



2021/0210(COD)

18.2.2022

AMENDMENTS

172 - 430

Draft opinion

Rasmus Andresen

(PE704.703v01-00)

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

Proposal for a regulation

(COM(2021)0562 – C9-0333/2021 – 2021/0210(COD))

Amendment 172

Mauri Pekkarinen, Nils Torvalds

Proposal for a regulation

Recital 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 173

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Recital 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 174

Jürgen Warborn, Henna Virkkunen, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Recital 1

Text proposed by the Commission

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

Amendment

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

Or. en

Moved to new recital.

Amendment 175

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttdal

Proposal for a regulation

Recital 1 a (new)

Text proposed by the Commission

Amendment

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

^{1a} European Community Shipowners' Association report "The Economic Value of the EU Shipping Industry", 2020.

Or. en

Amendment 176

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttdal

Proposal for a regulation

Recital 1 b (new)

Text proposed by the Commission

Amendment

(1 b) Maritime transport is the most environmentally friendly transport mode with significantly lower greenhouse gas emissions per tonne of goods transported compared to other modes.^{1b} At the same time, ship traffic to or from ports in the European Economic Area accounts for some 11% of all EU CO₂ emissions from transport and 3-4% of total EU CO₂

emissions.

^{1b} European Environment Agency study, 2020, <https://www.eea.europa.eu/publications/ra-il-and-waterborne-transport>

Or. en

Justification

Text from original recital 1 moved and amended.

Amendment 177

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Recital 2

Text proposed by the Commission

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

Amendment

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

¹⁹ COM(2020) 563 final

²⁰ COM(2020) 562 final

¹⁹ COM(2020) 563 final

²⁰ COM(2020) 562 final

Or. en

Amendment 178

Jürgen Warborn, Henna Virkkunen, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Recital 2

Text proposed by the Commission

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

¹⁹ COM(2020) 563 final

²⁰ COM(2020) 562 final

Amendment

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

¹⁹ COM(2020) 563 final

²⁰ COM(2020) 562 final

Amendment 179
Rasmus Andresen
on behalf of the Greens/EFA Group

Proposal for a regulation
Recital 2 a (new)

Text proposed by the Commission

Amendment

(2 a) Methane is a powerful greenhouse gas, over 80 times more potent than CO₂ over a 20-year period, making it the second most important greenhouse gas, as well as a precursor pollutant to ground-level ozone (O₃) contributing to about a quarter of the global warming experienced today. Pathways modelled by the 1,5°C Special Report of the Intergovernmental Panel on Climate Change (IPCC), the IPCC Sixth Assessment Report and the 2021 Global Methane Assessment of the UN Environment Programme (UNEP) that limit global warming to 1,5°C with no or limited overshoot involve deep reductions in methane emissions. Therefore in order to adequately capture the short-term climate forcing effects of methane, and thus accurately account for the climate impact of the use of fossil liquified natural gas in the shipping sector over the envisaged timeframe of implementation of this Regulation, the use of a Global Warming Potential (GWP) value of methane over a 20-year time horizon (GWP₂₀) is considered more appropriate than over a 100-year time. Therefore the total GHG intensity of LNG should be calculated using GWP₂₀ value = 82.5, as defined in the IPCC 6th Assessment Report.

Justification

Correcting Rapporteurs' Amendment number 6 of the draft opinion. The correct GWP20 value is 82.5

Amendment 180

Marisa Matias

Proposal for a regulation

Recital 2 a (new)

Text proposed by the Commission

Amendment

(2 a) Methane is a powerful greenhouse gas, over 80 times more potent than CO₂ over a 20-year period, making it the second most important greenhouse gas, as well as a precursor pollutant to ground-level ozone (O₃) contributing to about a quarter of the global warming experienced today. Therefore in order to adequately capture the short-term climate forcing effects of methane, and thus accurately account for the climate impact of the use of fossil liquified natural gas in the shipping sector over the envisaged timeframe of implementation of this Regulation, the use of a Global Warming Potential (GWP) value of methane over a 20-year time horizon (GWP₂₀) is considered more appropriate than over a 100-year time. Consequently the total GHG intensity of LNG should be calculated using GWP 20 value = 82.5, as defined in the IPCC 6th Assessment Report.

Or. en

Amendment 181

Eva Kaili, Robert Hajšel, Carlos Zorrinho, Josianne Cutajar, Miapetra Kumpula-Natri, Tsvetelina Penkova

Proposal for a regulation

Recital 3

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

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

Or. en

Amendment 182

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Recital 3

Text proposed by the Commission

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

Amendment

(3) In the context of fuel transition to renewable and low carbon fuels and substitute sources of energy, it is essential to ensure the proper functioning of and fair competition in the EU maritime transport market regarding marine fuels, which account for a substantial share of ship operators' costs - **typically between 35% and 53% of shipping freight rates**. Differences in fuel requirements across Member States of the Union can significantly affect ship operators' economic performance and negatively impact competition in the market. Due to the international nature of shipping, ship operators may easily bunker in third countries and carry large amounts of fuel. This may lead to carbon leakage and detrimental effects on the competitiveness of the sector if the availability of renewable and low carbon fuels in maritime ports under the jurisdiction of a Member State is not accompanied by requirements for their use that apply to all ship operators arriving at and departing from ports under the jurisdiction of Member States. This Regulation should lay down measures to ensure that the penetration of renewable low-carbon fuels in the marine fuels market takes place under the conditions of fair competition on the EU maritime transport market.

Or. en

Amendment 183

Isabella Tovagliari, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) In the context of fuel transition to renewable and low carbon fuels and substitute sources of energy, it is essential

Amendment

(3) In the context of fuel transition to renewable and low carbon fuels and substitute sources of energy, it is essential

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

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

Or. en

Amendment 184

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk, Christophe Grudler

Proposal for a regulation

Recital 3 a (new)

Text proposed by the Commission

Amendment

(3 a) The Fit for 55 package includes a significant number of measures affecting the maritime sector, including the proposal for an Alternative Fuels Infrastructure Regulation, the updated Renewable Energy Directive, the inclusion the maritime sector in the EU ETS system and the revision of the

Energy Taxation Directive. The FuelEU Maritime Regulation should be coherent with these proposals, in order to secure a stable and predictable legislative framework.

Or. en

Amendment 185

Jörgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

**Proposal for a regulation
Recital 3 a (new)**

Text proposed by the Commission

Amendment

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

Or. en

Amendment 186

Eva Kaili, Robert Hajšel, Carlos Zorrinho, Josianne Cutajar, Miapetra Kumpula-Natri, Tsvetelina Penkova

**Proposal for a regulation
Recital 4 a (new)**

Text proposed by the Commission

Amendment

(4 a) Every year over a period of five years as from the entry into force of the FuelEU Maritime Regulation, the EU

Commission should evaluate the impact of FuelEU Maritime on EU ports exposed to competition from non-EU ports. A list of those ports shall be established, their emissions monitored and the evolution of the volumes tracked in order to determine whether variations are due to market conditions or can be attributed to carbon leakage. Should the cargo diversion be caused by the introduction of FuelEU Maritime, the EU Commission will have to thoroughly evaluate the loss of competitiveness and allocate additional funding for clean port infrastructure and for the greening of superstructure such as new clean mobile service equipment.

Or. en

Amendment 187

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skytvedal

Proposal for a regulation Recital 4 a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 188

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

**Proposal for a regulation
Recital 4 b (new)**

Text proposed by the Commission

Amendment

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

Or. en

Amendment 189

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

**Proposal for a regulation
Recital 4 c (new)**

Text proposed by the Commission

Amendment

(4 c) The obligation for ports to provide on-shore power supply should be complemented by a corresponding obligation for ships to connect to such charging infrastructure while at berth, in order to ensure effectiveness and avoid stranded assets. Furthermore, the costs associated with on-shore charging should be reduced by permanently exempting

electricity supplied to vessels in port from taxation through revisions of the Energy Taxation Directive (XXXX-XXX).

Or. en

Amendment 190

Eva Kaili, Robert Hajšel, Carlos Zorrinho, Miapetra Kumpula-Natri, Tsvetelina Penkova

Proposal for a regulation

Recital 5

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 191

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) The rules laid down in this Regulation should apply in a non-discriminatory manner to all ships regardless of their flag. For reasons of coherence with Union and international rules in the area of maritime transport, this Regulation should not apply to ***warships***,

Amendment

(5) The rules laid down in this Regulation should apply in a non-discriminatory manner to all ships regardless of their flag. For reasons of coherence with Union and international rules in the area of maritime transport, this Regulation should not apply to ***military***

naval auxiliaries, fish-catching or fish-processing ships, or government ships used for non-commercial purposes.

and police units, naval auxiliaries, fish-catching or fish-processing ships, or government ships used for non-commercial purposes.

Or. en

Justification

For us, "warships" is too limited. it is better to use a more comprehensive word concerning defence and police surface units

Amendment 192

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Recital 5 a (new)

Text proposed by the Commission

Amendment

(5 a) To ensure a level playing field for ships built to operate in ice-covered waters on their way to, from or between Member State ports, specific information relating to a ship's ice class, and to its navigation through ice, should be considered when calculating GHG emission reductions on a vessel basis, as well as in the data monitored and reported on the basis of the EU MRV Regulation (2015/757).

Or. en

Amendment 193

Eva Kaili, Robert Hajšel, Tsvetelina Penkova

Proposal for a regulation

Recital 6

Text proposed by the Commission

Amendment

(6) The person or organisation responsible for the compliance with this

(6) The person or organisation responsible for the compliance with this

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

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

Regulation should be the shipping company, defined as the shipowner or any other organisation or person, such as the manager or the bareboat charterer, that has assumed the responsibility for the operation of the ship from the shipowner and that, on assuming such responsibility, has agreed to take over all the duties and responsibilities imposed by the International Management Code for the Safe Operation of Ships and for Pollution Prevention. This definition is based on the definition of ‘company’ in Article 3, point (d) of Regulation (EU) 2015/757 of the European Parliament and of the Council²¹, and in line with the global data collection system established in 2016 by the International Maritime Organization (IMO). ***However, the shipping company is not always responsible for purchasing the fuel and/or taking operational decisions that affect the greenhouse gas intensity of the energy used by the ship. These responsibilities may be assumed by an entity other than the shipping company under a contractual agreement. In that case, in order to properly implement the ‘polluter pays’ principle and to encourage the uptake of cleaner fuels, a binding clause should be included in these agreements for the purpose of passing on to that entity the costs under this Regulation, namely the penalties related to the under-performance of the ship. This clause should provide that the entity responsible for the operation of the ship should reimburse the shipping company with respect to the penalties imposed for each non-compliant port call and failing to meet the limits on the greenhouse gas intensity of the energy used on-board the ship. In this regard operation of the ship includes determining the cargo carried, the itinerary (including the port of calls), the routeing and/or the speed of the ship.***

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

and verification of carbon dioxide emissions from maritime transport, and amending Directive 2009/16/EC (OJ L 123, 19.5.2015, p. 55).

and verification of carbon dioxide emissions from maritime transport, and amending Directive 2009/16/EC (OJ L 123, 19.5.2015, p. 55).

Or. en

Amendment 194
Marisa Matias

Proposal for a regulation
Recital 7

Text proposed by the Commission

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

Amendment

(7) In order to limit the administrative burden, in particular that of smaller operators, this Regulation should not apply to wooden ships of a primitive build and ships not propelled by mechanical means and focus on ships with a gross tonnage above **400**.

Or. en

Amendment 195

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) The development and deployment of new fuels and energy solutions requires a coordinated approach to match supply, demand and the provision of appropriate distribution infrastructure. While the current European regulatory framework

Amendment

(8) The development and deployment of new fuels and energy solutions requires a coordinated ***and pragmatic*** approach to match supply, demand and the provision of appropriate distribution infrastructure. ***Appropriate incentives and economies of***

already partly addresses fuel production with Directive (EU) 2018/2001 of the European Parliament and of the Council²² and distribution with Directive 2014/94/EU of the European Parliament and of the Council²³, there is also a need for a tool that establishes increasing levels of demand of renewable and low-carbon maritime fuels.

²² Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

²³ Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure (OJ L 307, 28.10.2014, p. 1).

scale on the supply side will facilitate further developments of these new fuels.

While the current European regulatory framework already partly addresses fuel production with Directive (EU) 2018/2001 of the European Parliament and of the Council²² and distribution with Directive 2014/94/EU of the European Parliament and of the Council²³, there is also a need for a tool that establishes increasing levels of demand of renewable and low-carbon maritime fuels.

²² Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

²³ Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure (OJ L 307, 28.10.2014, p. 1).

Or. en

Amendment 196

Patrizia Toia

Proposal for a regulation

Recital 9

Text proposed by the Commission

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

Amendment

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

effective manner.

Or. en

Amendment 197

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Recital 9

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 198

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skytvedal

Proposal for a regulation

Recital 9

Text proposed by the Commission

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

Amendment

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

renewable and low-carbon marine fuels and substitute sources of energy, such as wind or electricity, is therefore necessary.

renewable and low-carbon marine fuels and substitute sources of energy, such as wind or **fossil free** electricity, is therefore necessary.

