally distributed within auctions during a period of three months.

3. When measures pursuant to paragraph 1 or 2 of this Article are adopted, similar measures pursuant to paragraph 1 or 2 shall not be adopted earlier than three months thereafter.

4. When measures pursuant to paragraph 1 or 2 of this Article are adopted, the amount of allowances subsequently released from the Market Stability Reserve shall not be included in the calculations of total number of
allowances in circulation in accordance with Article 1(4) of Decision (EU) 2015/1814 in that respective calendar year or if not possible for the following calculation.”

Or. en


Justification

The current spike of energy prices is to certain extent caused by very significant increase of the price of EU ETS allowances which is much higher than anticipated by the EC. The Article 29a needs to be updated in a way that it gives more flexibility to react to such unexpected developments with potentially serious social consequences. The current conditions and proposed measures are too restrictive and cannot help to cope with the current situation.

Amendment 1386

Ondřej Knotek

Proposal for a directive

Article 1 – paragraph 1 – point 19 a (new)

Directive 2003/87/EC

Article 29 a

Present text

Article 29a

Measures in the event of excessive price fluctuations

1. If, for more than six consecutive months, the allowance price is more than three times the average price of allowances during the two preceding years on the European carbon market, the Commission shall immediately convene a meeting of the Committee established by Article 9 of Decision No 280/2004/EC.

Amendment

(19a) Article 29a is replaced by the following:

“Article 29a

Measures in the event of excessive price fluctuations

“1. Where, for more than three consecutive months, the average price of allowance in the auctions carried out in accordance with the act adopted under Article 10(4) is more than 1.4 times the average price of allowance during the six preceding consecutive months in the auctions for the allowances covered by this Chapter, the Commission shall, as a matter of urgency, adopt a decision to release 50 million allowances covered by this Chapter from the Market Stability Reserve.”
2. If the price evolution referred to in paragraph 1 does not correspond to changing market fundamentals, one of the following measures may be adopted, taking into account the degree of price evolution:

   (a) a measure which allows Member States to bring forward the auctioning of a part of the quantity to be auctioned;

   (b) a measure which allows Member States to auction up to 25% of the remaining allowances in the new entrants reserve.

Those measures shall be adopted in accordance with the management procedure referred to in Article 23(4).

3. Any measure shall take utmost account of the reports submitted by the Commission to the European Parliament and to the Council pursuant to Article 29, as well as any other relevant information provided by Member States.

4. The arrangements for the application of these provisions shall be laid down in the acts referred to in Article 10(4).

   Reserve in accordance with article 1(7) of Decision (EU) 2015/1814 equally distributed within auctions during a period of three months.

2. Where, for more than three consecutive months, the average price of allowance in the auctions carried out in accordance with the act adopted under Article 10(4) is more than 2.1 times the average price of allowance during the six preceding consecutive months in the auctions for the allowances covered by this Chapter, the Commission shall, as a matter of urgency, adopt a decision to release 150 million allowances covered by this Chapter from the Market Stability Reserve in accordance with article 1(7) of Decision (EU) 2015/1814 equally distributed within auctions during a period of three months.

   (a) a measure which allows Member States to bring forward the auctioning of a part of the quantity to be auctioned;

   (b) a measure which allows Member States to auction up to 25% of the remaining allowances in the new entrants reserve.

Those measures shall be adopted in accordance with the management procedure referred to in Article 23(4).

3. When measures pursuant to paragraph 1 or 2 of this article are adopted, similar measures pursuant to paragraphs 1 or 2 shall not be adopted earlier than three months thereafter.

4. When measures pursuant to paragraph 1 or 2 of this Article are adopted, the amount of allowances subsequently released from the Market Stability Reserve shall not be included in the calculations of total number of allowances in circulation in accordance with Article 1(4) of Decision (EU) 2015/1814 in that respective calendar year or if not possible for the following
Amendment 1387
Alexandr Vondra, Grzegorz Tobiszowski, Jadwiga Wiśniewska

Proposal for a directive
Article 1 – paragraph 1 – point 19 b (new)
Directive 2003/87/EC
Article 29 a

Present text

Article 29a

Measures in the event of excessive price fluctuations

1. If, for more than six consecutive months, the allowance price is more than three times the average price of allowances during the two preceding years on the European carbon market, the Commission shall immediately convene a meeting of the Committee established by Article 9 of Decision No 280/2004/EC.

2. If the price evolution referred to in paragraph 1 does not correspond to changing market fundamentals, one of the following measures may be adopted, taking into account the degree of price evolution:

Amendment

(19b) Article 29a is replaced by the following:

“Article 29a

Measures in the event of excessive price fluctuations

1. Where, for more than three consecutive months, the average price of allowance in the auctions carried out in accordance with the act adopted under Article 10(4) is more than 1,4 times the average price of allowance during the six preceding consecutive months in the auctions for the allowances covered by this Chapter, the Commission shall, as a matter of urgency, adopt a decision to release 50 million allowances covered by this Chapter from the Market Stability Reserve in accordance with Article 1(7) of Decision (EU) 2015/1814.

2. Where, for more than three consecutive months, the average price of allowance in the auctions carried out in accordance with the act adopted under Article 10(4) is more than 2,1 times the average price of allowance during the six preceding consecutive months in the auctions for the allowances covered by this Chapter, the Commission shall, as a matter of urgency, adopt a decision to release 150 million allowances covered by this Chapter from the Market Stability Reserve.”
(a) a measure which allows Member States to bring forward the auctioning of a part of the quantity to be auctioned;

(b) a measure which allows Member States to auction up to 25% of the remaining allowances in the new entrants reserve. Those measures shall be adopted in accordance with the management procedure referred to in Article 23(4).

3. Any measure shall take utmost account of the reports submitted by the Commission to the European Parliament and to the Council pursuant to Article 29, as well as any other relevant information provided by Member States.

4. The arrangements for the application of these provisions shall be laid down in the acts referred to in Article 10(4).

Or. en

(Directive 2003/87/EC)

Amendment 1388
Peter Liese, Ljudmila Novak, Liudas Mažylis, Alexander Bernhuber, Radan Kanev, Maria Spyračiūtė, Lidia Pereira, Adam Jarubas

Proposal for a directive
Article 1 – paragraph 1 – point 19 b (new)
Directive 2007/87/EU
Article 29 a

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<td>Article 29a</td>
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<td>1. If, for more than six consecutive months, the allowance price is more</td>
<td>1. If, for more than six consecutive months, the average allowance price is</td>
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three times the average price of allowances during the two preceding years on the European carbon market, the Commission shall immediately convene a meeting of the Committee established by Article 9 of Decision No 280/2004/EC.

more than two times the average price of allowances during the two preceding years on the European carbon market, the Commission shall release 100 million allowances covered by this Chapter from the Market Stability Reserve in accordance with Article 1(7) of Decision (EU) 2015/1814 over a period of six months.

1a. If, after the period of six months referred to in paragraph 1, the condition in paragraph 1 is still met, the Commission shall immediately convene a meeting of the Committee established by Article 9 of Decision No 280/2004/EC to assess if the price evolution referred to in paragraph 1 corresponds to changing market fundamentals.

2. If the price evolution referred to in paragraph 1 does not correspond to changing market fundamentals, one of the following measures may be adopted, taking into account the degree of price evolution:

(a) a measure which allows Member States to bring forward the auctioning of a part of the quantity to be auctioned;
(b) a measure which allows Member States to auction up to 25% of the remaining allowances in the new entrants reserve.

Those measures shall be adopted in accordance with the management procedure referred to in Article 23(4).

3. Any measure shall take utmost account of the reports submitted by the Commission to the European Parliament and to the Council pursuant to Article 29, as well as any other relevant information provided by Member States.

4. The arrangements for the application of these provisions shall be laid down in the acts referred to in Article 10(4).
High carbon prices have led to concerns regarding excessive price increases and market volatility. Any intervention, however, should avoid price shocks or sudden volatility and ensure the proper functioning of the EUA markets. Therefore, the Rapporteur suggests a moderately faster triggering of Art. 29a with a two-step approach. First, 100 million allowances should be released from the MSR. If the excessive price increase is not solved, the currently applicable procedure shall be followed and additional measures should be taken on top of the release of 100 million allowances.

Amendment 1389
Adam Jarubas, Jerzy Buzek
Proposal for a directive
Article 1 – paragraph 1 – point 19 b (new)
Directive 2003/87/EC
Article 29 a

Present text

(19b) Article 29a is replaced by the following:

"Article 29a
Measures in the event of excessive price fluctuations
1. If, for more than six consecutive months, the average allowance price is more than three times the average price of allowances during the two preceding years on the European carbon market, the Commission shall immediately convene a meeting of the Committee established by Article 9 of Decision No 280/2004/EC.

Amendment

1. If, for more than six consecutive months, the average allowance price is more than 50% higher than the average price of allowances during the two preceding years on the European carbon market measured at the beginning of the six months period, the Commission shall release 100 million allowances covered by this Chapter from the Market Stability Reserve in accordance with Article 1(7) of Decision (EU) 2015/1814 over a period of six months.

1a. If, after the period of six months referred to in paragraph 1, the condition in paragraph 1 is still met, the Commission shall immediately convene a meeting of the Committee established by
2. If the price evolution referred to in paragraph 1 does not correspond to changing market fundamentals, one of the following measures may be adopted, taking into account the degree of price evolution:

(a) a measure which allows Member States to bring forward the auctioning of a part of the quantity to be auctioned;

(b) a measure which allows Member States to auction up to 25% of the remaining allowances in the new entrants reserve. Those measures shall be adopted in accordance with the management procedure referred to in Article 23(4).

3. Any measure shall take utmost account of the reports submitted by the Commission to the European Parliament and to the Council pursuant to Article 29, as well as any other relevant information provided by Member States.

4. The arrangements for the application of these provisions shall be laid down in the acts referred to in Article 10(4).

Article 9 of Decision No 280/2004/EC to assess if the price evolution referred to in paragraph 1 corresponds to changing market fundamentals.

2. If the price evolution referred to in paragraph 1 does not correspond to changing market fundamentals, as a matter of urgency, one of the following measures shall be taken, taking into account the degree of price evolution:

(a) a measure which allows Member States to bring forward the auctioning of a part of the quantity to be auctioned;

(b) a measure which allows Member States to auction up to 25% of the remaining allowances in the new entrants reserve. Those measures shall be adopted in accordance with the management procedure referred to in Article 23(4).

3. Any measure shall take utmost account of the reports submitted by the Commission to the European Parliament and to the Council pursuant to Article 29, as well as any other relevant information provided by Member States.

