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REPORT

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)
Subject:	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on ensuring a level playing field for sustainable air transport <ul style="list-style-type: none">• Preparation for the trilogue

I. INTRODUCTION

1. On 14 July 2021, the Commission submitted to the European Parliament and the Council a proposal for a Regulation on ensuring a level playing field for sustainable air transport ('ReFuelEU Aviation'), as part of the 'fit for 55' package.
2. The role of sustainable aviation fuels (SAF) will be essential if the air transport sector is to reduce its carbon footprint. However, it should be noted that their use is currently negligible due to the lack of sufficient production. The main objective of the proposal is to increase both the demand for and supply of SAF while ensuring a level playing field across the EU air transport market.

3. The main provisions of the proposal focus mainly on the obligation for aviation fuel suppliers to ensure that all fuel is made available to aircraft operators with a minimum share of SAF as well as an obligation on aircraft operators concerning anti-tankering measures; the obligation on infrastructure in Union airports; the establishment of a transitional period for fuel suppliers; reporting obligations for both fuel suppliers and aircraft operators and rules on enforcement of the Regulation including the establishment of fines.
4. The European Parliament, designated the Committee on Transport and Tourism (TRAN) as the committee responsible for this proposal and appointed Mr Søren Gade (DK, RENEW) as the rapporteur. He was later replaced by Mr José Ramón BAUZÁ DÍAZ (ES, RENEW). The European Parliament adopted its mandate for the negotiations with the Council on this proposal during the Plenary Session on the 7 July 2022.
5. The main changes introduced by the European Parliament mainly concerned the widening of the scope for both Union airport and aircraft operators; the inclusion of electricity and hydrogen in the definition of synthetic aviation fuels; an increase of the eligible feedstock for SAF; the introduction of the SAF Flexibility Mechanism similar to a Book & Claim system; the earmarking of the revenue generated from the fines to a new EU fund, the 'Sustainable Aviation Fund'; the introduction of a Union labelling system as well as an increase in the percentages for targets within Annex I of the proposal especially concerning synthetic aviation fuel.
6. The European Economic and Social Committee adopted its opinion on the above proposal on 20 October 2021, while the European Committee of the Regions has not adopted an opinion.
7. The Spanish Parliament, the Senate of the Parliament of the Czech Republic and the Joint Parliamentary Committee on Transport and Communications of the Republic of Ireland have adopted opinions on the application of the principles of subsidiarity and proportionality.

II. WORK WITHIN THE COUNCIL

8. On 19 July 2021, under the Slovenian Presidency, the Working Party on Aviation started its work on discussing the Commission proposal with a view to finding an agreement between all the Member States and worked on compromise texts under the Slovenian and French Presidencies.
9. The Council (TTE, Transport) held an early policy debate on 9 December 2021 to guide further work in the preparatory bodies.
10. The Council (TTE, Transport) on 2 June 2022 reached a General Approach under the French Presidency. The General Approach includes in particular new provisions on national mandates, allowing Member States to apply a higher minimum share for synthetic fuel, albeit within a limit, with very specific conditions and limited to synthetic fuels, as well as exemptions from the 'anti-tankering' provisions where particular difficulties exist for aircraft operators.

III. NEGOTIATIONS WITH THE EUROPEAN PARLIAMENT

11. Two trilogues have been organised so far; on 8 September and 13 October 2022 and they served to present both the Council and the European Parliament's positions and find some compromises on different parts of the file. In particular, considerable progress has been achieved on:
 - An agreement on a number of technical issues, marked in green in the table in the annex;
 - The scope of Union airports and aircraft operators;
 - A political understanding on the nature of the transitional period and a future consideration of a book&claim system;
 - An understanding on the role of the Member States and the Agency in the implementation and enforcement of this proposed Regulation;
 - A draft framework for a Union labelling system

12. Several meetings were organised with the European Parliament at the technical level and the Presidency consulted the Aviation Working Party weekly.
13. Following the work done at the above-mentioned technical meetings and working parties, the negotiating teams prepared a number of agreeable compromises found in lines 47, 47a, 47b, 47c, 47d (or e), 50a, 51a, 52, 59a, 59b, 63, 65a, 67b, 67f, 70, 70a, 71, 72, 73, 74, 74a, 74b, 74c, 74d, 74e, 74f, 77, 78, 79a, 80, 81, 81a, 91, 92, 93, 93a, 93b, 93c, 93d, 93e, 93f, 93g, 96a, 96b, 97, 98, 99, 100, 102, 103, 103a, 104, 105, 105a, 106, 106a, 107, 108, 108a, 108b, 108c, 108d, 108e, 111, 112, 114, 116, 116a, 116b, 116d, 118a, 118b, 124, 139, 140, 141, 142, 142a, 142c, 142d.
14. The above mentioned lines include compromise both on editorial and technical issues but cover also more political issues such as:
 - a) Scope of airports and airlines operators
 - b) Tentative agreements on most definitions
 - c) Safety rules in Article 5
 - d) Access to SAF at Union airports
 - e) A new Article on the promotion of hydrogen and electricity supply at Union airports
 - f) The article on Enforcement, the collection of the fines and their earmarking
 - g) Reporting obligations on the Commission to analyse the flexibility mechanism

IV. MAIN OPEN ISSUES

15. Notwithstanding the vast parts of tentatively agreed text, a number of political issues still persist.

Scope of fuels (lines 54, 57, 57a, 58a, 58b, 67g, 67h)

16. The positions on the scope of fuels allowed in this proposal do not vary greatly. The European Parliament has widened the scope of eligible fuels and included biofuels not included in the Commission's proposal. Moreover, the Parliament has included some fuels from recycled carbons. Both of the above are also true for the Council although there are some differences. The Presidency is seeking a mandate from the Member States to reach a compromise with the Parliament that would ensure a wide scope of fuels allowed as close to the General Approach as possible. On the other hand, the Presidency intends to insist on the possibility to use synthetic low carbon aviation fuels to reach the minimum shares laid down in Annex I and seeks a mandate from the Member States to also include hydrogen as a fuel with which those minimum shares could be reached.

Ambition and National mandates (lines 67a, 67c, 67d, 67e, 131, 132, 134, 135, 136)

17. The Presidency has had an initial discussion on the “national mandates” with the Parliament at the second trilogue and several times at the technical level. Consistently the Parliament has presented a very strong negative position. The Presidency seeks the support of the Member States to insist that the flexibilities granted in the general approach for national mandates are limited by safeguards that ensure that the environmental integrity and the level playing field of this Proposal are not jeopardized, while at the same time, allowing for higher ambition. However, it has been made particularly clear by the Parliament that it would be immensely difficult on its side to accept such a proposal. Therefore, the Presidency seeks the support of the Member States to consider compromising on this position if the Parliament is willing to reach a compromise on the other political points. With regard to “ambition”, the Parliament has significantly higher minimum shares in the Annex and the Presidency is seeking a mandate to increase the shares in the Annex.

Anti-tankering clauses (lines 70b, 70c, 70d, 70e, 70f, 70g, 70h)

18. The anti-tankering clause in Article 5 has been a contentious point with the Parliament. The Parliament had not envisaged such a provision in its Report, but acknowledges the utmost importance of fuel safety rules and existence of tankering as a consequence of specific operational difficulties. Nevertheless, the Parliament fears that the provisions inserted in the Council General Approach could threaten the environmental integrity of the proposal. The Presidency has insisted that the necessary safeguards have been inserted in the text. However, with a view to an agreement, the Presidency is seeking a mandate from the Member States to negotiate on the conditions that allow the mentioned exemption. The conditions that are the most contentious are the length of the routes as well as the threat of the monopolistic behaviour of a supplier. Moreover, the Presidency seeks a mandate to negotiate on the strengthening of the procedure that allows such an exemption. The Presidency intends to negotiate the above in the spirit of maintaining the text as close to the General Approach as possible.

V. OTHER OPEN ISSUES

19. On the issues of the Shortfall of fuel supplier (lines 68), the SAF free allowances (line 85), a new Article on the creation of a voluntary Union Label (116e-ab), the Consultation of the Member States (lines 116c, 120c), the Comitology and exercise of delegation (lines 118-118l) and the Review clause (lines 120, 120a, 120b, 120c), the Presidency is seeking a mandate to negotiate agreeable compromises with the Parliament.
20. The Presidency wants to ensure that the introduction by the Parliament of the provision on a possible shortfall from a fuel supplier is actually necessary in light of the overall balance of the ambition. Similarly, the Presidency wants to ensure that a possible reference to the allocation of free allowances for the use of SAF, proposed by the Parliament would be legally sound, and taking into account current negotiations or the revision of the ETS Aviation file.
21. The addition of the Union Labelling scheme presents one of the important parts of the Regulation for the Parliament. The Presidency has striven to ensure that the addition of a this scheme does not jeopardise the entire proposal, while also making sure that all essential elements of the scheme are laid down in the basic act, that no policy making powers are entrusted to the Agency and that the implementing powers granted to the Commission are strictly circumscribed. Heavy drafting has ensued while keeping in mind the above-mentioned conditions. Whilst the Presidency understands the concerns around the expedited creation of the Label, it seeks the mandate of the Member States to iron out the final details of this voluntary scheme that would allow for an agreed text.
22. The role of the Member States in the implementation of the Regulation was questioned by the Parliament throughout the negotiations. The Presidency has always defended the importance of their role and considers their consultation to be needed. However, due to assurances that the processes of drawing up a report by EASA and by the Commission would both result in consultation taking place naturally, and in the hope of reaching a compromise, the Presidency is proposing a “may” provision in lines 116c and 120c.
23. The Presidency proposes to finalise the Articles on Comitology and the exercise of delegation depending on the outcome of negotiations. While the Review Clause is at an advanced stage and is not particularly contentious, the text must be aligned and taking account of the possible final agreement of the entire file.

VI. CONCLUSIONS

24. In view of this, the Permanent Representatives Committee is invited to:

- Examine all the remaining open issues summarised under parts IV and V above and indicate flexibility/preference concerning the suggested compromises;
 - Agree to mandate the Presidency for the forthcoming third trilogue to negotiate with the European Parliament all the remaining open issues summarised under parts IV and V.
 - Examine the four column table in the Annex (fourth column compares the text to the Council General approach using **bold** for additions and ~~striketrough~~ for deletion) to this note and agree to mandate the Presidency for the forthcoming third trilogue to negotiate with the European Parliament the remaining open lines summarised under part III.
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**Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on
ensuring a level playing field for sustainable air transport (Text with EEA relevance)**

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	Commission Proposal	EP Mandate	Council Mandate	14991/22
Formula				
1	2021/0205 (COD)	2021/0205 (COD)	2021/0205 (COD)	
Proposal Title				
2	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on ensuring a level playing field for sustainable air transport (Text with EEA relevance)	Proposal for a REGULATION REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on ensuring a level playing field for sustainable air transport (Text with EEA relevance)	Proposal for a REGULATION REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on ensuring a level playing field for sustainable air transport (Text with EEA relevance)	
Formula				
3	THE EUROPEAN	THE EUROPEAN	THE EUROPEAN	

	Commission Proposal	EP Mandate	Council Mandate	14991/22
	PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
Citation 1				
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2) thereof,	
Citation 2				
5	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,	
Citation 3				
6	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,	
Citation 4				
7	Having regard to the opinion of the European Economic and Social Committee ¹ , 1. OJ C , , p. .	Having regard to the opinion of the European Economic and Social Committee ¹ , 1. [1] OJ C -, -, p. .	Having regard to the opinion of the European Economic and Social Committee ¹ , 1. [1] OJ C , , p. .	

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Citation 5				
8	Having regard to the opinion of the Committee of the Regions ¹ , 1. OJ C , , p. .	Having regard to the opinion of the Committee of the Regions ¹ , 1. [1] OJ C , , p. .	Having regard to the opinion of the Committee of the Regions ¹ , 1. [1] OJ C , , p. .	
Citation 6				
9	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	
Formula				
10	Whereas:	Whereas:	Whereas:	
Recital 1				
11	(1) Over the past decades, air transport has played a crucial role in the Union's economy and in the everyday lives of Union citizens, as one of the best performing and most dynamic sectors of the Union economy. It has been a strong driver for economic growth, jobs, trade and tourism, as well as for connectivity and mobility for businesses and citizens alike, particularly within the Union aviation internal market. Growth	(1) Over the past decades, air transport has played a crucial role in the Union's economy and in the everyday lives of Union citizens, as one of the best performing and most dynamic sectors of the Union economy. It has been a strong driver for economic growth, jobs, trade and tourism, as well as for connectivity and mobility for businesses and citizens alike, as well as one of the main connector between outermost	(1) Over the past decades, air transport has played a crucial role in the Union's economy and in the everyday lives of Union citizens, as one of the best performing and most dynamic sectors of the Union economy. It has been a strong driver for economic growth, jobs, trade and tourism, as well as for connectivity and mobility for businesses and citizens alike, particularly within the Union aviation internal market. Growth	

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	in air transport services has significantly contributed to improving connectivity within the Union and with third countries, and has been a significant enabler of the Union economy.	regions and the mainland , particularly within the Union aviation internal market. Growth in air transport services has significantly contributed to improving connectivity, fostering cohesion and reducing regional disparities within the Union, in particular for peripheral, outermost, sparsely populated and insular regions, as well as and with third countries, and has been a significant enabler of the Union economy.	in air transport services has significantly contributed to improving connectivity within the Union and with third countries, and has been a significant enabler of the Union economy.	
Recital 2				
12	(2) From 2020, air transport has been one of the hardest hit sector by the COVID-19 crisis. With the perspective of an end to the pandemic in sight, it is expected that air traffic will gradually resume in the coming years and recover to its pre-crisis levels. At the same time, emissions from the sector have been increasing since 1990 and the trend of increasing emissions could return as we overcome the pandemic. Therefore, it is necessary to prepare for the future and make the necessary adjustments	(2) The Union has established legal obligations under Regulation (EU) 2021/1119 to achieve climate neutrality by 2050 at the latest and to achieve a reduction of net greenhouse gas emissions by at least 55 % compared to 1990 by 2030. In order to achieve this, all economic sectors, including the transport sector, has to take rapid steps to decarbonise. For the aviation sector, this necessitates a strong ramp-up of the production, supply and uptake of sustainable aviation	(2) From 2020, air transport has been one of the hardest hit sector by the COVID-19 crisis. With the perspective of an end to the pandemic in sight, it is expected that air traffic will gradually resume in the coming years and recover to its pre-crisis levels. At the same time, emissions from the sector have been increasing since 1990 and the trend of increasing emissions could return as we overcome the pandemic. Therefore, it is necessary to prepare for the future and make the necessary adjustments	

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	ensuring a well-functioning air transport market that contributes to achieving the Union's climate goals, with high levels of connectivity, safety and security.	fuels. From 2020, air transport has been one of the hardest hit sector by the COVID-19 crisis. With the perspective of an end to the pandemic in sight. It is expected that air traffic will gradually resume in the coming years and recover to its pre-crisis levels. The International Civil Aviation Organisation estimates per annum growth in Europe of up to 3 % a year until 2050 for passenger traffic, and 2.4 % for freight traffic. At the same time, emissions from the sector have been increasing since 1990 and the trend of increasing emissions could quickly return as we overcome the pandemic. Therefore, it is necessary imperative to prepare for the future and make the necessary adjustments ensuring a well-functioning air transport-market sector that contributes fully to achieving the Union's climate goals, with high levels of connectivity, affordability , safety and security.	ensuring a well-functioning air transport market that contributes to achieving the Union's climate goals, with high levels of connectivity, safety and security.	
	Recital 3			
13	(3) The functioning of the Union	(3) The functioning of the Union	(3) The functioning of the Union	

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	air transport sector is determined by its cross-border nature across the Union, and by its global dimension. The aviation internal market is one of the most integrated sectors in the Union, governed by uniform rules on market access and operating conditions. The air transport external policy is governed by rules established at global level at the International Civil Aviation Organisation (ICAO), as well as by comprehensive multilateral or bilateral agreements between the Union or its Member States, and third countries.	air transport sector is determined by its cross-border nature across the Union, and by its global dimension. The aviation internal market is one of the most integrated sectors in the Union, governed by uniform rules on market access and operating conditions. The air transport Union's external air transport policy is governed by rules established at global level at the International Civil Aviation Organisation (ICAO), and in as well as by comprehensive multilateral or bilateral agreements between the Union or its Member States, and third countries. It is therefore important that the Union sustains the efforts made at international, multilateral and bilateral level to promote a high level of ambition and convergence in the uptake of sustainable aviation fuels, while providing for an international level playing field.	air transport sector is determined by its cross-border nature across the Union, and by its global dimension. The aviation internal market is one of the most integrated sectors in the Union, governed by uniform rules on market access and operating conditions. The air transport external policy is governed by rules established at global level at the International Civil Aviation Organisation (ICAO), as well as by comprehensive multilateral or bilateral agreements between the Union or its Member States, and third countries.	
Recital 4				
14	(4) The air transport market is subject to strong competition between economic actors across	(4) The air transport market is subject to strong competition between economic actors globally	(4) The air transport market is subject to strong competition between economic actors across	

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	<p>the Union, for which a level playing field is indispensable. The stability and prosperity of the air transport market and its economic actors relies on a clear and harmonised policy framework where aircraft operators, airports and other aviation actors can operate on the basis of equal opportunities. Where market distortions occur, they risk putting aircraft operators or airports at a disadvantage with internal or external competitors. In turn, this can result in a loss of competitiveness of the air transport industry, and a loss of air connectivity for citizens and businesses.</p>	<p>and across the Union, for which a level playing field is indispensable. The stability and prosperity of the air transport market and its economic actors relies on a clear and harmonised policy framework where aircraft operators, airports and other aviation actors can operate on the basis of equal rules and opportunities, leading to a vibrant sector and to job opportunities. WhereTo a large extent intra-EU flights are part of global itineraries set in a global market. The same is valid for itineraries from non-EU to non-EU destinations through European airports. Where market distortions occur, distortions occur, they risk putting aircraft operators or airports at a disadvantage with internal or external competitors. In turn, this can result in a loss of competitiveness of the air transport industry, putting air transport businesses and jobs at risk, and a loss of air connectivity and transport choices for citizens and businesses.</p>	<p>the Union, for which a level playing field is indispensable. The stability and prosperity of the air transport market and its economic actors relies on a clear and harmonised policy framework where aircraft operators, airports and other aviation actors can operate on the basis of equal opportunities. Where market distortions occur, they risk putting aircraft operators or airports at a disadvantage with internal or external competitors. In turn, this can result in a loss of competitiveness of the air transport industry, and a loss of air connectivity for citizens and businesses.</p>	
Recital 5				

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15	<p>(5) In particular, it is essential to ensure a level playing field across the Union air transport market regarding aviation fuel, which account for a substantial share of aircraft operators' costs. Variations in fuel prices can affect significantly aircraft operators' economic performance and negatively impact competition on the market. Where differences in aviation fuel prices exist between Union airports or between Union and non-Union airports, this can lead aircraft operators to adapt their refuelling strategies for economic reasons. Fuel tankering increases aircraft's fuel consumption and results in unnecessary greenhouse gas emissions. Fuel tankering by aircraft operators accordingly undermines of the Union's efforts towards environmental protection. Some aircraft operators are able to use favourable aviation fuel prices at their home base as a competitive advantage towards other airlines operating similar routes. This can have detrimental effects on the competitiveness of the sector and be harmful to air connectivity.</p>	<p>(5) In particular, it is essential to ensure a level playing field across the Union air transport market regarding aviation fuel, which account for a substantial share of aircraft operators' costs. Variations in fuel prices can affect significantly aircraft operators' economic performance and negatively impact competition on the market, reduce the attractiveness of the aviation sector and therefore mobility, with high fuel prices translating directly into high end-consumer fares. Where differences in aviation fuel prices exist between Union airports or between Union and non-Union airports, this can lead aircraft operators to adapt their refuelling strategies for economic reasons. Fuel tankering increases aircraft's fuel consumption and results in unnecessary greenhouse gas emissions.– Fuel tankering for economic reasons by aircraft operators accordingly undermines of the Union's efforts towards environmental protection. Some aircraft operators are able to use favourable aviation fuel prices at</p>	<p>(5) In particular, it is essential to ensure a level playing field across the Union air transport market regarding aviation fuel, which account for a substantial share of aircraft operators' costs while fostering the decarbonisation of air transport by the promotion of sustainable aviation fuels ('SAF'). Variations in fuel prices can affect significantly aircraft operators' economic performance and negatively impact competition on the market. Where differences in aviation fuel prices exist between Union airports or between Union and non-Union airports, this can lead aircraft operators to adapt their refuelling strategies for economic reasons. Fuel tankering increases aircraft's fuel consumption and results in unnecessary greenhouse gas emissions.– Fuel tankering by aircraft operators accordingly undermines of the Union's efforts towards environmental protection. Some aircraft operators are able to use favourable aviation fuel prices at their home base as a competitive advantage towards other airlines operating similar routes. This can</p>	

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	<p>This Regulation should set up measures to prevent such practices in order to avoid unnecessary environmental damage as well as to restore and preserve the conditions for fair competition on the air transport market.</p>	<p>their home base as a competitive advantage towards other airlines operating similar routes. This can have detrimental effects on the competitiveness of the sector, leading to market distortions and and be harmful to air connectivity. This Regulation should set up measures to prevent such practices in order to avoid unnecessary environmental damage as well as to restore and preserve the conditions for fair competition on the air transport market. Nevertheless, this Regulation should also take into account the fact that fuel tankering at times occurs in order to comply with fuel safety rules and in such cases is justified by safety reasons. Furthermore, fuel tankering can be the consequence of specific operational difficulties for some aircraft operators at some airports, inter alia in terms of disproportionate longer turnaround time for aircraft or reduced airport capacity at peak times. The Commission should therefore closely monitor, evaluate and analyse cases of fuel tankering and their</p>	<p>have detrimental effects on the competitiveness of the sector and be harmful to air connectivity. This Regulation should set up measures to prevent such practices in order to avoid unnecessary environmental damage as well as to restore and preserve the conditions for fair competition on the air transport market.</p>	

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		underlying reasons and, where appropriate, come forwards with legislative proposals to amend this Regulation.		
Recital 6				
16	(6) A key objective of the common transport policy is sustainable development. This requires an integrated approach aimed at ensuring both the effective functioning of Union transport systems and protection of the environment. Sustainable development of air transport requires the introduction of measures aimed at reducing the carbon emissions from aircraft flying from Union airports. Such measures should contribute to meeting the Union's climate objectives by 2030 and 2050.	(6) A key objective of the common transport policy is sustainable development. This requires an integrated approach aimed at ensuring both the effective functioning of Union transport systems, compliance with labour and social regulations , and protection of the environment. Sustainable development of air transport requires the introduction of measures, including economic instruments , aimed at reducing the carbon emissions from aircraft flying from Union airports and developing a market for the production and supply of sustainable aviation fuels . Such measures should contribute to meeting the Union's climate objectives by 2030 and 2050.	(6) A key objective of the common transport policy is sustainable development. This requires an integrated approach aimed at ensuring both the effective functioning of Union transport systems and protection of the environment. Sustainable development of air transport requires the introduction of measures aimed at reducing the carbon emissions from aircraft flying from Union airports. Such measures should contribute to meeting the Union's climate objectives by 2030 and 2050.	
Recital 7				
17				

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	<p>(7) The Communication on a Sustainable and Smart Mobility Strategy¹ adopted by the Commission in December 2020 sets a course of action for the EU transport system to achieve its green and digital transformation and become more resilient. The decarbonisation of the air transport sector is a necessary and challenging process, especially in the short term. Technological advancements, pursued in European and national research and innovation aviation programmes have contributed to important emission reductions in the past decades. However, the global growth of air traffic has outpaced the sector's emissions reductions. Whereas new technologies are expected to help reducing short-haul aviation's reliance on fossil energy in the next decades, sustainable aviation fuels offer the only solution for significant decarbonisation of all flight ranges, already in the short term. However, this potential is currently largely untapped.</p> <p><small>1. Communication from the Commission to the European Parliament, the Council, the European Economic and Social</small></p>	<p>(7) The Communication on a Sustainable and Smart Mobility Strategy¹ adopted by the Commission in December 2020 sets a course of action for the EU transport system to achieve its green and digital transformation and become more resilient. The decarbonisation of the air transport sector is a necessary and challenging process, especially in the short term. Technological advancements, and a clear commitment from industry, pursued in European and national research and innovation aviation programmes have contributed to important emission reductions in the past decades. However, the global growth of air traffic has outpaced the sector's emissions reductions.– Whereas new technologies, including the development of zero-emission electric- or hydrogen-powered aircrafts, are expected to help reducing short-haul aviation's reliance on fossil energy in the next decades and can play an important role in commercial aviation in the medium and long term, sustainable aviation fuels offer a promising the only</p>	<p>(7) The Communication on a Sustainable and Smart Mobility Strategy¹ adopted by the Commission in December 2020 sets a course of action for the EU transport system to achieve its green and digital transformation and become more resilient. The decarbonisation of the air transport sector is a necessary and challenging process, especially in the short term. Technological advancements, pursued in European and national research and innovation aviation programmes have contributed to important emission reductions in the past decades. However, the global growth of air traffic has outpaced the sector's emissions reductions.– Whereas new technologies are expected to help reducing short-haul aviation's reliance on fossil energy in the next decades, sustainable aviation fuels SAF offer the only solution for significant decarbonisation of all flight ranges, already in the short term. However, this potential is currently largely untapped.</p> <p><small>1. [1] Communication from the Commission to the European Parliament, the Council, the European Economic and</small></p>	


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	Committee and the Committee of the Regions: Sustainable and Smart Mobility Strategy – putting European transport on track for the future (COM/2020/789 final), 9.12.2020.	<p>solution for significant decarbonisation of all flight ranges, both in the short and already in the shortmedium and long term. However, this potential is currently largely untapped and needs support over time for the further development and deployment of sustainable aviation fuels and for research into new aircraft engines and technologies.</p> <p>1. [1] Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Sustainable and Smart Mobility Strategy – putting European transport on track for the future (COM/2020/789 final), 9.12.2020.</p>	Social Committee and the Committee of the Regions: Sustainable and Smart Mobility Strategy – putting European transport on track for the future (COM/2020/789 final), 9.12.2020.	
Recital 7a				
17a		(7a) The overarching principle of energy efficiency first should be implemented across all sectors, going beyond the energy system to include the transport sector, including aviation. In particular, it should be integral to policy, planning and investment decisions related to the deployment of more energy		


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		efficient engines and sustainable alternative fuels and technologies, including as regards the rapid development of planes propelled by renewable electricity or green hydrogen.		
Recital 8				
18	<p>(8) Sustainable aviation fuels are liquid, drop-in fuels, fully fungible with conventional aviation fuel and compatible with existing aircraft engines. Several production pathways of sustainable aviation fuels have been certified at global level for use in civil or military aviation. Sustainable aviation fuels are technologically ready to play an important role in reducing emissions from air transport already in the very short term. They are expected to account for a major part of the aviation fuel mix in the medium and long term. Further, with the support of appropriate international fuel standards, sustainable aviation fuels might contribute to lowering the aromatic content of the final fuel used by an operator, thus helping to reduce other non-CO₂</p>	<p>(8) Sustainable aviation fuels are aviation fuels that comprise liquid, drop-in fuels, fully fungible with conventional aviation fuel and compatible with existing aircraft engines, as well as hydrogen and electricity. Several production pathways of sustainable aviation fuels have been certified at global level for use in civil or military aviation. Sustainable aviation fuels are technologically ready to play an important role in reducing emissions from air transport already in the very short term. They are expected to account for a major part of the aviation fuel mix in the medium and long term. Further, with the support of appropriate international fuel standards, and EASA's support for the design of those standards, sustainable aviation</p>	<p>(8) Sustainable aviation fuels SAF are liquid, drop-in fuels, fully fungible with conventional aviation fuel and compatible with existing aircraft engines.– Several production pathways of sustainable aviation fuels SAF have been certified at global level for use in civil or military aviation. Sustainable aviation fuels SAF are technologically ready to play an important role in reducing emissions from air transport already in the very short term. They are expected to account for a major part of the aviation fuel mix in the medium and long term. Further, with the support of appropriate international fuel standards, sustainable aviation fuels SAF might contribute to lowering the aromatic content of the final fuel used by an operator, thus helping to reduce other non-</p>	

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	emissions. Other alternatives to power aircraft, such as electricity or liquid hydrogen are expected to progressively contribute to the decarbonisation of air transport, beginning with short-haul flights.	<p>fuels might contribute to lowering the aromatic content of the final fuel used by an operator, thus helping to reduce other non-CO₂ emissions. Other alternatives to power aircraft</p> <p>sustainable aviation fuels, such as electricity or hydrogen are very promising technologies and liquid hydrogen are expected to progressively contribute to the decarbonisation of air transport, beginning with short-haul flights. This Regulation will further accelerate scientific development and deployment of these technologies, as well as commercial innovation in respect of them, by allowing economic operators to consider those technologies in relation to the mandate on sustainable aviation fuels, as set out in this Regulation, when those technologies become mature and commercially available. This will also increase market certainty and predictability and act as an incentive for the investments in those new technologies that are necessary.</p>	CO ₂ emissions. Other alternatives to power aircraft, such as electricity or liquid hydrogen are expected to progressively contribute to the decarbonisation of air transport, beginning with short-haul flights.	
Recital 9				

