



2022/0164(COD)

4.10.2022

OPINION

of the Committee on the Environment, Public Health and Food Safety

for the Committee on Budgets and the Committee on Economic and Monetary Affairs

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2021/241 as regards REPowerEU chapters in recovery and resilience plans and amending Regulation (EU) 2021/1060, Regulation (EU) 2021/2115, Directive 2003/87/EC and Decision (EU) 2015/1814 (COM(2022)0231 – C9-0183/2022 – 2022/0164(COD))

Rapporteur for opinion(*): Peter Liese

(*) Associated committee – Rule 57 of the Rules of Procedure

PA_Legam

AMENDMENTS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Budgets and the Committee on Economic and Monetary Affairs, as the committees responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation

Recital -1 (new)

Text proposed by the Commission

Amendment

(-1) The Paris Agreement, adopted in December 2015 under the United Nations Framework Convention on Climate Change (UNFCCC) entered into force in November 2016 (“the Paris Agreement”). Its Parties have agreed to hold the increase in the global average temperature well below 2 °C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1,5 °C above pre-industrial levels. By adopting the Glasgow Climate Pact, the Parties to the Paris Agreement recognised that limiting the increase in the global average temperature to 1,5 °C above pre-industrial levels would significantly reduce the risks and impacts of climate change, and they committed to strengthening their 2030 targets by the end of 2022 to close the ambition gap, in line with the findings of the Intergovernmental Panel on Climate Change (IPCC). This should be done in a manner that is equitable and respects the principle of common but differentiated responsibilities and respective capabilities, in the light of different national circumstances.

Amendment 2

Proposal for a regulation

Recital 1

Text proposed by the Commission

Amendment

(1) Since the adoption of Regulation (EU) 2021/241 of the European Parliament and of the Council establishing the Recovery and Resilience Facility,³ unprecedented geopolitical events and their direct and indirect socio-economic consequences have considerably affected the Union's society and economy. In particular, it has become clearer than ever that the Union's energy security is **indispensable** for a successful, sustainable and inclusive recovery from the COVID-19 crisis, as it is also a major factor contributing to the resilience of the European economy.

³ Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17).

Amendment 3

Proposal for a regulation Recital 3

Text proposed by the Commission

(3) The Versailles Declaration of 10-11 March 2022 of the Heads of States and Governments invited the Commission to propose by the end of May a REPowerEU plan to phase out the dependency on Russian fossil fuel imports, which was subsequently reiterated in the European Council Conclusions of 24-25 March 2022. This should be done well before 2030 in a way that is consistent with the EU's Green Deal and the climate objectives for 2030 and 2050 enshrined in the European Climate Law. Regulation (EU) 2021/241 should therefore be amended to enhance its ability to support reforms and investments dedicated to diversifying energy supplies,

(1) Since the adoption of Regulation (EU) 2021/241 of the European Parliament and of the Council establishing the Recovery and Resilience Facility,³ unprecedented geopolitical events, *i.e.* **Russia's unprovoked and illegal military invasion of Ukraine**, and their direct and indirect socio-economic consequences have considerably affected the Union's society and economy. In particular, it has become clearer than ever that the Union's energy security **and independence from fossil fuels** is **essential** for a successful, sustainable and inclusive recovery from the COVID-19 crisis, as it is also a major factor contributing to the resilience of the European economy.

³ Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17).

Amendment

(3) The Versailles Declaration of 10-11 March 2022 of the Heads of States and Governments invited the Commission to propose by the end of May a REPowerEU plan to phase out the dependency on Russian fossil fuel imports, which was subsequently reiterated in the European Council Conclusions of 24-25 March 2022. This should be done well before 2030 in a way that is consistent with the EU's Green Deal and the climate objectives for 2030 and 2050 enshrined in the European Climate Law. Regulation (EU) 2021/241 should therefore be amended to enhance its ability to support reforms and investments dedicated to diversifying

in particular fossil fuels, thereby strengthening the strategic autonomy of the Union alongside an open economy. Support should also be given to reforms and investments increasing the energy efficiency of the Member States' economies.

energy supplies *and rapidly reducing the Union's dependence on* fossil fuels, thereby strengthening the strategic autonomy of the Union alongside an open economy. Support should also be given to reforms and investments increasing the *decarbonisation and* energy efficiency of the Member States' economies *and reducing energy use*.

Amendment 4

Proposal for a regulation Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) The European Parliament has declared a climate emergency that requires decisive action to quickly cut greenhouse gas emissions to stay in line with the Paris Agreement target of limiting global heating to below 1,5 °C. The current energy price crisis and energy dependence on Russia have the same root cause as the climate emergency; an over-dependence on fossil fuels. Thus, a main objective of the REPowerEU should be to speed up the climate transition and avoid investments in coal or fossil fuel infrastructure that increases the Union's fossil fuel dependency.