4. The arrangements for the application of these provisions shall be laid down in the acts referred to in Article 10(4)."
### Proposal for a directive

**Article 1 – paragraph 1 – point 19 b (new)**

**Directive 2003/87/EC**

**Article 29 a**

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<td>Measures in the event of excessive price fluctuations</td>
<td>&quot;Article 29a Measures in the event of excessive price fluctuations</td>
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<tr>
<td>1. If, for more than six consecutive months, the allowance price is more than three times the average price of allowances during the two preceding years on the European carbon market, <strong>the Commission shall immediately convene a meeting of the Committee established by Article 9 of Decision No 280/2004/EC.</strong></td>
<td>If, for more than two consecutive months, the allowance average price is more than 1,5 times the average price of allowances during the two preceding years on the European carbon market <strong>or if the allowance price increases more than 15 % in a period of less than 12 months, 100 million allowances shall be released from the reserve and added to the volume of allowances to be auctioned by the Member States, pursuant to Article 1(7) of Decision (EU) 2015/1814.</strong></td>
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2. **If the price evolution referred to in paragraph 1 does not correspond to changing market fundamentals, one of the following measures may be adopted, taking into account the degree of price evolution:**

   (a) **a measure which allows Member States to bring forward the auctioning of a part of the quantity to be auctioned;**

   (b) **a measure which allows Member States to auction up to 25 % of the remaining allowances in the new entrants reserve.**

   Those measures shall be adopted in accordance with the management procedure referred to in Article 23(4).

3. **Any measure shall take utmost account of the reports submitted by the Commission to the European Parliament**
and to the Council pursuant to Article 29, as well as any other relevant information provided by Member States.

4. The arrangements for the application of these provisions shall be laid down in the acts referred to in Article 10(4).

Justification

Even if prices of CO₂ have more than doubled in the ETS market in the last year, the mechanism set in Article 29a has not been operative enough to provide for solutions to the sectors that have to comply with their obligations under the ETS Directive. This mechanism needs to be modified to prevent such price rises.

Amendment 1391
Edina Tóth

Proposal for a directive
Article 1 – paragraph 1 – point 19 a (new)
Directive 2003/87/EC
Article 29 a

Present text

Article 29a

Measures in the event of excessive price fluctuations

1. If, for more than six consecutive months, the allowance price is more than three times the average price of allowances during the two preceding years on the European carbon market, the Commission shall immediately convene a meeting of the Committee established by Article 9 of Decision No 280/2004/EC.

Amendment

(19a) Article 29a is replaced by the following:

"Article 29a

Measures in the event of excessive price fluctuations

If in a calendar month the average allowance price on the European carbon market is more than two times the average price of allowances during the five months period centered by the month two years prior to that month, 150 million allowances shall be automatically released from the market stability reserve established by Decision (EU) 2015/1814 and shall be auctioned according to Article 10 of this Directive during the second, third and fourth months following
the month in which that criteria was met. The respective auctioning amounts for each of the three months shall be evenly distributed. If the amount of the allowances contained in the reserve is less than 150 million, all allowances in the reserve shall be released.

2. If the price evolution referred to in paragraph 1 does not correspond to changing market fundamentals, one of the following measures may be adopted, taking into account the degree of price evolution: (a) a measure which allows Member States to bring forward the auctioning of a part of the quantity to be auctioned; (b) a measure which allows Member States to auction up to 25% of the remaining allowances in the new entrants reserve. Those measures shall be adopted in accordance with the management procedure referred to in Article 23(4).

3. Any measure shall take utmost account of the reports submitted by the Commission to the European Parliament and to the Council pursuant to Article 29, as well as any other relevant information provided by Member States.

4. The arrangements for the application of these provisions shall be laid down in the acts referred to in Article 10(4).

Amendment 1392
Javi López, César Luena, Nicolás González Casares, Eider Gardiazaabal Rubial, Estrella Durá Ferrandís, Nacho Sánchez Amor, Adriana Maldonado López, Inma Rodríguez-Piñero, Isabel García Muñoz, Domènec Ruiz Devesa, Cristina Maestre Martín De Almagro, Lina Gálvez Muñoz, Ibán García Del Blanco, Marcos Ros Sempere, Juan Fernando López Aguilar
Proposal for a directive  
Article 1 – paragraph 1 – point 19 a (new)  
Directive 2003/87/EC  
Article 29 a – paragraph 1

Present text

1. If, for more than six consecutive months, the allowance price is more than three times the average price of allowances during the two preceding years on the European carbon market, the Commission shall immediately *convene a meeting of the Committee established by Article 9 of Decision No 280/2004/EC.*

Amendment

(19a) in Article 29a, paragraph 1 is replaced by the following:

"1. If, for more than one and half months, the average allowance price is more than one and a half times the average price of allowances during the two preceding years on the European carbon market, the Commission shall immediately adopt a decision to release 100 million allowances covered by this Chapter from the Market Stability Reserve in accordance with Article 1(7) of Decision (EU) 2015/1814."

Justification

Extreme fluctuations in carbon prices need to be controlled, and predictability in the evolution of prices is key to ensure that industries are able to operate and, at the same time, invest in emissions reduction. Article 29(a) has proved to be inoperative in this sense, therefore, it has to be amended.

Amendment 1393  
Anna Zalewska

Proposal for a directive  
Article 1 – paragraph 1 – point 19 d (new)  
Directive 2003/87/CE  
Article 29 a

Text proposed by the Commission

Article 29a  
Measures in the event of excessive price

Amendment

(19d) Article 29a is replaced by the following:

"Article 29a  
Measures in the event of excessive price
fluctuations

1. If, for more than six consecutive months, the allowance price is more than three times the average price of allowances during the two preceding years on the European carbon market, the Commission shall immediately convene a meeting of the Committee established by Article 9 of Decision No 280/2004/EC.

(a) for two consecutive months or more, the monthly average allowance price reaches twice or more the average price of allowances during the preceding two and a half year period on the European carbon market, or

(b) over the course of a year, the monthly average allowance price has risen twice or more than the average price of allowances during the preceding two-year period on the European carbon market, or

(c) there is a sudden spike in the allowance price that reaches 50% higher than its average price of allowances in the preceding three months.

2. If the price evolution referred to in paragraph 1 does not correspond to changing market fundamentals, one of the following measures may be adopted, taking into account the degree of price evolution:

(a) a measure which allows Member States to bring forward the auctioning of a part of the quantity to be auctioned;

(b) a measure which allows Member States to auction up to 25% of the remaining allowances in the new entrants reserve.

For the purposes of paragraph 1:

(a) the “monthly average carbon price” for any month is calculated by dividing the sum of the settlement prices of the relevant December futures contract as traded on the relevant carbon market exchange for each relevant day in the month by the number of relevant days in the month;

(b) the “average price of allowances during the two preceding years period” is calculated by dividing the sum of the settlement prices of the relevant December futures contract as traded on the relevant carbon market exchange for each relevant day in the two year period ending with the
Those measures shall be adopted in accordance with the management procedure referred to in Article 23(4).

3. Any measure shall take utmost account of the reports submitted by the Commission to the European Parliament and to the Council pursuant to Article 29, as well as any other relevant information provided by Member States.

3. If the price evolution referred to in paragraph 1 is triggered, one of the following measures shall be implemented, taking into account the degree of price evolution:

(a) a measure which allows Member States to bring forward the auctioning of a part of the quantity to be auctioned in a subsequent calendar year.

(b) a measure which allows Member States to release for auction up to 25% of the remaining allowances in the new entrants reserve.

(c) the release of an appropriate quantity of allowances from the Market Stability Reserve.

4. The arrangements for the application of these provisions shall be laid down in the acts referred to in Article 10(4).

4. The Committee may also consider additional interventions if the circumstances justify further or earlier action.

Or. en

Justification

When there is a disproportionate price surge and instability as was in 2021, there must be immediate intervention. Hence, art. 29a of EU ETS must be changed. The new proposed Article 29a is transparently split into the “reference period”, which begins at the “monitoring period”. Wording clarification that removes conflicting interpretations, activation guarantee, removing loopholes (e.g. changing market fundamentals), more flexibility and enables using appropriate allowance quantities in MSR.

Amendment 1394
Cristian-Silviu Bușoi

Proposal for a directive
(19c) The following Article is inserted:

“Article 29aa

1. The access to the EU ETS market should be limited to entities that are installations, aviation and maritime operators with compliance obligations under the EU ETS.

2. Only financial intermediaries purchasing allowances for the account of the installation and not their own can be an exception.

3. Article 6(5) of Commission Regulation (EU) No 1031/2010 should be adjusted in accordance with paragraphs 1 and 2.

Amendment 1395
Adam Jarubas, Jerzy Buzek

Proposal for a directive
Article 1 – paragraph 1 – point 19 b (new)
Directive 2003/87/EC
Article 29 a a (new)

(19b) The following Article is inserted:

“Article 29aa

1. The access to the EU ETS market should be limited to entities that are installations, aviation and maritime operators with compliance obligations under the EU ETS.

2. Only financial intermediaries purchasing allowances for the account of the installation and not their own can be
an exception.

3. Article 6(5) of Commission Regulation (EU) No 1031/2010 should be adjusted in accordance with paragraphs 1 and 2.”

Justification

Reducing access to the EU ETS market for entities that do not have EU ETS installations, and by extension do not have compliance obligations to cover their emissions, could lead to a decrease or even an end to price speculation in the EU ETS.

Amendment 1396
Alexandr Vondra, Grzegorz Tobiszowski, Jadwiga Wiśniewska

Proposal for a directive
Article 1 – paragraph 1 – point 19 c (new)
Directive 2003/87/EC
Article 29 a a (new)

Text proposed by the Commission

(19c) The following Article is inserted:

“Article 29aa

1. The access to the EU ETS market shall be limited to entities that are installations, aviation and maritime operators with compliance obligations under the EU ETS.

2. Financial intermediaries may only purchase allowances on account of the entities mentioned in paragraph 1 and not their own.

3. The quantity of EU ETS allowances purchased during auctions by financial intermediaries shall not exceed what is needed to fulfil their contractual obligations towards entities mentioned in paragraph 1.

4. Article 6(5) of Commission Regulation (EU) No 1031/2010 shall be
adjusted in accordance with paragraphs 1 and 2.

5. By 2025, the Commission shall issue a legislative proposal to enhance the supervision of the European carbon market, as well as related derivative markets. In particular, the Commission shall consider the need to establish a supervisory body with competences related to market intervention and sanctioning powers.”