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19	(9) The gradual introduction of sustainable aviation fuels on the air transport market will represent an additional fuel cost for airlines, as such fuel technologies are currently more expensive to produce than conventional aviation fuel. This is expected to exacerbate the pre-existing issues of level playing field on the air transport market as regards aviation fuel, and to cause further distortions among aircraft operators and airports. This regulation should take measures to prevent that the introduction of sustainable aviation fuels affects negatively the competitiveness of the aviation sector by defining harmonised requirements across the Union.	(9) The gradual introduction of sustainable aviation fuels on the air transport market will represent an additional fuel cost for airlines, as such fuel technologies are currently more expensive to produce than conventional aviation fuel. This is expected to exacerbate the pre-existing issues of level playing field on the air transport market as regards aviation fuel, and to cause further distortions among aircraft operators and airports, also in the context of the implementation of CORSIA and ETS emission schemes. This regulation should take measures to prevent that the introduction of sustainable aviation fuels affects negatively the competitiveness of the aviation sector by defining harmonised requirements across the Union-, including common definitions and common EU-level target-setting	(9) The gradual introduction of sustainable aviation fuels SAF on the air transport market will represent an additional fuel cost for airlines, as such fuel technologies are currently more expensive to produce than conventional aviation fuel. This is expected to exacerbate the pre-existing issues of level playing field on the air transport market as regards aviation fuel, and to cause further distortions among aircraft operators and airports. This regulation should take measures to prevent that the introduction of sustainable aviation fuels SAF affects negatively the competitiveness of the aviation sector by defining harmonised requirements across the Union.	
Recital 10				
20	(10) At global level, sustainable aviation fuels are regulated at ICAO. In particular, ICAO	(10) At global level, sustainable aviation fuels are regulated and defined at ICAO. In particular,	(10) At global level, sustainable aviation fuels SAF are regulated at ICAO. In particular, ICAO	

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	<p>establishes detailed requirements on the sustainability, traceability and accounting of sustainable aviation fuels for use on flights covered by the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA). While incentives are set in CORSIA and sustainable aviation fuels are considered an integral pillar of the work on the feasibility of a Long-Term Aspiration Goal for international aviation, there is currently no mandatory scheme on the use of sustainable aviation fuels for international flights. Comprehensive multilateral or bilateral air transport agreements between the EU or its Member States, and third countries generally include provisions on environmental protection. However, for the time being, such provisions do not impose on contracting parties any binding requirements on the use of sustainable aviation fuels.</p>	<p>ICAO establishes, where countries agree on detailed requirements on the sustainability, traceability and accounting of certified sustainable aviation fuels pathways for use on flights covered by the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA). While incentives are set in CORSIA and sustainable aviation fuels are considered an integral pillar of the work on the feasibility of a Long-Term Aspiration Goal for international aviation, there is currently no mandatory scheme on the use of sustainable aviation fuels for international flights. Comprehensive multilateral or bilateral air transport agreements between the EU or its Member States, and third countries generally include provisions on environmental protection. However, for the time being Currently, such provisions do not impose on contracting parties any binding requirements on the use of sustainable aviation fuels.</p>	<p>establishes detailed requirements on the sustainability, traceability and accounting of sustainable aviation fuels SAF for use on flights covered by the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA). While incentives are set in CORSIA and sustainable aviation fuels SAF are considered an integral pillar of the work on the feasibility of a Long-Term Aspiration Goal for international aviation, there is currently no mandatory scheme on the use of sustainable aviation fuels SAF for international flights. Comprehensive multilateral or bilateral air transport agreements between the EU or its Member States, and third countries generally include provisions on environmental protection. However, for the time being, such provisions do not impose on contracting parties any binding requirements on the use of sustainable aviation fuels SAF.</p>	
Recital 10a				
20a				

	Commission Proposal	EP Mandate	Council Mandate	14991/22
		<p>(10a) In order to prevent distortions of competition in the international aviation market, that could lead to the loss of traffic flows connecting through EU airports and to carbon leakage and in order to create a global market of sustainable aviation fuels, the Union external aviation policy should take a global lead in the shift towards the use of sustainable fuels, engage in international negotiations to harmonise definitions and standards of sustainable air fuels and promote international convergence on the rules concerning the production, uptake and uplift of sustainable aviation fuels. It is therefore important that the Union sustains its efforts at ICAO and strives for an ambitious global system that promotes a global market for sustainable aviation fuels and provides for an international level playing field. The Commission and Member States should therefore advocate at the ICAO General Assembly to immediately start negotiations for an ambitious global policy</p>		

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		<p>framework at ICAO level for the uptake of sustainable aviation fuels. Once such a global policy framework is adopted, the Commission should ensure that the provisions of this Regulation are compatible, consistent and complementary to the global framework and the international standards, thereby securing a coherent implementation and a level playing field at international level. In addition, the Commission and Member States should aim to ensure that comprehensive multilateral and bilateral air transport and air services agreements integrate equivalent, binding provisions on a blending mandate for the uptake of sustainable aviation fuels. Furthermore, the Commission should regularly assess whether the provisions of this Regulation have an adverse effect on the functioning of the internal market in aviation, the sector's competitiveness, the international level playing field with regards to air carriers and airport hubs and possible re-routing leading to carbon leakage and, where appropriate,</p>		

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		present remedies to address these adverse effects.		
Recital 11				
21	(11) At EU level, general rules on renewable energy for the transport sector are set out in Directive (EU) 2018/2001 of the European Parliament and of the Council ¹ . In the past, such horizontal cross-sectoral regulatory frameworks have not proven effective to operate a transition from fossil fuels to sustainable aviation fuel in air transport. Directive (EU) 2018/2001 and its predecessor set out overarching targets across all transport modes to be supplied with renewable fuels. As aviation is a small fuels market for which renewable fuels are more costly to produce while a fully integrated European transport market, in comparison to other transport modes, such regulatory frameworks should be complemented with aviation-specific measures to effectively boost the deployment of sustainable aviation fuels. Further, national transpositions of Directive (EU) 2018/2001 risks	(11) At EU level, general rules on renewable energy for the transport sector are set out in Directive (EU) 2018/2001 of the European Parliament and of the Council ¹ . In the past, such horizontal cross-sectoral regulatory frameworks have not proven effective to operate a transition from fossil fuels to sustainable aviation fuel in air transport. Directive (EU) 2018/2001 and its predecessor set out overarching targets across all transport modes to be supplied with renewable fuels. As aviation is a small fuels market for which renewable fuels are more costly to produce while a fully integrated European transport market, in comparison to other transport modes, such regulatory frameworks -should be complemented with aviation-specific measures to effectively boost the deployment of sustainable aviation fuels. Further, national transpositions of Directive (EU) 2018/2001 risks	(11) At EU level, general rules on renewable energy for the transport sector are set out in Directive (EU) 2018/2001 of the European Parliament and of the Council ¹ . In the past, such horizontal cross-sectoral regulatory frameworks have not proven effective to operate a transition from fossil fuels to sustainable aviation fuel SAF in air transport. Directive (EU) 2018/2001 and its predecessor set out overarching targets across all transport modes to be supplied with renewable fuels. As aviation is a small fuels market for which renewable fuels are more costly to produce while a fully integrated European transport market , in comparison to other transport modes, such regulatory frameworks -should be complemented with aviation-specific measures to effectively boost the deployment of sustainable aviation fuels SAF. Further, national transpositions of Directive (EU) 2018/2001 risks	

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	<p>creating significant fragmentation in the air transport market, where national rules on sustainable aviation fuels would set out widely differing targets. This would be expected to further exacerbate the issues of level playing field in air transport.</p> <p>1. 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).</p>	<p>creating significant fragmentation in the air transport market, where national rules on sustainable aviation fuels would set out widely differing targets. This would be expected to further exacerbate the issues of level playing field in air transport.</p> <p>1. [1] 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).</p>	<p>creating significant fragmentation in the air transport market, where national rules on sustainable aviation fuels SAF would set out widely differing targets. This would be expected to further exacerbate the issues of level playing field in air transport.</p> <p>1. [1] 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).</p>	
Recital 12				
22	<p>(12) Therefore, uniform rules need to be laid down for the aviation internal market to complement Directive (EU) 2018/2001 and to deliver on its overall objectives by addressing the specific needs and requirements arising from the EU aviation internal market. In particular, the present Regulation aims to avoid a fragmentation of the aviation market, prevent possible competitive distortions between economic actors, or unfair practices of cost avoidance as regards the refuelling of aircraft</p>	<p>(12) Therefore, uniform rules need to be laid down for the aviation internal market to complement Directive (EU) 2018/2001 and to deliver on its overall objectives by addressing the specific needs and requirements arising from the EU aviation internal market and promoting sustainable fuels in aviation. In particular, the present Regulation aims to avoid a fragmentation of the Union aviation market, prevent possible competitive distortions between economic actors, or unfair</p>	<p>(12) Therefore, uniform rules need to be laid down for the aviation internal market to complement Directive (EU) 2018/2001 and to deliver on its overall objectives by addressing the specific needs and requirements arising from the EU aviation internal market. In particular, the present Regulation aims to avoid a fragmentation of the aviation market, prevent possible competitive distortions between economic actors, or unfair practices of cost avoidance as regards the refuelling of aircraft</p>	

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	operators.	practices of cost avoidance as regards the refuelling of aircraft operators and promote innovation and production in the Union. Targeted support and financing is required from Union and national levels, as well as incentivising public and private partnerships to accelerate the uptake of sustainable aviation fuels	operators, while fostering the use of SAF. However, this Regulation should be without prejudice to the obligations laid down in Directive (EU) 2018/2001; Member States can claim the use of aviation fuels covered by this Regulation for achieving the objectives and targets laid down in that Directive subject to the conditions and within the limits of that Directive.	
Recital 13				
23	(13) This regulation aims in the first instance to set out a framework restoring and preserving a level playing field on the air transport market as regards the use of aviation fuels. Such a framework should prevent divergent requirements across the Union that would exacerbate refuelling practices distorting competition between aircraft operators or putting some airports at competitive disadvantage with others. In a second instance, it aims to gear the EU aviation market with robust rules to ensure that gradually increasing shares of	(13) This regulation aims in the first instance to set out a framework restoring and preserving a level playing field on the air transport market as regards the use of aviation fuels. Such a framework should prevent divergent requirements across the Union that would exacerbate refuelling practices distorting competition between aircraft operators or putting some airports at competitive disadvantage with others. In a second instance, it aims to gear the EU aviation market with robust rules to ensure that gradually increasing shares of	(13) This regulation aims in the first instance to set out a framework restoring and preserving a level playing field on the air transport market as regards the use of aviation fuels. Such a framework should prevent divergent requirements across the Union that would exacerbate refuelling practices distorting competition between aircraft operators or putting some airports at competitive disadvantage with others. In a second instance, it aims to gear the EU aviation market with robust rules to ensure that gradually increasing shares of	

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	sustainable aviation fuels can be introduced at EU airports without detrimental effects on the competitiveness of the EU aviation internal market.	sustainable aviation fuels can be introduced at EU airports without detrimental effects on the competitiveness of the EU aviation internal market.	sustainable aviation fuels SAF can be introduced at EU Union airports without detrimental effects on the competitiveness of the EU aviation internal market.	
Recital 14				
24	(14) It is essential to set harmonised rules across the EU internal market, applying directly and in a uniform way to aviation market actors on the one hand, and aviation fuels market actors on the other hand. The overarching framework set out by Directive (EU) 2018/2001 should be complemented with a <i>lex specialis</i> applying to air transport. It should include gradually increasing targets for the supply of sustainable aviation fuels. Such targets should be carefully defined, taking into account the objectives of a well-functioning air transport market, the need to decarbonise the aviation sector and the current status of the sustainable aviation fuels industry.	(14) It is essential to set harmonised rules across the EU internal market, applying directly and in a uniform way to aviation market actors on the one hand, and aviation fuels market actors on the other hand. The overarching framework set out by Directive (EU) 2018/2001 should be complemented with a <i>lex specialis</i> lex specialis applying to air transport. It should include gradually increasing targets for the supply of sustainable aviation fuels. Such targets should be carefully defined, taking into account the objectives of a well-functioning air transport market, the need to decarbonise the aviation sector and the current status of the sustainable aviation fuels industry.	(14) It is essential to set harmonised rules across the EU internal market, applying directly and in a uniform way to aviation market actors on the one hand, and aviation fuels market actors on the other hand. The overarching framework set out by Directive (EU) 2018/2001 should be complemented with a <i>lex specialis</i> lex specialis applying to air transport. It should include gradually increasing targets for the supply of sustainable aviation fuels SAF. Such targets should be carefully defined, taking into account the objectives of a well-functioning air transport market, the need to decarbonise the aviation sector and the current status of the sustainable aviation fuels SAF industry.	
Recital 15				

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25	<p>(15) The present Regulation should apply to aircraft engaged in civil aviation, carrying out commercial air transport flights. It should not apply to aircraft such as military aircraft and aircraft engaged in operations for humanitarian, search, rescue, disaster relief or medical purposes, as well as customs, police and fire-fighting operations. Indeed, flights operated in such circumstances are of exceptional nature and as such cannot always be planned in the same way as regular flights. Due to the nature of their operations, they may not always be in a position to fulfil obligations under this Regulation, as it may represent unnecessary burden. In order to cater for a level playing field across the EU aviation single market, this regulation should cover the largest possible share of commercial air traffic operated from airports located on EU territory. At the same time, in order to safeguard air connectivity for the benefits of EU citizens, businesses and regions, it is important to avoid imposing undue burden on air transport operations</p>	<p>(15) The present Regulation should apply to aircraft engaged in civil aviation, carrying out commercial air transport flights. It should not apply to aircraft such as military aircraft and aircraft engaged in operations for humanitarian, search, rescue, disaster relief or medical purposes, as well as customs, police and fire-fighting operations. Indeed, flights operated in such circumstances are of exceptional nature and as such cannot always be planned in the same way as regular flights. Due to the nature of their operations, they may not always be in a position to fulfil obligations under this Regulation, as it may represent unnecessary burden. This Regulation should apply to aircraft engaged in civil aviation, carrying out commercial air transport flights. It should not apply to aircraft military aircrafts or to aircrafts engaged in customs, police and fire-fighting operations. In order to cater for a level playing field across the EU aviation single market, this regulation should cover the largest possible share of</p>	<p>(15) The present Regulation should apply to aircraft engaged in civil aviation, carrying out commercial air transport flights. It should not apply to aircraft such as military aircraft and aircraft engaged in operations for humanitarian, repatriation and deportation, search, rescue, disaster relief or medical purposes, as well as customs, police and fire-fighting operations. Indeed, flights operated in such circumstances are of exceptional nature and as such cannot always be planned in the same way as regular flights. Due to the nature of their operations, they may not always be in a position to fulfil obligations under this Regulation, as it may represent unnecessary burden. In order to cater for a level playing field across the EU aviation single market, this regulation should cover the largest possible share of commercial air traffic operated from airports located on EU territory. At the same time, in order to safeguard air connectivity for the benefits of EU citizens, businesses and regions, it is important to avoid imposing undue</p>	<p>(15) The present Regulation should apply to aircraft engaged in civil aviation, carrying out commercial air transport flights. It should not apply to aircraft such as military aircraft and aircraft engaged in flights used only for operations for humanitarian, repatriation and deportation returns, whether voluntary or enforced, including readmissions, search, rescue, disaster relief or medical purposes, as well as for customs, police and fire-fighting operations. Indeed, flights operated in such circumstances are of exceptional nature and as such cannot always be planned in the same way as regular standard commercial air transport flights. Due to the nature of their operations, they may not always be in a position to fulfil obligations under this Regulation, as it may represent unnecessary burden. In order to cater for a level playing field across the EU aviation single market, this regulation should cover the largest possible share of commercial air traffic operated from airports located on EU</p>

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	<p>at small airports. A threshold of yearly passenger air traffic and freight traffic should be defined, below which airports would not be covered by this Regulation; however, the scope of the Regulation should cover at least 95% of total traffic departing from airports in the Union. For the same reasons, a threshold should be defined to exempt aircraft operators accountable for a very low number of departures from airports located on EU territory.</p>	<p>and to favour the development of the SAF market and the necessary infrastructure for SAF across the entire EU, it should cover all commercial air traffic operated from airports located on EU territory. At the same time, in order to safeguard air connectivity for the benefits of EU citizens, businesses and regions, it is important to provide for the necessary flexibility to enable fuel suppliers to provide and airlines to uplift sustainable aviation fuels in the most cost-effective manner, and to avoid imposing an undue burden on air transport operations at small airports. A threshold of yearly passenger air traffic and freight traffic, a flexibility mechanism, including book & claim elements, should be defined, below which airports would not be covered by this Regulation; however, the scope of the Regulation should cover at least 95% of total traffic departing from airports in the Union. For the same reasons, a threshold should be defined to exempt aircraft operators accountable for a very low number of departures from</p>	<p>burden on air transport operations at small airports. A threshold of yearly passenger air traffic and freight traffic should be defined, below which airports would not be covered by this Regulation; However, the scope of the Regulation should cover at least 95% of total traffic departing from airports in the Union. Moreover, Member States should be able to decide that an airport located on its territory that does not reach that threshold should be treated as a Union airport for the purposes of this Regulation and should therefore be subject to this Regulation. For the same reasons, a threshold should be defined to exempt aircraft operators accountable for a very low number of departures from airports located on EU territory.</p>	<p>territory. At the same time, in order to safeguard air connectivity for the benefits of EU citizens, businesses and regions, it is important to avoid imposing undue burden on air transport operations at small airports. A threshold of yearly passenger air traffic and freight traffic should be defined, below which airports would not be covered by this Regulation. However, the scope of the Regulation should cover at least 95% of total traffic departing from airports in the Union. Moreover, For the same reasons, a threshold should be defined to exempt aircraft operators accountable for a very low number of departures from airports located on EU territory.</p> <p>However, in order to achieve a higher level of ambition, Member States should be able to decide that an airport located on its territory that does not reach that threshold should be treated as a Union the thresholds laid down in this Regulation is subject to this Regulation. An airport for the purposes of located in the Union territory that does not reach the</p>

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		<p>airports located on EU territory set up as a transitional phase. In order to prevent undue distortions of competition in the internal market, after that transitional period the requirements laid out in this Regulation should apply equally in the long term to all Union airports and to all commercial aircraft operators taking off or landing in a Union airport.</p>		<p>thresholds laid down in this Regulation, or located in outmost regions, may request to the respective competent authorities to be treated as a Union airport and should therefore be subject to this Regulation.</p> <p>Moreover, a person operating commercial air transport flights but that does not reach the thresholds laid down in this Regulation or a person operating flights other than commercial air transport flights may decide to be treated as an aircraft operator for the purposes of this Regulation and therefore to be subject to this Regulation and/or that its non commercial air transport flights be covered by this Regulation</p> <p>For the same reasons, a threshold should be defined to exempt aircraft operators accountable for a very low number of departures from airports located on EU territory.</p> <p>To reflect changes in Article 2</p>
Recital 15a				
25a				

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		(15a) It is essential that less-connected European regions, such as insular and outermost regions, that often rely on aviation as the sole means of connection, are not disproportionately affected by the obligations resulting from this Regulation and that access of these regions to essential goods and services is ensured. In order to help safeguarding the air-connectivity of regions with fewer alternative transport options, attention should be paid to the possible effects of the provisions in this Regulation with regards to the affordability, competitiveness and potential price increases of air routes connecting remote regions and other areas of the Union		
25b				
Recital 16				
26	(16) Development and deployment of sustainable aviation fuels with a high potential for sustainability, commercial maturity and a high potential for	(16) Development and deployment of sustainable aviation fuels with a high potential for sustainability, commercial maturity and a high potential for	(16) Development and deployment of sustainable aviation fuels SAF with a high potential for sustainability, commercial maturity and a high potential for	

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	<p>innovation and growth to meet future needs should be promoted. This should support creating innovative and competitive fuels markets and ensure sufficient supply of sustainable aviation fuels for aviation in short and long term to contribute to Union transport decarbonisation ambitions, while strengthening Union's efforts towards a high level of environmental protection. For this purpose, sustainable aviation fuels produced from feedstock listed in Parts A and B of Annex IX of Directive (EU) 2018/2001, as well as synthetic aviation fuels should be eligible. In particular, sustainable aviation fuels produced from feedstock listed in Part B of Annex IX of Directive (EU) 2018/2001 are essential, as currently the most commercially mature technology to decarbonise air transport already in the short term.</p>	<p>innovation and growth to meet future needs should be promoted. This should support creating innovative and competitive fuels markets and ensure sufficient supply of sustainable aviation fuels for aviation in short and long term to contribute to Union transport decarbonisation ambitions, while strengthening Union's efforts towards a high level of environmental protection. For this purpose, sustainable aviation fuels produced from feedstock listed in Parts A and B of Annex IX of Directive (EU) 2018/2001, as well as synthetic aviation fuels should be eligible. In particular, sustainable aviation fuels produced from feedstock listed in Part B of Annex IX of Directive (EU) 2018/2001 are essential, as currently the most commercially mature technology to decarbonise air transport already in the short term.</p>	<p>innovation and growth to meet future needs should be promoted. This should support creating innovative and competitive fuels markets and ensure sufficient supply of sustainable aviation fuels SAF for aviation in short and long term to contribute to Union transport decarbonisation ambitions, while strengthening Union's efforts towards a high level of environmental protection. For this purpose, sustainable aviation fuels produced from feedstock listed in Parts A and B of Annex IX of all biofuels which comply with the sustainability and greenhouse gas emissions criteria laid down in Directive (EU) 2018/2001 and are certified in accordance with that Directive, with the exception of biofuels produced from 'food and feed crops', renewable fuels of non-biological origin and recycled carbon, as well as synthetic aviation fuels complying with the greenhouse gas emissions savings threshold referred to in that Directive should be eligible. In particular, sustainable aviation that respect, to ensure consistency with other</p>	

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			<p>related EU policies, the eligibility of biofuels, renewable fuels of non biological origin and recycled carbon fuels should be based on the sustainability criteria and thresholds established in Directive 2018/2001.</p> <p>In particular, SAF produced from feedstock listed in Part B of Annex IX of Directive (EU) 2018/2001 are essential, as currently the most commercially mature technology to decarbonise air transport already in the short term. The renewable share of fuels produced through co-processing should be eligible under the definition of SAF, as long as the renewable share is produced from feedstock listed in Directive (EU) 2018/2001 with the exception of biofuels produced from ‘food and feed crops’ as defined in Article 2, second paragraph, point 40 of that Directive, and determined in line with the methodology set out under Delegated Act [XXX].</p> <p>Synthetic low-carbon fuels for aviation achieving similar high greenhouse gas reductions as renewable fuels on</p>	

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			non-biological origin should also be included in the scope of this Regulation.	
Recital 16a				
26a			(16a) Given their use for cosmetics and animal feed, biofuels other than advanced biofuels as defined in Article 2, second paragraph, point 34 of Directive (EU) 2018/2001 and other than biofuels produced from the feedstock listed in Part B of Annex IX to that Directive supplied across Union airports by each fuel supplier should account for a maximum of 3 % for the purposes of complying with the minimum shares of SAF to be supplied at each Union airports under this Regulation.	
Recital 16a				
26b		(16a) It is essential that the pool of eligible sustainable feedstock be as inclusive as possible, in order to maximise the potential for scaling up the production of sustainable aviation fuels at		

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		affordable costs. The list of feedstock eligible under the present Regulation should not be static but evolving over time to include new sustainable feedstock. For that purpose, in line with article 28(6) of Directive (EU) 2018/2001, the Commission should review at least every two years the list of feedstock set out in Parts A and B of Annex IX with a view to adding new feedstock. New feedstock added to Annex IX should become directly eligible for production of sustainable aviation fuels under the present Regulation		
Recital 17				
27	(17) For sustainability reasons, feed and food crop-based fuels should not be eligible. In particular, indirect land-use change occurs when the cultivation of crops for biofuels displaces traditional production of crops for food and feed purposes. Such additional demand increases the pressure on land and can lead to the extension of agricultural land into areas with high-carbon	(17) For sustainability reasons, feed and food crop-based fuels, including high indirect land-use change risk biofuels such as those derived from palm oil , should not be eligible. In particular, indirect land-use change occurs when the cultivation of crops for biofuels displaces traditional production of crops for food and feed purposes. Such additional demand increases	(17) For sustainability reasons, feed and food crop-based fuels should not be eligible. In particular, indirect land-use change occurs when the cultivation of crops for biofuels displaces traditional production of crops for food and feed purposes. Such additional demand increases the pressure on land and can lead to the extension of agricultural land into areas with high-carbon	

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	<p>stock, such as forests, wetlands and peatland, causing additional greenhouse gas emissions and loss of biodiversity concerns. Research has shown that the scale of the effect depends on a variety of factors, including the type of feedstock used for fuel production, the level of additional demand for feedstock triggered by the use of biofuels and the extent to which land with high-carbon stock is protected worldwide. The highest risks of indirect land-use change have been identified for biofuels, fuels produced from feedstock for which a significant expansion of the production area into land with high-carbon stock is observed. Accordingly, feed and food crop-based fuels should not be promoted. This approach is in line with Union policy and in particular with Directive (EU) 2018/2001 which limits and sets a cap on the use of such biofuels in road and rail transport, considering their lower environmental benefits, lower performance in terms of greenhouse reduction potential and broader sustainability concerns. In addition to the greenhouse gas emissions linked to indirect land-</p>	<p>the pressure on land and can lead to the extension of agricultural land into areas with high-carbon stock, such as forests, wetlands and peatland, causing additional greenhouse gas emissions and loss of biodiversity concerns. Research has shown that the scale of the effect depends on a variety of factors, including the type of feedstock used for fuel production, the level of additional demand for feedstock triggered by the use of biofuels and the extent to which land with high-carbon stock is protected worldwide. The highest risks of indirect land-use change have been identified for biofuels, fuels produced from feedstock for which a significant expansion of the production area into land with high-carbon stock is observed. Accordingly, feed and food crop-based fuels should not be promoted. This approach is in line with Union policy and in particular with Directive (EU) 2018/2001 which limits and sets a cap on the use of such biofuels in road and rail transport, considering their lower environmental benefits, lower performance in terms of greenhouse reduction potential and</p>	<p>stock, such as forests, wetlands and peatland, causing additional greenhouse gas emissions and loss of biodiversity concerns. Research has shown that the scale of the effect depends on a variety of factors, including the type of feedstock used for fuel production, the level of additional demand for feedstock triggered by the use of biofuels and the extent to which land with high-carbon stock is protected worldwide. The highest risks of indirect land-use change have been identified for biofuels, fuels produced from feedstock for which a significant expansion of the production area into land with high-carbon stock is observed. Accordingly, feed and food crop-based fuels should not be promoted. This approach is in line with Union policy and in particular with Directive (EU) 2018/2001 which limits and sets a cap on the use of such biofuels in road and rail transport, considering their lower environmental benefits, lower performance in terms of greenhouse reduction potential and broader sustainability concerns. In addition to the greenhouse gas emissions linked to indirect land-</p>	

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	<p>use change – which is capable of negating some or all greenhouse gas emissions savings of individual biofuels – indirect land-use change poses risks also to biodiversity. This risk is particularly serious in connection with a potentially large expansion of production determined by a significant increase in demand. The aviation sector has currently insignificant levels of demand for food and feed crops-based biofuels, since over 99% of currently used aviation fuels are of fossil origin. It is therefore appropriate to avoid the creation of a potentially large demand of food and feed crops-based biofuels by promoting their use under this Regulation. The non-eligibility of crop-based biofuels under this Regulation also minimises any risk to slow down the decarbonisation of road transport, which could otherwise result from a shift of crop-based biofuels from the road to the aviation sector. It is essential to minimise such a shift, as road transport currently remains by far the most polluting transport sector.</p>	<p>broader sustainability concerns. In addition to the greenhouse gas emissions linked to indirect land-use change – which is capable of negating some or all greenhouse gas emissions savings of individual biofuels – indirect land-use change poses risks also to biodiversity. This risk is particularly serious in connection with a potentially large expansion of production determined by a significant increase in demand. The aviation sector has currently insignificant levels of demand for food and feed crops-based biofuels, since over 99% of currently used aviation fuels are of fossil origin. It is therefore appropriate to avoid the creation of a potentially large demand of food and feed crops-based biofuels by promoting their use under this Regulation. The non-eligibility of crop-based biofuels under this Regulation also minimises any risk to slow down the decarbonisation of road transport, which could otherwise result from a shift of crop-based biofuels from the road to the aviation sector. It is essential to minimise such a shift, as road transport currently remains</p>	<p>use change – which is capable of negating some or all greenhouse gas emissions savings of individual biofuels – indirect land-use change poses risks also to biodiversity. This risk is particularly serious in connection with a potentially large expansion of production determined by a significant increase in demand. The aviation sector has currently insignificant levels of demand for food and feed crops-based biofuels, since over 99% of currently used aviation fuels are of fossil origin. It is therefore appropriate to avoid the creation of a potentially large demand of food and feed crops-based biofuels by promoting their use under this Regulation. The non-eligibility of crop-based biofuels under this Regulation also minimises any risk to slow down the decarbonisation of road transport, which could otherwise result from a shift of crop-based biofuels from the road to the aviation sector. It is essential to minimise such a shift, as road transport currently remains by far the most polluting transport sector.</p>	

