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| From: | General Secretariat of the Council |
| To: | Delegations |
| No. Cion doc.: | COM(2018) 353 final |
| Subject: | Proposal for a Regulation of the European Parliament and of the Council on the establishment of a framework to facilitate sustainable investment - Three-column table comparing the institutions' positions |

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the establishment of a framework to facilitate sustainable investment

2018/0178(COD)

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| Key | |
| GREEN | Identical text or Text agreed in principle |
| GREY | Text subjected to technical discussion and adaptation |
| BLUE | Text subjected to political discussion |

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|-----------|-------------|--|--|--|
| 1 | Title | Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the establishment of a framework to facilitate sustainable investment (Text with EEA relevance) THE EUROPEAN PARLIAMENT AND THE | Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the establishment of a framework to facilitate sustainable investment (Text with EEA relevance) THE EUROPEAN PARLIAMENT AND | Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the establishment of a framework to facilitate sustainable investment (Text with EEA relevance) THE EUROPEAN PARLIAMENT AND THE |

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| | | COUNCIL OF THE EUROPEAN UNION, | THE COUNCIL OF THE EUROPEAN UNION, | COUNCIL OF THE EUROPEAN UNION, |
| 2 | Cit. 1 | Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof, | Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof, | Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof, |
| 3 | Cit. 2 | Having regard to the proposal from the European Commission, | Having regard to the proposal from the European Commission, | Having regard to the proposal from the European Commission, |
| 4 | Cit. 3 | After transmission of the draft legislative act to the national parliaments, | After transmission of the draft legislative act to the national parliaments, | After transmission of the draft legislative act to the national parliaments, |
| 5 | Cit. 4 | Having regard to the opinion of the European Central Bank, ¹ | Having regard to the opinion of the European Central Bank, ² | Having regard to the <i>opinion</i> of the European <i>Economic and Social Committee</i> ³ , |
| 6 | Cit. 5 | Having regard to the Opinion of the European Economic and Social Committee, ⁴ | Having regard to the Opinion of the European Economic and Social Committee, ⁵ | Having regard to the <i>opinion</i> of the Committee <i>of the Regions</i> ⁶ , |
| 7 | Cit. 6 | Acting in accordance with the ordinary legislative procedure, | Acting in accordance with the ordinary legislative procedure, | Acting in accordance with the ordinary legislative procedure ⁷ , |
| 8 | | Whereas: | Whereas: | Whereas: |

¹ OJ C , , p. .

² OJ C , , p. .

³ OJ C 62, 15.2.2019, p. 103.

⁴ OJ C , , p. .

⁵ OJ C , , p. .

⁶ OJ C 86, 7.3.2019, p. 24.

⁷ European Parliament position of 28 March 2019.

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| 9 | Recital 1 | (1) Article 3(3) of the Treaty on European Union aims to establish an internal market that works for the sustainable development of Europe, based among others on balanced economic growth and a high level of protection and improvement of the quality of the environment. | (1) Article 3(3) of the Treaty on European Union aims to establish an internal market that works for the sustainable development of Europe, based among others on balanced economic growth and a high level of protection and improvement of the quality of the environment. | (1) Article 3(3) of the Treaty on European Union aims to establish an internal market that works for the sustainable development of Europe, based among others on balanced economic growth and a high level of protection and improvement of the quality of the environment. |
| 10 | Recital 2 | (2) On 25 September 2015, the UN General Assembly adopted a new global sustainable development framework: the 2030 Agenda for Sustainable Development ⁸ having at its core the Sustainable Development Goals (SDGs) covering three pillars of sustainability: environmental, social and economic/governance. The Commission's Communication of 2016 on the next steps for a sustainable European future ⁹ links the SDGs to the Union policy framework to ensure that all Union actions and policy initiatives, within the | (2) On 25 September 2015, the UN General Assembly adopted a new global sustainable development framework: the 2030 Agenda for Sustainable Development ¹¹ having at its core the Sustainable Development Goals (SDGs) covering three pillars of sustainability: environmental, social and economic/governance. The Commission's Communication of <u>22 November</u> 2016 on the next steps for a sustainable European future ¹² links the SDGs to the Union policy framework to ensure that | (2) On 25 September 2015, the UN General Assembly adopted a new global sustainable development framework: the 2030 Agenda for Sustainable Development ¹⁴ having at its core the Sustainable Development Goals (SDGs) covering three pillars of sustainability: environmental, social and economic/governance. The Commission's Communication of 2016 on the next steps for a sustainable European future ¹⁵ links the SDGs to the Union policy framework to ensure that all Union actions and policy initiatives, within the |

⁸ Transforming our World: The 2030 Agenda for Sustainable Development (UN 2015) available at <https://sustainabledevelopment.un.org/post2015/transformingourworld>.

⁹ COM(2016) 739 final.

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| | | Union and globally, take the SDGs on board at the outset. The European Council conclusions of 20 June 2017 ¹⁰ confirmed the commitment of the Union and the Member States to the implementation of the 2030 Agenda in a full, coherent, comprehensive, integrated and effective manner and in close cooperation with partners and other stakeholders. | all Union actions and policy initiatives, within the Union and globally, take the SDGs on board at the outset. <u>In its conclusions of 20 June 2017¹³ the Council of the European Union</u> Council conclusions of 20 June 2017 confirmed the commitment of the Union and the Member States to the implementation of the 2030 Agenda in a full, coherent, comprehensive, integrated and effective manner, and in close cooperation with partners and other stakeholders. | Union and globally, take the SDGs on board at the outset. The European Council conclusions of 20 June 2017 ¹⁶ confirmed the commitment of the Union and the Member States to the implementation of the 2030 Agenda in a full, coherent, comprehensive, integrated and effective manner and in close cooperation with partners and other stakeholders. |
| 11 | Recital 3 | (3) In 2016, the Council concluded on behalf of the Union the Paris Climate Agreement ¹⁷ . | (3) In 2016, the Council concluded on behalf of the Union the Paris Climate | (3) In 2016, the Council concluded on behalf of the Union the Paris Climate Agreement ¹⁹ . |

¹¹ Transforming our World: The 2030 Agenda for Sustainable Development (UN 2015) available at <https://sustainabledevelopment.un.org/post2015/transformingourworld>.

¹² COM(2016) 739 final.

¹⁴ Transforming our World: The 2030 Agenda for Sustainable Development (UN 2015) available at <https://sustainabledevelopment.un.org/post2015/transformingourworld>.

¹⁵ COM(2016) 739.

¹⁰ CO EUR 17, CONCL. 5.

¹³ ~~CO EUR 17, CONCL. 5~~ DEVGEN 139, ONU 83, ENV 624.

¹⁶ CO EUR 17, CONCL 5.

¹⁷ Council Decision (EU) 2016/1841 of 5 October 2016 on the conclusion, on behalf of the European Union, of the Paris Agreement adopted under the United Nations Framework Convention on Climate Change (OJ L 282, 19.10.2016, p. 4).

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| | | Article 2(1)(c) of the Paris Climate Agreement sets the objective to strengthen the response to climate change, among other means by making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development. | Agreement ¹⁸ . Article 2(1)(c) of the Paris Climate Agreement sets the objective to of strengthening the response to climate change, among other means by making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development. | Article 2(1)(c) of the Paris Climate Agreement sets the objective to strengthen the response to climate change, among other means by making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development. |
| 12 | Recital 4 | (4) Sustainability and the transition to a low-carbon and climate resilient, more resource-efficient and circular economy are key in ensuring long-term competitiveness of the Union's economy. Sustainability has long been at the heart of the European Union project and the Treaties give recognition to its social and environmental dimensions. | (4) Sustainability and the transition to a <u>safe, climate neutral</u> low-carbon and climate resilient, more resource-efficient and circular economy <u>is the</u> are key in ensuring long-term competitiveness of the Union's economy. Sustainability has long been at the heart of the European Union project and the Treaties give recognition to its social and environmental dimensions. | (4) Sustainability and the transition to a low-carbon and climate resilient, more resource-efficient and circular economy are key in ensuring long-term competitiveness of the Union's economy. Sustainability has long been at the heart of the European Union project and the Treaties give recognition to its social and environmental dimensions. |

¹⁸ Council Decision (EU) 2016/1841 of 5 October 2016 on the conclusion, on behalf of the European Union, of the Paris Agreement adopted under the United Nations Framework Convention on Climate Change (OJ L 282, 19.10.2016, p. 4).
Council Decision (EU) 2016/1841 of 5 October 2016 on the conclusion, on behalf of the European Union, of the Paris Agreement adopted under the United Nations Framework Convention on Climate Change (OJ L 282, 19.10.2016, p. 4).

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| 13 | Recital 5 | (5) In December 2016, the Commission mandated a High-Level Expert Group to develop an overarching and comprehensive Union strategy on sustainable finance. The report of the High-Level Expert Group published on 31 January 2018 ²⁰ calls for the creation of a technically robust classification system at Union level to establish clarity on which activities are ‘green’ or ‘sustainable’, starting with climate change mitigation. | (5) In December 2016, the Commission mandated a High-Level Expert Group to develop an overarching and comprehensive Union strategy on sustainable finance. The report of the High-Level Expert Group published on 31 January 2018 ²¹ calls for the creation of a technically robust classification system at Union level to establish clarity on which activities are ‘green’ or ‘sustainable’, starting with climate change mitigation. | (5) In December 2016, the Commission mandated a High-Level Expert Group to develop an overarching and comprehensive Union strategy on sustainable finance. The report of the High-Level Expert Group published on 31 January 2018 ²² calls for the creation of a technically robust classification system at Union level to establish clarity on which activities are ‘green’ or ‘sustainable’, starting with climate change mitigation. |
| 14 | Recital 6 | (6) In March 2018, the Commission published its Action Plan 'Financing Sustainable Growth' ²³ setting up an ambitious | (6) In March 2018, the Commission published its Action Plan 'Financing Sustainable Growth' ²⁴ setting up an ambitious | (6) In March 2018, the Commission published its Action Plan 'Financing Sustainable Growth' ²⁵ setting up an ambitious |

²⁰ EU High-Level Expert Group on Sustainable Finance Final Report, Financing a Sustainable European Economy, available at: https://ec.europa.eu/info/sites/info/files/180131-sustainable-finance-final-report_en.pdf.

²¹ EU High-Level Expert Group on Sustainable Finance Final Report, Financing a Sustainable European Economy, available at: https://ec.europa.eu/info/sites/info/files/180131-sustainable-finance-final-report_en.pdf.

EU High-Level Expert Group on Sustainable Finance Final Report, Financing a Sustainable European Economy, available at: https://ec.europa.eu/info/sites/info/files/180131-sustainable-finance-final-report_en.pdf.

²³ COM(2018) 97 final.

²⁴ COM(2018) 97 final.

²⁵ COM(2018)0097.

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| | | and comprehensive strategy on sustainable finance. One of the objectives set out in that Action Plan is to reorient capital flows towards sustainable investment in order to achieve sustainable and inclusive growth. The establishment of a unified classification system for sustainable activities is the most important and urgent action envisaged by the Action Plan. The Action Plan recognises that the shift of capital flows towards more sustainable activities has to be underpinned by a shared understanding of what 'sustainable' means. As a first step, clear guidance on activities qualifying as contributing to environmental objectives, should help inform investors about the investments that fund environmentally sustainable economic activities. Further guidance on the activities contributing to other sustainability objectives, including social objectives, may be developed at a later stage. | and comprehensive strategy on sustainable finance. One of the objectives set out in the Action Plan is to reorient capital flows towards sustainable investment in order to achieve sustainable and inclusive growth. The establishment of a unified classification system for sustainable activities is the most important and urgent action envisaged by the Action Plan. The Action Plan recognises that the shift of capital flows towards more sustainable activities has to be underpinned by a shared understanding of what 'sustainable' means. As a first step, clear guidance on activities qualifying as contributing to environmental objectives, should help inform investors about the investments that fund environmentally sustainable economic activities. Further guidance on the activities contributing to other sustainability objectives, including social objectives, might be developed at a | and comprehensive strategy on sustainable finance. One of the objectives set out in that Action Plan is to reorient capital flows towards sustainable investment in order to achieve sustainable and inclusive growth. The establishment of a unified classification system and of indicators for identifying the degree of sustainability of activities is are the most important and urgent action envisaged by the Action Plan. The Action Plan recognises that the shift of capital flows towards more sustainable activities has to be underpinned by a shared, <i>holistic</i> understanding of the impact of economic activities and investments on environmental sustainability and resource efficiency . As a first step, clear guidance on activities qualifying as contributing to environmental objectives, should help inform investors about the investments that fund economic activities according to their degree of sustainability. Recognising the UN Sustainability Goals and the European |

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| | | | later stage. | <i>Council conclusions of 20 June 2017</i> , further guidance on the activities contributing to other sustainability objectives, including social <i>and governance</i> objectives, █ <i>should also</i> be developed █ <i>thereby implementing the 2030 Agenda in full, coherent, comprehensive, integrated and effective manner.</i> [Am. 80] |
| 15 | Recital 6a (new) | | <u>(6a) While acknowledging the urgency of addressing climate change and pursuing all environmental objectives, further analytical work should be carried out in order to advance other sustainability objectives, including social objectives and good governance, thereby implementing the 2030 Agenda in a full, coherent, comprehensive, integrated and effective manner.</u> | <i>(6a) While acknowledging the urgency of addressing climate change, a narrow focus on carbon exposure could have negative spill-overs by redirecting investment flows to targets that carry other environmental risks. Hence, adequate safeguards need to be put in place to ensure that the economic activities are not harming other environmental objectives, such as biodiversity and energy efficiency. Investors need comparable and holistic information regarding environmental risks and their impact, in order to assess their portfolios beyond carbon exposure.</i> [Am. 2] |

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| 16 | Recital 6b (new) | | | <i>(6b) Given the urgency in several interlinked fields of environmental degradation and resource overconsumption, there is a need to take a systemic approach to exponentially growing negative trends, such as the loss of biodiversity, the global overconsumption of resources, the appearance of new threats including hazardous chemicals and their cocktails, nutrition scarcity, climate change, ozone depletion, ocean acidification, fresh water depletion, and land system change. Hence, it is necessary that the actions to be taken are forward-looking and up-to-scale to the upcoming challenges. The scale of those challenges requires a holistic and ambitious approach and the application of a stringent precautionary principle. [Am. 3]</i> |
| 17 | Recital 7 | (7) Decision No. 1386/2013/EU of the European Parliament and of the Council ²⁶ | (7) Decision No. 1386/2013/EU of the European Parliament and of the Council ²⁷ | (7) Decision No. 1386/2013/EU of the European Parliament and of the Council ²⁸ |

²⁶ Decision No. 1386/2013/EU of the European Parliament and of the Council of 20 November 2013 on a General Union Environment Action Programme to 2020 ‘Living well, within the limits of our planet’ (OJ L 354/171 28.12.2013).

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| | | called for an increase in private sector funding for environmental and climate-related expenditure, notably through putting in place incentives and methodologies that stimulate companies to measure the environmental costs of their business and profits derived from using environmental services. | called for an increase in private sector funding for environmental and climate-related expenditure, notably through putting in place incentives and methodologies that stimulate companies to measure the environmental costs of their business and profits derived from using environmental services. | called for an increase in private sector funding for environmental and climate-related expenditure, notably through putting in place incentives and methodologies that stimulate companies to measure the environmental costs of their business and profits derived from using environmental services. |
| 18 | Recital 7a (new) | | | <i>(7a) The European Parliament Own Initiative Report on Sustainable Finance of 29 May 2018 lays down essential elements of sustainability indicators and taxonomy as an incentive for sustainable investment. Consistency should be ensured among relevant legislation. [Am. 4]</i> |
| 19 | Recital 8 | (8) Achieving SDGs in the Union requires the channelling of capital flows towards | (8) Achieving SDGs in the Union requires the channelling of capital flows towards | (8) Achieving SDGs in the Union requires the channelling of capital flows towards |

²⁷ Decision No. 1386/2013/EU of the European Parliament and of the Council of 20 November 2013 on a General Union Environment Action Programme to 2020 ‘Living well, within the limits of our planet’ (OJ L 354/171 28.12.2013).

²⁸ Decision No. 1386/2013/EU of the European Parliament and of the Council of 20 November 2013 on a General Union Environment Action Programme to 2020 ‘Living well, within the limits of our planet’ (OJ L 354 ■ 28.12.2013, *p.171*).

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| | | sustainable investments. It is important to exploit fully the potential of the internal market for the achievement of those goals. It is also important to ensure that capital flows channelled towards sustainable investment are not disrupted in the internal market. | sustainable investments. It is important to fully exploit fully the potential of the internal market for the achievement of those goals and It is also important to ensure that capital flows channelled towards sustainable investment are not disrupted in the internal market. | sustainable investments. It is important to exploit fully the potential of the internal market for the achievement of those goals. It is also important to ensure that capital flows channelled towards sustainable investment are not disrupted in the internal market. |
| 20 | Recital 8a (new) | | | <i>(8a) The scale of the challenge entails gradually moving the entire financial system to support the economy to function on a sustainable basis. To that end, sustainable finance needs to be brought into the mainstream, and consideration needs to be made of sustainability impact in respect of financial products and services. [Am. 5]</i> |
| 21 | Recital 9 - para. 1 | (9) Offering financial products which pursue environmentally sustainable objectives is an effective way of channelling private investments into sustainable activities. National requirements for marketing as sustainable | (9) Offering financial products which pursue environmentally sustainable objectives is an effective way of channelling private investments into sustainable activities. National requirements for | (9) Offering financial products which pursue environmentally sustainable objectives is an effective way of gradually shifting private investments from activities with negative environmental impact and towards more |

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| | | <p>investments financial products and corporate bonds, in particular requirements set out to allow the relevant market actors to use a national label, aim to enhance investor confidence, to create visibility and to address concerns about “greenwashing”. Greenwashing refers to the practice of gaining an unfair competitive advantage by marketing a financial product as environment-friendly, when in fact it does not meet basic environmental standards. Currently a few Member States have in place labelling schemes. They build on different taxonomies classifying environmentally sustainable economic activities. Given the political commitments under the Paris Agreement and at Union level, it is likely that more and more Member States will set up labelling schemes or other requirements on market actors in respect of financial products or corporate bonds marketed as environmentally sustainable. In doing so, Member States would be using their own national taxonomies for the</p> | <p>marketing as sustainable investments financial products and/or corporate bonds <u>as environmentally sustainable investments, including in particular the</u> requirements set out <u>by Member States</u> to allow the relevant market actors to use a national label, aim to enhance investor confidence, to create visibility and to address concerns about “greenwashing”. Greenwashing refers to the practice of gaining an unfair competitive advantage by marketing a financial product as environmentally-friendly, when in fact it does not meet basic environmental standards. Currently a few Member States have in place labelling schemes. Those <u>existing schemes</u> build on different taxonomies classifying environmentally sustainable economic activities. Given the political commitments under the Paris Agreement and at Union level, it is likely that more and more Member States will establish set-up labelling schemes or other requirements on <u>financial market</u></p> | <p>sustainable activities. National requirements for marketing as sustainable investments financial products, <i>services</i> and corporate bonds, <i>as defined in this Regulation</i>, in particular requirements set out to allow the relevant market actors to use a national label, aim to enhance investor confidence <i>and awareness of risks</i>, to create visibility and to address concerns about “greenwashing”. Greenwashing refers to the practice of gaining an unfair competitive advantage by marketing a financial product as environment-friendly, when in fact it does not meet basic environmental standards. Currently a few Member States have in place labelling schemes. They build on different taxonomies classifying environmentally sustainable economic activities. Given the political commitments under the Paris Agreement and at Union level, it is likely that more and more Member States will set up labelling schemes or other requirements on market actors in respect of financial products or</p> |

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| | | <p>purposes of determining which investments qualify as sustainable. If such national requirements are based on different criteria as to which economic activities qualify as environmentally sustainable, investors will be discouraged from investing across borders, due to difficulties in comparing the different investment opportunities. In addition, economic operators wishing to attract investment from across the Union would have to meet different criteria in the various Member States in order for their activities to qualify as environmentally sustainable for the purposes of the different labels. The absence of uniform criteria will thus increase costs and create a significant disincentive for economic operators, amounting to an impediment to access cross-border capital markets for sustainable investments. The barriers to access to cross-border capital markets for the purposes of raising funds for sustainable projects are expected to grow further. The criteria for determining whether an</p> | <p><u>participants or issuers</u> market actors in respect of financial products or corporate bonds marketed as environmentally sustainable. In doing so, Member States would be using their own national taxonomies for the purposes of determining which investments qualify as sustainable. If such national requirements are based on different criteria as to which economic activities qualify as environmentally sustainable, investors will be discouraged from investing across borders, due to difficulties in comparing the different investment opportunities. In addition, economic operators wishing to attract investment from across the Union would have to meet different criteria in the various Member States in order for their activities to qualify as environmentally sustainable for the purposes of those different labels. The absence of uniform criteria will thus increase costs and create a significant disincentive for</p> | <p>corporate bonds marketed as environmentally sustainable. In doing so, Member States would be using their own national taxonomies for the purposes of determining which investments qualify as sustainable. If such national requirements are based on different criteria and indicators as to which economic activities qualify as environmentally sustainable, investors will be discouraged from investing across borders, due to difficulties in comparing the different investment opportunities. In addition, economic operators wishing to attract investment from across the Union would have to meet different criteria in the various Member States in order for their activities to qualify as environmentally sustainable for the purposes of the different labels. The absence of uniform criteria and indicators will direct investments in an environmentally ineffective, and in some cases counterproductive, manner and lead to unmet environmental and sustainability targets. That absence thus increases costs and</p> |

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| | | <p>economic activity is environmentally sustainable should therefore be harmonised at Union level, in order to remove obstacles to the functioning of the internal market and prevent their future emergence. With such harmonisation economic operators will find it easier to raise funding for their green activities across borders, as their economic activities can be compared against uniform criteria in order to be selected as underlying assets for environmentally sustainable investments. It will therefore facilitate attracting investment across borders within the Union.</p> | <p>economic operators, amounting to an impediment to access cross-border capital markets for sustainable investments.</p> | <p>create creates a significant disincentive for economic operators, amounting to an impediment to access cross-border capital markets for sustainable investments. The barriers to access to cross-border capital markets for the purposes of raising funds for sustainable projects are expected to grow further. The criteria and indicators for determining the degree of sustainability of an economic activity should therefore be gradually harmonised at Union level, in order to remove obstacles to the functioning of the internal market and prevent their future emergence. With such harmonisation of information, of metrics and of criteria, economic operators will find it easier to raise funding for their environmentally sustainable activities across borders, as their economic activities can be compared against uniform criteria and indicators in order to be selected as underlying assets for environmentally sustainable investments. It will therefore</p> |

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| | | | | facilitate attracting investment across borders within the Union. [Am. 6] |
| 22 | Recital 9 - para. 2 (new) | | <p>The barriers to access to cross-border capital markets for the purposes of raising funds for sustainable projects are expected to grow further. The criteria for determining whether an economic activity is environmentally sustainable should therefore be harmonised at Union level, in order to remove obstacles to the functioning of the internal market and prevent their future emergence. With such harmonisation economic operators will find it easier to raise funding for their green <u>environmentally sustainable</u> activities across borders, as their economic activities can be compared against uniform criteria in order to be selected as underlying assets for environmentally sustainable investments. It will therefore facilitate attracting investment across borders within the Union.</p> | |

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| 23 | Recital 9a (new) | | | <i>(9a) In order for the Union to reach its environmental and climate commitments, private investments need to be mobilised. Achieving this requires long-term planning as well as regulatory stability and predictability for investors. In order to guarantee a coherent policy framework for sustainable investments, it is therefore important that the provisions of this Regulation build upon existing Union legislation. [Am. 7]</i> |
| 24 | Recital 10 | (10) Moreover if market participants do not provide any explanation to investors of how the activities they invest in contribute to environmental objectives, or if they use different concepts in their explanation of what is a ‘sustainable’ economic activity, investors will find it disproportionately burdensome to check and compare these different financial products. It has been found that this discourages investors from investing into green financial products. Furthermore, the lack of | (10) Moreover, if <u>financial</u> market participants do not provide any explanation to investors of how the activities they invest in contribute to environmental objectives, or if they use different concepts in their explanation of what is a ‘ <u>environmentally</u> sustainable’ economic activity, investors will find it disproportionately burdensome to check and compare these different financial products. It has been found that this discourages investors from investing into | (10) Moreover if market participants do not disclose how the activities they invest in contribute <i>negatively or positively</i> to environmental objectives, or if they use different metrics and criteria for determining the impact in their explanation of the degree of environmental sustainability of an economic activity, investors will find it disproportionately burdensome to check and compare different financial products. It has been found that this discourages investors from |

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| | | <p>investor confidence has major detrimental effects on the market for sustainable investment. It has further been shown that national rules or market-based initiatives taken to tackle this issue within national borders will lead to fragmenting the internal market. If financial market participants disclose how the financial products they claim are environment-friendly meet environmental objectives, and they use for such disclosures common criteria across the Union of what is an environmentally sustainable economic activity, this will help investors compare environment-friendly investment opportunities across borders. Investors will invest in green financial products with higher confidence across the Union, improving the functioning of the internal market.</p> | <p>green environmentally sustainable financial products. Furthermore, the lack of investor confidence has major detrimental effects impacts on the market for sustainable investment. It has further been shown that national rules or market-based initiatives taken to tackle this issue within national borders will lead to fragmenting the internal market. If financial market participants disclose how <u>and to what extent</u> the financial products that they claim are environmentally ly sustainable-friendly <u>actually</u> meet <u>the criteria for environmentally sustainable economic activities under this Regulation</u> environmental objectives, and they use for such disclosures common criteria across the Union <u>for such disclosures of what is an environmentally sustainable economic activity</u>, this will help investors compare environment-friendly <u>environmentally sustainable</u> investment opportunities across</p> | <p>investing into sustainable financial products. Furthermore, the lack of investor confidence has major detrimental effects on the market for sustainable investment. It has further been shown that national rules or market-based initiatives taken to tackle this issue within national borders will lead to fragmenting the internal market. If financial market participants disclose how the financial products they claim are environment-friendly meet environmental objectives, and they use for such disclosures common criteria across the Union of what is an environmentally sustainable economic activity, this will help investors compare the environmental impact of investment opportunities across borders and will incentivise investee companies to make their business models more sustainable. Investors will invest in green financial products with higher confidence across the Union, improving the functioning of the internal market. [Am. 8]</p> |

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| | | | borders. Investors will invest in green <u>environmentally sustainable</u> financial products with higher confidence across the Union, <u>thereby</u> improving the functioning of the internal market. | |
| 25 | Recital 10a (new) | | | <i>(10a) In order to deliver a meaningful environmental and broader sustainability impact, to decrease unnecessary administrative burden on financial market participants and other stakeholders and to facilitate the growth of European financial markets funding sustainable economic activities, the taxonomy should be based on harmonised, comparable and uniform criteria and indicators, including at least the circular economy indicators. Those indicators should be made consistent with the unified life cycle assessment methodology and be applied across Union regulatory initiatives. They should be the basis for the assessment of economic activities and investments risk and impact on</i> |

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| | | | | <p><i>the environment. Any overlap in regulation must be avoided which would not be in line with the principles of better regulation and would not be applied in a proportionate manner and the aim to create a consistent terminology and a clear regulatory framework. Any unnecessary burdening of both, authorities and financial institutions should also be avoided. In the same perspective, the scope and use of the technical screening criteria as well as the link to other initiatives should be clearly defined before the taxonomy and pertaining criteria enter into force. Setting harmonised criteria for environmentally sustainable economic activities should take into account the competence of the Member States in different policy areas. The requirements of this Regulation should apply in a proportionate manner to small and non-complex institutions as defined under this Regulation. [Am. 9]</i></p> |

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| 26 | Recital 10b (new) | | | <p><i>(10b) The indicators should be harmonised based on existing undertakings, such as the work of the Commission, the European Environmental Agency, and the OECD, among others, and should capture environmental impact on CO2 and other emissions, biodiversity, production of waste, the use of energy and renewable energy, raw materials, water, and direct and indirect land use, as laid out in the Commission monitoring framework on the circular economy (COM(2018)0029), the EU action plan for the Circular Economy (COM(2015)0614) and in the European Parliament's resolution of 9 July 2015 on resource efficiency: moving towards a circular economy (2014/2208(INI)). Furthermore, the indicators should be designed also taking into account the recommendations of the Support to Circular Economy Financing Expert Group of the European Commission. The Commission</i></p> |

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| | | | | <i>should evaluate how to integrate the work of this expert group with the TEG. Indicators should take into account internationally recognised sustainable standards. [Am. 10]</i> |
| 27 | Recital 11 - para. 1 | (11) To address existing obstacles to the functioning of the internal market and to prevent the emergence of such obstacles in the future, Member States should be required to use a common concept of environmentally sustainable investment when setting up requirements for market actors for the purpose of labelling financial products or corporate bonds marketed as environmentally sustainable at national level. For the same reasons, fund managers and institutional investors that hold themselves out as pursuing environmental objectives should use the same concept of environmentally sustainable investment when disclosing how they pursue those objectives. | (11) To address existing obstacles to the functioning of the internal market and to prevent the emergence of such obstacles in the future, Member States should be required to use a common concept of environmentally sustainable investment when setting up requirements for market actors <u>financial market participants or issuers</u> for the purpose of labelling financial products or corporate bonds marketed as environmentally sustainable at national level. <u>When doing this, this Regulation does not affect and is without prejudice to any fiscal measures (such as tax measures) that Member States may adopt on a national level with the aim to incentivise sustainable investment. For the same reasons, fund managers and</u> | (11) To address existing obstacles to the functioning of the internal market and to prevent the emergence of such obstacles in the future, Member States <i>and the Union</i> should be required to use a common concept regarding the degree of environmental sustainability of investments when setting up requirements for market actors for the purpose of labelling financial products, <i>services</i> or corporate bonds marketed as environmentally sustainable at national level. For the same reasons, fund managers and institutional investors that hold themselves out as pursuing environmental objectives should use the same concept of environmentally sustainable investment <i>and the same indicators, metrics and criteria for calculating the environmental impact</i> when |