Justification

Restricting access to the EU ETS market for entities with compliance obligations to cover their emissions, would help to curb price speculation in the EU ETS. The only exception could be financial entities purchasing allowances on behalf of the installations or aviation / maritime operators (but not on their own account).

Amendment 1397
Anna Zalewska

Proposal for a directive
Article 1 – paragraph 1 – point 19 c (new)
Directive 2003/87/EC
Article 29 a a (new)

Text proposed by the Commission
Amendment

(19c) The following Article is inserted:

“Article 29aa
1. The access to the EU ETS market should be limited to entities that are installations, aviation and maritime operators with compliance obligations under the EU ETS.

2. Financial intermediaries purchasing allowances on account of the entities mentioned in par. 1 and not their own can be an exception.

3. The quantity of EU ETS allowances purchased during auctions by financial intermediaries cannot exceed
what is reasonably needed to fulfil their contractual obligations towards entities referred to in paragraph 1.

4. Article 6(5) of Commission Regulation (EU) No 1031/2010 should be adjusted in accordance with paragraphs 1 and 2.”

**Amendment 1398**
Michael Bloss

**Proposal for a directive**
Article 1 – paragraph 1 – point 19 e (new)
Directive 2003/87/EC
Article 30 – paragraph 1

*Text proposed by the Commission*

(19e) In Article 30, paragraph 1 is replaced by the following:

1. This Directive shall be kept under review in the light of international developments and efforts undertaken to achieve the long-term objectives of the Paris Agreement.

*Amendment*

"1. This Directive shall be kept under review in the light of international developments and efforts undertaken to limit the temperature increase to 1,5°C above pre-industrial levels."

**Justification**

The EU ETS should be made compatible with the objective to keep 1.5°C within reach as agreed at COP26 in Glasgow.

**Amendment 1399**
Esther de Lange, Sunčana Glavak

**Proposal for a directive**
Article 1 – paragraph 1 – point 20
Directive 2003/87/EC
Article 30 – paragraph 2

*Text proposed by the Commission*

*Amendment*
The measures applicable to CBAM sectors shall be kept under review in light of the application of Regulation xxx [reference to CBAM].; The measures applicable to CBAM sectors shall be kept under review in light of the application of Regulation xxx [reference to CBAM]. Before the end of the transitional period of CBAM, the Commission shall assess the potential of CBAM for other sectors under the scope of EU ETS and shall propose, if necessary, additional measures to adjust the CBAM scope.;

Or. en

Amendment 1400
Silvia Modig

Proposal for a directive
Article 1 – paragraph 1 – point 20 a (new)
Directive 2003/87/EC
Article 30 – paragraph 3

Present text

Amendment

(20a) In Article 30, paragraph 3 is replaced by the following:

"3. The Commission, supported by the European Scientific Advisory Board on Climate Change established in Article 3 of Regulation (EU) 2021/1119, shall report to the European Parliament and to the Council in the context of each global stocktake agreed under the Paris Agreement, in particular with regard to the need for additional Union policies and measures in view of necessary greenhouse gas reductions by the Union and its Member States, including in relation to the linear factor referred to in Article 9. The Commission may make proposals to the European Parliament and to the Council to amend this Directive where appropriate. Any proposal shall represent progression beyond current legislation and reflect the..."
The Commission shall report to the European Parliament and to the Council in the context of each global stocktake agreed under the Paris Agreement, in particular with regard to the need for additional Union policies and measures in view of necessary greenhouse gas reductions by the Union and its Member States, including in relation to the linear factor referred to in Article 9. The Commission may make proposals to the European Parliament and to the Council to amend this Directive where appropriate. The proposals shall ensure compliance with Union climate targets as laid down in Regulation (EU) 2021/1119, and shall represent progression over time and reflect the highest possible ambition, in line with the Paris Agreement.

Proposal for a directive
Article 1 – paragraph 1 – point 20 a (new)
Directive 2003/87/EC
Article 30 – paragraphs 3 a and 3 b (new)

Text proposed by the Commission

Amendment

(20a) In Article 30, the following paragraphs are inserted:

“3a. The Social Climate Fund is to be financed by the general EU budget, whose revenue side will benefit from the introduction of a diverse basket of new own resources, including the EU ETS-based on resource pursuant to the roadmap of the IIA.

3b. In order to ensure that the available appropriations for the Social Climate Fund in the EU budget shall evolve in alignment with the carbon price and thus support vulnerable households and transport users, a Carbon Price Fluctuation Adjustment Mechanism will enable annual reinforcements; the detailed provisions are to be provided for in the Multiannual Financial Framework Regulation which in accordance with Article 312 TFEU which will ensure that the relevant expenditure ceilings are adjusted automatically each year in function of and in alignment with the rate of change of the carbon price under the EU ETS for Buildings and Road Transport;”

Or. en

Amendment 1403
Emma Wiesner, Nils Torvalds, Jan Huitema

Proposal for a directive
Article 1 – paragraph 1 – point 20 a (new)
Directive 2003/87/EC
Article 30 – paragraph 4 a (new)
(20a) In Article 30, the following paragraph is added:

“4a. Before 31 December 2028, the Commission shall submit a report to the European Parliament and the Council analysing how negative emissions could be included in emissions trading in the Union, including a clear scope and strict criteria and safeguards to ensure that such removals are not merely offsetting necessary emissions reductions but are genuine and permanent. The report shall, where appropriate, be accompanied by a legislative proposal.”

Amendment 1404
Emma Wiesner, Claudia Gamon, Jan Huitema, Linea Søgaard-Lidell

Proposal for a directive
Article 1 – paragraph 1 – point 20 b (new)
Directive 2003/87/EC
Article 30 – paragraph 4 b (new)

(20b) In Article 30, the following paragraph is added:

“4b. When reviewing this Directive in accordance with paragraphs 1 to 3, the Commission shall analyse how linkages with other carbon markets can be established, while ensuring the achievement of the Union’s economy-wide climate target.”

Amendment 1405
Agnès Evren
Proposal for a directive
Article 1 – paragraph 1 – point 20 a (new)
Directive 2003/87/EC
Article 30 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

(20a) In Article 30, the following paragraph 4a is inserted:

No later than 31 December 2025, the Commission shall present a report to the European Parliament and the Council in which it examines the potential effects of including in the EU ETS measures whereby municipal waste is sent to landfill and then incinerated for energy recovery.

The report should pay special attention to the waste hierarchy, the capacity to reach the targets set by EU waste policies, the total cost of national systems for municipal waste management, the life-cycle GES emissions from landfilling and energy recovery from incinerated waste, and any measures that might overlap, such as double taxation at European and national level.

If necessary, it should be accompanied by a legislative proposal to include landfilling and energy recovery from waste generated by incineration of municipal waste within the scope of Directive 2003/87/EC.

Or. fr

Amendment 1406
Teuvo Hakkarainen

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Chapter IV a
Text proposed by the Commission

(21) The following Chapter IVa is deleted
inserted after Article 30:

[...]

Or. fi

Amendment 1407
Michael Bloss

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Chapter IV a

Text proposed by the Commission

(21) The following Chapter IVa is deleted
inserted after Article 30:

[...]

Or. en

Justification

The creation of a separate ETS for buildings and road transport is unlikely to deliver the necessary emissions reduction in those sectors by 2030, while potentially aggravating energy and transport poverty across the Union. In order to ensure a just transition to a climate-neutral economy, the Union should rather accelerate the phase-out of new cars equipped with combustion engines and step up the ambition of the Renovation Wave, while providing targeted support to those in situation of energy and transport poverty through the Social Climate Fund.

Amendment 1408
Tudor Ciuhodaru, Dan Nica

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Chapter IV a

Text proposed by the Commission

(21) The following Chapter IVa is deleted
inserted after Article 30:

[...]

Or. fi
The following Chapter IVa is deleted
inserted after Article 30:

[...]

Justification

Extension of ETS to buildings and road transport risks to increase the energy poverty and to reduce living standards, especially for vulnerable citizens.

Amendment 1409
Danilo Oscar Lancini, Rosanna Conte, Marco Dreosto, Marco Campomenosi, Gianantonio Da Re

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Chapter IV a

Text proposed by the Commission

Amendment

(21) The following Chapter IVa is deleted
inserted after Article 30:

[...]

Or. en

Amendment 1410
Edina Tóth

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Chapter IV a

Text proposed by the Commission

Amendment

(21) The following Chapter IVa is deleted
inserted after Article 30:

[...]

(This amendment applies throughout the Chapter IVa. Adopting it will necessitate...
The proposal to establish an Emission Trading System for buildings and transport is unacceptable. Due to the wide variety of income levels among Member States, it is impossible to find a just and proportionate price of emissions. Although the measure would put a disproportionate burden on citizens its impact on climate protection would be limited. The emission reduction efforts of buildings and transport must remain under the scope of the Effort Sharing Regulation and remain in the remit of Member States.

Amendment 1411
Dolors Montserrat

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Chapter IV a

Text proposed by the Commission

(21) The following Chapter IVa is deleted
inserted after Article 30:

[...]

Amendment

Or. en

Amendment 1412
Silvia Modig

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Chapter IV a

Text proposed by the Commission

(21) The following Chapter IVa is deleted
inserted after Article 30:

[...]

Amendment

Or. en
Amendment 1413
Anna Zalewska

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Chapter IV a

Text proposed by the Commission Amendment

(21) The following Chapter IVa is deleted
inserted after Article 30:

[...]

Or. en

Justification

Apart from serious reservations about the effectiveness of proposed solution, we are very much concerned about possible social costs. It is obvious that the costs to be borne by fuel distributors will be passed on entirely or at least largely to final recipients, which in this case will be individual consumers, and will also be included, through the transport component, in the higher price of products that will be paid by final consumers. For many years, we have consistently emphasized that the climate transformation must be fair and must not deteriorate economic conditions in specific regions or social groups.

Amendment 1414
Alexandr Vondra, Grzegorz Tobiszowski, Jadwiga Wiśniewska, Hermann Tertsch

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Chapter IV a

Text proposed by the Commission Amendment

(21) The following Chapter IVa is deleted
inserted after Article 30:

[...]

Or. en

Justification

The ETS should not be extended to road transport and buildings.
Amendment 1415

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Chapter IV a

Text proposed by the Commission

(21) The following Chapter IVa is inserted after Article 30:

[...]

Amendment

deleted

Or. en

Justification

To promote a just transition we propose increased ambition for the existing ETS in the industrial and maritime sectors and a full deletion of ETS2 to ensure vulnerable households do not bear the burden of the green transition.