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		by far the most polluting transport sector.		
Recital 17a				
27a		(17a) Accurate and correct information about the characteristics of sustainable aviation fuels is of major importance for the proper functioning of this Regulation. In order to promote consumer confidence and ensure transparency and traceability, fuel suppliers are responsible to provide the correct information with regards to the characteristics of the fuel supplied, its sustainability characteristics and the origin of feedstock used in the production of the fuel. That information is reported in the Union Database, established under Article 28 of Directive (EU) 2018/2001 (the Renewable Energy Directive). Fuel suppliers that have been proven to have provided misleading or inaccurate information regarding the characteristics or origin of the fuels they supply should be subject to a penalty. Member		


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		<p>States have to ensure that fuel suppliers enter timely and accurate information in the Union Database and that that information is verified and audited. In order to combat possible fraud and since a substantial part of the feedstock needed for the production of sustainable aviation fuels comes from outside the Union, it is necessary for Member States, in cooperation with the relevant European bodies, to strengthen the control mechanism for shipments, including by carrying out on-site inspections. In this respect, the Commission will publish an Implementing Regulation on sustainability certification in line with Article 30(8) of the Directive (EU) 2018/2001 in order to further harmonise and strengthen the rules on reliability, transparency and independent auditing as well as on cooperation of competent authorities of the Member States in audit supervision.</p>		
Recital 18				
28				

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	<p>(18) A single, clear and robust sustainability framework is necessary to provide certainty for the aviation and fuels industries actors, on the eligibility of sustainable aviation fuels under this Regulation. To ensure consistency with other related EU policies, the eligibility of sustainable aviation fuels should be determined according to compliance with the sustainability criteria established in Article 29 of Directive 2018/2001¹.</p> <p>¹. https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018L2001&from=fr</p>	<p>(18) A single, clear and robust sustainability framework is necessary to provide legal certainty and continuity for the aviation and fuels industries actors, on the eligibility of sustainable aviation fuels under this Regulation. To ensure consistency with other related EU policies, the eligibility of sustainable aviation fuels should be determined according to compliance with the sustainability criteria established in Article 29 of Directive 2018/2001¹.</p> <p>¹. [1] https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018L2001&from=fr</p>	<p><i>deleted</i></p>	
Recital 19				
29	<p>(19) The present Regulation should aim to ensure that aircraft operators can compete on the basis of equal opportunities as regards the access to sustainable aviation fuels. To avoid any distortions on the air services market, all Union airports covered by this Regulation should be supplied with uniform minimum shares of sustainable</p>	<p>(19) The present Regulation should aim to ensure that aircraft operators can compete on the basis of equal opportunities as regards the access to sustainable aviation fuels. To avoid any distortions on the air services market, all Union airports covered by this Regulation should be supplied with uniform minimum shares of sustainable</p>	<p>(19) The present Regulation should aim to ensure that aircraft operators can compete on the basis of equal opportunities as regards the access to sustainable aviation fuels SAF. To avoid any distortions on the air services market, all Union airports covered by this Regulation should be supplied with uniform minimum</p>	


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	<p>aviation fuels. Whereas the market is free to supply and use larger quantities of sustainable fuel, this Regulation should ensure that the mandatory minimum shares of sustainable aviation fuels are the same across all the covered airports. It supersedes any requirements established directly or indirectly at national or regional level requiring aircraft operators or aviation fuel suppliers to uptake or supply sustainable aviation fuels with different targets than the ones prescribed under this Regulation. In order to create a clear and predictable legal framework and in doing so encourage the market development and deployment of the most sustainable and innovative with growth potential to meet future needs fuel technologies, this Regulation should set out gradually increasing minimum shares of synthetic aviation fuels over time. Setting out a dedicated sub-obligation on synthetic aviation fuels is necessary in view of the significant decarbonisation potential of such fuels, and in view of their current estimated production costs. When produced</p>	<p>aviation fuels. Whereas the market is free to supply and use larger quantities of sustainable fuel, this Regulation should ensure that the mandatory minimum shares of sustainable aviation fuels are the same across all the covered airports. The availability of feedstock and the production capacity of sustainable aviation fuel are not unlimited. A situation in which some Member States would adopt higher overall sustainable aviation fuel supply obligations at national level will intensify the competition for feedstock with other transport and energy sectors and could lead to shortages of supply in other regions. This would undermine the ability of aircraft operators in these regions to decarbonise, and unfairly increase the cost to those aircraft operators of compliance notably with the EU ETS, leading to market distortions and an overall competitive disadvantage. Therefore, common EU-level target setting for the overall production and for the uptake of sustainable aviation fuels should</p>	<p>shares of sustainable aviation fuels. Whereas the market is free to supply and use larger quantities of sustainable fuel, this Regulation should ensure that the mandatory minimum shares of sustainable aviation fuels are the same across all the covered airports. It supersedes any requirements established directly or indirectly at national or regional level requiring aircraft operators or aviation fuel suppliers to uptake or supply sustainable aviation fuels with different targets than the ones prescribed under this RegulationSAF. In order to create a clear and predictable legal framework and in doing so encourage the market development and deployment of the most sustainable and innovative with growth potential to meet future needs fuel technologies, this Regulation should set out gradually increasing minimum shares of SAF, including of synthetic aviation fuels over time. Setting out a dedicated sub-obligation on synthetic aviation fuels is necessary in view of the significant decarbonisation potential of such fuels, and in view</p>	

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	<p>from renewable electricity and carbon captured directly from the air, synthetic aviation fuels can achieve as high as 100% emissions savings compared to conventional aviation fuel. They also have notable advantages compared to other types of sustainable aviation fuels with regards to resource efficiency (in particular for water needs) of the production process. However, synthetic aviation fuels' production costs are currently estimated at 3 to 6 times higher than the market price of conventional aviation fuel. Therefore, this Regulation should establish a dedicated sub-obligation for this technology. Other types of synthetic fuels, such as low carbon synthetic fuels achieving high greenhouse gas reductions, could be considered for inclusion in the scope of this Regulation in the course of future revisions, where such fuels become defined under the Renewable Energy Directive.</p>	<p>be set. This Regulation supersedes any requirements established directly or indirectly at national or regional level requiring aircraft operators or aviation fuel suppliers to uptake or supply sustainable aviation fuels with different targets than the ones prescribed under this Regulation. In order to create a clear and predictable legal framework and in doing so encourage the market development and deployment of the most sustainable and innovative with growth potential to meet future needs fuel technologies, this Regulation should set out gradually increasing minimum shares of synthetic aviation fuels over time. Setting out a dedicated sub-obligation on synthetic aviation fuels is necessary in view of the significant decarbonisation potential of such fuels, and in view of their current estimated production costs. When produced from renewable electricity and carbon captured directly from the air, synthetic aviation fuels can achieve as high as 100% emissions savings compared to conventional aviation fuel. They also have</p>	<p>of their current estimated production costs. When produced from renewable electricity and carbon captured directly from the air, synthetic aviation fuels can achieve as high as 100% emissions savings compared to conventional aviation fuel. They also have notable advantages compared to other types of sustainable aviation fuels SAF with regards to resource efficiency (in particular for water needs) of the production process. However, synthetic aviation fuels' production costs are currently estimated at 3 to 6 times higher than the market price of conventional aviation fuel. Therefore, this Regulation should establish a dedicated sub-obligation for this technology. Other types of synthetic fuels, such as low carbon synthetic fuels achieving high greenhouse gas reductions, could be considered for inclusion in the scope of this Regulation in the course of future revisions, where such Fuel suppliers should have the option to achieve the minimum shares laid down by this Regulation using synthetic low-carbon fuels for aviation derived from low-</p>	

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		<p>notable advantages compared to other types of sustainable aviation fuels with regards to resource efficiency (in particular for water needs) of the production process. However, synthetic aviation fuels' production costs are currently estimated at 3 to 6 times higher than the market price of conventional aviation fuel. Therefore, this Regulation should establish a dedicated sub-obligation for this technology. Other types of synthetic fuels, such as low carbon synthetic fuels achieving high greenhouse gas reductions, could be considered for inclusion in the scope of this Regulation in the course of future revisions, where such fuels become defined under the Renewable Energy Directive.</p> <p>Furthermore, synthetic aviation fuels with CO₂ derived from direct air capture (DAC) can play an important role due to their ability to sustainably source carbon and should be further promoted.</p>	<p>carbon hydrogen achieving similar high greenhouse gas reductions as renewable fuels become defined under the Renewable Energy Directive of non-biological origin.</p>	
Recital 19a				
29a		(19a) The availability of		

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		<p>feedstock and the production capacity of sustainable aviation fuel are not unlimited. An intensified competition for limited feedstock could lead to shortages of supply and market distortions and thereby negatively affect the competitiveness of the aviation sector as a whole. In order to ensure a level playing field and avoid a fragmentation of the internal market, harmonised requirements should apply across the Union about the minimum shares of SAF uptake. However, while ensuring the achievement of these EU harmonised volume shares in accordance with Annex I, Member States may take national measures, supportive policies and initiatives aiming at increasing the level of production and uptake of sustainable aviation fuels, including synthetic aviation fuels, on their territory, for instance by providing financial support. Such national actions should be transparent, non-discriminatory, proportionate and of a general nature open to</p>		

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		<p>all enterprises. Furthermore, as this Regulation does not define a maximum share of sustainable aviation fuels, airlines and fuel suppliers may pursue more ambitious environmental policies with higher sustainable aviation fuels uptake and supply in their overall network of operations, while avoiding fuel tankering. To this end, airlines and fuel suppliers could, by means of contractual arrangements, agree on mutual commitments to produce, supply and purchase predetermined quantities of sustainable aviation fuels, including those exceeding the minimum volume shares set out in Annex I. Such contractual arrangements may also cover liability and establish conditions for financial compensation in cases of non-delivery.</p>		
	Recital 19b			
29b		<p>(19b) Consumer demand can play an important role in the development towards a more sustainable aviation. However, for consumers to be able to make an informed choice, more</p>		

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		<p>robust, reliable, independent and harmonised information is needed on the environmental impact of flights, in line with the Sustainable and Smart Mobility Strategy Action Plan. To this end, a comprehensive Union labelling system for the environmental performance of aviation should be established that can provide users of aviation services clear, transparent, comprehensive, user-friendly and easily understandable information about the environmental performance of aviation. This will drive consumers' choices and further promote the use of sustainable aviation fuels and other sustainability measures by aircraft operators. The European Union Aviation Safety Agency (EASA) is already responsible for environmental certification of aircraft and has been working together with stakeholders to develop an environmental labelling system for aviation that covers aircraft, aircraft operators and commercial flights. EASA should be tasked with the</p>		

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		<p>further development, implementation and functioning of such system to ensure independence, technical robustness and synergies with other EU measures.</p>		
Recital 20				
30	<p>(20) It is essential to ensure that the minimum shares of sustainable aviation fuels can be successfully supplied to the aviation market without supply shortages. For this purpose, sufficient lead-time should be planned to allow the renewable fuels industry to develop production capacity accordingly. The supply of sustainable aviation fuels should become mandatory starting in 2025. Similarly, in order to provide legal certainty and predictability to the market and drive investments durably towards sustainable aviation fuels production capacity, the terms of this Regulation should be stable over a long period of time.</p>	<p>(20) It is essential to ensure that the minimum shares of sustainable aviation fuels can be successfully supplied to the aviation market without supply shortages. For this purpose, sufficient lead-time should be planned and a flexibility mechanism put in place to allow the renewable fuels industry to develop production capacity accordingly and to allow aviation fuel providers and aircraft operators to meet their obligations in the most cost-effective way, without reducing the overall environmental ambitions of this Regulation. The supply of sustainable aviation fuels should start in 2025, with the flexibility provided for in the SAF flexibility mechanism become mandatory starting in 2025. Similarly, in order to provide legal certainty and</p>	<p>(20) It is essential to ensure that the minimum shares of sustainable aviation fuels SAF can be successfully supplied to the aviation market without supply shortages. For this purpose, sufficient lead-time should be planned to allow the renewable fuels industry to develop production capacity accordingly. The supply of sustainable aviation fuels SAF should become mandatory starting in 2025. Similarly, in order to provide legal certainty and predictability to the market and drive investments durably towards sustainable aviation fuels SAF production capacity, the terms of this Regulation should be stable over a long period of time.</p>	

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		<p>predictability to the market and drive investments durably towards sustainable aviation fuels production capacity, the terms of this Regulation should be stable over a long period of time.</p>		
Recital 20a				
30a			<p>(20a) As the Regulation does not define a maximum share of SAF in all aviation fuels, airlines and fuel suppliers may pursue more ambitious environmental policies with higher SAF uptake and supply in their overall network of operations. Accordingly, the market should remain free to supply and use larger quantities of SAF than the ones needed for the application of the minimum shares laid down in this Regulation. Moreover, in order to enhance further the decarbonisation of the aviation sector and in view of the significant decarbonisation potential of synthetic aviation fuels, Member States should be able to apply during a limited period of time and up to specific ceilings higher minimum shares</p>	

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			<p>of such fuels as the ones laid down in this Regulation at one or several Union airport located on their territory where the minimum share of SAF, including synthetic aviation fuels, set out in this Regulation has been reached during the previous reporting period in average across Union airports or at any time before the 1 January 2027. Member States should also have the option of not applying such ceilings in the case of small airports, where the annual passenger non-domestic traffic is less than 2 million passengers, as such further option would not adversely affect the internal aviation market. However, where the distribution of synthetic aviation fuels across all Union airports cannot be ensured due to a structural lack of production or supply of such fuels in the Union, the Commission should adopt a decision requiring the Member States to suspend the application of such higher national minimum shares. The provisions of this Regulation should not prevent Member States from</p>	

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			implementing dedicated measures other than the ones laid down in this Regulation aiming at facilitating the use of SAF on domestic flights.	
Recital 21				
31	<p>(21) With the introduction and ramp-up of sustainable aviation fuels at Union airports, practices of fuel tankering may be exacerbated as a consequence of aviation fuel costs increases. Tankering practices are unsustainable and should be avoided as they undermine the Union's efforts to reduce environmental impacts from transport. Those would be contrary to the aviation decarbonisation objectives as increased aircraft weight would increase fuel consumption and related emissions on a given flight. Tankering practices also put at risk the level playing field in the Union between aircraft operators, and also between airports. This Regulation should therefore require aircraft operators to refuel prior to departure from a given Union airport. The amount of fuel uplifted prior to departures from a</p>	<p>(21) With the introduction and ramp-up of sustainable aviation fuels at Union airports, practices of fuel tankering for economic reasons may be exacerbated as a consequence of aviation fuel costs increases. Tankering practices for economic reasons are unsustainable and should be avoided as they undermine the Union's efforts to reduce environmental impacts from transport. Those would be contrary to the aviation decarbonisation objectives as increased aircraft weight would increase fuel consumption and related emissions on a given flight. Tankering practices also put at risk the level playing field in the Union between aircraft operators, and also between airports. This Regulation should therefore require aircraft operators to refuel prior to departure from a given Union airport. The amount of fuel</p>	<p>(21) With the introduction and ramp-up of sustainable aviation fuels SAF at Union airports, practices of fuel tankering may be exacerbated as a consequence of aviation fuel costs increases. Tankering practices are unsustainable unsustainable and should be avoided as they undermine the Union's efforts to reduce environmental impacts from transport. Those would be contrary to the aviation decarbonisation objectives as increased aircraft weight would increase fuel consumption and related emissions on a given flight. Tankering practices also put at risk the level playing field in the Union between aircraft operators, and also between airports. This Regulation should therefore require aircraft operators to refuel prior to departure from a given Union airport. The amount of fuel</p>	

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	<p>given Union airport should be commensurate with the amount of fuel necessary to operate the flights departing from that airport, taking into account the necessary compliance with fuel safety rules. The requirement ensures that equal conditions for operations in the Union applying equally to Union and foreign operators, while ensuring high level of environmental protection. As the Regulation does not define a maximum share of sustainable aviation fuels in all aviation fuels, airlines and fuel suppliers may pursue more ambitious environmental policies with higher sustainable aviation fuels uptake and supply in their overall network of operations, while avoiding fuel tankering.</p>	<p>uplifted prior to departures from a given Union airport should be commensurate with the amount of fuel necessary to operate the flights departing from that airport, taking into account the necessary compliance with fuel safety rules. The requirement ensures that equal conditions for operations in the Union applying equally to Union and foreign operators, while ensuring high level of environmental protection. As the Regulation does not define a maximum share of sustainable aviation fuels in all aviation fuels, airlines and fuel suppliers may pursue more ambitious environmental policies with higher sustainable aviation fuels uptake and supply in their overall network of operations, while avoiding fuel tankering. To ensure a level playing field both for intra-EU and extra-EU flights, the Commission should regularly monitor, evaluate and report on fuel tankering cases.</p>	<p>uplifted prior to departures from a given Union airport should be commensurate with the amount of fuel necessary to operate the flights departing from that airport, taking into account the necessary compliance with without prejudice to the fuel reserve to be uplifted in order to comply with applicable fuel safety rules, such as in particular Commission Regulation (EU) No. 965/2012¹. The requirement ensures that equal conditions for operations in the Union applying equally to Union and foreign operators, while ensuring high level of environmental protection. As the Regulation does not define a maximum share of sustainable aviation fuels in all aviation fuels, airlines and fuel suppliers may pursue more ambitious environmental policies with higher sustainable aviation fuels uptake and supply in their overall network of operations, while avoiding fuel tankering.</p> <p>¹. Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European</p>	

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			Parliament and of the Council (OJ L 296, 25.10.2012, p1)	
Recital 21a				
31a			<p>(21a) However, this Regulation should provide for the possibility to exempt for a limited period of time aircraft operators from the obligation to refuel prior to departure on specific routes of less than 1200 kilometres departing from Union airports in case those operators can demonstrate serious and recurrent operational difficulties in refuelling aircrafts at a given Union airport preventing them from performing turnaround flights within a reasonable time, which might have an impact on connectivity especially of peripheral regions, or structural fuel supply difficulties leading to significantly higher prices of fuels compared to prices applied on average to similar types of fuels in other Union airports. The significantly higher prices at the given airport in question should not primarily be the result of the higher use of SAF at that airport.</p>	<p>(21a) However, this Regulation should provide for the possibility to exempt for a limited period of time aircraft operators from the obligation to refuel prior to departure on specific routes of less than 1200 kilometres departing from Union airports in case those operators can demonstrate serious and recurrent operational difficulties in refuelling aircrafts at a given Union airport preventing them from performing turnaround flights within a reasonable time, which might have an impact on connectivity especially of peripheral regions, or structural fuel supply difficulties leading to significantly higher prices of fuels compared to prices applied on average to similar types of fuels in other Union airports. The significantly higher prices at the given airport in question should not primarily be the result of the higher use of SAF at that airport.</p>

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Recital 21a				
31b		<p>(21a) The further uptake of sustainable aviation fuels, that typically have lower aromatic concentrations and lower sulphur content, will contribute to reducing the non-CO2 climate impacts. A further reduction of the aromatic and sulphur content in aviation fuels could reduce contrail cirrus formation, improve air quality in and around airports, and increase the quality of the fuel for the benefit of airlines, both through high energy density and lower maintenance costs due to lower soot levels. However, reducing the aromatic concentrations in aviation fuels needs to be done while adhering to international fuel safety rules and preserving an international level playing field. Therefore, EASA should monitor the aromatics and sulphur content of conventional aviation fuels. The Commission should, by 1 January 2025 at the latest, present a report to the European Parliament and to the Council assessing possible</p>		

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		measures, including, where appropriate, legislative proposals and fuel quality standards, to optimise the aromatic content in aviation fuel.		
Recital 21b				
31c		(21b) In addition to its climate warming effects, aviation also negatively impacts air quality. The most significant pollutants are particulate matter (PM), including ultra-fine particles, nitrogen oxides (NOX) and volatile organic compounds (VOCs), with some of these primary pollutants producing other pollutants ¹ . While more research is needed on the health effects of ultrafine particles, several studies have demonstrated short-term and long-term effects of exposure to ultrafine particles, including mortality, cardiovascular, ischemic heart disease and pulmonary morbidity ² . Air pollution also contributes to biodiversity loss through damage to ecosystems. [

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		<p>1. EASA, aviation and air pollution: https://www.easa.europa.eu/eaer/topics/adapting-changing-climate/air-quality.</p> <p>2. WHO Global Air Quality Guidelines 2021: https://apps.who.int/iris/bitstream/handle/10665/345329/9789240034228-eng.pdf?sequence=1&isAllowed=y.</p>		
	Recital 22			
32	<p>(22) Airports covered by this Regulation should ensure that all the necessary infrastructure is provided for delivery, storage and refuelling of sustainable aviation fuel, so as not to constitute an obstacle with respect to the uptake of such sustainable aviation fuel. If necessary, the Agency should be able to require a Union airport to provide information on the infrastructure available allowing for seamless distribution and refuelling of aircraft operators with sustainable aviation fuels. The role of the Agency should allow airports and airlines to have a common focal point, in the event where technical clarification is necessary on the availability of fuel infrastructure.</p>	<p>(22) Airports covered by this Regulation should It is important to ensure that all the necessary infrastructure is provided for delivery, storage and refuelling of sustainable aviation fuel, as well as continued and uninterrupted access for fuel suppliers to transport fuel infrastructure, so as not to constitute an obstacle with respect to the uptake of such sustainable aviation fuel. This Regulation should take due account of the diverse governance models for airports across the Union. In this regard, airports covered by this Regulation, or, where applicable, the relevant managing body to which the centralised infrastructure of the airport has been reserved by the Member State concerned as</p>	<p>(22) Airports The Managing body of a Union airport covered by this Regulation should ensure that all take the necessary infrastructure is provided for delivery, storage and refuelling of sustainable aviation fuel measures to facilitate the access to SAF, so as not to constitute an obstacle with respect to the uptake of such sustainable aviation fuel. If necessary, the Agency competent authorities of the Member State where the airport is located, should be able to require the Managing body of a Union airport to provide information on the infrastructure available allowing for seamless distribution and refuelling of aircraft operators with sustainable aviation fuels SAF. The role of the Agency competent authorities</p>	

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		<p>referred to in Article 8 of Council Directive 96/67/EC ("Groundhandling Directive"), should therefore take all necessary measures to provide the infrastructure necessary for the delivery, storage and uplifting of such sustainable aviation fuels and the access of aircraft operators to them. Where the ultimate responsibility for providing the fuel infrastructure at Union airport is assumed, pursuant contractual arrangements, by an entity other than the Union airport, or where applicable, the managing body of an airport, that entity should be responsible under the contractual arrangement for complying with the obligation under Article 6 of this Regulation. If necessary, the Agency should be able to require a Union airport to provide information on the infrastructure available allowing for seamless distribution and refuelling of aircraft operators with sustainable aviation fuels. The role of the Agency should allow airports and airlines to have a common focal point, in the event where technical</p>	<p>should allow the Managing body of Union airports and airlines to have a common focal point, in the event where technical clarification is necessary on the availability of fuel infrastructure.</p>	

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		<p>clarification is necessary on the availability of fuel infrastructure.</p> <p>When electric or hydrogen-powered aircrafts become mature and commercially available, it will be necessary for airports covered by this Regulation to take all necessary measures to facilitate an appropriate infrastructure for hydrogen and electric recharging for aircrafts, in accordance with the respective deployment plan of the national policy framework, as set out in the proposed Regulation on the deployment of alternative fuels infrastructure. Furthermore, the provision of electricity supply to stationary aircraft should be ensured, inline with Article 12 of Regulation XXX [AFIR Regulation].</p>		
	Recital 22a			
32a		<p>(22a) Many Union airports are supplied with aviation fuel principally via pipelines from refineries or blending stations where SAF blending to meet safety and sustainability specifications needs to take</p>		

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		place. Member States should take all necessary measures to allow the continued and uninterrupted access of aviation fuel suppliers to civil transport aviation fuels infrastructure to supply both conventional aviation fuels and aviation fuels containing shares of sustainable aviation fuels. Delivering SAF to Union airports in sufficient quantities to meet the provisions set out in Annex I by alternate means such as by road/ truck from refineries and blending stations is logistically, practically and from a cost and CO2 penalty perspective infeasible. It will be essential to use these pipelines in addition to pipelines owned by fuel suppliers - where they exist - as well as rail facilities already in place, in order to deliver the minimum SAF required under this Regulation.		
Recital 23				
33	(23) Aircraft operators should be required to report yearly to the Agency on their purchases of sustainable aviation fuel, as well	(23) Aircraft operators should be required to report yearly to the Agency on their purchases of sustainable aviation fuel, as well	(23) Aircraft operators should be required to report yearly to the competent authorities and to the European Union Aviation Safety	(23) Aircraft operators should be required to report yearly to the competent authorities and to the European Union Aviation Safety

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	as on the characteristics of this fuel. Information should be provided on the characteristics of the sustainable aviation fuels purchased such as inter alia nature and origin of the feedstock, conversion pathway and lifecycle emissions.	as on the characteristics of this fuel. Information should be provided on the characteristics of the sustainable aviation fuels purchased such as inter alia nature and origin of the feedstock, conversion pathway and lifecycle emissions.	Agency (the ‘Agency’) on their purchases of sustainable aviation fuel SAF, as well as on the characteristics of this fuel. Information should be provided on the characteristics of the sustainable aviation fuels SAF purchased such as inter alia nature and origin of the feedstock, conversion pathway and lifecycle emissions.	Agency (the ‘Agency’) on their purchases of SAF, as well as on the characteristics attributes of this fuel. Information should be provided on the characteristics of the SAF purchased such as inter alia nature and origin of the feedstock, conversion pathway process and lifecycle emissions for each purchase and type of SAF . linked to line 93
Recital 24				
34	(24) Aircraft operators should also be required to report yearly on their actual aviation fuel uplift per Union airport, so as to prove that no fuel tankering was performed. Reports should be verified by independent verifiers and transmitted to the Agency for monitoring and assessment of compliance. Verifiers should determine the accuracy of the yearly aviation fuel required reported by the operators using a tool approved by the Commission.	(24) Aircraft operators should also be required to report yearly on their actual aviation fuel uplift per Union airport, so as to prove that no fuel tankering for economic reasons was performed. Reports should be verified by independent verifiers and transmitted to the Agency for monitoring and assessment of compliance. Verifiers should determine the accuracy of the yearly aviation fuel required reported by the operators using a tool approved by the Commission.	(24) Aircraft operators should also be required to report yearly on their actual aviation fuel uplift per Union airport, so as to prove that no fuel tankering was performed. Reports should be verified by independent verifiers and transmitted to the competent authorities and to the Agency for monitoring and assessment of compliance. Independent verifiers should determine the accuracy of the yearly aviation fuel required reported by the operators using a tool approved by the Commission.	