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| | | | institutional investors that hold themselves out as pursuing environmental objectives should use the same concept of environmentally sustainable investment when disclosing how they pursue those objectives | disclosing how they pursue those objectives. [Am. 11] |
| 28 | Recital 11 - para. 2 (new) | | <u>National labelling schemes should be consistent with the legal obligation as set out in Article 1 point (2a), including the technical screening criteria applicable for those economic activities.</u> | |
| 29 | Recital 12 | (12) Establishing criteria for environmentally sustainable economic activities may encourage firms to disclose on their websites, on a voluntary basis, information on the environmentally sustainable economic activities they carry out. This information will not only help relevant actors in the financial markets to easily identify which firms carry out environmentally sustainable economic | (12) Establishing criteria for environmentally sustainable economic activities may encourage firm <u>seconomic operators to publish</u> and to disclose on their websites, on a voluntary basis, information on the environmentally sustainable economic activities they carry out. This information will not only help <u>financial market participants and other</u> relevant actors in the | (12) ■ <i>The information on the environmental impact of activities</i> will ■ help relevant actors in the financial markets to easily identify ■ <i>and determine the degree of environmental sustainability of the economic activities carried out by firms</i> , but it will also facilitate for these firms to raise funding ■ . [Am. 12] |

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| | | activities, but it will also facilitate for these firms to raise funding for their green activities. | financial markets to easily identify which firm <u>seconomic operators</u> carry out environmentally sustainable economic activities, but it will also <u>make it easier facilitate</u> for these firm <u>seconomic operators</u> to raise funding for their <u>environmentally</u> sustainable activities. | |
| 30 | Recital 13 | (13) A Union classification of environmentally sustainable economic activities should enable the development of future Union policies, including Union-wide standards for environmentally sustainable financial products and eventually the establishment of labels that formally recognise compliance with those standards across the Union. Uniform legal requirements for considering investments as environmentally sustainable investments, based on uniform criteria for environmentally sustainable economic activities, are necessary as a reference for future Union legislation aiming at | (13) A Union classification of environmentally sustainable economic activities should enable the development of future Union policies <u>in support of sustainable finance</u> , including Union-wide standards for environmentally sustainable financial products and eventually the establishment of labels that formally recognise compliance with those standards across the Union. Uniform legal requirements for considering investments as environmentally sustainable investments, based on uniform criteria for environmentally sustainable economic activities, are necessary | (13) ■ Union-wide indicators relevant for the determination of the environmental impact of economic activities should enable the development of future Union policies and strategies , including Union-wide standards for environmentally sustainable financial products and eventually the establishment of labels that formally recognise compliance with those standards across the Union, as well as to be the basis for other economic, regulatory and prudential measures . Uniform legal requirements for considering ■ the degree of environmental sustainability of investments, based on uniform criteria for ■ determining the |

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| | | enabling those investments. | as a reference for future Union legislation aiming at enabling those investments. | <i>degree of environmental sustainability of economic activities and common indicators for assessing the environmental impact of investments</i> , are necessary as a reference for future Union legislation aiming at facilitating the shift from investments <i>with a negative environmental impact to investments with a positive impact.</i> [Am. 13] |
| 31 | Recital 13a (new) | | <u>(13a) A Union classification of environmentally sustainable economic activities should be based on, , any relevant Union legislation, where appropriate. It should also build, where appropriate, on Union labelling and certification schemes, Union methodologies for assessing environmental footprint, and Union statistical classification systems, where appropriate.</u> | |
| 32 | Recital 14 | (14) In the context of achieving SDGs in the Union, policy choices such as the creation of a | (14) In the context of achieving SDGs in the Union, policy choices such as the creation | (14) In the context of achieving SDGs in the Union, policy choices such as the creation of a |

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| | | European Fund for Strategic Investment, have proven to be effective in contributing to channel private investment alongside public spending towards sustainable investments. Regulation (EU) 2015/1017 of the European Parliament and of the Council ²⁹ specifies a 40% climate investment target for infrastructure and innovation projects under the European Fund for Strategic Investment. Common criteria for the sustainability of economic activities could underpin future similar initiatives of the Union supporting investment pursuing climate-related or other environmental objectives. | of a European Fund for Strategic Investment, have proven to be effective in contributing to channel private investment alongside public spending towards sustainable investments. Regulation (EU) 2015/1017 of the European Parliament and of the Council ³⁰ specifies a 40% climate investment target for infrastructure and innovation projects under the European Fund for Strategic Investment. Common criteria for the sustainability of economic activities could underpin future similar initiatives of the Union supporting investment pursuing climate-related or other environmental objectives. | European Fund for Strategic Investment, ■ could be effective in contributing to mobilise and channel private investment alongside public spending towards sustainable investments. Regulation (EU) 2015/1017 of the European Parliament and of the Council ³¹ specifies a 40 % horizontal climate investment target for infrastructure and innovation projects under the European Fund for Strategic Investment. Common criteria for the sustainability of economic activities ■ and common indicators for the assessment of environmental impact may underpin future similar initiatives of the Union ■ mobilising |

²⁹ Regulation (EU) 2017/2396 of the European Parliament and of the Council of 13 December 2017 amending Regulations (EU) No 1316/2013 and (EU) 2015/1017 as regards the extension of the duration of the European Fund for Strategic Investments as well as the introduction of technical enhancements for that Fund and the European Investment Advisory Hub (OJ L 345, 27.12.2017, p. 34).

³⁰ Regulation (EU) 2017/2396 of the European Parliament and of the Council of 13 December 2017 amending Regulations (EU) No 1316/2013 and (EU) 2015/1017 as regards the extension of the duration of the European Fund for Strategic Investments as well as the introduction of technical enhancements for that Fund and the European Investment Advisory Hub (OJ L 345, 27.12.2017, p. 34).

³¹ Regulation (EU) 2017/2396 of the European Parliament and of the Council of 13 December 2017 amending Regulations (EU) No 1316/2013 and (EU) 2015/1017 as regards the extension of the duration of the European Fund for Strategic Investments as well as the introduction of technical enhancements for that Fund and the European Investment Advisory Hub (OJ L 345, 27.12.2017, p. 34).

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| | | | | investment pursuing climate-related or other environmental objectives. [Am. 14] |
| 33 | Recital 15 | (15) To avoid market fragmentation as well as harm to consumer interests due to divergent notions of environmentally sustainable economic activities, national requirements that market actors should comply with when they wish to market financial products or corporate bonds as being environmentally sustainable, should build on the uniform criteria for environmentally sustainable economic activities. Those market actors include financial market participants offering “green” financial products and non-financial companies issuing “green” corporate bonds. | (15) To avoid market fragmentation as well as harm to consumer interests due to divergent notions of environmentally sustainable economic activities, national requirements that <u>which market actors financial market participants andor issuers</u> should comply with when they wish to market financial products or corporate bonds as being ‘environmentally sustainable’, should build on the uniform criteria for environmentally sustainable economic activities. Those market actors include f Financial market participants <u>making available offering “green” environmentally sustainable</u> financial products and non-financial companies <u>issuers referred to in Article 1 point (2)(a)</u> issuing <u>“green” environmentally sustainable</u> | (15) To avoid market fragmentation as well as harm to consumer interests due to divergent notions regarding the degree of environmental sustainability of economic activities, national requirements that market actors should comply with when they wish to market financial products or corporate bonds as defined in this Regulation as being environmentally sustainable, should build on the uniform criteria for environmentally sustainable economic activities. Those market actors include financial market participants offering sustainable financial products or services and non-financial companies issuing sustainable corporate bonds. [Am. 15] |

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| | | | corporate bonds <u>should use the same concept of environmentally sustainable economic activities, when disclosing how these investments are ‘environmentally sustainable’.</u> | |
| 34 | Recital 16 - para. 1 | (16) To avoid harming consumer interests, fund managers and institutional investors offering financial products as environmentally sustainable, should disclose how and to what extent the criteria for environmentally sustainable economic activities are used to determine the environmental sustainability of the investments. The information disclosed should enable investors to understand the share of the investment funding environmentally sustainable economic activities as a percentage of all economic activities and thus the degree of environmental sustainability of the investment. The Commission should specify the information that needs to be disclosed for that purpose. That information should enable | (16) <u>In the interest of investors, including consumers, financial market participants making available financial products as ‘environmentally sustainable’, should disclose how and to what extent the investment meets the criteria of environmentally sustainable economic activities as defined in this Regulation. If another approach is pursued, such as attaining only certain environmental characteristics, financial market participants should disclose the investment approach in respect of by the financial product, applying the requirements under the Regulation XYZ/2019 on sustainability-related disclosures in the</u> | (16) To avoid harming consumer interests, fund managers and institutional investors offering financial products as environmentally sustainable, should disclose how and to what extent the criteria for environmentally sustainable economic activities are used to determine the environmental sustainability of the investments. The information disclosed should enable investors to understand the share of the investment funding environmentally sustainable economic activities as a percentage of all economic activities and thus the degree of environmental sustainability of the investment. The Commission should specify the information that needs to be disclosed for that purpose. That information should enable |

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| | | national competent authorities to verify compliance with the disclosure obligation easily, and to enforce that obligation in accordance with applicable national law. | <u>financial services sector.</u> | national competent authorities to verify compliance with the disclosure obligation easily, and to enforce that obligation in accordance with applicable national law. |
| 35 | Recital 16 - para. 2 (new) | | <u>When complying with their obligations under this Regulation, financial market participants may additionally take into account that a wide range of different qualitative and quantitative indicators and disclosures, which they consider relevant for investors to assess financial products made available as environmentally sustainable. The current compliance and the degree of alignment with the technical screening criteria regarding the underlying economic activities must however, be one of a range of indicators, if the financial product is made available as ‘environmentally sustainable’.</u> | |
| 36 | Recital 16 - para. | | <u>With regard to other financial products</u> | |

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| | 3 (new) | | <u>not within the scope of this Regulation, which are not made available as ‘environmentally sustainable’ there is no obligation to disclose their degree of alignment with the technical screening criteria referred to in this Regulation.</u> | |
| 37 | Recital 16aa (new) - para. 1 | | <u>(16aa) In the interests of investors, financial market participants making available financial products as ‘low-carbon’, should disclose how and to what extent the investment meets the criteria for low-carbon activities, pursuant to Article 9(3) of the Regulation XYZ/2019 on sustainability-related disclosures in the financial services sector.</u> | |
| 38 | Recital 16aa (new) - para. 2 | | <u>When making available financial products as ‘low-carbon’, financial market participants should take into account technical screening criteria determining under which conditions a specific</u> | |

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| | | | <u>economic activity is considered, for the purposes of this Regulation, to contribute substantially to climate change mitigation.</u> | |
| 39 | Recital 16aa (new) - para. 3 | | <u>A ‘low-carbon’ activity should indeed target the reduction in carbon emissions and hence should include the objective of low carbon emission exposure in view of achieving the long-term global warming targets of the Paris Climate Agreement. Such option should allow financial market participants to target more specific investments related to climate change mitigation objective while ensuring sufficient articulation with the requirements laid out in Regulation XYZ/2019 on sustainability-related disclosures in the financial services sector.</u> | |
| 40 | Recital 16a (new) - | | <u>(16a) The disclosure obligation laid down in this Regulation supplements the disclosure rules enshrined in Regulation</u> | |

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| | para. 1 | | <p><u>XYZ/2019 on sustainability-related disclosures in the financial services sector.</u></p> <p><u>To enhance transparency and to provide an objective point of comparison to end-investors by financial market participants on the share of investments that fund environmentally sustainable economic activities, this Regulation supplements the disclosure requirements in the rules on pre-contractual and periodical transparency and transparency by means of websites laid down in Regulation XYZ/2019 on sustainability-related disclosures in the financial services sector.</u></p> <p><u>Regulation XYZ/2019 includes within ‘sustainable investments’ investments that pursue environmental objectives that, among others, should comprise investments into ‘environmentally sustainable economic activities’ within the meaning of this Regulation.</u></p> | |

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| 41 | Recital 16a (new) - para. 2 | | <u>The information disclosed to investors under this Regulation should enable the national competent authority to monitor compliance with the disclosure obligation and to enforce that obligation in accordance with applicable law. The competent authority should monitor that the information given in line with Article 4(2) and 4(2a) of this Regulation, is consistent with the information disclosed under the Regulation XYZ/2019 on sustainability-related disclosures in the financial services sector, to the extent applicable, and assess whether the disclosure is- clear and not misleading.</u> | |
| 42 | Recital 16b (new) | | <u>(16b) The definition of ‘financial market participants’ and ‘financial products’, this Regulation is consistent with Regulation XYZ/2019 on sustainability-related disclosures in the financial services sector. Where providers of pension products who</u> | |

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| | | | <u>operate national social security schemes are subject to Regulation XYZ/2019 on sustainability-related disclosures in the financial services sector in accordance with Article 16 of that Regulation, they should also comply with the disclosure obligation in relation to the common criteria for environmentally sustainable economic activities under this Regulation.</u> | |
| 43 | Recital 16c (new) - para. 1 | | <u>(16c) In respect of undertakings, this Regulation does not lay down any additional disclosure requirements, beyond those that already exist in Directive 2013/34/EU of the European Parliament and of the Council³² that as regards the disclosure of non-financial and diversity information by certain large undertakings and groups. Financial</u> | |

³² *Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19).*

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| | | | <u>market participants making available financial products as environmentally sustainable can obtain information to assess the environmental performance of companies through annual reports, as that Directive requires large European companies, which are public-interest entities, to disclose material environmental information. In this respect, the Commission Guidelines on non-financial reporting³³ recommends that companies, for whom climate is financially material, to report the percentage of their turnover in the reporting year from products or services associated with activities that meet the corresponding criteria for environmental sustainability, as set out in this Regulation, or report the percentage of their investment (CapEx) or</u> | |

³³ ~~**COMMUNICATION FROM THE COMMISSION**~~ *Communication from the Commission* Guidelines on non-financial reporting: Supplement on reporting climate-related information (2019/C 209/01) ~~[add reference to the updated guidelines]~~

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| | | | <u>expenditures (OpEx) in the reporting year for assets or processes that support products or services associated with activities that meet the corresponding criteria for environmental sustainability as set out in this Regulation.</u> | |
| 44 | Recital 16c (new) - para. 2 | | <u>Moreover, financial market participants making available financial products as ‘environmentally sustainable’ that contribute to an environmental objective, will be incentivized to obtain further information on the environmental performance of companies, with regards to environmentally sustainable economic activities, through direct engagement with the company and by requesting the relevant environmental research data from third party providers of reports and ratings.</u> | |
| 45 | Recital 16d | | <u>(16d) For the purposes of 2a of Article</u> | |

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| | (new) | | <u>4(2a) of this Regulation, the European Banking Authority ('EBA'), European Insurance and Occupational Pensions Authority ('EIOPA') and the European Securities and Markets Authority ('ESMA') (collectively known as the European Supervisory Authorities, the 'ESAs') established by Regulation (EU) No 1093/2010 of the European Parliament and of the Council³⁴, Regulation (EU) No 1094/2010 of the European Parliament and of the Council³⁵-and Regulation (EU) No 1095/2010 of the European Parliament and of the Council³⁶ respectively should, through the Joint Committee, develop draft regulatory technical standards to</u> | |

³⁴ Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC

³⁵ Regulation (EU) No 1094/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/79/EC

³⁶ Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC

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| | | | <u>complement those developed in accordance with Articles 9(5), 10(2), 11(4) and 13(2) of the Regulation XYZ/2019 on sustainability-related disclosures in the financial services sector.</u> | |
| 46 | Recital 16e (new) - para. 1 | | (16e) <u>There could be exceptional cases where financial market participants cannot reasonably obtain complete, reliable and timely information relating to the turnover, capital or expenditures or other relevant information regarding the economic activities included in the financial product, made available as ‘environmentally sustainable’ referred to in this Regulation, and consequently might not be able to reliably determine the degree of alignment with the technical screening criteria or the share of investments funding environmentally sustainable economic activities included in the financial product. In such exceptional</u> | |

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| | | | <u>cases and only for those economic activities for which complete, reliable and timely information could not be obtained, the financial market participants may make complementary assessments and estimates on the basis of information from other sources. For a status as ‘environmentally sustainable’ investment, such assessments and estimates should only compensate for limited and specific parts of the desired data elements, and produce a prudent outcome.</u> | |
| 47 | Recital 16e (new) - para. 2 | | <u>In order to ensure clear and not misleading disclosure to investors, financial market participants should clearly explain the basis for on their conclusions and the reasons for having to make an assessments and estimates for the purposes of disclosure to end-investors.</u> | |
| 48 | Recital | (17) To avoid circumvention of the disclosure | (17) To avoid circumvention of the | (17) To avoid circumvention of the disclosure |

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| | 17 | obligation, that obligation should also apply where financial products are offered as having similar characteristics as environmentally sustainable investments, including those having as their target environmental protection in a broad sense. Financial market participants should not be required to invest only in environmentally sustainable economic activities determined in accordance with the technical screening criteria set out in this Regulation. They should be encouraged to inform the Commission if they consider that an economic activity that does not meet the technical screening criteria, or for which such criteria have not been established yet, should be considered environmentally sustainable, to help the Commission to evaluate the appropriateness of complementing or updating the technical screening criteria. | disclosure obligation, that obligation should also apply where financial products are offered as having similar characteristics as environmentally sustainable investments, including those having as their target environmental protection in a broad sense. Financial market participants should not be required to invest only in environmentally sustainable economic activities determined in accordance with the technical screening criteria set out in this Regulation. They should be encouraged to inform the Commission <u>the Platform on Sustainable Finance</u> , if they consider that an economic activity <u>which</u> that does not meet the technical screening criteria, or for which such criteria have not been established yet, should be considered environmentally sustainable, <u>in order</u> to help the Commission <u>the Platform</u> to evaluate the appropriateness of complementing or updating the technical | obligation, that obligation should also apply to all financial products are offered as having similar characteristics as environmentally sustainable investments, including those having as their target environmental protection in a broad sense. Financial market participants should not be required to invest only in environmentally sustainable economic activities determined in accordance with the technical screening criteria set out in this Regulation. Financial market participants and other actors should be encouraged to inform the Commission if they consider that technical screening criteria relevant for the activities they finance have not been established yet, and thereby that their financial products should be considered environmentally sustainable, to help the Commission to evaluate the appropriateness of complementing or updating the technical screening criteria. [Am. 16] |

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| | | | screening criteria. | |
| 49 | Recital 18 - para. 1 | (18) For the purposes of determining whether an economic activity is environmentally sustainable, an exhaustive list of environmental objectives should be laid down. | (18) To For the purposes of determininging whether an economic activity is environmentally sustainable, an exhaustive list of environmental objectives should be laid down. <u>To avoid missing out on activities which enable or harm environmental sustainability, ample consideration should be given to the full value chain impact of any economic activity, as well as the impacts of the products and services provided by that economic activity, The first two of the objectives should concern climate change, being climate change mitigation and climate change adaptation. The other environmental objectives should be sustainable use and protection of water and marine resources, transition to a circular economy including waste prevention and recycling, pollution</u> | (18) For the purposes of determining the degree of environmental sustainability of an economic activity, an exhaustive list of environmental objectives based on indicators measuring the environmental impact should be laid down, taking into account its impact on the entire industrial value chain and ensuring coherence with existing Union legislation such as the Clean Energy package. [Am. 17] |

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| | | | <u>prevention and control as well as protection and restoration of biodiversity and ecosystems.</u> | |
| 50 | Recital 18 - para. 2 (new) | | <u>In addition, an economic activity that enables another economic activity to substantially improve its environmental performance with regards to one or more environmental objectives could be vital for the transition to more sustainable economies. Enabling activities should therefore, also qualify as ‘environmentally sustainable’ provided that substantial improvement of the environmental performance.</u> | |
| 51 | Recital 18a (new) | | <u>(18a) An economic activity that promotes the objective of climate change mitigation should substantially contribute to the stabilisation of green house gas emissions by avoiding or reducing them or enhancing greenhouse gas removals. The</u> | |

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| | | | <u>economic activity should be in line with the long term temperature targets under the Paris Agreement. An economic activity could promote the objective of climate change adaptation, where the activity would substantially contribute to reducing or preventing adverse impact of the current or future climate or risks of adverse impact on that activity itself.</u> | |
| 52 | Recital 18b (new) | | <u>(18b) The environmental objective of sustainable use and protection of water and marine resources consists of improving or preventing the deterioration of the status of water bodies, including surface water and ground water bodies, and improving or preventing deterioration of the environmental status of marine waters. This environmental objective should be interpreted taking into account relevant legislative and non-legislative instruments of the Union, including</u> | |

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| | | | <u>Council Directive 98/83/EC³⁷, Directive 2000/60/EC³⁸, Directive 2008/56/EC³⁹, Commission Decision (EU) 2017/848⁴⁰ and Regulation (EU) No 1380/2013.⁴¹</u> | |
| 53 | Recital 18c (new) - para. 1 | | <u>(18c) The environmental objective of the circular economy, including waste prevention and recycling, should be interpreted taking into account relevant legislative and non-legislative instruments in the area of circular economy, waste and chemicals, including the Circular Economy Action Plan⁴², the EU Plastics</u> | |

³⁷ Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption

³⁸ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy

³⁹ Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive)

⁴⁰ Commission Decision (EU) 2017/848 of 17 May 2017 laying down criteria and methodological standards on good environmental status of marine waters and specifications and standardised methods for monitoring and assessment, and repealing Decision 2010/477/EU

⁴¹ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC.

⁴² Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Closing the loop - An EU action plan for the Circular Economy (COM(2015)614 final)

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| | | | <u>Strategy⁴³, the Waste Framework Directive⁴⁴, EU legislation on waste management operations⁴⁵ and on specific waste streams, EU legislation in the field of chemicals.</u> | |
| 54 | Recital 18c (new) - para. 2 | | <u>An economic activity can substantially contribute to the objective of circular economy including waste prevention and recycling, through several means, including by increasing durability, reparability, upgradability and re-usability of products, and developing ‘product-as-a-service’ business models as well as -circular value chains-. Similarly, reducing the content of hazardous substances in materials and products</u> | |

⁴³ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - A European Strategy for Plastics in a Circular Economy (COM(2018) 28 final)

⁴⁴ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives

⁴⁵ Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste, Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues and Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste

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| | | | <u>throughout the lifecycle, including by replacing them with safer alternatives, should be at least in line with the harmonized legal requirements laid down at Union level.</u> | |
| 55 | Recital 18d (new) | | <u>(18d)The environmental objective of pollution prevention and control should be interpreted taking into account relevant legislative instruments of the Union (in particular the pollutants covered by these instruments), including Directive 2010/75/EU of the European Parliament and of the Council⁴⁶, Directive 2001/81/EC of the European Parliament and of the Council⁴⁷, Directive 2008/50/EC of the European Parliament and of the Council⁴⁸,</u> | |

⁴⁶ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17)

⁴⁷ Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants (OJ L 309, 27.11.2001, p. 22)

⁴⁸ Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe (OJ L 152, 11.6.2008, p. 1)

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| | | | <u>Directive 2000/60/EC of the European Parliament and of the Council⁴⁹ and Directive 2006/118/EC of the European Parliament and of the Council⁵⁰.</u> | |
| 56 | Recital 19 | (19) The environmental objective of protection of healthy ecosystems should be interpreted taking into account relevant legislative and non-legislative instruments of the Union, including Directive 2009/147/EC of the European Parliament and of the Council ⁵¹ , Council Directive 92/43/EEC ⁵² , Regulation (EU) No 1143/2014 of the European Parliament and of the Council, ⁵³ the EU | (19) The environmental objective of protection <u>and restoration of biodiversity and restoration of healthy</u> ecosystems <u>consist of protecting, conserving and enhancing biodiversity and ecosystem services; these services are grouped into four categories, namely provisioning, including the provisioning of food and water; regulating, including the control of</u> | (19) The environmental objective of protection of healthy ecosystems should be interpreted taking into account relevant legislative and non-legislative instruments of the Union, including Directive 2009/147/EC of the European Parliament and of the Council ⁷² , Council Directive 92/43/EEC ⁷³ , Regulation (EU) No 1143/2014 of the European Parliament and of the Council ⁷⁴ , the EU Biodiversity |

⁴⁹ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1). See in particular the Priority Substances listed in Annex X.

⁵⁰ Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration (OJ L 372, 27.12.2006, p. 19)

⁵¹ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 020, 26.1.2010, p. 7).

⁵² Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

⁵³ Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species (OJ L 317, 4.11.2014, p. 35).

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| | | Biodiversity Strategy to 2020, ⁵⁴ the EU Green Infrastructure Strategy, Council Directive 91/676, ⁵⁵ Regulation (EU) No 511/2014 of the European Parliament and of the Council, ⁵⁶ Regulation (EU) No 995/2010 of the European Parliament and of the Council, ⁵⁷ the Forest Law Enforcement, Governance and Trade Action Plan, ⁵⁸ and the Wildlife Trafficking Action Plan. ⁵⁹ | <u>climate and disease; supporting, including nutrient cycles and oxygen production; and cultural, including spiritual and recreational benefits. The environmental objective of protection and restoration of biodiversity and ecosystems</u> should be interpreted taking into account relevant legislative and non-legislative instruments of the Union, including Directive 2009/147/EC | Strategy to 2020 ⁷⁵ , the EU Green Infrastructure Strategy, Council Directive 91/676 ⁷⁶ , Regulation (EU) No 511/2014 of the European Parliament and of the Council ⁷⁷ , Regulation (EU) No 995/2010 of the European Parliament and of the Council ⁷⁸ , the Forest Law Enforcement, Governance and Trade Action Plan ⁷⁹ , and the Wildlife Trafficking Action Plan ⁸⁰ . |

⁷² Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 020, 26.1.2010, p. 7).

⁷³ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

⁷⁴ Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species (OJ L 317, 4.11.2014, p. 35).

⁵⁴ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Our life insurance, our natural capital: an EU biodiversity strategy to 2020 (COM/2011/0244 final).

⁵⁵ **Council Directive 91/676 of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources** (OJ L 375, 31.12.1991, p. 1).

⁵⁶ **Regulation (EU) No 511/2014 of the European Parliament and of the Council of 16 April 2014 on compliance measures for users from the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization in the Union** (OJ L 150, 20.5.2014, p. 59).

⁵⁷ Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market (OJ L 295, 12.11.2010, p. 23).

⁵⁸ Communication from the Commission to the Council and the European Parliament - Forest Law Enforcement, Governance and Trade (FLEGT) - Proposal for an EU Action Plan (COM/2003/0251 final).

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| | | | of the European Parliament and of the Council ⁶⁰ , Council Directive 92/43/EEC ⁶¹ , Regulation (EU) No 1143/2014 of the European Parliament and of the Council, ⁶² the EU Biodiversity Strategy to 2020, ⁶³ the | |

- ⁵⁹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - EU Action Plan against Wildlife Trafficking (COM/2016/087 final).
- ⁷⁵ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Our life insurance, our natural capital: an EU biodiversity strategy to 2020 (**COM(2011/0244)**).
- ⁷⁶ Council Directive 91/676 of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1).
- ⁷⁷ Regulation (EU) No 511/2014 of the European Parliament and of the Council of 16 April 2014 on compliance measures for users from the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization in the Union (OJ L 150, 20.5.2014, p. 59).
- ⁷⁸ Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market (OJ L 295, 12.11.2010, p. 23).
- ⁷⁹ Communication from the Commission to the Council and the European Parliament - Forest Law Enforcement, Governance and Trade (FLEGT) - Proposal for an EU Action Plan (**COM(2003)0251**).
- ⁸⁰ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - EU Action Plan against Wildlife Trafficking (**COM(2016)0087**).
- ⁶⁰ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 020, 26.1.2010, p. 7).
- ⁶¹ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).
- ⁶² Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species (OJ L 317, 4.11.2014, p. 35).
- ⁶³ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Our life insurance, our natural capital: an EU biodiversity strategy to 2020 (COM/2011/0244 final).

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| | | | EU Green Infrastructure Strategy, Council Directive 91/676, ⁶⁴ Regulation (EU) No 511/2014 of the European Parliament and of the Council, ⁶⁵ Regulation (EU) No 995/2010 of the European Parliament and of the Council, ⁶⁶ the Forest Law Enforcement, Governance and Trade Action Plan, ⁶⁷ the Wildlife Trafficking Action Plan ⁶⁸ <u>European Forest Strategy: for forests and the forest based sector⁶⁹, the Communication on</u> | |

⁶⁴ **Council Directive 91/676 of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1).**

⁶⁵ **Regulation (EU) No 511/2014 of the European Parliament and of the Council of 16 April 2014 on compliance measures for users from the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization in the Union (OJ L 150, 20.5.2014, p. 59).**

⁶⁶ Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market (OJ L 295, 12.11.2010, p. 23).

⁶⁷ Communication from the Commission to the Council and the European Parliament - Forest Law Enforcement, Governance and Trade (FLEGT) - Proposal for an EU Action Plan (COM/2003/0251 final).

