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

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**2012/0202(COD)**

13.6.2013

# **CONSOLIDATED AMENDMENTS**

## **1 - 2**

**Draft report**

**Matthias Groote**

(PE498.154v01-00)

Proposal for a decision of the European Parliament and of the Council  
amending Directive 2003/87/EC clarifying provisions on the timing of auctions  
of greenhouse gas allowances

Proposal for a decision

(COM(2012)0416 – C7-0203/2012 – 2012/0202(COD))



## Amendment 1

Consolidated amendment replacing amendments 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 72

### Proposal for a decision

#### Article 1

Directive 2003/87/EC

Article 10 – paragraph 4 – subparagraph 1 – last sentence

*Text proposed by the Commission*

The Commission *shall, where appropriate*, adapt the timetable for *each period* so as to ensure an orderly functioning of the market.

*Amendment*

*Where an assessment shows for the individual industrial sectors that no significant impact on sectors or subsectors exposed to a significant risk of carbon leakage is to be expected, the Commission may, in exceptional circumstances, adapt the timetable for the period referred to in Article 13(1) beginning on 1 January 2013 so as to ensure an orderly functioning of the market. The Commission shall make no more than one such adaptation for a maximum number of 900 million allowances.*

Or. en

#### Article 1a (new)

*Text proposed by the Commission*

*Amendment*

~~*Where the Commission proposes to withhold a number of allowances, they shall contribute*~~ *Allowances temporarily withheld from the market as a result of an adaptation of the timetable for auctioning pursuant to Article 10(4) of Directive 2003/87/EC shall be reintroduced in a predictable and linear manner starting from the year following that during which allowances have last been withheld. 600 million of those allowances shall be used to set up a fund based on the existing EU funding mechanism (NER 300) for the development of innovative low carbon technologies, and to apply it also for demonstration projects and developments that may reduce the costs and carbon emissions of energy intensive industries, and for social and skill-related aspects of the low-carbon transition. The mechanism shall be funded from the*

*auktioning of a number of those allowances that this Decision temporarily withholds from the ETS along the principles of the existing EU funding mechanism (NER 300). The financial support available shall be allocated before the end of phase 3 in 2020. For this purpose the Commission Decision 2010/670/EU<sup>1</sup> laying down criteria and measures for the financing of commercial demonstration projects shall be modified no later than 31 December 2015.*

## Amendment 2

Consolidated amendment replacing amendments 40, 41, 42, 43, 44, 45, 48, 59

### Proposal for a decision

#### Recital 2

*Text proposed by the Commission*

(2) For the purposes of legal certainty and market predictability, it should be clarified that, in order to ensure an orderly functioning of the market, the Commission is able in exceptional circumstances to adapt the auction timetable pursuant to Article 10(4) of Directive 2003/87/EC.

*Amendment*

(2) For the purposes of legal certainty and market predictability, it should be clarified that, in order to ensure an orderly functioning of the market, the Commission is able in exceptional circumstances to adapt the auction timetable pursuant to Article 10(4) of Directive 2003/87/EC. ***The Commission should be able to make no more than one such adaptation for a maximum number of 900 million allowances and only during the eight-year period beginning on 1 January 2013.***

Or. en

#### Recital 2a (new)

*Text proposed by the Commission*

*Amendment*

***Where the Commission proposes to withhold a number of allowances, those allowances should be used to create a new fund to enhance industrial innovation and***

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<sup>1</sup> OJ L 290, 6.11.2010, p. 39

*the stability of the EU ETS. The Commission should be mandated to provide for the use of a number of the **600 million** allowances in this fund based on the existing EU funding mechanism (NER 300) for development of innovative low carbon technologies, and to apply it **also** for demonstration projects and developments that may reduce the costs and carbon emissions of energy intensive industries, and for social and skill-related aspects of the low-carbon transition. ~~Future structural measures adopted by the European Parliament and the Council should provide for the use of the remaining share of allowances and enable their possible re-introduction in a predictable manner as part of a reserve which should make the EU ETS able to better adapt to extreme imbalances between supply and demand based on objective and transparent criteria.~~*

Or. en

## Recital 2b (new)

*Text proposed by the Commission*

*Amendment*

**(2b) In the light of potentially higher prices for certificates, the guidelines on certain State aid measures in the context of the greenhouse gas emission allowance trading scheme post-2012 (SWD(2012)0130, SWD(2012)0131 - indirect emission costs) and the criteria laid down in Article 10a(14)- (17) of Directive 2003/87/EC (direct emission costs) should be considered for a revision taking into account the risk of carbon leakage and distortion of competition between sectors.**

Or. en