	Commission Proposal	EP Mandate	Council Mandate	14991/22
Recital 25				
35	<p>(25) Aviation fuel suppliers should be required to report yearly in the Union database referred to in Article 28 of Directive (EU) 2018/2001, on their supply of aviation fuel, including sustainable aviation fuels. The Agency should report on a yearly basis to the Commission on the fulfilment by aircraft operators and aviation fuel suppliers of their respective obligations under this Regulation. This is important for the Commission to have clear visibility on the level of compliance to the Regulation.</p>	<p>(25) Aviation fuel suppliers should be required to report yearly in the Union database referred to in Article 28 of Directive (EU) 2018/2001, on their supply of aviation fuel, including sustainable aviation fuels. The Agency should report on a yearly basis to the Commission on the fulfilment by aircraft operators and aviation fuel suppliers of their respective obligations under this Regulation. This is important for the Commission to have clear visibility on the level of compliance to the Regulation.</p>	<p>(25) Aviation fuel suppliers should be required to report yearly in the Union database referred to in Article 28 of Directive (EU) 2018/2001, on their supply of aviation fuel, including sustainable aviation fuels. The Agency should report on a yearly basis to the Commission on the fulfilment by aircraft operators and aviation fuel suppliers of their respective obligations under this Regulation. This is important for the Commission to have clear visibility on the level of compliance to the Regulation. SAF.</p>	<p>(25) Aviation fuel suppliers should be required to report yearly in the Union database referred to in Article 28 of Directive (EU) 2018/2001, on their supply of aviation fuel, including SAF and its attributes. Information should be provided on the characteristics and origin of the feedstock, conversion processes and lifecycle emissions of supplied SAF. Information on characteristics of SAF includes the type of product and raw materials used and other sustainability characteristics required for demonstrating compliance of SAF with the sustainability criteria under Directive (EU) 2008/2001. An airport located in the Union territory that does not reach the thresholds laid down in this Regulation, or located in outermost regions, may request to the respective competent authorities to be treated as a Union airport and be subject to this Regulation.</p> <p>linked to line 93</p>

	Commission Proposal	EP Mandate	Council Mandate	14991/22
Recital 25a				
35a			<p>(25a) Member States should designate a competent authority or authorities responsible for enforcing the application of this Regulation upon aircraft operators, Union airports and fuel suppliers. This Regulation should define the rules for the attribution of aircraft operators, Union airports and fuel suppliers to competent authorities. The Agency should send to the competent authorities data aggregated for the aircraft operators and aviation fuels suppliers for which these authorities are competent. To the extent possible, the level of aggregation should allow for comparison with other data sources by the competent authorities.</p>	
Recital 25b				
35b			<p>(25b) The Agency should draw a technical report on a yearly basis and forward it to the Council and the European</p>	

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			<p>Parliament. This is important in particular to have clear visibility on the level of compliance to the Regulation, the use of SAF in the Union and the third countries, the state of market including information on the evolution of the price gap between SAF and fossil fuels and the composition of aviation fuel.</p>	
Recital 26				
36	<p>(26) It is not possible without additional procedures to determine accurately whether aircraft operators have actually physically uplifted shares of sustainable aviation fuels in their tanks at a specific Union airports. Therefore, aircraft operators should be allowed to report their use of sustainable aviation fuels based on purchasing records. Aircraft operators should be entitled to receive from the aviation fuel supplier the information that is necessary to report the sustainable aviation fuel purchase.</p>	<p>(26) It is not possible without additional procedures to determine accurately whether aircraft operators have actually physically uplifted shares of sustainable aviation fuels in their tanks at a specific Union airports. Therefore, aircraft operators should be allowed to report their use of sustainable aviation fuels based on purchasing records. Aircraft operators should be entitled to receive from the aviation fuel supplier the information that is necessary to report the sustainable aviation fuel purchase.</p>	<p>(26) It is not possible without additional procedures to determine accurately whether aircraft operators have actually physically uplifted shares of sustainable aviation fuels SAF in their tanks at a specific Union airports. Therefore, aircraft operators should be allowed to report their use of sustainable aviation fuels SAF based on purchasing records. Aircraft operators should be entitled to receive from the aviation fuel supplier the information that is necessary to report the sustainable aviation fuel purchase SAF purchase. Fuel suppliers may demonstrate compliance with this Regulation by using the mass balance</p>	


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			system referred to in Article 30 of Directive (EU) 2018/2001.	
Recital 26a				
36a		(26a) The introduction in the Union of a mandate on the uptake of sustainable aviation fuels could lead to an undue competitive disadvantage for EU airlines operating direct long-haul flights from a Union airport in comparison with their competitors connecting via an airport hub outside the Union. In order to further promote the uptake of sustainable aviation fuels in the Union, for which prices are predicted to have a substantial price difference compared to conventional fuel in the foreseeable future, airlines should be able to claim free allowances for the uplifting of sustainable aviation fuels under the ETS scheme.		
Recital 27				
37	(27) It is essential that aircraft operators can claim the use of sustainable aviation fuels under	(27) In order to promote the uptake of sustainable aviation fuels that have a substantial	(27) It is essential that aircraft operators can claim the use of sustainable aviation fuels SAF	

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	greenhouse gas schemes such as the EU Emissions Trading System or CORSIA, depending on the route of their flights. However, it is essential that this regulation should not lead to a double counting of emissions reductions. Aircraft operators should only be allowed to claim benefits for the use of an identical batch of sustainable aviation fuels once. Fuel suppliers should be requested to provide free of charge to aircraft operators any information pertaining to the properties of the sustainable aviation fuel sold to that aircraft operator and that is relevant for reporting purposes by the aircraft operator under this Regulation or greenhouse gas schemes.	price difference compared with conventional fuels , it is essential that aircraft operators can claim the use of sustainable aviation fuels under greenhouse gas schemes such as the EU Emissions Trading System or CORSIA, depending on the route of their flights. However, it is essential that this regulation should not lead to a double counting of emissions reductions. Aircraft operators should only be allowed to claim benefits for the use of an identical batch of sustainable aviation fuels once. Fuel suppliers should be requested to provide free of charge to aircraft operators any information pertaining to the properties of the sustainable aviation fuel sold to that aircraft operator and that is relevant for reporting purposes by the aircraft operator under this Regulation or greenhouse gas schemes.	under greenhouse gas schemes such as the EU Emissions Trading System or CORSIA, depending on the route of their flights, at their own discretion . However, it is essential that this regulation should not lead to a double counting of emissions reductions. Aircraft operators should only be allowed to claim benefits for the use of an identical batch of sustainable aviation fuels SAF once. Fuel suppliers should be requested to provide free of charge to aircraft operators any information pertaining to the properties of the sustainable aviation fuel SAF sold to that aircraft operator and that is relevant for reporting purposes by the aircraft operator under this Regulation or greenhouse gas schemes.	
Recital 28				
38	(28) In order to ensure a level playing field of the aviation internal market and the adherence to the climate ambitions of the Union, this Regulation should	(28) In order to ensure a level playing field of the aviation internal market and the adherence to the climate ambitions of the Union, this Regulation should	(28) In order to ensure a level playing field of the aviation internal market and the adherence to the climate ambitions of the Union, this Regulation should	

	Commission Proposal	EP Mandate	Council Mandate	14991/22
	<p>introduce effective, proportionate and dissuasive penalties on aviation fuel suppliers and aircraft operators in case of non-compliance. The level of the penalties needs to be proportionate to the environmental damage and to the prejudice to the level-playing field of the internal market inflicted by the non-compliance. When imposing administrative fines, the authorities should take into account the evolution of the price of aviation fuel and sustainable aviation fuel in the reporting year;</p>	<p>introduce effective, proportionate and dissuasive penalties on aviation fuel suppliers and aircraft operators in case of non-compliance. The level of the penalties needs to be proportionate to the environmental damage and to the prejudice to the level-playing field of the internal market inflicted by the non-compliance. When imposing administrative fines and other penalties, the authorities should take into account the evolution of the price of aviation fuel and sustainable aviation fuel in the reporting year; and may also take into account the degree of non-compliance, for example in the case of repeated infringements.</p>	<p>introduce effective, proportionate and dissuasive penalties on aviation fuel suppliers and aircraft operators in case of non-compliance. The level of the penalties needs to be proportionate to the environmental damage and to the prejudice to the level-playing field of the internal market inflicted by the non-compliance. When imposing administrative fines, the authorities should take into account the evolution of the price of aviation fuel and sustainable aviation fuel SAF in the reporting year;</p>	
Recital 28a				
38a			<p>(28a) The transition from fossil fuels to SAF will play a considerable role in facilitating decarbonisation. However, considering the current lack of a EU market of SAF, the high level of competition between aircraft operators and the important price differential between fossil kerosene and</p>	

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			SAF, this transition should be supported through incentives that reflect the environmental benefit of SAF and make them more competitive for aircraft operators. Using revenues generated from the fines, or the equivalent in financial value of those revenues, to support research and innovation projects in the field of SAF, the production of SAF or mechanisms allowing to bridge the price differences between SAF and conventional aviation fuels would contribute to that objective.	
Recital 29				
39	(29) The penalties for the suppliers who fail to meet the targets set in this Regulation should be complemented by the obligation to supply the market with the shortfall of meeting the quota in the subsequent year;	(29) The penalties for the suppliers who fail to meet the targets set in this Regulation should be complemented by the obligation to supply the market with the shortfall of meeting the quota in the subsequent year; Nevertheless, in order to avoid an undue dual penalty in cases that are outside the direct control of the fuel supplier, the obligation to supply the market with the shortfall should not	(29) The penalties for the suppliers who fail to meet the targets set in this Regulation should be complemented by the obligation to supply the market with the shortfall of meeting the quota in the subsequent year.	

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		apply when the Commission assesses that this shortfall is caused by insufficient resources being available		
Recital 29a				
39a			(29a) A transitional period of 10 years should be provided for the purposes of complying with the SAF minimum share requirements laid down in this Regulation to allow for a reasonable amount of time for aviation fuel suppliers, Union airports and aircraft operators to make the necessary technological and logistical investments. During this phase, aviation fuel containing higher shares of SAF in certain airports may be used to compensate for lower shares of SAF or for the reduced availability of conventional aviation fuel at other airports.	(29a) A transitional period of 10 years should be provided for the purposes of complying with the SAF minimum share requirements laid down in this Regulation to allow for a reasonable amount of time for aviation fuel suppliers, Union airports and aircraft operators to make the necessary technological and logistical investments. During this phase, aviation fuel containing higher shares of SAF in certain airports may be used to compensate for lower shares of SAF or for the reduced availability of conventional aviation fuel at other airports.
Recital 29a				
39b		(29a) The successful transition to sustainable aviation requires an integrated approach and the		

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		<p>appropriate enabling environment to stimulate innovation, involving both public and private investment in research and development and support for the redeployment, re-skilling and up-skilling of workers, as well as technological and operational measures, and the deployment of sustainable aviation fuels and of zero-emission technologies, including the necessary refuelling and recharging infrastructure in airports, taking into account the energy efficiency first principle. For this purpose, the revenues generated by the penalties under this Regulation should be allocated to a new Sustainable Aviation Fund. Furthermore, the setting up, on a voluntary basis and under the coordination of the Commission, of a European SAF Alliance, within one year after the entry into force of this Regulation, could help foster the further development and scaling-up of SAF production in Europe, inter alia by bringing together the entire industrial value chain, encouraging the roll-out of the</p>		

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		most innovate technologies and identifying policies and market developments, taking into consideration the principle of technology neutrality.		
Recital 29b				
39c		(29b) Research and innovation will play a substantial role in the development of sustainable and synthetic aviation fuels and the production capacity building. A respective investment priority should be clearly set within the relevant Union funding programmes identified by the Commission.		
Recital 29c				
39d		(29c) The development and production of sustainable aviation fuels has to be exponentially increased in the coming years. The Union and the Member States should invest in the research and production of sustainable aviation fuel projects as they present both an environmental and an industrial opportunity. The production of		


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		sustainable air fuels should be concentrated inside the Union, creating industrial, labour and research opportunities in all the Member States.		
Recital 29b				
39e				<p>(29b) In order to increase the environmental effectiveness of Union measures and to facilitate fuel suppliers to meet their SAF supply obligations and the uplift of SAF by aircraft operators in a cost-effective way and hence to strengthen the competitiveness of the European aviation sector, the Commission should, after consulting all relevant stakeholders, assess whether further measures should be taken to facilitate the cost-effective distribution and use of SAF in the Union market by separating the purchase of SAF from its physical delivery and use. This could be done, inter alia, by assessing the feasibility of setting-up a system of tradable SAF supply and purchase certificates, with elements of a "book & claim system", while guaranteeing a</p>

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				<p>level playing field and a high level of environmental integrity, ensuring consistency with other Union legislation, including Directive 2009/28/EC and Directive 2003/87/EC, as well as minimising the risk of fraud, irregularities or double claiming. In its analysis, the Commission should take into consideration any relevant global trend and initiative, as well as the potential impact that such a system could have on the functioning of the market, including with regards to any market volatility, price evolution or trading behaviour of market participants.</p> <p>linked to changes in Article 13.</p>
Recital 30				
40	(30) This Regulation should include provisions for periodic reports to the European Parliament and the Council on the evolution of the aviation and fuels markets, the effectiveness of key features of the Regulation such as the minimum shares of sustainable aviation fuels, the level of	(30) This Regulation should include provisions for periodic reports to the European Parliament and the Council on the evolution of the aviation and fuels markets, the effectiveness of key features of the Regulation such as the minimum shares of sustainable aviation fuels, the level of	(30) This Regulation should include provisions for periodic reports to the European Parliament and the Council on the evolution of the aviation and fuels markets and the impact of this Regulation on the aviation internal market of the Union, on connectivity for islands and	

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	<p>administrative fines or policy developments on sustainable aviation fuels uptake at international level. Such elements are key to provide a clear state of play of the sustainable aviation fuels market and should be taken into account when considering a revision of the Regulation.</p>	<p>administrative fines or policy developments on sustainable aviation fuels uptake at international level, taking due account of the "one in, one out" principle and the aim of regulatory simplification. Such elements are key to provide a clear state of play of the sustainable aviation fuels market and should be taken into account when considering a revision of the Regulation.</p>	<p>remote territories and on the competitiveness of European air carriers and airport hubs vis-à-vis their competitors in neighbouring countries, the effectiveness of key features of the Regulation such as the minimum shares of sustainable aviation fuelsSAF, the level of administrative fines or policy developments on sustainable aviation fuelsSAF uptake at international level. Such elements are key to provide a clear state of play of the sustainable aviation fuelsSAF market and should be taken into account when considering a revision of the Regulation.</p> <p>In those reports, the Commission should consider options for amendments, where appropriate, including mechanisms to support the production and use of SAF as well as mechanisms allowing to bridge the price differences between SAF and conventional aviation fuels in order to limit the adverse impacts of this Regulation on air connectivity and competition and to mitigate carbon leakage.</p>	

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			<p>The requirement laid down by this Regulation to ensure that a minimum share of SAF is made available at each Union airport could incentivise aircraft operators operating connecting flights departing from Union airports with a final destination outside the Union to transit via non-EU hub airports which are not subject to that requirement rather than via EU hubs. This could lead to distortions of competition at the expense of Union airports and operators using such airports and to a risk of carbon leakage. In the absence of a mandatory scheme on the use of SAF for international flights at ICAO level or in comprehensive multilateral or bilateral air transport agreements between the EU and/or its Member States and third countries with a similar level of ambition in comparison with the requirements outlined in this Regulation and the objectives of the Paris Agreement or of mechanisms developed at international level to prevent the risk of carbon leakage and of</p>	

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			distortion of competition, the Commission should in particular consider the development of targeted mechanisms aiming at preventing those effects.	
Recital 31				
41	(31) A transitional period of 5 years should be provided to allow for a reasonable amount of time for aviation fuel suppliers, Union airports and aircraft operators to make the necessary technological and logistical investments. During this phase, aviation fuel containing higher shares of sustainable aviation fuel may be used to compensate for lower shares of sustainable aviation fuels or for the reduced availability of conventional aviation fuel at other airports.	(31) A transitional period of 5 years should be provided to allow for a reasonable amount of time for aviation fuel suppliers, Union airports flexibility mechanism should be set up with a transitional period of 10 years from the date of application of this Regulation to fuel suppliers and aircraft operators to allow them a reasonable amount of time to make the necessary technological and logistical investments. During this phase, elements of a book & claim system may be used, allowing aviation fuel suppliers to use fuel containing higher shares of sustainable aviation fuel may be used to compensate for lower shares of sustainable aviation fuels or for the reduced availability of conventional aviation fuel at minor or logistically constrained other airports, and for aircraft	<i>deleted</i>	

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		<p>operators to buy a certificate linked to the amount of SAF acquired, while guaranteeing a high level of environmental integrity. That flexibility mechanism would also help to safeguard air-connectivity by preventing less connected European regions with fewer alternative transport from being disproportionately affected. In order to prevent market players from abusing any possible dominant market position, during this transitional period the Commission should make full use of its competition powers under Article 102 TFEU. After that transitional period of 10 years, in order to prevent undue distortions of competition in the internal market, all Union airports covered by this Regulation should be supplied with uniform minimum shares of sustainable aviation fuels.</p>		
	<i>Recital 31a</i>			
<i>41a</i>			(31a) In order to ensure uniform conditions for the implementation of Article 4(3) and 5(2), implementing powers	

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			should be conferred on the Commission with respect to the application of higher minimum shares of synthetic aviation fuel by Member States and to the exemptions of the obligation to refuel prior departure that may be granted to aircraft operators.	
Recital 31a				
41b		(31a) In order to achieve the Union's climate targets for 2030 and 2050 and the target of 1,5 °C of the Paris Agreement, the Commission should develop a roadmap on how and when fossil free aviation is achieved.		
Recital 31b				
41c		(31b) The transition to sustainable aviation fuels will also have the secondary effect of reducing dependence on fossil fuel imports from third countries, thus increasing the Union's energy security. The need for this move is only accentuated by the current international political situation.		

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Recital 32				
42	(32) Since the objective of this Regulation, namely to maintain a level playing field on the Union air transport market while increasing the use of sustainable aviation fuels, cannot be sufficiently achieved by the Member States due to the cross-border nature of aviation, but can rather, by reason of the characteristics of the market and effects of the action, be better achieved at Union level, 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 that objective.	(32) Since the objective of this Regulation, namely to maintain a level playing field on the Union air transport market while increasing the use of sustainable aviation fuels, cannot be sufficiently achieved by the Member States due to the cross-border nature of aviation, but can rather, by reason of the characteristics of the market and effects of the action, be better achieved at Union level, 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 that objective.	(32) Since the objective of this Regulation, namely to maintain a level playing field on the Union air transport market while increasing the use of sustainable aviation fuels SAF, cannot be sufficiently achieved by the Member States due to the cross-border nature of aviation, but can rather, by reason of the characteristics of the market and effects of the action, be better achieved at Union level, 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 that objective.	
Formula				
43	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:
Article 1				
44				

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	Article 1 Subject matter	Article 1 Subject matter and objective	Article 1 Subject matter	Article 1 Subject matter
	Article 1, first paragraph			
G	45 This Regulation lays down harmonised rules on the uptake and supply of sustainable aviation fuels.	This Regulation lays down harmonised rules on the uptake and supply of sustainable aviation fuels.	This Regulation lays down harmonised rules on the uptake and supply of sustainable aviation fuels.	This Regulation lays down harmonised rules on the uptake and supply of sustainable aviation fuels.
	Article 2			
G	46 Article 2 Scope	Article 2 Scope	Article 2 Scope	Article 2 Scope
	Article 2, first paragraph			
Y	47 This Regulation shall apply to aircraft operators, Union airports, and to aviation fuel suppliers.	This Regulation shall apply to aircraft operators, Union airports, or where applicable, the managing body of an airport, and to aviation fuel suppliers.	This Regulation shall apply to aircraft operators, Union airports, and to aviation fuel suppliers.	1. This Regulation shall apply to aircraft operators, Union airports and their respective Union airport managing bodies , and to aviation fuel suppliers.
	Article 2, first paragraph a			
Y	47a			Without prejudice to paragraph 3, this Regulation shall apply only to commercial air transport flights.

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	Article 2, first paragraph a			
47b			<p>A Member State may decide, where appropriate, that an airport located on its territory is to be treated as a Union airport for the purposes of this Regulation. The Member State concerned shall notify its decision to the Commission and the European Union Aviation Safety Agency (the 'Agency') a year before that decision becomes applicable. The Commission shall publish the information in the <i>Official Journal of the European Union</i> and provide an updated and consolidated list of the airports concerned which shall be easily accessible.</p>	<p>2. A Member State may decide, where appropriate after consulting the airport managing body, that an airport not covered by Article 3, point 1), located on its territory, is to be treated as a Union airport for the purposes of this Regulation, provided that the requirements laid down in Article 6(1) are fulfilled by the time of the Member State decision.</p> <p>An airport managing body for an airport located on the territory of a Member State not covered by Article 3, point 1), may request for the airport to be treated as a Union airport for the purposes of this Regulation, provided that it fulfils the requirements laid down in Article 6(1) by the time of that request. That airport managing body shall notify the Member State, whose authority or authorities are responsible for the airport under Article 10(4), of that request, with a confirmation that it fulfils requirements laid down in Article 6(1).</p>



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				<p>The The Member State concerned shall notify its decision pursuant to the first sub-paragraph of this paragraph to the Commission and the European Union Aviation Safety Agency (the 'Agency') a year at least six months before the beginning of the reporting period as from which that decision becomes applicable. The Commission shall publish the information in the <i>Official Journal of the European Union</i> and provide an updated and consolidated list of the enters into force. The Member State decision shall be accompanied by a reasoned opinion showing that it is based on proportionate and non-discriminatory criteria, among airports concerned which shall be easily accessible sharing similar competitive characteristics.</p>
	Article 2, first paragraph b			
Y 47c				<p>3. A person operating commercial air transport flights that is not covered by Article 3, point (3), or a person operating flights other than commercial</p>



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				air transport flights within the meaning of Article 3, point (4), may decide to be treated as an aircraft operator for the purposes of this Regulation and/or that its non commercial air transport flights be covered by this Regulation. That person shall notify the Member State, whose authority or authorities are responsible for it under Article 10(3), of that decision. That Member State shall notify that decision to the Commission and the Agency at least six months before the beginning of the reporting period as from which that decision enters into force.
	Article 2, first paragraph c			
y 47d				4. On the basis of information received pursuant to paragraphs 2 and 3, the Commission shall provide an updated and consolidated list of the Union airports and aircraft operators concerned which shall be easily accessible.
	Article 3			

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48	Article 3 Definitions		Article 3 Definitions	Article 3 Definitions
Article 3, first paragraph, introductory part				
49	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:
Article 3, first paragraph, first indent				
50	<p>- ‘Union airport’ means an airport as defined in Article 2(2) of Directive 2009/12/EC of the European Parliament and of the Council¹, where passenger traffic was higher than 1 million passengers or where the freight traffic was higher than 100000 tons in the reporting period, and is not situated in an outermost region, as listed in Article 349 of the Treaty on the Functioning of the European Union;</p> <p>1. Directive 2009/12/EC of the European Parliament and of the Council of 11 March 2009 on airport charges</p>	<p>- ‘Union airport’ means an airport as defined in Article 2(2)2(1) of Directive 2009/12/EC of the European Parliament and of the Council¹, where passenger traffic was higher than 1 million passengers or where the freight traffic was higher than 100000 tons in the reporting period, and is not which is not situated in an outermost region, as listed in Article 349 of the Treaty on the Functioning of the European Union or an airport situated in an outermost region, as listed in Article 349 of the Treaty on the Functioning of the European Union which has been notified as a Union airport to the Commission, the Agency and the</p>	<p>- ‘Union airport’ means an airport as defined in Article 2(2)2(1) of Directive 2009/12/EC of the European Parliament and of the Council¹, where passenger traffic was higher than 1 million passengers or where the freight traffic was higher than 100000 tons in the reporting period, and that is not situated in an outermost region, as listed in Article 349 of the Treaty on the Functioning of the European Union;</p> <p>1. [1] Directive 2009/12/EC of the European Parliament and of the Council of 11 March 2009 on airport charges</p>	<p>-1 ‘Union airport’ means an airport as defined in Article 2(1) of Directive 2009/12/EC of the European Parliament and of the Council¹, where passenger traffic was higher than 1 million 800000 passengers or where the freight traffic was higher than 100000 tons in the previous reporting period, and that is not situated in an outermost region, as listed in Article 349 of the Treaty on the Functioning of the European Union;</p> <p>1. [1] Directive 2009/12/EC of the European Parliament and of the Council of 11 March 2009 on airport charges</p> <p>Agreed at trilogue #2 as a package</p>

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		competent authorities; 1. [1] Directive 2009/12/EC of the European Parliament and of the Council of 11 March 2009 on airport charges.		
	Article 3, first paragraph, second indent			
Y	50a		- ‘Managing body of the airport’ means the entity referred to in article 3 of Directive 96/67/EC ¹ or, where the Member State concerned has reserved the management of the centralized infrastructures for fuel distribution systems to another body pursuant to Article 8 of Directive 96/67/EC, that other body; 1. [1] Council Directive 96/67/EC of 15 October 1996 on access to the groundhandling market at Community airports (OJ L 272, 25.10.1996, p. 36).	-2 ‘Union airport managing body’ means in respect of a Union airport, the ‘airport managing body’ as defined of the airport’ means the entity referred to in Article 32(2) of Directive 96/67/EC ¹ or, where 2009/12/EC or, in case the Member State concerned has reserved the management of the centralized infrastructures for fuel distribution systems to another body pursuant to Article 88(1) of Directive 96/67/EC, that other body;- 1. [1] Council Directive 96/67/EC of 15 October 1996 on access to the groundhandling market at Community airports (OJ L 272, 25.10.1996, p. 36). Agreeable to the EP.
	Article 3, first paragraph, second indent			
G	51	- ‘aircraft operator’ means a	- ‘aircraft operator’ means a	- ‘aircraft operator’ means a
				-3 ‘aircraft operator’ means a

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	person that operated at least 729 commercial air transport flights departing from Union airports in the reporting period or, where that person may not be identified, the owner of the aircraft;	person that operated at least 729 52 commercial air transport flights departing from Union airports in the reporting period or, where that person may not be identified, the owner of the aircraft, or a person that operated air transport flights departing from a Union airport, which has requested the Commission to be treated as an aircraft operator for the purpose of this Regulation and has informed accordingly the Commission, the Agency and the competent authorities;	person that operated at least 729 500 commercial air transport flights departing from Union airports in the reporting period or, where that person may not be identified, the owner of the aircraft;	person that operated at least 500 commercial passenger air transport flights, or 52 commercial all-cargo air transport flights departing from Union airports in the previous reporting period or, where that person may not be identified, the owner of the aircraft; Agreed at Trilogue #2 as part of a package. Opt-in in line 47c
	Article 3, first paragraph, third indent			
51a		- 'managing body of the airport'-means a managing body within the meaning of Article 3 of Directive 96/67 /EC, or another body to which the Member State concerned has reserved the management of the centralised infrastructures for fuel distribution systems pursuant to Article 8 of Directive 96/67/EC;		replaced by line 50a.
	Article 3, first paragraph, third indent			

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Y	52 - ‘commercial air transport flight’ means a flight operated for the purposes of transport of passengers, cargo or mail for remuneration or hire, or business aviation flights;	- ‘commercial air transport flight’ means a flight operated for the purposes of transport of passengers, cargo or mail for remuneration or hire, or business aviation flights;	- ‘commercial air transport flight’ means a flight operated for the purposes of transport of passengers, cargo or mail for remuneration or hire, or business aviation flights;	-4 ‘commercial air transport flight’ means a flight operated for the purposes of transport of passengers, cargo or mail for remuneration or hire, or including a business aviation flight operated for commercial purposes; Proposal resulting from Trilogue #2
	Article 3, first paragraph, fifth indent			
Y	52a			4a ‘Route’ means a journey carried out in a flight, having regard to the places of departure and destination of that flight. New definition linked to Article 12a.
	Article 3, first paragraph, fourth indent			
G	53 - ‘aviation fuel’ means the fuel manufactured for direct use by aircraft;	- ‘aviation fuel’ means the fuel manufactured for direct use by aircraft;	- ‘aviation fuel’ means the fuel manufactured for direct use by aircraft;	-5 ‘aviation fuel’ means the drop-in drop-in fuel manufactured for direct use by aircraft;
	Article 3, first paragraph, fifth indent			
R	54 - ‘sustainable aviation fuels’ (‘SAF’) means drop-in aviation	- ‘sustainable aviation fuels’ (‘SAF’) means drop-in aviation	- ‘sustainable aviation fuels’ (‘SAF’) means drop-in aviation	- ‘sustainable aviation fuels’ (‘SAF’) means drop-in aviation

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	<p>fuels that are either synthetic aviation fuels, advanced biofuels as defined in Article 2, second paragraph, point 34 of Directive (EU) 2018/2001, or biofuels produced from the feedstock listed in Part B of Annex IX to that Directive, which comply with the sustainability and greenhouse gas emissions criteria laid down in Article 29(2) to (7) of that Directive and are certified in accordance with Article 30 of this Directive;</p>	<p>fuels that are either: synthetic aviation fuels, liquid and gaseous fuels that are produced from waste processing gas and exhaust gas of non-renewable origin which are produced as an unavoidable and unintentional consequence of the production process in industrial installations, as referred to in Article 2, second paragraph, point 35 of Directive (EU) 2018/2001, which comply with the greenhouse gas emissions savings threshold referred to in Article 25(2), second subparagraph of that Directive, advanced biofuels as defined in Article 2, second paragraph, point 34 of Directive (EU) 2018/2001, or biofuels produced from the feedstock listed in Part B of Annex IX to that Directive, which comply with the sustainability and greenhouse gas emissions criteria laid down in Article 29(2) to (7) of that Directive and are certified in accordance with Article 30 of this Directive. Until 31 December 2034 sustainable aviation fuels may also include biofuels which comply with the sustainability and greenhouse gas emissions</p>	<p>fuels that are either: (a) biofuels which comply with the sustainability and greenhouse gas emissions savings criteria laid down in Article 29 synthetic aviation fuels, advanced biofuels as defined in Article 2, second paragraph, point 34 of Directive (EU) 2018/2001 and are certified in accordance with Article 30 of that Directive, with the exception of, or biofuels produced from the feedstock listed in Part B of Annex IX to ‘food and feed crops’ as defined in Article 2, second paragraph, point 40 of that Directive, which comply with the sustainability and greenhouse gas emissions criteria laid down in (b) synthetic aviation fuels or (c) recycled carbon aviation fuels defined in Article 29(2) to (7) of that 2, second paragraph, point 35 of Directive and are certified in accordance with (EU) 2018/2001 which comply with the greenhouse gas emissions savings threshold referred to in Article 30 of this 25(2), second subparagraph of that directive;</p>	<p>fuels that are either: (a) biofuels which comply with the sustainability and greenhouse gas emissions savings criteria laid down in Article 29 of Directive (EU) 2018/2001 and are certified in accordance with Article 30 of that Directive, with the exception of biofuels produced from ‘food and feed crops’ as defined in Article 2, second paragraph, point 40 of that Directive, (b) synthetic aviation fuels or (c) recycled carbon aviation fuels defined in Article 2, second paragraph, point 35 of Directive (EU) 2018/2001 which comply with the greenhouse gas emissions savings threshold referred to in Article 25(2), second subparagraph of that directive;</p> <p>Propose CGA and linked to proposals in lines 67c, 67h and 67i</p>