Amendment 1416
Andreas Glück

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Chapter IV a – title

Text proposed by the Commission

EMISSIONS TRADING SYSTEM FOR BUILDINGS AND ROAD TRANSPORT

Amendment

EMISSIONS TRADING SYSTEM FOR BUILDINGS AND ROAD TRANSPORT

FUELS

Or. en

Justification

The new ETS should be extended to all fuels for buildings and road transport to minimize the bureaucratic burden.
Amendment 1417
Nils Torvalds, Pascal Canfin

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Chapter IV a – title

Text proposed by the Commission

EMISSIONS TRADING SYSTEM FOR
BUILDINGS **AND ROAD TRANSPORT**

Amendment

EMISSIONS TRADING SYSTEM FOR
**COMMERCIAL BUILDINGS**

Amendment 1418
Andrey Novakov, Marian-Jean Marinescu, Cláudia Monteiro de Aguiar, Markus Ferber, Gheorghe Falcă

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Chapter IV a – title

Text proposed by the Commission

EMISSIONS TRADING SYSTEM FOR
BUILDINGS **AND ROAD TRANSPORT**

Amendment

EMISSIONS TRADING SYSTEM FOR
BUILDINGS

Justification

Amendment applies throughout the text. The extension of the new ETS to road transport and higher fuel costs would mostly affect end-consumers, e.g. lower and middle-income households, limiting the mobility and leading to transport poverty.

Amendment 1419
Ivan David

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 a – title
Amendment 1420
Stanislav Polčák

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 a – title

The provisions of this Chapter shall apply to emissions, greenhouse gas emission permits, issue and surrender of allowances, monitoring, reporting and verification in respect of the activity referred to in Annex III. This Chapter shall not apply to any emissions covered by Chapters II, IIIa and III. By way of derogation from the first paragraph, Member States may request, by 31 July 2024, that the provisions of this Chapter apply only from 1 January 2027 to the release for consumption of fuels that are used for combustion in private road transport and private heating or cooling of residential buildings, provided that they can demonstrate that they can...
differentiate the monitoring, reporting and verification of those activities from other activities covered by this Chapter and that they can reach their 2030 targets under Regulation (EU) 2018/842 without the full application of this Chapter. By 31 July 2024, any Member State intending to make use of this derogation shall inform the Commission and provide any necessary information in that regard. Member States making use of this derogation shall be required to compensate the estimated loss of auctioning revenues to the Social Climate Fund established in accordance with Regulation (EU) …/… [Social Climate Fund]. The Commission shall adopt implementing acts to calculate the estimated loss of revenue for the Social Climate Fund, as well as detailed rules for payment of the compensation to the Social Climate Fund. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 22a(2).

Amendment 1422
Pietro Fiocchi

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 a – paragraph 1

*Text proposed by the Commission*

The provisions of this Chapter shall apply to emissions, greenhouse gas emission permits, issue and surrender of allowances, monitoring, reporting and verification in respect of the activity referred to in Annex III. This Chapter shall not apply to any emissions covered by Chapters II, IIa and III.

*Amendment*

The provisions of this Chapter shall apply to emissions, greenhouse gas emission permits, issue and surrender of allowances, monitoring, reporting and verification in respect of the activity referred to in Annex III. By way of derogation from the first paragraph, Member States may request, by 31 July 2024, that the provisions of this Chapter apply only from 1 January 2027.
to the release for consumption of fuels which are used for combustion in private road transport and private heating or cooling of residential buildings, as well as in microenterprises, provided that they can demonstrate that they can differentiate the monitoring, reporting and verification of those activities from other activities covered by this Chapter and that they can reach their 2030 targets under Regulation (EU) 2018/842 without the full application of this Chapter. By 31 July 2024, any Member State intending to make use of this derogation shall inform the Commission and provide any necessary information in that regard. Member States making use of this derogation shall be required to compensate the estimated loss of auctioning revenues to the Social Climate Fund established in accordance with Regulation (EU) ..../[Social Climate Fund]. The Commission shall adopt implementing acts to calculate the estimated loss of revenue for the Social Climate Fund, as well as detailed rules for the payment of the compensation to the Social Climate Fund. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 22a.

Or. en

Amendment 1423
Pascal Canfin, Nils Torvalds

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 a – paragraph 1

Text proposed by the Commission

The provisions of this Chapter shall apply to emissions, greenhouse gas emission permits, issue and surrender of allowances,

Amendment

The provisions of this Chapter shall apply to emissions, greenhouse gas emission permits, issue and surrender of allowances,
monitoring, reporting and verification in respect of the activity referred to in Annex III. This Chapter shall not apply to any emissions covered by Chapters II, IIa and III.

monitoring, reporting and verification in respect of the commercial buildings activities referred to in Annex III. This Chapter shall not apply to any emissions covered by Chapters II, IIa and III.

By 1 January 2027, the Commission shall present a report to the European Parliament and the Council assessing the potential extension of the emission trading system for commercial buildings laid down in Chapter IVa of this Directive to emissions from road transport and residential buildings. This report shall include a detailed analysis and quantification of the additional greenhouse gas emissions reduction that could be achieved through this extension as well as of the associated social impacts. Based on the results of this study, the Commission shall determine whether to propose a targeted review of this Directive to extend the emission trading system to road transport and residential buildings.

Or. en

Amendment 1424
Javi López, César Luena, Nicolás González Casares, Eider Gardiazabal Rubial, Estrella Durá Ferrandis, Nacho Sánchez Amor, Domènec Ruiz Devesa, Cristina Maestre Martín De Almagro, Lina Gálvez Muñoz, Ibán García Del Blanco, Marcos Ros Sempere, Juan Fernando López Aguilar

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 a – paragraph 1 a (new)

Text proposed by the Commission

By way of derogation from the first paragraph, Member States may request, by 31 July 2024, that the provisions of this Chapter apply only from 1 January 2029 to the release for consumption of fuels which are used for combustion in private road transport and private heating or
cooling of residential buildings, provided that they can demonstrate that they can differentiate the monitoring, reporting and verification of those activities from other activities covered by this Chapter and that they can reach their 2030 targets under Regulation (EU) 2018/842 without the full application of this Chapter. By 31 July 2024, any Member State intending to make use of this derogation shall inform the Commission and provide any necessary information in that regard.

Or. en

Justification

The extension of ETS to buildings and road transport has significant impacts on vulnerable households and transport users. To ensure a smooth transition and be able to respond to these impacts, a gradual implementation of the ETS2 is suggested, with a progressive application depending on the final use of the fuels (public or private). This will help authorities to adapt to the new system at the same time that flexibility is provided to ensure that measures to mitigate impact on vulnerable households and transport users are tested, implemented, assessed and modified as needed.

Amendment 1425
Ivan David

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 a – paragraph 1 a (new)

Text proposed by the Commission

The provisions of this Chapter will apply as set out in the individual Articles in this Chapter. Until January 2030, Member States should implement national carbon pricing initiatives or other policies in order to address structural barriers associated with activities referred to in Annex III.

Amendment

Or. en
Amendment 1426  
Stanislav Polčák

Proposal for a directive  
Article 1 – paragraph 1 – point 21  
Directive 2003/87/EC  
Article 30 a – paragraph 1 a (new)

Text proposed by the Commission

The provisions of this Chapter will apply as set out in the individual Articles in this Chapter. Until January 2030, Member States should implement national carbon pricing initiatives or other policies in order to address structural barriers associated with activities referred to in Annex III.

Amendment

Or. en

Amendment 1427  
Christel Schaldemose

Proposal for a directive  
Article 1 – paragraph 1 – point 21  
Directive 2003/87/EC  
Article 30 a – paragraph 1 a (new)

Text proposed by the Commission

By way of derogation from the first paragraph of this Article, fuels released for consumption by non-commercial end-users shall be exempted from the requirement to surrender allowances until 1 January 2028. The Commission shall adopt delegated acts to supplement this Directive by specifying how to administratively separate between commercial and non-commercial end use of the fuel and recalculate the Union-wide quantity of allowances based on this scope. The Commission should determine what share of that total quantity of allowances is to be used by commercial actors and base the cap from 2025 to 2027.
only on emissions by commercial actors. When defining the scope, the Commission shall attempt to cover as much as possible of the commercial use of the fuel while minimising administrative costs and protecting vulnerable households from direct price increases arising from the introduction of Chapter IV a of this Directive.

(This amendment applies throughout the text.)

Justification

To ensure a socially inclusive and just transition, the extended emissions trading system for the road transport and buildings sectors should be phased in starting with commercial use in 2025 and non-commercial household use of the fuels from 2028. This will allow the Social Climate Fund to prepare vulnerable households by speeding up measures to reduce dependency on fossil fuels. A temporary price corridor is created using the MSR, contributing to a price between 35-55 euros, will act as a supplementary measure to protect against unpredictable price hikes that particularly affect vulnerable households. Member States shall also allocate their national revenues to address these issues and the revenues shall support the Social Climate Fund, not the Innovation Fund, as the costs are primarily born by non-commercial actors.

Amendment 1428
Ivan David

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 b – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that, from 1 January 2025, no regulated entity carries out the activity referred to in Annex III unless that regulated entity holds a permit issued by a competent authority in accordance with paragraphs 2 and 3.

Amendment

1. Member States shall ensure that, from 1 January 2029, no regulated entity carries out the activity referred to in Annex III unless that regulated entity holds a permit issued by a competent authority in accordance with paragraphs 2 and 3.

Or. en
Amendment 1429  
Christel Schaldemose

Proposal for a directive  
Article 1 – paragraph 1 – point 21  
Directive 2003/87/EC  
Article 30 b – paragraph 1

**Text proposed by the Commission**

1. Member States shall ensure that, from 1 January **2025**, no regulated entity carries out the activity referred to in Annex III unless that regulated entity holds a permit issued by a competent authority in accordance with paragraphs 2 and 3.

**Amendment**

1. Member States shall ensure that, from 1 January **2024**, no regulated entity carries out the activity referred to in Annex III unless that regulated entity holds a permit issued by a competent authority in accordance with paragraphs 2 and 3.

Or. en

**Justification**

To ensure a socially inclusive and just transition, the extended emissions trading system for the road transport and buildings sectors should be phased in starting with commercial use in 2025 and non-commercial household use of the fuels from 2028. This will allow the Social Climate Fund to prepare vulnerable households by speeding up measures to reduce dependency on fossil fuels. A temporary price corridor is created using the MSR, contributing to a price between 35-55 euros, will act as a supplementary measure to protect against unpredictable price hikes that particularly affect vulnerable households. Member States shall also allocate their national revenues to address these issues and the revenues shall support the Social Climate Fund, not the Innovation Fund, as the costs are primarily born by non-commercial actors.