Amendment 5

Proposal for a regulation Recital 4

Text proposed by the Commission

Amendment

(4) To maximise complementarity, consistency and coherence of policies and actions taken by the Union and Member States to foster independence and security of the Union's energy supply, these *energy-related* reforms and investments

(4) To maximise complementarity, consistency and coherence of policies and actions taken by the Union and Member States to foster independence and security of the Union's energy supply, these *energy and climate related* reforms and

should be established through a dedicated ‘REPowerEU chapter’ of the recovery and resilience plans.

investments should be established through a dedicated ‘REPowerEU chapter’ of the recovery and resilience plans.

Amendment 6

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) The REPowerEU chapter should include new reforms and investments contributing to the REPowerEU aims. Furthermore, that chapter should contain an outline of other measures, financed from sources other than the Recovery and Resilience Facility, contributing to the energy-related objectives outlined in recital (3). The outline should cover measures whose implementation should take place between 1 February 2022 to 31 December 2026, the period during which the objectives set by this Regulation are to be achieved. As regards natural gas infrastructure, the investments and reforms of the REPowerEU chapters to diversify supply away from Russia should build on the needs currently identified through the assessment conducted and agreed by the European Network of Transmission System Operators for Gas (ENTSOG), established in the spirit of solidarity as regards security of supply *and* take into account the reinforced preparedness measures taken to adapt to new geopolitical threats. Finally, the REPowerEU chapters should provide an explanation and a quantification of the effects of the combination of the reforms and investments financed by the Recovery and Resilience Facility and the other measures financed by other sources than the Recovery and Resilience Facility.

Amendment

(6) The REPowerEU chapter should include new reforms and investments contributing to the REPowerEU aims. Furthermore, that chapter should contain an outline of other measures, financed from sources other than the Recovery and Resilience Facility, contributing to the energy-related objectives outlined in recital (3). The outline should cover measures whose implementation should take place between 1 February 2022 to 31 December 2026, the period during which the objectives set by this Regulation are to be achieved. As regards natural gas infrastructure, *especially LNG*, the investments and reforms of the REPowerEU chapters to diversify supply away from Russia should build on the needs currently identified through the assessment conducted and agreed by the European Network of Transmission System Operators for Gas (ENTSOG), established in the spirit of solidarity as regards security of supply, take into account the reinforced preparedness measures taken to adapt to new geopolitical threats *and accordingly be limited to a maximum of EUR 10 billion of the total amount of resources for REPowerEU, excluding the revenues generated by the EU Emissions Trading System (EU ETS)*. Finally, the REPowerEU chapters should provide an explanation and a quantification of the effects of the combination of the reforms and investments financed by the Recovery and Resilience Facility and the other

measures financed by other sources than the Recovery and Resilience Facility.

Amendment 7

Proposal for a regulation Recital 12

Text proposed by the Commission

(12) Pursuant to Article 18(4) point (q) of Regulation (EU) 2021/241, the Member States should also provide a summary of the consultation process of local and regional authorities and other relevant stakeholders, including, as relevant, from the agricultural **sector**, for reforms and investments included in the REPowerEU chapter. Such summaries should explain the outcome of those consultations and outline how the input received was reflected in REPowerEU chapters.

Amendment

(12) Pursuant to Article 18(4) point (q) of Regulation (EU) 2021/241, the Member States should also provide a summary of the consultation process of local and regional authorities and other relevant stakeholders, including, as relevant, from the **non-governmental and agricultural sectors**, for reforms and investments included in the REPowerEU chapter. Such summaries should explain the outcome of those consultations and outline how the input received was reflected in REPowerEU chapters.

Amendment 8

Proposal for a regulation Recital 13

Text proposed by the Commission

(13) The application of the ‘do no significant harm’ principle is essential to ensure that the investments and reforms undertaken as part of the recovery from the pandemic are implemented in a sustainable manner. It should continue to apply to the reforms and investments supported by the Facility, with one targeted exemption to safeguard the EU’ immediate energy security concerns. Considering the objective of diversifying energy supplies away from Russian suppliers, the reforms and investments set out in those REPowerEU chapters which aim to improve energy infrastructure and facilities to meet immediate security of supply needs

Amendment

(13) The application of the ‘do no significant harm’ principle is essential to ensure that the investments and reforms undertaken as part of the recovery from the pandemic are implemented in a sustainable manner **and advance the green transition of the Union**. It should continue to apply to the reforms and investments supported by the Facility, with one targeted **and timely** exemption to safeguard the EU’ immediate energy security concerns. Considering the objective of diversifying energy supplies away from Russian suppliers, the reforms and investments **in LNG terminals and infrastructure** set out in those REPowerEU chapters which aim to

for **oil and** gas should not be required to comply with the principle of ‘do no significant harm’ and should therefore be exempted from such assessment.