⁶⁸ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - EU Action Plan against Wildlife Trafficking (COM/2016/087 final).

⁶⁹ Communication from the Commission to the European parliament, the Council, the European Economic and Social Committee and the Committee of the Regions COM (2013) 659 final

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| | | | <u>Stepping up EU Action to Protect and Restore the World's Forests⁷⁰; and Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein⁷¹.</u> | |
| 57 | Recital 19a (new) | | <u>(19a) In the context of this Regulation, 'sustainable forest management practices'⁸¹ should be considered by including the stewardship and use of forests and forest land in a way, and at a rate, that maintains their biodiversity, productivity, regeneration capacity, vitality and their potential to fulfil, now and in the future, relevant ecological, economic and social functions, at local, national, and global levels, and that does</u> | |

⁷⁰ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Stepping up EU Action to Protect and Restore the World's Forests (COM(2019) 352 final)

⁷¹ Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein (OJ L 61, 3.3.1997, p. 1-69)

⁸¹ Resolution H1 General Guidelines for the Sustainable Management of Forests in Europe, MCPFE 1993.

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| | | | <u>not cause damage to other ecosystems, as defined in Resolution H1 General Guidelines for the Sustainable Management of Forests in Europe, MCPFE 1993.</u> | |
| 58 | Recital 19b (new) | | <u>(19b)In the context of this Regulation, ‘energy efficiency’ should be considered by taking into account the relevant legislative instruments of the Union in the field of energy efficiency, including Directive (EU) 2012/272018/2002⁸², Directive (EU) 2018/844⁸³, as well as the products regulations laid down pursuant to Directive 2009/125/EC⁸⁴, and Regulation (EU) 2017/1369⁸⁵.</u> | |

⁸² Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC Directive (EU) 2018/2002 of the European Parliament and of the Council of 11 December 2018 amending Directive 2012/27/EU on energy efficiency (OJ L 328, 21.12.2018, p. 210-230)

⁸³ Directive (EU) 2018/844 of the European Parliament and of the Council of 30 May 2018 amending Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency (OJ L 156, 19.6.2018, p.75-91)

⁸⁴ Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (OJ L 285, 31.10.2009, p. 10-35)

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| 59 | Recital 20 | (20) For each environmental objective, uniform criteria for considering economic activities to be substantially contributing to that objective should be laid down. One element of the uniform criteria should be to avoid significant harm to any of the environmental objectives set out in this Regulation. This is in order to avoid that investments are considered environmentally sustainable although the economic activities benefitting from those investments cause harm to the environment to an extent outweighing their contribution to an environmental objective. The conditions for substantial contribution and for not causing significant harm should enable investments into environmentally sustainable economic activities to make a real contribution to the environmental objectives. | (20) For each environmental objective, uniform criteria for considering economic activities to be substantially contributing to that objective should be laid down. One element of the uniform criteria should be to avoid significant harm to any of the environmental objectives set out in this Regulation. <u>Those criteria should take into account impacts from the production, use and end-of-life of products and services provided by that economic activity.</u> This is in order to avoid that investments are considered environmentally sustainable although the economic activities benefitting from those investments cause harm to the environment to an extent outweighing their contribution to an environmental objective. The conditions for substantial contribution and for not causing | (20) For each environmental objective, uniform criteria <i>based on information provided by means of harmonised indicators</i> for considering economic activities to be substantially contributing to that objective should be laid down. One element of the uniform criteria should be to avoid significant harm to any of the environmental objectives set out in this Regulation. This is in order to avoid that investments are considered environmentally sustainable although the economic activities benefitting from those investments cause harm to the environment to an extent outweighing their contribution to an environmental objective. The conditions for substantial contribution and for not causing significant harm should enable investments into environmentally sustainable economic activities to make a real contribution to the environmental |

⁸⁵ Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU (OJ L 198, 28.7.2017, p.1-23)

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| | | | significant harm should enable investments into environmentally sustainable economic activities to make a real contribution to the environmental objectives. | objectives. [Am. 18] |
| 60 | Recital 21 | (21) Recalling the joint commitment of the European Parliament, the Council and the Commission to pursue the principles enshrined in the European Pillar of Social Rights in support of sustainable and inclusive growth and recognising the relevance of international minimum human and labour rights and standards, compliance with minimum safeguards should be a condition for economic activities to qualify as environmentally sustainable. For that reason economic activities should only qualify as environmentally sustainable where they are carried out observing the International Labour Organisation's ('ILO') declaration on Fundamental Rights and Principles at Work and the eight ILO core conventions. The ILO | (21) Recalling the joint commitment of the European Parliament, the Council and the Commission to pursue the principles enshrined in the European Pillar of Social Rights in support of sustainable and inclusive growth and recognising the relevance of international minimum human and labour rights and standards, compliance with minimum safeguards should be a condition for economic activities to qualify as environmentally sustainable. For that reason economic activities should only qualify as environmentally sustainable where they are carried out observing <u>in alignment with the OECD Guidelines for Multinational Enterprises and UN Guiding Principles on Business and Human Rights, including</u> the | (21) Recalling the joint commitment of the European Parliament, the Council and the Commission to pursue the principles enshrined in the European Pillar of Social Rights in support of sustainable and inclusive growth and recognising the relevance of international minimum human and labour rights and standards, compliance with minimum safeguards should be a condition for economic activities to qualify as environmentally sustainable. For that reason economic activities should only qualify as environmentally sustainable where they are carried out observing the International Labour Organisation's ('ILO') declaration on Fundamental Rights and Principles at Work and the eight ILO core conventions. The ILO core |

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| | | <p>core conventions define human and labour rights that companies are due to respect. Several of these international standards are also enshrined the Charter of Fundamental Rights of the European Union, in particular the prohibition of slavery and forced labour and the principle of non-discrimination. Those minimum safeguards are without prejudice to the application of more stringent requirements on environment, health and safety and social sustainability set out in Union law, where applicable.</p> | <p>International Labour Organisation's ('ILO') declaration on Fundamental Rights and Principles at Work, and the eight ILO core <u>conventions and the International Bill of Human Rights</u>. The ILO core conventions define human and labour rights that companies are due toshould respect. Several of these international standards are also enshrined the Charter of Fundamental Rights of the European Union, in particular the prohibition of slavery and forced labour and the principle of non-discrimination. Those minimum safeguards are without prejudice to the application of more stringent requirements on environment, health and safety and social sustainability set out in Union law, where applicable.</p> | <p>conventions define human and labour rights that companies are due to respect. Several of these international standards are also enshrined the Charter of Fundamental Rights of the European Union, in particular the prohibition of slavery and forced labour and the principle of non-discrimination. Those minimum safeguards are without prejudice to the application of more stringent requirements on environment, health and safety and social sustainability set out in Union law, where applicable.</p> |
| 61 | Recital 22 | <p>(22) Given the specific technical details needed to assess the environmental impact of an economic activity and the fast-changing nature of both science and technology, the</p> | <p>(22) Given the specific technical details needed to assess the environmental impact of an economic activity and the fast-changing nature of both science and technology, the</p> | <p>(22) Given the specific technical details needed to assess the environmental impact of an economic activity and the fast-changing nature of both science and technology, the criteria</p> |

| Nr | Ref. | European Commission | Council | European Parliament |
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| | | criteria of environmentally sustainable economic activities should be adapted regularly to those changes. For the criteria to be up to date, based on scientific evidence and input from experts as well as relevant stakeholders, the conditions for substantial contribution and significant harm should be specified with more granularity for different economic activities and should be updated regularly. To that purpose, granular and calibrated technical screening criteria for the different economic activities should be laid down by the Commission, on the basis of the technical input of a multi-stakeholders Platform on Sustainable Finance. | criteria of environmentally sustainable economic activities should be adapted regularly to those changes. For the criteria to be up to date, based on scientific evidence and input from experts as well as relevant stakeholders, the conditions for substantial contribution and significant harm should be specified with more granularity for different economic activities and should be updated regularly. For To that purpose, granular and calibrated technical screening criteria for the different economic activities should be laid down by the Commission, on the basis of the technical input of a multi-stakeholders Platform on Sustainable Finance. | relevant for determining the degree of environmental sustainability of economic activities should be adapted regularly to those changes. For the criteria and indicators to be up to date, based on scientific evidence and input from experts as well as relevant stakeholders, the conditions for substantial contribution and significant harm should be specified with more granularity for different economic activities and should be updated regularly. To that purpose, granular and calibrated technical screening criteria and a set of harmonised indicators for the different economic activities should be laid down by the Commission, on the basis of the technical input of a multi-stakeholders Platform on Sustainable Finance. [Am. 19] |
| 62 | Recital 23 | (23) Some economic activities have a negative impact on the environment, and a substantial contribution to one or more environmental objectives can be achieved by reducing that negative impact. For those | (23) Some economic activities have a negative impact on the environment, and a substantial contribution to one or more environmental objectives can be achieved by reducing that <u>such</u> negative impact. For | (23) Some economic activities have a negative impact on the environment, and a substantial contribution to one or more environmental objectives can be achieved by reducing that negative impact. For those |

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| | | economic activities, it is appropriate to set out technical screening criteria that require a substantial improvement in environmental performance compared to, inter alia, the industry average. Those criteria should consider also the long term impact of a specific economic activity. | those economic activities, it is appropriate to set out technical screening criteria that require a substantial improvement in environmental performance compared to, inter alia, the industry average, <u>but at the same time avoids carbon-intensive lock-in during the economic lifetime of the funded economic activity</u> . Those criteria should consider also <u>consider</u> the long-term impact of a specific economic activity. | economic activities, it is appropriate to set out technical screening criteria that require a substantial improvement in environmental performance compared to, inter alia, the industry average <i>in order to consider whether that the activity may deliver a substantial contribution to one or more environmental objectives</i> . Those criteria should consider also the long term impact (<i>i.e. more than 3 years</i>) of a specific economic activity <i>in particular the environmental benefits of products and services and the contribution of intermediate products, and thus provide an assessment of the impact of all the phases of manufacturing and use throughout the value chain and life cycle.</i> [Am. 20] |
| 63 | Recital 24 | (24) An economic activity should not be considered environmentally sustainable if it causes more harm to the environment than the benefits it brings. The technical screening criteria should identify the minimum | (24) An economic activity should not be considered environmentally sustainable if it causes more harm to the environment than the benefits it brings. The technical screening criteria should identify the minimum | (24) An economic activity should not be considered environmentally sustainable if it <u>does not bring about a net benefit</u> to the environment <u></u> . The technical screening criteria should identify the minimum requirements |

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| | | requirements necessary to avoid a significant harm to other objectives. When establishing and updating the technical screening criteria, the Commission should ensure that those criteria are based on available scientific evidence and are updated regularly. Where scientific evaluation does not allow for the risk to be determined with sufficient certainty, the precautionary principle should apply, in line with Article 191 TFEU. | requirements necessary to avoid a significant harm to <u>all relevant</u> other objectives. When establishing and updating the technical screening criteria, the Commission should ensure that those criteria are based on available scientific evidence and are updated regularly. Where scientific evaluation does not allow for the risk to be determined with sufficient certainty, the precautionary principle should apply, in line with Article 191 TFEU. <u>The technical screening criteria established for environmentally sustainable economic activities and the rationale for their selection should be made available in a user-friendly manner.</u> | necessary to avoid a significant harm to other objectives. When establishing and updating the technical screening criteria, the Commission should ensure that those criteria are <i>reasonable, proportionate and</i> based on available scientific evidence and <i>take account of the whole value chain and the life cycle of technologies. It should also ensure that they</i> are updated regularly. Where scientific evaluation does not allow for the risk to be determined with sufficient certainty, the precautionary principle should apply, in line with Article 191 TFEU. [Am. 21] |
| 64 | Recital 24a (new) | | <u>(24a) In defining the technical screening criteria, the Commission should take into account and incentivise the ongoing and necessary transition process towards a climate-neutral economy. The transition will need economic activities that are less</u> | |

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| | | | <u>damaging for the environment, while at the same time it is ensured that there is no locking-in of investments in activities that, while not harming the environment today or during the lifetime of the asset, or harm the environment less than existing activities, perpetuate infrastructures or installations, that are incompatible with long-term greenhouse gas neutrality- and other long-term environmental objectives.</u> | |
| 65 | | | <u>The technical screening criteria should ensure that the selected economic activities have a credible path towards long-term sustainability goals, including the Paris Agreement. The technical criteria for these transitional activities should be adjusted regularly, in order to provide a transition path for the selected economic activities towards long-term sustainability goals, including the Paris Agreement.</u> | |

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| 66 | Recital 25 | (25) When establishing and updating the technical screening criteria the Commission should take into account the relevant Union law, as well as non-legislative instruments of the Union already in place, including the Regulation (EC) 66/2010 of the European Parliament and the Council ⁸⁶ , the EU Eco-Management and Audit Scheme, ⁸⁷ the EU Green Public Procurement criteria ⁸⁸ and the on-going work on Product and Organisation Environmental Footprint rules. ⁸⁹ To avoid unnecessary inconsistencies with classifications of economic activities that already exist for | (25) When establishing and updating the technical screening criteria the Commission should take into account the relevant Union law, as well as non-legislative instruments of the Union already in place, including the Regulation (EC) 66/2010 of the European Parliament and the Council ⁹¹ , the EU Eco-Management and Audit Scheme, ⁹² the EU Green Public Procurement criteria ⁹³ and the on-going work on Product and Organisation Environmental Footprint rules. ⁹⁴ To avoid unnecessary inconsistencies with classifications of economic activities that | (25) When establishing and updating the technical screening criteria <i>and a set of harmonised indicators</i> the Commission should take into account the relevant Union law, as well as non-legislative instruments of the Union already in place, including the Regulation (EC) 66/2010 of the European Parliament and the Council ⁹⁶ , the EU Eco-Management and Audit Scheme ⁹⁷ , the EU Green Public Procurement criteria ⁹⁸ , <i>the Commission Circular Economy Platform, the European Platform on Life Cycle Assessment</i> , and the on-going work on Product and Organisation Environmental |

⁸⁶ Regulation (EC) 66/2010 of the European Parliament and the Council of 25 November 2009 on the EU Ecolabel (OJ L 27, 30.1.2010, p. 1).

⁸⁷ Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1–45).

⁸⁸ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Public procurement for a better environment {SEC(2008) 2124} {SEC(2008) 2125} {SEC(2008) 2126} COM/2008/0400 final.

⁸⁹ 2013/179/EU: Commission Recommendation of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1–210).

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| | | other purposes, the Commission should also take into account the statistical classifications relating to the Environmental Goods and Services Sector, namely the Classification of Environmental Protection Activities and Expenditure (CEPA) and the Classification of Resource Management Activities (CReMA). ⁹⁰ | already exist for other purposes, the Commission should also take into account the statistical classifications relating to the Environmental Goods and Services Sector, namely the Classification of Environmental Protection Activities and Expenditure (CEPA) and the Classification of Resource | Footprint rules ⁹⁹ . To avoid unnecessary inconsistencies with classifications of economic activities that already exist for other purposes, the Commission should also take into account the statistical classifications relating to the Environmental Goods and Services Sector, namely the Classification of Environmental |

- ⁹¹ Regulation (EC) 66/2010 of the European Parliament and the Council of 25 November 2009 on the EU Ecolabel (OJ L 27, 30.1.2010, p. 1).
- ⁹² Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1–45).
- ⁹³ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Public procurement for a better environment {SEC(2008) 2124} {SEC(2008) 2125} {SEC(2008) 2126} COM/2008/0400 final.
- ⁹⁴ 2013/179/EU: Commission Recommendation of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1–210).
- ⁹⁶ Regulation (EC) 66/2010 of the European Parliament and the Council of 25 November 2009 on the EU Ecolabel (OJ L 27, 30.1.2010, p. 1).
- ⁹⁷ Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1).
- ⁹⁸ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Public procurement for a better environment {SEC(2008)2124} {SEC(2008)2125} {SEC(2008)2126} COM(2008)0400 .
- ⁹⁰ Annex 4 and 5 of Regulation (EU) No 538/2014 of the European Parliament and of the Council of 16 April 2014 amending Regulation (EU) No 691/2011 on European environmental economic accounts (OJ L 158, 27.5.2014).

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| | | | Management Activities (CReMA). ⁹⁵ | Protection Activities and Expenditure (CEPA) and the Classification of Resource Management Activities (CReMA) ¹⁰⁰ . [Am. 22] |
| 67 | Recital 26 | (26) When establishing and updating the technical screening criteria the Commission should also take into account the specificities of the infrastructure sector and take into account environmental, social and economic externalities within a cost-benefit analysis. In that regard, the Commission should consider the work of international organisations, such as the OECD, relevant Union legislation and standards, including Directive 2001/42/EC of the European Parliament and of the Council ¹⁰¹ , | (26) When establishing and updating the technical screening criteria the Commission should also take into account the specificities of the infrastructure sector and take into account environmental, social and economic externalities within a cost-benefit analysis. In that regard, the Commission should consider the work of international organisations, such as the OECD, relevant Union legislation and standards, including Directive 2001/42/EC of the European Parliament and of the | (26) When establishing and updating the technical screening criteria <i>and harmonised indicators</i> the Commission should also take into account the specificities of the different sectors and take into account environmental, social and economic externalities within a cost-benefit analysis. In that regard, the Commission should consider the work of international organisations, such as the OECD, relevant Union legislation and standards, including Directive 2001/42/EC of the European |

⁹⁹ 2013/179/EU: Commission Recommendation of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1).

⁹⁵ Annex 4 and 5 of Regulation (EU) No 538/2014 of the European Parliament and of the Council of 16 April 2014 amending Regulation (EU) No 691/2011 on European environmental economic accounts (OJ L 158, 27.5.2014).

¹⁰⁰ Annex 4 and 5 of Regulation (EU) No 538/2014 of the European Parliament and of the Council of 16 April 2014 amending Regulation (EU) No 691/2011 on European environmental economic accounts (OJ L 158, 27.5.2014, *p.113*).

¹⁰¹ **Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment** (OJ L 197, 21.7.2001, p. 30).

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| | | Directive 2011/92/EU of the European Parliament and of the Council ¹⁰² Directive 2014/23/EU of the European Parliament and of the Council ¹⁰³ , Directive 2014/24/EU of the European Parliament and of the Council ¹⁰⁴ , Directive 2014/25/EU of the European Parliament and of the Council ¹⁰⁵ , and current methodology. In that context, the technical screening criteria should promote appropriate governance frameworks integrating environmental, social and governance factors, as referred to in the United Nations-supported Principles for Responsible Investment ¹⁰⁶ , at all stages of a project's lifecycle. | Council ¹⁰⁷ , Directive 2011/92/EU of the European Parliament and of the Council ¹⁰⁸ Directive 2014/23/EU of the European Parliament and of the Council ¹⁰⁹ , Directive 2014/24/EU of the European Parliament and of the Council ¹¹⁰ , Directive 2014/25/EU of the European Parliament and of the Council ¹¹¹ , and as well as current methodology. In that context, the technical screening criteria should promote appropriate governance frameworks integrating environmental, social and governance factors, as referred to in the United Nations-supported Principles for Responsible | Parliament and of the Council ¹¹³ , Directive 2011/92/EU of the European Parliament and of the Council ¹¹⁴ Directive 2014/23/EU of the European Parliament and of the Council ¹¹⁵ , Directive 2014/24/EU of the European Parliament and of the Council ¹¹⁶ , Directive 2014/25/EU of the European Parliament and of the Council ¹¹⁷ , and current methodology. In that context, the technical screening criteria and indicators should promote appropriate governance frameworks integrating environmental, social and governance factors, as referred to in the United Nations-supported Principles for Responsible Investment ¹¹⁸ , at all |

¹⁰² **Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment** (OJ L 26, 28.1.2012, p. 1).

¹⁰³ **Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts** (OJ L 94, 28.3.2014, p. 1).

¹⁰⁴ **Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC** (OJ L 94, 28.3.2014, p. 65).

¹⁰⁵ **Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC** (OJ L 94, 28.3.2014, p. 243).

¹⁰⁶ <https://www.unpri.org/download?ac=1534>.

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| | | | Investment ¹¹² , at all stages of a project's lifecycle. | stages of a project's lifecycle. [Am. 23] |
| 68 | Recital 26a | | | <i>(26a) In defining the technical screening criteria, the Commission should also take into</i> |

- ¹⁰⁷ **Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment** (OJ L 197, 21.7.2001, p. 30).
- ¹⁰⁸ **Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment** (OJ L 26, 28.1.2012, p. 1).
- ¹⁰⁹ **Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts** (OJ L 94, 28.3.2014, p. 1).
- ¹¹⁰ **Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC** (OJ L 94, 28.3.2014, p. 65).
- ¹¹¹ **Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC** (OJ L 94, 28.3.2014, p. 243).
- ¹¹³ Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30).
- ¹¹⁴ Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).
- ¹¹⁵ Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (OJ L 94, 28.3.2014, p. 1).
- ¹¹⁶ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).
- ¹¹⁷ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243).
- ¹¹⁸ <https://www.unpri.org/download?ac=6303>.
- ¹¹² <https://www.unpri.org/download?ac=1534>.

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| | (new) | | | <p><i>account transitional measures towards activities that support the transition to a more sustainable, low-carbon economy. For companies that are currently engaged in economic activities that are highly damaging to the environment there should be incentives to make a rapid transition to environmentally sustainable, or at least environmentally unproblematic status. The technical screening criteria should encourage such transition processes where they are happening. If the major part of the undertakings that conduct a particular harmful activity are demonstrably engaged in such a transition, the screening criteria may take this into account. The existence of serious transition efforts can be demonstrated through, among other things, sustained research and development efforts, large investment capital expenditure projects in new and more environmentally sustainable technologies, or concrete transition plans in at least the early stages of implementation.</i></p> |

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| | | | | [Am. 24] |
| 69 | Recital 27 | (27) To avoid distorting competition when raising financing for environmentally sustainable economic activities, the technical screening criteria should ensure that all relevant economic activities within a specific sector can qualify as environmentally sustainable and are treated equally if they contribute equally towards one or more of the environmental objectives laid out in this Regulation. The potential capacity to contribute towards those environmental objectives may however vary across sectors, which should be reflected in the criteria. However, within each sector, those criteria should not unfairly disadvantage certain economic activities over others if the former contribute towards the environmental objectives to the same extent as the latter. | (27) To avoid distorting competition when raising financing for environmentally sustainable economic activities, the technical screening criteria should ensure that all relevant economic activities within a specific sector can qualify as environmentally sustainable and are treated equally if they <u>net contribute-contribution is</u> equally towards one or more of the environmental objectives laid out in this Regulation. The potential capacity to contribute towards those environmental objectives may however -vary across sectors, which should be reflected in the criteria. However, <u>within</u> each sector, those criteria should not unfairly disadvantage certain economic activities over others if the former contribute towards the environmental objectives to the same extent as the latter. | (27) To <i>encourage environmentally sustainable innovation and to</i> avoid distorting competition when raising financing for environmentally sustainable economic activities, the technical screening criteria should ensure that all relevant economic activities within ■ macro-sectors (i.e. NACE sectors such as agriculture, forestry and fishing, manufacturing, electricity, gas, steam and air conditioning supply, construction, transportation and storage services) can qualify as environmentally sustainable and are treated equally if they contribute equally towards one or more of the environmental objectives laid out in this Regulation, <i>while not significant harming any other environmental objectives under Articles 3 and 12</i> . The potential capacity to contribute towards those environmental objectives may however vary across sectors, which should be reflected in the |

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| | | | | <i>screening</i> criteria. However, within each <i>economic macro</i> -sector, those criteria should not unfairly disadvantage certain economic activities over others if the former contribute towards the environmental objectives to the same extent as the latter, <i>while not significantly harming any other environmental objectives referred to in Articles 3 and 12.</i> [Am. 25] |
| 70 | Recital 27a (new) | | | <i>(27a) Environmentally sustainable activities are the result of technologies and products developed all along the value-chain. For this reason, the technical screening criteria should consider the role of the whole value-chain, from the processing of raw materials to the final product and its waste phase, in the final delivery of environmentally sustainable activities.</i> [Am. 26] |
| 71 | Recital 27b (new) | | | <i>(27b) To avoid disrupting well-functioning value-chains, the technical screening criteria should consider that environmentally</i> |

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| | | | | <i>sustainable activities are enabled by technologies and products developed by multiple economic actors. [Am. 27]</i> |
| 72 | Recital 28 | (28) When establishing technical screening criteria, the Commission should assess whether adoption of those criteria for environmentally sustainable activities would give rise to stranded assets or deliver inconsistent incentives, and whether it would have any negative impact on liquidity in financial markets. | (28) When establishing technical screening criteria, <u>for environmentally sustainable activities</u> , the Commission should assess whether <u>the</u> adoption of those criteria for environmentally sustainable activities would give rise to stranded assets or deliver <u>result in</u> inconsistent incentives, and-or whether it would have any <u>negative other adverse</u> impact on liquidity in financial markets. | (28) When establishing technical screening criteria, the Commission should assess <i>potential transition risks</i> , whether <i>the pace of the</i> adoption of those criteria for environmentally sustainable activities would give rise to stranded assets or deliver inconsistent incentives. [Am. 28] |
| 73 | Recital 29 | (29) To avoid overly burdensome compliance costs on economic operators, the Commission should establish technical screening criteria that provide for sufficient legal clarity, are practicable, easy to apply and with which compliance can be verified within reasonable cost-of-compliance boundaries. | (29) To avoid overly burdensome compliance costs on-for economic operators, the Commission should establish technical screening criteria that provide for sufficient legal clarity, are practicable, easy to apply and with which compliance can be verified within reasonable cost-of-compliance | (29) To avoid overly burdensome compliance costs on economic operators, the Commission should establish technical screening criteria that provide for sufficient legal clarity, are practicable, easy to apply and with which compliance can be verified within reasonable cost-of-compliance boundaries. |

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| | | | boundaries. | |
| 74 | Recital 30 | (30) To ensure that investments are channelled towards economic activities that make the biggest positive impact on the environmental objectives, the Commission should give priority to the establishment of technical screening criteria for the economic activities that potentially contribute most to the environmental objectives. | (30) To ensure that investments are channelled towards economic activities that make the biggest greatest positive impact on the environmental objectives, the Commission should give priority to the establishment of technical screening criteria for the economic activities that potentially contribute most to the environmental objectives. | (30) To ensure that investments are channelled towards economic activities that make the biggest positive impact on the environmental objectives, the Commission should give priority to the establishment of technical screening criteria for the economic activities that potentially contribute most to the environmental objectives. <i>Screening criteria should take into account the outcomes of projects to facilitate the identification and development of new technologies as well as to take into account of the scalability of these technologies. [Am. 29]</i> |
| 75 | Recital 31 | (31) Appropriate technical screening criteria should be established for the transport sector, including for mobile assets, which should take into account that the transport sector, including international shipping, contributes close to 26% of total greenhouse gas emissions in the Union. | (31) Appropriate technical screening criteria should be established for the transport sector, including for mobile assets, which should take into account that the transport sector, including international shipping, contributes close to 26% of total greenhouse | (31) Appropriate technical screening criteria should be established for the transport sector, including for mobile assets, which should take into account <i>the entire life cycle of technologies and</i> that the transport sector, including international shipping, contributes |

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| | | As evidenced in the Action Plan on Financing Sustainable Growth ¹¹⁹ the transport sector represents about 30% of additional annual investment needs for sustainable development in the Union, including by increasing electrification or transition to cleaner modes of transport by promoting modal shift and traffic management. | gas emissions in the Union. As evidenced stated in the Action Plan on Financing Sustainable Growth ¹²⁰ the transport sector represents about 30% of additional annual investment needs for sustainable development in the Union, including by increasing electrification or transition to cleaner modes of transport by promoting modal shift and traffic management. | close to 26 % of total greenhouse gas emissions in the Union. As evidenced in the Action Plan on Financing Sustainable Growth ¹²¹ the transport sector represents about 30 % of additional annual investment needs for sustainable development in the Union, including by increasing electrification or transition to cleaner modes of transport by promoting modal shift and traffic management. [Am. 30] |
| 76 | Recital 32 - para. 1 | (32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria should also involve relevant | (32) <u>When developing the technical screening criteria,</u> it is of particular importance that the Commission, when preparing the development of the technical screening criteria, carries out appropriate consultations in line with the Better Regulation requirements. The process for the | (32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria and the harmonised |

¹¹⁹ COM(2018) 97 final.

¹²⁰ *Communication from the Commission to the European Parliament, the European Council, the Council. The European Central Bank, the European and Social Committee and the Committee of the Regions – Action Plan: Financing Sustainable Growth* (COM(2018) 97 final)

¹²¹ *COM(2018)0097* .