Or. en

Amendment 199

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk, Christophe Grudler

Proposal for a regulation

Recital 9

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 200

Marisa Matias

Proposal for a regulation

Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) In keeping with the Commission recommendation of 28 September 2021 entitled ‘on Energy Efficiency First: from principles to practice. Guidelines and examples for its implementation in decision-making in the energy sector and beyond’, this Regulation takes an

integrated approach by introducing targets for energy efficiency, so that minimal energy would be required for several maritime activities, in addition to promoting fuel switch to sustainable renewable. An emission reduction target per transport work will stimulate shipowners and operators to implement available operational and energy efficiency measures, having into account their needs, such as slow steaming, speed and planning optimisation, wind propulsion, anti-fouling coatings, electrification from renewable sources and energy storage, but also digitalisation and logistics optimisation. Equally important to correctly operationalise the energy efficiency first guidelines is to reward, hence incentivise, more energy efficient energy sources or propulsion technologies for energy used at sea and at berth to comply with the provisions in this Regulation.

Or. en

Amendment 201

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) Whilst there may then be a tendency to favour these new, potentially better or more promising solutions, the investments made in the former technologies, fuels or other solutions still need to be honoured and protected in that the investments made in these “former” technologies, fuels or solutions need to be returned. For these reasons, there is need for the waterborne sector in Europe to be granted the necessary legal certainty that is a prerequisite to achieve the EU Green Deal targets.

Amendment 202**Marisa Matias****Proposal for a regulation****Recital 10***Text proposed by the Commission*

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

Amendment

(10) Policy intervention to stimulate demand of renewable maritime fuels should be goal-based and respect the ***energy efficiency and sustainability first principles***. Accordingly, limits should be set on the greenhouse gas intensity of the energy used on-board by ships, ***which should also ensure proper recognition of the energy efficiency and sustainability of*** any particular fuel or technology. ***Moreover, dedicated incentives are deemed appropriate to stimulate the upscale and uptake of renewable fuels of nonbiological origin which are set to play a key role to decarbonise those shipping applications without a more energy efficient and sustainable renewable-based alternative, such as direct renewable-based electrification.***

Or. en

Amendment 203**Jerzy Buzek****Proposal for a regulation****Recital 10***Text proposed by the Commission*

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

Amendment

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

energy used on-board by ships without prescribing the use of any particular fuel or technology.

energy used on-board by ships without prescribing the use of any particular fuel or technology. ***Artificial contribution via additional multipliers for certain fuels should therefore be avoided. To maximize the impact on greenhouse gas intensity of shipping, especially in the short term, all fuels must be able to contribute to the target.***

Or. en

Justification

The European Commission's original proposal aims to reduce greenhouse gas intensity in a technology-neutral way. The proposed text should be amended to further emphasize that all fuels can contribute to the target and that their contribution is based on factual greenhouse gas content. Additional multipliers for the contribution of certain fuels should be avoided because these would make the greenhouse gas intensity reduction target meaningless as the calculation would no longer be based on greenhouse gas content of fuels

Amendment 204

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Recital 10

Text proposed by the Commission

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

Amendment

(10) ***Considering that in the short term many zero-emissions technologies will not be immediately available and affordable, it is crucial to promote initiatives*** to stimulate demand of renewable and low-carbon maritime fuels should be goal-based and respect the principle of technological neutrality. Accordingly, limits should be set on the greenhouse gas intensity of the energy used on-board by ships without prescribing the use of any particular fuel or technology.

Or. en

Amendment 205

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation
Recital 11

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 206

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk

Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) Development and deployment of renewable and low carbon fuels with a high

Amendment

(11) Development and deployment of renewable and low carbon fuels with a high

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

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

Or. en

Amendment 207

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skytvedal

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) Development and deployment of renewable and low carbon fuels with a high potential for sustainability, commercial maturity and a high potential for innovation and growth to meet future needs should be promoted. This will support creating innovative and competitive fuels markets and ensure sufficient supply of sustainable maritime fuels in the short and long term to contribute to Union transport decarbonisation ambitions, while strengthening Union's efforts towards a

Amendment

(11) Development and deployment of renewable and low carbon fuels *and propulsion technologies* with a high potential for sustainability, commercial maturity and a high potential for innovation and growth to meet future needs should be promoted. This will support creating innovative and competitive fuels markets and ensure sufficient supply of sustainable maritime fuels in the short and long term to contribute to Union transport decarbonisation ambitions, while

high level of environmental protection. For this purpose, sustainable maritime fuels produced from feedstock listed in Parts A and B of Annex IX of Directive (EU) 2018/2001, as well as synthetic maritime fuels should be eligible. In particular, sustainable maritime fuels produced from feedstock listed in Part B of Annex IX of Directive (EU) 2018/2001 are essential, as currently the most commercially mature technology to decarbonise maritime transport already in the short term.

strengthening Union's efforts towards a high level of environmental protection. For this purpose, sustainable maritime fuels produced from feedstock listed in Parts A and B of Annex IX of Directive (EU) 2018/2001, as well as synthetic maritime fuels should be eligible. In particular, sustainable maritime fuels produced from feedstock listed in Part B of Annex IX of Directive (EU) 2018/2001 are essential, as currently the most commercially mature technology to decarbonise maritime transport already in the short term.

Or. en

Amendment 208

Jürgen Warborn, Henna Virkkunen, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Michael Gahler, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Recital 12

Text proposed by the Commission

Amendment

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

deleted

required for the establishment of emission factors required by the application of this regulation. However, there is evidence that all fuels produced from feedstock cause indirect land-use change to various degrees. In addition to the greenhouse gas emissions linked to indirect land-use change – which is capable of negating some or all greenhouse gas emissions savings of individual biofuels, bioliquids or biomass fuels – indirect land-use change poses risks to biodiversity. This risk is particularly serious in connection with a potentially large expansion of production determined by a significant increase in demand. Accordingly, no feed and food crop-based fuels should be promoted. Directive (EU) 2018/2001 already limits and sets a cap on the contribution of such biofuels, bioliquids and biomass to the GHG emissions savings targets in the road and rail transport sector considering their lower environmental benefits, lower performance in terms of greenhouse reduction potential and broader sustainability concerns.

Or. en

Justification

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

Amendment 209

Mauri Pekkarinen, Nils Torvalds

Proposal for a regulation

Recital 12

Text proposed by the Commission

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

Amendment

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

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

increases the pressure on land and can lead to the extension of agricultural land into areas with high-carbon stock, such as forests, wetlands and peatland, causing additional greenhouse gas emissions and loss of biodiversity. Research has shown that the scale of the effect depends on a variety of factors, including the type of feedstock used for fuel production, the level of additional demand for feedstock triggered by the use of biofuels, bioliquids and biomass fuels, and the extent to which land with high-carbon stock is protected worldwide. The level of greenhouse gas emissions caused by indirect land-use change cannot be unequivocally determined with the level of precision required for the establishment of emission factors required by the application of this regulation. However, there is evidence that all fuels produced from feedstock cause indirect land-use change to various degrees. In addition to the greenhouse gas emissions linked to indirect land-use change – which is capable of negating some or all greenhouse gas emissions savings of individual biofuels, bioliquids or biomass fuels – indirect land-use change poses risks to biodiversity. This risk is particularly serious in connection with a potentially large expansion of production determined by a significant increase in demand. Directive (EU) 2018/2001 already limits and sets a cap on the contribution of biofuels, bioliquids and biomass to the GHG emissions savings targets in the road and rail transport sector considering their lower environmental benefits, lower performance in terms of greenhouse reduction potential and broader sustainability concerns.

Or. en

Justification

Justification: To ensure that all sustainable biofuels can contribute to the decarbonisation of the maritime sector, sustainable food and feed crop based biofuels that pose no indirect land-

use change-risk should be taken into account. Furthermore, to promote legislative coherence, sustainability criteria for biofuels should be primarily set in Directive (EU) 2018/2001.

Amendment 210

Jürgen Warborn, Henna Virkkunen, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Michael Gahler, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Recital 13

Text proposed by the Commission

Amendment

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

Or. en

Justification

A coherent approach to biofuels, across transport modes, should be ensured in the revision of

Amendment 211

Mauri Pekkarinen, Nils Torvalds

Proposal for a regulation

Recital 13

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 212

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Recital 13

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 213

Marisa Matias

Proposal for a regulation

Recital 13 a (new)

Text proposed by the Commission

Amendment

(13 a) OLAF investigations put forward concerning numbers of illegal dumping of biodiesel from world market into the EU which are also falsely described as having been obtained from used cooking oil (UCO). In this regard should be avoided the creation of a potentially large demand of UCO in the maritime sector, whereby its international nature would make enforcement and control of biofuels standards even more difficult than for imported biofuels. For this reason, used cooking oil based biofuels should be considered to have the same emission factors as the least favourable fossil pathway.

Or. en

Amendment 214

Jürgen Warborn, Henna Virkkunen, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skytvedal

Proposal for a regulation

Recital 14

Text proposed by the Commission

Amendment

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

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

maritime transport, and encourage investment from stakeholders. Such framework should define limits for the greenhouse gas intensity of the energy used on-board by ships until 2050. Those limits should become more ambitious over time to reflect the expected technology development and increased production of marine renewable and low carbon fuels.

maritime transport, and encourage investment from stakeholders. Such framework should define limits for the greenhouse gas intensity of the energy used on-board by ships, ***both during navigation and at berth***, until 2050. Those limits should become more ambitious over time to reflect the expected technology development and increased production of marine renewable and low carbon fuels. ***To ensure legal certainty and provide sufficient time for the sector to plan and prepare the long term, as well as to avoid stranded assets, possible future reviews of this Regulation should be limited in scope and avoid significant changes to the requirements.***

Or. en

Amendment 215

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Recital 14

Text proposed by the Commission

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

Amendment

(14) The long lead times ***and the high costs*** associated to the development and deployment of new fuels and energy solutions for maritime transport require rapid action and the establishment of a clear and predictable long-term regulatory framework facilitating planning and investment from all the stakeholders concerned. A clear and stable long-term regulatory framework, ***agreed with the stakeholders, will be crucial for*** the development and deployment of new fuels and energy solutions for maritime transport, and encourage investment from stakeholders. Such framework should define limits for the greenhouse gas intensity of the energy used on-board by ships until 2050. Those limits should become more ambitious over time to reflect the expected technology

marine renewable and low carbon fuels.

development and increased production of marine renewable and low carbon fuels.

Or. en

Amendment 216

Eva Kaili, Robert Hajšel, Josianne Cutajar, Miapetra Kumpula-Natri, Tsvetelina Penkova

Proposal for a regulation

Recital 14 a (new)

Text proposed by the Commission

Amendment

(14 a) The development and production of sustainable maritime fuels should be exponentially increased in the coming years. The EU and the Member States should invest in the research and production of sustainable maritime fuel projects as they present both an environmental and an industrial opportunity. The production of sustainable maritime fuels should be concentrated inside the Union, creating industrial, labour and research opportunities in all the Member States. As there is an urgent need to support research and innovation for maritime fuels, an EU research centre for alternative marine fuels and technologies could be created. This centre should coordinate the sector stakeholders involved in the development of sustainable renewable fuels and possibly co-finance investment and research, development and deployment through the ETS maritime revenues.

Or. en

Amendment 217

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Recital 14 a (new)

Text proposed by the Commission

Amendment

(14 a) To encourage the entire waterborne sector to invest significantly in the transformation of waterborne transport into a zero-emission mode of transport, investments need to be underpinned by a legal framework that offers legal certainty to the entire sector, including to the European Maritime Technology Sector.

Or. en

Amendment 218

Isabella Tovagliari, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Recital 14 b (new)

Text proposed by the Commission

Amendment

(14 b) Due to the longevity of maritime technology, maritime stakeholders, including shipyards and maritime equipment manufacturers, deserve protection in terms of legal certainty, in particular first movers investing in innovative technologies and/or in new fuels. The rationale therefor is that the transition towards zero-emission waterborne transport and towards a zero-emission maritime (technology) sector will face rapidly changing state-of-the-art technologies, alternative fuels or other zero-emission solutions offering new superior pathways compared to recent solutions.

Or. en

Amendment 219

Mauri Pekkarinen, Nils Torvalds

Proposal for a regulation

Recital 15

Text proposed by the Commission

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

Amendment

(15) This Regulation should establish the methodology and the formula that should apply to calculate the yearly average greenhouse gas intensity of the energy used on-board by a ship. This formula should be based on the fuel consumption reported by ships and consider the relevant emission factors of these fuels. The use of substitute sources of energy, such as wind or electricity, should also be reflected in the methodology. ***To ensure a level playing field, a specific method should be applied to take into account the additional emissions resulting from sailing in ice conditions and the additional emissions caused by the ship's ice-strengthened design when sailing in open water.***

Or. en

Amendment 220

Eva Kaili, Robert Hajšel, Carlos Zorrinho, Tsvetelina Penkova

Proposal for a regulation

Recital 15

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 221

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Recital 15

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 222

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk, Christophe Grudler

Proposal for a regulation

Recital 17

Text proposed by the Commission

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

Amendment

(17) The well-to-wake performance of renewable and low-carbon maritime fuels should be established using default or actual and certified emission factors covering the well-to-tank and tank-to-wake emissions. The performance of fossil fuels should be assessed through the use of default emission factors **for well-to-tank emissions, which should be regularly updated based on the most recent technological and scientific developments,** as provided for by this Regulation. **The**

tank-to-wake emissions of fossil fuels should be established using default or actual and certified emission factors.