improve energy infrastructure and facilities, **as well as ensuring their hydrogen-readiness**, to meet immediate security of supply needs for gas **and to be in operation by 30 June 2024** should not be required to comply with the principle of ‘do no significant harm’ and should therefore be exempted from such assessment. **To ensure that such an exemption does not jeopardise the integrity of the Union’s 2030 and 2050 climate targets, the Commission should also include an assessment of the climate and environmental impacts of this time-limited derogation and measures to compensate for such impacts in its annual reports.**

Amendment 9

Proposal for a regulation Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) Cross-border and multi-country projects, particularly those in the field of energy, have an important contribution to the Union-wide achievement of the REPowerEU objectives. Therefore, Member States should prioritise reforms and investments with a significant cross-border or multicountry impact in their national plans and reach a target of at least 50 % of the financial allocation of their REPowerEU chapter for such projects. In very limited cases where there is no Union added value in reaching a 50 % target for a particular Member State, the Commission should be able to establish a reduced target for the Member State concerned.

Amendment 10

Proposal for a regulation Recital 13 b (new)

(13b) Energy efficiency and renewable energies are the only solution to green our energy use. Therefore, it is imperative that all Member States take this chance and divert their investments under this Regulation in the achievement of their medium and long-term climate and energy targets. Therefore, Member States should only be able to receive revenues for their REPowerEU chapters under the condition that they have implemented the increased targets for energy efficiency and renewable energy as set out in [Directive (EU) .../... amending Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources, Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency].

Amendment 11

Proposal for a regulation Recital 16

(16) While extending the current intake rate of allowances to the Market Stability Reserve is needed to prevent in long term a significant increase of the surplus of allowances in the greenhouse gas emission allowance trading within the Union, the current economical and geopolitical situation requires the Union to mobilise available resources to rapidly diversify Union's energy supply and reduce dependence on fossil fuels before 2030. In this context, Decision (EU) 2015/1814 of the European Parliament and of the Council⁴ and Directive 2003/87/EC of the European Parliament and of the Council⁵ should be amended to extend the doubling of the 24% intake rate of the Market Stability Reserve until

(16) The current economical and geopolitical situation requires the Union to mobilise available resources to rapidly diversify Union's energy supply and reduce dependence on fossil fuels before 2030. In this context, Directive 2003/87/EC of the European Parliament and of the Council⁵ should be amended to **frontload the auctioning** of allowances from the **cap** towards reforms and investments contributing to REPowerEU objectives, in the Recovery and Resilience Facility framework. **In keeping with the objectives of Directive 2003/87/EC, such revenues should not support investments in fossil fuel infrastructure or facilities.**

2030, while allowing for an exceptional release and monetisation of a portion of allowances from the *Market Stability Reserve and directing revenues* towards reforms and investments contributing to REPowerEU objectives, in the Recovery and Resilience Facility framework.

⁴ Decision (EU) 2015/1814 of the European Parliament and of the Council of 6 October 2015 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme and amending Directive 2003/87/EC, OJ L 264/1

⁵ Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC

⁵ Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC

Amendment 12

Proposal for a regulation Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) The current intake rate of allowances to the Market Stability Reserve is needed to prevent in the long term a significant increase of the surplus of allowances in the greenhouse gas emission allowance trading within the Union. Therefore, Decision (EU) 2015/1814 of the European Parliament and of the Council^{1a} and Directive 2003/87/EC should be amended to extend the doubling of the intake rate of the Market Stability Reserve to 24 % until 2030 and to reduce the upper and buffer thresholds in proportion to the reduction of the Union-wide quantity of allowances as from 2025.

1^a Decision (EU) 2015/1814 of the European Parliament and of the Council of 6 October 2015 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme and amending Directive 2003/87/EC (OJ L 264, 9.10.2015, p. 1).

Amendment 13

Proposal for a regulation Recital 17 a (new)

Text proposed by the Commission

Amendment

(17a) The EU ETS was established to create an efficient, predictable and market driven system for reducing emissions and tackling the climate crises. While the amendment of Directive 2003/87/EC is justified by an exceptional situation, it remains important not to undermine trust in the EU ETS market through short-term interventions, and this amendment should therefore be seen as a one-off measure, which will not be repeated.

Amendment 14

Proposal for a regulation Recital 20

Text proposed by the Commission

Amendment

(20) A request for a dedicated funding for REPowerEU measures, including **allocation from the Market Stability Reserve**, transfers from the funds governed by Regulation (EU) 2021/1060 and allocated from European Agricultural Fund for Rural Development, submitted in a plan, should be justified by a higher financial need linked to additional reforms and investments included in the

(20) A request for a dedicated funding for REPowerEU measures, including **allowances for auctioning frontloaded within the EU ETS**, transfers from the funds governed by Regulation (EU) 2021/1060 and allocated from European Agricultural Fund for Rural Development, submitted in a plan, should be justified by a higher financial need linked to additional reforms

REPowerEU chapter.

and investments included in the REPowerEU chapter.