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| | | <p>stakeholders and build on the advice of experts with proven knowledge and experience in the relevant areas. For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European Environmental Agency, the European Supervisory Authorities and the European Investment Bank. Private sector experts should include representatives of relevant stakeholders, including financial market actors, universities, research institutes, associations and organisations. The Platform should advise the Commission on the development, analysis and review of technical screening criteria, including their potential impact on the valuation of assets that until the adoption of the technical screening criteria were considered as green assets under existing market practices. The Platform should also advise the</p> | <p>establishment and the update of the technical screening criteria should also involve relevant stakeholders and build on the advice of experts with proven knowledge and experience in the relevant areas. For that purpose, the Commission should set up a Platform on <u>Sustainable Finance</u>. That is <u>the Platform</u> should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European Environmental Agency, the <u>ESAs</u> European Supervisory Authorities and the European Investment Bank. Private sector experts should include representatives of relevant stakeholders, including financial market actors, universities, research institutes <u>and non-governmental associations and organisations, as well as representatives of the relevant economic sectors and industries.</u></p> | <p><i>indicators</i> should also involve relevant stakeholders and build on <i>scientific evidence, socio-economic impact, best practice and existing work and entities, notably, the European Commission Circular Economy Platform, and</i> the advice of experts with proven knowledge and <i>global</i> experience in the relevant areas. For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of <i>a wide range of</i> experts representing both the public and the private sector <i>to ensure that the specificities of all relevant sectors are duly taken into account.</i> Public sector representatives should include experts from the European Environmental Agency <i>and national environment protection agencies</i>, the European Supervisory Authorities <i>the European Financial Reporting Advisory Group</i>, and the European Investment Bank. Private sector experts should include representatives of relevant stakeholders,</p> |

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| | | Commission on whether the technical screening criteria are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment. | | including financial <i>and non-financial</i> market actors, <i>representatives of the real economy representing a wide range of industries</i> , universities, research institutes, associations and organisations. <i>Where necessary the Platform should be allowed to request advice from non-members</i> . The Platform should advise the Commission on the development, analysis and review of technical screening criteria <i>and harmonised indicators</i> , including their potential impact on the valuation of assets that until the adoption of the technical screening criteria were considered ■ <i>sustainable</i> under existing market practices. The Platform should also advise the Commission on whether the technical screening criteria <i>and indicators</i> are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment. <i>The Platform should advise the Commission on the development of sustainability accounting standards and integrated reporting standards for corporates</i> |

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| | | | | <i>and financial market participants, including through the revision of Directive 2013/34/EU.</i> [Am. 31] |
| 77 | Recital 32 - para. 2 (new) | | <p>The Platform should advise the Commission on the development, analysis and review of <u>the</u> technical screening criteria, including their potential impact on the valuation of assets that until the adoption of the technical screening criteria were considered as <u>environmentally green sustainable</u> assets under existing <u>criteria or</u> market practices, <u>as appropriate</u>. The Platform should also advise the Commission on whether the technical screening criteria are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment.</p> <p><u>The Platform should carry out external consultations, involving other key representatives of the industrial sector, as appropriate. The Platform, when preparing the advice on establishing and</u></p> | |

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| | | | <u>developing the technical screening criteria, should disclose the relevant information supporting their assessment and provide the rationale and justification regarding the economic activities included in technical screening criteria, or the decision not to include them.</u> | |
| 78 | Recital 33 | (33) In order to specify the requirements set out in this Regulation, and particularly to establish and update granular and calibrated technical screening criteria for different economic activities as to what constitutes a substantial contribution and significant harm to the environmental objectives, 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 the information required to comply with the disclosure obligation set out in Article 4 (3), and the technical screening criteria mentioned in Article 6(2), Article 7(2), | <u>(33) To ensure the adequate participation of the Member States in the development of the technical screening criteria, the Commission should continue the existing Member States Expert Group on sustainable finance and provide the expert group with a formal status. The tasks of this expert group will, inter alia, consist of advising the Commission on the appropriateness of the technical screening criteria and the approach taken by the Platform with regard to developing these criteria. For this purpose, the Commission should inform Member States through</u> | (33) In order to specify the requirements set out in this Regulation, and particularly to establish and update granular and calibrated technical screening criteria <i>and indicators</i> for different economic activities as to what constitutes a substantial contribution and significant harm to the environmental objectives, 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 the information required to comply with the disclosure obligation set out in Article 4 (3), and the technical screening criteria mentioned |

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| | | Article 8(2), Article 9(2), Article 10(2) and Article 11(2). 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 should receive all documents at the same time as Member States' experts, and the experts of the European Parliament and the Council should systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. | <u>regular meetings to facilitate an exchange of views between Member States.</u> | in Article 6(2), Article 7(2), Article 8(2), Article 9(2), Article 10(2) and Article 11(2). It is of particular importance that the Commission carry out appropriate <i>public</i> 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 should receive all documents at the same time as Member States' experts, and the experts of the European Parliament and the Council should systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. [Am. 32] |
| 79 | Recital 33a (new) - para. 1 | | (33a) It is of particular importance that the Commission ecarries out appropriate consultations during its preparatory work, including at expert level <u>through the</u> | |

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| | | | <p><u>Platform and the Member States Expert Group</u>, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement <u>of 13 April 2016</u> 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 should receive all documents at the same time as Member States' experts, and the experts of the European Parliament and the Council should systematically have access to meetings of Commission expert groups <u>dealing with the preparation of delegated acts</u> to which Member States' experts are invited. dealing with the preparation of delegated acts. <u>In addition, the Commission should provide the Member States Expert Group a timely access to the key output of the Platform.</u></p> | |
| 80 | Recital | | <u>It is also important that in the advice given</u> | |

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| | 33a (new) - para. 2 | | <u>by the Platform to the Commission regarding the technical screening criteria the outcome of their application and reception in the capital markets by financial markets participants is taken into account. The advice should be transparently made available to the markets ahead of the publication of any draft legal acts to allow preparation for their use.</u> | |
| 81 | Recital 33b (new) | | <u>(33b) In order to ensure efficient and sustainable organization of the work and meeting practices both regarding the Platform and the Member States Expert Group, and in order to enable broad participation and efficient interaction within the groups, their subgroups, the Commission and stakeholders, the use of enhanced virtual and digital modalities, should be considered , where appropriate.</u> | |

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| 82 | Recital 33c (new) | | <p>(33<u>c</u>) In order to specify the requirements set out in this Regulation; and <u>in</u> particular, <u>by</u> to establish and update granular and calibrated technical screening criteria for different economic activities as to what constitutes a substantial contribution and significant harm to the environmental objectives, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union <u>(TFEU)</u> should be delegated to the Commission in respect of the information required to comply with the disclosure obligation set out in Article 4(3), and of the technical screening criteria mentioned in Article 6(2), Article 7(2), Article 8(2), Article 9(2), Article 10(2) and Article 11(2). <u>In order to ensure that the technical screening criteria are implemented in a uniform manner across the Union and to facilitate their wide use both within and outside the Union,</u></p> | |

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| | | | <p><u>implementing powers should be conferred upon the Commission to adopt implementing acts mentioned in Article 6(4), Article 7(4), Article 8(4), Article 9(4), Article 10(4) and Article 11(4), within the framework of the delegated acts. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council. Those implementing acts shall be science-based and sufficiently ambitious in light of achieving the Union's environmental objectives, including the Paris Agreement temperature objectives and the Union's commitments to the implementation of the United Nation's Agenda 2030.</u></p> | |
| 83 | Recital 33d (new) | | <p><u>(33d) While the technical screening criteria laid down in delegated acts should define the relevant sectors, the criteria, the metrics as well as the requirements regarding the 'significant harm' referred</u></p> | |

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| | | | <u>to under Article 12, an implementing act should specify, within the framework of the delegated acts the concrete thresholds, which can be quantitative or, if not feasible, qualitative or a combination thereof.</u> | |
| 84 | Recital 33e (new) | | <u>(33e) When establishing the technical screening criteria, economic activities should be assessed in a manner that reflects the criteria for environmentally sustainable economic activities set out in this Regulation. The assessment should first identify economic activities that can substantially contribute to at least one environmental objective. Second, the technical screening criteria for such a substantial contribution should ensure that the economic activity does not significantly harm any of the other relevant environmental objectives. Third, the requirements should ensure that the</u> | |

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| | | | <u>economic operator carrying out the qualifying economic activity complies with the minimum social safeguards.</u> | |
| 85 | Recital 33f (new) | | <u>(33f) To ensure orderly and effective supervision of compliance with the obligations set out in Articles 4(2) and 4(2a) this Regulation, Member States should rely on competent authorities, already designated under Article 14 of Regulation XYZ/2019 on sustainability-related disclosures in the financial services sector, but also designate a competent authority for this Regulation, where necessary, in order to ensure efficient supervision. In addition, to enforce compliance with Articles 4(2) and 4(2a) of this Regulation effectively, Member States should lay down rules on measures and penalties, which should be effective, proportionate and dissuasive. Articles 15 and 15b that concern above-mentioned,</u> | |

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| | | | <u>should become applicable at the same time as the delegated, implementing acts and the regulatory technical standards referred to in this Regulation have started to apply.</u> | |
| 86 | Recital 34 | (34) To give sufficient time to the relevant actors to familiarise themselves with the criteria for environmentally sustainable economic activities set out in this Regulation and to prepare for their application, the obligations set out in this Regulation should become applicable, for each environmental objective, six months after the relevant technical screening criteria have been adopted. | (34) To give sufficient time to the relevant actors to familiarise themselves with the criteria for environmentally sustainable economic activities set out in this Regulation and to prepare for their application, the obligations set out in this Regulation <u>as well as the delegated and implementing acts adopted under it</u> , should become applicable, for each environmental objective, <u>not earlier than 12</u> six months after the relevant <u>delegated and implementing acts containing the technical screening criteria</u> have been adopted. | (34) To give sufficient time to the relevant actors to familiarise themselves with the criteria for environmentally sustainable economic activities set out in this Regulation and to prepare for their application, the obligations set out in this Regulation should become applicable, for each environmental objective, six months after the relevant technical screening criteria have been adopted. |
| 87 | Recital 35 - para. | (35) The application of this Regulation should be reviewed regularly in order to assess the | (35) The application of this Regulation should be reviewed regularly in order to | (35) The application of this Regulation should be reviewed regularly <i>and at least after two</i> |

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| | 1 | progress on the development of technical screening criteria for environmentally sustainable activities, the use of the definition of environmentally sustainable investment, and whether compliance with the obligations requires the establishment of a verification mechanism. The review should include also an assessment of whether the scope of this Regulation should be extended to cover social sustainability objectives. | assess the progress on the development of technical screening criteria for environmentally sustainable activities, the use of the definition of environmentally sustainable investment <u>on EU and Member State level, and the appropriateness of whether compliance with the obligations requires the establishment of a verification mechanism and the need to revise the criteria. Furthermore, the review should include assessing the environmental impact of economic activities as well as the appropriateness of a standardised methodology as regards to such economic activities, which contribute to an environmental objective, but are not yet considered to be environmentally sustainable in accordance with this Regulation.</u> The review should include also an assessment of whether the scope of this Regulation should be extended to | <i>years</i> in order to assess the progress on the development of technical screening criteria <i>and harmonised indicators</i> for environmentally sustainable <i>and environmentally harmful</i> activities, the use of the definition of environmentally sustainable investment <i>or investments having a negative environmental impact</i> , and whether compliance with the obligations requires the establishment of <i>further</i> verification mechanism. The review should include also an assessment of the provisions required for extending the scope of this Regulation to cover social sustainability objectives. <i>By 31 March 2020, the Commission should, where appropriate, publish further legislative proposals on the establishment of a verification mechanism of compliance.</i> [Am. 33] |

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| | | | cover social sustainability objectives. | |
| 88 | Recital 35 - para. 2 (new) | | <u>In addition, the functioning of the Commission expert groups for the tasks referred to in Article 15 and 16b should be evaluated and impact assessed with a view to long-term needs. The development and updating of the technical screening criteria will continue for a number of years. The Platform has also other related tasks. In order to ensure a broad, credible and well-resourced functions, appropriate Member States' involvement, the feasibility of alternative governance models and their budgetary implications should be explored.</u> | |
| 89 | Recital 35 - para. 3 (new) | | <u>The Union legal framework should encourage sustainable economic activities to be carried out by a large variety of economic operators, for example SMEs and listed issuers. Also, these should be</u> | |

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| | | | <u>incentivized to raise debt and equity capital for their sustainable economic activities and the transition to sustainable business. The scope of the Regulation does not include directly companies and other entities. This means that many listed or unlisted companies although they can voluntary-use the taxonomy, are not targeted with enforcement measures by competent authorities . Hence they may have difficulties in accessing sustainable finance. -It should be analysed, whether the scope of the Regulation and other relevant EU legislation could have impacts on the capital flows to more sustainable economic activities, and the diversity of funding sources by different types of economic operators.</u> | |
| 90 | Recital 36 | (36) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States, but can be better achieved at Union | (36) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States, but can be better achieved at | (36) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States, but can be better achieved at Union |

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| | | level, by reason of the need to introduce at Union level uniform criteria for environmentally sustainable economic activities, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives, | Union level, by reason of the need to introduce at Union level uniform criteria for environmentally sustainable economic activities, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives, | level, by reason of the need to introduce at Union level uniform criteria <u>and indicators</u> for environmentally sustainable economic activities, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives; <u>[Am. 34]</u> |
| 91 | | HAVE ADOPTED THIS REGULATION: | HAVE ADOPTED THIS REGULATION: | HAVE ADOPTED THIS REGULATION: |
| 92 | Chapter I | Chapter I | Chapter I | Chapter I |
| 93 | Chapter I - title | Subject matter, scope and definitions | Subject matter, scope and definitions | Subject matter, scope and definitions |
| 94 | Chapter I - art. 1 - title | Article 1 Subject matter and scope | Article 1 Subject matter and scope | Article 1 Subject matter and scope |

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| 95 | Chapter I - art. 1 - para. 1 | 1. This Regulation establishes the criteria for determining whether an economic activity is environmentally sustainable for the purposes of establishing the degree of environmental sustainability of an investment. | 1. This Regulation establishes the criteria for determining whether an economic activity is environmentally sustainable for the purposes of establishing the degree of environmental sustainability of an investment. | 1. This Regulation establishes the criteria for determining <i>the degree of environmental impact and sustainability of</i> whether an economic activity ■ for the purposes of establishing the degree of environmental sustainability of an investment. |
| 96 | Chapter I - art. 1 - para. 2 - introd. part | 2. This Regulation applies to the following: | 2. This Regulation applies to the following: | 2. This Regulation applies to the following: |
| 97 | Chapter I - art. 1 - para. 2 - point a | (a) measures adopted by Member States or by the Union setting out any requirements on market actors in respect of financial products or corporate bonds that are marketed as environmentally sustainable. | a. measures adopted by Member States or by the Union setting out any requirements on market actors <u>financial market participants or issuers</u> in respect of financial products or corporate bonds that are marketed <u>made available</u> as environmentally sustainable. | (a) measures adopted by Member States or by the Union setting out any requirements on <i>financial</i> market ■ <i>participants</i> in respect of financial products or corporate bonds that are marketed <i>within the Union</i> as environmentally sustainable; |
| 98 | Chapter | (b) financial market participants offering | b. financial market participants | (b) financial market participants offering |

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| | I - art. 1 - para. 2 - point b | financial products as environmentally sustainable investments or as investments having similar characteristics. | offering making available financial products as <u>environmentally sustainable environmentally sustainable investments investments that contribute to one or more environmental objectives.</u> or as investments having similar characteristics. | <i>within the Union</i> financial products as environmentally sustainable investments or as investments having similar characteristics; <i>and</i> |
| 99 | Chapter I - art. 1 - para. 2 - point ba (new) | | | <i>(ba) financial market participants offering other financial products except where:</i> |
| 100 | Chapter I - art. 1 - para. 2 - point ba (new) - pint i | | | <i>i. they provide explanations, supported by reasonable proof to the satisfaction of the relevant competent authorities, that the economic activities funded by its financial products do not have any significant sustainability impact according to the technical screening criteria referred to in Art 3 and 3a, in which case the provisions of Chapter II and III shall not apply. Such</i> |

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| | | | | <i>information shall be provided in its prospectus, or</i> |
| 101 | Chapter I - art. 1 - para. 2 - point ba (new) - point ii | | | <i>ii. the financial market participant declares in its prospectus that the financial product in question does not pursue sustainability objectives and that the product is at an increased risk of supporting economic activities that are not considered sustainable under this regulation.</i> |
| 102 | Chapter I - art. 1 - para. 2a (new) | | | <i>2a. The criteria referred to in Article 1(1) shall be applied in a proportionate manner, avoiding excessive administrative burden , and taking into account the nature, scale and complexity of the financial market participant and credit institutions by means of simplified provisions for small and non-complex entities in conformity with the provisions of Article 4 paragraph 2d.</i> |
| 103 | Chapter I - art. 1 | | | <i>2b. The criteria referred to in the first paragraph of this Article may be used for the</i> |

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| | - para. 2b (new) | | | <i>purpose mentioned in that paragraph by undertakings not covered by Article 1(2) or with respect to other financial instruments than those defined in Article 2 on a voluntary basis.</i> |
| 104 | Chapter I - art. 1 - para. 2c (new) | | | <i>2c. The Commission shall adopt a delegated act for the purpose of specifying the information that financial market participants shall submit to the relevant competent authorities for the purpose of point (a) of paragraph 2 of this Article. [Ams. 35, 55, 59, 87 and 96]</i> |
| 105 | Chapter I - art. 2 - title | Article 2 Definitions | Article 2 Definitions | Article 2 Definitions |
| 106 | Chapter I - art. 2 - para. 1 - introd. | 1. For the purposes of this Regulation, the following definitions shall apply: | 1. For the purposes of this Regulation, the following definitions shall apply: | 1. For the purposes of this Regulation, the following definitions shall apply: |

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| | part | | | |
| 107 | Chapter I - art. 2 - para. 1 - point a | (a) ‘environmentally sustainable investment’ means an investment that funds one or several economic activities that qualify under this Regulation as environmentally sustainable; | (a) ‘environmentally sustainable investment’ means an investment that funds one or several economic activities that qualify under this Regulation as environmentally sustainable; | (a) ‘environmentally sustainable investment’ means an investment that funds one or several economic activities that qualify under this Regulation as environmentally sustainable; |
| 108 | Chapter I - art. 2 - para. 1 - point b - introd. part | (b) ‘financial market participants’ mean financial market participants as defined in Article 2 (a) of [Commission proposal for a Regulation on disclosures relating to sustainable investments and sustainability risks and amending Directive (EU) 2016/2341]; | (b) ‘financial market participants’ means a financial market participants as defined in Article 2 (a) of Regulation XYZ/2019 on sustainability-related disclosures in the financial services sector, while taking into account the opt-in provision in Article 16 of the same Regulation. [Commission proposal for a Regulation on disclosures relating to sustainable investments and sustainability risks and amending Directive (EU) 2016/2341]; | (b) ‘financial market participants’ means any of the following , as defined in Article 2 (a) of [Commission proposal for a Regulation on disclosures relating to sustainable investments and sustainability risks and amending Directive (EU) 2016/2341]: |
| 109 | Chapter I - art. 2 - para. 1 | | | (i) <i>a credit institution as defined in point (1) of Article 4 (1) of Regulation (EU) No 575/2013 defined under [PO insert reference</i> |

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| | - point b - point i (new) | | | <i>to relevant Article] of Regulation (EU) No 575/2013];</i> |
| 110 | Chapter I - art. 2 - para. 1 - point ba (new) | | | <i>(ba) 'issuer' means a listed issuer as defined in point (h) of Article 2(1) of Directive 2003/71/EC of the European Parliament and of the Council¹²² and point (h) of Article 2 of Regulation (EU) 2017/1129 of the European Parliament and of the Council¹²³;</i> |
| 111 | Chapter I - art. 2 - para. 1 - point c | (c) 'financial products' mean financial products as defined in Article 2 (j) of [Commission proposal for a Regulation on disclosures relating to sustainable investments and sustainability risks and amending Directive (EU) 2016/2341]; | (c) 'financial products' mean <u>a</u> financial products as defined in Article 2 (j) of <u>Regulation XYZ/2019 on sustainability-related disclosures in the financial services sector</u> [Commission proposal for a Regulation on disclosures relating to sustainable investments and sustainability | (c) 'financial products' ■ means a portfolio management, an AIF, an IBIP, a pension product, a pension scheme or a UCITS, a corporate bond , as defined in Article 2 (j) of [Commission proposal for a Regulation on disclosures relating to sustainable investments and sustainability risks and amending Directive |

¹²² *Directive 2003/71/EC of the European Parliament and of the Council of 4 November 2003 on the prospectus to be published when securities are offered to the public or admitted to trading and amending Directive 2001/34/EC (OJ L 345, 31.12.2003, p. 64).*

¹²³ *Regulation (EU) 2017/1129 of the European Parliament and of the Council of 14 June 2017 on the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market, and repealing Directive 2003/71/EC (OJ L 168, 30.6.2017, p. 12).*

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| | | | risks and amending Directive (EU) 2016/2341]; | (EU) 2016/2341], <i>as well as issuances referred to in Directive 2003/71/EC and Regulation (EU) 2017/1129</i>); |
| 112 | Chapter I - art. 2 - para. 1 - point ca (new) | | <u>(ca) ‘issuer’ means an issuer as defined in Article 2(h) of Regulation (EU) 2017/1129 of the European Parliament and of the Council¹²⁴;</u> | <i>(ca) ‘environmental indicators’ means, at minimum, the measurement of consumption of resources, such as raw materials, energy, renewable energy, water, impact on ecosystem services, emissions including CO₂, impact on biodiversity and land use and production of waste, based on scientific evidence, the Commission Life Cycle Assessment methodology and as laid out in the Commission’s monitoring framework on the circular economy (COM(2018)0029);</i> |
| 113 | Chapter I - art. 2 - para. 1 - point | | | <i>(cb) ‘relevant national competent authority’ means the competent or supervisory authority, or authorities, in the Member States as specified in the Union acts referred to in</i> |

¹²⁴ Regulation (EU) 2017/1129 of the European Parliament and of the Council of 14 June 2017 on the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market, and repealing Directive 2003/71/EC (OJ L 168, 30.6.2017, p. 12–~~82~~).

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| | cb (new) | | | <i>Article 1(2) of Regulation (EU) No 1095/2010, of Regulation (EU) No 1093/2010 and of Regulation (EU) No 1094/2010, which cover in their scope the category of financial market participant subject to the disclosure requirement referred to in Article 4 of this Regulation;</i> |
| 114 | Chapter I - art. 2 - para. 1 - point cc (new) | | | <i>(cc) 'relevant ESA' means the European Supervisory Authority, or European Supervisory Authorities, specified in the Union acts referred to in Article 1(2) of Regulation (EU) No 1093/2010, of Regulation (EU) No 1094/2010 and/or of Regulation (EU) No 1095/2010, which cover in their scope the category of financial market participant subject to the disclosure requirement referred to in Article 4 of this Regulation;</i> |
| 115 | Chapter I - art. 2 - para. 1 | (d) 'climate change mitigation' means the process of holding the increase in the global average temperature to well below 2 °C above | (d) 'climate change mitigation' means the process of holding the increase in the global average temperature to well below 2 °C | (d) 'climate change mitigation' means the processes, including transitional measures, required for holding the increase in the global |

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| | - point d | pre-industrial levels and limiting the temperature increase to 1.5 °C above pre-industrial levels; | above pre-industrial levels and pursuing efforts to limiting the temperature increase to 1.5 °C above pre-industrial levels; | average temperature to well below 2°C ■ pursuing efforts to limit it to 1.5°C above pre-industrial levels, <i>as laid down the Paris Agreement</i> ; |
| 116 | Chapter I - art. 2 - para. 1 - point e | (e) 'climate change adaptation' means the process of adjustment to actual and expected climate and its effects; | (e) 'climate change adaptation' means the process of adjustment to actual and expected climate change and its effects impacts ; | (e) 'climate change adaptation' means the process of adjustment to actual and expected climate change and its effects; |
| 117 | Chapter I - art. 2 - para. 1 - point f | (f) 'greenhouse gas' means a greenhouse gas listed in Annex I to Regulation (EU) No 525/2013 of the European Parliament and of the Council; ¹²⁵ | (f) 'greenhouse gas' means a greenhouse gas listed in Part 2 of Annex V I of Regulation (EU) 2018/1999 No 525/2013 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action ¹²⁶ . | (f) 'greenhouse gas' means a greenhouse gas listed in Annex I to Regulation (EU) No 525/2013 of the European Parliament and of the Council ¹²⁷ ; |

¹²⁵ Regulation (EU) No 525/2013 of the European Parliament and of the Council on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change and repealing Decision 280/2004/EC (OJ L 165, 18.6.2013, p. 13).

¹²⁶ ~~REGULATION~~ **Regulation (EU) 2018/1999 of the European Parliament and of the** ~~OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL~~ **of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU,**

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| 118 | Chapter I - art. 2 - para. 1 - point g | (g) 'circular economy' means maintaining the value of products, materials and resources in the economy for as long as possible, and minimising waste, including through the application of the waste hierarchy as laid down in Article 4 of Directive 2008/98/EC of the European Parliament and of the Council; ¹²⁸ | (g) 'circular economy' means maintaining the value of products, materials and <u>other</u> resources in the economy for as long as possible, <u>enhancing the sustainability of production processes and facilitating sustainable consumption, thus reducing the environmental impact,</u> and minimising waste <u>and</u> the release–of <u>hazardous substances at all stages of the life cycle,</u> including through the application of the waste hierarchy as laid down in Article 4 of Directive 2008/98/EC of the European Parliament and of the Council; ¹²⁹ | (g) 'circular economy' means maintaining the value <i>and usage</i> of products, materials and <i>all other</i> resources in the economy <i>at their highest level</i> for as long as possible, <i>and thus reducing environmental impact</i> and minimising waste, including through the application of the waste hierarchy as laid down in Article 4 of Directive 2008/98/EC of the European Parliament and of the Council ¹³⁰ <i>and minimising the use of resources based on key circular economy indicators as set out in the monitoring framework on progress towards a circular economy, covering different stages of</i> |

2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council

¹²⁷ Regulation (EU) No 525/2013 of the European Parliament and of the Council on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change and repealing Decision 280/2004/EC (OJ L 165, 18.6.2013, p. 13).

¹²⁸ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

¹²⁹ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

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| | | | | <i>production, consumption, waste management,</i> |
| 119 | Chapter I - art. 2 - para. 1 - point ga (new) | | <u>(ga) 'pollutants' means substances, vibrations, heat, noise, light or other contaminants present in air, water or land, which may be harmful to human health or the environment, which may result in damage to material property, or which may impair or interfere with amenities and other legitimate uses of the environment, including those pollutants covered by EU legislation;</u> | |
| 120 | Chapter I - art. 2 - para. 1 - point gb (new) | | <u>(gb) 'soil' means the top layer of the Earth's crust situated between the bedrock and the surface, which is composed of mineral particles, organic matter, water, air and living organisms;</u> | |
| 121 | Chapter I - art. 2 | (h) 'pollution' means: | (h) 'pollution' means: | (h) 'pollution' means: |

¹³⁰ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

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| | - para. 1 - point h - introd. part | | | |
| 122 | Chapter I - art. 2 - para. 1 - point h - point i | (i) the direct or indirect introduction, as a result of human activity, of substances, vibrations, heat, noise or other pollutants into air, water or land which may be harmful to human health or the quality of the environment, may result in damage to material property, or may impair or interfere with amenities and other legitimate uses of the environment; | (i) the direct or indirect introduction, as a result of human activity, of <u>pollutants</u> substances, vibrations, heat, noise or other pollutants into air, water or land which may be harmful to human health or the quality of the environment, may result in damage to material property, or may impair or interfere with amenities and other legitimate uses of the environment; | (i) the direct or indirect introduction, as a result of human activity, of substances, vibrations, heat, noise, light or other pollutants into air, water or land which may be harmful to human health or the quality of the environment, may result in damage to material property, or may impair or interfere with amenities and other legitimate uses of the environment; |
| 123 | Chapter I - art. 2 - para. 1 - point h | (ii) in the context of marine environment, pollution as defined in Article 3(8) of Directive 2008/56/EC of the European Parliament and of the Council; ¹³¹ | (ii) in the context of <u>the</u> marine environment, pollution as defined in Article 3(8) of Directive 2008/56/EC of the European Parliament and of the Council; ¹³² ; | (ii) in the context of marine environment, pollution as defined in Article 3(8) of Directive 2008/56/EC of the European Parliament and of the Council ¹³³ ; |

¹³¹ Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19–40).

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| | - point ii | | | |
| 124 | Chapter I - art. 2 - para. 1 - point h - point iia (new) | | | <i>(iia) in the context of water environment, pollution as defined in Article 2 (33) of Directive 2000/60/EC;</i> |
| 125 | Chapter I - art. 2 - para. 1 - point h - point iia (new) | | <u>(iii) in the context of the water environment, pollution as defined in Article 2(33) of Directive 2000/60/EC of the European Parliament and of the Council¹³⁴;</u> | |
| 126 | Chapter I - art. 2 | | <u>(ha) ‘ecosystem’ means a dynamic complex of plant, animal, and micro-</u> | |

¹³² Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19–40).

¹³³ Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19).

¹³⁴ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (Water Framework Directive) (OJ L 327, 22.12.2000, p. 1-73).