Amendment 1430  
Pietro Fiocchi

Proposal for a directive  
Article 1 – paragraph 1 – point 21  
Directive 2003/87/EC  
Article 30 b – paragraph 1

**Text proposed by the Commission**

1. Member States shall ensure that, from 1 January **2025**, no regulated entity carries out the activity referred to in Annex III unless that regulated entity holds a permit issued by a competent authority in

**Amendment**

1. Member States shall ensure that, from 1 January **2030**, no regulated entity carries out the activity referred to in Annex III unless that regulated entity holds a permit issued by a competent authority in
accordance with paragraphs 2 and 3.

Amendment 1431
Stanislav Polčák

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 b – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that, from 1 January 2025, no regulated entity carries out the activity referred to in Annex III unless that regulated entity holds a permit issued by a competent authority in accordance with paragraphs 2 and 3.

Amendment

1. Member States shall ensure that, from 1 January 2029, no regulated entity carries out the activity referred to in Annex III unless that regulated entity holds a permit issued by a competent authority in accordance with paragraphs 2 and 3.

Or. en

Amendment 1432
Nils Torvalds, Pascal Canfin

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 b – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that, from 1 January 2025, no regulated entity carries out the activity referred to in Annex III unless that regulated entity holds a permit issued by a competent authority in accordance with paragraphs 2 and 3.

Amendment

1. Member States shall ensure that, from 1 January 2024, no regulated entity carries out the activity referred to in Annex III unless that regulated entity holds a permit issued by a competent authority in accordance with paragraphs 2 and 3.

Or. en

Amendment 1433
Andrey Novakov, Marian-Jean Marinescu, Cláudia Monteiro de Aguiar, Markus Ferber, Gheorghe Falcă

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 b – paragraph 2 – point b

Text proposed by the Commission

(b) the type of fuels it releases for consumption and which are used for combustion in the buildings and road transport sectors as defined in Annex III and the means through which it releases those fuels for consumption;

Amendment

(b) the type of fuels it releases for consumption and which are used for combustion in the buildings sector as defined in Annex III and the means through which it releases those fuels for consumption;

Or. en

Amendment 1434
Nils Torvalds, Pascal Canfin

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 b – paragraph 2 – point b

Text proposed by the Commission

(b) the type of fuels it releases for consumption and which are used for combustion in the buildings and road transport sectors as defined in Annex III and the means through which it releases those fuels for consumption;

Amendment

(b) the type of fuels it releases for consumption and which are used for combustion for commercial buildings as defined in Annex III and the means through which it releases those fuels for consumption;

Or. en

Amendment 1435
Christel Schaldemose

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 b – paragraph 2 – point c
Text proposed by the Commission

Amendment

(c) the end use(s) of the fuels released for consumption for the activity referred to in Annex III;

(c) the end use(s) of the fuels, including if used by commercial actors or households, released for consumption for the activity referred to in Annex III;

Or. en

Justification

To ensure a socially inclusive and just transition, the extended emissions trading system for the road transport and buildings sectors should be phased in starting with commercial use in 2025 and non-commercial household use of the fuels from 2028. This will allow the Social Climate Fund to prepare vulnerable households by speeding up measures to reduce dependency on fossil fuels. A temporary price corridor is created using the MSR, contributing to a price between 35-55 euros, will act as a supplementary measure to protect against unpredictable price hikes that particularly affect vulnerable households. Member States shall also allocate their national revenues to address these issues and the revenues shall support the Social Climate Fund, not the Innovation Fund, as the costs are primarily born by non-commercial actors.

Amendment 1436
Nils Torvalds, Pascal Canfin

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 b – paragraph 4 – point g

Text proposed by the Commission

Amendment

(g) a description of the means by which the regulated entity releases the fuels for consumption in the sectors covered by this Chapter;

(g) a description of the means by which the regulated entity releases the fuels for consumption in the commercial buildings sector covered by this Chapter;

Or. en

Amendment 1437
Radan Kanev

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC  
Article 30 c – paragraph -1 (new)

**Text proposed by the Commission**

-1. **From 2026, allowances covered by this Chapter shall be sold, unless they are placed in the Market Stability Reserve established by Decision (EU) 2015/1814. The allowances covered by this Chapter shall be sold separately from the allowances covered by Chapters II, IIa and III. The emission allowances shall be sold at fixed price and auctioned from 2030 onwards.**

For the duration of an introductory phase, the fixed price per emission allowance is:

- in the period from 1 January 2026 to 31 December 2028: EUR 15;
- in the period from 1 January 2028 to 31 December 2030: EUR 30.

**Amendment 1438**

Danilo Oscar Lancini, Rosanna Conte, Marco Dreosto, Catherine Griset, Gianantonio Da Re

**Proposal for a directive**

**Article 1 – paragraph 1 – point 21**

Directive 2003/87/EC  
Article 30 c – paragraph 1

**Text proposed by the Commission**

1. The Union-wide quantity of allowances issued under this Chapter each year from 2026 shall decrease in a linear manner beginning in 2024. The 2024 value shall be defined as the 2024 emissions limits, calculated on the basis of the reference emissions under Article 4(2) of Regulation (EU) 2018/842 of the European Parliament and of the Council(*) for the sectors covered by this Chapter and
applying the linear reduction trajectory for all emissions within the scope of that Regulation. The quantity shall decrease each year after 2024 by a linear reduction factor of 5,15 %. By 1 January 2024, the Commission shall publish the Union-wide quantity of allowances for the year 2026.

For road transport, the speed of the linear reduction trajectory and the price of the emission allowances shall be determined by a number of conditions, including the availability of alternative fuel technology, the speed in deploying sufficient numbers of alternative fuel light- and heavy-duty vehicles, as well as an alternative fuel infrastructure for the road transport sector and its various niches. By 1 January 2024, the Commission shall publish the Union-wide quantity of allowances for the year 2026.

Amendment 1439
Ivan David

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 c – paragraph 1

Text proposed by the Commission

1. The Union-wide quantity of allowances issued under this Chapter each year from 2026 shall decrease in a linear manner beginning in 2024. The 2024 value shall be defined as the 2024 emissions limits, calculated on the basis of the reference emissions under Article 4(2) of Regulation (EU) 2018/842 of the European Parliament and of the Council(*) for the sectors covered by this Chapter and applying the linear reduction trajectory for all emissions within the scope of that Regulation. The quantity shall decrease each year after 2024 by a linear reduction factor of 5,15 %. By 1 January 2024, the Commission shall publish the Union-wide

Amendment

1. The Union-wide quantity of allowances issued under this Chapter each year from 2030 shall decrease in a linear manner beginning in 2028. The 2028 value shall be defined as the 2028 emissions limits, calculated on the basis of the reference emissions under Article 4(2) of Regulation (EU) 2018/842 of the European Parliament and of the Council(*) for the sectors covered by this Chapter and applying the linear reduction trajectory for all emissions within the scope of that Regulation. In the period following 2028, the Council shall decide before the beginning of each year on the reduction of allowances for that year. By 1 January
quantity of allowances for the year 2026. 2028, the Council shall decide on a Union-
wide quantity of allowances for 2030.

Or. en

Justification

The reduction factor should be set in line with the 2040 climate target under the revised Effort
Sharing Regulation, once all EU Member States have agreed on a 2040 climate target in the
Council.

Amendment 1440
Nils Torvalds, Pascal Canfin

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 c – paragraph 1

Text proposed by the Commission

1. The Union-wide quantity of allowances issued under this Chapter each year from 2026 shall decrease in a linear manner beginning in 2024. The 2024 value shall be defined as the 2024 emissions limits, calculated on the basis of the reference emissions under Article 4(2) of Regulation (EU) 2018/842 of the European Parliament and of the Council(*) for the sectors covered by this Chapter and applying the linear reduction trajectory for all emissions within the scope of that Regulation. The quantity shall decrease each year after 2024 by a linear reduction factor of 5,15 %. By 1 January 2024, the Commission shall publish the Union-wide quantity of allowances for the year 2026.

Amendment

1. The Union-wide quantity of allowances issued under this Chapter each year from 2025 shall decrease in a linear manner beginning in 2024. The 2024 value shall be defined as the 2024 emissions limits, calculated on the basis of the reference emissions under Article 4(2) of Regulation (EU) 2018/842 of the European Parliament and of the Council(*) for the commercial buildings sector covered by this Chapter and applying the linear reduction trajectory for all emissions within the scope of that Regulation. The quantity shall decrease each year after 2024 by a linear reduction factor of 5,15 %. By 1 January 2024, the Commission shall publish the Union-wide quantity of allowances for the year 2025.

Or. en

Amendment 1441
Pietro Fiocchi
Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 c – paragraph 1

Text proposed by the Commission

1. The Union-wide quantity of allowances issued under this Chapter each year from 2026 shall decrease in a linear manner beginning in 2024. The 2024 value shall be defined as the 2024 emissions limits, calculated on the basis of the reference emissions under Article 4(2) of Regulation (EU) 2018/842 of the European Parliament and of the Council(*) for the sectors covered by this Chapter and applying the linear reduction trajectory for all emissions within the scope of that Regulation. The quantity shall decrease each year after 2024 by a linear reduction factor of 5,15%. By 1 January 2024, the Commission shall publish the Union-wide quantity of allowances for the year 2026.

Amendment

1. The Union-wide quantity of allowances issued under this Chapter each year from 2026 shall decrease in a linear manner beginning in 2024. The 2024 value shall be defined as the 2024 emissions limits, calculated on the basis of the reference emissions under Article 4(2) of Regulation (EU) 2018/842 of the European Parliament and of the Council(*) for the sectors covered by this Chapter and applying the linear reduction trajectory for all emissions within the scope of that Regulation. The quantity shall decrease each year after 2029 by a linear reduction factor of 5,15%. By 1 January 2029, the Commission shall publish the Union-wide quantity of allowances for the year 2031.

Or. it

Amendment 1442
Christel Schaldemose

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 c – paragraph 1

Text proposed by the Commission

1. The Union-wide quantity of allowances issued under this Chapter each year from 2026 shall decrease in a linear manner beginning in 2024. The 2024 value shall be defined as the 2024 emissions limits, calculated on the basis of the reference emissions under Article 4(2) of Regulation (EU) 2018/842 of the European Parliament and of the Council(*) for the sectors covered by this Chapter and applying the linear reduction trajectory for all emissions within the scope of that Regulation. The quantity shall decrease each year after 2024 by a linear reduction factor of 5,15%. By 1 January 2024, the Commission shall publish the Union-wide quantity of allowances for the year 2026.