Or. en

Justification

It should be made clear that operators and manufacturers can use real values for the emissions released during the operation of engines, in order to enable the development of more efficient propulsion systems.

Amendment 223
Miapetra Kumpula-Natri

Proposal for a regulation
Recital 17

Text proposed by the Commission

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

Amendment

(17) The well-to-wake performance of renewable and low-carbon maritime fuels should be established using default or actual and certified emission factors covering the well-to-tank and tank-to-wake emissions. The performance of fossil fuels should however be assessed through the use of default emission factors as provided for by this Regulation. ***It should be also taken into account that allowing the use of verified actual emission factors is necessary for incentivizing the research and development of cleaner fuels and propulsion systems.***

Or. en

Justification

The ability to use actual and certified values is important for incentivizing owners, operators and manufacturers to invest in further improvements in fuels and propulsion systems, for example to tackle methane slip. For the same reason, the performance of fossil fuels should not be limited to default factors as it would reduce the incentive to develop cleaner technologies that e.g. have smaller methane slip.

Amendment 224

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Recital 17

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 225

Marisa Matias

Proposal for a regulation

Recital 17

Text proposed by the Commission

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

Amendment

(17) The well-to-wake performance of renewable maritime fuels should be established using default or actual and certified emission factors covering the well-to-tank and tank-to-wake emissions. Fossil fuels **and fossil gas** should however only be assessed through the use of default emission factors as provided for by this Regulation ***and deemed not suitable for complying with the GHG emission intensity target.***

Or. en

Amendment 226

Jerzy Buzek

Proposal for a regulation

Recital 17

Text proposed by the Commission

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

Amendment

(17) The well-to-wake performance of renewable and low-carbon maritime fuels should be established using default or actual and certified emission factors covering the well-to-tank and tank-to-wake emissions. ***Allowing the use of actual and certified values is an essential tool for incentivizing the research and development of cleaner fuels and propulsion systems.***

Or. en

Justification

The ability to use actual and certified values is important for incentivizing manufacturers, owners and operators to invest in further improvements in fuels and propulsion systems. For the same reason, the performance of fossil fuels should not be limited to default factors as it would reduce the incentive to develop cleaner technologies that e.g. have smaller methane slip.

Amendment 227

Rasmus Andresen

on behalf of the Greens/EFA Group

Proposal for a regulation

Recital 18

Text proposed by the Commission

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

Amendment

(18) A comprehensive approach on all the most relevant GHG emissions (CO₂, ***BC***, CH₄ and N₂O) is necessary to promote the use of energy sources providing a lower GHG footprint overall. In order to reflect the global warming potential of ***black carbon***, methane and nitrous oxides, the ***reference value and the limits*** set by this Regulation should therefore be expressed

in terms of ‘CO₂ equivalent’.

in terms of ‘CO₂ equivalent’. ***The reference value should be published by the European Commission no later than December 2022 and should correspond to the fleet average greenhouse gas intensity of the energy used on-board by ships in 2020 determined on the basis of data monitored and reported in the framework of Regulation (EU) 2015/757 and using the methodology and default values laid down in Annex I and Annex II to this Regulation.***

Or. en

Justification

The initial rapporteur's amendment on the calculation of the reference value in art 4.2 was not possible because falling on a technical text in squared brackets. Therefore it needs to be integrated in the recitals. The only change with respect to the technical text in art 4.2 is the reference to Annex II to calculate the baseline. In fact we cannot estimate the FuelEU baseline with MRV data and methodology at Annex I alone as there are no values for emissions in Annex I, and MRV covers only CO₂ whereas FuelEU is also about CH₄ and N₂O for instance. A call to calculate the reference value before the entry into force of the regulation is also added.

Amendment 228

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk, Christophe Grudler

Proposal for a regulation

Recital 19

Text proposed by the Commission

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

Amendment

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

measurements are on-going, the Commission should continue to monitor standardisation efforts with a view to updating its measurement approach in line with scientific and technical developments.

Or. en

Justification

Given the developments in the methodology for accounting for the contributions of wind and solar-based technologies, the Commission should regularly update its approach in line with scientific progress.

Amendment 229

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Recital 19

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 230

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Recital 19

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 231

Eva Kaili, Robert Hajšel, Carlos Zorrinho, Miapetra Kumpula-Natri, Tsvetelina Penkova

Proposal for a regulation

Recital 19 a (new)

Text proposed by the Commission

Amendment

(19 a) In the event that the fuel necessary for a ship to comply cannot be supplied at a port under the jurisdiction of a Member State, the ship should report the inability to obtain such fuel to the competent authority of the Member State concerned and to the competent authority of the port of destination, if that port is also under the jurisdiction of a Member State.

Or. en

Amendment 232

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Recital 20

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 233

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skytvedal

Proposal for a regulation

Recital 21

Text proposed by the Commission

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

Amendment

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

OPS by the most polluting ships.

established to mandate the use of OPS by the most polluting ships *in situations where it effectively reduces emissions at a reasonable cost.*

Or. en

Amendment 234

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Recital 21

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 235

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk, Christophe Grudler

Proposal for a regulation

Recital 21 a (new)

Text proposed by the Commission

Amendment

(21 a) In order to ensure the optimal use of on-shore power supply (OPS) and of

alternative equivalent technologies, vessels, ports and all relevant stakeholders should engage in close cooperation and coordination. In particular, ship operators should provide the port of call with adequate and timely information about their intention to use OPS and their estimated power needs, in order to ensure the availability of the infrastructure as well as contributing to a predictable use of the electricity grid.

Or. en

Justification

Better cooperation between stakeholders will improve the business case for on-shore power supply as well as contributing to the stability of the electricity grid.

Amendment 236

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk, Christophe Grudler

Proposal for a regulation

Recital 21 b (new)

Text proposed by the Commission

Amendment

(21 b) The use of OPS may nonetheless present challenges for the stability of the electricity grid, given the significant power demand of certain categories of ships. Thus, Member States should work closely with the relevant stakeholders to ensure that the necessary investments are carried out and sufficient grid capacity is secured.

Or. en

Amendment 237

Jörgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Recital 23

Text proposed by the Commission

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

Amendment

(23) Exceptions to the use of OPS should also be provided for a number of objective reasons, certified by the managing body of the port of call, ***the terminal operator and/or the competent authority, depending on the governance model for ports in the different Member States. These exceptions should be*** limited to unscheduled port calls for reasons of safety or saving life at sea, for short stays of ships at berth of less than two hours as this is the minimum time required for connection, and for the use of on-board energy generation under emergency situations. ***In case it is impossible to supply sufficient on-shore power due to weak capacity in the local grid connecting to the port, this should not be considered as a failure neither of the port nor of the ship operator to comply with the requirements of this Regulation, as long as the insufficient local grid capacity is duly attested by the grid manager to the verifiers.***

Or. en

Amendment 238

Marisa Matias

Proposal for a regulation

Recital 24

Text proposed by the Commission

(24) ***Exceptions in case of unavailability or incompatibility of OPS should be limited after ship and port operators have had sufficient time to make the necessary investments, in order to provide the necessary incentives for those investments and avoid unfair competition. As of 2035, ship operators should plan carefully their port calls to***

Amendment

deleted

make sure that they can carry out their activities without emitting air pollutants and GHG at berth and compromise the environment in coastal areas and port cities. A limited number of exceptions in case of unavailability or incompatibility of OPS should be maintained in order to provide the possibility for occasional last-minute changes in port call schedules and calls in ports with incompatible equipment.

Or. en

Amendment 239

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk, Christophe Grudler

Proposal for a regulation

Recital 24

Text proposed by the Commission

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

Amendment

(24) Exceptions in case of unavailability or incompatibility of OPS should be limited after ship and port operators have had sufficient time to make the necessary investments, in order to provide the necessary incentives for those investments and avoid unfair competition. ***In order to avoid incompatibility between shore power installations on-board and in ports, the Commission should provide the necessary support to ensure that vessels and ports apply all existing and future standardisation requirements, notably with regards to electrical frequency conversion where required.*** As of 2035, ship operators should plan carefully their port calls to make sure that they can carry out their activities without emitting air pollutants and GHG at berth and compromise the environment in coastal areas and port cities. A limited number of exceptions in case of unavailability or incompatibility of OPS should be maintained in order to provide the possibility for occasional last-minute

changes in port call schedules and calls in ports with incompatible equipment.

Or. en

Amendment 240

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skytvedal

Proposal for a regulation

Recital 24

Text proposed by the Commission

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

Amendment

(24) Exceptions in case of unavailability or incompatibility of OPS should be limited after ship and port operators have had sufficient time to make the necessary investments, in order to provide the necessary incentives for those investments and avoid unfair competition. **Ports should equip their berths, and ship owners their vessels, with power installations that comply with applicable standards, in order to ensure that the systems are fully compatible.** As of 2035, ship operators should plan carefully their calls **on TEN-T ports covered by the Regulation XXXX-XXX (Alternative Fuels Infrastructure Regulation)** to make sure that they can carry out their activities without emitting air pollutants and GHG at berth and compromise the environment in coastal areas and port cities. A limited number of exceptions in case of unavailability or incompatibility of OPS **should** be maintained in order to provide the possibility for occasional last-minute changes in port call schedules and calls in ports with incompatible equipment.

Or. en

Amendment 241

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Christophe Grudler

Proposal for a regulation
Recital 24

Text proposed by the Commission

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

Amendment

(24) Exceptions in case of unavailability or incompatibility of OPS should be limited after ship and port operators have had sufficient time to make the necessary investments, in order to provide the necessary incentives for those investments and avoid unfair competition. As of 2035, ship operators should plan carefully their port calls to make sure that they can carry out their activities without emitting air pollutants and GHG at berth and compromise the environment in coastal areas and port cities. A limited number of exceptions in case of unavailability or incompatibility of OPS *should* be maintained *only if vessels cannot be reasonably expected to know that their equipment would be incompatible or that connection points would not be available*.

Or. en

Justification

Fewer exceptions should apply once the OPS infrastructure has been sufficiently installed.

Amendment 242

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation
Recital 24 a (new)

Text proposed by the Commission

Amendment

(24 a) The targets for provision of OPS laid down in Regulation XXXX-XXX (Alternative Fuels Infrastructure Regulation) take into account the types of vessels served and the respective traffic volumes of maritime ports. The

requirement for ships to connect to OPS while at berth should not apply to vessels when calling on ports exempted from the OPS requirement in the Alternative Fuels Infrastructure Regulation.

Or. en

Amendment 243

Jörgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

**Proposal for a regulation
Recital 24 b (new)**

Text proposed by the Commission

Amendment

(24 b) Even if on-shore power supply is an important tool to reduce local emissions of air pollutants, its potential to reduce greenhouse gases depend entirely on the energy mix that is fed through the cables. To realise the full climate and environmental potential of OPS, Member States must continue to reduce the GHG intensity of their energy mixes and provide ports with priceworthy, plannable and fossil free electricity.

Or. en

Amendment 244

Jörgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

**Proposal for a regulation
Recital 24 c (new)**

Text proposed by the Commission

Amendment

(24 c) The implementation of this Regulation should take due consideration of the diverse governance models for ports across the Union, in particular as regards

the responsibility for issuing a certificate exempting a vessel from the obligation to connect to OPS.

Or. en

Amendment 245

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skytvedal

Proposal for a regulation

Recital 24 d (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 246

Evžen Tošenovský

Proposal for a regulation

Recital 25 a (new)

Text proposed by the Commission

Amendment

(25 a) Member States that have no maritime ports in their territory and which have no ships flying their flag and falling under the scope of this Regulation or which have closed their national ship registers, and which have not accredited any verifier, should be able to derogate from the provisions of this Regulation relating to sanctions, as long as no such ships are flying their flag.

Amendment 247**Mauri Pekkarinen, Nils Torvalds****Proposal for a regulation****Recital 26***Text proposed by the Commission*

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

Amendment

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

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

Amendment 248**Eva Kaili, Carlos Zorrinho, Josianne Cutajar, Miapetra Kumpula-Natri, Tsvetelina Penkova****Proposal for a regulation****Recital 26 a (new)**

(26 a) The use of blockchain technology should be encouraged in order to render monitoring and reporting processes more secure and accurate.

Or. en

Amendment 249

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk, Christophe Grudler

Proposal for a regulation

Recital 27

Text proposed by the Commission

Amendment

(27) Certification of fuels is essential to achieve the objectives of this Regulation and guarantee the environmental integrity of the renewable and low-carbon fuels that are expected to be deployed in the maritime sector. Such certification should be undertaken by means of a transparent and non-discriminatory procedure. With a view to facilitating certification and limiting the administrative burden, the certification of biofuels, biogas, renewable fuels of non-biological origin and recycled carbon fuel should rely on the rules established by Directive (EU) 2018/2001. This approach of certification should also apply to fuels bunkered outside the Union, which should be considered as imported fuels, in a similar way as Directive (EU) 2018/2001. When companies intend to depart from the default values provided for by that Directive or this new framework, this should only be done when values can be certified by one of the voluntary schemes recognised under Directive (EU) 2018/2001 (for well-to-tank values) or by means of laboratory testing or direct emissions measurements (tank-to-wake).