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| | - para. 1 - point ha (new) | | <u>organism communities and their non-living environment interacting as a functional unit;</u> | |
| 127 | Chapter I - art. 2 - para. 1 - point hb (new) | | (hb) <u>'ecosystem services' means the direct and indirect contributions of ecosystems to the economic, social, cultural and other benefits that people derive from ecosystems.;</u> | |
| 128 | Chapter I - art. 2 - para. 1 - point hc (new) | | (hc) <u>'biodiversity' means the variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems;</u> | |
| 129 | Chapter I - art. 2 - para. 1 - point i | (i) 'healthy ecosystem' means an ecosystem that is in a good physical, chemical and biological condition or of a good physical, chemical and biological quality; | (i) — 'healthy ecosystem' means an ecosystem that is in a good physical, chemical and biological condition, i.e. such as it is resilient, or of a good physical, | (i) 'healthy ecosystem' means an ecosystem that is in a good physical, chemical and biological condition or of a good physical, chemical and biological quality <i>and that is capable of self-reproduction or self-restoration</i> |

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| | | | chemical and biological quality; | <i>to equilibrium and that preserves biodiversity;</i> |
| 130 | Chapter I - art. 2 - para. 1 - point j | (j) 'energy efficiency' means using energy more efficiently at all the stages of the energy chain from production to final consumption; | (j) 'energy efficiency' means using energy more efficiently at all the stages of the energy chain from production to final consumption <u>in accordance with Directive 2012/27/EU;</u> | (j) 'energy efficiency' means using energy more efficiently at all the stages of the energy chain from production to final consumption; |
| 131 | Chapter I - art. 2 - para. 1 - point k | (k) 'good environmental status' means good environmental status as defined in Article 3(5) of Directive 2008/56/EC; | (k) 'good environmental status' means good environmental status as defined in Article 3(5) of Directive 2008/56/EC; | (k) 'good environmental status' means good environmental status as defined in Article 3(5) of Directive 2008/56/EC; |
| 132 | Chapter I - art. 2 - para. 1 - point ka (new) | | <u>(ka) 'good status' means good chemical and good ecological status in the case of surface waters, and good chemical and good quantitative status in the case of groundwaters, as classified in accordance with Annex V to Directive 2000/60/EC, Directive 2008/105/EC and Directive 2006/118/EC;</u> | |
| 133 | Chapter I - art. 2 | | <u>(kb) 'good ecological potential' means the status of a heavily modified or artificial</u> | |

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| | - para. 1 - point kb (new) | | <u>body of water, so classified in accordance with Annex V to Directive 2000/60/EC;</u> | |
| 134 | Chapter I - art. 2 - para. 1 - point 1 | (l) 'marine waters' means marine waters as defined in Article 3(1) of Directive 2008/56/EC; | (l) 'marine waters' means marine waters as defined in Article 3(1) of Directive 2008/56/EC; | (l) 'marine waters' means marine waters as defined in Article 3(1) of Directive 2008/56/EC; |
| 135 | Chapter I - art. 2 - para. 1 - point m | (m) 'surface water', 'inland water', 'transitional waters' and 'coastal water' shall have the same meaning as in points (1), (3), (6) and (7) of Article 2 of Directive 2000/60/EC ¹³⁵ ; | (m) 'surface water' <u>and, 'groundwater' inland water', 'transitional waters' and 'coastal water'</u> shall have the same meaning as in points (1) <u>and, (23), (6) and (7)</u> of Article 2 of Directive 2000/60/EC ¹³⁶ ; | (m) 'surface water', 'inland water', 'transitional waters' and 'coastal water' shall have the same meaning as in points (1), (3), (6) and (7) of Article 2 of Directive 2000/60/EC ¹³⁷ ; |
| 136 | Chapter I - art. 2 - para. 1 | (n) 'sustainable forest management' means using forests and forest land in a way, and at a rate, that maintains their biodiversity, | (n) — 'sustainable forest management' means the stewardship and use of using forests and forest land in a way, and at a | (n) 'sustainable forest management' means using forests and forest land in ■ accordance with applicable legislation. [Ams. 36, 88 and |

¹³⁵ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p.1).

¹³⁶ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p.1).

¹³⁷ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p.1).

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| | - point n | productivity, regeneration capacity, vitality and their potential to fulfil, now and in the future, relevant ecological, economic and social functions, at local, national, and global levels, and that does not cause damage to other ecosystems. | rate, that maintains their biodiversity, productivity, regeneration capacity, vitality and their potential to fulfil, now and in the future, relevant ecological, economic and social functions, at local, national, and global levels, and that does not cause damage to other ecosystems; | 89] |
| 137 | Chapter I - art. 2 - para. 1 - point o (new) | | <u>(o) ‘competent authority’ means a national authority designated by a Member State to supervise financial market participants in respect of their compliance with the requirements of this Regulation.</u> | |
| 138 | Chapter II | Chapter II | Chapter II | Chapter II |
| 139 | Chapter II - title | Environmentally sustainable economic activities | Environmentally sustainable economic activities | Environmentally sustainable economic activities |
| 140 | Chapter II - art. 3 | Article 3 Criteria for environmentally sustainable | Article 3 Criteria for environmentally sustainable | Article 3 Criteria for environmentally sustainable |

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| | - title | economic activities | economic activities | economic activities |
| 141 | Chapter II - art. 3 - para. 1 - introd. part | For the purposes of establishing the degree of environmental sustainability of an investment, an economic activity shall be environmentally sustainable where that activity complies with all of the following criteria: | For the purposes of establishing the degree of environmental sustainability of an investment, a An economic activity shall be <u>considered</u> environmentally sustainable where that activity complies with all of the following criteria: | For the purposes of establishing the degree of environmental sustainability of an investment, an economic activity shall be environmentally sustainable where that activity complies with all of the following criteria: |
| 142 | Chapter II - art. 3 - para. 1 - point a | (a) the economic activity contributes substantially to one or more of the environmental objectives set out in Article 5 in accordance with Articles 6 to 11; | a) :- the economic activity contributes substantially <u>in accordance with Articles 6 to 11</u> to one or more of the environmental objectives set out in Article 5 in accordance with Articles 6 to 11, including by enabling another economic activity to substantially improve its environmental performance with regards to one or more of those objectives; | (a) the economic activity contributes substantially to one or more of the environmental objectives set out in Article 5 in accordance with Articles 6 to 11; |
| 143 | Chapter II - art. 3 - para. 1 | (b) the economic activity does not significantly harm any of the environmental objectives set out in Article 5 in accordance | b) :- the economic activity does not significantly harm any of the environmental objectives set out in Article 5 in accordance | (b) the economic activity does not significantly harm any of the environmental objectives set out in Article 5 in accordance |

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| | - point b | with Article 12; | with Article 12; | with Article 12; |
| 144 | Chapter II - art. 3 - para. 1 - point c | (c) the economic activity is carried out in compliance with the minimum safeguards laid down in Article 13; | c)- the economic activity is carried out in compliance with the minimum safeguards laid down in Article 13; | (c) the economic activity is carried out in compliance with the minimum safeguards laid down in Article 13; |
| 145 | Chapter II - art. 3 - para. 1 - point d | (d) the economic activity complies with technical screening criteria, where the Commission has specified those in accordance with Articles 6(2), 7(2), 8(2), 9(2), 10(2) and 11(2). | d)- the economic activity complies with technical screening criteria <u>that have been specified by</u> , where the Commission has specified those in accordance with Articles 6(2) 7(2), 8(2), 9(2), 10(2) and 11(2). | (d) the economic activity complies with technical screening criteria, where the Commission has specified those <i>on the basis of harmonised measuring sustainability impact at company or plan levels belonging to the economic activity and</i> in accordance with Articles 6(2), 7(2), 8(2), 9(2), 10(2) and 11(2). [Am. 37] |
| 146 | Chapter II - art. 3a (new) - title | | | <i>Article 3a</i> <i>Criteria for economic activities with a significant negative environmental impact</i> |
| 147 | Chapter II - art. | | | <i>By 31 December 2021, the Commission shall conduct an impact assessment on the</i> |

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| | 3a (new) - para. 1 | | | <i>consequences of revising this Regulation to expand the framework for sustainable investments with a framework that is used to define criteria for when and how an economic activity has a significant negative impact on sustainability. [Am. 38]</i> |
| 148 | Chapter II - art. 4 - title | Article 4 Use of the criteria for environmentally sustainable economic activities | Article 4 Use of the criteria for environmentally sustainable economic activities | Article 4 ■ <i>Application of and compliance with</i> the criteria for ■ <i>determining the degree of environmental sustainability of</i> economic activities |
| 149 | Chapter II - art. 4 - para- 1 | 1. Member States shall apply the criteria for determining environmentally sustainable economic activities set out in Article 3 for the purposes of any measures setting out requirements on market actors in respect of financial products or corporate bonds that are marketed as ‘environmentally sustainable’. | 1. Member States shall apply the criteria <u>as the basis and minimum requirements</u> for determining environmentally sustainable economic activities set out in Article 3 <u>and Article 5</u> for the purposes of any measures, <u>other than fiscal measures, setting out that impose</u> requirements on market actors <u>financial market participants or issuers</u> in respect of financial products or | 1. Member States <i>and the Union</i> shall apply the criteria for determining ■ <i>the degree of environmental sustainability of</i> economic activities set out in Article 3 for the purposes of any measures setting out <i>sustainability</i> requirements on market actors in respect of financial products or corporate bonds ■ . |

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| | | | corporate bonds that are marketed made available as ‘environmentally sustainable’. | |
| 150 | Chapter II - art. 4 - para- 2 | 2. Financial market participants offering financial products as environmentally sustainable investments, or as investments having similar characteristics, shall disclose information on how and to what extent the criteria for environmentally sustainable economic activities set out in Article 3 are used to determine the environmental sustainability of the investment. Where financial market participants consider that an economic activity which does not comply with the technical screening criteria set out in accordance with this Regulation or for which those technical screening criteria have not been established yet, should be considered environmentally sustainable, they may inform the Commission. | 2. Where Financial market participants offering make available financial products as ‘environmentally sustainable investments’ that contributes to an environmental objective, under Article 2 (g) of Regulation XYZ/2019 on sustainability-related disclosures in the financial services sector, paragraph 2a of this Regulation shall apply to the information to be disclosed pursuant to Article 9(1), (2) and (3), Article 10(1) and Article 11(1) and 13(1) of Regulation XYZ/2019. , or as investments having similar characteristics, shall disclose information on how and to what extent the criteria for environmentally sustainable economic activities set out in Article 3 are used to determine the environmental sustainability of the investment. | 2. Financial market participants offering financial products <i>or corporate bonds shall disclose the relevant information allowing them to establish whether the products they offer qualify</i> as environmentally sustainable investments <i>pursuant to the criteria of Article 3.</i> Where financial market participants consider that an economic activity <i>for which technical screening criteria have not been established yet, should be considered environmentally sustainable, they shall inform the Commission. The Commission shall, if appropriate, notify the Platform on sustainable Finance referred to in Article 15 of such requests by the financial market participants. Financial market participants shall not offer financial products as environmentally sustainable investments, or as investments having similar characteristics, if</i> |

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| | | | | <i>those products do not qualify as environmentally sustainable.</i> |
| 151 | Chapter II - art. 4 - para- 2a (new) | | <u>2a. Financial market participants shall specify how and to what extent the investment meets the criteria for environmentally sustainable economic activities as set out in Article 3 and Article 5. This information shall enable investors to identify the share of investments funding environmentally sustainable economic activities as a percentage of all investments selected for the financial product.</u> | <i>2a. Member States, in close cooperation with the relevant ESA, shall monitor the information referred to in paragraph 2. Financial market participants shall report it to the relevant national competent authority which shall communicate it to the relevant ESA without delay. Whenever the relevant national competent authority or the relevant ESA disagree with the information reported as referred to in paragraphs 2 and 2a, financial market participants shall review and correct the information disclosed.</i> |
| 152 | Chapter II - art. 4 - para- 2b (new) | | 2b. Where financial market participants consider that an economic activity which does not comply with the technical screening criteria set out <u>laid down</u> in accordance with this Regulation or for which those <u>such</u> technical screening criteria have not been | <i>2b. The disclosure of information referred to in Article 4 shall be consistent with the principles of fair, clear and none misleading information included in Directive (EU) 2014/65/EU and in Directive (EU) 2016/97 and intervention powers referred to in Article</i> |

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| | | | established yet, should be considered environmentally sustainable, they may inform <u>the Platform on Sustainable Finance ('the Platform')</u> the Commission . | <i>4 paragraph 2c consistent with those included in Regulation No 600/2014.</i> |
| 153 | Chapter II - art. 4 - para- 2c (new) - para. 1 | | <u>2c. The EBA, EIOPA and ESMA, through the Joint Committee of the European Supervisory Authorities ('Joint Committee') shall develop draft regulatory technical standards to specify the details of the presentation and content of the information to be 4(2)(a) of this Regulation and complement those developed under Articles 9(5), 10(2), 11(4) and 13(2) of Regulation XYZ/2019 on sustainability-related disclosures in the financial services sector.</u> | <i>2c. No disclosure requirements under the [PO please insert reference to Regulation on disclosures relating to sustainable investments and sustainability risks and amending Directive (EU) 2016/2341] shall be required in this Regulation;</i> |
| 154 | Chapter II - art. 4 - para- 2c (new) | | <u>When developing the draft regulatory technical standards EBA, EIOPA and ESMA shall take into account the various types of financial products, their objectives</u> | <i>2d. Small and non-complex undertakings referred to in Article 2.2b and 2.2c shall be subject to simplified provisions.</i> |

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| | - subpara. 2 | | <u>and differences thereof as well as the aim of accurate, clear, not misleading, simple and concise disclosures.</u> | |
| 155 | | | <u>EBA, EIOPA and ESMA shall submit those draft regulatory technical standards to the Commission by ... [PO: Please insert date 12 months after the date of entry into force of this Regulation.</u> | |
| 156 | Chapter II - art. 4 - para- 2c (new) - subpara. 3 | | <u>Power is delegated to the Commission to adopt the regulatory technical standards referred to in the first subparagraph in accordance with Articles 10 to 14 of Regulations (EU) No 1093/2010, (EU) No 1094/2010 and (EU) No 1095/2010.</u> | |
| 157 | Chapter II - art. 4 - para- 3 - introd. | 3. The Commission shall adopt delegated acts in accordance with Article 16 to supplement paragraph 2 to specify the information required to comply with that paragraph, taking into account the technical | 3. — The Commission shall adopt delegated acts in accordance with Article 16 to supplement paragraph 2 to specify the information required to comply with that paragraph, taking into account the | 3. The Commission shall adopt delegated acts in accordance with Article 16 to supplement paragraph 2, <i>2a and 2b</i> to specify the information required to comply with ■ these paragraphs, including a list of investments |

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| | part | screening criteria set out in accordance with this Regulation. That information shall enable investors to identify: | technical screening criteria set out in accordance with this Regulation. That information shall enable investors to identify: | <i>having similar characteristics as sustainable investments and the relevant qualification thresholds for the purpose of paragraph 2, taking into account the availability of relevant information and the technical screening criteria set out in accordance with this Regulation. That information shall enable investors to identify:</i> |
| 158 | Chapter II - art. 4 - para- 3 - point a | (a) the percentage of holdings pertaining to companies carrying out environmentally sustainable economic activities; | a. the percentage of holdings pertaining to companies carrying out environmentally sustainable economic activities; | (a) the percentage of holdings in different companies carrying out environmentally sustainable economic activities; |
| 159 | Chapter II - art. 4 - para- 3 - point b | (b) the share of the investment funding environmentally sustainable economic activities as a percentage of all economic activities. | b. the share of the investment funding environmentally sustainable economic activities as a percentage of all economic activities. | (b) the share of the investment funding environmentally sustainable economic activities as a percentage of all economic activities. |
| 160 | Chapter II - art. 4 - para- 3 - point | | | <i>(ba) the relevant definitions of small and non-complex undertakings referred to in Article 2 b as well the simplified provisions that apply to these entities.</i> |

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| | ba (new) | | | |
| 161 | Chapter II - art. 4 - para- 3a - (new) | | | <i>3a. Financial market participants shall publish the information referred to in points (a) and (b) of paragraph 3.</i> |
| 162 | Chapter II - art. 4 - para. 4 | 4. The Commission shall adopt the delegated act in accordance with paragraph 3 by 31 December 2019 with a view to ensure its entry into application on 1 July 2020. The Commission may amend that delegated act, in particular in the light of amendments to the delegated acts adopted in accordance with Article 6(2), Article 7(2), Article 8(2), Article 9(2), Article 10(2) and Article 11(2). | 4. The Commission shall adopt the delegated act in accordance with paragraph 3 by 31 December 2019 with a view to ensure its entry into application on 1 July 2020. The Commission may amend that delegated act, in particular in the light of amendments to the delegated acts adopted in accordance with Article 6(2), Article 7(2), Article 8(2), Article 9(2), Article 10(2) and Article 11(2).] | 4. The Commission shall adopt the delegated act in accordance with paragraph 3 by 31 December 2019 with a view to ensure its entry into application on 1 July 2020. The Commission may amend that delegated act, in particular in the light of amendments to the delegated acts adopted in accordance with Article 6(2), Article 7(2), Article 8(2), Article 9(2), Article 10(2) and Article 11(2). [Am. 39] |
| 163 | Chapter II - art. 4a (new) | | | <i>Article 4a Market monitoring</i> |

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| 164 | Chapter II - art. 4a (new) - para. 1 | | | <i>1. In accordance with Article 9(2) of Regulation (EU) No 1093/2010, Regulation (EU) No 1094/2010, Regulation (EU) No 1095/2010, the relevant ESA shall monitor the market for financial products referred to in Article 1 of this Regulation, which are marketed, distributed or sold in the Union.</i> |
| 165 | Chapter II - art. 4a (new) - para. 2 | | | <i>2. Competent authorities shall monitor the market for financial products which are marketed, distributed or sold in or from their Member State.</i> |
| 166 | Chapter II - art. 4a (new) - para. 3 | | | <i>3. In accordance with Article 9(5) of Regulations (EU) No 1093/2010, No 1094/2010, No 1095/2010, the relevant ESA may, where there is a breach of this Regulation by the entities referred to in Article 1, temporarily prohibit or restrict in the Union the marketing, distribution or sale of the financial products referred to in Article 1;</i> |

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| 167 | Chapter II - art. 4a (new) - para. 3 - subpara. 2 | | | <i>A prohibition or restriction referred to in Art 3 may apply in circumstances, or be subject to exceptions, specified by the relevant ESA.</i> |
| 168 | Chapter II - art. 4a (new) - para. 4 -introd. part | | | <i>4. When taking action under this Article, the relevant ESA shall ensure that the action:</i> |
| 169 | Chapter II - art. 4a (new) - para. 4 - point a | | | <i>(a) does not have a detrimental effect on the efficiency of financial markets or on investors that is disproportionate to the benefits of the action, and</i> |
| 170 | Chapter | | | <i>(b) does not create a risk of regulatory</i> |

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| | II - art. 4a (new) - para. 4 - point b | | | <i>arbitrage;</i> |
| 171 | Chapter II - art. 4a (new) - para. 4 - subpara. 2 | | | <i>Where a competent authority or competent authorities have taken a measure under this Article, the relevant ESA may take any of the measures referred to in paragraph 1.</i> |
| 172 | Chapter II - art. 4a (new) - para. 5 | | | <i>5. Before deciding to take any action under this Article, the relevant ESA shall notify competent authorities of the action it proposes.</i> |
| 173 | Chapter II - art. 4a (new) - para. 6 | | | <i>6. The relevant ESA shall review a prohibition or restriction imposed under paragraph 1 at appropriate intervals and at least every three months. If the prohibition or restriction is not renewed after that three-</i> |

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| | | | | <i>month period it shall expire.</i> |
| 174 | Chapter II - art. 4a (new) - para. 7 | | | 7. <i>Action adopted by the relevant ESA under this Article shall prevail over any previous action taken by a competent authority. [Am. 40]</i> |
| 175 | Chapter II - art. 5 - title | Article 5 Environmental objectives | Article 5 Environmental objectives | Article 5 ■ Sustainability objectives |
| 176 | Chapter II - art. 5 - para. 1 - introd. part | For the purposes of this Regulation, the following shall be environmental objectives: | For the purposes of this Regulation, the following shall be environmental objectives: | 1. For the purposes of this Regulation, the following shall be environmental objectives: |
| 177 | Chapter II - art. 5 - para. 1 - point 1 | (1) climate change mitigation; | (1) climate change mitigation; | (1) climate change mitigation; |
| 178 | Chapter | (2) climate change adaptation; | (2) climate change adaptation; | (2) climate change adaptation; |

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| | II - art. 5 - para. 1 - point 2 | | | |
| 179 | Chapter II - art. 5 - para. 1 - point 3 | (3) sustainable use and protection of water and marine resources; | (3) sustainable use and protection of water and marine resources; | (3) sustainable use and protection of water and marine resources; |
| 180 | Chapter II - art. 5 - para. 1 - point 4 | (4) transition to a circular economy, waste prevention and recycling; | (4) transition to a circular economy <u>including and</u> waste prevention and recycling; | (4) transition to a circular economy, <i>including</i> waste prevention ■ <i>and increasing the uptake of secondary raw materials;</i> |
| 181 | Chapter II - art. 5 - para. 1 - point 5 | (5) pollution prevention and control; | (5) pollution prevention and control; | (5) pollution prevention and control; |
| 182 | Chapter II - art. 5 - para. 1 - point 6 | (6) protection of healthy ecosystems. | (6) protection <u>and restoration of biodiversity and restoration of healthy</u> ecosystems. | (6) protection of <i>biodiversity and</i> healthy ecosystems, <i>and restoration of degraded ecosystems.</i> |

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| 183 | Chapter II - art. 5 - para. 1a (new) | | | <i>1a. The objectives set out in the first paragraph shall be measured by harmonised indicators, life cycle analysis and scientific criteria, and be fulfilled ensuring they are up to scale to the upcoming environmental challenges. [Am. 41]</i> |
| 184 | Chapter II - art. 6 - title | Article 6 Substantial contribution to climate change mitigation | Article 6 Substantial contribution to climate change mitigation | Article 6 Substantial contribution to climate change mitigation |
| 185 | Chapter II - art. 6 - para. 1 - introd. part | 1. An economic activity shall be considered to contribute substantially to climate change mitigation where that activity substantially contributes to the stabilization of greenhouse gas concentrations in the atmosphere at a level which prevents dangerous anthropogenic interference with the climate system by avoiding or reducing greenhouse gas emissions or enhancing greenhouse gas removals through any of the following means, including through process or product innovation: | 1. An economic activity shall be considered to contribute substantially to climate change mitigation where that activity substantially contributes to the stabilization of greenhouse gas concentrations in the atmosphere at a level which prevents dangerous anthropogenic interference with the climate system by avoiding or reducing greenhouse gas emissions or enhancing greenhouse gas removals through any of the following means, including through process | 1. An economic activity shall be considered to contribute substantially to climate change mitigation where that activity substantially contributes to the stabilization of greenhouse gas concentrations in the atmosphere at a level which prevents dangerous anthropogenic interference with the climate system by avoiding or reducing greenhouse gas emissions or enhancing greenhouse gas removals through any of the following means, including through process or product innovation; |

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| | | | or product innovation, <u>consistent with the long term temperature goals-targets of the Paris Agreement</u> : | |
| 186 | Chapter II - art. 6 - para. 1 - point a | (a) generating, storing or using renewable energy or climate-neutral energy (including carbon-neutral energy), including through using innovative technology with a potential for significant future savings or through necessary reinforcement of the grid; | a. generating, <u>transmitting</u> , storing, <u>distributing</u> or using renewable energy <u>in line with Directive (EU) 2018/2001</u> ¹³⁸ or climate-neutral energy (including carbon-neutral energy), including through using innovative technology with a potential for significant future savings or through necessary reinforcement <u>or extension</u> of the grid; | (a) generating, storing, <i>distributing</i> or using renewable energy in line with the Renewable Energy Directive , including through using innovative technology with a potential for significant future savings or through necessary reinforcement of the grid; |
| 187 | Chapter II - art. 6 - para. 1 - point b | (b) improving energy efficiency; | b. improving energy efficiency; | (b) improving energy efficiency <i>in all sectors, except energy generation using solid fossil fuels, and at all stages of the energy chain, in order to reduce primary and final energy consumption</i> ; |

¹³⁸ 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. 82-209)

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| 188 | Chapter II - art. 6 - para. 1 - point c | (c) increasing clean or climate-neutral mobility; | c. increasing clean or climate-neutral mobility; | (c) increasing clean or climate-neutral mobility; |
| 189 | Chapter II - art. 6 - para. 1 - point d | (d) switching to use of renewable materials; | d. switching to use of renewable <u>sources and renewable</u> materials; | (d) switching to <i>or increasing</i> the use of <i>environmentally sustainable</i> renewable materials <i>based on a full life cycle assessment and substituting particularly fossil-based materials, which delivers near term greenhouse gas emissions savings</i> ; |
| 190 | Chapter II - art. 6 - para. 1 - point e | (e) increasing carbon capture and storage use; | e. increasing <u>the deployment of</u> carbon capture and storage and carbon capture and use <u>in line with Directive 2009/31/EC, and carbon capture and</u> use; | (e) increasing <i>the use of environmentally safe carbon capture and utilisation (CCU) and</i> carbon capture and storage ■ <i>(CCS) technologies that deliver a net reduction in emissions</i> ; |
| 191 | Chapter II - art. 6 - para. 1 - point f | (f) phasing out anthropogenic emissions of greenhouse gases, including from fossil fuels; | f. phasing out anthropogenic emissions of greenhouse gasses, including in <u>particular</u> from <u>solid</u> fossil fuels; | (f) phasing out anthropogenic emissions of greenhouse gases ■ ; |

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| 192 | Chapter II - art. 6 - para. 1 - point fa (new) | | | <i>(fa) increasing the removal of CO₂ from the atmosphere and its storage in natural ecosystems, for example through afforestation, the restoration of forests and regenerative agriculture;</i> |
| 193 | Chapter II - art. 6 - para. 1 - point g | (g) establishing energy infrastructure required for enabling decarbonisation of energy systems; | g. establishing energy infrastructure required for enabling the decarbonisation of energy systems; | (g) establishing energy infrastructure required for enabling decarbonisation of energy systems; |
| 194 | Chapter II - art. 6 - para. 1 - point h | (h) producing clean and efficient fuels from renewable or carbon-neutral sources. | h. producing clean and efficient fuels from renewable or carbon-neutral sources-; | (h) producing clean and efficient fuels from renewable or carbon-neutral sources. |
| 195 | Chapter II - art. 6 - para. 1 - point j | | <u>i. strengthening land carbon sinks.</u> | |
| 196 | Chapter II - art. 6 | | <u>1a. For the purposes of paragraph 1, an economic activity shall also be considered</u> | |

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| | - para. 1a (new) | | <u>to contribute substantially to climate change mitigation also where it supports the transition to a climate-neutral economy, leads to significant emissions reductions, has an environmental performance that is substantially better than the industry average and avoids carbon-intensive lock-in during the economic lifetime of the financed economic activity.</u> | |
| 197 | Chapter II - art. 6 - para. 2 - introd. part | 2. The Commission shall adopt delegated acts in accordance with Article 16 to: | 2. The Commission shall adopt delegated acts in accordance with Article 16 to <u>and, prior to their adoption, gather all necessary expertise from the Platform regarding technical screening criteria and assess the implementation of the criteria taking into account the outcome of their application by financial market participants and their reception and impact on capital markets to:</u> | 2. The Commission shall adopt delegated acts in accordance with Article 16 to: |

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| 198 | Chapter II - art. 6 - para. 2 - point a | (a) supplement paragraph 1 to establish technical screening criteria for determining under which conditions a specific economic activity is considered, for the purposes of this Regulation, to contribute substantially to climate change mitigation; | a. supplement paragraph 1 <u>and paragraph 1a</u> to establish technical screening criteria for determining under which conditions a specific economic activity is considered, for the purposes of this Regulation, to contribute substantially to climate change mitigation <u>as regards</u> ; | (a) supplement paragraph 1 to establish technical screening criteria <i>based on indicators</i> for determining under which conditions a specific economic activity is considered, for the purposes of this Regulation, to contribute substantially to climate change mitigation. <i>Those technical screening criteria shall include thresholds for mitigation activities in line with the objective to limit global warming to well below 2°C and pursuing efforts to limit it to 1.5°C above pre-industrial levels, as laid down the Paris Agreement;</i> |
| 199 | Chapter II - art. 6 - para. 2 - point a - point i (new) | | <u>(i) the sector classification and rubric of a given economic activity;</u> | |
| 200 | Chapter II - art. 6 | | <u>(ii) the criteria applicable to a given economic activity; and</u> | |

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| | - para. 2 - point a - point ii (new) | | | |
| 201 | Chapter II - art. 6 - para. 2 - point a - point iii (new) | | <u>(iii) the metrics used to measure the environmental performance of the economic activity, including defining the boundaries for this measurement.</u> | |
| 202 | Chapter II - art. 6 - para. 2 - point b | (b) supplement Article 12 to establish technical screening criteria, for each relevant environmental objective, for determining whether an economic activity in respect of which screening criteria are established pursuant to point (a) of this paragraph is considered, for the purposes of this Regulation, to cause significant harm to one or more of those objectives. | b. supplement Article 12 to establish technical screening criteria, for each relevant environmental objective, for determining whether an economic activity in respect of which screening criteria are established pursuant to point (a) of this paragraph is considered, for the purposes of this Regulation, to cause significant harm to one or more of those objectives. | (b) supplement Article 12 to establish technical screening criteria <i>based on indicators</i> , for each relevant environmental objective, for determining whether an economic activity in respect of which screening criteria <i>based on indicators</i> are established pursuant to point (a) of this paragraph is considered, for the purposes of this Regulation, to cause significant harm to one or more of those objectives. |
| 203 | Chapter | 3. The Commission shall establish the | 3. The Commission shall establish the | 3. The Commission shall establish the |