Amendment

1. The Union-wide quantity of allowances issued under this Chapter each year from 2025 shall decrease in a linear manner beginning in 2024. The 2024 value shall be defined as the 2024 emissions limits, calculated on the basis of the reference emissions under Article 4(2) of Regulation (EU) 2018/842 of the European Parliament and of the Council(*) for the sectors covered by this Chapter and applying the linear reduction trajectory for all emissions within the scope of that Regulation. The quantity shall decrease each year after 2029 by a linear reduction factor of 5,15%. By 1 January 2029, the Commission shall publish the Union-wide quantity of allowances for the year 2031.
applying the linear reduction trajectory for all emissions within the scope of that Regulation. The quantity shall decrease each year after 2024 by a linear reduction factor of 5.15%. By 1 January 2024, the Commission shall publish the Union-wide quantity of allowances for the year 2026.

Or. en

Justification

To ensure a socially inclusive and just transition, the extended emissions trading system for the road transport and buildings sectors should be phased in starting with commercial use in 2025 and non-commercial household use of the fuels from 2028. This will allow the Social Climate Fund to prepare vulnerable households by speeding up measures to reduce dependency on fossil fuels. A temporary price corridor is created using the MSR, contributing to a price between 35-55 euros, will act as a supplementary measure to protect against unpredictable price hikes that particularly affect vulnerable households. Member States shall also allocate their national revenues to address these issues and the revenues shall support the Social Climate Fund, not the Innovation Fund, as the costs are primarily born by non-commercial actors.

Amendment 1443
Stanislav Polčák

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 c – paragraph 1

Text proposed by the Commission

1. The Union-wide quantity of allowances issued under this Chapter each year from 2026 shall decrease in a linear manner beginning in 2024. The 2024 value shall be defined as the 2024 emissions limits, calculated on the basis of the reference emissions under Article 4(2) of Regulation (EU) 2018/842 of the European Parliament and of the Council(*) for the sectors covered by this Chapter and applying the linear reduction trajectory for all emissions within the scope of that Regulation. The quantity shall decrease each year after 2024 by a linear reduction

Amendment

1. The Union-wide quantity of allowances issued under this Chapter each year from 2030 shall decrease in a linear manner beginning in 2028. The 2028 value shall be defined as the 2028 emissions limits, calculated on the basis of the reference emissions under Article 4(2) of Regulation (EU) 2018/842 of the European Parliament and of the Council(*) for the sectors covered by this Chapter and applying the linear reduction trajectory for all emissions within the scope of that Regulation. The quantity shall decrease each year after 2028 by a linear reduction
factor of 5.15%. By 1 January 2024, the Commission shall publish the Union-wide quantity of allowances for the year 2026. By 1 January 2028, the Commission shall publish the Union-wide quantity of allowances for the year 2030.

Amendment 1444
Ivan David

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 c – paragraph 2

Text proposed by the Commission

2. The Union-wide quantity of allowances issued under this Chapter each year from 2028 shall decrease in a linear manner beginning from 2025 on the basis of the average emissions reported under this Chapter for the years 2024 to 2026. The quantity of allowances shall decrease by a linear reduction factor of 5.43%, except if the conditions of point 1 of Annex IIIa apply, in which case, the quantity shall decrease with a linear reduction factor adjusted in accordance with the rules set out in point 2 of Annex IIIa. By 30 June 2027, the Commission shall publish the Union-wide quantity of allowances for the year 2028 and, if required, the adjusted linear reduction factor.

Amendment 1445
Stanislav Polčák

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 c – paragraph 2

Text proposed by the Commission

2. The Union-wide quantity of allowances issued under this Chapter each year from 2028 shall decrease in a linear manner beginning from 2025 on the basis of the average emissions reported under this Chapter for the years 2024 to 2026. The quantity of allowances shall decrease by a linear reduction factor of 5.43%, except if the conditions of point 1 of Annex IIIa apply, in which case, the quantity shall decrease with a linear reduction factor adjusted in accordance with the rules set out in point 2 of Annex IIIa. By 30 June 2027, the Commission shall publish the Union-wide quantity of allowances for the year 2028 and, if required, the adjusted linear reduction factor.


Or. en

Amendment 1446
Danilo Oscar Lancini, Rosanna Conte, Marco Dreosto, Catherine Griset, Gianantonio Da Re
2. The Union-wide quantity of allowances issued under this Chapter each year from 2028 shall decrease in a linear manner beginning from 2025 on the basis of the average emissions reported under this Chapter for the years 2024 to 2026. The quantity of allowances shall decrease by a linear reduction factor of 5.43 %, except if the conditions of point 1 of Annex IIIa apply, in which case, the quantity shall decrease with a linear reduction factor adjusted in accordance with the rules set out in point 2 of Annex IIIa. By 30 June 2027, the Commission shall publish the Union-wide quantity of allowances for the year 2028 and, if required, the adjusted linear reduction factor.

Amendment

2. The Union-wide quantity of allowances issued under this Chapter each year from 2028 shall decrease in a linear manner beginning from 2025 on the basis of the average emissions reported under this Chapter for the years 2024 to 2026. The quantity of allowances shall decrease by a linear reduction factor of 5.43 %, except if the conditions of point 1 of Annex IIIa apply, in which case, the quantity shall decrease with a linear reduction factor adjusted in accordance with the rules set out in point 2 of Annex IIIa. For road transport, the speed of the linear reduction trajectory and the price of the emission allowances shall be determined by a number of conditions, including the availability of alternative fuel technology, the speed in deploying sufficient numbers of alternative fuel light- and heavy-duty vehicles, as well as an alternative fuel infrastructure for the road transport sector and its various niches. By 30 June 2027, the Commission shall publish the Union-wide quantity of allowances for the year 2028 and, if required, the adjusted linear reduction factor.
2. The Union-wide quantity of allowances issued under this Chapter each year from 2028 shall decrease in a linear manner beginning from 2025 on the basis of the average emissions reported under this Chapter for the years 2024 to 2026. The quantity of allowances shall decrease by a linear reduction factor of 5.43%, except if the conditions of point 1 of Annex IIIa apply, in which case, the quantity shall decrease with a linear reduction factor adjusted in accordance with the rules set out in point 2 of Annex IIIa. By 30 June 2027, the Commission shall publish the Union-wide quantity of allowances for the year 2028 and, if required, the adjusted linear reduction factor.

Or. en

Justification

To ensure a socially inclusive and just transition, the extended emissions trading system for the road transport and buildings sectors should be phased in starting with commercial use in 2025 and non-commercial household use of the fuels from 2028. This will allow the Social Climate Fund to prepare vulnerable households by speeding up measures to reduce dependency on fossil fuels. A temporary price corridor is created using the MSR, contributing to a price between 35-55 euros, will act as a supplementary measure to protect against unpredictable price hikes that particularly affect vulnerable households. Member States shall also allocate their national revenues to address these issues and the revenues shall support the Social Climate Fund, not the Innovation Fund, as the costs are primarily born by non-commercial actors.

Amendment 1448
Radan Kanev

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 d – paragraph 1
1. **From 2026**, allowances covered by this Chapter shall be auctioned, unless they are placed in the Market Stability Reserve established by Decision (EU) 2015/1814. The allowances covered by this Chapter shall be auctioned separately from the allowances covered by Chapters II, IIa and III.

Amendment 1449
Stanislav Polčák

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 d – paragraph 1

Text proposed by the Commission

1. From 2026, allowances covered by this Chapter shall be auctioned, unless they are placed in the Market Stability Reserve established by Decision (EU) 2015/1814. The allowances covered by this Chapter shall be auctioned separately from the allowances covered by Chapters II, IIa and III.

Amendment

1. Allowances covered by this Chapter shall be auctioned, starting from a year between 2026 and 2030 for the different Member States and regions, based on criteria, approved by the Commission via delegated act, based on GDP level, energy efficiency technology implementation levels and uptake, market share of sustainable mobility and an index, comparing the price of alternative energy solutions for transport and buildings with the median national/regional income unless they are placed in the Market Stability Reserve established by Decision (EU) 2015/1814. The allowances covered by this Chapter shall be auctioned separately from the allowances covered by Chapters II, IIa and III.

Or. en
Amendment 1450
Ivan David

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 d – paragraph 1

Text proposed by the Commission

1. From 2026, allowances covered by this Chapter shall be auctioned, unless they are placed in the Market Stability Reserve established by Decision (EU) 2015/1814. The allowances covered by this Chapter shall be auctioned separately from the allowances covered by Chapters II, IIa and III.

Amendment

1. From 2030, allowances covered by this Chapter shall be auctioned, unless they are placed in the Market Stability Reserve established by Decision (EU) 2015/1814. The allowances covered by this Chapter shall be auctioned separately from the allowances covered by Chapters II, IIa and III.

Or. en

Justification

Given the structural barriers and the low-price elasticity of demand associated with the buildings sector and road transport, it is proposed establishment of the separate Market Stability Reserve for the adjacent ETS to address possible shortages of the emission allowances in the adjacent ETS.

Amendment 1451
Christel Schaldemose

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 d – paragraph 1

Text proposed by the Commission

1. From 2026, allowances covered by this Chapter shall be auctioned, unless they are placed in the Market Stability Reserve established by Decision (EU) 2015/1814. The allowances covered by this Chapter shall be auctioned separately from the allowances covered by Chapters II, IIa and III.

Amendment

1. From 2025, allowances covered by this Chapter shall be auctioned, unless they are placed in the Market Stability Reserve established by Decision (EU) 2015/1814. The allowances covered by this Chapter shall be auctioned separately from the allowances covered by Chapters II, IIa and III.
To ensure a socially inclusive and just transition, the extended emissions trading system for the road transport and buildings sectors should be phased in starting with commercial use in 2025 and non-commercial household use of the fuels from 2028. This will allow the Social Climate Fund to prepare vulnerable households by speeding up measures to reduce dependency on fossil fuels. A temporary price corridor is created using the MSR, contributing to a price between 35-55 euros, will act as a supplementary measure to protect against unpredictable price hikes that particularly affect vulnerable households. Member States shall also allocate their national revenues to address these issues and the revenues shall support the Social Climate Fund, not the Innovation Fund, as the costs are primarily born by non-commercial actors.

Amendment 1452
Nils Torvalds, Pascal Canfin

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 d – paragraph 1

Text proposed by the Commission

1. From 2026, allowances covered by this Chapter shall be auctioned, unless they are placed in the Market Stability Reserve established by Decision (EU) 2015/1814. The allowances covered by this Chapter shall be auctioned separately from the allowances covered by Chapters II, IIa and III.