(27) Certification of fuels is essential to achieve the objectives of this Regulation and guarantee the environmental integrity of the renewable and low-carbon fuels that are expected to be deployed in the maritime sector. Such certification should be undertaken by means of a transparent and non-discriminatory procedure. With a view to facilitating certification and limiting the administrative burden, the certification of biofuels, biogas, renewable fuels of non-biological origin and recycled carbon fuel should rely on the rules established by Directive (EU) 2018/2001. This approach of certification should also apply to fuels bunkered outside the Union, which should be considered as imported fuels, in a similar way as Directive (EU) 2018/2001. When companies intend to depart from the default values provided for by that Directive or this new framework, this should only be done when values can be certified by one of the voluntary schemes recognised under Directive (EU) 2018/2001 (for well-to-tank values) or by means of laboratory testing or direct emissions measurements (tank-to-wake) ***for all types of maritime fuels.***

Or. en

Justification

It should be made clear that operators and manufacturers can use real values for the emissions released during the operation of engines, in order to enable the development of more efficient propulsion systems.

Amendment 250

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Recital 27

Text proposed by the Commission

(27) Certification of fuels is essential to achieve the objectives of this Regulation and guarantee the environmental integrity of the renewable and low-carbon fuels that are expected to be deployed in the maritime sector. Such certification should be undertaken by means of a transparent and non-discriminatory procedure. With a view to facilitating certification and limiting the administrative burden, the certification of biofuels, biogas, renewable fuels of non-biological origin and recycled carbon fuel should rely on the rules established by Directive (EU) 2018/2001. This approach of certification should also apply to fuels bunkered outside the Union, which should be considered as imported fuels, in a similar way as Directive (EU) 2018/2001. When companies intend to depart from the default values provided for by that Directive or this new framework, this should only be done when values can be certified by one of the voluntary schemes recognised under Directive (EU) 2018/2001 (for well-to-tank values) or by means of laboratory testing or direct emissions measurements (tank-to-wake).

Amendment

(27) Certification of fuels is essential to achieve the objectives of this Regulation and guarantee the environmental integrity of the renewable and low-carbon fuels that are expected to be deployed in the maritime sector. Such certification should be undertaken by means of a transparent, ***standardised*** and non-discriminatory procedure. With a view to facilitating certification and limiting the administrative burden, the certification of biofuels, biogas, renewable fuels of non-biological origin and recycled carbon fuel should rely on the rules established by Directive (EU) 2018/2001. This approach of certification should also apply to fuels bunkered outside the Union, which should be considered as imported fuels, in a similar way as Directive (EU) 2018/2001. When companies intend to depart from the default values provided for by that Directive or this new framework, this should only be done when values can be certified by one of the voluntary schemes recognised under Directive (EU) 2018/2001 (for well-to-tank values) or by means of laboratory testing or direct emissions measurements (tank-to-wake).

Or. en

Amendment 251

Proposal for a regulation

Recital 31

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 252

Marisa Matias

Proposal for a regulation

Recital 32

Text proposed by the Commission

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

Amendment

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

agreement of the concerned companies.

Or. en

Amendment 253

Eva Kaili, Robert Hajšel, Carlos Zorrinho, Tsvetelina Penkova

Proposal for a regulation

Recital 37

Text proposed by the Commission

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

Amendment

(37) The revenues generated from the payment of penalties should be used to promote the distribution and use of renewable and low-carbon fuels in the maritime sector, help maritime operators to meet their climate and environmental goals, **finance/co-finance infrastructure and if necessary superstructure investments in the EU ports as well as to support redeployment, re-skilling and up-skilling of workers, in quality social dialogue with social partners**. For this purpose these revenues should be allocated to the Innovation Fund referred to in Article 10a(8) of Directive 2003/87/EC.

Or. en

Amendment 254

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Recital 37

Text proposed by the Commission

(37) The revenues generated from the payment of penalties should be **used** to promote the distribution and use of renewable and low-carbon fuels in the maritime sector and help maritime operators to meet their climate and environmental goals. For this purpose these revenues should be allocated to **the** the

Amendment

(37) The revenues generated from the payment of penalties should be **entirely reinvested in the shipbuilding sector**, to promote the distribution and use of renewable and low-carbon fuels in the maritime sector and help maritime operators to meet their climate and environmental goals. **The revenues should**

Innovation Fund referred to in Article 10a(8) of Directive 2003/87/EC.

also be devoted to the necessary deployment of the distribution, storage and bunkering infrastructure of future sustainable alternative fuels. For this purpose these revenues should be allocated to the Innovation Fund referred to in Article 10a(8) of Directive 2003/87/EC.

Or. en

Amendment 255

Nicola Danti, Klemen Grošelj, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk, Christophe Grudler

Proposal for a regulation

Recital 37

Text proposed by the Commission

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

Amendment

(37) The revenues generated from the payment of penalties should be used to promote the distribution and use of renewable and low-carbon fuels in the maritime sector and help maritime operators to meet their climate and environmental goals, *including by supporting investments in infrastructure deployment and improvement.* For this purpose these revenues should be allocated to the Innovation Fund referred to in Article 10a(8) of Directive 2003/87/EC. *It should be ensured that this allocation is earmarked for projects in the maritime sector.*

Or. en

Amendment 256

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Recital 37

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 257

Jörgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skytvedal

Proposal for a regulation
Recital 39

Text proposed by the Commission

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

Amendment

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

Amendment 258

Eva Kaili, Robert Hajšel, Josianne Cutajar, Miapetra Kumpula-Natri, Tsvetelina Penkova

Proposal for a regulation**Recital 39***Text proposed by the Commission*

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

Amendment

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

Amendment 259

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation**Recital 40***Text proposed by the Commission**Amendment*

(40) In order to maintain a level playing field through the efficient functioning of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of ***amendment of the list of well-to-wake emission factors, amendment of the list of the applicable zero-emission technologies or criteria for their use, to establish*** the rules on conducting the laboratory testing and direct emissions measurements, ***adaptation of the penalty factor***, accreditation of verifiers, ***adaptation of the penalty factor***, and modalities for the payment of penalties. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

(40) In order to maintain a level playing field through the efficient functioning of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of ***establishing*** the rules on conducting the laboratory testing and direct emissions measurements, accreditation of verifiers and modalities for the payment of penalties. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

Amendment 260

Jerzy Buzek

Proposal for a regulation

Recital 40 a (new)

Text proposed by the Commission

Amendment

(40 a) Low-carbon fuels and technologies are a quickly developing area of research and development. To ensure the relevancy of the initiative, the Commission should prepare two years after the entry into

force of this Regulation a technology-readiness report, analyzing the market readiness and availability of key zero- and low-emission propulsion systems and fuel technologies. Based on this report, the Commission should review the emission factors listed in Annex and, if necessary, include the well-to-wake emission factors related to any new sources of energy and update existing values.

Or. en

Justification

To ensure that the legislation is future-proof and takes into account latest developments in maritime propulsion and low-carbon fuels, the Commission should prepare a report on the availability of different fuels and use it as basis for amending the list of fuels in Annex II. The report is key for providing co-legislators information needed for accessing the subsequent delegated act amending the list of fuels. A clear timetable for the report can help ensure a transparent process for the report and the potential subsequent update of the list of fuels in Annex II.

Amendment 261 **Miapetra Kumpula-Natri**

Proposal for a regulation **Recital 40 a (new)**

Text proposed by the Commission

Amendment

(40 a) Alternative fuels and technologies are a quickly developing area of research and development. The Commission should therefore prepare a technology-readiness report, analyzing the market readiness and availability of key zero- and low-emission propulsion systems and fuel technologies two years after the entry into force of this Regulation. The report should serve as the basis for the review of the emission factors listed in Annex and, if necessary, the inclusion of well-to-wake emission factors for any new sources of energy and the update of existing values.

Or. en

Justification

To ensure that the legislation is future-proof and takes into account latest developments in maritime propulsion and low-carbon fuels, the Commission should prepare a report on the availability of different fuels and use it as basis for amending the list of fuels in Annex II. The report is vital for providing key stakeholders, in particular the European Parliament and the Council, the information needed for accessing the subsequent delegated act amending the list of fuels. A clear timetable for the report can help ensure a transparent process for the report and the potential subsequent update of the list of fuels in Annex II.

Amendment 262

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Recital 42

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 263

Eva Kaili, Robert Hajšel, Carlos Zorrinho, Josianne Cutajar, Miapetra Kumpula-Natri,

Tsvetelina Penkova

Proposal for a regulation

Recital 42

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 264

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Recital 42

Text proposed by the Commission

(42) Given the international dimension of the maritime sector, a global approach to limiting the greenhouse gas intensity of the energy used by ships is preferable as it ***could be regarded as*** more effective due to

Amendment

(42) Given the international dimension of the maritime sector, a global approach to limiting the greenhouse gas intensity of the energy used by ships is preferable as it ***would be significantly*** more effective due

its broader scope. In this context, and with a view to facilitating the development of international rules within the International Maritime Organisation (IMO), the Commission should share relevant information on the implementation of this Regulation with the IMO and other relevant international bodies and relevant submissions should be made to the IMO. Where an agreement on a global approach is reached on matters of relevance to this Regulation, the Commission should review the present Regulation *with a view to aligning it, where appropriate*, with the international rules.

to its broader scope. In this context, and with a view to facilitating the development of international rules within the International Maritime Organisation (IMO), the Commission should share relevant information on the implementation of this Regulation with the IMO and other relevant international bodies and relevant submissions should be made to the IMO. Where an agreement on a global approach is reached on matters of relevance to this Regulation, the Commission should review the present Regulation *to align it* with the international rules.

Or. en

Amendment 265

Isabella Tovagliari, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Recital 42 a (new)

Text proposed by the Commission

Amendment

(42 a) Nowadays, the international dimension of the maritime sector is strategic. To achieve the results and the ambitions set in the present Regulation and an effective decrease in CO₂ emissions throughout European and global maritime transport, a dedicated EU approach towards non-EU countries is urgently needed. This would serve to safeguard the competitiveness of the principal actors of the market and spread similar practices of the present Regulation also on a global scale. The effectiveness of the present Regulation would be strengthened if the EU were able to play a key role also at the international level.

Or. en

Justification

We believe that to progressively achieve the decarbonization of the maritime transport, the

EU ambitions should take into consideration the market dynamics outside the EU. This to avoid that more restrictive rules only in the EU could create distortions in the internal market and impact the European competitiveness.

Amendment 266

Isabella Tovagliari, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Recital 43 a (new)

Text proposed by the Commission

Amendment

(43 a) Equally important to achieve a zero-emission waterborne (transport) sector is the training of seafarers (operators) as well as of workers across European shipyards and maritime equipment companies. In both cases, the road to a zero-emission waterborne (transport) sector will require the need for upskilling/reskilling to enable these workers to get acquainted with, operate, install, repair and maintain new propulsion systems, zero-emission technologies and sustainable fuels.

Or. en

Amendment 267

Eva Kaili, Robert Hajšel, Carlos Zorrinho, Tsvetelina Penkova

Proposal for a regulation

Recital 43 a (new)

Text proposed by the Commission

Amendment

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

Amendment 268

Eva Kaili, Robert Hajšel, Carlos Zorrinho, Josianne Cutajar, Tsvetelina Penkova

Proposal for a regulation

Article 1 – paragraph 1 – point a

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 269

Marisa Matias

Proposal for a regulation

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 270

Marisa Matias

Proposal for a regulation

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 271

Eva Kaili, Robert Hajšel, Tsvetelina Penkova

Proposal for a regulation

Article 1 – paragraph 1 – subparagraph 1

Text proposed by the Commission

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

Amendment

in order to increase consistent *supply and* use of renewable and low-carbon fuels and substitute sources of energy *in maritime transport* across the Union *in line with the Union's objective of climate neutrality in the Union at the latest by 2050 and the goals of the Paris Agreement*, while ensuring *its* smooth operation and avoiding distortions in the internal market.

Or. en

Amendment 272

Marisa Matias

Proposal for a regulation

Article 1 – paragraph 1 – subparagraph 1

Text proposed by the Commission

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

Amendment

in order to increase *the energy efficiency measures in maritime sector and to increase the* use of *sustainable* renewable fuels and *to achieve zero emissions in the maritime sector by 2040*, while ensuring the smooth operation of maritime traffic and avoiding distortions in the internal market.

Or. en

Amendment 273

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Article 1 – paragraph 1 – subparagraph 1

Text proposed by the Commission

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

Amendment

in order to increase consistent use of renewable and low-carbon fuels and **alternative** sources of energy across the Union, while ensuring the smooth operation of maritime traffic and avoiding distortions in the internal market, **also coming from non-EU operators**.