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		criteria laid down in Article 29 of Directive (EU) 2018/2001 and are certified in accordance with Article 30 of that Directive, with the exception of biofuels produced from ‘food and feed crops’ as defined in Article 2, second paragraph, point 40 of that Directive;		
	Article 3, first paragraph, sixth indent			
G 55	- ‘batch’ means a quantity of sustainable aviation fuels that can be identified with a number and can be traced;	- ‘batch’ means a quantity of sustainable aviation fuels that can be identified with a number and can be traced;	- ‘batch’ means a quantity of sustainable aviation fuels SAF that can be identified with a number and can be traced;	-7 ‘batch’ means a quantity of SAF that can be identified with a number and can be traced;
	Article 3, first paragraph, seventh indent			
G 56	- ‘lifecycle emissions’ means carbon dioxide equivalent emissions of sustainable aviation fuels that take into account carbon dioxide equivalent emissions of energy production, transport, distribution and use on-board, including during combustion, calculated in accordance with Article 31 of Directive (EU) 2018/2001;	- ‘lifecycle emissions’ means carbon dioxide equivalent emissions of sustainable aviation fuels that take into account carbon dioxide equivalent emissions of energy production, transport, distribution and use on-board, including during combustion, calculated– in accordance with Article 31 of Directive (EU) 2018/2001;	- ‘lifecycle emissions’ means carbon dioxide equivalent emissions of sustainable aviation fuels SAF that take into account carbon dioxide equivalent emissions of energy production, transport, distribution and use on-board, including during combustion, calculated– in accordance with Article 31 of Directive (EU) 2018/2001;	-8 ‘lifecycle emissions’ means carbon dioxide equivalent emissions of SAF that take into account carbon dioxide equivalent emissions of energy production, transport, distribution and use on-board, including during combustion, calculated in accordance with Article 31 of Directive (EU) 2018/2001;

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	Article 3, first paragraph, eighth indent			
R 57	- ‘synthetic aviation fuels’ means fuels that are renewable fuels of non-biological origin, as defined in Article 2, second paragraph, point 36 of Directive (EU) 2018/2001, used in aviation;	- ‘synthetic aviation fuels’ means renewable hydrogen or renewable electricity or fuels that are renewable fuels of non-biological origin, as defined in Article 2, second paragraph, point 36 of Directive (EU) 2018/2001, used in aviation;	- ‘synthetic aviation fuels’ means drop-in aviation fuels that are renewable fuels of non-biological origin, as defined in Article 2, second paragraph, point 36 of Directive (EU) 2018/2001, used in aviation which comply with the greenhouse gas emissions savings threshold referred to in Article 25(2), first subparagraph of that directive;	- 9 ‘synthetic aviation fuels’ means drop-in aviation fuels that are renewable fuels of non-biological origin, as defined in Article 2, second paragraph, point 36 of Directive (EU) 2018/2001, which comply with the greenhouse gas emissions savings threshold referred to in Article 25(2), first subparagraph of that directive; Propose CGA
	Article 3, first paragraph, eleventh indent			
R 57a			- ‘ synthetic low-carbon fuels for aviation ’ means synthetic drop-in aviation fuels derived from low-carbon hydrogen whose life-cycle GHG emissions savings from their use are at least 70%;	- 10 ‘synthetic low-carbon fuels for aviation’ means synthetic drop-in aviation fuels derived from non-fossil low-carbon hydrogen whose life-cycle GHG emissions savings from their use are at least 70%; PCY proposal.
	Article 3, first paragraph, ninth indent			
G 58	- ‘conventional aviation fuels’ means fuels produced from fossil non-renewable sources of	- ‘conventional aviation fuels’ means fuels produced from fossil non-renewable sources of	- ‘conventional aviation fuels’ means fuels produced from fossil non-renewable sources of	- 11 ‘conventional aviation fuels’ means fuels produced from fossil non-renewable sources of

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	hydrocarbon fuels, used in aviation;	hydrocarbon fuels, used in aviation;	hydrocarbon fuels, used in aviation;	hydrocarbon fuels, used in aviation;
	Article 3, first paragraph, eleventh indent			
R	58a	- ‘electricity from renewable energy sources’ or ‘renewable electricity’ means electricity produced from renewable energy sources as defined in Article 2, second paragraph, point 1 of Directive (EU) 2018/2001;		12 Propose deletion of this definition.
	Article 3, first paragraph, twelfth indent			
R	58b	- ‘hydrogen from renewable energy sources’ or ‘renewable hydrogen’ means hydrogen produced from renewable electricity or from fuels that are renewable liquid or gaseous fuels of non-biological origin, as defined in Article 2, second paragraph, point 36 of Directive (EU) 2018/2001;		13 ‘hydrogen for aviation’ means hydrogen the energy content of which is derived from non-fossil sources, which meets a greenhouse gas emission reduction threshold of 70%; PCY proposal. EP disagrees and insists on "renewable hydrogen".
	Article 3, first paragraph, tenth indent			
G	59	- ‘aviation fuel supplier’ means a	- ‘aviation fuel supplier’ means a	-14 ‘aviation fuel supplier’ means

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	fuel supplier as defined in Article 2, second paragraph, point 38 of Directive (EU) 2018/2001, supplying aviation fuel at a Union airport;	fuel supplier as defined in Article 2, second paragraph, point 38 of Directive (EU) 2018/2001, supplying aviation fuel at a Union airport;	fuel supplier as defined in Article 2, second paragraph, point 38 of Directive (EU) 2018/2001, supplying aviation fuel at a Union airport;	a fuel supplier as defined in Article 2, second paragraph, point 38 of Directive (EU) 2018/2001, supplying aviation fuel at a Union airport;
	Article 3, first paragraph, seventeenth indent			
Y	59a			<p>15 'fuel handler' means a supplier of ground-handling services that organises and executes fuelling and defuelling operations, including the storage of fuel and the control of the quality and quantity of fuel deliveries, to aircraft operators at Union airports, as referred to in Annex of Directive 96/67/EC</p> <p>Proposal for the purpose of Article 6.</p> <p>Agreeable to the EP.</p>
	Article 3, first paragraph, eighteenth indent			
Y	59b			<p>16 'principal place of business' means the head office or registered office of an aviation fuel supplier in the Member State within which the principal financial and operational control of the aviation fuel supplier are</p>

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				<p>exercised.</p> <p>Proposal for the purposes of Article 10, resulting from Trilogue #2.</p> <p>Agreeable to the EP.</p>
Article 3, first paragraph, eleventh indent				
60	- 'reporting year' means a period of one year in which the reports referred to in Articles 7 and 9 are to be submitted starting 1 January and ending 31 December;	- 'reporting year' means a period of one year in which the reports referred to in Articles 7 and 9 are to be submitted starting 1 January and ending 31 December;	- 'reporting year' means a period of one year in which the reports referred to in Articles 7 and 9 are to be submitted starting 1 January and ending 31 December;	-17 'reporting year' means a period of one year in which the reports referred to in Articles 7 and 9 are to be submitted starting 1 January and ending 31 December;
Article 3, first paragraph, twelfth indent				
61	- 'reporting period' means a period from 1 January until 31 December of the year preceding the reporting year;	- 'reporting period' means a period from 1 January until 31 December of the year preceding the reporting year;	- 'reporting period' means a period from 1 January until 31 December of the year preceding the reporting year;	-18 'reporting period' means a period from 1 January until 31 December of the year preceding the reporting year;
Article 3, first paragraph, thirteenth indent				
62	- 'yearly aviation fuel required' means the amount of aviation fuel necessary to operate the totality of commercial air transport flights operated by an aircraft operator, departing from a given Union	- 'yearly aviation fuel required' means the amount of aviation fuel defined as 'trip fuel' and 'taxi fuel' under Commission Implementing Regulation 2021/1296 necessary to operate	- 'yearly aviation fuel required' means the amount of aviation fuel referred to as 'trip fuel' and 'taxi fuel' in Annex IV to Commission Regulation 965/2012¹ that is necessary to	-19 'yearly aviation fuel required' means the amount of aviation fuel referred to as 'trip fuel' and 'taxi fuel' in Annex IV to Commission Regulation 965/2012 ¹ that is necessary to operate the totality of

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	airport, over the course of a reporting period;	the totality of commercial air transport flights operated by an aircraft operator, departing from a given Union airport, over the course of a reporting period;	operate the totality of commercial air transport flights operated by an aircraft operator, departing from a given Union airport, over the course of a reporting period; 1. [1] Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1).	commercial air transport flights flights covered by this Regulation operated by an aircraft operator, departing from a given Union airport, over the course of a reporting period; 1. [1] Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1).
	Article 3, first paragraph, fourteenth indent			
Y	63 - ‘yearly non-tanked quantity’ means the difference between the yearly aviation fuel required and the actual fuel uplifted by an aircraft operator prior to flights departing from a given Union airport, over the course of a reporting period;	- ‘yearly non-tanked quantity’ means the difference between the yearly aviation fuel required and the actual fuel uplifted by an aircraft operator prior to flights departing from a given Union airport, over the course of a reporting period;	- ‘yearly non-tanked quantity’ means the difference between the yearly aviation fuel required and the actual fuel uplifted by an aircraft operator prior to flights departing from a given Union airport, over the course of a reporting period;	-20 ‘yearly non-tanked quantity’ means the difference between the yearly aviation fuel required and the actual fuel uplifted by an aircraft operator prior to flights covered by this Regulation departing from a given Union airport, over the course of a reporting period;
	Article 3, first paragraph, fifteenth indent			
G	64 - ‘total yearly non-tanked quantity’ means the sum of the yearly non-tanked quantities by an	- ‘total yearly non-tanked quantity’ means the sum of the yearly non-tanked quantities by an	- ‘total yearly non-tanked quantity’ means the sum of the yearly non-tanked quantities by an	-21 ‘total yearly non-tanked quantity’ means the sum of the yearly non-tanked quantities by an

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	aircraft operator at all Union airports over the course of a reporting period;	aircraft operator at all Union airports over the course of a reporting period;	aircraft operator at all Union airports over the course of a reporting period;	aircraft operator at all Union airports over the course of a reporting period;
	Article 3, first paragraph, sixteenth indent			
G	65 - ‘greenhouse gas scheme’ means a scheme granting benefits to aircraft operators for the use of sustainable aviation fuels.	- ‘greenhouse gas scheme’ means a scheme granting benefits to aircraft operators for the use of sustainable aviation fuels-;	- ‘greenhouse gas scheme’ means a scheme granting benefits to aircraft operators for the use of sustainable aviation fuels SAF.	-22 ‘greenhouse gas scheme’ means a scheme granting benefits to aircraft operators for the use of SAF.
	Article 3, first paragraph, twentieth indent			
Y	65a	- ‘SAF flexibility mechanism’ means a system to be established for a period of 10 years from the date of application of Article 4 and Article 5 in accordance with Article 15 by which the supply and uptake of sustainable aviation fuels is driven by market freedom with flexibility for aircraft operators and aviation fuel suppliers to arrange the distribution and use of sustainable aviation fuels in a cost-effective way at the Union airports of their choice and in proportion with their needs. Such system, incorporating elements of a book & claim scheme, may enable aircraft		Propose Deletion. Definition not needed. See Article 13.

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		operators to purchase sustainable aviation fuels through contractual arrangements with aviation fuel suppliers and to claim its use at Union airports, where applicable, under a greenhouse gas scheme in accordance with Article [...] of Directive (EU) 2021/0207.		
	Article 4			
66	Article 4 Share of sustainable aviation fuel available at Union airports	Article 4 Share of sustainable aviation fuel available at Union airports	Article 4 Share of sustainable aviation fuel SAF available at Union airports	Article 4 Share of SAF available at Union airports
	Article 4, first paragraph			
67	Aviation fuel suppliers shall ensure that all aviation fuel made available to aircraft operators at each Union airport contains a minimum share of sustainable aviation fuel, including a minimum share of synthetic aviation fuel in accordance with the values and dates of application set out in Annex I.	Without prejudice to Article 13 , aviation fuel suppliers shall ensure that all aviation fuel made available to aircraft operators at each Union airport contains a minimum share of sustainable aviation fuel, including a minimum share of synthetic aviation fuel in accordance with the values and dates of application set out in Annex I.	1. Aviation fuel suppliers shall ensure that all aviation fuel made available to aircraft operators at each Union airport contains a minimum share of sustainable aviation fuel SAF, including a minimum share of synthetic aviation fuel in accordance with the values and dates of application set out in Annex I.	1. Without prejudice to Article 13 , aviation fuel suppliers shall ensure that all aviation fuel made available to aircraft operators at each Union airport contains a minimum share of SAF, including a minimum share of synthetic aviation fuel in accordance with the values and dates of application set out in Annex I.

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	Article 4, first paragraph a				
R	67a		<p>This obligation shall be deemed to be met where the shares mentioned in the first sub-paragraph are reached using synthetic low-carbon fuels for aviation.</p>	<p>This obligation shall be deemed to be met where the minimum shares mentioned in the first sub-paragraph are reached using:</p> <p>a) synthetic low-carbon fuels for aviation, or b) hydrogen for aviation.</p>	R
	Article 4, first paragraph b				
Y	67b			<p>For the purpose of the calculation of the minimum shares in Annex I, when hydrogen for aviation is used, the values regarding the energy content of all relevant fuels, in accordance with Article 27(1)(c) and Annex III of Directive (EU) 2018/2001, shall be used.</p> <p>In that case, the energy content of hydrogen supplied shall be taken into account both in the numerator and in the denominator.</p> <p>PCY Proposal.</p> <p>Rules needed for calculation of the energy content of hydrogen to</p>	Y

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				compare to drop-in fuels.
Article 4, first paragraph c				
Y	67c		2. For each reporting period, biofuels other than advanced biofuels as defined in Article 2, second paragraph, point 34 of Directive (EU) 2018/2001 and other than biofuels produced from the feedstock listed in Part B of Annex IX to that Directive, supplied across Union airports by each fuel supplier shall account for a maximum of 3% for the purposes of complying with the minimum shares referred to in paragraph 1 and Annex I.	<p>2. For each reporting period, biofuels other than advanced biofuels as defined in Article 2, second paragraph, point 34 of Directive (EU) 2018/2001 and other than biofuels produced from the feedstock listed in Part B of Annex IX to that Directive, supplied across Union airports by each fuel supplier shall account for a maximum of 3% for the purposes of complying with the minimum shares referred to in paragraph 1 and Annex I.</p> <p>Propose CGA. Linked to line 54.</p>
Article 4, first paragraph c				
R	67d		3. Where it follows from the technical report referred to in Article 12 that the minimum share of SAF, including synthetic aviation fuel, as set out in Annex I has been reached during the previous reporting period in average across Union airports, or at any time before 1	Propose CGA

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			January 2027, a Member State may, for the purposes of paragraph 1, apply a higher minimum share of synthetic aviation fuel than the one set out in Annex I at one or several Union airports located on its territory, for the following reporting periods and until 31 December 2034. The Member State concerned shall notify the other Member States and the Commission of the measure adopted. The Commission shall publish this notification in the <i>Official Journal of the European Union</i> .	
	Article 4, first paragraph d			
R 67e			When, further to the adoption by the Member State concerned of a measure pursuant to the first subparagraph of this paragraph, the minimum share of SAF, including synthetic aviation fuel, set out in Annex I cannot be reached during two consecutive reporting periods in average across all Union airports due to a structural lack of production or supply of such fuels in the Union, the	Propose CGA

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			Commission shall, in accordance with the examination procedure referred to in Article 13a(2), adopt a decision requesting the Member State to suspend the application of that measure.	
	Article 4, first paragraph e			
R	67f		4. The higher minimum share applied by the Member State concerned pursuant to the first subparagraph of paragraph 3 shall not exceed 1% for the period until 31 December 2029, and shall not exceed the minimum share set out for synthetic aviation fuels in Annex I of more than 3% for the period from 1 January 2030 until 31 December 2034. These ceilings shall not apply in Union airports where the annual non-domestic passenger traffic is less than 2 million passengers.	Propose CGA
	Article 4, first paragraph f			
Y	67g		5. Fuel suppliers may demonstrate compliance with the obligation contained in paragraph 1 and with any	5. Fuel suppliers may demonstrate compliance with the obligation contained in paragraph 1 and with any measure adopted by Member

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			measure adopted by Member States pursuant to the first subparagraph of paragraph 3 by using the mass balance system referred to in Article 30 of Directive (EU) 2018/2001.	States pursuant to the first subparagraph of paragraph 3 by using the mass balance system referred to in Article 30 of Directive (EU) 2018/2001. Propose CGA. EP disagrees with the reference to paragraph 3.
	Article 4, first paragraph a			
67h		The following sustainable aviation fuels shall be excluded from the calculation of the minimum shares of sustainable aviation fuels set out in Annex I:		SAF produced from the following feedstocks shall be excluded from the calculation of the minimum shares of SAF set out in Annex I, unless such feedstocks or their subcategories are contained in Annex IX to Directive (EU) 2018/2001: linked to line 54
	Article 4, first paragraph b			
67i		- Sustainable aviation fuels made from food and feed crops, intermediate crops, palm fatty acid distillate and all palm and soy-derived materials, and soap stock and its derivatives.		- Sustainable aviation fuels made from food and feed crops, intermediate crops, palm fatty acid distillate and all palm and soy-derived materials, and soap stock and its derivatives.

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				linked to line 54
	Article 4, second paragraph			
Y	68	Without prejudice to the application of Article 11(3) and (4), where an aviation fuel supplier fails to supply the minimum shares set out in Annex I for a given reporting period, it shall at least complement that shortfall in the subsequent reporting period.	Without prejudice to the application of Article 11(3) and (4), where an aviation fuel supplier fails to supply the minimum shares set out in Annex I for a given reporting period, it shall report the shortfall, and the reasons for it, to the European Union Aviation Safety Agency. Where the Commission assesses that this shortfall is not caused by lack of resource availability, the fuel supplier shall make every possible effort to at least complement that shortfall in the subsequent reporting period.	Without prejudice to the application of Article 11(3) and (4), where an aviation fuel supplier fails to supply the minimum shares set out in Annex I for a given reporting period, it shall at least complement that shortfall in the subsequent reporting period. Propose CGA. EP Disagrees.
	Article 4, second paragraph a			
G	68a		Fuel suppliers may demonstrate compliance with the obligation contained in paragraph 1 by using the mass balance system referred to in Article 30 of Directive (EU) 2018/2001.	Propose deletion. See line 67g
	Article 5			

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69	Article 5 Refuelling obligation for aircraft operators	Article 5 Refuelling obligation for aircraft operators	Article 5 Refuelling obligation for aircraft operators	Article 5 Refuelling obligation for aircraft operators
Article 5, first paragraph				
70	The yearly quantity of aviation fuel uplifted by a given aircraft operator at a given Union airport shall be at least 90% of the yearly aviation fuel required.	The yearly quantity of aviation fuel uplifted by a given aircraft operator at a given Union airport shall be at least 90% of the yearly aviation fuel required, taking into account the necessary compliance with fuel safety rules.	1. The yearly quantity of aviation fuel uplifted by a given aircraft operator at a given Union airport shall be at least 90% of the yearly aviation fuel required, without prejudice to the quantity of fuel to be uplifted in order to comply with applicable fuel safety rules.	1. The yearly quantity of aviation fuel uplifted by a given aircraft operator at a given Union airport shall be at least 90% of the yearly aviation fuel required, without prejudice to the quantity of fuel to be uplifted in order to comply with applicable fuel safety rules.
Article 5, first paragraph a				
70a				1a. An aircraft operator may fall below the threshold in paragraph 1 where necessary for reasons of compliance with applicable fuel safety rules. In such cases, the aircraft operator concerned shall provide the competent authority referred to in Article 10(4) and the Agency with due justification, including an indication of the routes impacted. This information shall be included in the report under Article 7. The associated fuel

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				<p>quantities shall be reported separately in accordance with Article 7.</p> <p>New proposal to fine tune the provision of safety rules.</p> <p>Agreeable to EP.</p>
	Article 5, first paragraph b			
R 70b			<p>2. An aircraft operator may request the competent authority referred to in Article 10(4) that the flights on a specific existing or new route of less than 1200 kilometres departing from a Union airport be exempted from the obligation laid down in paragraph 1 of this Article. That distance shall be measured by the great circle route method.</p>	<p>2. An aircraft operator may request the competent authority referred to in Article 10(4) that the flights on a specific existing or new route of less than 1200 kilometres departing from a Union airport be exempted from the obligation laid down in paragraph 1 of this Article. That distance shall be measured by the great circle route method.</p> <p>Propose CGA.</p> <p>EP is highly critical on the threshold.</p>
	Article 5, first paragraph b			
R 70c			<p>Such request shall be made at least three months before the date of application of the</p>	<p>Such request shall be made at least three months before the envisaged date of application of the</p>

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			<p>envisaged exemption. That request shall provide adequate justification based on serious and recurrent operational difficulties in refuelling aircrafts at a given Union airport preventing them from performing turnarounds within a reasonable time or on structural fuel supply difficulties stemming from the geographic characteristics of a given Union airport, leading to significantly higher prices of fuels compared to prices applied on average to similar types of fuels in other Union airports due in particular to specific fuel transport constraints or to limited availability of fuels at that airport.</p>	<p>envisaged exemption. That request shall provide adequate justification based on serious and recurrent operational difficulties in refuelling aircrafts at the given Union airport preventing them from performing turnarounds within a reasonable time or on structural fuel supply difficulties stemming from the geographic characteristics of a given Union airport, leading to significantly higher prices of fuels compared to prices applied on average to similar types of fuels in other Union airports due in particular to specific fuel transport constraints or to limited availability of fuels at that airport and placing the operator concerned at a significant competitive disadvantage compared to market conditions existing in other Union airports with similar competitive characteristics.</p> <p>PCY proposal.</p>
	Article 5, first paragraph c			
R	70d		The competent authority shall assess that request and, in light	The competent authority shall assess that request and, in light of

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			of the justification provided, it may ask for complementary information.	the justification provided, it may ask for complementary information. Propose CGA.
	Article 5, first paragraph d			
70e			The competent authority shall take a decision on that request at least one month at the latest before the date of application of the envisaged exemption. The exemption granted shall have a limited period of validity, not exceeding one years, after which it shall be reviewed upon request of the aircraft operator.	The competent authority shall take a decision on that request at least the latest one month at the latest before the date of application of the envisaged exemption. In that case, the deadline for the competent authority to take a decision shall be suspended until complete information is provided by the aircraft operator. The exemption granted shall have a limited period of validity, not exceeding one yearsyear, after which it shall be reviewed upon request of the aircraft operator. PCY proposal.
	Article 5, first paragraph e			
70f			The failure to adopt a decision pursuant to the fourth subparagraph of this paragraph	The failure to adopt a decision pursuant to the fourth subparagraph of this paragraph

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			within the time limit laid down therein shall be deemed as an implicit decision of authorisation to apply the requested exemption for a period of one year, after which it shall be reviewed upon request of the aircraft operator.	within the time limit laid down therein shall be deemed as an implicit decision of authorisation to apply the requested exemption for a period of one year, after which it shall be reviewed upon request of the aircraft operator. The aircraft operator shall have the right to appeal a decision of the competent authority rejecting the request for exemption. PCY Proposal.
	Article 5, first paragraph f			
R 70g			The competent authority shall notify the list of exemptions authorised to the Commission, which shall publish it in the <i>Official Journal of the European Union</i> , and update that list at least once a year.	The competent authority shall notify the list of exemptions authorised to the Commission, which shall publish it in the Official Journal of the European Union , and update that list at least once a year. PCY proposal
	Article 5, first paragraph g			
R 70h			Following a written complaint submitted by a Member State, an aircraft operator, the	Following a written complaint submitted by a Member State, an aircraft operator, the managing

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			<p>managing body of the Union airport concerned, a fuel supplier or on its own initiative, the Commission may, after assessing the justification provided for the exemption granted in the light of the criteria set out in the second subparagraph of this paragraph, by means of an implementing act adopted in accordance with Article 13a(2), request the competent authority to adopt a decision repealing that exemption from the beginning of the next scheduling period within the meaning of Article 2, point (d) of Regulation (EEC) No 95/93. When this scheduling period starts less than two months after the publication of the implementing act, the decision repealing the exemption shall start applying from the beginning of the following scheduling period.</p>	<p>body of the Union airport concerned, a fuel supplier or on its own initiative, the Commission may, after assessing the justification provided for the exemption granted pursuant to paragraph 2 in the light of the criteria set out in the second subparagraph of this paragraph paragraph 2, by means of an implementing act adopted in accordance with Article 13a(2), request the competent authority to adopt a decision repealing that exemption from the beginning of the next scheduling period within the meaning of Article 2, point (d) of Regulation (EEC) No 95/93. When this scheduling period starts less than two months after the publication of the implementing act, the decision repealing the exemption shall start applying from the beginning of the following scheduling period.</p> <p>PCY Proposal</p>
	Article 5, first paragraph h			
70i				<p>In order to carry out its duties under this paragraph the Commission may request all</p>

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				necessary information from Member States and aircraft operators. Member States and aircraft operators shall provide such information without undue delay. Member States shall facilitate the provision of information by aircraft operators. PCY proposal.
	Article 6			
Y	71 Article 6 Obligations of Union airports to provide the infrastructure	Article 6 Obligations of Union airports to provide infrastructure at Union airports the infrastructure	Article 6 Obligations of Union airports to provide the infrastructure refacilitate the access to SAF	Article 6 Obligations of Union airports airport managing body to facilitate the access to SAF Agreeable to the EP.
	Article 6, first paragraph			
R	72 Union airports shall take necessary measures to facilitate the access of aircraft operators to aviation fuels containing shares of sustainable aviation fuels in accordance with Annex I and, shall provide the infrastructure necessary for the delivery, storage and uplifting of such fuels.	Union airports, or where applicable, the managing body of an airport shall take all necessary measures to facilitate the access of aircraft operators to aviation fuels containing shares of sustainable aviation fuels in accordance with Annex I and, shall provide the infrastructure	The Managing body of Union airports shall take necessary measures to facilitate the access of aircraft operators to aviation fuels containing shares of sustainable aviation fuels SAF in accordance with Annex I and, shall provide the infrastructure necessary for the delivery, storage and uplifting of	1. The Union airport The managing body of Union airports shall take all necessary measures to facilitate the access of aircraft operators to aviation fuels containing minimum shares of SAF in accordance with this Regulation.

