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'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the Governance of the Energy Union and Climate Action, amending Directive 94/22/EC, Directive 98/70/EC, Directive 2009/31/EC, Regulation (EC) No 663/2009, Regulation (EC) No 715/2009, Directive 2009/73/EC, Council Directive 2009/119/EC, Directive 2010/31/EU, Directive 2012/27/EU, Directive 2013/30/EU and Council Directive (EU) 2015/652 and repealing Regulation (EU) No 525/2013 **(first reading)**

- Adoption of the legislative act
- Statements

Statements by the Commission

Commission Statement on methane on Article 16

The Commission notes the agreement of the co-legislators relating to Article 16 by which a strategic plan should be presented for methane.

The Commission confirms its commitment to analyse methane emissions, notably in the context of the Union's long-term strategy.

The Commission emphasizes however that it reserves the right to respond in accordance with the rules of the Treaty, with due regard in particular to its right of initiative.

Commission Statement on Article 44

The Regulation on the Governance of the Energy Union is central to the Clean Energy for All Europeans Package. This Regulation aims to set out the process ensuring the ambition and coherence of policies and measures which are taken at various levels for the achievement of the Energy Union objectives and, in particular, the 2030 EU climate and energy targets.

In their Joint Declaration on the EU's legislative priorities for 2018 - 2019, the three Institutions committed to delivering on the objective of an ambitious Energy Union with a forward-looking climate change policy, notably by implementing the 2030 EU climate and energy framework, by continuing to follow up the Paris Agreement, including through legislation on clean energy for all Europeans.

Against this background, the Commission notes the agreement of the co-legislators relating to Article 44, which provides that the Commission shall be assisted by two committees in the implementation of the Regulation.

The Commission regrets that the co-legislators could not accept the Commission proposal that the exercise of implementing powers conferred on the Commission should be under the control of a single committee, in full compliance with the applicable comitology rules set forth in Regulation 182/2011¹ and in view of streamlining and Better Regulation.

The Commission reiterates the importance of a clear division of competences between the committees which is essential for a proper exercise of the Commission's implementing powers and the application of Regulation 182/2011 establishing horizontal rules applicable to committees.

¹ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers, OJ L 55, 28.2.2011, p. 13.