Or. en

Amendment 274

Evžen Tošenovský

Proposal for a regulation

Article 1 – paragraph 1 – subparagraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 275

Eva Kaili, Robert Hajšel, Tsvetelina Penkova

Proposal for a regulation

Article 2 – paragraph 1 – introductory part

Text proposed by the Commission

This Regulation applies to all ships above a

PE719.638v01-00

Amendment

This Regulation applies **to marine fuel**

72/146

AM\1249606EN.docx

gross tonnage of 5000, regardless of their flag in respect to:

suppliers and to all ships above a gross tonnage of 5000 *and from year 2035 to all ships above a gross tonnage of 400*, regardless of their flag in respect to:

Or. en

Amendment 276
Marisa Matias

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

Text proposed by the Commission

Amendment

This Regulation applies to all ships above a gross tonnage of **5000**, regardless of their flag in respect to:

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

Or. en

Amendment 277
Eva Kaili, Robert Hajšel, Josianne Cutajar, Miapetra Kumpula-Natri, Tsvetelina Penkova

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

Text proposed by the Commission

Amendment

(a) the energy used during their stay within a port of call under the jurisdiction of a Member State,

(a) the energy *supplied and* used during their stay within a port of call under the jurisdiction of a Member State,

Or. en

Amendment 278
Isabella Tovagliari, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

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

Text proposed by the Commission

Amendment

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

deleted

Or. en

Amendment 279

Eva Kaili, Robert Hajšel, Carlos Zorrinho, Tsvetelina Penkova

Proposal for a regulation

Article 2 – paragraph 1 – point c

Text proposed by the Commission

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

Amendment

(c) a half of the energy used on voyages departing from or arriving to a port of call under the jurisdiction of a Member State, where the last or the next port of call is under the jurisdiction of a third country, ***provided that a thorough ex ante impact assessment regarding the risks of cargo diversion establishes that no major negative impacts on EU ports are expected. The Commission shall then propose an amendment to this Regulation aiming at adjusting it taking into account the data from the impact assessment.***

Or. en

Amendment 280

Marisa Matias

Proposal for a regulation

Article 2 – paragraph 1 – point c

Text proposed by the Commission

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

Amendment

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

third country.

Or. en

Amendment 281

Eva Kaili, Robert Hajšel, Carlos Zorrinho, Josianne Cutajar, Miapetra Kumpula-Natri, Tsvetelina Penkova

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(c a) all the fuels purchased in EU ports.

Or. en

Amendment 282

Marisa Matias

Proposal for a regulation

Article 2 – paragraph 2

Text proposed by the Commission

Amendment

This Regulation does not apply to **warships, naval auxiliaries, fish-catching or fish-processing ships**, wooden ships of a primitive build, ships not propelled by mechanical means, **or government ships used for non-commercial purposes**.

This Regulation does not apply to wooden ships of a primitive build, **or** ships not propelled by mechanical means.

Or. en

Amendment 283

Eva Kaili, Carlos Zorrinho, Miapetra Kumpula-Natri, Robert Hajšel, Tsvetelina Penkova

Proposal for a regulation

Article 2 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

By way of derogation, point (b) of paragraph 1 shall not apply until 31st December 2029 to passenger and Ro-Ro passenger ships calling at ports of islands within the same Member State with less than 100.000 permanent residents, according to the latest official national census of the population. Member States shall notify the Commission about the routes and islands exempted as well as for any alterations thereof.

Or. en

Justification

With the proposed new article the wider and pressing societal needs, like those of islands' connectivity - an issue of paramount importance for Mediterranean EU members - are properly addressed, so that the EU territorial and social cohesion is not jeopardised. The provision will provide sufficient time to replace the existing fleet and develop the necessary alternative fuels, electricity grid and infrastructures, without compromising the current level of services. Passenger and Ro-Ro passenger ships will apply the limits, as set out in Article 2, as of 01.01.2030.

Amendment 284 **Henna Virkkunen**

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

Text proposed by the Commission

(b) ‘biofuels’ means biofuels as defined in Article 2, point (33), of Directive (EU) 2018/2001;

Amendment

(b) ‘biofuels’ means biofuels as defined in Article 2, point (33), of Directive (EU) 2018/2001, **and biofuels resulting from biomass being processed with fossil fuels in a common process as defined in accordance with Article 28(5) of Directive 2018/2001;**

Or. en

Amendment 285 **Henna Virkkunen**

Proposal for a regulation

Article 3 – paragraph 1 – point c

Text proposed by the Commission

(c) ‘biogas’ means biogas as defined in Article 2, point (28), of Directive (EU) 2018/2001;

Amendment

(c) ‘biogas’ means biogas as defined in Article 2, point (28), of Directive (EU) 2018/2001, ***and biogas resulting from biomass being processed with fossil fuels in a common process as defined in accordance with Article 28(5) of Directive 2018/2001;***

Or. en

Amendment 286

Eva Kaili, Robert Hajšel, Tsvetelina Penkova

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(e a) low-carbon fuels’ means recycled carbon fuels as defined in Article 2 of Directive (EU) 2018/2001, low-carbon hydrogen and synthetic gaseous and liquid fuels the energy content of which is derived from low-carbon hydrogen, which meet the greenhouse gas emission reduction threshold of 70%.

Or. en

Amendment 287

Marisa Matias

Proposal for a regulation

Article 3 – paragraph 1 – point f

Text proposed by the Commission

Amendment

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

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

molasses, soapstock and derivatives;

Or. en

Amendment 288

Eva Kaili, Robert Hajšel, Tsvetelina Penkova

Proposal for a regulation

Article 3 – paragraph 1 – point f

Text proposed by the Commission

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

Amendment

(f) ‘food and feed crops’ means food and feed crops as defined in Article 2, point (40), of Directive (EU) 2018/2001; ***including intermediate crops and other crops grown primarily for energy purposes on agricultural land.***

Or. en

Amendment 289

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skytvedal

Proposal for a regulation

Article 3 – paragraph 1 – point h

Text proposed by the Commission

(h) ‘substitute sources of energy’ means renewable ***wind or solar*** energy generated on-board or electricity supplied from on-shore power supply;

Amendment

(h) ‘substitute sources of energy’ means renewable ***or fossil free*** energy generated on-board or electricity supplied from on-shore power supply;

Or. en

Amendment 290

Eva Kaili, Robert Hajšel, Tsvetelina Penkova

Proposal for a regulation

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

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

Or. en

Amendment 291

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Christophe Grudler

Proposal for a regulation

Article 3 – paragraph 1 – point m

Text proposed by the Commission

Amendment

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

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

Or. en

Justification

The definition is amended to ensure that ships are not required to use on-shore power supply when at anchorage, often miles off the coast, but only when physically located in the port.

Amendment 292

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skytvedal

Proposal for a regulation

Article 3 – paragraph 1 – point m

Text proposed by the Commission

Amendment

(m) ‘ship at berth’ means *ship at berth*

(m) ‘ship at berth’ means *a ship which*

as defined in Article 3, point (n) of Regulation (EU) 2015/757;

is securely moored along a quay in a port falling under the jurisdiction of a Member State while it is loading, unloading or hotelling, including the time spent when not engaged in cargo operations

Or. en

Justification

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

Amendment 293

Miapetra Kumpula-Natri

Proposal for a regulation

Article 3 – paragraph 1 – point n

Text proposed by the Commission

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

Amendment

(n) ‘energy use on-board’ means the amount of energy, expressed in mega joules (MJ), used by a ship for propulsion and for the operation of any on-board equipment, at sea or at berth; ***without the additional energy used due to technical characteristics of a ship having the ice class IA or IA Super or an equivalent ice class and the additional energy used by a ship having the ice class IC, IB, IA or IA Super or an equivalent ice class due to sailing in ice conditions*** ^{27a} ;

^{27a} ***For further information on correspondence between ice classes, see HELCOM Recommendation 25/7 at <http://www.helcom.fi>.***

Or. en

Justification

A flag-neutral, permanently applied method takes into account additional energy used for navigation in ice conditions and additional energy used by ice-classed ships when sailing in open water in the proposed regulation. This proposal applies to all ships that have the ice

class IC, IB, IA or IA Super or an equivalent ice class I and that belong to the merchant fleet that fall within the scope of the FuelEU Maritime regulation. To ensure safe navigation in ice conditions, the winter navigation system for instance in the Baltic Sea area requires that ships entering the ports have a certain ice class depending on ice conditions.

Amendment 294

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skytvedal

Proposal for a regulation

Article 3 – paragraph 1 – point n

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 295

Mauri Pekkarinen, Nils Torvalds

Proposal for a regulation

Article 3 – paragraph 1 – point n

Text proposed by the Commission

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

Amendment

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

class and the additional energy used by a ship having the ice class IC, IB, IA or IA Super or an equivalent ice class due to sailing in ice conditions;

Or. en

Amendment 296

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 297

Mauri Pekkarinen, Nils Torvalds

Proposal for a regulation

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 298

Mauri Pekkarinen, Nils Torvalds

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(q b) 'ice edge' means, in accordance with paragraph 4.4. of the WMO Sea-Ice Nomenclature of March 2014, the demarcation at any given time between the open sea and sea ice of any kind, whether fast or drifting;

Or. en

Amendment 299

Jörgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(q b) 'sailing in ice conditions' means sailing of an ice-classed ship in a sea area within the ice edge;

Or. en

Amendment 300

Jörgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 3 – paragraph 1 – point q c (new)

Text proposed by the Commission

Amendment

(q c) 'ice edge' means, in accordance with paragraph 4.4. of the WMO Sea-Ice Nomenclature of March 2014, the demarcation at any given time between the open sea and sea ice of any kind, whether fast or drifting;

Amendment 301

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk, Christophe Grudler

Proposal for a regulation

Article 3 – paragraph 1 – point r

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

Mobile or floating installations can complement fixed OPS, particularly for smaller vessels or when a ship calls on a berth that does not normally serve this ship.

Amendment 302

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skytvedal

Proposal for a regulation

Article 3 – paragraph 1 – point r

Text proposed by the Commission

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

Amendment

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

Amendment 303

Marisa Matias

Proposal for a regulation

Article 3 – paragraph 1 – point y

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 304

Marisa Matias

Proposal for a regulation

Article 3 – paragraph 1 – point z

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 305

Marisa Matias

Proposal for a regulation

Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3 a

Operational and energy efficiency

Greenhouse gas intensity per transport of work

1. Companies shall linearly reduce the annual GHG emissions per transport work by at least 40% by 2030 as an average across all ships under their responsibility, compared to the average performance per ship category of ships of the same size and type as reported under this Regulation or, where appropriate, under the Regulation (EU) 2015/757.

2. Where, in a given reporting period, a company fails to comply with the annual reduction referred to in paragraph 1 of this Article, the administering authority in respect of the company shall impose an effective, proportionate and dissuasive financial penalty. Payment of the excess emissions penalty shall not release the company from its obligation under paragraph 1 of this Article. In the case of companies that have failed to comply with the emission limits laid down under this Article, the provisions of Article 23(3) apply.

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

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

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

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

paragraph 2; and

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

Or. en

Amendment 306

Eva Kaili, Robert Hajšel, Miapetra Kumpula-Natri, Tsvetelina Penkova

Proposal for a regulation

Article 4 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 307

Rasmus Andresen

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 4 – paragraph 2 – indent 1

Text proposed by the Commission

— -2% from 1 January 2025;

Amendment

— - 4.4 % from 1 January 2025;

Or. en

Justification

The Rapporteur received the final results of the study from Lappeenranta-Lahti University of Technology (LUT, Finland) modelling a highly energy efficient and fully renewable European economy by 2040, including for the shipping sector, commissioned by Greens/EFA. Therefore, the initial amendment in his draft opinion, which was based on the study's preliminary results, needs to be updated, in order to ensure a solid scientific basis, building

on the most accurate and most recent figures currently available. The full study will be published in Spring 2022.

Amendment 308
Marisa Matias

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

<i>Text proposed by the Commission</i>	<i>Amendment</i>
— -2% from 1 January 2025;	— -6% from 1 January 2025;

Or. en

Amendment 309
Rasmus Andresen
on behalf of the Greens/EFA Group

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

<i>Text proposed by the Commission</i>	<i>Amendment</i>
— -6% from 1 January 2030;	— - 22.4 % from 1 January 2030;

Or. en

Justification

The Rapporteur received the final results of the study from Lappeenranta-Lahti University of Technology (LUT, Finland) modelling a highly energy efficient and fully renewable European economy by 2040, including for the shipping sector, commissioned by Greens/EFA. Therefore, the initial amendment in his draft opinion, which was based on the study's preliminary results, needs to be updated, in order to ensure a solid scientific basis, building on the most accurate and most recent figures currently available. The full study will be published in Spring 2022.

Amendment 310
Marisa Matias

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

Text proposed by the Commission

Amendment

— -6% from 1 January 2030;

— -23% from 1 January 2030;

Or. en

Amendment 311

Rasmus Andresen

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 4 – paragraph 2 – indent 3

Text proposed by the Commission

Amendment

— -13% from 1 January 2035;

— - 75.4 % from 1 January 2035;

Or. en

Justification

The Rapporteur received the final results of the study from Lappeenranta-Lahti University of Technology (LUT, Finland) modelling a highly energy efficient and fully renewable European economy by 2040, including for the shipping sector, commissioned by Greens/EFA. Therefore, the initial amendment in his draft opinion, which was based on the study's preliminary results, needs to be updated, in order to ensure a solid scientific basis, building on the most accurate and most recent figures currently available. The full study will be published in Spring 2022.