Amendment 15

Proposal for a regulation Recital 22 a (new)

Text proposed by the Commission

Amendment

(22a) In times of unusual exorbitant high energy prices, Member States are encouraged to explore measures to raise additional financial means from companies making excessive profits related to the energy market. The revenues should be used to mitigate the energy bills of consumers.

Amendment 16

Proposal for a regulation Article 1 – paragraph 1 – point 1 Regulation (EU) 2021/241 Article 4 – paragraph 1

Text proposed by the Commission

Amendment

1. In line with the six pillars referred in Article 3 of this Regulation, the coherence and synergies they generate, and in the context of the COVID-19 crisis, the general objective of the Facility shall be to promote the Union's economic, social and territorial cohesion by improving the resilience, crisis preparedness, adjustment capacity and growth potential of the Member States, by mitigating the social and economic impact of that crisis, in particular on **women**, by contributing to the implementation of the European Pillar of Social Rights, by supporting the green transition, by contributing to the achievement of the Union's 2030 climate targets set out in point (11) of Article 2 of Regulation (EU) 2018/1999, and by complying with the objective of EU

1. In line with the six pillars referred in Article 3 of this Regulation, the coherence and synergies they generate, and in the context of the COVID-19 crisis, the general objective of the Facility shall be to promote the Union's economic, social and territorial cohesion by improving the resilience, crisis preparedness, adjustment capacity and growth potential of the Member States, by mitigating the social and economic impact of that crisis, in particular on **gender inequality**, by contributing to the implementation of the European Pillar of Social Rights, by supporting the **just** green transition, by contributing to the achievement of the Union's 2030 climate targets set out in point (11) of Article 2 of Regulation (EU) 2018/1999, and by complying with the

climate neutrality by 2050 and of the digital transition, by increasing the resilience of the Union energy system through a decrease of dependence on fossil fuels and diversification of energy supplies at Union level ('REPowerEU objectives') thereby contributing to the upward economic and social convergence, restoring and promoting sustainable growth and the integration of the economies of the Union, fostering high quality employment creation, and contributing to the strategic autonomy of the Union alongside an open economy and generating European added value.

objective of EU climate neutrality by 2050 and of the digital transition, by increasing the resilience of the Union energy system through a **rapid** decrease **towards an end** of dependence on fossil fuels and diversification of energy supplies at Union level ('REPowerEU objectives') thereby contributing to the upward economic and social convergence, **supporting the achievement of the European Green Deal objectives**, restoring and promoting sustainable growth and the integration of the economies of the Union, fostering high quality employment creation, and contributing to the strategic autonomy of the Union alongside an open economy and generating European added value.

Amendment 17

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation (EU) 2021/241

Article 21a – title

Text proposed by the Commission

New revenue

Amendment

Use of revenues generated by the EU Emissions Trading System (EU ETS)

Amendment 18

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation (EU) 2021/241

Article 21a – paragraph 1

Text proposed by the Commission

(1) EUR 20 000 000 000 in current prices shall be available, in line with Article 10e(4) of Directive 2003/87/EC, for implementation under this Regulation to increase the resilience of the Union energy system through a decrease of dependence on fossil fuels and diversification of energy

Amendment

(1) EUR 20 000 000 000 in current prices shall be available, in line with Article 10e(4) of Directive 2003/87/EC, for implementation under this Regulation to increase the resilience of the Union energy system through a **rapid** decrease of dependence on fossil fuels and

supplies at Union level. That amount shall be made available in the form of external assigned revenue within the meaning of Article 21(5) of the Financial Regulation.

diversification of energy supplies at Union level. That amount shall be made available in the form of external assigned revenue within the meaning of Article 21(5) of the Financial Regulation.

Amendment 19

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation (EU) 2021/241

Article 21a – paragraph 5

Text proposed by the Commission

(5) Each Member State may submit to the Commission a request for allocation of an amount not exceeding its share, by including in its plan the reforms and investments described in Article 21c(1) and indicating their estimated costs.

Amendment

(5) Each Member State may submit to the Commission a request for allocation of an amount not exceeding its share, by including in its plan ***its commitment to the objective of climate neutrality by 2050***, the reforms and investments described in Article 21c(1) and indicating their estimated costs.