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| | II - art. 6 - para. 3 | technical screening criteria referred to in paragraph 2 in one delegated act, taking into account the requirements laid down in Article 14. | technical screening criteria referred to in paragraph 2 <u>of this Article</u> in one delegated act, taking into account the requirements laid down in Article 14. | technical screening criteria <i>based on indicators</i> referred to in paragraph 2 in one delegated act, taking into account the requirements laid down in Article 14. |
| 204 | Chapter II - art. 6 - para. 4 | 4. The Commission shall adopt the delegated act referred to in paragraph 2 by 31 December 2019, with a view to ensure its entry into application on 1 July 2020. | <u>4. The Commission shall, within the framework of the delegated act referred to in paragraph 2 of this Article, adopt implementing acts to set quantitative or qualitative thresholds, or a combination thereof, which must be met by the economic activity in order to be considered environmentally sustainable. 4. — The Commission shall adopt the delegated act referred to in paragraph 2 by 31 December 2019, with a view to ensure its entry into application on 1 July 2020.</u> | 4. The Commission shall adopt the delegated act referred to in paragraph 2 by 31 December 2019, with a view to ensure its entry into application on 1 July 2020. [Am. 42, 66 and 99] |
| 205 | Chapter II - art. 6 - para. 4 - | | <u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16a.</u> | |

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| | subpara. 2 (new) | | | |
| 206 | Chapter II - art. 6 - para. 5 (new) | | <u>5. The Commission shall adopt the delegated act and the implementing act referred to in paragraphs 2, 3 and 4 by 31 December 2021, with a view to ensuring their entry into application on 31 December 2022.</u> | |
| 207 | Chapter II - art. 7 - title | Article 7 Substantial contribution to climate change adaptation | Article 7 Substantial contribution to climate change adaptation | Article 7 Substantial contribution to climate change adaptation |
| 208 | Chapter II - art. 7 - para 1 - introd. part | 1. An economic activity shall be considered to contribute substantially to climate change adaptation where that activity contributes substantially to reducing the negative effects of the current and expected future climate or preventing an increase or shifting of negative effects of climate change, through the following means: | 1. An economic activity shall be considered to contribute substantially to climate change adaptation: where that activity contributes substantially to reducing the negative effects of the current and expected future climate or preventing an increase or shifting of negative effects of climate change, through the following | 1. An economic activity shall be considered to contribute substantially to climate change adaptation where that activity contributes substantially to reducing the negative effects of the current and expected future climate or preventing an increase or shifting of negative effects of climate change, through the following means: |

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| | | | <u>means:</u> | |
| 209 | Chapter II - art. 7 - para 1 - point a (new) | | <u>a. where, the adverse simpact of the current and expected future climate or the risks of adverse impacts of climate change on that activity itself are substantially reduced, without increasing climate-related vulnerabilities of other environments and activities;</u> | |
| 210 | Chapter II - art. 7 - para 1 - point b (new) | | <u>b. where that activity, , contributes substantially to preventing or reducing the adverse impacts of the current and expected future climate or the risks of adverse impacts from climate change, without increasing vulnerabilities of other environments and activities.</u> | |
| 211 | Chapter II - art. 7 - para 1a (new) | | <u>1a. The economic activity referred to under point (a) and (b) of the first paragraph shall provide a substantial contribution to climate change adaptation</u> | |

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| | | | <u>through either of the following means:</u> | |
| 212 | Chapter II - art. 7 - para 1 - point b | (a) preventing or reducing the location- and context-specific negative effects of climate change, which shall be assessed and prioritised using available climate projections, on the economic activity; | a. preventing or reducing the location and context-specific adverse negative effects <u>impacts</u> of climate change <u>on the economic activity</u> , which. These effects <u>impacts</u> shall be assessed and prioritised using <u>best</u> available climate projections on the economic activity ; | (a) preventing or reducing the location- and context-specific negative effects of climate change, which shall be assessed and prioritised using available climate projections, on the economic activity; |
| 213 | Chapter II - art. 7 - para 1 - point b | (b) preventing or reducing the negative effects that climate change may pose to the natural and built environment within which the economic activity takes place, which shall be assessed and prioritised using available climate projections. | b. preventing or reducing the adverse negative effects <u>impacts</u> that climate change may have on pose to the natural and built environment within which the economic activity takes place, which. These effects <u>impacts</u> shall be assessed and prioritised using <u>best</u> available climate projections. | (b) preventing or reducing the negative effects that climate change may pose to the natural and built environment within which the economic activity takes place, which shall be assessed and prioritised using available climate projections <i>and studies on the human impact on climate change.</i> |
| 214 | Chapter II - art. 7 - para 2 - introd. | 2. The Commission shall adopt a delegated act in accordance with Article 16 to: | 2. The Commission shall adopt delegated act in accordance with Article 16 <u>and, prior to their adoption, gather all necessary expertise from the Platform regarding technical screening criteria and assess the</u> | 2. The Commission shall adopt a delegated act in accordance with Article 16 to: |

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| | part | | <u>implementation of the criteria taking into account the outcome of their application by financial market participants and their reception and impact on capital markets</u> to: | |
| 215 | Chapter II - art. 7 - para 2 - point a | (a) supplement paragraph 1 to establish technical screening criteria for determining under which conditions a specific economic activity is considered, for the purposes of this Regulation, to contribute substantially to climate change adaptation; | a. supplement paragraphs 1 <u>and paragraph 1a</u> to establish technical screening criteria for determining under which conditions a specific economic activity is considered, for the purposes of this Regulation, to contribute substantially to climate change adaptation <u>as regards</u> | (a) supplement paragraph 1 to establish technical screening criteria <i>based on indicators</i> for determining under which conditions a specific economic activity is considered, for the purposes of this Regulation, to contribute substantially to climate change adaptation; |
| 216 | Chapter II - art. 7 - para 2 - point a - point i (new) | | <u>(i) the sector classification and rubric of a given economic activity;</u> | |
| 217 | Chapter II - art. 7 | | <u>(ii) the criteria applicable to a given</u> | |

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| | - para 2 - point a - point ii (new) | | <u>economic activity; and</u> | |
| 218 | Chapter II - art. 7 - para 2 - point a - point iii (new) | | <u>(iii) the metrics used to measure the environmental performance of the economic activity, including defining the boundaries for this measurement.</u> | |
| 219 | Chapter II - art. 7 - para 2 - point b | (b) supplement Article 12 to establish technical screening criteria, for each relevant environmental objective, for determining whether an economic activity in respect of which screening criteria are established pursuant to point (a) of this paragraph is considered, for the purposes of this Regulation, to cause significant harm to one or more of those objectives. | b. supplement Article 12 to establish technical screening criteria, for each relevant environmental objective, for determining whether an economic activity in respect of which screening criteria are established pursuant to point (a) of this paragraph is considered, for the purposes of this Regulation, to cause significant harm to one or more of those objectives. | (b) supplement Article 12 to establish technical screening criteria <i>based on indicators</i> , for each relevant environmental objective, for determining whether an economic activity in respect of which screening criteria <i>based on indicators</i> are established pursuant to point (a) of this paragraph is considered, for the purposes of this Regulation, to cause significant harm to one or more of those objectives. |
| 220 | Chapter | 3. The Commission shall establish the | 3. The Commission shall establish the | 3. The Commission shall establish the |

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| | II - art. 7 - para 3 | technical screening criteria referred to in paragraph 2 together in one delegated act, taking into account the requirements laid down in Article 14. | technical screening criteria referred to in paragraph 2 <u>of this Article</u> in one delegated act, taking into account the requirements laid down in Article 14. | technical screening criteria <i>based on indicators</i> referred to in paragraph 2 together in one delegated act, taking into account the requirements laid down in Article 14. |
| 221 | Chapter II - art. 7 - para 4 | 4. The Commission shall adopt the delegated act referred to in paragraph 2 by 31 December 2019, with a view to ensure its entry into application on 1 July 2020. | <u>4. The Commission shall, within the framework of the delegated act referred to in paragraph 2 of this Article, adopt implementing acts to set quantitative or qualitative thresholds, or a combination thereof, which must be met by the economic activity in order to be considered environmentally sustainable. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16a. 4. — The Commission shall adopt the delegated act referred to in paragraph 2 by 31 December 2019, with a view to ensure its entry into application on 1 July 2020.</u> | 4. The Commission shall adopt the delegated act referred to in paragraph 2 by 31 December 2019, with a view to ensure its entry into application on 1 July 2020. [Am. 43] |

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| 222 | Chapter II - art. 7 - para 5 (new) | | <u>5. The Commission shall adopt the delegated act and the implementing act referred to in paragraphs 2, 3 and 4 by 31 December 2021, with a view to ensuring their entry into application on 31 December 2022.</u> | |
| 223 | Chapter II - art. 8 -title | Article 8 Substantial contribution to sustainable use and protection of water and marine resources | Article 8 Substantial contribution to sustainable use and protection of water and marine resources | Article 8 Substantial contribution to sustainable use and protection of water and marine resources |
| 224 | Chapter II - art. 8 -para. 1 - introd. part | 1. An economic activity shall be considered to be contributing substantially to sustainable use and protection of water and marine resources where that activity substantially contributes to the good status of waters, including freshwater, transitional waters and coastal waters, or to the good environmental status of marine waters, through any of the following means: | 1. An economic activity shall be considered to be contributing <u>be contributing</u> substantially to <u>the</u> sustainable use and protection of water and marine resources where that activity substantially contributes to <u>improving or preventing the deterioration of and/or improving the good status or potential, as appropriate, of water bodies, including freshwatersurface water and groundwater bodies, transitional waters and coastal waters</u> , or to <u>improving or preventing the</u> | 1. An economic activity shall be considered to be contributing substantially to sustainable use and protection of water bodies and marine waters where that activity substantially contributes to the good status of waters, including inland surface waters, estuaries and coastal waters, or to the good environmental status of marine waters, where that activity takes adequate measures to restore, protect or maintain the biological diversity, productivity, resilience, value and |

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| | | | deterioration of good the environmental status of marine waters, through any of the following means: | <i>the overall health of marine ecosystem, as well of the livelihoods of communities dependent upon them</i> , through any of the following means: |
| 225 | Chapter II - art. 8 -para. 1 - point a | (a) protecting the aquatic environment from the adverse effects of urban and industrial waste water discharges by ensuring adequate collection and treatment of urban and industrial waste waters in accordance with Articles 3, 4, 5 and 11 of Council Directive 91/271/EEC ¹³⁹ ; | a. protecting the aquatic environment from the adverse effects <u>impact</u> of urban and industrial waste water discharges including by ensuring <u>the</u> adequate collection, and treatment <u>and discharge</u> of urban and industrial waste waters in accordance with Articles 3, 4, 5 and 11 of Council Directive 91/271/EEC 140 ; | (a) protecting the aquatic environment, <i>including bathing water (riparian and sea water)</i> , from the adverse effects of urban and industrial waste water discharges, <i>including plastics</i> , by ensuring adequate collection and treatment of urban and industrial waste waters in accordance with Articles 3, 4, 5 and 11 of Council Directive 91/271/EEC ¹⁴¹ <i>or in accordance with the best available technique set out in the Directive 2010/75/EU</i> ; |
| 226 | Chapter II - art. 8 -para. 1 | | | <i>(aa) protecting the aquatic environment from the adverse effects of at sea emissions and discharges in accordance with IMO based</i> |

¹³⁹ Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment (OJ L 135, 30.5.1991, p. 40).
~~271/EEC of 21 May 1991 concerning urban waste water treatment (OJ L 135, 30.5.1991, p. 40).~~

¹⁴¹ Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment (OJ L 135, 30.5.1991, p. 40).

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| | - point aa (new) | | | <i>conventions such as MARPOL, as well as conventions not covered under MARPOL such as the Ballast Water Management Convention and the Regional Seas Conventions;</i> |
| 227 | Chapter II - art. 8 -para. 1 - point b | (b) protecting human health from the adverse effects of any contamination of drinking water by ensuring that it is free from any micro-organisms, parasites and a substances that constitute a potential danger to human health, and that it meets the minimum requirements set out in Annex I, Parts A and B, to Council Directive 98/83/EC ¹⁴² , and increasing citizens' access to clean drinking water; | b. protecting human health from the adverse effects impact of any contamination of drinking -water intended for human consumption by ensuring that it is free from any micro-organisms, parasites and a substances that constitute a potential danger to human health, and that it meets the minimum requirements set out in Annex I, Parts A and B, to Council Directive 98/83/EC ¹⁴³ , as well as and increasing citizens' access to clean drinking water; | (b) protecting human health from the adverse effects of any contamination of drinking water by ensuring that it is free from any micro-organisms, parasites and a substances that constitute a potential danger to human health, and verifying that it meets the minimum requirements set out in Annex I, Parts A and B, to Council Directive 98/83/EC ¹⁴⁴ , and increasing citizens' access to clean drinking water; |
| 228 | Chapter II - art. 8 | (c) abstracting water in keeping with the objective of good quantitative status as defined | e. — abstracting water in keeping with the objective of good quantitative status as | (c) abstracting water in keeping with the objective of good quantitative status as defined |

¹⁴² Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption (OJ L 330, 5.12.1998, p. 32).

~~— Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption (OJ L 330, 5.12.1998, p. 32).~~

¹⁴⁴ Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption (OJ L 330, 5.12.1998, p. 32).

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| | -para. 1 - point c | in table 2.1.2 in Annex V to Directive 2000/60/EC; | defined in table 2.1.2 in Annex V to Directive 2000/60/EC; | in table 2.1.2 in Annex V to Directive 2000/60/EC; |
| 229 | Chapter II - art. 8 -para. 1 - point d | (d) improving water efficiency, facilitating water reuse, or any other activity that protects or improves quality of Union's water bodies in accordance with Directive 2000/60/EC; | d. improving water <u>management and efficiency, including preventing deterioration, protecting and enhancing the status of aquatic ecosystems, promoting sustainable water use based on a long-term protection of available water resources, ensuring the progressive reduction of pollutant emissions into surface water and groundwater or contributing to mitigating the effects of floods and droughts facilitating systems of rainwater management, water reuse,</u> or any other activity that protects or improves <u>the quality and quantity status</u> of Union's water bodies in accordance with Directive 2000/60/EC; | (d) improving water <i>management and</i> efficiency, facilitating water reuse, <i>systems of rainwater management</i> or any other activity that protects or improves quality <i>and quantity</i> of <i>the</i> Union's water bodies in accordance with Directive 2000/60/EC; |
| 230 | Chapter II - art. 8 | (e) ensuring the sustainable use of marine ecosystem services or contributing to good | e. ensuring the sustainable use of marine ecosystems, <u>resources, goods and</u> | (e) ensuring the sustainable use of marine ecosystem services or contributing to good |

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| | -para. 1 - point e | environmental status of marine waters, as determined on the basis of the qualitative descriptors set out in Annex I to Directive 2008/56/EC and as further specified in Commission Decision (EU) 2017/848 ¹⁴⁵ . | services or contributing to good environmental status of marine waters by protecting and preserving the marine environment and preventing its deterioration, or restoring marine ecosystems in areas where they have been adversely affected, as determined on the basis of the qualitative descriptors set out in Annex I to Directive 2008/56/EC and as further specified in Commission Decision (EU) 2017/848¹⁴⁶ and in line with the objectives of Regulation (EU) No 1380/2013¹⁴⁷. | environmental status of marine waters, as determined on the basis of the qualitative descriptors set out in Annex I to Directive 2008/56/EC and as further specified in Commission Decision (EU) 2017/848 ¹⁴⁸ . |
| 231 | Chapter | 2. The Commission shall adopt a delegated | 2. The Commission shall adopt delegated | 2. The Commission shall adopt a delegated |

¹⁴⁵ Commission Decision (EU) 2017/848 of 17 May 2017 laying down criteria and methodological standards on good environmental status of marine waters and specifications and standardised methods for monitoring and assessment, and repealing Decision 2010/477/EU (OJ L 125, 18.5.2017, p. 43).

¹⁴⁸ Commission Decision (EU) 2017/848 of 17 May 2017 laying down criteria and methodological standards on good environmental status of marine waters and specifications and standardised methods for monitoring and assessment, and repealing Decision 2010/477/EU (OJ L 125, 18.5.2017, p. 43).

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| | II - art. 8 -para. 2 - introd. part | act in accordance with Article 16 to: | act in accordance with Article 16 <u>and, prior to their adoption, gather all necessary expertise from the Platform regarding technical screening criteria and assess the implementation of the criteria taking into account the outcome of their application by financial market participants and their reception and impact on capital markets</u> to: | act in accordance with Article 16 to: |
| 232 | Chapter II - art. 8 -para. 2 - point a | (a) supplement paragraph 1 to establish technical screening criteria for determining under which conditions a specific economic activity is considered, for the purposes of this Regulation, to contribute substantially to sustainable use and protection of water and marine resources; | a.____supplement paragraph 1 to establish technical screening criteria for determining under which conditions a specific economic activity is considered, for the purposes of this Regulation, to contribute substantially to sustainable use and protection of water and marine resources <u>as regards</u> | (a) supplement paragraph 1 to establish technical screening criteria <i>based on indicators</i> for determining under which conditions a specific economic activity is considered, for the purposes of this Regulation, to contribute substantially to sustainable use and protection of water and marine resources; |
| 233 | Chapter II - art. 8 -para. 2 - point a | | <u>(i) the sector classification and rubric of a given economic activity;</u> | |

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| | - point i (new) | | | |
| 234 | Chapter II - art. 8 -para. 2 - point a - point ii (new) | | <u>(ii) the criteria applicable to a given economic activity; and</u> | |
| 235 | Chapter II - art. 8 -para. 2 - point a - point iii (new) | | <u>(iii) the metrics used to measure the environmental performance of the economic activity, including defining the boundaries for this measurement.</u> | |
| 236 | Chapter II - art. 8 -para. 2 - point b | (b) supplement Article 12 to establish technical screening criteria, for each relevant environmental objective, for determining whether an economic activity in respect of which screening criteria are established pursuant to point (a) of this paragraph is | b. supplement Article 12 to establish technical screening criteria, for each relevant environmental objective, for determining whether an economic activity in respect of which screening criteria are established pursuant to point (a) of this paragraph is | (b) supplement Article 12 to establish technical screening criteria <i>based on indicators</i> , for each relevant environmental objective, for determining whether an economic activity in respect of which screening criteria <i>based on indicators</i> are established pursuant to point (a) |

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| | | considered, for the purposes of this Regulation, to cause significant harm to one or more of those objectives. | considered, for the purposes of this Regulation, to cause significant harm to one or more of those objectives. | of this paragraph is considered, for the purposes of this Regulation, to cause significant harm to one or more of those objectives. |
| 237 | Chapter II - art. 8 -para. 3 | 3. The Commission shall establish the technical screening criteria referred to in paragraph 2 together in one delegated, and taking into account the requirements laid down in Article 14. | 3. The Commission shall establish the technical screening criteria referred to in paragraph 2 <u>of this Article</u> in one delegated act, taking into account the requirements laid down in Article 14. | 3. The Commission shall establish the technical screening criteria referred to in paragraph 2 together in one delegated, and taking into account the requirements laid down in Article 14. |
| 238 | Chapter II - art. 8 -para. 4 | 4. The Commission shall adopt the delegated act referred to in paragraph 2 by 1 July 2022, with a view to ensure its entry into application on 31 December 2022. | <u>4. The Commission shall, within the framework of the delegated act referred to in paragraph 2 of this Article, adopt implementing acts to set quantitative or qualitative thresholds, or a combination thereof, which must be met by the economic activity in order to be considered environmentally sustainable. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16a. 4-</u> —— The Commission shall adopt the | 4. The Commission shall adopt the delegated act referred to in paragraph 2 by 1 July 2022, with a view to ensure its entry into application on 31 December 2022. [Am. 44] |

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| | | | delegated act referred to in paragraph 2 by 1 July 2022, with a view to ensure its entry into application on 31 December 2022. | |
| 239 | Chapter II - art. 8 -para. 5 (new) | | <u>5. The Commission shall adopt the delegated act and the implementing act referred to in paragraphs 2, 3 and 4 by 31 December 2021, with a view to ensuring their entry into application on 31 December 2022</u> | |
| 240 | Chapter II - art. 9 - title | Article 9 Substantial contribution to the circular economy and waste prevention and recycling | Article 9 Substantial contribution to the circular economy and <u>including waste prevention and recycling</u> and waste prevention and recycling | Article 9 Substantial contribution to the circular economy, including waste prevention and increasing the uptake of secondary raw materials |
| 241 | Chapter II - art. 9 - para. 1 - intod. | 1. An economic activity shall be considered to contribute substantially to the transition to a circular economy and waste prevention and recycling where that activity contributes substantially to that environmental objective | 1. An economic activity shall be considered to contribute substantially to the transition to a <u>more</u> circular economy <u>including</u> and waste prevention and recycling where that activity contributes substantially | 1. An economic activity shall be considered to contribute substantially to the transition to a circular economy, including waste prevention <i>re-use</i> and recycling, <i>covering the entire life cycle of a product or economic activity in</i> |

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| | part | through any of the following means: | to that environmental objective through any of the following means: | <i>different stages of production, consumption and end of use</i> , where that activity, <i>in line with the EU acquis</i> , contributes substantially to that environmental objective through any of the following means: |
| 242 | Chapter II - art. 9 - para. 1 - point a | (a) improving the efficient use of raw materials in production, including through reducing the use of primary raw materials and increasing the use of by-products and waste; | a. improving the efficient use of raw materials in production, including through reducing the use of primary raw materials and increasing the <u>sustainable</u> use of by-products <u>and secondary raw materials and waste</u> ; | (a) improving the efficient use of raw materials <i>and resources</i> in production, including through reducing the use of primary raw materials and increasing the use of by-products and <i>secondary raw materials, thus supporting end of waste operations</i> ; |
| 243 | Chapter II - art. 9 - para. 1 - point b | (b) increasing the durability, reparability, upgradability or reusability of products; | b. increasing the durability, reparability, upgradability or reusability of products; | (b) <i>designing, manufacturing and</i> increasing the use of products <i>that are resource-efficient, durable (including in terms of life span and absence of planned obsolescence), repairable, re-usable and upgradable</i> ; |
| 244 | Chapter II - art. 9 - para. 1 | (c) increasing the recyclability of products, including of individual materials contained in products, inter alia through substitution or | c. increasing the recyclability of products, including of individual materials contained in products, inter alia through | (c) <i>designing out of waste products and</i> increasing the <i>reusability and</i> recyclability of products, including of individual materials |

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| | - point c | reduced use of products and materials that are not recyclable; | substitution or reduced use of products and materials that are not recyclable; | contained in products, inter alia through substitution or reduced use of products and materials that are not recyclable; |
| 245 | Chapter II - art. 9 - para. 1 - point d | (d) reducing the content of hazardous substances in materials and products; | d. <u>substantially</u> reducing the content of hazardous substances in materials and products <u>in line with the requirements of the EU legislation throughout the lifecycle, including by replacing them with safer alternatives and by improving traceability;</u> | (d) reducing the content of hazardous substances <i>and substituting substances of very high concern</i> in materials and products, <i>in line with the harmonised legal requirements laid down at Union level, particularly, with the provisions laid down by EU legislation ensuring safe management of substances, materials and products and waste;</i> |
| 246 | Chapter II - art. 9 - para. 1 - point e | (e) prolonging the use of products including through increasing reuse, remanufacturing, upgrading, repair and sharing of products by consumers; | e. prolonging the use of products, <u>buildings, facilities and infrastructure</u> including through increasing reuse, <u>design for longevity, repurposing, disassembly,</u> remanufacturing, upgrading, repair and sharing of products by consumers; | (e) prolonging the use of products including through increasing reuse, remanufacturing, upgrading, repair and sharing of products by consumers; |
| 247 | Chapter II - art. 9 - para. 1 | (f) increasing the use of secondary raw materials and their quality, including through | f. increasing the use of secondary raw materials and their quality, including | (f) increasing the use of secondary raw materials and their quality, including through |

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| | - point f | high-quality recycling of waste; | through-by high-quality recycling of waste ; | high-quality recycling of waste; |
| 248 | Chapter II - art. 9 - para. 1 - point g | (g) reducing waste generation; | <u>g. preventing or</u> reducing waste generation; | (g) reducing waste generation <i>including waste generation in processes related to industrial production, extraction of minerals, manufacturing, construction and demolition</i> ; |
| 249 | Chapter II - art. 9 - para. 1 - point h | (h) increasing preparing for re-use and recycling of waste; | h. increasing preparing for re-use and recycling; | (h) increasing preparing for re-use and recycling of waste <i>in accordance with the waste hierarchy</i> ; |
| 250 | Chapter II - art. 9 - para. 1 - point ha (new) | | | <i>(ha) increasing the development of waste management infrastructure needed for prevention, re-use and recycling</i> ; |
| 251 | Chapter II - art. 9 - para. 1 - point i | (i) avoiding incineration and disposal of waste; | i. <u>minimising</u> avoiding incineration and <u>avoiding</u> disposal <u>(including landfilling)</u> of waste, <u>in accordance with principles of the waste hierarchy as set out in Article 4 of Directive 2008/98/EC</u> ; | (i) avoiding incineration, and disposal <i>and landfilling</i> of waste <i>in line with the waste hierarchy</i> ; |

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| 252 | Chapter II - art. 9 - para. 1 - point j | (j) avoiding and cleaning-up of litter and other pollution caused by improper waste management; | j. avoiding and cleaning-up of litter and other pollution caused by improper waste management ; | (j) avoiding, reducing and cleaning-up of litter and other pollution including prevention and reduction of marine litter , caused by improper waste management; |
| 253 | Chapter II - art. 9 - para. 1 - point ja (new) | | | (ja) reducing the generation of food waste in primary production, in processing and manufacturing, in retail and other distribution of food, in restaurants and food services as well as in households; |
| 254 | Chapter II - art. 9 - para. 1 - point k | (k) using natural energy resources efficiently. | k. <u>improving the efficient use of natural resources, through energy and resource efficiency measures leading to significant savings.</u> using natural energy resources efficiently. | (k) using natural energy resources, raw materials, water and land efficiently. |
| 255 | Chapter II - art. 9 - para. 1 - point ka (new) | | | (ka) fostering bio-economy through the sustainable use of renewable sources for the production of materials and commodities. |

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| 256 | Chapter II - art. 9 - para. 2 - introd. part | 2. The Commission shall adopt a delegated act in accordance with Article 16 to: | 2. The Commission shall adopt delegated act in accordance with Article 16 <u>and, prior to their adoption, gather all necessary expertise the Platform regarding technical screening criteria and assess the implementation of the criteria taking into account the outcome of their application by financial market participants and their reception and impact on capital markets</u> to: | 2. The Commission shall adopt a delegated act in accordance with Article 16 to: |
| 257 | Chapter II - art. 9 - para. 2 - point a | (a) supplement paragraph 1 to establish technical screening criteria for determining under which conditions a specific economic activity is considered, for the purposes of this Regulation, to contribute substantially to the circular economy and waste prevention and recycling; | a. supplement paragraph 1 to establish technical screening criteria for determining under which conditions a specific economic activity is considered, for the purposes of this Regulation, to contribute substantially to the transition to a more circular economy and including waste prevention and recycling, <u>as regards</u> | (a) supplement paragraph 1 to establish technical screening criteria, <i>based on the Commission's circular economy indicators</i> , for determining under which conditions a specific economic activity is considered, for the purposes of this Regulation, to contribute substantially to the circular economy and waste prevention and recycling; |
| 258 | Chapter II - art. 9 | | <u>(i) the sector classification and rubric of a given economic activity;</u> | |

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| | - para. 2 - point a -point i (new) | | | |
| 259 | Chapter II - art. 9 - para. 2 - point a -point ii (new) | | <u>(ii) the criteria applicable to a given economic activity; and</u> | |
| 260 | Chapter II - art. 9 - para. 2 - point a -point iii (new) | | <u>(iii) the metrics used to measure the environmental performance of the economic activity, including defining the boundaries for this measurement.</u> | |
| 261 | Chapter II - art. 9 - para. 2 | (b) supplement Article 12 to establish technical screening criteria, for each relevant environmental objective, for determining whether an economic activity in respect of | b. supplement Article 12 to establish technical screening criteria, for each relevant environmental objective, for determining whether an economic activity in respect of | (b) supplement Article 12 to establish technical screening criteria, <i>based on the Commission's circular economy indicators</i> , for each relevant environmental objective, for |

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| | - point b | which screening criteria are established pursuant to point (a) of this paragraph is considered, for the purposes of this Regulation, to cause significant harm to one or more of those objectives. | which screening criteria are established pursuant to point (a) of this paragraph is considered, for the purposes of this Regulation, to cause significant harm to one or more of those objectives. | determining whether an economic activity in respect of which screening criteria are established pursuant to point (a) of this paragraph is considered, for the purposes of this Regulation, to cause significant harm to one or more of those objectives. |
| 262 | Chapter II - art. 9 - para. 3 | 3. The Commission shall establish the technical screening criteria referred to in paragraph 2 together in one delegated act, taking into account the requirements laid down in Article 14. | 3. The Commission shall establish the technical screening criteria referred to in paragraph 2 <u>of this Article</u> in one delegated act, taking into account the requirements laid down in Article 14. | 3. The Commission shall establish the technical screening criteria <i>based on the Commission's circular economy indicators</i> referred to in paragraph 2 together in one delegated act, taking into account the requirements laid down in Article 14. |
| 263 | Chapter II - art. 9 - para. 4 | 4. The Commission shall adopt the delegated act referred to in paragraph 2 by 1 July 2021, with a view to ensure its entry into application on 31 December 2021. | <u>4. The Commission shall, within the framework of the delegated act referred to in paragraph 2 of this Article, adopt implementing acts to set quantitative or qualitative thresholds, or a combination thereof, which must be met by the economic activity in order to be considered environmentally sustainable. Those</u> | 4. The Commission shall adopt the delegated act referred to in paragraph 2 by 1 July 2021, with a view to ensure its entry into application on 31 December 2021. [Am. 45] |