Amendment 312

Marisa Matias

Proposal for a regulation

Article 4 – paragraph 2 – indent 3

Text proposed by the Commission

Amendment

— -13% from 1 January 2035;

— -77% from 1 January 2035;

Or. en

Amendment 313

Eva Kaili, Robert Hajšel, Miapetra Kumpula-Natri, Tsvetelina Penkova

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

Text proposed by the Commission

— **-13%** from 1 January 2035;

Amendment

— **-25%** from 1 January 2035;

Or. en

Amendment 314
Marisa Matias

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

Text proposed by the Commission

— **-26%** from 1 January 2040;

Amendment

— **-100%** from 1 January 2040;

Or. en

Amendment 315
Eva Kaili, Robert Hajšel, Miapetra Kumpula-Natri, Tsvetelina Penkova

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

Text proposed by the Commission

— **-26%** from 1 January 2040;

Amendment

— **-50%** from 1 January 2040;

Or. en

Amendment 316
Marisa Matias

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

Text proposed by the Commission

— **-59% from 1 January 2045;**

Amendment

deleted

Or. en

Amendment 317

Eva Kaili, Robert Hajšel, Miapetra Kumpula-Natri, Tsvetelina Penkova

Proposal for a regulation

Article 4 – paragraph 2 – indent 5

Text proposed by the Commission

Amendment

— **-59%** from 1 January 2045;

— **-75%** from 1 January 2045;

Or. en

Amendment 318

Marisa Matias

Proposal for a regulation

Article 4 – paragraph 2 – indent 6

Text proposed by the Commission

Amendment

— **-75% from 1 January 2050.**

deleted

Or. en

Amendment 319

Eva Kaili, Robert Hajšel, Tsvetelina Penkova

Proposal for a regulation

Article 4 – paragraph 2 – indent 6

Text proposed by the Commission

Amendment

— **-75%** from 1 January 2050.

— **-100%** from 1 January 2050.

Or. en

Amendment 320

Eva Kaili, Robert Hajšel, Tsvetelina Penkova

Proposal for a regulation

Article 4 – paragraph 2 – subparagraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 321

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 4 – paragraph 2 – subparagraph 1

Text proposed by the Commission

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

Amendment

[Asterix: The reference value, which calculation will be carried out at a later stage of the legislative procedure, corresponds to the **EU** fleet average greenhouse gas intensity of the energy used on-board by ships in **2019** determined on the basis data monitored and reported in the framework of Regulation (EU) 2015/757 and using the methodology and default values laid down in Annex I to that Regulation.]

Or. en

Amendment 322

Rasmus Andresen

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 4 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. From 1 January 2030, ships that do not have any other more energy efficient renewable-based solutions to decarbonise their operations, shall meet at least 14% of their yearly average energy used on-board during a reporting period with RFNBOs .

Or. en

Justification

The Rapporteur received the final results of the study from Lappeenranta-Lahti University of Technology (LUT, Finland) modelling a highly energy efficient and fully renewable European economy by 2040, including for the shipping sector, commissioned by Greens/EFA. Therefore, the initial amendment in his draft opinion, which was based on the study's preliminary results, needs to be updated, in order to ensure a solid scientific basis, building on the most accurate and most recent figures currently available. The full study will be published in Spring 2022.

Amendment 323 Marisa Matias

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

Text proposed by the Commission

Amendment

2 a. From 1 January 2030, ships that do not have any other more energy efficient renewable-based solutions to decarbonise their operations, shall meet at least 18% of their yearly average energy used on-board during a reporting period with RFNBOs.

Or. en

Amendment 324

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 325
Marisa Matias

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

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

Amendment

3. The greenhouse gas intensity of the energy used on-board by a ship shall be calculated as the amount of greenhouse gas emissions per unit of energy according to the methodology specified in Annex I. ***When the emission factor of a fuel or energy pathway included in this calculation does not provide at least 65% greenhouse gas saving, or greater than 65% as defined according to provisions indicated in Article 9, relative to the reference value referred to in paragraph 2, the emission factor of the pathway shall be assumed to be equivalent to the least favourable pathway.***

Or. en

Justification

the AM introduces an additional safeguard of a life-cycle GHG reduction threshold of 65% relative to the fossil fuel baseline for fuels to qualify to generate GHG reductions, consistent with REDII. this eligibility threshold would incentivize the use of alternative fuels with lower life-cycle GHG emissions than the current proposal. For example on marine fuel that is proposed to be eligible is LNG, which is primarily methane. Life-cycle CO₂e emissions for LNG vary depending on the source and production pathway of the fossil gas (well-to-tank) and the engine technology used on board the ship (tank to-wake). Though the life-cycle emissions of all fuels are uncertain, the use of fuels that can achieve at least a 65% reduction in life-cycle GHG emissions results in a higher likelihood of delivering meaningful GHG reductions than the use of fossil fuels that are at best capable of only marginal GHG savings relative to the fossil fuel baseline.

Amendment 326

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk, Christophe Grudler

Proposal for a regulation

Article 4 – paragraph 3

Text proposed by the Commission

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

Amendment

3. The greenhouse gas intensity of the energy used on-board by a ship shall be calculated as the amount of greenhouse gas emissions per unit of energy according to the methodology specified in Annex I. ***The Commission is empowered to adopt delegated acts in accordance with Article 26 to amend Annex I in order to insert references to updated standards for measuring the contribution of substitute sources of energy, to account for the most recent technological, scientific and commercial developments.***

Or. en

Justification

Given the developments in the methodology for accounting for the contributions of wind and solar-based technologies, the Commission should regularly update its approach in line with scientific progress.

Amendment 327

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara

Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skytvedal

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

Amendment

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

Or. en

Amendment 328

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk, Christophe Grudler

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

Amendment

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

4. The Commission is empowered to adopt delegated acts in accordance with Article 26 to amend Annex II in order to include the well-to-wake emission factors related to any new sources of energy **and to update regularly the** emission factors **of existing sources of energy**, to ensure consistency with future international standards or the legislation of the Union in the field of energy **as well as to account for the most recent technological, scientific and commercial developments.**

Or. en

Amendment 329
Jerzy Buzek

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

Text proposed by the Commission

Amendment

4 a. The Commission should prepare three years after the entry into force of this Regulation a technology-readiness report, analyzing the market readiness and availability of key zero- and low-emission propulsion systems and fuel technologies. Based on this report, the Commission should review the emission factors listed in Annex II and, if necessary, include the well-to-wake emission factors related to any new sources of energy.

Or. en

Justification

To ensure that the legislation is future-proof and takes into account latest developments in maritime propulsion and low-carbon fuels, the Commission should prepare a report on the availability of different fuels and use it as basis for amending the list of fuels in Annex II. The report is key for providing co-legislators information needed for accessing the subsequent delegated act amending the list of fuels. A clear timetable for the report can help ensure a transparent process for the report and the potential subsequent update of the list of fuels in Annex II.

Amendment 330
Eva Kaili, Robert Hajšel, Tsvetelina Penkova

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 331
Eva Kaili, Robert Hajšel, Tsvetelina Penkova

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 332
Eva Kaili, Robert Hajšel, Tsvetelina Penkova

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

Text proposed by the Commission

Amendment

4 c. From 1 January 2035, the share of RFNBOs used on board by a ship shall not be inferior to 6% of the total energy used during a reporting period. Ships may make use of compliance pooling provisions defined at articles 17 and 18, and are subject to penalties for non-compliance as defined at article 20 and Annex V.

Or. en

Amendment 333
Eva Kaili, Robert Hajšel, Tsvetelina Penkova

Proposal for a regulation
Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4 a
Minimum share of renewable fuels of

non-biological origin available at Union ports

1. Marine fuel suppliers shall ensure that the overall marine fuel sold in the course of a year to ships at each Union port complies with the limits, values and dates of application set out in Article 4 (c) in order to provide the necessary fuels to ships.

2. Member States shall ensure that any marine fuel supplier failing to comply with the obligations laid down in Paragraph 1 is liable to an administrative fine. That fine shall be at least twice as high as the multiplication of the difference between the yearly average price of marine fossil fuels covered by this regulation and the cheapest marine renewable fuel of non-biological origin per tonne and of the quantity of fuel not complying with the green house gas limit referred to in Article 4(a).

Or. en

Amendment 334
Miapetra Kumpula-Natri

Proposal for a regulation
Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4 a

The Commission should prepare a technology-readiness report, analyzing the market readiness and availability of key zero- and low-emission propulsion systems and fuel technologies two years after the entry into force of this Regulation. Based on this report, the Commission should review the emission factors listed in Annex II and, if necessary, include the well-to-wake emission factors related to any new sources of energy.

Justification

To ensure that the legislation is future-proof and takes into account latest developments in maritime propulsion and low-carbon fuels, the Commission should prepare a report on the availability of different fuels and use it as basis for amending the list of fuels in Annex II. The report is vital for providing key stakeholders, in particular the European Parliament and the Council, the information needed for accessing the subsequent delegated act amending the list of fuels. A clear timetable for the report can help ensure a transparent process for the report and the potential subsequent update of the list of fuels in Annex II.

Amendment 335

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skytvedal

Proposal for a regulation

Article 5 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 336

Isabella Tovagliari, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Article 5 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Amendment 337

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen

Proposal for a regulation

Article 5 – paragraph 1

Text proposed by the Commission

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

Amendment

1. From 1 January 2030, a ship at berth in a port of call **covered by Article 9 of Regulation [AFIR]** under the jurisdiction of a Member State shall connect to on-shore power supply and use it for all energy needs while at berth.

Or. en

Justification

The obligation to use OPS should initially only apply in the ports covered by the requirement, foreseen in AFIR, to install OPS (i.e. ports included in the TEN-T core and comprehensive network).

Amendment 338

Marisa Matias

Proposal for a regulation

Article 5 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 339

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen

Proposal for a regulation

Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. From 1 January 2040, paragraph 1 shall apply to ships at berth in all ports of call under the jurisdiction of a Member State.

Or. en

Justification

The obligation to use OPS in ports outside the TEN-T network should be included as of 2040.

Amendment 340

Marisa Matias

Proposal for a regulation

Article 5 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. Paragraph 1 shall apply **to**:

2. Paragraph 1 shall apply:

Or. en

Amendment 341

Marisa Matias

Proposal for a regulation

Article 5 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) containerships;

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

Or. en

Amendment 342

Marisa Matias

Proposal for a regulation

Article 5 – paragraph 2 – point b

Text proposed by the Commission

(b) *passenger* ships.

Amendment

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

Or. en

Amendment 343

Marisa Matias

Proposal for a regulation

Article 5 – paragraph 3 – introductory part

Text proposed by the Commission

3. Paragraph 1 shall not apply to ships:

Amendment

3. Paragraph *1 and 2 shall not apply to ships:*

Or. en

Amendment 344

Jörgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 5 – paragraph 3 – point a a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 345

Jörgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

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

Text proposed by the Commission

(c) that have to make an unscheduled port call for reasons of safety or saving life at sea;

Amendment

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

Or. en

Amendment 346
Marisa Matias

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

Text proposed by the Commission

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

Amendment

deleted

Or. en

Amendment 347
Patrizia Toia

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

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 348
Marisa Matias

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

Text proposed by the Commission

Amendment

(e) that are unable to connect to on-shore power supply because the shore installation at the port is not compatible with the on-board on-shore power equipment;

deleted

Or. en

Amendment 349
Eva Kaili, Robert Hajšel, Tsvetelina Penkova

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

Text proposed by the Commission

Amendment

(f a) at anchorage

Or. en

Amendment 350
Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttdal

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 351

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 5 – paragraph 4

Text proposed by the Commission

Amendment

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

Or. en

Amendment 352

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 5 – paragraph 5

Text proposed by the Commission

Amendment

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

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

Or. en

Amendment 353

Marisa Matias

Proposal for a regulation
Article 5 – paragraph 6

Text proposed by the Commission

Amendment

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

deleted

Or. en

Amendment 354

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Christophe Grudler

Proposal for a regulation
Article 5 – paragraph 6

Text proposed by the Commission

Amendment

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

6. From 1 January 2035, the exceptions listed in paragraph 3, points (d) and (e) shall ***no longer apply, unless*** the company demonstrates that it could not have reasonably known that the ship will be unable to connect for reasons referred to in paragraph 3, points (d) and (e).

Or. en

Justification

Fewer exceptions should apply once the OPS infrastructure has been sufficiently installed.

Amendment 355

Jürgen Warborn, Henna Virkkunen, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

**Proposal for a regulation
Article 5 – paragraph 6**

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 356

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk, Christophe Grudler

**Proposal for a regulation
Article 5 – paragraph 7 a (new)**

Text proposed by the Commission

Amendment

7 a. The Commission shall provide all the necessary guidance to ensure the compatibility between on-board and on-shore power installations, notably with regards to electrical frequency conversion.