Amendment 20

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation (EU) 2021/241

Article 21c – paragraph 1 – point a

Text proposed by the Commission

(a) improving energy infrastructure and facilities to meet immediate security of supply needs for ***oil and*** gas, notably to enable diversification of supply in the interest of the Union as a whole,

Amendment

(a) improving energy infrastructure and facilities to meet immediate security of supply needs for gas, ***especially LNG***, notably to enable diversification of supply in the interest of the Union as a whole,

Amendment 21

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation (EU) 2021/241

Article 21c – paragraph 1 – point b

(b) boosting energy efficiency in buildings, decarbonising industry, increasing production and uptake of sustainable biomethane *and* renewable or fossil-free hydrogen and *increasing the share of* renewable energy,

(b) boosting energy efficiency *and savings* in buildings *with adequate priority for the needs of energy poor and vulnerable households and consumers, implementing demand-side measures to reduce energy use*, decarbonising industry, *increasing the share of renewable energy as defined in Directive (EU) 2018/2001 of the European Parliament and of the Council* and, where applicable, meeting the sustainability criteria set out in that Directive, in particular by* increasing production and uptake of sustainable biomethane, *thermal renewable energy and renewable fuels of non-biological origin (RFNBOs); improving related electrification infrastructure and facilities; increasing the production and uptake of* renewable or fossil-free hydrogen and *speeding up permitting processes for plants producing* renewable energy *and electrification infrastructure in accordance with [Directive (EU) .../... amending Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources, Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency],*

** 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).*

Amendment 22

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation (EU) 2021/241

Article 21c – paragraph 1 – point c

Text proposed by the Commission

(c) addressing internal and cross-border energy transmission bottlenecks and supporting zero emission transport and its infrastructure, including railways,

Amendment

(c) addressing internal and cross-border energy transmission bottlenecks, ***including the connection of grids to new renewable energy sources***, and supporting zero emission transport and its infrastructure ***in a just and inclusive way***, including railways ***and the functionality and affordability of public transportation***,

Amendment 23

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation (EU) 2021/241

Article 21c – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(1a) The total amount of resources made available in accordance with Article 14(1) of this Regulation and Article 26a(1) of Regulation (EU) 2021/1060 for reforms and investments aiming to contribute to the REPowerEU objectives in accordance with paragraph 1, point (a), of this Article shall be limited to a maximum amount of EUR 10 billion. The amount of revenue made available in accordance with Article 10e(1) of Directive 2003/87/EC for such reforms and investments shall not contribute to this objective.

Amendment 24

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation (EU) 2021/241

Article 21c – paragraph 1 b (new)

Text proposed by the Commission

Amendment

(1b) Member States shall prioritise reforms and investments with

a significant cross-border or multicountry impact contributing to the REPowerEU objectives in accordance with paragraph 1 in their REPowerEU chapters and shall reach a target of at least 50 % of the total financial allocation of the REPowerEU chapters to be used to finance such reforms and investments. However, the Commission may, upon request of a Member State, decide to grant a derogation to that Member State from the obligation to reach that target and establish a reduced target, provided that the Commission concludes, following an assessment, that a target of at least 50 % for that Member State would not result in any Union added value.

Amendment 25

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation (EU) 2021/241

Article 21c – paragraph 2 – point a a (new)

Text proposed by the Commission

Amendment

(aa) where applicable, an outline of reforms and investments in the already adopted Council implementing decisions that need to be revised in order to contribute to the REPowerEU objectives;

Amendment 26

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation (EU) 2021/241

Article 21c – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) an explanation on how the combination of the measures referred to in paragraph 1 and points (a) and (b) of this paragraph is coherent, effective and expected to contribute to the REPowerEU

(c) an explanation on how the combination of the measures referred to in paragraph 1 and points (a) and (b) of this paragraph is coherent, effective and expected to contribute to the REPowerEU

objectives, including a quantification of the energy savings.

*objectives and is in line with the National Energy and Climate Plans of that Member State and with the Union climate targets set out in Regulation (EU) 2021/1119 of the European Parliament and of the Council**, including a quantification of the energy savings, *how solutions that do not require new infrastructure investments were prioritised, and how the measures contribute to supporting energy poor and vulnerable households and consumers.*

** Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).*

Amendment 27

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation (EU) 2021/241

Article 21c – paragraph 3

Text proposed by the Commission

(3) The estimated costs of the reforms and investments of the REPowerEU chapter under paragraph 1 shall not be taken into account for the calculation of the plan's total allocation under Article 18(4), point (f) and Article 19(3), point (f).

Amendment

(3) The estimated costs of the reforms and investments of the REPowerEU chapter under paragraph 1 shall not be taken into account for the calculation of the plan's total allocation under Article 18(4), point (f), and Article 19(3), point (f), *and under Article 18(4), point (e), and Article 19(3), point (e).*

Amendment 28

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation (EU) 2021/241

Article 21c – paragraph 4

Text proposed by the Commission

(4) By way of derogation from Articles 5(2), 17(4), 18(4) point (d) and 19(3) points (d), the principle of “do no significant harm” within the meaning of Article 17 of Regulation (EU) 2020/852 shall not apply to ***the reforms and investments expected to contribute*** to the REPowerEU objectives under paragraph 1, point (a) of this Article.

