



05/09/2022

**AMENDMENTS: 11**

**Peter Liese**

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

**Proposal for a regulation** COM(2022)0231 - C9-0183/2022 – 2022/0164(COD)

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**Amendments per language:**

*EN: 11*

**Amendments justification with more than 500 chars : 0**

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## Amendment 1

Peter Liese

### 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 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.

*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 European 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 set out in those REPowerEU chapters which aim to improve energy infrastructure and facilities to meet immediate security of supply needs for oil and gas ***and are completed by 31 December 2025*** 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 European 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 how to compensate them in its annual reports. In addition, this derogation should only be applicable to 25% of the total estimated cost of the REPowerEU chapter of each plan.***

Or. en

**Amendment 2**  
**Peter Liese**

**Proposal for a regulation**  
**Recital 13 a (new)**

*Text proposed by the Commission*

*Amendment*

***(13 a) Cross-border and multi-country projects, particularly those in the field of energy, have an important contribution to the achievement of the REPowerEU objectives. Therefore, at least 50% of the financial allocation of the REPowerEU chapter of each national plan should be allocated to measures for cross-border or multi-country projects.***

Or. en

**Amendment 3**  
**Peter Liese**

**Proposal for a regulation**  
**Recital 13 b (new)**

*Text proposed by the Commission*

*Amendment*

***(13 b) 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 EED and RED as proposed by the Commission under Directive (EU) 2022/222 (RePowerEU).***

Or. en

**Amendment 4**  
**Peter Liese**

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

*Text proposed by the Commission*

(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 Council<sup>4</sup> and Directive 2003/87/EC of the European Parliament and of the Council<sup>5</sup> should be amended to extend the doubling of the 24% intake rate of the Market Stability Reserve until 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.

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<sup>4</sup> 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

*Amendment*

(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 Council<sup>4</sup> and Directive 2003/87/EC of the European Parliament and of the Council<sup>5</sup> should be amended to extend the doubling of the 24% intake rate of the Market Stability Reserve until 2030, while allowing for *a temporary and* exceptional release and monetisation of a *number* 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, *without impacting the achievement of the Union's 2030 climate target. Therefore, the same number of allowances should be placed back in the Market Stability Reserve following the end of this temporary and exceptional release and monetisation of allowances and by 2030 at the latest.*

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<sup>4</sup> 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

<sup>5</sup> 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

<sup>5</sup> 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

Or. en

## **Amendment 5**

**Peter Liese**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 6**

Regulation (EU) 2021/241

Article 21c – paragraph 1 – point b

#### *Text proposed by the Commission*

(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,

#### *Amendment*

(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, ***including through measures to speed up permitting processes for plants producing renewable energy,***

Or. en

## **Amendment 6**

**Peter Liese**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 6**

Regulation (EU) 2021/241

Article 21c(new)

#### *Text proposed by the Commission*

#### *Amendment*

***(1 a) The reforms and investments in accordance with Article 21c(1a) shall be limited to a maximum of 25% of the total estimated cost of the REPowerEU chapter of each plan.***

**Amendment 7**  
**Peter Liese**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation 2021/241/EU  
Article 21c (new)

*Text proposed by the Commission*

*Amendment*

***(1 b) At least 50% of the total financial allocation of the REPowerEU chapters shall be used to finance exclusively cross-border or multicountry investments and reforms contributing to the objectives outlined in Article 21c (1).***

Or. en

**Amendment 8**  
**Peter Liese**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation (EU) 2021/241  
Article 21c

*Text proposed by the Commission*

*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 the reforms and investments ***expected to contribute*** to the REPowerEU objectives under paragraph 1, point (a) of this Article.

(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 ***contributing*** to the REPowerEU objectives under paragraph 1, point (a) of this Article. ***This derogation shall only apply to reforms and investments to be completed by 31 December 2025.***

***In accordance with Article 31 of Regulation (EU) 2021/241, 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 this derogation and present which measures are taken by the European Union and the Member States to compensate for any resulting negative impact on the environment and the path to reach the EU's emissions reduction target as set out in Regulation (EU) 2021/1119.*

Or. en

**Amendment 9**  
**Peter Liese**

**Proposal for a regulation**  
**Article 4 – paragraph 1**  
Directive 2003/87/EU  
Article 10e(new)

*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 [**12 months after the entry into force of this Regulation**], 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 **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.

Or. en

*Justification*

*The Commission has announced to distribute the auctioning of the allowances until the end of 2026. However, we should advance this by one year because it will, first, bring us the money faster to do the necessary investments and second, the price effect will be concentrated on the next two years where we desperately need a moderation of the price for citizens and businesses.*



*2nd part: Technical change to align language throughout proposal and clarify why the revenues are spent.*

**Amendment 10**  
**Peter Liese**

**Proposal for a regulation**  
**Article 5 – paragraph 1 – subparagraph 2**  
Decision 2015/1814/EU  
Article 1 – paragraph 6 – subparagraph 2

*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*

By way of derogation from the first subparagraph, for a period until [**12 months after the entry into force of this Regulation**], 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. **Over a period of 48 months beginning on 1 January 2027, the same number of allowances as is released from the reserve in accordance with this subparagraph shall be deducted from the volume of allowances to be auctioned by the Member States under Article 10(2) of that Directive and shall be placed in the reserve.**

Or. en

*Justification*

*The Commission has announced to distribute the auctioning of the allowances until the end of 2026. However, we should advance this by one year because it will, first, bring us the money faster to do the necessary investments and second, the price effect will be concentrated on the next two years where we desperately need a moderation of the price for citizens and businesses.*

**Amendment 11**  
**Peter Liese**

**Proposal for a regulation**  
**Article 6 – paragraph 1**

*Text proposed by the Commission*

This Regulation shall be binding in its entirety and directly applicable in all Member States.

*Amendment*

***This Regulation shall apply from the date by which the Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Directive (EU) 2022/222 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.***

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Or. en

*Justification*

*In the long-term, 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 long-term climate and energy targets. Therefore, Member States should only be able to receive money for their RPEU plans if they have accepted the increased targets for EED and RED from Directive (EU) 2022/222 (RePowerEU).*