Or. en

**Amendment 357
Marisa Matias**

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

Text proposed by the Commission

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

Amendment

(d) a description that the ship has installed and certified equipment to allow connection to **on shore** power supply, at a specified voltage and frequency, including the gear specified in IEC/IEEE 80005-1 (High Voltage) and **IEC/IEEE80005-3** (Low Voltage) or is equipped with substitute sources of energy or a zero-emission **at berth** technology as specified in Annex III **together with a description of their main technical specifications, including their capacity expressed in megajoules (MJ) when relevant;**

Or. en

Amendment 358

Marisa Matias

Proposal for a regulation

Article 7 – paragraph 3 – point e

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 359

Mauri Pekkarinen, Nils Torvalds

Proposal for a regulation

Article 7 – paragraph 3 – point l a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 360

Jörgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 7 – paragraph 3 – point l a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 361

Mauri Pekkarinen, Nils Torvalds

Proposal for a regulation

Article 7 – paragraph 3 – point l b (new)

Text proposed by the Commission

Amendment

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

Amendment 362

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 7 – paragraph 3 – point I b (new)

Text proposed by the Commission

Amendment

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

Amendment 363

Jürgen Warborn, Henna Virkkunen, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 8 a (new)

Text proposed by the Commission

Amendment

Article 8 a

Certification of fossil fuels

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

supplement this Regulation by establishing the rules on conducting the laboratory testing and direct emissions measurements.

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

Or. en

Amendment 364
Marisa Matias

Proposal for a regulation
Article 9 – title

Text proposed by the Commission

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

Amendment

Sustainability and GHG saving criteria of transport fuels

Or. en

Amendment 365
Henna Virkkunen

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

Text proposed by the Commission

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

Amendment

1. Where biofuels, biogas, renewable fuels of non-biological origin and recycled carbon fuels, as defined in Directive (EU) 2018/2001, and biofuels and biogas resulting from biomass being processed with fossil fuels in a common process as defined in accordance with Article 28(5) of Directive 2018/2001,

are to be taken into account for the purposes referred to in Articles 4(1) of this Regulation, the following rules apply:

Or. en

Amendment 366

Marisa Matias

Proposal for a regulation

Article 9 – paragraph 1 – introductory part

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 367

Henna Virkkunen

Proposal for a regulation

Article 9 – paragraph 1 – point a

Text proposed by the Commission

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

Amendment

(a) greenhouse gas emission factors of biofuels and biogas, **including when resulting from biomass being processed with fossil fuels in a common process**, that comply with the sustainability and greenhouse gas saving criteria set out in Article 29 of Directive (EU) 2018/2001 shall be determined according to the methodologies set out in that Directive;

Or. en

Amendment 368

Marisa Matias

Proposal for a regulation

Article 9 – paragraph 1 – point a

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 369

Marisa Matias

Proposal for a regulation

Article 9 – paragraph 1 – point b

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 370

Eva Kaili, Robert Hajšel, Tsvetelina Penkova, Carlos Zorrinho, Miapetra Kumpula-Natri

Proposal for a regulation

Article 9 – paragraph 1 – point c

Text proposed by the Commission

Amendment

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

(c) biofuels and biogas that do not comply with point (a) or that are produced from food and feed crops ***including intermediate crops and other crops grown primarily for energy purposes on agricultural land*** shall be considered to have the same emission factors as the least favourable fossil fuel pathway for this type of fuel;

Or. en

Amendment 371

Mauri Pekkarinen, Nils Torvalds

Proposal for a regulation

Article 9 – paragraph 1 – point c

Text proposed by the Commission

Amendment

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

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

Or. en

Justification

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

Amendment 372

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Article 9 – paragraph 1 – point c

Text proposed by the Commission

Amendment

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

(c) biofuels and biogas that do not comply with point (a) or that are produced from food and feed crops shall ***not exceed the limitations set in Article 26 of Directive (EU) 2018/2001 for the entire transport sector;***

Or. en

Amendment 373

Jürgen Warborn, Henna Virkkunen, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Michael Gahler, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 9 – paragraph 1 – point c

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 374

Marisa Matias

Proposal for a regulation

Article 9 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(d a) fossil gas and any other fossil-derived fuel pathways shall be considered to have the same emission factors as the least favourable fossil fuel pathway for his type of fuels.

Amendment 375**Marisa Matias****Proposal for a regulation****Article 9 – paragraph 3***Text proposed by the Commission**Amendment*

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

deleted

Or. en

Amendment 376**Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk, Christophe Grudler****Proposal for a regulation****Article 9 – paragraph 3***Text proposed by the Commission**Amendment*

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

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

Justification

It should be made clear that operators and manufacturers can use real values for the emissions released during the operation of engines, in order to enable the development of more efficient propulsion systems.

Amendment 377

Eva Kaili, Robert Hajšel, Tsvetelina Penkova, Miapetra Kumpula-Natri

Proposal for a regulation**Article 13 – paragraph 3***Text proposed by the Commission*

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

Amendment

3. The Commission is empowered to adopt delegated acts in accordance with Article 26, in order to supplement this Regulation by establishing further methods and criteria of accreditation of verifiers ***and mandatory re-accreditation of verifiers to address the new complexities of the data to be verified and the new specificities of the new alternative fuels.*** The methods specified in those delegated acts shall be based on the principles for verification provided for in Articles 10 and 11 and on relevant internationally accepted standards.

Or. en

Amendment 378

Marisa Matias

Proposal for a regulation**Article 13 – paragraph 3***Text proposed by the Commission*

3. The Commission is empowered to adopt delegated acts in accordance with Article 26, in order to supplement this Regulation by establishing further methods and criteria of accreditation of verifiers. The methods specified in those delegated

Amendment

3. The Commission is empowered to adopt delegated acts in accordance with Article 26, in order to supplement this Regulation by establishing further methods and criteria of accreditation of verifiers ***and to ensure the verifier's independence***

acts shall be based on the principles for verification provided for in Articles 10 and 11 and on relevant internationally accepted standards.

and impartiality. The methods specified in those delegated acts shall be based on the principles for verification provided for in Articles 10 and 11 and on relevant internationally accepted standards.

Or. en

Amendment 379

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 14 – paragraph 1 – point c

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 380

Mauri Pekkarinen, Nils Torvalds

Proposal for a regulation

Article 14 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 381

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 14 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 382

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skytvedal

Proposal for a regulation

Article 14 – paragraph 1 – point e b (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 383

Mauri Pekkarinen, Nils Torvalds

Proposal for a regulation

Article 14 – paragraph 1 – point e b (new)

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

Or. en

Amendment 384

Eva Kaili, Robert Hajšel, Tsvetelina Penkova, Carlos Zorrinho, Miapetra Kumpula-Natri

Proposal for a regulation

Article 14 a (new)

Text proposed by the Commission

Amendment

Article 14 a

FuelEU maritime non-availability report

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

2. The Commission is empowered to adopt implementing acts in accordance with

Article 26 to create a template for the FuelEU maritime non-availability report referred to in paragraph 1 of this Article.

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

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

Or. en

Justification

A FuelEU non-availability report needs to be introduced in the FuelEU Maritime Regulation in order to deal with the lack of availability of suitable fuels in the EU market (in particular at the early stages of the implementation of the Regulation). A similar report (the well known Fuel Oil Non-Availability Report (FONAR)) is an integral part in the implementation of the sulphur limits in marine fuel under MARPOL Convention.

Amendment 385

Jürgen Warborn, Henna Virkkunen, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 15 – paragraph 2 – point d

Text proposed by the Commission

Amendment

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

Or. en

Justification

Moved to become a task for Competent Authorities.

Amendment 386

Jürgen Warborn, Henna Virkkunen, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 15 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(d a) compile the aforementioned information and submit it to the Member State's competent authority.

Or. en

Amendment 387

Jörgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 15 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 388

Jörgen Warborn, Henna Virkkunen, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 16 – paragraph 1

Text proposed by the Commission

Amendment

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

1. The Commission shall develop, ensure functioning and update an electronic compliance database, ***within the THETIS-MRV module***, for the monitoring of compliance with Articles 4 and 5. The compliance database shall be used to keep a record of the compliance balance of the ships and the use of the flexibility

It shall be accessible to the companies, the verifiers, the competent authorities and the Commission.

mechanisms set out in Articles 17 and 18. It shall be accessible to the companies, the verifiers, the competent authorities and the Commission.

Or. en

Amendment 389
Marisa Matias

Proposal for a regulation
Article 16 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 390
Eva Kaili, Robert Hajšel, Tsvetelina Penkova, Carlos Zorrinho

Proposal for a regulation
Article 16 a (new)

Text proposed by the Commission

Amendment

Article 16 a

Reporting obligations for maritime fuel suppliers

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

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

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

Or. en

Amendment 391
Marisa Matias

Proposal for a regulation
Article 17 – paragraph 1

Text proposed by the Commission

1. Where the ship has a compliance surplus for the reporting period, the company may bank it to the same ship's compliance balance for the following reporting period. The company shall record the banking of the compliance surplus to the following reporting period in the compliance database subject to approval by its verifier. The company may no longer bank the compliance surplus once the FuelEU certificate of compliance has been issued.

Amendment

1. Where the ship has a compliance surplus for the reporting period, the company may bank it to the same ship's compliance balance for the following reporting period. ***The compliance surpluses that are not banked for each of the following reporting period shall be cancelled.*** The company shall record the banking of the compliance surplus to the following reporting period in the compliance database subject to approval by its verifier. The company may no longer bank the compliance surplus once the FuelEU certificate of compliance has been issued.

Or. en

Amendment 392
Marisa Matias

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 393

Jürgen Warborn, Henna Virkkunen, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 17 – paragraph 2 – introductory part

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 394

Marisa Matias

Proposal for a regulation

Article 18 – paragraph 1

Text proposed by the Commission

1. The compliance balances of two or more ships, which are verified by the same

Amendment

1. The compliance balances of two or more ships, which are verified by the

verifier, may be pooled for the purposes of fulfilling the requirements of Article 4. A ship's compliance balance may not be included in more than one pool in the same reporting period.

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

Or. en

Amendment 395

Eva Kaili, Robert Hajšel, Tsvetelina Penkova, Carlos Zorrinho

Proposal for a regulation

Article 19 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. Member States shall ensure that penalties are imposed on maritime fuel suppliers who fail to comply with the obligations laid down in Article 4 relative to the yearly average greenhouse gas intensity of the energy supplied. Member States shall lay down provisions on penalties applicable to maritime fuel suppliers and shall take all the measures necessary to ensure that they are applied. The penalties provided therefor shall be effective, proportionate and dissuasive. Member States shall notify the Commission of the relevant provisions of national law by 31 December 2024.

Or. en

Amendment 396

Eva Kaili, Robert Hajšel, Tsvetelina Penkova, Carlos Zorrinho

Proposal for a regulation

Article 20 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 397

Miapetra Kumpula-Natri

Proposal for a regulation

Article 20 – paragraph 1

Text proposed by the Commission

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

Amendment

1. Where on 1 May of the year following the reporting period the ship has a compliance deficit, the company shall pay ***an appealable*** penalty ***which is imposed by a national authority***. The verifier shall calculate the amount of the penalty on the basis of the formula specified Annex V.

Or. en

Amendment 398

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 20 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 399

Eva Kaili, Robert Hajšel, Tsvetelina Penkova, Carlos Zorrinho, Josianne Cutajar, Miapetra Kumpula-Natri

Proposal for a regulation

Article 20 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. When the responsibility for the purchase of the fuel and/ or the operation of the ship is assumed, pursuant to a contractual agreement, by an entity other than the shipping company, that entity shall either pay the penalties under Article 20(1) and (2) of this Regulation or reimburse the shipping company for the penalties paid. For the purposes of this paragraph, operation of the ship shall mean determining the cargo carried, the itinerary, the routeing and/ or the speed of the ship.

Or. en

Amendment 400

Jörgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 20 – paragraph 4

Text proposed by the Commission

Amendment

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

deleted

Or. en

Amendment 401
Marisa Matias

Proposal for a regulation
Article 21 – paragraph 1

Text proposed by the Commission

Amendment

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

1. The penalties referred to in Article 20(1) and 20(2) shall be allocated to support common projects aimed at the rapid deployment of renewable and low carbon fuels in the maritime sector. Projects financed by the funds collected from the penalties shall stimulate the production of greater quantities of renewable and low carbon fuels for the maritime sector, facilitate the construction of appropriate bunkering facilities or electric connection ports in ports, and support the development, testing and deployment of the most innovative European technologies in the fleet to achieve significant emission reductions. ***Projects financed by the funds collected shall contextually support, in dialogue with social partners, the redeployment, re- and up-skilling of the workers proper training, to ensure job-to- job transition, alternative quality jobs in the same regions, to provide the environmentally friendly and technology-related skills required for the transition.***

Amendment 402**Patrizia Toia****Proposal for a regulation****Article 21 – paragraph 1***Text proposed by the Commission*

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

Amendment

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

Or. en

Amendment 403**Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk, Christophe Grudler****Proposal for a regulation****Article 21 – paragraph 1***Text proposed by the Commission*

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

Amendment

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

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

from the penalties shall stimulate the production of greater quantities of renewable and low carbon fuels for the maritime sector, facilitate the construction of appropriate bunkering facilities or electric connection ports in ports, ***support investments to ensure the compatibility between on-board and on-shore power installations***, and support the development, testing and deployment of the most innovative European technologies in the fleet to achieve significant emission reductions.