Amendment

(4) By way of derogation from Articles 5(2), 17(4), 18(4) point (d) and 19(3) points (d), the principle of “do no significant harm” within the meaning of Article 17 of Regulation (EU) 2020/852 shall not apply to investments ***in LNG terminals and infrastructure contributing*** to the REPowerEU objectives under paragraph 1, point (a) of this Article. ***This derogation shall only apply to reforms and investments that are to be in operation by 30 June 2024.***

In accordance with Article 31 of this Regulation, the Commission shall also present in its reports to the European Parliament and the Council the environmental and climate-related impact of the time-limited application of the derogation referred to in the first subparagraph of this paragraph and present which measures are taken by the Union and the Member States to compensate for any resulting negative impact on the environment and the path to reaching the Union's emissions reduction target as set out in Regulation (EU) 2021/1119.

Amendment 29

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation (EU) 2021/241

Article 21d – paragraph 2

Text proposed by the Commission

(2) The Commission shall provide information on the progress of implementation of the REPowerEU chapter in the annual report to the European Parliament and the Council, in accordance with Article 31.

Amendment

(2) The Commission shall provide information on the progress of implementation of the REPowerEU chapter in the annual report to the European Parliament and the Council, in accordance with Article 31. ***The report shall be made available to the public in an***

easily accessible form.

Amendment 30

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation (EU) 2021/241

Article 21d – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(2a) The Commission shall assess how the measures outlined in the REPowerEU chapter prioritized support for energy poor and vulnerable households and consumers.

Amendment 31

Proposal for a regulation

Article 4 – paragraph 1 – point -1

Directive 2003/87/EC

Article 10 – paragraph 3 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

(-1) in Article 10(3) of Directive 2003/87/EC, the following subparagraph is inserted after the first subparagraph:

“By way of derogation from the first subparagraph of this paragraph and as an extraordinary and one-time measure, for the period until 31 December 2025, a number of allowances shall be deducted from the volume of allowances to be auctioned from 1 January 2027 to 31 December 2030 by Member States in accordance with paragraph 2 of this Article and shall be auctioned over the period until 31 December 2025 in accordance with Article 10e, until the amount of revenue obtained from such auctioning has reached EUR 20 billion.”

Amendment 32

Proposal for a regulation
Article 4 – paragraph 1 – point 1
Decision (EU) 2015/1814
Article 10e – paragraph 1

Text proposed by the Commission

(1) For the period until 31 December **2026**, the allowances *released pursuant to Article 1(6) of Decision (EU) 2015/1814* shall be auctioned until the amount of revenue obtained from such auctioning has reached EUR 20 billion. **This** revenue shall be made available to the Recovery and Resilience Facility established by Regulation (EU) 2021/241 and shall be implemented in accordance with the provisions of that Regulation.

Amendment

(1) For the period until 31 December **2025**, the allowances *referred to in Article 10(3), second subparagraph*, shall be auctioned until the amount of revenue obtained from such auctioning has reached EUR 20 billion.

The revenue referred to in the first subparagraph of this paragraph shall be made available to the Recovery and Resilience Facility established by Regulation (EU) 2021/241 *for the purpose of contributing to the REPowerEU objectives as set out in Article 21c(1) of that Regulation* and shall be implemented in accordance with the provisions of that Regulation.

Amendment 33

Proposal for a regulation
Article 5 – paragraph 1 – point 1
Decision (EU) 2015/1814
Article 1 – paragraph 5 – subparagraph 1

Text proposed by the Commission

In paragraph 5, first subparagraph, **the third sentence** is replaced by the following:

“By way of derogation from the **first and second sentences**, until 31 December 2030, the **percentages and the 100 million** allowances referred to in **those sentences shall be doubled.**”

Amendment

In paragraph 5, **the** first subparagraph is replaced by the following:

“**In any given year, if the total number of allowances in circulation is between 700 million and 921 million, a number of allowances equal to the difference between the total number of allowances in circulation, as set out in the most recent**

publication as referred to in paragraph 4 of this Article, and 700 million, shall be deducted from the volume of allowances to be auctioned by the Member States under Article 10(2) of Directive 2003/87/EC and shall be placed in the reserve over a period of 12 months beginning on 1 September of that year. If the total number of allowances in circulation is above 921 million allowances, the number of allowances to be deducted from the volume of allowances to be auctioned by the Member States under Article 10(2) of Directive 2003/87/EC and to be placed in the reserve over a period of 12 months beginning on 1 September of that year shall be equal to 12 % of the total number of allowances in circulation. By way of derogation from the last sentence, until 31 December 2030, the percentage shall be doubled. As from 2025, the thresholds referred to in this subparagraph shall be reduced in proportion to the reduction of the Union-wide quantity of allowances referred to in Article 9 of Directive 2003/87/EC in the same year.”