Amendment

1. From 2025, allowances covered by this Chapter shall be auctioned, unless they are placed in the Market Stability Reserve established by Decision (EU) 2015/1814. The allowances covered by this Chapter shall be auctioned separately from the allowances covered by Chapters II, IIa and III.

Amendment 1453
Radan Kanev

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 d – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment
The auctioning of the allowances under this Chapter shall start in 2026 with a volume corresponding to 130% of the auction volumes for 2026 established on the basis of the Union-wide quantity of allowances for that year and the respective auction shares and volumes pursuant to paragraph 3, 5 and 6. The additional volumes to be auctioned shall only be used for surrendering allowances pursuant to Article 30e(2) and be deducted from the auction volumes for the period from 2028 to 2030. The conditions for these early auctions shall be set in accordance with paragraph 7 and Article 10(4).
**Justification**

To ensure a socially inclusive and just transition, the extended emissions trading system for the road transport and buildings sectors should be phased in starting with commercial use in 2025 and non-commercial household use of the fuels from 2028. This will allow the Social Climate Fund to prepare vulnerable households by speeding up measures to reduce dependency on fossil fuels. A temporary price corridor is created using the MSR, contributing to a price between 35-55 euros, will act as a supplementary measure to protect against unpredictable price hikes that particularly affect vulnerable households. Member States shall also allocate their national revenues to address these issues and the revenues shall support the Social Climate Fund, not the Innovation Fund, as the costs are primarily born by non-commercial actors.

**Amendment 1455**

Nils Torvalds, Pascal Canfin

Proposal for a directive

Article 1 – paragraph 1 – point 21

Directive 2003/87/EC

Article 30 d – paragraph 2 – subparagraph 1

**Text proposed by the Commission**

The auctioning of the allowances under this Chapter shall start in **2026** with a volume corresponding to 130 % of the auction volumes for **2026** established on the basis of the Union-wide quantity of allowances for that year and the respective auction shares and volumes pursuant to paragraph 3, 5 and 6. The additional volumes to be auctioned shall only be used for surrendering allowances pursuant to Article 30e(2) and be deducted from the auction volumes for the period from 2028 to 2030. The conditions for these early auctions shall be set in accordance with paragraph 7 and Article 10(4).

**Amendment**

The auctioning of the allowances under this Chapter shall start in **2025** with a volume corresponding to 130 % of the auction volumes for **2025** established on the basis of the Union-wide quantity of allowances for that year and the respective auction shares and volumes pursuant to paragraph 3, 5 and 6. The additional volumes to be auctioned shall only be used for surrendering allowances pursuant to Article 30e(2) and be deducted from the auction volumes for the period from 2028 to 2030. The conditions for these early auctions shall be set in accordance with paragraph 7 and Article 10(4).

Or. en

**Amendment 1456**

Nils Torvalds, Pascal Canfin

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 d – paragraph 2 – subparagraph 2

Text proposed by the Commission

In 2026, 600 million allowances covered by this Chapter are created as holdings in the Market Stability Reserve pursuant to Article 1a(3) of Decision (EU) 2015/1814.

Amendment

In 2025, 600 million allowances covered by this Chapter are created as holdings in the Market Stability Reserve pursuant to Article 1a(3) of Decision (EU) 2015/1814.

Or. en

Amendment 1457
Christel Schaldemose

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 d – paragraph 2 – subparagraph 2

Text proposed by the Commission

In 2026, 600 million allowances covered by this Chapter are created as holdings in the Market Stability Reserve pursuant to Article 1a(3) of Decision (EU) 2015/1814.

Amendment

In 2025, 600 million allowances covered by this Chapter are created as holdings in the Market Stability Reserve pursuant to Article 1a(3) of Decision (EU) 2015/1814.

Or. en

Justification

To ensure a socially inclusive and just transition, the extended emissions trading system for the road transport and buildings sectors should be phased in starting with commercial use in 2025 and non-commercial household use of the fuels from 2028. This will allow the Social Climate Fund to prepare vulnerable households by speeding up measures to reduce dependency on fossil fuels. A temporary price corridor is created using the MSR, contributing to a price between 35-55 euros, will act as a supplementary measure to protect against unpredictable price hikes that particularly affect vulnerable households. Member States shall also allocate their national revenues to address these issues and the revenues shall support the Social Climate Fund, not the Innovation Fund, as the costs are primarily born by non-commercial actors.
3. 150 million allowances issued under this Chapter shall be auctioned and all revenues from these auctions made available for the Innovation Fund established under Article 10a(8). Article 10a(8) shall apply to the allowances referred to in this paragraph.

Amendment 1459
Christel Schaldemose

3. 150 million allowances issued under this Chapter shall be auctioned and all revenues from these auctions made available for the Social Climate Fund established under Regulation (EU) 20../nn.

Justification
To ensure a socially inclusive and just transition, the extended emissions trading system for the road transport and buildings sectors should be phased in starting with commercial use in 2025 and non-commercial household use of the fuels from 2028. This will allow the Social Climate Fund to prepare vulnerable households by speeding up measures to reduce dependency on fossil fuels. A temporary price corridor is created using the MSR, contributing to a price between 35-55 euros, will act as a supplementary measure to protect against unpredictable price hikes that particularly affect vulnerable households. Member States shall
also allocate their national revenues to address these issues and the revenues shall support the Social Climate Fund, not the Innovation Fund, as the costs are primarily born by non-commercial actors.

**Amendment 1460**
Marian-Jean Marinescu, Markus Ferber, Gheorghe Falcă

Proposal for a directive  
Article 1 – paragraph 1 – point 21  
Directive 2003/87/EC  
Article 30 d – paragraph 3 a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>3a. 25% of the total quantity of allowances covered by this Chapter shall be auctioned and the revenues generated therefrom shall be allocated to EU budget as own resources in accordance with Article 2(e)(1) of the Decision (EU, Euratom) 2020/2053.</td>
<td></td>
</tr>
</tbody>
</table>

Or. en

**Amendment 1461**
Marian-Jean Marinescu, Markus Ferber, Gheorghe Falcă

Proposal for a directive  
Article 1 – paragraph 1 – point 21  
Directive 2003/87/EC  
Article 30 d – paragraph 3 b (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>3b. 25% of the total quantity of allowances covered by this Chapter shall be auctioned and the revenues generated therefrom shall be allocated to the Social Climate Fund established by Regulation (EU) 20…/xxx [Social Climate Fund Regulation].</td>
<td></td>
</tr>
</tbody>
</table>

Or. en
Amendment 1462  
Marian-Jean Marinescu, Markus Ferber, Gheorghe Falcă

Proposal for a directive  
Article 1 – paragraph 1 – point 21  
Directive 2003/87/EC  
Article 30 d – paragraph 5 – subparagraph 1 – introductory part

**Text proposed by the Commission**

5. Member States shall determine the use of revenues generated from the auctioning of allowances referred to in paragraph 4, except for the revenues established as own resources in accordance with Article 311(3) TFEU and entered in the Union budget. Member States shall use their revenues for one or more of the activities referred to in Article 10(3) or for one or more of the following:

**Amendment**

5. Member States shall determine the use of revenues generated from the auctioning of allowances referred to in paragraph 4, except for the revenues established as own resources in accordance with Article 311(3) TFEU and entered in the Union budget as provided in paragraph 3a of this Article and except for the revenues transferred to the Social Climate Fund in accordance with paragraph 3b of this Article. Member States shall use their revenues for one or more of the activities referred to in Article 10(3) or for one or more of the following:

Or. en

Amendment 1463  
Stanislav Polčák

Proposal for a directive  
Article 1 – paragraph 1 – point 21  
Directive 2003/87/EC  
Article 30 d – paragraph 5 – subparagraph 1 – point a

**Text proposed by the Commission**

(a) measures intended to contribute to the decarbonisation of heating and cooling of buildings or to the reduction of the energy needs of buildings, including the integration of renewable energies and related measures according to Articles 7(11), 12 and 20 of Directive 2012/27/EU [references to be updated with the revised Directive], as well as measures to provide financial support for low-income

**Amendment**

(a) measures intended to contribute to the decarbonisation of heating and cooling of buildings or to the reduction of the energy needs of buildings, including the integration of renewable energies, the development of energy communities and related measures according to Articles 7(11), 12 and 20 of Directive 2012/27/EU [references to be updated with the revised Directive], as well as measures to provide
households in worst-performing buildings; financial support for low-income households in worst-performing buildings;

**Amendment 1464**  
Ivan David  

Proposal for a directive  
Article 1 – paragraph 1 – point 21  
Directive 2003/87/EC  
Article 30 d – paragraph 5 – subparagraph 1 – point a

**Text proposed by the Commission**  
(a) measures intended to contribute to the decarbonisation of heating and cooling of buildings or to the reduction of the energy needs of buildings, including the integration of renewable energies and related measures according to Articles 7(11), 12 and 20 of Directive 2012/27/EU [references to be updated with the revised Directive], as well as measures to provide financial support for low-income households in worst-performing buildings;

**Amendment**  
(a) measures intended to contribute to the decarbonisation of heating and cooling of buildings or to the reduction of the energy needs of buildings, including the integration of renewable energies and related measures according to Articles 7(11), 12 and 20 of Directive 2012/27/EU [references to be updated with the revised Directive], as well as measures to provide financial support for low-income and middle-income households in worst-performing buildings;

**Or. en**

**Amendment 1465**  
Pietro Fiocchi  

Proposal for a directive  
Article 1 – paragraph 1 – point 21  
Directive 2003/87/EC  
Article 30 d – paragraph 5 – subparagraph 1 – point b

**Text proposed by the Commission**  
(b) measures intended to accelerate the uptake of zero-emission vehicles or to provide financial support for the deployment of fully interoperable refuelling and recharging infrastructure for

**Amendment**  
(b) measures intended to accelerate the uptake of zero-emission vehicles or to provide financial support for the deployment of fully interoperable refuelling and recharging infrastructure for
zero-emission vehicles or measures to encourage a shift to public forms of transport and improve multimodality, or to provide financial support in order to address social aspects concerning low and middle-income transport users.