Or. en

Amendment 404

Eva Kaili, Robert Hajšel, Tsvetelina Penkova

Proposal for a regulation Article 21 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 405

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

**Proposal for a regulation
Article 21 – paragraph 2**

Text proposed by the Commission

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

Amendment

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

Or. en

**Amendment 406
Evžen Tošenovský**

**Proposal for a regulation
Article 21 – paragraph 2**

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 407

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk, Christophe Grudler

Proposal for a regulation

Article 21 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 408

Evžen Tošenovský

Proposal for a regulation

Article 23 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. Any Member State without maritime ports in its territory, which has closed its national ship register or has no ships flying its flag that fall within the scope of this Regulation and as long as no such ships are flying its flag, and which has no accredited verifier may derogate from the provisions of this Article. Any Member State that intends to avail itself of that derogation shall notify the Commission at the latest by 1 July 2024. Any subsequent change shall also be communicated to the Commission.

Amendment 409

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk, Christophe Grudler

Proposal for a regulation

Article 26 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Articles 4(6), 5(4), 9(3), 13(3), 20(4), and 21(3) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Regulation].

Amendment

2. The power to adopt delegated acts referred to in Articles **4(3)**, 4(6), 5(4), 9(3), 13(3), 20(4), and 21(3) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Regulation].

Or. en

Justification

Given the developments in the methodology for accounting for the contributions of wind and solar-based technologies, the Commission should regularly update its approach in line with scientific progress.

Amendment 410

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 26 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Articles **4(6)**, **5(4)**, 9(3), 13(3), **20(4)**, and 21(3) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Regulation].

Amendment

2. The power to adopt delegated acts referred to in Articles 9(3), 13(3) and 21(3) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Regulation].

Or. en

Amendment 411

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 26 – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in Articles **4(7)**, **5(4)**, 9(3), 13(3), **20(4)**, and 21(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment

3. The delegation of power referred to in Articles 9(3), 13(3) and 21(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Or. en

Amendment 412

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 26 – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Articles **4(7)**, **5(4)**, 9(3), 13(3), **20(4)**, and 21(3) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the

Amendment

6. A delegated act adopted pursuant to Articles 9(3), 13(3) and 21(3) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or

Amendment 413

Jörgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skytvedal

Proposal for a regulation

Article 28 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission shall report to the European Parliament and the Council, by 1 January 2030, the results of an evaluation on the functioning of this Regulation and the evolution of the technologies and market for renewable and low-carbon fuels in maritime transport and its impact on the maritime sector in the Union. The Commission shall consider possible amendments to:

Amendment

1. The Commission shall report to the European Parliament and the Council, by 1 January 2030, ***and every three years thereafter until 2050***, the results of an evaluation on the functioning of this Regulation and the evolution of the technologies and market for renewable and low-carbon fuels in maritime transport and its impact on the maritime sector in the Union, ***with emphasis on this Regulation's impact on the functioning of the single market, the sector's competitiveness, transport freight rates and the magnitude of carbon leakage***. The Commission shall consider possible amendments to:

Amendment 414

Isabella Tovaglieri, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Article 28 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission shall report to the European Parliament and the Council, by 1 January 2030, the results of an evaluation on the functioning of this Regulation and the evolution of the technologies and market for renewable and low-carbon fuels

Amendment

1. The Commission shall report to the European Parliament and the Council, by 1 January 2030, ***or at any time in the event of evidences of carbon leakage***, the results of an evaluation on the functioning of this Regulation and the evolution of the

in maritime transport and its impact on the maritime sector in the Union. The Commission shall consider possible amendments to:

technologies and market for renewable and low-carbon fuels in maritime transport and its impact on the maritime sector in the Union. The Commission shall consider possible amendments to:

Or. en

Amendment 415
Marisa Matias

Proposal for a regulation
Article 28 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission shall report to the European Parliament and the Council, by 1 January 2030, the results of an evaluation on the functioning of this Regulation and the evolution of the technologies and market for renewable **and low-carbon fuels** in maritime transport and its impact on the maritime sector in the Union. The Commission shall consider possible amendments to:

Amendment

1. The Commission shall report to the European Parliament and the Council, by 1 January 2030, the results of an evaluation on the functioning of this Regulation and the evolution of the technologies and market for **sustainable** renewable **energy** in maritime transport and its impact on the maritime sector in the Union. The Commission shall consider possible amendments to:

Or. en

Amendment 416
Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Christophe Grudler

Proposal for a regulation
Article 28 – paragraph 1 – point -a (new)

Text proposed by the Commission

Amendment

(-a) the scope of Article 2

Or. en

Amendment 417
Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss,

Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 28 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) *the limit referred to in Article 4(2);* *deleted*

Or. en

Amendment 418

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Christophe Grudler

Proposal for a regulation

Article 28 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the limit referred to in Article 4(2); (a) the limit referred to in Article 4(2),
with a view to increasing the 2050 target to -100%;

Or. en

Amendment 419

Jürgen Warborn, Henna Virkkunen, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 28 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(a a) the scope of this Regulation in terms of:
- the gross tonnage threshold referred to in Article 2, and
- the share of energy used by ships in voyage to and from third countries referred to in Article 2 point (c).

Or. en

Amendment 420

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 28 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. The Commission shall report to the European Parliament and the Council, by 1 January 2030, and every fifth year until 2050, the results of a comprehensive evaluation of the aggregated macroeconomic impact of the Fit for 55 legislative package,^{1a} with particular emphasis on the effects on the Union’s competitiveness, job creation, transport freight rates, household purchasing power and the magnitude of carbon leakage.

^{1a} *Communication from the Commission (COM/2021/550), 14 July 2021.*

Or. en

Amendment 421

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 28 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1 b. The Commission shall consider possible amendments to this Regulation with regards to regulatory simplification. The Commission and the competent authorities shall continuously adapt to best practice administrative procedures and take all measures to simplify the

enforcement of this Regulation, keeping administrative burdens to a minimum for ship owners, operators, ports and verifiers.

Or. en

Amendment 422

Jürgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation

Article 28 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

1 c. The Commission shall propose amendments to this Regulation in the event the International Maritime Organization adopts global carbon emission standards, in order to fully align the respective provisions.

Or. en

Amendment 423

Isabella Tovagliari, Elena Lizzi, Gianna Gancia, Marco Dreosto, Paolo Borchia

Proposal for a regulation

Article 28 a (new)

Text proposed by the Commission

Amendment

Article 28 a

Periodic evaluation

Every year over a period of five years as from the entry into force of the Fuel EU Maritime Regulation, the EU Commission shall evaluate the impact of Fuel EU Maritime on EU ports exposed to competition from non-EU ports. A list of those ports shall be established, their emissions monitored and the evolution of the volumes tracked to determine whether

variations are due to market conditions or can be attributed to carbon leakage.

Or. en

Amendment 424

Jörgen Warborn, Henna Virkkunen, Christian Ehler, Marian-Jean Marinescu, Barbara Thaler, Tomas Tobé, Jens Gieseke, Hildegard Bentele, Michael Gahler, Pernille Weiss, Karolin Braunsberger-Reinhold, Sara Skyttedal

Proposal for a regulation Article 28 a (new)

Text proposed by the Commission

Amendment

Article 28 a

Compensatory regulatory reduction

The Commission shall present, by 1 January 2024, and in line with its communication on the application of the “one in, one out” principle,^{1a} proposals offsetting the regulatory burdens introduced by this Regulation, through the revision or abolishment of provisions in other EU legislative acts that generate compliance costs in the maritime sector.

^{1a} EC press release on the working methods of the von der Leyen Commission, 4 December 2019.

Or. en

Amendment 425

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk, Christophe Grudler

Proposal for a regulation Annex I – paragraph 4 – introductory part

Text proposed by the Commission

Amendment

In the case of fossil fuels, the default values in Annex II shall be used.

In the case of fossil fuels, the default values in Annex II shall be used. ***Certified***

values for tank-to-wake emissions may also be used.

Or. en

Justification

It should be made clear that operators and manufacturers can use real values for the emissions released during the operation of engines, in order to enable the development of more efficient propulsion systems.

Amendment 426

Miapetra Kumpula-Natri

Proposal for a regulation

Annex I – paragraph 5

Text proposed by the Commission

The [M_i] mass of fuel shall be determined using the amount reported in accordance with the framework of the reporting under Regulation (EU) 2015/757 for voyages falling within the scope of this Regulation based on the chosen monitoring methodology by the company.

Amendment

The [M_i] mass of fuel [M_i] shall be determined using the amount reported in accordance with the framework of the reporting under Regulation (EU) 2015/757 for voyages falling within the scope of this Regulation based on the chosen monitoring methodology by the company. ***The adjusted mass of fuel [M_{iA}] may be used instead of the mass of fuel [M_i] for a ship having the ice-class IC, IB, IA or IA Super or an equivalent ice class.^{28a} The adjusted mass [M_{iA}] is defined in Annex X.***

^{28a} *For further information on correspondence between ice classes, see HELCOM Recommendation 25/7 at <http://www.helcom.fi>.*

Or. en

Amendment 427

Nicola Danti, Klemen Grošelj, Mauri Pekkarinen, Iskra Mihaylova, Atidzhe Alieva-Veli, Ilhan Kyuchyuk, Christophe Grudler

Proposal for a regulation

Annex I – paragraph 13

Text proposed by the Commission

Fugitive emissions are emissions caused by the amount of fuel that does not reach the combustion chamber of the combustion unit or that is not consumed by the energy converter because they are uncombusted, vented, or leaked from the system. For the purpose of this Regulation, fugitive emissions are taken into account as a percentage of the mass of the fuel used by the engine. The default values are contained in Annex II.

Amendment

Fugitive emissions are emissions caused by the amount of fuel that does not reach the combustion chamber of the combustion unit or that is not consumed by the energy converter because they are uncombusted, vented, or leaked from the system. For the purpose of this Regulation, fugitive emissions are taken into account as a percentage of the mass of the fuel used by the engine. The default values are contained in Annex II. ***Certified values obtained via direct measurement or laboratory testing may be used if this enhances the overall accuracy of the calculation.***

Or. en

Justification

It should be made clear that operators and manufacturers can use real values for the emissions released during the operation of engines, in order to enable the development of more efficient propulsion systems.

Amendment 428

Miapetra Kumpula-Natri

Proposal for a regulation Annex II – paragraph 1

Text proposed by the Commission

The emissions factors for fossil fuels contained in this Annex shall be used for the determination of the greenhouse gas intensity index referred to in Annex I of this Regulation.

Amendment

The emissions factors for fossil fuels contained in this Annex shall be used for the determination of the greenhouse gas intensity index referred to in Annex I of this Regulation. ***And if necessary for incentivizing the research and development of cleaner fuels and propulsion systems use of verified actual emission factor should be allowed.***

Or. en

Justification

The performance of fossil fuels should not be limited to default factors as it would reduce the incentive to develop cleaner technologies that e.g. have smaller methane slip.

Amendment 429

Jerzy Buzek

Proposal for a regulation Annex II – paragraph 6

Text proposed by the Commission

Column 2 identifies the name or the pathway of the relevant fuels within the class. For the Liquid Biofuels, Gaseous Biofuels, RFNBO (e-Fuels) the values for the WtT section shall be taken from Directive (EU) 2018/2001 (without combustion³²); ***for fossils fuels only the default values in the table shall be used.***

³² Reference is made to Directive (EU) 2018/2001, Annex V.C.1.(a) to the term e_u ‘emissions from the fuel in use’.

Amendment

Column 2 identifies the name or the pathway of the relevant fuels within the class. For the Liquid Biofuels, Gaseous Biofuels, RFNBO (e-Fuels) the values for the WtT section shall be taken from Directive (EU) 2018/2001 (without combustion³²);

³² Reference is made to Directive (EU) 2018/2001, Annex V.C.1.(a) to the term e_u ‘emissions from the fuel in use’.

Or. en

Justification

The performance of fossil fuels should not be limited to default factors as it would reduce the incentive to develop cleaner technologies that e.g. have smaller methane slip.

Amendment 430

Jerzy Buzek

Proposal for a regulation Annex II – paragraph 8

Text proposed by the Commission

Column 4 contains the CO_{2eq} emissions values in [gCO_{2eq}/MJ]. For ***fossils fuels only the default values in the table shall be used.*** For ***all other*** fuels, (except were expressly indicated), values shall be

Amendment

Column 4 contains the CO_{2eq} emissions values in [gCO_{2eq}/MJ]. For ***all*** fuels, (except were expressly indicated), values shall be calculated by using the methodology or the default values as per in

calculated by using the methodology or the default values as per in Directive (EU) 2018/2001 deducted of the combustion emissions considering full oxidation of the fuel³³ .

Directive (EU) 2018/2001 deducted of the combustion emissions considering full oxidation of the fuel³³ .

³³ Reference is made to Directive (EU) 2018/2001, Annex V.C.1.(a) to the term e_u 'emissions from the fuel in use'

³³ Reference is made to Directive (EU) 2018/2001, Annex V.C.1.(a) to the term e_u 'emissions from the fuel in use'

Or. en

Justification

The performance of fossil fuels should not be limited to default factors as it would reduce the incentive to develop cleaner technologies that e.g. have smaller methane slip.