Amendment 34

Proposal for a regulation

Article 5 – paragraph 1 – point 2

Decision (EU) 2015/1814

Article 1 – paragraph 6 – subparagraph 1a

Text proposed by the Commission

By way of derogation from the first subparagraph, for a period until 31 December 2026, a number of allowances shall be released from the reserve and auctioned in accordance with Article 10e of Directive 2003/87/EC, until the amount of revenue obtained from such auctioning has reached EUR 20 billion.

Amendment

deleted

Amendment 35

Proposal for a regulation Article 5 a (new)

Text proposed by the Commission

Amendment

Article 5a

Entry into force and application

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

It shall apply from the date of entry into force of a Directive of the European Parliament and of the Council amending Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources, Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency.

Amendment 36

Proposal for a regulation Annex I – paragraph 1 – point a Regulation (EU) 2021/241 Annex V – Section 2 – point 2.12 – subparagraph 1

Text proposed by the Commission

Amendment

The measures referred to in Article 21c (1) and (2) are expected to effectively contribute towards the Union’s security of supply for the Union as a whole, notably through a diversification of energy supply **or** reduction of dependence on fossil fuels before 2030.’.

The measures referred to in Article 21c (1) and (2) are expected to effectively contribute towards the Union’s security of supply for the Union as a whole, notably through a diversification of energy supply **and rapid** reduction of dependence on fossil fuels before 2030.’.

Amendment 37

Proposal for a regulation Annex I – paragraph 1 – point a Regulation (EU) 2021/241 Annex V – Section 2 – point 2.12 – subparagraph 2 – indent 1

Text proposed by the Commission

— the implementation of the envisaged measures is expected to significantly contribute to the improvement of energy infrastructure and facilities to meet immediate security of supply needs for **oil and** gas, notably to enable diversification of supply in the interest of the Union as a whole,

Amendment

— the implementation of the envisaged measures is expected to significantly contribute to the improvement of energy infrastructure and facilities to meet immediate security of supply needs for gas, **especially LNG**, notably to enable diversification of supply in the interest of the Union as a whole, **and is limited to a maximum amount of EUR 10 billion of the total amount of resources made available in accordance with Article 14(1) of this Regulation and Article 26a(1) of Regulation (EU) 2021/1060, excluding the amount of revenue made available in accordance with Article 10e(1) of Directive 2003/87/EC,**

Amendment 38

Proposal for a regulation

Annex I – paragraph 1 – point a

Regulation (EU) 2021/241

Annex V – Section 2 – point 2.12 – subparagraph 2 – indent 2

Text proposed by the Commission

— the implementation of the envisaged measures is expected to significantly contribute to boosting energy efficiency in buildings, decarbonising industry, increasing production and uptake of sustainable biomethane **and** renewable or fossil free hydrogen and **increasing the share of** renewable energy,

Amendment

— the implementation of the envisaged measures is expected to significantly contribute to boosting energy efficiency **and savings** in buildings **with adequate priority for the needs of energy poor and vulnerable households and consumers, implementing demand-side measures to reduce energy use,** decarbonising industry, **increasing the share of renewable energy as defined in Directive (EU) 2018/2001 and, where applicable, meeting the sustainability criteria set out in that Directive, in particular by** increasing production and uptake of sustainable biomethane, **thermal renewable energy and renewable fuels of non-biological origin (RFNBOs), improving related electrification infrastructure and**

facilities; increasing the production and uptake of renewable or fossil free hydrogen and speeding up permitting processes for plants producing renewable energy and electrification infrastructure in accordance with [Directive (EU) .../... amending Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources, Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency],

Amendment 39

Proposal for a regulation

Annex I – paragraph 1 – point a

Regulation (EU) 2021/241

Annex V – Section 2 – point 2.12 – subparagraph 2 – indent 3

Text proposed by the Commission

— the implementation of the envisaged measures is expected to address energy infrastructure bottlenecks, in particular by constructing cross-border links with other Member States, or supports zero-emission transport and its infrastructure, including railways,

Amendment

— the implementation of the envisaged measures is expected to address energy infrastructure bottlenecks, ***including the connection of grids to new renewable energy sources***, in particular by constructing cross-border links with other Member States, or supports zero-emission transport and its infrastructure, including railways ***and the functionality and affordability of public transportation***,