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| | | | <u>implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16a. 4.</u> <u>The Commission shall adopt the delegated act referred to in paragraph 2 by 1 July 2021, with a view to ensure its entry into application on 31 December 2021.</u> | |
| 264 | Chapter II - art. 9 - para. 5 (new) | | <u>5. The Commission shall adopt the delegated act and the implementing act referred to in paragraphs 2, 3 and 4 by 31 December 2021, with a view to ensuring their entry into application on 31 December 2022.</u> | |
| 265 | Chapter II - art. 10 - title | Article 10 Substantial contribution to pollution prevention and control | Article 10 Substantial contribution to pollution prevention and control | Article 10 Substantial contribution to pollution prevention and control |
| 266 | Chapter II - art. 10 - | 1. An economic activity shall be considered to contribute substantially to pollution prevention and control where that activity | 1. An economic activity shall be considered to contribute substantially to pollution prevention and control where that | 1. An economic activity shall be considered to contribute substantially to pollution prevention and control where that activity |

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| | para. 1 - introd. part | contributes to a high level of environmental protection from pollution through any of the following means: | activity contributes to a high level of <u>substantially to</u> environmental protection from pollution through any of the following means: | contributes <u>substantially to</u> environmental protection from pollution through any of the following means: |
| 267 | Chapter II - art. 10 - para. 1 - point a | (a) reducing air, water and soil pollutant emissions other than greenhouse gasses; | a. <u>preventing or</u> reducing <u>pollutant emissions into</u> air, water <u>or land and soil</u> pollutant emissions other than greenhouse gasses; | (a) reducing air, water and soil pollutant emissions other than greenhouse gasses; |
| 268 | Chapter II - art. 10 - para. 1 - point b | (b) improving levels of air, water or soil quality in the areas in which the economic activity takes place whilst minimizing negative impacts on, and risks to, human health and the environment; | b. improving levels of air, water or soil quality in the areas in which the economic activity takes place whilst minimizing negative impacts on, and risks to, human health and the environment; | (b) improving levels of air, water or soil quality in the areas in which the economic activity takes place whilst minimizing negative impacts on, and risks to, human health and the environment; |
| 269 | Chapter II - art. 10 - para. 1 - point c | (c) minimising significant adverse effects on human health and the environment of the production and use of chemicals. | c. <u>preventing or minimising significant</u> adverse effects <u>impact</u> on human health and the environment of the production, and <u>and disposal</u> of chemicals; | (c) minimising significant adverse effects on human health and the environment of the production and use of chemicals. |

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| 270 | Chapter II - art. 10 - para. 1 - point d (new) | | <u>d. cleaning-up -litter and other pollution.</u> | |
| 271 | Chapter II - art. 10 - para. 2 - introd. part | 2. The Commission shall adopt a delegated act in accordance with Article 16 to: | 2. The Commission shall adopt delegated act in accordance with Article 16 <u>and, prior to their adoption, gather all necessary expertise from the Platform regarding technical screening criteria and assess the implementation of the criteria taking into account the outcome of their application by financial market participants and their reception and impact on capital markets</u> to: | 2. The Commission shall adopt a delegated act in accordance with Article 16 to: |
| 272 | Chapter II - art. 10 - para. 2 - | (a) supplement paragraph 1 to establish technical screening criteria for determining under which conditions a specific economic activity is considered, for the purposes of this | a. supplement paragraph 1 to establish technical screening criteria for determining under which conditions a specific economic activity is considered, for the purposes of this | (a) supplement paragraph 1 to establish technical screening criteria <i>based on indicators</i> for determining under which conditions a specific economic activity is considered, for the |

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| | point a | Regulation, to contribute substantially to pollution prevention and control; | Regulation, to contribute substantially to pollution prevention and control as regards | purposes of this Regulation, to contribute substantially to pollution prevention and control; |
| 273 | Chapter II - art. 10 - para. 2 - point a - point i (new) | | <u>(i) the sector classification and rubric of a given economic activity;</u> | |
| 274 | Chapter II - art. 10 - para. 2 - point a - point ii (new) | | <u>(ii) the criteria applicable to a given economic activity; and</u> | |
| 275 | Chapter II - art. 10 - | | <u>(iii) the metrics used to measure the environmental performance of the economic activity, including defining the</u> | |

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| | para. 2 - point a - point iii (new) | | <u>boundaries for this measurement.</u> | |
| 276 | Chapter II - art. 10 - para. 2 - point b | (b) supplement Article 12 to establish technical screening criteria, for each relevant environmental objective, for determining whether an economic activity in respect of which screening criteria are established pursuant to point (a) of this paragraph is considered, for the purposes of this Regulation, to cause significant harm to one or more of those objectives. | b. supplement Article 12 to establish technical screening criteria, for each relevant environmental objective, for determining whether an economic activity in respect of which screening criteria are established pursuant to point (a) of this paragraph is considered, for the purposes of this Regulation, to cause significant harm to one or more of those objectives. | (b) supplement Article 12 to establish technical screening criteria <i>based on indicators</i> , for each relevant environmental objective, for determining whether an economic activity in respect of which screening criteria are established pursuant to point (a) of this paragraph is considered, for the purposes of this Regulation, to cause significant harm to one or more of those objectives. |
| 277 | Chapter II - art. 10 - para. 3 | 3. The Commission shall establish the technical screening criteria referred to in paragraph 2 together in one delegated act, taking into account the requirements laid down in Article 14. | 3. The Commission shall establish the technical screening criteria referred to in paragraph 2 <u>of this Article</u> in one delegated act, taking into account the requirements laid down in Article 14. | 3. The Commission shall establish the technical screening criteria referred to in paragraph 2 together in one delegated act, taking into account the requirements laid down in Article 14. |
| 278 | Chapter II - art. | 4. The Commission shall adopt the delegated act referred to in paragraph 2 by 1 | <u>4. The Commission shall, within the framework of the delegated act referred to</u> | 4. The Commission shall adopt the delegated act referred to in paragraph 2 by 1 |

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| | 10 - para. 4 | July 2021, with a view to ensure its entry into application on 31 December 2021. | <u>in paragraph 2 of this Article, adopt implementing acts to set quantitative or qualitative thresholds, or a combination thereof, which must be met by the economic activity in order to be considered environmentally sustainable. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16a. 4.</u> —— The Commission shall adopt the delegated act referred to in paragraph 2 by 1 July 2021, with a view to ensure its entry into application on 31 December 2021. | July 2021, with a view to ensure its entry into application on 31 December 2021. [Am. 46] |
| 279 | Chapter II - art. 10 - para. 5 (new) | | <u>5. The Commission shall adopt the delegated act and the implementing act referred to in paragraphs 2, 3 and 4 by 31 December 2021, with a view to ensuring their entry into application on 31 December 2022.</u> | |

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| 280 | Chapter II - art. 11 - title | Article 11 Substantial contribution to protection of healthy ecosystems | Article 11 Substantial contribution to protection <u>and restoration of biodiversity and restoration of healthy</u> ecosystems | Article 11 Substantial contribution to protection of <i>biodiversity and</i> healthy ecosystems <i>or to restoration of degraded ecosystems</i> |
| 281 | Chapter II - art. 11 - para. 1 - introd. part | 1. For the purposes of this Regulation, an economic activity shall be considered to contribute substantially to healthy ecosystems where that activity contributes substantially to protecting, conserving and enhancing biodiversity and ecosystem services in line with the relevant legislative and non-legislative Union instruments, through any of the following means: | 1. For the purposes of this Regulation, an economic activity shall be considered to contribute substantially to <u>the protection and restoration of biodiversity and restoration of healthy</u> ecosystems where that activity contributes substantially to protecting, conserving and enhancing biodiversity and ecosystem services in line with the relevant legislative and non-legislative Union instruments, through any of the following means: | 1. For the purposes of this Regulation, an economic activity shall be considered to contribute substantially to <i>biodiversity and healthy ecosystems or the restoration of degraded</i> healthy ecosystems where that activity contributes substantially to protecting, conserving and enhancing <i>or restoring</i> biodiversity and ecosystem services in line with the relevant legislative and non-legislative Union instruments, through any of the following means: |
| 282 | Chapter II - art. 11 - para. 1 - point a | (a) nature conservation (habitats, species); protecting, restoring and enhancing the condition of ecosystems and their capacity to provide services; | a. nature <u>and biodiversity</u> conservation (habitats, species), including; <u>and improving the conservation status of habitats and species,</u> restoring <u>and enhancing the condition of terrestrial,</u> | (a) nature conservation <i>measures to maintain or restore natural</i> (habitats, and species); <i>of wild fauna and flora at favourable conservation status to reach adequate populations of naturally occurring</i> |

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| | | | <u>marine and aquatic</u> ecosystems <u>in order to improve their status and enhance</u> their capacity to provide services; | <i>species and measures to protect, restore and enhance</i> the condition of ecosystems and their capacity to provide services; |
| 283 | Chapter II - art. 11 - para. 1 - point b | (b) sustainable land management, including adequate protection of soil biodiversity; land degradation neutrality; and the remediation of contaminated sites; | b. sustainable land <u>use and</u> management, including adequate protection of soil biodiversity, land degradation neutrality, and the remediation of contaminated sites; | (b) sustainable land management, including adequate protection of soil biodiversity; land degradation neutrality; and the remediation of contaminated sites; |
| 284 | Chapter II - art. 11 - para. 1 - point c | (c) sustainable agricultural practices, including those that contribute to halting or preventing deforestation and habitat loss; | c. sustainable agricultural practices, including those that contribute to <u>maintaining or enhancing biodiversity or to halting or preventing soil the degradation of soils and other ecosystems</u> , deforestation and habitat loss; | (c) sustainable agricultural practices, including those that contribute to halting or preventing deforestation and habitat loss; |
| 285 | Chapter II - art. 11 - para. 1 - point d | (d) sustainable forest management. | d. sustainable forest management <u>practices</u> ; | (d) sustainable forest management, <i>taking into account the EU Timber Regulation, the EU LULUCF Regulation, the EU Renewable Energy Directive (RED) and applicable national legislation, that is in line with these and the conclusions from the Ministerial</i> |

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| | | | | <i>Conference on the Protection of Forests in Europe (MCPFE).</i> |
| 286 | Chapter II - art. 11 - para. 2 - introd. part | 2. The Commission shall adopt a delegated act in accordance with Article 16 to: | 2. The Commission shall adopt delegated act in accordance with Article 16 <u>and, prior to their adoption, gather all necessary expertise from the Platform regarding technical screening criteria and assess the implementation of the criteria taking into account the outcome of their application by financial market participants and their reception and impact on capital markets</u> to: | 2. The Commission shall adopt a delegated act in accordance with Article 16 to: |
| 287 | Chapter II - art. 11 - para. 2 - point a | (a) supplement paragraph 1 to establish technical screening criteria for determining under which conditions a specific economic activity is considered, for the purposes of this Regulation, to contribute substantially to the protection of healthy ecosystems; | a. supplement paragraph 1 to establish technical screening criteria for determining under which conditions a specific economic activity is considered, for the purposes of this Regulation, to contribute substantially to the protection and <u>restoration</u> of <u>biodiversity and of healthy</u> ecosystems as regards | (a) supplement paragraph 1 to establish technical screening criteria <i>based on indicators</i> for determining under which conditions a specific economic activity is considered, for the purposes of this Regulation, to contribute substantially to the protection of <i>biodiversity and</i> healthy ecosystems <i>or restoration of degraded ecosystems</i> ; |

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| 288 | Chapter II - art. 11 - para. 2 - point a - point i (new) | | <u>(i) the sector classification and rubric of a given economic activity;</u> | |
| 289 | Chapter II - art. 11 - para. 2 - point a - point ii (new) | | <u>(ii) the criteria applicable to a given economic activity; and</u> | |
| 290 | Chapter II - art. 11 - para. 2 - point a - point iii | | <u>(iii) the metrics used to measure the environmental performance of the economic activity, including defining the boundaries for this measurement.</u> | |

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| | (new) | | | |
| 291 | Chapter II - art. 11 - para. 2 - point b | (b) supplement Article 12 to establish technical screening criteria, for each relevant environmental objective, for determining whether an economic activity in respect of which screening criteria are established pursuant to point (a) of this paragraph is considered, for the purposes of this Regulation, to cause significant harm to one or more of those objectives. | b. supplement Article 12 to establish technical screening criteria, for each relevant environmental objective, for determining whether an economic activity in respect of which screening criteria are established pursuant to point (a) of this paragraph is considered, for the purposes of this Regulation, to cause significant harm to one or more of those objectives. | (b) supplement Article 12 to establish technical screening criteria <i>based on indicators</i> , for each relevant environmental objective, for determining whether an economic activity in respect of which screening criteria <i>based on indicators</i> are established pursuant to point (a) of this paragraph is considered, for the purposes of this Regulation, to cause significant harm to one or more of those objectives. |
| 292 | Chapter II - art. 11 - para. 3 | 3. The Commission shall establish the technical screening criteria referred to in paragraph 2 together in one delegated act, taking into account the requirements laid down in Article 14. | 3. The Commission shall establish the technical screening criteria referred to in paragraph 2 <u>of this Article</u> in one delegated act, taking into account the requirements laid down in Article 14. | 3. The Commission shall establish the technical screening criteria referred to in paragraph 2 together in one delegated act, taking into account the requirements laid down in Article 14. |
| 293 | Chapter II - art. 11 - para. 4 | 4. The Commission shall adopt the delegated act referred to in paragraph 2 by 1 July 2022, with a view to ensure its entry into application on 31 December 2022. | <u>4. The Commission shall, within the framework of the delegated act referred to in paragraph 2 of this Article, adopt implementing acts to set quantitative or qualitative thresholds, or a combination</u> | 4. The Commission shall adopt the delegated act referred to in paragraph 2 by 1 July 2022, with a view to ensure its entry into application on 31 December 2022. [Am. 47] |

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| | | | <p><u>thereof, which must be met by the economic activity in order to be considered environmentally sustainable. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16a. 4.</u></p> <p>—— The Commission shall adopt the delegated act referred to in paragraph 2 by 1 July 2022, with a view to ensure its entry into application on 31 December 2022.</p> | |
| 294 | Chapter II - art. 11 - para. 5 (new) | | <p><u>5. The Commission shall adopt the delegated act and the implementing act referred to in paragraphs 2, 3 and 4 by 31 December 2021 with a view to ensuring their entry into application on 31 December 2022.</u></p> | |
| 295 | Chapter II - art. 12 - title | Article 12 Significant harm to environmental objectives | Article 12 Significant harm to environmental objectives | Article 12 Significant harm to environmental objectives |

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| 296 | Chapter II - art. 12 - para. 1 - introd. part | For the purposes of Article 3(b), an economic activity shall be considered as significantly harming: | For the purposes of Article 3(b), an economic activity shall be considered as significantly harming: | 1. For the purposes of Article 3(b), <i>taking into account its full life cycle</i> , an economic activity shall be considered as significantly harming: |
| 297 | Chapter II - art. 12 - para. 1 - point a | (a) climate change mitigation, where that activity leads to significant greenhouse gas emissions; | a. climate change mitigation, where that activity leads to significant greenhouse gas emissions; | (a) climate change mitigation, where that activity leads to significant greenhouse gas emissions; |
| 298 | Chapter II - art. 12 - para. 1 - point b | (b) climate change adaptation, where that activity leads to increased negative effect of current and expected climate, for and beyond the natural and built environment within which that activity takes place; | b. climate change adaptation, where that activity leads to <u>an</u> increased negative adverse impact of <u>the</u> current and expected climate, for and beyond the natural and built environment within which that activity takes place; | (b) climate change adaptation, where that activity leads to increased negative effect of current and expected climate, for and beyond the natural and built environment within which that activity takes place; |
| 299 | Chapter II - art. | (c) sustainable use and protection of water and marine resources, where that activity is | c. sustainable use and protection of water and marine resources, where that activity is | (c) sustainable use and protection of water and marine resources, where that activity is |

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| | 12 - para. 1 - point c | detrimental to a significant extent to good status of Union waters, including freshwater, transitional waters and coastal waters, or to good environmental status of marine waters of the Union; | detrimental to a significant extent to the good status, <u>or where relevant the good ecological potential of water bodies, including Union waters, including freshwatersurface waters and groundwaters, transitional waters and coastal waters,</u> or to <u>the</u> good environmental status of marine waters of the Union ; | detrimental to a significant extent to good status of Union waters, including freshwater, transitional waters and coastal waters, or to good environmental status of marine waters of the Union, <i>in line with Directives 2000/60/EC and 2008/56/EC establishing a framework for Community action in the field of water policy</i> ; |
| 300 | Chapter II - art. 12 - para. 1 - point d | (d) circular economy and waste prevention and recycling, where that activity leads to significant inefficiencies in the use of materials in one or more stages of the life-cycle of products, including in terms of durability, reparability, upgradability, reusability or recyclability of products; or where that activity leads to a significant increase in the generation, incineration or disposal of waste; | d. <u>the transition to a</u> circular economy <u>including and</u> waste prevention and recycling, where that activity leads to significant inefficiencies in the use of materials in one or more stages of the life-cycle of products, including in terms of durability, reparability, upgradability, reusability or recyclability of products; or where that activity leads to a significant increase in the generation, incineration or disposal <u>(including landfilling)</u> of waste <u>in deviation from priorities of the waste hierarchy set out in Article 4 of Directive</u> | (d) circular economy and waste prevention and recycling, where that activity leads to significant inefficiencies in the use of materials and resources, such as non-renewable energy, raw materials, water and land, directly or indirectly in different stages of the life-cycle of products; <i>including inefficiencies related to features designed to limit the lifetime of products and</i> including in terms of durability, reparability, upgradability, reusability or recyclability of products; or where that activity leads to a significant increase in the generation, incineration or disposal of waste; |

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| | | | <u>2008/98/EC;</u> | |
| 301 | Chapter II - art. 12 - para. 1 - point e | (e) pollution prevention and control where that activity leads to significant increase in emissions of pollutants to air, water and land, as compared to the situation before this activity started; | e. pollution prevention and control where that activity leads to <u>a</u> significant increase in the emissions of pollutants <u>into</u> air, water and or land, as compared to the situation before theis activity started; | (e) pollution prevention and control where that activity leads to significant increase in emissions of pollutants to air, water and land, as compared to the situation before this activity started; |
| 302 | Chapter II - art. 12 - para. 1 - point f | (f) healthy ecosystems, where that activity is detrimental to a significant extent to the good condition of ecosystems. | f. <u>the protection and restoration of biodiversity and restoration of healthy</u> ecosystems, where that activity is detrimental to a significant extent to <u>the status of habitats and species, and to achieving or maintaining</u> the good condition-status of ecosystems <u>and the services they provide, or where that activity is detrimental to the conservation status of habitats and species of Community interest, in line with Directive 92/43/EEC¹⁴⁹ and Directive 2009/147/EC¹⁵⁰.</u> | (f) healthy ecosystems, where that activity is detrimental to a significant extent to the good condition <i>and resilience</i> of ecosystems, <i>including biodiversity and land use.</i> |

¹⁴⁹ Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora.

¹⁵⁰ Directive 2009/147/EC of the European Parliament and of the Council on the conservation of wild birds.

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| 303 | Chapter II - art. 12 - para. 1a (new) | | | <i>1a. When assessing an economic activity against the criteria (a) to (f), the environmental impacts of the activity itself, as well as of the products and services provided by that activity throughout their entire life cycle and, if necessary, throughout the value chain, shall be taken into consideration.</i> [Ams. 48 and 101] |
| 304 | Chapter II - art. 13 - title | Article 13 Minimum safeguards | Article 13 Minimum safeguards | Article 13 Minimum safeguards |
| 305 | Chapter II - art. 13 - para. 1 - subpara. 1 | The minimum safeguards referred to in Article 3(c) shall be procedures implemented by the undertaking that is carrying out an economic activity to ensure that the principles and rights set out in the eight fundamental conventions identified in the International Labour Organisation's declaration on Fundamental Rights and Principles at Work, namely: the right not to be subjected to forced | The minimum safeguards referred to in point (c) of Article 3(e) shall be procedures implemented by the undertaking that is carrying out an economic activity to ensure the observation of the alignment with the <u>OECD Guidelines for Multinational Enterprises and UN Guiding Principles on Business and Human Rights, including</u> that the principles and rights set out in the | The minimum safeguards referred to in Article 3(c) shall be procedures implemented by the undertaking that is carrying out an economic activity to ensure <u>the observation of the OECD Guidelines for Multinational Enterprises and UN Guiding Principles on Business and Human Rights, including</u> the principles and rights set out in the eight fundamental conventions identified in the |

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| | | labour, the freedom of association, workers' right to organise, the right to collective bargaining, equal remuneration for men and women workers for work of equal value, non-discrimination in opportunity and treatment with respect to employment and occupation, as well as the right not to be subjected to child labour, are observed. | eight fundamental conventions identified in the International Labour Organisation's declaration on Fundamental Rights and Principles at Work, namely: the right not to be subjected to forced labour, the freedom of association, workers' right to organise, the right to collective bargaining, equal remuneration for men and women workers for work of equal value, non-discrimination in opportunity and treatment with respect to employment and occupation, as well as the right not to be subjected to child labour, are observed. <u>and the International Bill of Human Rights.</u> | International Labour Organisation's declaration on Fundamental Rights and Principles at Work and the International Bill of Human Rights. |
| 306 | Chapter II - art. 13 - para. 1 - subpara. 2 (new) | | | <i>By 31 December 2021, the Commission shall conduct an impact assessment on the consequences and appropriateness of revising this Regulation to include compliance with other minimum safeguards that the undertaking that is carrying out an economic</i> |

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| | | | | <i>activity has to observe in order to establish that economic activity as environmentally sustainable.</i> |
| 307 | Chapter II - art. 13 - para. 1 - subpara. 3 (new) | | | <i>The Commission shall be empowered to supplement this article by a delegated act specifying the criteria to determine whether the requirements of this Article are adhered to. When drawing up the delegated act referred to in this Article, the Commission shall consider the principles listed in paragraph 1 and 2. The Commission shall adopt that delegated act by 31 December 2020. [Ams. 49, 70, 72 and 93</i> |
| 308 | Chapter II - art. 14 - title | Article 14 Requirements for technical screening criteria | Article 14 Requirements for technical screening criteria | Article 14 Requirements for technical screening criteria |
| 309 | Chapter II - art. 14 - para. 1 - introd. | 1. The technical screening criteria adopted in accordance with Articles 6(2), 7(2), 8(2), 9(2), 10(2) and 11(2) shall: | {1. The technical screening criteria adopted in accordance with Articles 6(2) <u>and (4)</u> , 7(2) <u>and (4)</u> , 8(2) <u>and (4)</u> , 9(2) <u>and (4)</u> , 10(2) <u>and (4)</u> and 11(2) <u>and (4)</u> shall: | 1. The technical screening criteria adopted in accordance with Articles 6(2), 7(2), 8(2), 9(2), 10(2) and 11(2) shall: |

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| | part | | | |
| 310 | Chapter II - art. 14 - para. 1 - point -a (new) | | | <i>(-a) be based on harmonised indicators that measure environmental impact using a harmonised life cycle assessment;</i> |
| 311 | Chapter II - art. 14 - para. 1 - point a | (a) identify the most relevant potential contributions to the given environmental objective, considering not only the short-term but also the longer term impacts of a specific economic activity; | a. identify the most relevant potential contributions to the given environmental objective, <u>while respecting the principle of technological neutrality,</u> considering <u>not only the</u> both the short- term but also and the long-er term impacts of a <u>specific given</u> economic activity; | (a) identify the most relevant potential contributions to the given environmental objective, considering not only the short-term but also the longer term impacts of a specific economic activity; |
| 312 | Chapter II - art. 14 - para. 1 - point b | (b) specify the minimum requirements that need to be met to avoid significant harm to any of the relevant environmental objectives; | b. specify the minimum requirements that need to be met to avoid significant harm to any of the <u>all</u> relevant environmental objectives, <u>considering both the short and long term impacts of a given economic</u> | (b) specify the minimum requirements that need to be met to avoid significant harm to any of the relevant environmental objectives; |

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| | | | <u>activity;</u> | |
| 313 | Chapter II - art. 14 - para. 1 - point c | (c) be qualitative or quantitative, or both, and contain thresholds where possible; | c. be qualitative or quantitative, or both, and contain thresholds where as far as possible, <u>and be qualitative otherwise;</u> | (c) be qualitative or quantitative, or both, and contain thresholds where possible; |
| 314 | Chapter II - art. 14 - para. 1 - point d | (d) where appropriate, build upon Union labelling and certification schemes, Union methodologies for assessing environmental footprint, and Union statistical classification systems, and take into account any relevant existing Union legislation; | d. where appropriate, build upon Union labelling and certification schemes, Union methodologies for assessing <u>the</u> environmental footprint, and Union statistical classification systems, and take into account any relevant existing Union legislation;. | (d) where appropriate, build upon Union labelling and certification schemes, Union methodologies for assessing environmental footprint, and Union statistical classification systems, and take into account any relevant existing Union legislation; <i>acknowledging the competence of the Member States;</i> |
| 315 | Chapter II - art. 14 - para. 1 - point e | (e) be based on conclusive scientific evidence and take into account, where relevant, the precautionary principle enshrined in article 191 TFEU; | e. be based on conclusive scientific evidence and take into account, where relevant, the precautionary principle enshrined in article 191 TFEU; | (e) be based on conclusive scientific evidence ■ and adhere the precautionary principle enshrined in article 191 TFEU; |
| 316 | Chapter | (f) take into account the environmental | f. take into account the environmental | (f) take into account the environmental |

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| | II - art. 14 - para. 1 - point f | impacts of the economic activity itself, as well as of the products and services provided by that economic activity, notably by considering their production, use and end-of-life; | impacts of the economic activity itself, as well as of the products and services provided by that economic activity, notably by considering their production, use and end-of-life; | impacts of the economic activity itself, as well as of the products and services provided by that economic activity <i>throughout their entire life cycle and, if necessary, throughout the value chain</i> , by considering their production <i>from the processing of raw materials to the final product</i> , use, end-of-life <i>and recycling</i> ; |
| 317 | Chapter II - art. 14 - para. 1 - point fa (new) | | | <i>(fa) take into account the cost of non-action, based on the Sendai Framework for Disaster Risk Reduction 2015-2030;</i> |
| 318 | Chapter II - art. 14 - para. 1 - point g | (g) take into account the nature and the scale of the economic activity; | g. take into account the nature and the scale of the economic activity, <u>including the possible enabling nature of activities referred to in point (a) of Article 3 and activities which support the transition to a carbon neutral economy in accordance with Article 6(1a)</u> ; | (g) take into account the nature and the scale of the economic activity, <i>and taking into account if an activity is in transition to a sustainable configuration and/or operation, through research and innovation projects, specific timelines and pathways of this transition</i> ; |

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| 319 | Chapter II - art. 14 - para. 1 - point h | (h) take into account the potential impact on liquidity in the market, the risk of certain assets becoming stranded as a result of losing value due to the transition to a more sustainable economy, as well as the risk of creating inconsistent incentives; | h. take into account the potential <u>market</u> impact on liquidity in the market, the risk of certain assets becoming stranded as a result of losing value due to the transition to a more sustainable economy, <u>including the risk of certain assets becoming stranded as a result</u> , as well as the risk of creating inconsistent incentives <u>for investing sustainably</u> ; | (h) take into account ■ the risk of certain assets becoming stranded as a result of losing value due to the transition to a more sustainable economy, as well as the risk of creating inconsistent incentives; |
| 320 | Chapter II - art. 14 - para. 1 - point ha (new) | | | <i>(ha) are easy to apply and avoid unnecessary administrative burden from a compliance perspective;</i> |
| 321 | Chapter II - art. 14 - para. 1 - point i | (i) cover all relevant economic activities within a specific sector and ensure that those activities are treated equally if they contribute equally towards one or more environmental objectives, to avoid distorting competition in | i. cover all relevant economic activities within a specific sector and ensure that those activities are treated equally if their <u>net contribution</u> y contribute is equally towards one or more environmental objectives <u>laid</u> | (i) cover all relevant economic activities within a specific <i>an economic macro</i> -sector and ensure that those activities are treated equally <i>in terms of their sustainability risks</i> if they contribute equally towards one or more |