Zero-emission vehicles or measures to encourage a shift to public forms of transport and improve multimodality, including the development of passenger and freight rail transport and the development of road transport infrastructure, or to provide financial support in order to address social aspects concerning low and middle-income transport users. **Member States shall use 75 % of their auction revenues generated in accordance with this Article to address social aspects of the emission trading under this Chapter with a specific emphasis on vulnerable households, vulnerable micro-enterprises and vulnerable transport users as defined under Regulation (EU) 20...nn [Social Climate Fund Regulation](*). Where a Member State submits to the Commission a [Social Climate Plan] pursuant to that Regulation, the Member State shall use those revenues inter alia to finance that plan.**

**Amendment 1466**

Peter Liese, Ljudmila Novak, Liudas Mažylis, Maria Spyraki, Pernille Weiss, Lidia Pereira, Hildegard Bentele

**Proposal for a directive**

**Article 1 – paragraph 1 – point 21**
Directive 2003/87/EC

Article 30 d – paragraph 5 – subparagraph 1 – point b

**Text proposed by the Commission**

(b) measures intended to accelerate the uptake of zero-emission vehicles or to provide financial support for the deployment of fully interoperable refuelling and recharging infrastructure for zero-emission vehicles or measures to encourage a shift to public forms of transport and improve multimodality, or to provide financial support in order to

**Amendment**

(b) measures intended to accelerate the uptake of zero-emission vehicles or to provide financial support for the deployment of fully interoperable refuelling and recharging infrastructure for zero-emission vehicles or measures to encourage a shift to public forms of transport, in particular the development of passenger and freight rail transport and...
address social aspects concerning low and middle-income transport users.

bus services and technologies, and improve multimodality, or to provide financial support in order to address social aspects concerning low and middle-income transport users.

Or. en

Justification

Public forms of transport, in particular railways and buses are two of the most environment friendly modes of transport. A modal shift to these is extremely beneficial for the climate. Therefore, extra revenues shall be given to those sectors. This will not only deliver climate change mitigation but also major energy savings. Vulnerable households are particularly dependent on a good public transport service. It is therefore particularly important to invest the revenues from the ETS in developing public transport and providing a more affordable and attractive offer to users.

Amendment 1467
Ivan David

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 d – paragraph 5 – subparagraph 1 – point b

Text proposed by the Commission

(b) measures intended to accelerate the uptake of zero-emission vehicles or to provide financial support for the deployment of fully interoperable refuelling and recharging infrastructure for zero-emission vehicles or measures to encourage a shift to public forms of transport and improve multimodality, or to provide financial support in order to address social aspects concerning low and middle-income transport users.

Amendment

(b) measures intended to accelerate the uptake of zero-emission and clean vehicles or to provide financial support for the deployment of fully interoperable refuelling and recharging infrastructure for zero-emission and clean vehicles or measures to encourage a shift to public forms of transport and improve multimodality, or to provide financial support in order to address social aspects concerning low and middle-income transport users.

Or. en

Amendment 1468
Alexander Bernhuber
Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 d – paragraph 5 – subparagraph 1 – point b a (new)

Text proposed by the Commission

(ba) measures for research and development of low-emission alternative options for agricultural and forestry vehicles and for installations used in agricultural production.

Or. en

Amendment 1469
Alexander Bernhuber

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 d – paragraph 5 – subparagraph 1 – point b a (new)

Text proposed by the Commission

Member States shall be deemed to have fulfilled the provisions of this paragraph if they have in place and implement fiscal or financial support policies or regulatory policies, which leverage financial support, established for the purposes set out in the first subparagraph and which have a value equivalent to the revenues generated from the auctioning of allowances referred to in this Chapter.

Amendment

Member States shall be deemed to have fulfilled the obligations laid down in this paragraph if they put in place and implement fiscal or financial support policies or regulatory policies, which leverage financial support, established for the purposes set out in the first subparagraph and which have a value equivalent to the revenues generated from the auctioning of allowances referred to in this Chapter.

Or. en

Amendment 1470
Adam Jarubas, Jerzy Buzek

Proposal for a directive
Article 1 – paragraph 1 – point 21
By way of derogation from the first subparagraph, Member States shall use at least 15 % of the revenues generated from the auctioning of allowances for the development of public transport, in particular passenger and freight rail transport and bus services and technologies, as referred to in point (b) of the first subparagraph. This provision can be fulfilled by funding through the Social Climate Fund.

Or. en

Justification

Public forms of transport, in particular railways and buses are two of the most environment friendly modes of transport. A modal shift to these is extremely beneficial for the climate. Therefore, extra revenues shall be given to those sectors. This will not only deliver climate change mitigation but also major energy savings. Vulnerable households are particularly dependent on a good public transport service. It is therefore particularly important to invest the revenues from the ETS in developing public transport and providing a more affordable and attractive offer to users.

Amendment 1471
Peter Liese, Ljudmila Novak, Liudas Mažylis, Maria Spyraki, Lídia Pereira, Hildegard Bentele

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 d – paragraph 5 – subparagraph 1 a (new)
technologies, as referred to in point (b) of the first subparagraph.

Or. en

Justification

Public forms of transport, in particular railways and buses are two of the most environmentally friendly modes of transport. A modal shift to these is extremely beneficial for the climate. Therefore, extra revenues shall be given to those sectors. This will not only deliver climate change mitigation but also major energy savings. Vulnerable households are particularly dependent on a good public transport service. It is therefore particularly important to invest the revenues from the ETS in developing public transport and providing a more affordable and attractive offer to users.

Amendment 1472
Christel Schaldemose

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 d – paragraph 5 – subparagraph 2

Text proposed by the Commission

Member States shall use a part of their auction revenues generated in accordance with this Article to address social aspects of the emission trading under this Chapter with a specific emphasis on vulnerable households, vulnerable micro-enterprises and vulnerable transport users as defined under Regulation (EU) 20…/nn [Social Climate Fund Regulation](*) Where a Member State submits to the Commission a [Social Climate Plan] pursuant to that Regulation, the Member State shall use those revenues inter alia to finance that plan.

Amendment

Member States shall use a part of their auction revenues generated in accordance with this Article to address social aspects of the emission trading under this Chapter with a specific emphasis on vulnerable households, vulnerable micro-enterprises and vulnerable transport users as defined under Regulation (EU) 20…/nn [Social Climate Fund Regulation](*) Any use of revenues without the primary objective being to address social aspects of emissions trading but instead support decarbonisation should also be spent in a way that contributes to addressing social aspects by ensuring that the measures taken are primarily for the benefit of lower-income households. Where a Member State submits to the Commission a [Social Climate Plan] pursuant to that Regulation, the Member State shall use those revenues inter alia to finance that plan.

Or. en
Justification

To ensure a socially inclusive and just transition, the extended emissions trading system for the road transport and buildings sectors should be phased in starting with commercial use in 2025 and non-commercial household use of the fuels from 2028. This will allow the Social Climate Fund to prepare vulnerable households by speeding up measures to reduce dependency on fossil fuels. A temporary price corridor is created using the MSR, contributing to a price between 35-55 euros, will act as a supplementary measure to protect against unpredictable price hikes that particularly affect vulnerable households. Member States shall also allocate their national revenues to address these issues and the revenues shall support the Social Climate Fund, not the Innovation Fund, as the costs are primarily born by non-commercial actors.

Amendment 1473
Marian-Jean Marinescu, Markus Ferber, Gheorghe Falcă

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 d – paragraph 5 – subparagraph 2

Text proposed by the Commission

Member States shall use a part of their auction revenues generated in accordance with this Article to address social aspects of the emission trading under this Chapter with a specific emphasis on vulnerable households, vulnerable micro-enterprises and vulnerable transport users as defined under Regulation (EU) 20…/nn [Social Climate Fund Regulation](*) Where a Member State submits to the Commission a [Social Climate Plan] pursuant to that Regulation, the Member State shall use those revenues inter alia to finance that plan.

Amendment

Member States shall use a part of their auction revenues generated in accordance with this Article to address social aspects of the emission trading under this Chapter with a specific emphasis on vulnerable households, vulnerable micro-enterprises and vulnerable transport users as defined under Regulation (EU) 20…/xxx [Social Climate Fund Regulation]. Where a Member State submits to the Commission a [Social Climate Plan] pursuant to that Regulation, the Member State shall use those revenues inter alia to finance that plan including as national contribution as provided in Article 14 of the Regulation (EU) 20…/xxx [Social Climate Fund Regulation].

Or. en

Amendment 1474
Christel Schaldemose
Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 d – paragraph 5 – subparagraph 3

Text proposed by the Commission

Member States shall be deemed to have fulfilled the provisions of this paragraph if they have in place and implement fiscal or financial support policies or regulatory policies, which leverage financial support, established for the purposes set out in the first subparagraph and which have a value equivalent to the revenues generated from the auctioning of allowances referred to in this Chapter.

Amendment

Member States shall be deemed to have fulfilled the provisions of this paragraph if they have in place and implement fiscal or financial support policies or regulatory policies, which leverage financial support, established for the purposes set out in the first subparagraph and which have a value equivalent to the revenues generated from the auctioning of allowances referred to in this Chapter and over time can demonstrate concrete progress towards reducing energy and mobility poverty, in line with targets and indicators defined in Article 4(1), point (e), of Regulation (EU) .../... [Social Climate Fund Regulation.

Or. en

Justification

To ensure a socially inclusive and just transition, the extended emissions trading system for the road transport and buildings sectors should be phased in starting with commercial use in 2025 and non-commercial household use of the fuels from 2028. This will allow the Social Climate Fund to prepare vulnerable households by speeding up measures to reduce dependency on fossil fuels. A temporary price corridor is created using the MSR, contributing to a price between 35-55 euros, will act as a supplementary measure to protect against unpredictable price hikes that particularly affect vulnerable households. Member States shall also allocate their national revenues to address these issues and the revenues shall support the Social Climate Fund, not the Innovation Fund, as the costs are primarily born by non-commercial actors.

Amendment 1475
Marian-Jean Marinescu, Markus Ferber, Gheorghe Falcă

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 d – paragraph 5 – subparagraph 3
Member States shall be deemed to have fulfilled the provisions of this paragraph if they have in place and implement fiscal or financial support policies or regulatory policies, which leverage financial support, established for the purposes set out in the first subparagraph and which have a value equivalent to the revenues generated from the auctioning of allowances referred to in this Chapter.

Amendment 1476
Alexander Bernhuber

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 d – paragraph 5 – subparagraph 3 a (new)

Text proposed by the Commission

Amendment

Member States shall use at least 15 % of the revenues generated from the auctioning of allowances referred to in paragraph 2 or the equivalent in financial value of those revenues for the purpose set out in this paragraph.

Or. en

Amendment 1477
Pietro Fiocchi

Proposal for a directive
Article 1 – paragraph 1 – point 21
Directive 2003/87/EC
Article 30 d – paragraph 5 – subparagraph 4 a (new)
By way of derogation from the first subparagraph, Member States shall use at least 10% of the revenues generated from the auctioning of allowances for the development of infrastructure to promote the green transition of road transport.