PROCEDURE – COMMITTEE ASKED FOR OPINION

| | | |
|---|--|------------------|
| Title | Amending Regulation (EU) 2021/241 as regards REPowerEU chapters in recovery and resilience plans and amending Regulation (EU) 2021/1060, Regulation (EU) 2021/2115, Directive 2003/87/EC and Decision (EU) 2015/1814 | |
| References | COM(2022)0231 – C9-0183/2022 – 2022/0164(COD) | |
| Committees responsible Date announced in plenary | BUDG 6.6.2022 | ECON 6.6.2022 |
| Opinion by Date announced in plenary | ENVI 6.6.2022 | |
| Associated committees - date announced in plenary | 15.9.2022 | |
| Rapporteur for the opinion Date appointed | Peter Liese 4.7.2022 | |
| Rule 58 – Joint committee procedure Date announced in plenary | 15.9.2022 | |
| Discussed in committee | 12.7.2022 | 8.9.2022 |
| Date adopted | 3.10.2022 | |
| Result of final vote | +: –: 0: | 48 15 4 |
| Members present for the final vote | Mathilde Androuët, Bartosz Arłukowicz, Simona Baldassarre, Marek Paweł Balt, Aurélia Beigneux, Hildegard Bentele, Sergio Berlato, Alexander Bernhuber, Simona Bonafè, Delara Burkhardt, Pascal Canfin, Sara Cerdas, Mohammed Chahim, Esther de Lange, Bas Eickhout, Agnès Evren, Pietro Fiocchi, Helène Fritzon, Malte Gallée, Andreas Glück, Catherine Griset, Anja Hazekamp, Martin Hojsík, Pär Holmgren, Jan Huitema, Yannick Jadot, Petros Kokkalis, Ewa Kopacz, Joanna Kopcińska, Peter Liese, César Luena, Liudas Mažylis, Marina Measure, Tilly Metz, Silvia Modig, Dolors Montserrat, Alessandra Moretti, Ville Niinistö, Jessica Polfjärd, Nicola Procaccini, Frédérique Ries, Silvia Sardone, Christine Schneider, Günther Sidl, Ivan Vilibor Sinčić, Nils Torvalds, Edina Tóth, Véronique Trillet-Lenoir, Alexandr Vondra, Mick Wallace, Pernille Weiss, Michal Wiezik, Tiemo Wölken, Anna Zalewska | |
| Substitutes present for the final vote | Michael Bloss, Biljana Borzan, Asger Christensen, Matthias Ecke, Radan Kanev, Ondřej Knotek, João Pimenta Lopes, Christel Schaldemose, Sarah Wiener | |
| Substitutes under Rule 209(7) present for the final vote | Abir Al-Sahlani, Attila Ara-Kovács, Krzysztof Hetman, Niklas Nienaaß | |

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

| 48 | + |
|-----------|---|
| PPE | Bartosz Arłukowicz, Hildegard Bentele, Alexander Bernhuber, Agnès Evren, Krzysztof Hetman, Radan Kanev, Ewa Kopacz, Esther de Lange, Peter Liese, Liudas Mažylis, Dolores Montserrat, Jessica Polfjärd, Christine Schneider, Pernille Weiss |
| RENEW | Abir Al-Sahlani, Pascal Canfin, Asger Christensen, Martin Hojsík, Jan Huitema, Frédérique Ries, Nils Torvalds, Véronique Trillet-Lenoir, Michal Wiezik |
| S&D | Attila Ara-Kovács, Marek Paweł Balt, Simona Bonafè, Biljana Borzan, Delara Burkhardt, Sara Cerdas, Mohammed Chahim, Matthias Ecke, Helène Fritzon, César Luena, Alessandra Moretti, Christel Schaldemose, Günther Sidl, Tiemo Wölken |
| THE LEFT | Petros Kokkalis, Silvia Modig |
| VERTS/ALE | Michael Bloss, Bas Eickhout, Malte Gallée, Pär Holmgren, Yannick Jadot, Tilly Metz, Niklas Nienaa, Ville Niinistö, Sarah Wiener |

| 15 | - |
|----------|---|
| ECR | Sergio Berlato, Pietro Fiocchi, Joanna Kopcińska, Alexandr Vondra, Anna Zalewska |
| ID | Mathilde Androuët, Simona Baldassarre, Aurélie Beigneux, Catherine Griset, Silvia Sardone |
| NI | Edina Tóth |
| RENEW | Ondřej Knotek |
| THE LEFT | Marina Mesure, João Pimenta Lopes, Mick Wallace |

| 4 | 0 |
|----------|---------------------|
| ECR | Nicola Procaccini |
| NI | Ivan Vilibor Sinčić |
| RENEW | Andreas Glück |
| THE LEFT | Anja Hazekamp |

Key to symbols:

+ : in favour

- : against

0 : abstention