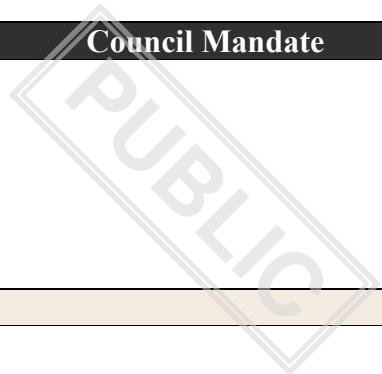
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		necessary for the delivery, storage and uplifting of such fuels, including an appropriate infrastructure for hydrogen refuelling and electric recharging for aircrafts, commensurate with the uptake of those aircraft, in accordance with the respective deployment plan of the national policy framework, as set out in Article 13(l) of Regulation [...] on the deployment of alternative fuels infrastructure [AFIR].	such fuels. this Regulation.	Agreeable to the EP.
	Article 6, second paragraph			
73	Where aircraft operators report difficulties to the European Union Aviation Safety Agency ('the Agency') in accessing aviation fuels containing sustainable aviation fuels at a given Union airport for lack of adequate airport infrastructure, the Agency may request the Union airport to provide the information necessary to prove compliance with paragraph 1. The Union airport concerned shall provide the information without undue delay.	Where aircraft operators report difficulties to the European Union Aviation Safety Agency ('the Agency') in accessing aviation fuels containing sustainable aviation fuels at a given Union airport for lack of adequate airport infrastructure, the Agency shall, where appropriate, may request the Union airport, or where applicable, the managing body of the airport, to provide the information necessary to prove compliance with– paragraph 1. The Union airport or where applicable, the managing body	Where aircraft operators report difficulties to the European Union Aviation Safety Agency ('the Agency') competent authority of the Member State where the airport is located in accessing aviation fuels containing sustainable aviation fuels SAF at a given Union airport, the competent authority shall request the Managing body of that for lack of adequate airport infrastructure, the Agency may request the Union airport to provide the information necessary to prove compliance with	2. Where aircraft operators report difficulties to the competent authority of the Member State where their accessing, at a given Union airport is located in accessing, aviation fuels containing minimum shares of SAF in accordance with this Regulation SAF at a given Union airport, the competent authority shall, request the Union airport managing body of that Union airport, to provide the information necessary to prove compliance with paragraph 1. The Union airport managing body of the

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		of the airport, concerned shall provide the information without undue delay.	paragraph 1. The Managing body of the Union airport concerned shall provide the information without undue delay. The competent authority shall transmit this information to the Agency for the purpose of establishing the technical report referred to in Article 12.	Union airport concerned shall provide the information without undue delay to the competent authority shall transmit this information to the Agency for the purpose of establishing the technical report referred to in Article 12. without undue delay. Agreeable to the EP.
	Article 6, third paragraph			
74	The Agency shall assess the information received and inform the Commission if such information allows to conclude that the Union airport does not fulfil its obligations. Union airports shall take the necessary measures to identify and address the lack of adequate airport infrastructure in 5 years after the entry into force of the Regulation or after the year when they exceed one of the thresholds in Article 3(a).	The Agency shall assess the information received and inform the Commission if such information allows to conclude that the Union airport, or where applicable, the managing body of the airport , does not fulfil its obligations. Union airports, or where applicable, the managing body of the airport , shall take the all necessary measures to identify and address the lack of adequate airport infrastructure in 5 by 3 years after the entry into force of the Regulation or after the year when they exceed one of the thresholds in Article 3(a).	The Agency shall assess the information received and inform the Commission if such information allows to conclude that the Union airport does not fulfil its obligations. Upon request from the competent authority, the Managing body of Union airports shall take the necessary measures to identify and address the lack of adequate airport infrastructure in 5 years after the entry into force of the Regulation or after the year when they exceed one of the thresholds in Article 3(a) access of aircraft operators to aviation fuels containing shares of SAF in accordance with this Regulation.	Upon request from 3. The competent authority shall assess all the information received under paragraph 2. The competent authority, the shall inform the Commission and the Agency if it concluded that the Union airport managing body fulfils its obligations under paragraph 1. In case of non-compliance, the competent authority of Union airports shall take the necessary measures request the Union airport managing body to identify and take the necessary measures to address the lack of adequate access of aircraft operators to aviation fuels containing minimum shares of



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				<p>SAF pursuant to paragraph 1 without undue delay, and in any case no later than 3 years after the request of the competent authority pursuant to paragraph 2 in accordance with this Regulation.</p> <p>Agreeable to the EP.</p>
Article 6, third paragraph a				
74a				<p>4. For the purpose of paragraphs 2 and 3, where appropriate, fuel suppliers, fuel handlers, aircraft operators and any other party concerned by the reported difficulties, shall provide without undue delay all the necessary information to the Union airport managing body upon request and cooperate with the Union airport managing body in identifying and taking the necessary measures to address the reported difficulties.</p> <p>Agreeable to the EP.</p>
Article 6, third paragraph b				

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Y	74b			<p>5. The competent authority shall transmit without undue delay all the relevant information under paragraphs 2 and 3 to the Agency for the purpose of establishing the technical report referred to in Article 12.</p> <p>Agreeable to the EP.</p>
	Article 6a			
Y	74c			<p>Article 6a</p> <p>Promoting hydrogen and electricity supply at the Union airports</p>
	Article 6a, first paragraph			
Y	74d			<p>1 Union airport managing bodies, fuel suppliers and fuel handlers shall, where appropriate, cooperate with their respective Member State for the preparation of the deployment plan included in the national policy frameworks for alternative fuels infrastructure in airports falling under the scope of the Regulation [...] on the deployment of alternative</p>



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				fuels infrastructure [AFIR], where such a plan is to be adopted. PCY Proposal
Article 6a, second paragraph				
74e				2 Union airport managing bodies, fuel suppliers and fuel handlers shall, where appropriate and where relevant, in accordance with the deployment plan referred to in paragraph 1 where such a plan has been adopted, undertake efforts to cooperate and facilitate the access of aircraft operators to hydrogen or electricity used primarily for the propulsion of an aircraft and to provide the infrastructure and services necessary for the delivery, storage and uplifting of such hydrogen or electricity to refuel or recharge aircraft in line with national deployment plans for alternative fuel infrastructure where relevant. PCY Proposal

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	Article 6a, third paragraph			
Y	74f			<p>3 By 31 March 2024 and every two years thereafter, the Union airport managing body shall report to the competent authorities and the Agency on the status of advancement of existing projects for their respective Union airport that pursue any of the initiatives referred to in paragraph 2. The report shall include information, which is publicly available or can be made public, including, where appropriate, projections on the volumes and type of hydrogen and electricity production and supply to aircraft operators at the Union airport as well as deployment plans for recharging and refuelling infrastructure and services where such plans are adopted.</p> <p>PCY proposal. Agreeable to the EP.</p>
	Article 7			
G	75	Article 7 Reporting Obligations for Aircraft	Article 7 Reporting Obligations for Aircraft	Article 7 Reporting Obligations for Aircraft

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	Operators	Operators	Operators	Operators
	Article 7, first paragraph, introductory part			
G	76	By 31 March of each reporting year, aircraft operators shall report the following information to the Agency:	By 31 March of each reporting year, aircraft operators shall report the following information relative to the reporting period to the Agency:	By 31 March of each reporting year, aircraft operators shall report the following information with respect to a given reporting period to the competent authorities and to the Agency
	Article 7, first paragraph, point (a)			
Y	77	(a) The total amount of aviation fuel uplifted at each Union airport, expressed in tonnes;	(a) The total amount of aviation fuel uplifted at each Union airport, expressed in tonnes of kerosene equivalent ;	(a) The total amount of aviation fuel uplifted at each Union airport, expressed in tonnes; Propose CGA
	Article 7, first paragraph, point (b)			
Y	78	(b) The yearly aviation fuel required, per Union airport, expressed in tonnes;	(b) The yearly aviation fuel required, per Union airport, expressed in tonnes of kerosene equivalent ;	(b) The yearly aviation fuel required, per Union airport, expressed in tonnes; Propose CGA
	Article 7, first paragraph, point (c)			
G	79	(c) The yearly non-tanked	(c) The yearly non-tanked	(c) The yearly non-tanked

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	quantity, per Union airport. If the yearly non-tanked quantity is negative or if it is lower than 10% of the yearly aviation fuel required, the reported yearly non-tanked quantity shall be reported as 0;	quantity, per Union airport. If the yearly non-tanked quantity is negative or if it is lower than 10% of the yearly aviation fuel required, the reported yearly non-tanked quantity shall be reported as 0;	quantity, per Union airport. If the yearly non-tanked quantity is negative or if it is lower than 10% of the yearly aviation fuel required, the reported yearly non-tanked quantity shall be reported as 0;	quantity, per Union airport. If the yearly non-tanked quantity is negative or if it is lower than or equal to 10% of the yearly aviation fuel required, the reported yearly non-tanked quantity shall be reported as 0;
	Article 7, first paragraph, point (ca)			
79a				<p>(ca) The yearly tanked quantity, per Union airport for reasons of compliance with applicable fuel safety rules pursuant to Article 5(1a), expressed in tonnes;</p> <p>New proposal linked to line 70 and 70a.</p> <p>Agreeable to the EP.</p>
	Article 7, first paragraph, point (d)			
80	(d) The total amount of sustainable aviation fuel purchased from aviation fuel suppliers, for the purpose of operating their flights departing from Union airports, expressed in tonnes.	(d) The total amount of sustainable aviation fuel purchased from aviation fuel suppliers, for the purpose of operating their flights departing from Union airports, expressed in tonnes. of kerosene equivalent	(d) The total amount of sustainable aviation fuel SAF purchased from aviation fuel suppliers, for the purpose of operating their commercial air transport flights departing from Union airports, expressed in tonnes.	(d) The total amount of SAF and where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation purchased from aviation fuel suppliers, for the purpose of operating their commercial air transport flights flights covered by this regulation , departing from Union

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				airports, expressed in tonnes. PCY proposal. "and where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation" and similar formulations have been inserted in several lines from here onwards to ensure consistency with the added fuels that can contribute to the minimum shares.
	Article 7, first paragraph, point (e)			
81	(e) For each purchase of sustainable aviation fuel, the name of the aviation fuel supplier, the amount purchased expressed in tonnes, the conversion technology, the characteristics and origin of the feedstock used for production, and the lifecycle emissions of the sustainable aviation fuel. Where one purchase includes sustainable aviation fuels with differing characteristics, the report shall provide this information for each type of sustainable aviation fuel.	(e) For each purchase of sustainable aviation fuel, the name of the aviation fuel supplier, the total amount purchased expressed in tonnes of kerosene equivalent , the conversion technology, the characteristics and origin of the feedstock used for production, and the lifecycle emissions of the sustainable aviation fuel. Where one purchase includes sustainable aviation fuels with differing characteristics, the report shall provide this information for each type of sustainable aviation fuel.	(e) For each purchase of sustainable aviation fuel SAF, the name of the aviation fuel supplier, the amount purchased expressed in tonnes, the conversion technology, the characteristics and origin of the feedstock used for production, and the lifecycle emissions of the sustainable aviation fuel SAF. Where one purchase includes sustainable aviation fuels SAF with differing characteristics, the report shall provide this information for each type of sustainable aviation fuel SAF.	(e) For each purchase of SAF and where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation , the name of the aviation fuel supplier, the amount purchased expressed in tonnes, the conversion technology process , the characteristics and origin of the feedstock used for production, and the lifecycle emissions of the SAF and where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation . Where one purchase includes different types of SAF and where applicable, synthetic low-carbon fuels for aviation and



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				hydrogen for aviation SAF with differing characteristics, the report shall provide this information for each type of SAF and where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation. PCY proposal
	Article 7, first paragraph, point (ea)			
Y	81a			(ea) Total flights operated covered by this regulation departing from Union airports, expressed in number of flights and in flight hours. PCY Proposal Agreeable to the EP.
	Article 7, second paragraph			
G	82	The report shall be presented in accordance with the template laid down in Annex II.	The report shall be presented in accordance with the template laid down in Annex II.	The report shall be presented in accordance with the template laid down in Annex II.
	Article 7, third paragraph			
G	83	The report shall be verified by an	The report shall be verified by an	The report shall be verified by an

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	<p>independent verifier in compliance with the requirements set out in Articles 14 and 15 of Directive 2003/87/EC of the European Parliament and of the Council¹, and in Commission Implementing Regulation (EU) 2018/2067²</p> <p>1. Directive 2003/87/CE du Parlement européen et du Conseil du 13 octobre 2003 établissant un système d'échange de quotas d'émission de gaz à effet de serre dans la Communauté</p> <p>2. Commission Implementing Regulation (EU) 2018/2067 of 19 December 2018 on the verification of data and on the accreditation of verifiers pursuant to Directive 2003/87/EC of the European Parliament and of the Council (OJ L 334, 31.12.2018, p. 94).</p>	<p>independent verifier in compliance with the requirements set out in Articles 14 and 15 of Directive 2003/87/EC of the European Parliament and of the Council¹, and in Commission Implementing Regulation (EU) 2018/2067².</p> <p>1. [1] Directive 2003/87/CE du Parlement européen et du Conseil du 13 octobre 2003 établissant un système d'échange de quotas d'émission de gaz à effet de serre dans la Communauté.</p> <p>2. [2] Commission Implementing Regulation (EU) 2018/2067 of 19 December 2018 on the verification of data and on the accreditation of verifiers pursuant to Directive 2003/87/EC of the European Parliament and of the Council (OJ L 334, 31.12.2018, p. 94).</p>	<p>independent verifier in compliance with the requirements set out in Articles 14 and 15 of Directive 2003/87/EC of the European Parliament and of the Council¹, and in Commission the implementing Regulation (EU) 2018/2067² acts adopted on the basis thereof</p> <p>1. Directive 2003/87/CE du Parlement européen et du Conseil du 13 octobre 2003 établissant un système d'échange de quotas d'émission de gaz à effet de serre dans la Communauté 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).</p> <p>2. Commission Implementing Regulation (EU) 2018/2067 of 19 December 2018 on the verification of data and on the accreditation of verifiers pursuant to Directive 2003/87/EC of the European Parliament and of the Council (OJ L 334, 31.12.2018, p. 94).</p>	<p>independent verifier in compliance with the requirements set out in Articles 14 and 15 of Directive 2003/87/EC of the European Parliament and of the Council¹, and the implementing acts adopted on the basis thereof</p> <p>1. Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).</p>
	Article 8			
G 84	Article 8 Aircraft operator claiming of use of sustainable aviation fuels	Article 8 Aircraft operator claiming of use of sustainable aviation fuels	Article 8 Aircraft operator claiming of use of sustainable aviation fuelsSAF	Article 8 Aircraft operator claiming of use of SAF and where applicable, synthetic low-carbon fuels for

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				aviation and hydrogen for aviation
	Article 8, first paragraph, introductory part			
Y	85 Aircraft operators shall not claim benefits for the use of an identical batch of sustainable aviation fuels under more than one greenhouse gas scheme. Together with the report referred to in Article 7, aircraft operators shall provide the Agency with:	Aircraft operators shall be entitled to claim the allocation of free allowances under the ETS scheme for the uplifting of sustainable aviation fuels in accordance with [Article 3c (5a)] of Directive 2003/87/EC. Aircraft operators shall not claim benefits for the use of an identical batch of sustainable aviation fuels under more than one greenhouse gas scheme. Together with the report referred to in Article 7, aircraft operators shall provide the Agency with:	Aircraft operators shall not claim benefits for the use of an identical batch of sustainable aviation fuels SAF under more than one greenhouse gas scheme. Together with the report referred to in Article 7, aircraft operators shall provide the Agency with:	PCY proposes to consider transforming the EP amendment into a recital reflecting what is to be adopted in the framework of the ETS Directive.
	Article 8, first paragraph, point (a)			
G	86 (a) A declaration of greenhouse gas schemes they participate in and in which the use of sustainable aviation fuels may be reported;	(a) A declaration of greenhouse gas schemes they participate in and in which the use of sustainable aviation fuels may be reported;	(a) A declaration of greenhouse gas schemes they participate in and in which the use of sustainable aviation fuels SAF may be reported;	(a) A declaration of greenhouse gas schemes they participate in and in which the use of SAF and where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation may be reported;

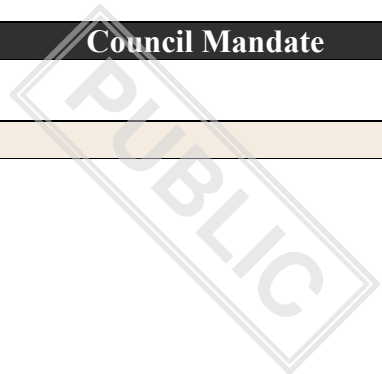
	Commission Proposal	EP Mandate	Council Mandate	14991/22
	Article 8, first paragraph, point (b)			
G	87	(b) A declaration that they have not reported identical batches of sustainable aviation fuels under more than one scheme.	(b) A declaration that they have not reported identical batches of sustainable aviation fuels under more than one scheme.	(b) A declaration that they have not reported identical batches of SAF and where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation under more than one greenhouse gas scheme.
	Article 8, first paragraph, point (ba)			
Y	87a			(c) An information on the participation in Union, national or regional financial support schemes that allows for compensation to aircraft operators of costs of SAF purchased and information on whether the same batch of SAF received support under more than one financial support scheme. PCY Proposal. To ensure no overlap with any other possible scheme.
	Article 8, second paragraph			
G	88	For the purpose of reporting sustainable aviation fuels use under the provisions of Article 7	For the purpose of reporting sustainable aviation fuels use under the provisions of Article 7	2. For the purpose of reporting SAF and where applicable, synthetic low-carbon fuels for

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	of this Regulation, or under a greenhouse gas scheme, aviation fuel suppliers shall provide aircraft operators with the relevant information free of charge.	of this Regulation, or under a greenhouse gas scheme, aviation fuel suppliers shall provide aircraft operators with the relevant information relative to the reporting period free of charge not later than 31 January of each reporting year .	of this Regulation, or under a greenhouse gas scheme, aviation fuel suppliers shall provide aircraft operators with the relevant information free of charge.	aviation and hydrogen for aviation use under the provisions of Article 7 of this Regulation, or under a greenhouse gas scheme, aviation fuel suppliers shall provide aircraft operators with the relevant accurate information relative to the reporting period free of charge as soon as possible, and in any case not later than 14 February of each reporting year .
	Article 8, second paragraph a			
88a				<p>3. The aircraft operator may request the fuel supplier to provide it with the information referred to in paragraph 2 for other reporting obligations, including under national law. The fuel supplier shall provide that information free of charge. In case the request concerns information relating to a period that has already ended at the time of the request, the fuel supplier shall provide that information within 90 days from the date of that request. In case the request concerns information relating to a period that has not yet ended at the time the request is made, the</p>

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				aircraft operator shall endeavour to submit its request at least 45 days before the end of the period. The fuel supplier shall provide that information within 45 days from the end of that period.
	Article 9			
g	89	Article 9 Reporting obligations for fuel suppliers	Article 9 Reporting obligations for fuel suppliers	Article 9 Reporting obligations for aviation fuel suppliers
	Article 9, first paragraph, introductory part			
g	90	By 31 March of each reporting year, aviation fuel suppliers shall report in the Union Database referred to in Article 28 of Directive (EU) 2018/2001, the following information relative to the reporting period:	By 31 March January of each reporting year, aviation fuel suppliers shall report in the Union Database referred to in Article 28 of Directive (EU) 2018/2001, the following information relative to the reporting period:	By 31 March 14 February of each reporting year, aviation fuel suppliers shall report in the Union Database referred to in Article 28 of Directive (EU) 2018/2001, the following information relative to the reporting period:
	Article 9, first paragraph, point (a)			
y	91	(a) The volume of aviation fuel supplied at each Union airport;	(a) The volume amount of aviation fuel supplied at each Union airport, expressed in tonnes of kerosene equivalent ;	(a) The volume amount of aviation fuel supplied at each Union airport, expressed in tonnes ;

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				PCY Proposal
	Article 9, first paragraph, point (b)			
92	(b) The volume of sustainable aviation fuel supplied at each Union airport, and for each type of sustainable aviation fuel, as detailed in point c);	(b) The volume amount of sustainable aviation fuel supplied at each Union airport, expressed in tonnes of kerosene equivalent , and for each type of sustainable aviation fuel, as detailed in point c);	(b) The volume of sustainable aviation fuel SAF supplied at each Union airport, and for each type of sustainable aviation fuel SAF , as detailed in point c);	(b) The volume amount of SAF and where applicable, synthetic low-carbon fuels for aviation supplied at each Union airport, and for each type of SAF and where applicable, synthetic low-carbon fuels for aviation , as detailed in point c), expressed in tonnes ; PCY Proposal
	Article 9, first paragraph, point (c)			
93	(c) The lifecycle emissions, origin of feedstock and conversion process of each sustainable aviation fuel type supplied at Union airports.	(c) The lifecycle emissions, characteristics and origin of feedstock and conversion process of each sustainable aviation fuel type supplied at Union airports-;	(c) The lifecycle emissions , conversion technology, the nature and origin of the feedstock used for production and the lifecycle emissions and conversion process of each sustainable aviation fuel SAF type supplied at Union airports.	(c) The conversion technology , the nature process, the characteristics and origin of the feedstock used for production, and the lifecycle emissions of each SAF and where applicable, synthetic low-carbon fuels for aviation type supplied at Union airports-; Agreeable to the EP
	Article 9, first paragraph, point (ca)			
93a				

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			(ca) The yearly average concentration of total aromatic hydrocarbons, naphthalenes and sulphur in aviation fuel supplied at each Union airport.	<p>(ca) The yearly average concentration of total aromatic hydrocarbons, naphthalenes and content of aromatics and naphthalenes by percentage volume and of sulphur by percentage mass in aviation fuel supplied at each per batch, per Union airport and at Union level. Aviation fuel suppliers shall indicate the total volume and mass of each batch and test method applied to measure the content of each substance at batch level;</p> <p>see line 93f</p> <p>Agreeable to EP</p>
	Article 9, first paragraph, point (cb)			
93b				<p>(cb) Where applicable, the amount of hydrogen for aviation, supplied at each Union airport;</p> <p>The unit will depend on the form of Hydrogen (liquid or gaseous), and will be defined in Union database (IT developments ongoing), therefore, to avoid inconsistency with RED the wording "amount" is proposed.</p>



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	Article 9, first paragraph, point (cc)			
Y	93c			<p>(cc) Where applicable, the sustainability characteristics in accordance with Directive (EU) 2018/2001 of each type of hydrogen for aviation supplied at Union airports;</p> <p>PCY Proposal</p>
	Article 9, first paragraph, point (cd)			
Y	93d			<p>(cd) The energy content for aviation fuel, SAF and where applicable, synthetic low-carbon fuels for aviation and hydrogen supplied at each Union airport, for each type of fuel.</p> <p>PCY proposal</p> <p>This information will be reported in Union database under RED, so does not introduce new requirement in case of SAF and renewable hydrogen.</p>
	Article 9, first paragraph, point (ca)			
R	93e	(ca) Where applicable, the		

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		amount of hydrogen and/or electricity, supplied at each Union airport, expressed in tonnes of kerosene equivalent;		replaced by line 93b.
	Article 9, first paragraph, point (cb)			
Y	93f	(cb) The average aromatic, naphthalene and sulphur content of aviation fuel per each batch supplied at each Union airport.		replaced by line 93a
	Article 9, first paragraph, point (cg)			
Y	93g			<p>(cg) Member States shall have the necessary legal and administrative framework in place at national level to ensure that information entered by fuel suppliers in the Union Database referred to in Article 28 of Directive (EU) 2018/2001 is accurate, verified and audited pursuant to that Article.</p> <p>Same framework for verification and audit as per RED, but on additional data reported based on ReFuelEU Aviation.</p> <p>Moved from line 106a</p>

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	Article 9, second paragraph			
G	94 The Agency shall have access to the Union database and shall use the information contained in the Union database, once the information has been verified at Member State level pursuant to Article 28 of Directive (EU) 2018/2001.	The Agency shall have access to the Union database and shall use the information contained in the Union database, once the information has been verified at Member State level pursuant to Article 28 of Directive (EU) 2018/2001.	The Agency and the competent authorities shall have access to the Union database. The Agency and shall use the information contained in the Union database, once the information has been verified at Member State level pursuant to Article 28 of Directive (EU) 2018/2001.	The Agency and the competent authorities shall have access to the Union database. The Agency shall use the information contained in the Union database, once the information has been verified at Member State level pursuant to Article 28 of Directive (EU) 2018/2001. Agreed at trilogue 2
	Article 10			
G	95 Article 10 Competent authority	Article 10 Competent authority	Article 10 Competent authority	Article 10 Competent authority
	Article 10(1)			
Y	96 (1) Member States shall designate the competent authority or authorities responsible for enforcing the application of this Regulation and for imposing the fines for aircraft operators, Union airports and fuel suppliers. Member States shall inform the Commission thereof.	(1) Member States shall designate the competent authority or, where applicable and in accordance with national law, or authorities responsible for enforcing the application of this Regulation and for imposing the fines for on aircraft operators, on Union airports, or where applicable, on	(1) Member States shall designate the competent authority or authorities responsible for enforcing the application of this Regulation and for imposing the fines for aircraft operators, Union airports and fuel suppliers. Member States shall inform the Commission thereof.	(1) Member States shall designate the competent authority or authorities responsible for enforcing the application of this Regulation and for imposing the fines for on aircraft operators, on the Union airports and airport managing bodies, and on aviation fuel suppliers. Member

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		the managing bodies of airports, and on and fuel suppliers. Member States shall inform the Commission thereof.		States shall inform the Commission and the Agency thereof. Proposal resulting from Trilogue #2 Agreeable to the EP.
	Article 10(1a)			
Y	96a			1a. Member States shall ensure that their competent authorities exercise their tasks of oversight and enforcement in a non-discriminatory manner, impartially, and transparently. Member States shall also ensure that their competent authorities have the necessary resources and capabilities to carry out the tasks assigned to them under this Regulation in an efficient and timely manner. PCY Proposal.
	Article 10(1b)			
Y	96b			1b. The Commission, the Agency and the competent authorities of the Member States shall cooperate and exchange all

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				<p>relevant information to ensure effective implementation and compliance with this Regulation.</p> <p>Proposal resulting from trilogue #2.</p> <p>Agreeable to the EP.</p>
Article 10(2)				
97	<p>(2) The Agency shall send the data received pursuant to Articles 7 and 9 to the competent authorities of the Member States. The Agency shall also send to the competent authorities data aggregated for the aircraft operators and aviation fuels suppliers for which the authorities are competent pursuant to paragraphs 3, 4 and 5.</p>	<p>(2) The Agency shall send the data received pursuant to Articles 7 and 9 to the competent authority or authorities of the Member States. The Agency shall also send to the competent authorities data aggregated for the aircraft operators and aviation fuels suppliers for which the authorities are competent pursuant to paragraphs 3, 4 and 5.</p>	<p>(2) The Agency shall send the data received pursuant to Articles 7 and 9 to the competent authorities of the Member States. The Agency shall also send to the competent authorities data aggregated for the aircraft operators and aviation fuels suppliers for which the authorities are competent pursuant to paragraphs 3, 4 and 5.</p>	<p>(2) The Agency shall send to the competent authorities data aggregated for the aircraft operators, Union airports and their respective Union airport managing bodies and aviation fuels fuel suppliers for which the authorities are competent pursuant to paragraphs 3, 4 and 5.</p> <p>Proposal resulting from Trilogue #2.</p> <p>Agreeable to the EP.</p>
Article 10(3)				
98	<p>(3) The competent authorities in respect of an aircraft operator shall be determined pursuant to Commission Regulation (EC) No 748/2009¹.</p>	<p>(3) The competent authority or authorities in respect of an aircraft operator shall be determined pursuant to Commission Regulation (EC) No 748/2009¹.</p>	<p>(3) The Member State whose competent authorities in respect of an authority(ies) referred to in paragraph 1 of this Article is responsible for a given aircraft operator shall be determined</p>	<p>(3) The Member State whose competent authority(ies), or authorities, referred to in paragraph 1 of this Article is responsible for a given aircraft operator shall be determined</p>

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	1. Commission Regulation (EC) No 748/2009 of 5 August 2009 on the list of aircraft operators which performed an aviation activity listed in Annex I to Directive 2003/87/EC	1. [1] Commission Regulation (EC) No 748/2009 of 5 August 2009 on the list of aircraft operators which performed an aviation activity listed in Annex I to Directive 2003/87/EC.	pursuant to Commission Regulation (EC) No 748/2009 ¹ . 1. [1] Commission Regulation (EC) No 748/2009 of 5 August 2009 on the list of aircraft operators which performed an aviation activity listed in Annex I to Directive 2003/87/EC (OJ L 219, 22.08.2009, p. 1).	pursuant to Commission Regulation (EC) No 748/2009 ¹ . For aircraft operators not attributed to a Member State in that Regulation, the responsible Member state shall be determined pursuant to the rules laid down in Article 18a of Directive 2003/87/EC. The Commission may support the Member States in this reattribution process. For this purpose, the Commission may request the assistance of Eurocontrol and may conclude to that effect any appropriate agreement with Eurocontrol. 1. [1] Commission Regulation (EC) No 748/2009 of 5 August 2009 on the list of aircraft operators which performed an aviation activity listed in Annex I to Directive 2003/87/EC (OJ L 219, 22.08.2009, p. 1). PCY proposal Agreeable to the EP
	Article 10(4)			
99	(4) The competent authorities in respect of Union airports shall be determined on the basis of the	(4) The competent authority or authorities in respect of Union airports shall be determined on the	(4) The Member State whose competent authorities in respect of authority(ies) referred to in	(4) The Member State whose competent authority(ies), or authorities , referred to in