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| | | the market; | <u>down in Article 5 of this Regulation</u> , to avoid distorting competition in the market; | environmental objectives <i>and do not harm significantly any of the other environmental objectives under Articles 3 and 12</i> , to avoid distorting competition in the market; |
| 322 | Chapter II - art. 14 - para. 1 - point j | (j) be set as to facilitate the verification of compliance with those criteria whenever possible. | j. be set as to facilitate the verification of compliance with those criteria whenever possible . | (j) be set as to facilitate the verification of compliance with those criteria whenever possible. |
| 323 | Chapter II - art. 14 - para. 2 | 2. The technical screening criteria referred to in paragraph 1 shall also include criteria for activities related to the clean energy transition, in particular energy efficiency and renewable energy, to the extent that those are substantially contributing to any of the environmental objectives. | 2. The technical screening criteria referred to in paragraph 1 shall also include criteria for activities related to the clean energy transition, in particular energy efficiency and renewable energy, to the extent that those are substantially contributing to any of the environmental objectives. | 2. The technical screening criteria referred to in paragraph 1 shall also include criteria <i>based on indicators</i> for activities related to the clean energy transition <i>towards net-zero greenhouse gas emissions</i> , in particular energy efficiency and renewable energy, to the extent that those are substantially contributing to any of the environmental objectives. |
| 324 | Chapter II - art. 14 - | | | <i>2a. The technical screening criteria referred to in paragraph 1 shall ensure that power generation activities that use solid fossil fuels</i> |

| Nr | Ref. | European Commission | Council | European Parliament |
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| | para. 2a (new) | | | <i>are not considered environmentally sustainable economic activities.</i> |
| 325 | Chapter II - art. 14 - para. 2b (new) | | | <i>2b. That technical screening criteria shall ensure that economic activities that contribute to carbon intensive lock-in effects are not considered environmentally sustainable economic activities</i> |
| 326 | Chapter II - art. 14 - para. 2c (new) | | | <i>2c. The technical screening criteria shall ensure that power generation activities that produce non-renewable waste are not considered environmentally sustainable economic activities.</i> |
| 327 | Chapter II - art. 14 - para. 3 | 3. The technical screening criteria referred to in paragraph 1 shall also include criteria for activities related to the switch to clean or climate-neutral mobility, including through modal shift, efficiency measures and alternative fuels, to the extent that those are substantially contributing to any of the environmental | 3. The technical screening criteria referred to in paragraph 1 shall also include criteria for activities related to the switch to clean or climate-neutral mobility, including through modal shift, efficiency measures and alternative fuels, to the extent that those are substantially contributing to any of the | 3. The technical screening criteria referred to in paragraph 1 shall also include criteria for activities related to the switch to clean or climate-neutral mobility, including through modal shift, efficiency measures and alternative fuels, to the extent that those are substantially contributing to any of the environmental |

| Nr | Ref. | European Commission | Council | European Parliament |
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| | | objectives. | environmental objectives. | objectives. |
| 328 | Chapter II - art. 14 - para. 3a (new) | | | <i>3a. If the major part of the undertakings that conduct a specific economic activity are evidently engaged in a trajectory towards transforming this activity sustainable, the screening criteria may take this into account. Such a trajectory can be demonstrated through sustained research and development efforts, large investment projects in new and more sustainable technologies, or concrete transition plans in at least the early stages of implementation.</i> |
| 329 | Chapter II - art. 14 - para. 4 | 4. The Commission shall regularly review the screening criteria referred to in paragraph 1 and, if appropriate, amend the delegated acts adopted in accordance with this Regulation in line with scientific and technological developments. | 4. The Commission shall regularly review the <u>technical</u> screening criteria referred to in paragraph 1 and, <u>if-where</u> appropriate, amend the delegated acts adopted in accordance with this Regulation in line with scientific and technological developments. | 4. The Commission shall regularly review the screening criteria referred to in paragraph 1 and, if appropriate, amend the delegated acts adopted in accordance with this Regulation in line with scientific and technological developments. [Ams. 50, 73, 74, 75 and 104] |
| 330 | Chapter | Article 15 | Article 15 | Article 15 |

| Nr | Ref. | European Commission | Council | European Parliament |
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| | II - art. 15 - title | Platform on Sustainable Finance | Platform on Sustainable Finance | Platform on Sustainable Finance |
| 331 | Chapter II - art. 15 - para. 1 - introd. part | 1. The Commission shall establish a Platform on sustainable finance composed of: | 1. The Commission shall establish a <u>the</u> Platform on S sustainable F finance (<u>'the Platform'</u>) which shall be composed of: | 1. The Commission shall establish a Platform on sustainable finance <i>whose composition shall ensure balance, a wide range of views, and gender equality. It shall be composed, in balanced manner, of representatives from the following groups:</i> |
| 332 | Chapter II - art. 15 - para. 1 - point a | (a) representatives of: | a. representatives of: | (a) representatives of <i>the following</i> : |
| 333 | Chapter II - art. 15 - para. 1 - point a point i | (i) the European Environment Agency; | (i) the European Environment Agency; | (i) the European Environment Agency; |

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| 334 | Chapter II - art. 15 - para. 1 - point a - point ii | (ii) the European Supervisory Authorities; | (ii) the European Supervisory Authorities; | (ii) the European Supervisory Authorities; |
| 335 | Chapter II - art. 15 - para. 1 - point a - point iii | (iii) the European Investment Bank and the European Investment Fund; | (iii) the European Investment Bank and the European Investment Fund; | (iii) the European Investment Bank and the European Investment Fund; |
| 336 | Chapter II - art. 15 - para. 1 - point a - point iii - point iiiia | | | <i>(iiiia) the European Union Agency for Fundamental Rights;</i> |

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| | (new) | | | |
| 337 | Chapter II - art. 15 - para. 1 - point a - point iii - point iiib (new) | | | <i>(iiib) the European Financial Reporting Advisory Group (EFRAG);</i> |
| 338 | Chapter II - art. 15 - para. 1 - point b | (b) experts representing relevant private stakeholders; | b. experts representing relevant private stakeholders, <u>including financial and non- financial market actors and business sectors, representing relevant industries;</u> | (b) experts representing relevant private stakeholders, <i>including the financial and non- financial market actors and business sectors, representing relevant industries;</i> |
| 339 | Chapter II - art. 15 - para. 1 - point ba | | | <i>(ba) experts representing civil society, including with expertise in the field of environmental, social, labour and governance issues;</i> |

| Nr | Ref. | European Commission | Council | European Parliament |
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| | (new) | | | |
| 340 | Chapter II - art. 15 - para. 1 - point c | (c) experts appointed in a personal capacity, with proven knowledge and experience in the areas covered by this Regulation. | c. experts appointed in a personal capacity, with proven knowledge and experience in the areas covered by this Regulation; | (c) experts ■ <i>representing academia, including universities, research institutes and think tanks, including with global expertise.</i> |
| 341 | Chapter II - art. 15 - para. 1 - point d (new) | | <u>d. experts representing academia, including universities, research institutes and other scientific organisations, including those with global expertise;</u> | |
| 342 | Chapter II - art. 15 - para. 1a (new) | | | <i>1a. Experts referred to in points (b) and (c) shall be appointed in accordance with Article 237 of the Financial Regulation, and shall possess proven knowledge and experience in the areas covered by this Regulation, especially sustainability in the financial sector.</i> |
| 343 | Chapter | | <u>e. experts representing civil society,</u> | |

| Nr | Ref. | European Commission | Council | European Parliament |
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| | II - art. 15 - para. 1 - point e (new) | | <u>including those with expertise in the field of environmental, social, labour and governance issues.</u> | |
| 344 | Chapter II - art. 15 - para. 1b (new) | | | <i>1b. The European Parliament and the Council shall be duly informed in a timely manner of the selection procedure of experts for the Platform.</i> |
| 345 | Chapter II - art. 15 - para. 2 - intro. part | 2. The Platform on Sustainable Finance shall: | 2. The Platform on Sustainable Finance shall: | 2. The Platform on Sustainable Finance shall: |
| 346 | Chapter II - art. 15 - para. 2 - | | | <i>(-a) advise the Commission on the establishment of harmonised indicators referred to in Article 14, paragraph 1(-a) and the possible need to update them; in so doing it</i> |

| Nr | Ref. | European Commission | Council | European Parliament |
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| | point -a (new) | | | <i>shall draw on the work of relevant Union entities and initiatives, notably the Circular Economy Monitoring Framework.</i> |
| 347 | Chapter II - art. 15 - para. 2 - point a | (a) advise the Commission on the technical screening criteria referred to in Article 14, and the possible need to update those criteria; | a. advise the Commission on the technical screening criteria referred to in Article 14, and the possible need to update those criteria <u>taking into account the outcome of their application as appropriate</u> ; | (a) advise the Commission on the technical screening criteria referred to in Article 14, and the possible need to update those criteria; |
| 348 | Chapter II - art. 15 - para. 2 - point b | (b) analyse the impact of the technical screening criteria in terms of potential costs and benefits of their application; | b. analyse the impact of the technical screening criteria in terms of potential costs and benefits of their application; | (b) analyse the impact of the technical screening criteria <i>based on data and scientific research whenever available</i> in terms of potential costs and benefits of their application; |
| 349 | Chapter II - art. 15 - para. 2 - point c | (c) assist the Commission to analyse requests from stakeholders to develop or revise technical screening criteria for a given economic activity; | c. assist the Commission into analysinge requests from stakeholders to develop or revise technical screening criteria for a given economic activity; | (c) assist the Commission to analyse requests from stakeholders to develop or revise technical screening criteria for a given economic activity <i>based on data and scientific research whenever available; the conclusions of these analyses shall be published on the</i> |

| Nr | Ref. | European Commission | Council | European Parliament |
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| | | | | <i>Commission's website in a timely manner;</i> |
| 350 | Chapter II - art. 15 - para. 2 - point ca (new) | | <u>ca. provide, when advising the Commission and analysing the impacts of technical screening criteria, the rationale and justification regarding the economic activities examined and included in technical screening criteria, or, in a case where an economic activity will - not be included in technical screening criteria, the rationale and justification for that decision;</u> | |
| 351 | Chapter II - art. 15 - para. 2 - point d | (d) advise the Commission on the suitability of the technical screening criteria for possible further uses; | d. advise the Commission on the suitability of the technical screening criteria for possible further uses; | (d) <i>upon request from the Commission or the European Parliament</i> , advise the Commission <i>or the European Parliament</i> on the suitability of the technical screening criteria for possible further uses; |
| 352 | Chapter II - art. 15 - para. 2 - | | <u>da. advise the Commission on the suitability of the technical screening criteria for potential use with regard to regions and environmental conditions</u> | <i>(da) advise, in cooperation with EFRAG, the Commission on the development of sustainability accounting standards and integrated reporting standards for corporates</i> |

| Nr | Ref. | European Commission | Council | European Parliament |
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| | point da (new) | | <u>outside the Union;</u> | <i>and financial market participants, including through the revision of the Directive 2013/34/EU</i> |
| 353 | Chapter II - art. 15 - para. 2 - point e | (e) monitor and report regularly to the Commission on capital flows towards sustainable investment; | e. monitor and report regularly to the Commission on capital flows towards sustainable investment; | (e) monitor and report regularly to the Commission on <i>EU and Member State level trends regarding</i> capital flows <i>from economic activities with a negative impact on environmental sustainability</i> towards sustainable investment <i>based on data and scientific research whenever available;</i> |
| 354 | Chapter II - art. 15 - para. 2 - point f | (f) advise the Commission on the possible need to amend this Regulation. | f. advise the Commission on the possible need to amend this Regulation; | (f) advise the Commission on the possible need to amend this Regulation, <i>particularly in regard to data relevance and quality, and ways to reduce the administrative burden</i> |
| 355 | Chapter II - art. 15 - para. 2 - point fa | | | <i>(fa) contribute to the evaluation and development of sustainable finance regulations and policies, including policy coherence issues;</i> |

| Nr | Ref. | European Commission | Council | European Parliament |
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| | (new) | | | |
| 356 | Chapter II - art. 15 - para. 2 - point fb (new) | | | <i>(fb) assist the Commission in defining possible social objectives.</i> |
| 357 | Chapter II - art. 15 - para. 2 - point g (new) | | <u>g. consult external stakeholders, including key representatives of the relevant industry sector;</u> | |
| 358 | Chapter II - art. 15 - para. 2 - point h (new) | | <u>h. advise the Commission on the functioning of Article 13 and the possible need to supplement the requirements thereof.</u> | |

| Nr | Ref. | European Commission | Council | European Parliament |
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| 359 | Chapter II - art. 15 - para. 2a (new) | | | <i>2a. The Platform shall duly consider appropriate data and relevant scientific research in the discharge of these tasks. It may conduct public consultations in order to gather stakeholder views on specific matters within its mandate.</i> |
| 360 | Chapter II - art. 15 - para. 3 | 3. The Platform on Sustainable Finance shall be chaired by the Commission. | 3. The Platform on Sustainable Finance shall be chaired by the Commission <u>and constituted in accordance with the applicable rules on the creation and operation of Commission expert groups.</u> | 3. The Platform on Sustainable Finance shall be chaired by the Commission <i>and constituted in accordance with the Commission's horizontal rules for expert groups. The Commission shall publish the analyses, deliberations, reports and minutes of the Platform on its website. [Am. 51]</i> |
| 361 | Chapter II - art. 15 - para. 4 (new) | | <u>4. The Platform should carry out its tasks in accordance with the principle of transparency. The Commission shall provide to the Expert Group referred to in Article 16b access on a timely basis to the agendas, minutes of meetings, the reports and assessments and any relevant</u> | |

| Nr | Ref. | European Commission | Council | European Parliament |
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| | | | <u>materials of the Platform- that have been provided in accordance with paragraph 2.</u> | |
| 362 | Chapter II - art. 15a (new)- title | | <u>Article 15a</u> <u>Competent authorities</u> | |
| 363 | Chapter II - art. 15a (new) - para. 1 | | <u>1. Member States shall designate competent authorities for supervising the compliance with the disclosure obligation laid down in Article 4(2) and (2a), which shall, in accordance with national law, have all the supervisory and investigatory powers -necessary for the exercise of their functions under this Regulation.</u> | |
| 364 | Chapter II - art. 15a (new) - | | <u>2. For the purposes of the application of this Regulation the competent authorities shall cooperate with each other and-provide each other without undue delay with such information as is relevant</u> | |

| Nr | Ref. | European Commission | Council | European Parliament |
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| | para. 2 | | <u>for the purposes of carrying out their duties under this Regulation and of making use of their powers.</u> | |
| 365 | Chapter II - art. 15b (new) - title | | <u>Article 15b</u> <u>Measures and penalties</u> | |
| 366 | Chapter II - art. 15b (new) - para. 1 | | <u>Member States shall lay down the rules on measures and penalties applicable to infringements of Article 4(2) and (2a). The measures and penalties provided for shall be effective, proportionate and dissuasive.</u> | |
| 367 | Chapter II - art. 16 - title | Article 16 Exercise of the delegation | Article 16 Exercise of the delegation | Article 16 Exercise of the delegation |
| 368 | Chapter II - art. 16 - | 1. The power to adopt delegated acts is conferred on the Commission, subject to the conditions laid down in this Article. | 1. The power to adopt delegated acts <u>and implementing acts</u> is conferred on the Commission, subject to the conditions laid | 1. The power to adopt delegated acts is conferred on the Commission, subject to the conditions laid down in this Article. |

| Nr | Ref. | European Commission | Council | European Parliament |
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| | para. 1 | | down in this Article. | |
| 369 | Chapter II - art. 16 - para. 2 | 2. The power to adopt delegated acts referred to in Articles 4(3), 6(2), 7(2), 8(2), 9(2), 10(2) and 11(2) shall be conferred on the Commission for an indeterminate period from [Date of entry into force of this Regulation]. | 2. The power to adopt delegated acts <u>and implementing acts</u> referred to in Articles 4(3), 6(2), (3), (4) and (5) , 7(2), (3), (4) and (5) , 8(2), (3), (4) and (5) -, 9(2), (3), (4) and (5) , 10(2), (3), (4) and (5) and 11(2), (3), (4) and (5) shall be conferred on the Commission for an indeterminate period from [Date of entry into force of this Regulation]. | 2. The power to adopt delegated acts referred to in Articles 4(3), 6(2), 7(2), 8(2), 9(2), 10(2) and 11(2) shall be conferred on the Commission for an indeterminate period from [Date of entry into force of this Regulation]. |
| 370 | Chapter II - art. 16 - para. 3 | 3. The delegation of powers referred to in paragraph 2 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. | 3. The delegation of powers referred to in paragraph 2 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 <u>or</u> | 3. The delegation of powers referred to in paragraph 2 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. |

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| | | | <u>implementing acts</u> already in force. | |
| 371 | Chapter II - art. 16 - para. 4 | 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. | 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. | 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. <i>As part of the preparation of the delegated acts, the Commission shall carry out appropriate consultations and assessments of the proposed policy options.</i> |
| 372 | Chapter II - art. 16 - para. 5 | 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council. | 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council. | 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council. |
| 373 | Chapter II - art. 16 - para. 5 | | <u>5a. The Commission shall consult targeted stakeholders and carry out public consultations, as appropriate, prior to the drawing-up of the delegated acts.</u> | |
| 374 | Chapter | 6. A delegated act adopted pursuant to | 6. A delegated act adopted pursuant to | 6. A delegated act adopted pursuant to |

| Nr | Ref. | European Commission | Council | European Parliament |
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| | II - art. 16 - para. 6 | Articles 4(3), 6(2), 7(2), 8(2), 9(2), 10(2) and 11(2) shall enter into force only if no objection has been expressed either by the European Parliament or 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 of the Council. | Articles 4(3), 6(2), (3), (4) and (5) , 7(2), (3), (4) and (5) , 8(2), (3), (4) and (5) , 9(2), (3), (4) and (5) , 10(2), (3), (4) and (5) and 11(2), (3), (4) and (5) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two four 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 of the Council. | Articles 4(3), 6(2), 7(2), 8(2), 9(2), 10(2) and 11(2), 12 (2) and 13(3) shall enter into force only if no objection has been expressed either by the European Parliament or 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 of the Council. [Am. 52] |
| 375 | Chapter II - art. 16 - para. 7 (new) | | 7. A regulatory technical standard adopted pursuant to Article 4(2c) shall not become applicable earlier than the delegated acts referred to in Articles 6 to 11. | |
| 376 | Chapter | | <u>Article 16a</u> | |

| Nr | Ref. | European Commission | Council | European Parliament |
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| | II - art. 16a (new) - title | | <u>Committee procedure</u> | |
| 377 | Chapter II - art. 16a (new) - para. 1 | | <u>1. The Commission shall be assisted by the Member States Expert Group on Sustainable Finance. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council.</u> | |
| 378 | Chapter II - art. 16a (new) - para. 2 | | <u>2. Where reference is made to this article, Article 5 of Regulation (EU) No 182/2011 shall apply.</u> | |
| 379 | Chapter II - art. 16b (new) - | | <u>Article 16b</u> <u>Member States Expert Group</u> | |

| Nr | Ref. | European Commission | Council | European Parliament |
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| | title | | | |
| 380 | Chapter II - art. 16b (new) - para. 1 | | 1. <u>A Member States Expert Group on Sustainable Finance (Member States Expert Group) shall advise the Commission on the appropriateness of the technical screening criteria and the approach taken by the Platform referred to in Article 15 regarding the developing the criteria in accordance with Article 14.</u> | |
| 381 | Chapter II - art. 16b (new) - para. 2 | | 2. <u>The Commission shall inform Member States through regular meetings of the expert group to facilitate an exchange of views between on a timely basis the Member States and the Commission, in particular as regards the key output of the Platform, such as new screening criteria or material updates thereof, or draft reports.</u> | |
| 382 | Chapter II - art. | | 3. <u>The Commission shall gather all necessary expertise, prior to the adoption</u> | |

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| | 16b (new) - para. 3 - subpara. 1 | | <u>and during the development of delegated acts, including through the consultation of the Member States Expert Group.</u> | |
| 383 | Chapter II - art. 16b (new) - para. 3 - subpara. 2 | | <u>The Commission shall consult the Member States Expert Group on each draft delegated act.</u> | |
| 384 | Chapter II - art. 16b (new) - para. 3 - subpara. 3 | | <u>The Member States Expert Group shall be provided with the draft delegated acts, the draft agenda and any other relevant documents in sufficient time to prepare.</u> | |

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| 385 | Chapter II - art. 16b (new) - para. 3 - subpara. 4 | | <u>The Commission services shall state the conclusions they have drawn from the consultation of the Member States Expert Group, including how they intend to take the views of the expert group into consideration. Those conclusions shall be recorded in writing.</u> | |
| 386 | Chapter II - art. 16b (new) - para. 3 - subpara. 5 | | <u>Where the material content of a draft delegated act is amended in any way, the Commission shall give the expert group the opportunity to react to the amended version of the draft delegated act in writing where appropriate.</u> | |
| 387 | Chapter II - art. 16b (new) - para. 4 | | <u>4. The Member States Expert Group shall act as the committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council referred to in Article 16.</u> | |

| Nr | Ref. | European Commission | Council | European Parliament |
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| 388 | Chapter II - art. 16b (new) - para. 5 | | <u>5. To ensure equal access to information, the European Parliament and Council shall receive all documents at the same time as the Member States Expert Group. Experts of the Member State holding the Presidency of the Council shall automatically have access to the meetings of the Platform, referred to in Article 15.</u> | |
| 389 | Chapter III | Chapter III | Chapter III | Chapter III |
| 390 | Chapter III - title | Final provisions | Final provisions | Final provisions |
| 391 | Chapter III - art. 17 - title | Article 17 Review clause | Article 17 Review clause | Article 17 Review clause |
| 392 | Chapter III - art. 17 - para. 1 - | 1. By 31 December 2021, and subsequently every three years thereafter, the Commission shall publish a report on the application of this Regulation. That report shall evaluate the | 1. By 31 December 202 1 ²¹ , and subsequently every three years thereafter, the Commission shall publish a report on the application of this Regulation. That report | 1. By 31 December 2021, and subsequently every three years thereafter, the Commission shall publish a report on the application <i>and impact</i> of this Regulation. That report shall |

| Nr | Ref. | European Commission | Council | European Parliament |
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| | introd. part | following: | shall evaluate the following: | evaluate the following: |
| 393 | Chapter III - art. 17 - para. 1 - point a | (a) the progress on the implementation of this Regulation with regard to the development of technical screening criteria for environmentally sustainable economic activities; | a. the progress on the implementation of this Regulation with regard to the development of technical screening criteria for environmentally sustainable economic activities; | (a) the progress on the implementation of this Regulation with regard to the development of technical screening criteria <i>based on indicators</i> for environmentally sustainable economic activities; |
| 394 | Chapter III - art. 17 - para. 1 - point b | (b) the possible need to revise the criteria set out in this Regulation for considering an economic activity environmentally sustainable; | b. — the possible need to revise the criteria set out in this Regulation for considering an economic activity environmentally sustainable; | (b) the possible need to revise the criteria <i>and the list of indicators</i> set out in this Regulation for considering an economic activity environmentally sustainable <i>to facilitate innovation and the sustainable transition;</i> |
| 395 | Chapter III - art. 17 - para. 1 - point c | (c) the appropriateness of extending the scope of this Regulation to cover other sustainability objectives, in particular social objectives; | e b. ___the appropriateness of extending the scope of this Regulation to cover other sustainability objectives, in particular social objectives; | (c) the appropriateness of extending the scope of this Regulation to cover other sustainability objectives, in particular social objectives; |
| 396 | Chapter III - art. | (d) the use of the definition of environmentally sustainable investment in | d c. ___the use of the definition of environmentally sustainable investment in | (d) the use of the definition of environmentally sustainable investment <i>and</i> |

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| | 17 - para. 1 - point d | Union law, and at Member State level, including the appropriateness of setting up verification mechanism of compliance with the criteria set out in this Regulation. | Union law, and at Member State level, including the appropriateness of setting up verification a mechanism <u>to verify of</u> compliance with the criteria set out in this Regulation. | <i>investments with negative environmental impact</i> in Union law, and at Member State level, including the appropriateness of <i>reviewing or</i> setting up <i>additional</i> verification mechanism of compliance with the criteria <i>based on indicators</i> set out in this Regulation. |
| 397 | Chapter III - art. 17 - para. 1 - point d (new) | | <u>d. the appropriateness of providing a standardised methodology for assessing the environmental impact of economic activities that contribute to an environmental objective, but are not yet considered to be environmentally sustainable under Article 3 of this Regulation.</u> | |
| 398 | Chapter III - art. 17 - para. 1 - point da (new) | | | <i>(da) the effectiveness of the taxonomy in channelling private investments into sustainable activities.</i> |

| Nr | Ref. | European Commission | Council | European Parliament |
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| 399 | Chapter III - art. 17 - para. 1a (new) | | <u>1a. By December 2023 and subsequently every three years, the Commission shall publish a report on the possible need to revise and complement the criteria set out in this Regulation for considering if an economic activity environmentally sustainable.</u> | <i>1a. By 31 December 2021, and subsequently every three years thereafter, the Commission shall review the scope of this Regulation if it creates excessive administrative burden or if the necessary data for financial market participants is insufficiently available.</i> |
| 400 | Chapter III - art. 17 - para. 2 | 2. The report shall be sent to the European Parliament and to the Council. The Commission shall make accompanying proposals where appropriate. | <u>2. By December 2022, the Commission shall publish a report on the functioning of the Platform and the Member States Expert Group, in particular evaluating the cost-efficiency, transparency resourceful governance and organisation of the functions referred to in Articles 15 and 16b.</u> | 2. The ■ reports shall be sent to the European Parliament and to the Council. The Commission shall make accompanying <i>legislative</i> proposals where appropriate. [Ams. 53 and 105] |
| 401 | Chapter III - art. 17 - para. 3 (new) - | | <u>3. By July 2022, the Commission shall publish a report on the functioning of the Regulation, particularly on the impact of the limitations in the scope of this Regulation and other relevant EU legal</u> | |

| Nr | Ref. | European Commission | Council | European Parliament |
|-----|--|---------------------|--|---------------------|
| | introd. part | | <u>framework as regards</u> | |
| 402 | Chapter III - art. 17 - para. 3 (new) - point a | | <u>a. flow of capital into private enterprises and other legal entities, particularly equity capital, on one hand through financial products referred to in this Regulation and, on the other hand other than financial products, in application of the technical screening criteria;</u> | |
| 403 | Chapter III - art. 17 - para. 3 (new) - point b | | <u>b. access by financial markets participants referred to in this Regulation, and investors to reliable, timely and verifiable information and data regarding companies and other legal entities, as well as modalities of verification of such data, necessary in the determining of the degree of alignment with the technical screening criteria and ensuring compliance with it, taking into account investees within and outside the scope of the Regulation and</u> | |

| Nr | Ref. | European Commission | Council | European Parliament |
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| | | | <u>both as equity and debt capital;</u> | |
| 404 | Chapter III - art. 17 - para. 4 (new) | | 4. The reports <u>referred to in paragraphs 1, 1a, 2 and 3</u> shall be sent to the European Parliament and to the Council. The Commission shall make accompanying proposals where appropriate. | |
| 405 | Chapter III - art. 18 - title | Article 18 Entry into force and application | Article 18 Entry into force and application | Article 18 Entry into force and application |
| 406 | Chapter III - art. 18 - para. 1 | 1. This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> . | 1. This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> . | 1. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. |
| 407 | Chapter III - art. 18 - para. 2 - introd. part | 2. Articles 3 to 13 of this Regulation shall apply: | 2. Articles 3 to 13 of this Regulation shall apply: | 2. Articles 3 to 13 of this Regulation shall apply: |

| Nr | Ref. | European Commission | Council | European Parliament |
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| 408 | Chapter III - art. 18 - para. 2 - point a | (a) in respect of the environmental objectives referred to in points (1) and (2) of Article 5, from 1 July 2020; | a. in respect of the environmental objectives referred to in points (1) and (2) of Article 5, from 1 July 2020; | (a) in respect of the environmental objectives referred to in points (1) and (2) of Article 5, from 1 July 2020; |
| 409 | Chapter III - art. 18 - para. 2 - point b | (b) in respect of the environmental objectives referred to in points (4) and (5) of Article 5, from 31 December 2021; | b. in respect of the environmental objectives referred to in points (34) to and (65) of Article 5, from 31 December July 2021; | (b) in respect of the environmental objectives referred to in points (4) and (5) of Article 5, from 31 December 2021; |
| 410 | Chapter III - art. 18 - para. 2 - point c | (c) in respect of the environmental objectives referred to in points (3) and (6) of Article 5, from 31 December 2022. | e. in respect of the environmental objectives referred to in points (3) and (6) of Article 5, from 31 December 2022. | (c) in respect of the environmental objectives referred to in points (3) and (6) of Article 5, from 31 December 2022. |
| 411 | Chapter III - art. 18 - para. 3 | | <u>3. Articles 15a and 15b shall apply from the entry into force of the delegated and implementing acts referred to in Articles 6(2), (3), (4) and (5), 7(2), (3), (4)</u> | |

| Nr | Ref. | European Commission | Council | European Parliament |
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| | (new) - subpara1 | | <u>and (5), 8(2), (3), (4) and (5), 9(2), (3), (4) and (5), 10(2), (3), (4) and (5) and 11(2), (3), (4) and (5) as well as the regulatory technical standards referred to in Article 4(2c).</u> | |
| 412 | Chapter III - art. 18 - para. 2 - subpara. 2 | This Regulation shall be binding in its entirety and directly applicable in all Member States. | This Regulation shall be binding in its entirety and directly applicable in all Member States. | This Regulation shall be binding in its entirety and directly applicable in all Member States. |
| 413 | Chapter III - art. 18 - para. 2 - subpara. 3 | Done at Brussels, | Done at Brussels, | Done at ..., |
| 414 | Chapter III - art. 18 - | For the European Parliament For the Council | For the European Parliament For the Council | For the European Parliament For the Council |

| Nr | Ref. | European Commission | | Council | | European Parliament | |
|-----|----------------------------|---------------------|---------------|---------------|---------------|---------------------|---------------|
| | para. 2 - subpara. 2 | | | | | | |
| 415 | | The President | The President | The President | The President | The President | The President |