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	respective territorial jurisdiction.	basis of the respective territorial jurisdiction.	paragraph 1 of this Article is responsible for a given Union airportsairport shall be determined on the basis of the respective territorial jurisdiction.	<p>paragraph 1 of this Article is responsible for a given Union airport managing body shall be determined on the basis of the respective territorial jurisdiction of the Union airport.</p> <p>New proposal resulting from Trilogue #2.</p> <p>Agreeable to the EP.</p>
Article 10(5)				
100	(5) The competent authorities in respect of aviation fuel suppliers shall be determined pursuant to their Member State of establishment.	(5) The competent authority or authorities in respect of aviation fuel suppliers shall be determined pursuant to their Member State of establishment.	<p>(5) The Member State whose competent authorities in respect of authority(ies) referred to in paragraph 1 of this Article is responsible for a given aviation fuel supplier shall be the Member State in which the aviation fuel supplier has its registered office.</p> <p>For aviation fuel suppliers which do not have a registered office in a Member State, the Member State concerned shall be determined pursuant to their the one in which the aviation fuel supplier supplied the most aviation fuel in 2023 or in the first year of providing aviation fuel in the EU market,</p>	<p>(5) The Member State whose competent authority(ies) or authorities referred to in paragraph 1 of this Article is responsible for a given aviation fuel supplier shall be the Member State in which the aviation fuel supplier has its registered office. -principal place of business.</p> <p>For aviation fuel suppliers which do not have a registered office principal place of business in a Member State, the Member State concerned shall be the one in which the aviation fuel supplier supplied the most aviation fuel in 2023 or in the first year of providing aviation fuel in the EU</p>

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			<p>whichever the latest. Such an aviation fuel supplier may present a reasoned request to its competent authority to be reattributed to another Member State, in case it has supplied the most of its aviation fuel in that latter Member State over the two years preceding the request. The decision of reattribution shall be made within nine months following the request, shall be subject to the agreement of the competent authorities of the Member State of reattribution and of the Commission and shall enter into force at the beginning of the reporting period following the date of that decision of establishment.</p>	<p>market, whichever the latest. Such an aviation fuel supplier may present a reasoned request to its competent authority to be reattributed to another Member State, in case it has supplied the most of its aviation fuel in that latter Member State over the two years preceding the request. The decision of reattribution shall be made within nine six months following the request by the aviation fuel supplier, shall be subject to the agreement of the competent authorities of the Member State of reattribution and of shall be transmitted without undue delay to the Agency and the Commission. It and shall enter into force at the beginning of the reporting period following the date of that decision.</p> <p>Proposal resulting from trilogue #2.</p> <p>Agreeable to the EP.</p>
	Article 11			
101	Article 11 Enforcement	Article 11 Enforcement	Article 11 Enforcement	Article 11 Enforcement
	Article 11(1)			

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102	(1) Member States shall lay down the rules on penalties applicable to infringements of the provisions adopted pursuant to this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. Member States shall notify these provisions to the Commission by 31 December 2023 at the latest and shall notify it without delay of any subsequent amendment affecting them.	(1) Member States The Commission shall lay down the rules on penalties applicable to infringements of the provisions adopted pursuant to this Regulation and Member States shall take all measures necessary to ensure that— they are implemented. The penalties provided for must be effective, proportionate and dissuasive. The Commission Member States shall notify deliver these provisions to the Commission Member States by 31 December 2023 at the latest and shall notify it without delay of any subsequent amendment affecting them.	(1) Member States shall lay down the rules on penalties applicable to infringements of the provisions adopted pursuant to this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. Member States shall notify these provisions to the Commission by 31 December 2023 at the latest and shall notify it without delay of any subsequent amendment affecting them.	(1) Member States shall lay down the rules on penalties applicable to infringements of the provisions adopted pursuant to this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive taking into account in particular the nature, duration, recurrence and gravity of the infringement . Member States shall notify these provisions to the Commission by 31 December 2023 at the latest and shall notify it without delay of any subsequent amendment affecting them. Proposal resulting from Trilogue #2
Article 11(2)				
103	(2) Member States shall ensure that any aircraft operator failing to comply with the obligations laid down in Article 5 is liable to an administrative fine. That fine shall be at least twice as high as the multiplication of the yearly average price of aviation fuel per tonne and of the total yearly non-	(2) Member States shall ensure that any aircraft operator failing to comply with the obligations laid down in Article 5 is liable to an administrative fine. That fine shall be at least twice as high as the multiplication of the yearly average price of aviation fuel per tonne and of the total yearly non-	(2) Member States shall ensure that any aircraft operator failing to comply with the obligations laid down in Article 5 is liable to an administrative fine. That fine shall be at least twice as high as the multiplication of the yearly average price of aviation fuel per tonne and of the total yearly non-	(2) Member States shall ensure that any aircraft operator failing to comply with the obligations laid down in Article 5 is liable to an fine. That fine shall be at least proportionate and dissuasive but not less than twice as high as the multiplication of the yearly average price of aviation

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	tanked quantity;	tanked quantity; An aircraft operator may be exempted from an administrative fine if it can prove that its failure to comply with the obligations laid down in Article 5 is caused by exceptional and unforeseeable circumstances, outside of its control, the effects of which could not have been avoided even if all reasonable measures had been taken.	tanked quantity;	fuel per tonne and of the total yearly non-tanked quantity; An aircraft operator may be exempted from a fine if it can prove that its failure to comply with the obligations laid down in Article 5 is caused by exceptional and unforeseeable circumstances, outside of its control, the effects of which could not have been avoided even if all reasonable measures had been taken. PCY proposal. Agreeable to the EP.
Article 11(2a)				
103a		2a. Member States shall ensure that any Union airport, or where applicable, the managing body of an airport, failing to comply with the obligations laid down in Article 6 is liable to an administrative fine.		2a. Member States shall ensure that the Union airport managing body failing to take the necessary measures to address the lack of adequate access of aircraft operators to aviation fuels containing minimum shares of SAF pursuant to Article 6(3) is liable to a fine. Agreeable to the EP.
Article 11(3)				

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104	(3) Member States shall ensure that any aviation fuel supplier failing to comply with the obligations laid down in Article 4 relative to the minimum share of sustainable aviation fuels is liable to an administrative fine. That fine shall be at least twice as high as the multiplication of the difference between the yearly average price of conventional aviation fuel and sustainable aviation fuel per tonne and of the quantity of aviation fuels not complying with the minimum share referred to in Article 4 and Annex I;	(3) Member States shall ensure that any aviation fuel supplier failing to comply with the obligations laid down in Article 4 relative to the minimum share of sustainable aviation fuels or any fuel supplier that has been proven to have provided misleading or inaccurate information regarding the characteristics or origin of the fuel it supplied , is liable to an administrative fine. That fine shall be at least twice as high as the multiplication of the difference between the yearly average price of conventional aviation fuel and sustainable aviation fuel per tonne and of the quantity of aviation fuels not complying with the minimum share referred to in Article 4 and Annex I;	(3) Member States shall ensure that any aviation fuel supplier failing to comply with the obligations laid down in Article 4 relative to the minimum share of sustainable aviation fuels SAF is liable to an administrative fine. That fine shall be at least twice as high as the multiplication of the difference between the yearly average price of conventional aviation fuel and sustainable aviation fuel SAF per tonne and of the quantity of aviation fuels not complying with the minimum share referred to in Article 4 and Annex I;	(3) Member States shall ensure that any aviation fuel supplier failing to comply with the obligations laid down in Article 4 relative to the minimum share of SAF is liable to a fine. In the case of such failure to comply, that fine shall be at least proportionate and dissuasive but not less than twice as high as the multiplication of the difference between the yearly average price of conventional aviation fuel and SAF per tonne and of the quantity of aviation fuels not complying with the minimum share referred to in Article 4 and Annex I; Agreeable to EP.
Article 11(4)				
105	(4) Member States shall ensure that any aviation fuel supplier failing to comply with the obligations laid down in Article 4 relative to the minimum share of synthetic aviation fuels is liable to an administrative fine. That fine	(4) Member States shall ensure that any aviation fuel supplier failing to comply with the obligations laid down in Article 4 relative to the minimum share of synthetic aviation fuels is liable to an administrative fine. That fine	(4) Member States shall ensure that any aviation fuel supplier failing to comply with the obligations laid down in Article 4 relative to the minimum share of synthetic aviation fuels is liable to an administrative fine. That fine	(4) Member States shall ensure that any aviation fuel supplier failing to comply with the obligations laid down in Article 4 relative to the minimum share of synthetic aviation fuels is liable to an fine. That fine shall be at

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	shall be at least twice as high as the multiplication of the difference between the yearly average price of synthetic aviation fuel and conventional aviation fuel per tonne and of the quantity of the aviation fuel not complying with the minimum share referred to in Article 4 and Annex I;	shall be at least twice as high as the multiplication of the difference between the yearly average price of synthetic aviation fuel and conventional aviation fuel per tonne and of the quantity of the aviation fuel not complying with the minimum share referred to in Article 4 and Annex I;	shall be at least twice as high as the multiplication of the difference between the yearly average price of synthetic aviation fuel and conventional aviation fuel per tonne and of the quantity of the aviation fuel not complying with the minimum share referred to in Article 4 and Annex I;	<p>leastproportionate and dissuasive but not less than twice as high as the multiplication of the difference between the yearly average price of synthetic aviation fuel and conventional aviation fuel per tonne and of the quantity of the aviation fuel not complying with the minimum share referred to in Article 4 and Annex I;</p> <p>Agreeable to the EP.</p>
	Article 11(4a)			
105a				<p>4a. Member States shall ensure that any aviation fuel supplier that has been proven to have provided misleading or inaccurate information regarding the characteristics or origin of the SAF and where applicable, synthetic low-carbon fuels for aviation it supplied under Article 8(2) and Article 9 is liable to a fine. That fine shall be proportionate and dissuasive but not less than twice as high as the multiplication of the difference between the yearly average price of conventional aviation fuel and SAF and where applicable, synthetic low-carbon</p>

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				fuels for aviation per tonne and of the quantity of aviation fuels about which misleading or inaccurate information regarding their characteristics or origin was provided. PCY proposal
	Article 11(5)			
106	(5) In the decision imposing the administrative fines referred to in paragraphs 3 and 4, the competent authority shall explain the methodology applied for the determination of the price of aviation fuel, sustainable aviation fuel and synthetic aviation fuel on the Union market, based on verifiable and objective criteria;	(5) In the decision imposing the administrative fines referred to in paragraphs 3 and 4, the competent authority shall explain the methodology applied for the determination of the price of aviation fuel, sustainable aviation fuel and synthetic aviation fuel on the Union market, based on verifiable and objective criteria.	(5) In the decision imposing the administrative fines referred to in paragraphs 3 and 4, the competent authority shall explain the methodology applied for the determination of the price of aviation fuel, sustainable aviation fuel, SAF and synthetic aviation fuel on the Union market, based on verifiable and objective criteria including the latest available technical report referred to in Article 12;	(5) In the decision imposing the fines referred to in paragraphs 2, 3, 4 and 4a and 4, the competent authority shall explain the methodology applied for the determination of the price of aviation fuel, SAF and where applicable, synthetic low-carbon fuels for aviation and synthetic aviation fuel on the Union market, based on verifiable and objective criteria including the latest available technical report referred to in Article 12; PCY Proposal
	Article 11(5a)			
106a		5a. Member States shall have the necessary legal and		Moved to line 93g

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		administrative framework in place at national level to ensure that information entered by fuel suppliers in the Union Database referred to in Article 28 of Directive (EU) 2018/2001 is accurate, verified and audited.		
	Article 11(6)			
107	<p>(6) Member States shall ensure that any aviation fuel supplier which has accumulated a shortfall from the obligation laid down in Article 4 relative to the minimum share of sustainable aviation fuels or of synthetic fuels in a given reporting period, shall supply the market in the subsequent reporting period with a quantity of that respective fuel equal to that shortfall, additional to their reporting period obligation. Fulfilling this obligation shall not exonerate the fuel supplier from the obligation to pay the penalties laid out in paragraphs 3 and 4 of this Article;</p>	<p>(6) Member States shall ensure that any aviation fuel supplier which has accumulated a shortfall from the obligation laid down in Article 4 relative to the minimum share of sustainable aviation fuels or of synthetic fuels in a given reporting period, where the Commission assesses that this shortfall is not caused by insufficient resources being available, shall make every possible effort to supply the market in the subsequent reporting period with a quantity of that respective fuel equal to that shortfall, additional to their reporting period obligation. Fulfilling this obligation shall not exonerate the fuel supplier from the obligation to pay the penalties laid out in paragraphs 3 and 4 of this Article;</p>	<p>(6) Member States shall ensure that any aviation fuel supplier which has accumulated a shortfall from the obligation laid down in Article 4 relative to the minimum share of sustainable aviation fuels SAF or of synthetic fuels in a given reporting period, shall supply the market in the subsequent reporting period with a quantity of that respective fuel equal to that shortfall, additional to their reporting period obligation. Fulfilling this obligation shall not exonerate the fuel supplier from the obligation to pay the penalties laid out in paragraphs 3 and 4 of this Article;</p>	<p>(6) Member States shall ensure that any aviation fuel supplier which has accumulated a shortfall from the obligation laid down in Article 4 relative to the minimum share of SAF or of synthetic fuels in a given reporting period, shall supply the market in the subsequent reporting period with a quantity of that respective fuel equal to that shortfall, additional to their reporting period obligation. Fulfilling this obligation shall not exonerate the aviation fuel supplier from the obligation to pay the penalties fines laid out in paragraphs 3 and 4 of this Article;</p> <p>PCY Proposal</p>

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	Article 11(7)			
108	(7) Member States shall have the necessary legal and administrative framework in place at national level to ensure the fulfilment of the obligations and the collection of the administrative fines. Member States shall transfer the amount collected through those administrative fines as contribution to the InvestEU Green Transition Investment Facility, as a top-up to the EU guarantee.	(7) Member States shall have the necessary legal and administrative framework in place at national level to ensure the fulfilment of the obligations and the collection of the administrative fines. Member States shall transfer the amount collected through those administrative fines as contribution to the InvestEU Green Transition Investment Facility, as a top-up to the EU guarantee Sustainable Aviation Fund, established under Article 11a.	(7) Member States shall have the necessary legal and administrative framework in place at national level to ensure the fulfilment of the obligations and the collection of the administrative fines. Member States shall transfer the amount collected through those administrative fines as contribution to the InvestEU Green Transition Investment Facility, as a top-up to the EU guarantee.	(7) Member States shall have the necessary legal and administrative framework in place at national level to ensure the fulfilment of the obligations and the collection of the fines. Propose CGA
	Article 11(7a)			
108a			7a. Member States should ensure that the revenues generated from fines, or the equivalent in financial value of those revenues, are used to support research and innovation projects in the field of SAF, the production of SAF or mechanisms allowing to bridge the price differences between SAF and conventional aviation	7a. Member States should ensure that the revenues generated from fines, or the equivalent in financial value of those revenues, are used to support research and innovation projects in the field of SAF, the production of SAF or mechanisms allowing to bridge the price differences between SAF and conventional aviation fuels.

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			fuels.	<p>Where such revenues are allocated to the general budget of a Member State, a Member State shall be deemed to have complied with the first subparagraph, if it implements financial support policies to support research and innovation projects in the field of SAF, the production of SAF or policies that support mechanisms allowing to bridge the price differences between SAF and conventional aviation fuels which have a value equivalent or higher to the revenues generated from fines.</p> <p>By 25 March 2026, and every five years thereafter, Member States shall make public in aggregate form a report on the use of revenues generated from the fines, and information on the level of expenditure allocated to research and innovation projects in the field of SAF, the production of SAF or policies that support mechanisms allowing to bridge the price differences between SAF and conventional aviation fuels.</p>

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				New compromise linked to line 108.
	Article 11a			
Y	108b	Article 11a Sustainable Aviation Fund		In line with lines 108 and 108a, this line would be deleted.
	Article 11a(1)			
Y	108c	1. A Sustainable Aviation Fund ('the Fund') shall be established for the period from 2023 to 2050 to accelerate the decarbonisation of the aviation sector without hampering its highly integrated internal market, and in particular to support investment in innovative technologies and infrastructure for the production, uptake, deployment and storage of sustainable aviation fuels, other innovative aircraft propulsion technologies, including hydrogen and electricity, research for new engines and direct air capture technology, a process by which CO ₂ is captured directly from the air and not from point sources, and efforts to reduce the non-CO ₂ effects of aviation.		In line with lines 108 and 108a, this line would be deleted.

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		All investment supported by the Fund shall be made public and shall be consistent with the aims of this Regulation.		
	Article 11a(2)			
Y	108d	2. The Fund shall constitute an integral part of the EU budget and shall be budgeted within the MFF ceilings. The revenues generated by the penalties under this Regulation should be allocated to the Fund		In line with lines 108 and 108a, this line would be deleted.
	Article 11a(3)			
Y	108e	3. The Fund shall be managed centrally through a Union body whose governance structure and decision making process shall be transparent and inclusive, in particular in the setting of priority areas, criteria and grant allocation procedures. Relevant stakeholders shall have an appropriate consultative role. All information on the investments and all other relevant information on the functioning of the Fund shall be made available to the public.		In line with lines 108 and 108a, this line would be deleted.

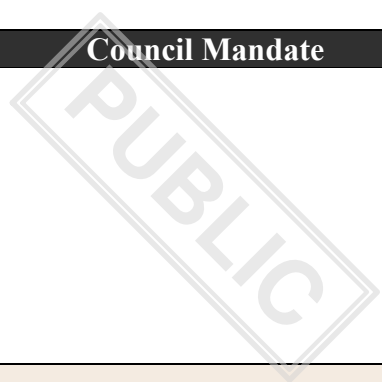
	Commission Proposal	EP Mandate	Council Mandate	14991/22
	Article 12			
G	109 Article 12 Data collection and publication	Article 12 Data collection and publication	Article 12 Data collection and publication	Article 12 Data collection and publication
	Article 12, first paragraph, introductory part			
G	110 The Agency shall publish every year a technical report on the basis of the yearly reports referred to in Articles 7 and 9. That report shall contain at least the following information:	The Agency shall publish every year a technical report on the basis of the yearly reports referred to in Articles 7 and 9. That report shall contain at least the following information:	The Agency shall publish every year a technical report on the basis of the yearly reports referred to in Articles 7 and 9 and forward it to the Council and the European Parliament. That report shall contain at least the following information:	The Agency shall publish every year a technical report on the basis of the yearly reports referred to in Articles 6a , 7 and 9 and forward it to the Council and the European Parliament. That report shall contain at least the following information:
	Article 12, first paragraph, point (a)			
Y	111 (a) The amount of sustainable aviation fuel purchased by aircraft operators at Union level in aggregate, for use on flights departing from a Union airport, and by Union airport;	(a) The amount of sustainable aviation fuel purchased by aircraft operators at Union level in aggregate, for use on flights covered by this Regulation departing from a Union airport, and by Union airport;	(a) The amount of sustainable aviation fuel SAF purchased by aircraft operators at Union level in aggregate, for use on commercial air transport flights departing from a Union airport, and by Union airport;	(a) The amount of SAF and where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation purchased by aircraft operators at Union level in aggregate, for use on commercial air transport flights flights covered by this Regulation departing from a Union airport, and by Union airport;

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				PCY proposal.
	Article 12, first paragraph, point (b)			
Y	112	(b) The amount of sustainable aviation fuel and of synthetic aviation fuel supplied at Union level in aggregate and by Union airport;	(b) The amount of sustainable aviation fuel and of synthetic aviation fuel supplied at Union level in aggregate and by Union airport and an analysis of the capacity of suppliers in each Member State to meet the planned incorporation trajectory;	(b) The amount of SAF, synthetic aviation fuel and where applicable, and of synthetic low-carbon fuels for aviation fuel and hydrogen for aviation supplied at Union level in aggregate, per Member State and per and by Union airport. The report shall include the amount and type of feedstock used at Union level, per and an analysis of the capacity of suppliers in each Member State and per Union airport and an analysis on the ability of aviation fuel suppliers to meet the planned incorporation trajectory minimum shares defined in Annex I; PCY Proposal
	Article 12, first paragraph, point (ba)			
G	112a		(ba) The amount of SAF supplied in the third countries with which an Air Services Agreement has been concluded by the Union, or the Union and its Member States, and to the	(ba) To the extent possible, the amount of SAF and where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation supplied, in the third countries with which an

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			extent possible in other third countries	agreement that regulates the provision of air services Agreement has been concluded by the Union, or the Union and its Member States, and to the extent possible in other third countries in other third countries where such information is publicly available;
	Article 12, first paragraph, point (ba)			
G 112b		(ba) Where available, the amount of sustainable aviation fuel supplied and purchased by aircraft operators in the neighbouring countries of the Union with which a European Air Services Agreement has been concluded;		note: see line 112a
	Article 12, first paragraph, point (c)			
G 113	(c) The state of the market, including price information, and trends in sustainable aviation fuel production and use in the Union;	(c) The state of the market, including price information, and trends in sustainable aviation fuel production and use in the Union and per Member State;	(c) The state of the market, including price information, and trends in sustainable aviation fuel SAF production and use in the Union and the third countries with which an Air Services Agreement has been concluded by the Union, or the Union and its Member States, and to the	(c) The state of the market, including price information, and trends in SAF production and where applicable, the production of synthetic low-carbon fuels for aviation and hydrogen for aviation and use in the Union and per Member State and, to the extent possible, in the third

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			extent possible in other third countries. The state of market shall include information on the evolution of the price gap between SAF and fossil fuels;	countries with which an agreement that regulates the provision of air services Agreement has been concluded by the Union, or the Union and its Member States, and to the extent possible in other third countries. The state of market shall include information on the evolution of the price gap between SAF and where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation and fossil fuels;
	Article 12, first paragraph, point (d)			
Y	114 (d) The status of compliance of airports regarding obligations set out in Article 6;	(d) The status of compliance of airports, or where applicable, the managing body of an airport , regarding obligations set out in Article 6;	(d) The status of compliance of airports regarding obligations set out in Article 6;	(d) The status of compliance of airports, the Union airport managing body per airport , regarding obligations set out in Article 6; Agreeable by the EP
	Article 12, first paragraph, point (e)			
G	115 (e) The compliance status of each aircraft operator and aviation fuel supplier having an obligation under this Regulation in the reporting period;	(e) The compliance status of each aircraft operator and aviation fuel supplier having an obligation under this Regulation in the reporting period, including those that have been notified as	(e) The compliance status of each aircraft operator and aviation fuel supplier having an obligation under this Regulation in the reporting period;	(e) The compliance status of each aircraft operator and aviation fuel supplier having an obligation under this Regulation in the reporting period;

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		aircraft operator, pursuant to Article 3, paragraph 1, indent 2;		Agreed at trilogue 2
	Article 12, first paragraph, point (f)			
Y	116	(f) The origin and the characteristics of all sustainable aviation fuels purchased by aircraft operators for use on flights departing from Union airports.	(f) The origin and the characteristics of all sustainable aviation fuels SAF purchased by aircraft operators for use on flights departing from Union airports.	(f) The origin and the characteristics of all SAF and where applicable, synthetic low-carbon fuels for aviation and sustainability characteristics of hydrogen purchased by aircraft operators for use on flights covered under this Regulation departing from Union airports-;
	Article 12, first paragraph, point (g)			PCY proposal
Y	116a		(g) The yearly average concentration of total aromatic hydrocarbons, naphthalenes and sulphur in aviation fuel supplied at Union level in aggregate and by Union airport.	(g)(fa) The yearly average concentration content of total aromatic hydrocarbons, aromatics and naphthalenes by percentage volume and sulphur by percentage mass in aviation fuel supplied atby Union level in aggregate and by airport and at Union airport level.
	Article 12, first paragraph, point (fb)			Aligned with the text in Article 9.



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	116b			(fb) The status of advancement of projects at Union airports pursuing initiatives referred to in Article 6a(2). Linked to new Article 6a.
	Article 12, second paragraph			
Y	116c		The Agency shall consult the Committee referred to in Article 13a(1) when drawing up that report.	(fc) The Agency shall may consult the Committee referred to in Article 13a(1) experts of the Member States when drawing up that report. EP still disagrees.
	Article 12, first paragraph, point (fa)			
Y	116d	(fa) The average aromatic, naphthalene and sulphur content of aviation fuel supplied at Union level in aggregate and by Union airport.		see line 116a
	Article 12a			
Y	116e	Article 12a Union labelling system for the environmental performance of		Article 12a Environmental Label

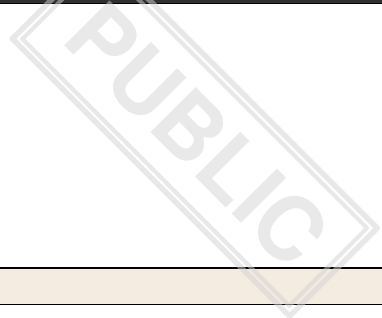
	Commission Proposal	EP Mandate	Council Mandate	14991/22
		aviation		PCY Proposal in lines 116e-116ab
	Article 12a(1)			
Y	116f	1. In order to further promote the decarbonisation of the aviation sector and increase the transparency of information to consumers regarding the environmental performance by aircraft operators, the Commission shall set up a comprehensive Union labelling system for the environmental performance of aviation, to be developed and implemented by EASA, which shall apply to aircraft operators and commercial air transport flights subject to this Regulation.		1. A voluntary environmental labelling scheme allowing measuring the environmental performance of flights is hereby established.
	Article 12a(2)			
Y	116g	2. By 1 January 2024, the Commission shall adopt a delegated act in accordance with Article 13a (new) to supplement this Regulation by setting out the detailed provisions and technical standards for the functioning of the Union labelling system for the		2. Labels issued pursuant to this Article shall apply to aircraft operators falling within the scope of this Regulation for flights covered by this Regulation departing from Union airports. Aircraft operators may request the issuance of labels under this



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		environmental performance of aircrafts, aircraft operators and commercial flights.		Article also to their flights arriving at Union airports. Where an aircraft operator requests the issuance of a label under this Article, it shall request such a label for all its flights covered by this Regulation departing from Union airports. Where an aircraft operator requests the issuance of a label under the second subparagraph of this paragraph, it shall request such a label for all its flights arriving at Union airports.
	Article 12a(3), introductory part			
116h				3. Labels issued pursuant to this Article shall certify the level of environmental performance of a flight on the basis of the information referred to in the following subparagraph of this paragraph. The level of environmental performance of a flight shall be determined on the basis of the average environmental performance of the flights carried out by a given aircraft operator on a specific route [during a specific slot] for



	Commission Proposal	EP Mandate	Council Mandate	14991/22
				<p>the previous corresponding scheduling period within the meaning of Article 2, point d, Regulation (EEC) 95/93.</p> <p>Labels issued pursuant to this Article shall consist of the following information:</p>
	Article 12a(3), point (a)			
Y	116i			<p>(a) The expected carbon footprint per passenger (e.g. kilograms of CO2 per passenger) for the period of validity of the label;</p>
	Article 12a(3), point (b)			
Y	116j			<p>(b) The expected CO2 efficiency per kilometre (e.g. grams of CO2 per passenger per kilometre) for the period of validity of the label.</p>
	Article 12a(4), introductory part			
Y	116k			<p>4. The expected carbon footprint per passenger and the expected CO2 efficiency per kilometre of a flight shall be</p>

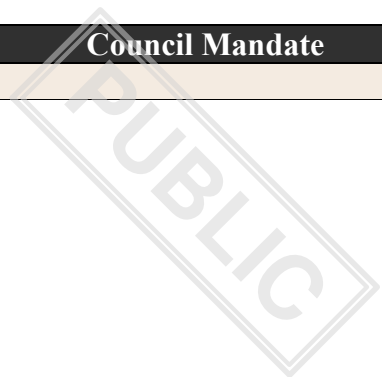


	Commission Proposal	EP Mandate	Council Mandate	14991/22
				determined by the Agency on the basis of a standardised and science-based methodology and pursuant to all or part of the following factors, to be collected from the aircraft operators:
	Article 12a(4), point (a)			
Y	116l			(a) the types of planes, average number of passengers and freight loads supplemented when needed with estimations of those factors (e.g. the average load factors for the specified route for a given time period); and
	Article 12a(4), point (b)			
Y	116m			(b) the performance of the fuel used on the flights carried out by the aircraft operator based on the fuel uptake and using metrics such as the total amount of SAF and where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation uplifted, the percentage over the total fuel uptake, the quality and origin, the composition and the life cycle

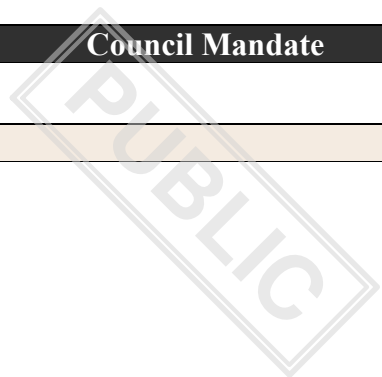
	Commission Proposal	EP Mandate	Council Mandate	14991/22
				GHG emissions from fuel use calculated for the flight.
	Article 12a(5)			
Y	116n			5. Labels issued pursuant to this Article shall be valid for a given period of time, not exceeding one year, as specified pursuant to paragraph 10. The period of validity of the label shall be clearly displayed by the aircraft operator together with the label.
	Article 12a(6)			
Y	116o			<p>6. Labels shall be issued by the Agency upon request of an aircraft operator, for each flight or set of flights operated under the same conditions, on the basis of the information referred to in paragraph 3 and of the standardised and science-based methodology and factors referred to in paragraph 4.</p> <p>The Agency may require the aircraft operator to provide additional information to allow for the issuance of the Label.</p>



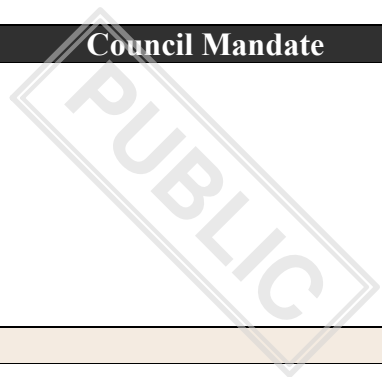
	Commission Proposal	EP Mandate	Council Mandate	14991/22
				<p>In case the aircraft operator does not submit all the information necessary for the Agency to issue the requested label, the Agency shall reject the request.</p> <p>Any decision taken by the Agency pursuant to this paragraph shall be taken without any undue delay.</p>
	Article 12a(7)			
116p				<p>7. The Agency shall review periodically if the factors on the basis of which a label has been issued for each flight or set of flights operated under the same conditions have changed. If the Agency concludes that a label is no longer appropriate, it shall, after having provided the operator with the opportunity to be heard, either revoke the existing label or issue a new label, and inform the aircraft operator accordingly.</p> <p>The aircraft operator shall adjust the display of the label accordingly without any delay.</p>



	Commission Proposal	EP Mandate	Council Mandate	14991/22
Article 12a(8)				
116q				<p>8. Aircraft operators having been granted a label pursuant to paragraph 6 shall display the information referred to in paragraph 3, second subparagraph. The label shall be easily accessible and understandable. It shall be presented in a way that allows customers to compare easily the environmental performance of flights operated by different aircraft operators flying the same route. Where an aircraft operator displays the label at a point of sale or any other contact with the costumer, they shall do so for all flights in scope of this regulation.</p> <p>For flights departing from Union airports, aircraft operators shall not display by any means, physical virtual or of any other kind, both directly or through intermediaries any environmental performance information similar to the one referred to in paragraph 3, unless they do so through such labels.</p>



	Commission Proposal	EP Mandate	Council Mandate	14991/22
	Article 12a(9)			
Y	116r			9. Aircraft operators requesting the issuance of a label shall pay a fee to the Agency to finance the costs of the service provided by the Agency when carrying out the activities laid down in this Article with respect to the assessment of the requests for labels submitted by aircraft operators, to the issuance of such labels to the review carried out under paragraph 7. The revenues generated from such fee shall constitute another revenue within the meaning of Article 120, paragraph 1, of Regulation (EU) 2018/1139 and be assigned revenues to be allocated by the Agency to cover those costs.
	Article 12a(10)			
Y	116s			10. The Agency shall, as part of its tasks on the field of environmental protection as set out in Article 87(2) of Regulation (EU) 2018/1139, contribute to raise awareness of



	Commission Proposal	EP Mandate	Council Mandate	14991/22
				the existence of the labelling scheme set up by this Article, in particular through promotion actions, information and education campaigns, at local, national and Union levels.
	Article 12a(11), introductory part			
y	116t			11. In order to ensure the uniform implementation and compliance with the rules set out in this Article, the Commission is empowered to adopt [by 1 January XX] implementing acts laying down detailed provisions concerning:
	Article 12a(11), point (a)			
y	116u			(a) the standardised and science-based methodology referred to in paragraph 4, based on the best available scientific data, in particular the data provided by the Agency and including the methodology for using estimations mentioned in paragraph 4, point (a);
	Article 12a(11), point (b)			

	Commission Proposal	EP Mandate	Council Mandate	14991/22
Y	116v			(b) the procedure through which aircraft operators shall provide the Agency with the relevant information for the issuance of a label, and the procedure for the Agency to issue that label, including the time-limit by which the Agency shall take a decision pursuant to paragraph 6;
	Article 12a(11), point (c)			
Y	116w			(c) the duration of the validity of labels issued pursuant to this Article;
	Article 12a(11), point (d)			
Y	116x			(d) the conditions under which the Agency shall carry out the review referred to in paragraph 7;
	Article 12a(11), point (e)			
Y	116y			(e) the procedure mentioned in paragraph 7 through which the Agency can either revoke existing labels or issue a new

	Commission Proposal	EP Mandate	Council Mandate	14991/22
				label;
	Article 12a(11), point (f)			
Y	116z			(f) the templates for displaying labels issued pursuant to this Article;
	Article 12a(11), point (g)			
Y	116aa			(g) after consulting the Agency, the amount of the fee to be paid pursuant to paragraph 9, which shall be proportionate to the number of flights covered by the label and be fixed at such a level as to ensure that the revenue in respect thereof covers the full cost of the activities related to the services provided by the Agency pursuant to this Article with respect to the assessment of the requests for labels submitted by operators, to the issuance of such labels and to the review carried out under paragraph 7; h. easy access to all issued labels in machine-readable format.
	Article 12a(11), point (h)			
Y	116ab			

	Commission Proposal	EP Mandate	Council Mandate	14991/22
				(h) easy access to all issued labels in machine-readable format.
	Article 13			
117	Article 13 Transitional period	Article 13 Transitional period SAF flexibility mechanism	Article 13 Transitional period	Article 13 Transitional period Flexibility mechanisms Agreed at Trilogue #2
	Article 13, first paragraph			
118	By way of derogation from Article 4, from 1 January 2025 until 31 December 2029, for each reporting period, an aviation fuel supplier may supply the minimum share of sustainable aviation fuel defined in Annex I as a weighted average over all the aviation fuel it supplied across Union airports for that reporting period.	By way of derogation from Article 4, , and during the period of 10 years from the date of application for Article 4 and 5 in accordance with Article 15 from 1 January 2025 until 31 December 2029 , for each reporting period, an aviation fuel supplier may supply the minimum share justify its supply of sustainable aviation fuel fuels defined in Annex I as a weighted average over all the aviation fuel it supplied across Union airports for that reporting period by reference to a SAF flexibility mechanism, defined in Article 3, indent 16a (new).	By way of derogation from Article 44 (1) , from 1 January 2025 until 31 December 2029 2034 , for each reporting period, an aviation fuel supplier may supply the minimum share of sustainable aviation fuel SAF defined in Annex I as a weighted average over all the aviation fuel it supplied across Union airports for that reporting period.	1 By way of derogation from Article 4(1), from 1 January 2025 until 31 December 2034, for each reporting period, an aviation fuel supplier may supply the minimum share of SAF defined in Annex I as a weighted average over all the aviation fuel it supplied across Union airports for that reporting period. Agreed at Trilogue #2

	Commission Proposal	EP Mandate	Council Mandate	14991/22
	Article 13, first paragraph a			
118a		<p>By 1 January 2025, the Commission shall adopt delegated acts in accordance with Article 13a to supplement this Regulation by laying down detailed arrangements for the SAF flexibility mechanism, guaranteeing a level playing field and a high level of environmental integrity, as well as minimising the risk of fraud, irregularities and double claiming. Such detailed arrangements, incorporating elements of a book & claim scheme, may enable the setting up of a system of tradability of sustainable aviation fuel, including detailed rules regarding the registration, allocation, accounting and reporting of the supply and uptake of sustainable aviation fuels.</p>		<p>2 No later than 1 July 2024, the Commission shall identify and assess the developments on SAF production and supply on the Union aviation fuel market as well as assess possible improvements or additional measures to the existing SAF flexibility mechanism referred to in paragraph 1, such as setting up or recognising a system of tradability of SAF and where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation to enable fuel supply in the Union without it being physically connected to a supply site, with a view to further facilitate the supply and uptake of SAF and where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation during the flexibility period.</p> <p>Such a possible system incorporating elements of a book & claim scheme, may enable operators and/or fuel suppliers to purchase SAF through contractual arrangements with</p>



	Commission Proposal	EP Mandate	Council Mandate	14991/22
				<p>aviation fuel suppliers and to claim its use at Union airports.</p> <p>The Commission shall present a report with the main findings of the evaluation carried out pursuant to this paragraph to the European Parliament and to the Council, accompanied, where appropriate, by a legislative proposal.</p> <p>Proposal following Trilogue 2.</p> <p>Recital suggested by the EP: In order to increase the environmental effectiveness of Union measures and to facilitate fuel suppliers to meet their SAF supply obligations and the uplift of SAF by aircraft operators in a cost-effective way and hence to strengthen the competitiveness of the European aviation sector, the Commission should, after consulting all relevant stakeholders, assess whether further measures should be taken to facilitate the cost-effective distribution and use of SAF in the Union market by separating the purchase of SAF from its physical delivery and use. This could be done, inter alia, by assessing the feasibility of setting-up a system of tradable SAF</p>



	Commission Proposal	EP Mandate	Council Mandate	14991/22
				supply and purchase certificates, with elements of a book & claim scheme, while guaranteeing a level playing field and a high level of environmental integrity, ensuring consistency with other Union legislation, including Directive 2009/28/EC and Directive 2003/87/EC, as well as minimising the risk of fraud, irregularities or double claiming. In its analysis, the Commission should take into consideration all relevant global trends and initiatives, as well as the potential impact that such a system could have on the functioning of the market, including with regards to any market volatility, price evolution or trading behaviour of market participants.
	Article 13, first paragraph b			
Y 118b		During the period set out in paragraph 1, the Commission shall regularly monitor the integrity and transparency of the market for sustainable aviation fuels, drawing, where appropriate, on information contained in the Union Database and other data reported to the competent authorities. The		EP believes this line is still necessary.

	Commission Proposal	EP Mandate	Council Mandate	14991/22
		Commission shall in particular examine the functioning of the market, including with regard to any market volatility, unusual price evolution or trading behaviour of market participants that might indicate possible monopolistic behaviour, making full use of its powers under Article 102 TFEU to prevent actors on the market from abusing a dominant market position.	PUBLIC	
	Article 13a			
Y	118c		Article 13a Committee procedure	Committee is needed for 2 situations: 1. Article 4 – suspension of national mandates 2. Article 5 – suspension of anti-tankering provision exemptions
	Article 13a(1)			
Y	118d		1. The Commission shall be assisted by the RefuelEU Aviation Committee, hereinafter referred to as "the Committee". The Committee shall be a committee within the meaning of	Propose CGA


	Commission Proposal	EP Mandate	Council Mandate	14991/22
			Regulation (EU) No 182/2011.	
	Article 13a(2)			
Y	118e		2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	Propose CGA Y
	Article 13a			
Y	118f	Article 13a Exercise of the delegation		Y
	Article 13a(1)			
Y	118g	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.		Y
	Article 13a(2)			
Y	118h	2. The power to adopt delegated acts referred to in Articles 12a and 13 shall be conferred on the Commission for an indeterminate period of time from [the entry into force of this		Y

	Commission Proposal	EP Mandate	Council Mandate	14991/22
		Regulation].		
	Article 13a(3)			
Y	118i	3. The delegation of power referred to in Articles 12a and 13 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.		Y
	Article 13a(4)			
Y	118j	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 on Better Law-Making of 13 April 2016.		Y

	Commission Proposal	EP Mandate	Council Mandate	14991/22
	Article 13a(5)			
Y	118k	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.		Y
	Article 13a(6)			
Y	118l	6. A delegated act adopted pursuant to Articles 12a and 13 shall enter into force only if no objection has been expressed either by the European Parliament or by 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 one month at the initiative of the European Parliament or of the Council.		Y
	Article 14			
G	119			G

	Commission Proposal	EP Mandate	Council Mandate	14991/22
	Article 14 Reports and Review	Article 14 Reports and Review	Article 14 Reports and Review	Article 14 Reports and Review
	Article 14, first paragraph			
120	By 1 January 2028 and every five years thereafter, the Commission services shall present a report to the European Parliament and the Council, on the evolution of the aviation fuels market and its impact on the aviation internal market of the Union, including regarding the possible extension of the scope of this Regulation to other energy sources, and other types of synthetic fuels defined under the Renewable Energy Directive, the possible revision of the minimum shares in Article 4 and Annex I, and the level of administrative fines. The report shall include information, where available, on development of a potential policy framework for uptake of sustainable aviation fuels at ICAO level. The report shall also inform on technological advancements in the area of research and innovation in the aviation industry which are relevant to sustainable aviation fuels, including with regards to the	By 1 January 2028 2026 and every five three years thereafter, the Commission services shall present a report to the European Parliament and the Council, on the application of this Regulation , the evolution of the aviation fuels market and its the impact on the competitiveness and the functioning of the aviation internal market of the Union, including regarding the possible extension of the scope of this Regulation to , where appropriate, available policy options to address other energy sources, and other types of synthetic fuels defined under the Renewable Energy Directive, while taking due account of the principle of technological neutrality , the possible revision of the SAF definition and the minimum shares in Article 4 and Annex I, the scope of the Regulation and the level of administrative fines. The report shall include an assessment ,	By 1 January 2028 2027 and every five years thereafter, the Commission services shall present a report to the European Parliament and the Council, on the evolution of the aviation fuels market and its impact on the aviation internal market of the Union, including regarding the possible extension of the scope of this Regulation to other energy sources, and other types of synthetic fuels defined under the Renewable Energy Directive, in particular to electricity and hydrogen , the possible revision of the minimum shares in Article 4 and Annex I, and the level of administrative fines. The report shall take into account policy developments in other countries, including in the context of multilateral and bilateral agreements with the Union, and shall include informationa detailed assessment of the impact of this regulation on connectivity for islands and	By 1 January 2027 and every five years thereafter, the Commission services shall present a report to the European Parliament and the Council, on the application of this Regulation . The report shall contain the assessment of the evolution of the aviation fuels market and , its impact on the functioning of the aviation internal market of the Union, including regarding the possible extension of the scope of this Regulation to other energy sources and other types of synthetic fuels defined under the Renewable Energy Directive, in particular to electricity and hydrogen, on the competitiveness and connectivity, in particular for islands and remote territories, as well as the cost-effectiveness of GHG emissions reductions. The report shall also assess the needs for investments, employment and training, and research and innovation in SAF.

	Commission Proposal	EP Mandate	Council Mandate	14991/22
	<p>reduction of non-CO₂ emissions. The report may consider if this Regulation should be amended and, options for amendments, where appropriate, in line with a potential policy framework on sustainable aviation fuels uptake at ICAO level.</p>	<p>based on available information, of the impact of this Regulation, as well as its comprehensive impact and interplay with the adapted legislative framework applicable to the sector as a whole, on the functioning of the internal market in aviation, the sector's competitiveness, possible re-routing leading to carbon leakage, the international level playing field with regards to air carriers and airport hubs, the effect on air mobility and connectivity, cost effectiveness of GHG emissions reductions, investment needs and socioeconomic impacts as well as the related employment and training needs and, where available, information on development of a potential policy framework for uptake of sustainable aviation fuels at ICAO level. The report shall include detailed information on the enforcement of this Regulation. The report shall also inform on technological advancements in the area of research and innovation in the aviation industry which are relevant to sustainable aviation fuels, including with regards to the</p>	<p>remote territories, on the competitiveness of European air carriers and airport hubs vis-à-vis their competitors in neighbouring countries, on carbon leakage and, where available, information on development of a potential policy framework for uptake of sustainable aviation fuelsSAF at ICAO level. The report shall also inform on technological advancements in the area of research and innovation in the aviation industry which are relevant to sustainable aviation fuelsSAF, including with regards to the reduction of non-CO₂ emissions.</p> <p>The report may consider if this Regulation should be amended and, options for amendments, where appropriate, in line with a potential policy framework on sustainable aviation fuelsSAF uptake at ICAO level.</p>	<p>The report shall also inform on technological advancements in the area of research and innovation in the aviation industry which are relevant to sustainable aviation fuels, including with regards to the reduction of non-CO₂ emissions or direct air capture (DAC) technologies.</p> <p>The report shall evaluate the possible revisionneed to revise the scope of the Regulation, the SAF definition and the minimum shares in Article 4 and Annex I, and the level of fines. In particular, the report shall take into account policy developments inevaluate possible extension of the scope of this Regulation to other countries, including in the context of multilateral and bilateral agreements with the Union, and shall include a detailed assessment of the impact of this regulation on connectivity for islands and remote territories, on the competitiveness of European air carriers and airport hubs vis-à-vis their competitors in neighbouring countries, on carbon</p>

	Commission Proposal	EP Mandate	Council Mandate	14991/22
		<p>reduction of non-CO₂ emissions or direct air capture (DAC) technologies.– The report shall, where appropriate, be accompanied by legislative proposals to amend this Regulation–may consider if this Regulation should be amended and, options for amendments, where appropriate, in line with a potential policy framework on sustainable aviation fuels uptake at ICAO level. The report shall also specifically evaluate the impact of this Regulation on the air-connectivity of less connected remote regions and islands, including its effects on the availability and affordability of air transport to and from these territories. The Commission shall regularly monitor, evaluate and analyse cases of fuel tankering. Every year, the Commission shall submit a report containing its findings to the European Parliament and the Council. At the latest by three years after the date of entry into force of this Regulation, the Commission shall, on the basis of these findings, evaluate the provisions</p>		<p>leakage and, where available, information on development of a potential policy framework for uptake of SAF at ICAO energy sources and other types of synthetic fuels defined under the Renewable Energy Directive, while taking due account of principle of technological neutrality. The report shall also assess initiatives, improvements and additional measures to further facilitate and promote an increased supply and uptake of non-drop-in aviation fuels, and related services, infrastructure and technologies consistently with the objective to decarbonise the air transport while preserving the level playing field. The report shall also inform on technological advancements in the area of research and innovation in the aviation industry which are relevant to may also assess possible measures to optimise the fuel content in aviation fuels.</p> <p>The report shall consider possible inclusion of mechanisms to support the production and uplift of SAF, including with</p>

	Commission Proposal	EP Mandate	Council Mandate	14991/22
		concerning fuel tankering and, where appropriate, submit a legislative proposal to amend those.		<p>regards to the reduction of non-CO₂ emissions.</p> <p>The report may consider if the collection and use of funds, and to limit the adverse impacts of this Regulation should be amended and, options for amendments, where appropriate, in line with a potential policy framework on SAF uptake at ICAO level on the connectivity and competitiveness. This shall include financial and other mechanism to bridge the price differences between SAF and conventional aviation fuels.</p> <p>PCY proposal</p>
	Article 14, first paragraph a			
120a			<p>Among those options, the Commission services shall consider the inclusion of mechanisms to support the production and use of SAF, including the collection and use of funds, and other mechanisms allowing to bridge the price differences between SAF and conventional aviation fuels. Such mechanisms should aim to limit the adverse impacts of this</p>	<p>Among those options, the Commission services shall consider the inclusion of mechanisms to support the production and use of SAF. The report shall assess the impact on the functioning of the aviation internal market of the exemptions granted under Article 5(2).</p> <p>To the extent possible, the report</p>

	Commission Proposal	EP Mandate	Council Mandate	14991/22
			<p>Regulation on air connectivity, to avoid a shift in traffic towards airport hubs in thirds countries and to mitigate carbon leakages.</p>	<p>shall inform on the policy developments in relevant third countries, including in the context of their multilateral and bilateral agreements with the Union or with the Union and its Member States, as well as on the development of a potential policy framework for supply and uplift of SAF at ICAO levelthe collection and use of funds, and other mechanisms allowing to bridge the price differences between SAF and conventional aviation fuels.</p> <p>The report shall assess the competitiveness of Union air carriers and airport hubs vis-à-vis their competitors in relevant third countries and possible rerouting, notably through Such mechanisms should aim to limit the adverse impacts of this Regulation on air connectivity, to avoid a shift in traffic towards airport hubs in thirds third countries leading to carbon leakage. In particular, in the absence of a mandatory scheme at international level on the use of SAF for international flights with a similar level of ambition</p>

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	Commission Proposal	EP Mandate	Council Mandate	14991/22
				<p>in comparison with the requirements laid down in this Regulation or of mechanisms developed at international level allowing to prevent the risk of carbon leakage and the distortion of competition for international aviation by 31 December 2026, the Commission shall consider targeted mechanisms aiming at preventing those effects, including, if appropriate, the extension to international aviation of [CBAM] Regulation (EU)¹, as well as other types of measures taking into account the fact that the final destination of the flight is located outside the territory of the Union and to mitigate carbon leakages.</p> <p>PCY proposal</p>
	Article 14, first paragraph b			
120b			<p>In particular, in the absence of a mandatory scheme at international level on the use of SAF for international flights with a similar level of ambition in comparison with the requirements laid down in this</p>	<p>In particular, in the absence of a mandatory scheme at international level The report shall include detailed information on the use of SAF for international flights with a similar level of ambition in comparison with the requirements</p>

	Commission Proposal	EP Mandate	Council Mandate	14991/22
			<p>Regulation or of mechanisms developed at international level allowing to prevent the risk of carbon leakage and the distortion of competition for international aviation by 31 December 2026, the Commission shall consider targeted mechanisms aiming at preventing those effects, including, if appropriate, the extension to international aviation of Regulation (EU) ...¹, as well as other types of measures taking into account the final destination outside the territory of the Union.</p> <p>1. REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL [...] establishing a carbon border adjustment mechanism</p>	<p>laid down in enforcement of this Regulation or of mechanisms developed at international level allowing to prevent the risk of carbon leakage and the distortion of competition for international aviation by 31 December 2026, the Commission. The report shall consider targeted mechanisms aiming at preventing those effects, including, if this Regulation should be amended and, where appropriate, the extension to international aviation of Regulation (EU) ...¹, as well as other types of measures taking into account the final destination outside the territory of the Union which options for amendments should be considered, in line with a potential policy framework on SAF uptake at ICAO level.</p> <p>1. REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL [...] establishing a carbon border adjustment mechanism</p> <p>PCY proposal</p>
	Article 14, first paragraph c			
Y	120c			Y

	Commission Proposal	EP Mandate	Council Mandate	14991/22
			The Commission shall consult the Committee referred to in Article 13a(1) when drawing up that report, at least 6 months before its adoption.	The Commission shall may consult the Committee referred to in Article 13a(1) Member States when drawing up that report, at least 6 months before its adoption. PCY proposal EP still disagrees
	Article 15			
121	Article 15 Entry into force	Article 15 Entry into force	Article 15 Entry into force	Article 15 Entry into force
	Article 15, first paragraph			
122	This Regulation shall enter into force on the day twentieth following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the day twentieth following that of its publication in the <i>Official Journal of the European Union</i> Official Journal of the European Union.	This Regulation shall enter into force on the day twentieth following that of its publication in the <i>Official Journal of the European Union</i> Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day twentieth following that of its publication in the <i>Official Journal of the European Union</i> Official Journal of the European Union.
	Article 15, second paragraph			
123	It shall apply from 1 st January 2023.	It shall apply from 1 st January 2023.	It shall apply from 1 st January 2023.	It shall apply from 1 st January 2023.
	Article 15, third paragraph			

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Y	124	However, Article 4 and 5 shall apply from 1 January 2025 and Articles 7 and Article 9 shall apply from 1 st April 2024 for the reporting period of the year 2023.	However, Article 4 and 5 shall apply from 1 January 2025 and Articles 7 and Article 9 shall apply from 1 st April 2024 for the reporting period of the year 2023.	However, Article 4, 5 and 6 and 5 shall apply from 1 January 2025 and Articles 7 and Article 9 shall apply from 1 st April 2024 for the reporting period of the year 2023. PCY proposal
	Article 15, fourth paragraph			
G	125	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.
	Formula			
G	126	Done at Brussels,	Done at Brussels,	
	Formula			
G	127	For the European Parliament	For the European Parliament	For the European Parliament
	Formula			
G	128	The President	The President	The President
	Formula			
G	129			

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	For the Council	For the Council	For the Council	For the Council
	Formula			
G	130	The President	The President	The President
	Annex I volume shares, point (a)			
R	131	(a) From 1 January 2025, a minimum share of 2% of SAF;	(a) From 1 January 2025, a minimum share of 2% of SAF; of which a minimum share of 0,04 % of synthetic fuels;	(a) From 1 January 2025, a minimum share of 2% of SAF; Propose CGA. EP strongly disagrees.
	Annex I volume shares, point (b)			
R	132	(b) From 1 January 2030, a minimum share of 5% of SAF, of which a minimum share of 0.7% of synthetic aviation fuels;	(b) From 1 January 2030, a minimum share of 5% 6% of SAF, of which a minimum share of 0.7% 2% of synthetic aviation fuels;	(b) From 1 January 2030, a minimum share of 5% 6% of SAF, of which a minimum share of 0.7% of synthetic aviation fuels; Propose CGA. EP strongly disagrees on synthetic aviation fuel targets.
	Annex I volume shares, point (c)			
G	133	(c) From 1 January 2035, a minimum share of 20% of SAF, of which a minimum share of 5% of synthetic aviation fuels;	(c) From 1 January 2035, a minimum share of 20% of SAF, of which a minimum share of 5% of synthetic aviation fuels;	(c) From 1 January 2035, a minimum share of 20% of SAF, of which a minimum share of 5% of synthetic aviation fuels;
	Annex I volume shares, point (d)			

	Commission Proposal	EP Mandate	Council Mandate	14991/22	
R	134	(d) From 1 January 2040, a minimum share of 32% of SAF, of which a minimum share of 8% of synthetic aviation fuels;	(d) From 1 January 2040, a minimum share of 32% 37% of SAF, of which a minimum share of 8% 13% of synthetic aviation fuels;	(d) From 1 January 2040, a minimum share of 32% of SAF, of which a minimum share of 8% of synthetic aviation fuels;	Propose CGA.
Annex I volume shares, point (e)					
R	135	(e) From 1 January 2045, a minimum volume share of 38% of SAF, of which a minimum share of 11% of synthetic aviation fuels.	(e) From 1 January 2045, a minimum volume share of 38% of 54% SAF, of which a minimum share of 11% 27% of synthetic aviation fuels.	(e) From 1 January 2045, a minimum volume share of 38% of SAF, of which a minimum share of 11% of synthetic aviation fuels-;	Propose CGA. EP strongly disagrees.
Annex I volume shares, point (f)					
R	136	(f) From 1 January 2050, a minimum volume share of 63% of SAF, of which a minimum share of 28% of synthetic aviation fuels	(f) From 1 January 2050, a minimum volume share of 63% 85% of SAF, of which a minimum share of 28% 50% of synthetic aviation fuels.	(f) From 1 January 2050, a minimum volume share of 63% of SAF, of which a minimum share of 28% of synthetic aviation fuels.	Propose CGA. EP strongly disagrees.
Annex II – Template for aircraft operator reporting, Table 1, Column 1, Row 1					
G	137	Union airport	Union airport	Union airport	Union airport
Annex II – Template for aircraft operator reporting, Table 1, Column 2, Row 1					
G	138	ICAO code of Union airport	ICAO code of Union airport	ICAO code of Union airport	ICAO code of Union airport

	Commission Proposal	EP Mandate	Council Mandate	14991/22
	Annex II – Template for aircraft operator reporting, Table 1, Column 3, Row 1			
Y	139	Yearly aviation fuel required (tonnes)	Yearly aviation fuel required (tonnes of kerosene equivalent)	Yearly aviation fuel required (tonnes) Propose CGA
	Annex II – Template for aircraft operator reporting, Table 1, Column 4, Row 1			
Y	140	Actual aviation fuel uplifted (tonnes)	Actual aviation fuel uplifted (tonnes of kerosene equivalent)	Actual aviation fuel uplifted (tonnes) Propose CGA
	Annex II – Template for aircraft operator reporting, Table 1, Column 5, Row 1			
Y	141	Yearly non-tanked quantity (tonnes)	Yearly non-tanked quantity (tonnes of kerosene equivalent)	Yearly non-tanked quantity (tonnes) Propose CGA
	Annex II – Template for aircraft operator reporting, Table 1, Column 6, Row 1			
Y	142	Total yearly non-tanked quantity (tonnes)	Total yearly non-tanked quantity (tonnes of kerosene equivalent)	Total yearly non-tanked quantity (tonnes) Propose CGA
	Annex II – Template for aircraft operator reporting, point (1)			

	Commission Proposal	EP Mandate	Council Mandate	14991/22
Y 142a				<p>Yearly tanked quantity for fuel safety rules (tonnes)</p> <p>New proposal in line with line 70 and 70a.</p>

Annex II – Template 2				
142b		<u>Template 2</u>	Template for aircraft operator reporting on purchases of SAF	Template for aircraft operator reporting on purchases of SAF and where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation PCY proposal
142c				Total number of flights operated see line 81a
142d				Total number of flight hours see line 81a
142e		<u>Fuel supplier</u>	Fuel supplier	
142f		<u>Amount purchased (tonnes of kerosene equivalent)</u>	Amount purchased (tonnes)	Propose CGA
142g		<u>Conversion technology</u>	Conversion technology	Conversion process PCY proposal
142h		<u>Characteristics</u>	Characteristics	Characteristics or sustainability characteristics in the case of

				hydrogen for aviation PCY proposal
142i		<u>Origin of feedstock</u>	Origin of feedstock	
142j		<u>Lifecycle emissions</u>	Lifecycle emissions	