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Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on ensuring a level playing field for sustainable air transport – 4 column document

In preparation to the Aviation Working Party of 23 February 2023, delegations may find below a draft 5-column table on the abovementioned subject.

Text in the fourth column is identical to the text mandated by Coreper on 30 November 2022 for the trilogue of 8 December 2022.

The text in the fifth column is the text being prepared for a forthcoming trilogue. Changes in comparison to the Coreper Mandate (4th column) are marked in **bold** for additions and in ~~strikethrough~~ for deletions

Lines in Green are lines that had been agreed before the last trilogue. Lines in yellow are texts discussed during trilogue 8 December 2022 and tentatively agreed. Lines in Red are lines which most of them were discussed during trilogue 8 December 2022 and where the discussion is ongoing.

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)

2021/0205(COD)

	Commission Proposal	EP Mandate	Council Mandate	Coreper Mandate of 30 November 2022	Preparation for 4th Trilogue
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 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 PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN 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], _____	Having regard to the opinion of the European Economic and Social Committee[1], _____	Having regard to the opinion of the European Economic and Social Committee[1],		

	1. OJ C , , p. .	1. **[1]** OJ C ~~-, , p. -~~**, p.**.	_____ 1. **[1]** OJ C , , p. .		
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. -~~**, 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	(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	(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		

	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 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.	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 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.	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 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	(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**	(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		

	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 ensuring a well-functioning air transport market that contributes to achieving the Union's climate goals, with high levels of connectivity, safety and security.	**the aviation sector, this necessitates a strong ramp-up of the production, supply and uptake of sustainable aviation 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.	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 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 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.	(3) The functioning of the Union 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.**	(3) The functioning of the Union 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 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.	(4) The air transport market is subject to strong competition between economic actors **globally 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. ~~Where~~**To a large extend 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 **are put at risk for** ~~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.	(4) The air transport market is subject to strong competition between economic actors 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 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.		

Recital 5					
15	(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	(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	(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		

	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. 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.	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**, 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 underlying reasons**	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. 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.		

		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					

	(7) The Communication on a Sustainable and Smart Mobility Strategy[1] 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. _____	(7) The Communication on a Sustainable and Smart Mobility Strategy[1] 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~~ solution for significant decarbonisation of all flight	(7) The Communication on a Sustainable and Smart Mobility Strategy[1] 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		

	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.	ranges, **both in the short and** ~~already~~ in the ~~short~~**medium 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**. _____ 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.	term. However, this potential is currently largely untapped. _____ 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.		
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 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	(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-CO_2 emissions. Other	(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 fuels might contribute to lowering the aromatic content of the final fuel used by an operator, thus	(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		

	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.	helping to reduce other non-CO_2 emissions. Other ~~alternatives to power aircraft~~**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.**	to lowering the aromatic content of the final fuel used by an operator, thus helping to reduce other non-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					
19	(9) The gradual introduction of sustainable aviation fuels on the air transport market	(9) The gradual introduction of sustainable aviation fuels on the air transport market will represent	(9) The gradual introduction of ~~sustainable aviation fuels~~**SAF** on the		

	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.	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**	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 establishes detailed requirements on the sustainability, traceability and accounting of sustainable	(10) At global level, sustainable aviation fuels are regulated **and defined** at ICAO~~. In particular, ICAO establishes~~**, where countries agree on** detailed requirements on the sustainability, traceability and accounting of	(10) At global level, ~~sustainable aviation fuels~~**SAF** are regulated at ICAO. In particular, ICAO establishes detailed requirements on the sustainability, traceability		

	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.	**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.	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**.		

20a		**(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 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, 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	(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		

	deployment of sustainable aviation fuels. Further, national transpositions of Directive (EU) 2018/2001 risks 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. _____ 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).	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. _____ 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).	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 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. _____ 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).		
Recital 12					
22	(12) Therefore, uniform rules need to be laid down for the aviation internal market to complement Directive (EU) 2018/2001 and to deliver on	(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	(12) Therefore, uniform rules need to be laid down for the aviation internal market to complement Directive (EU) 2018/2001		

	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 operators.	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 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**	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 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 sustainable aviation fuels can be introduced at EU airports without detrimental effects on the competitiveness of the EU aviation internal market.	(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 sustainable aviation fuels can be introduced at EU airports without detrimental effects on the competitiveness of the EU aviation internal market.	(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 ~~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	(14) It is essential to set harmonised rules across the EU	(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 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.	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 ***lex specialis***~~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~~.~~	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 ***lex specialis***~~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					
25	(15) The present Regulation should apply to aircraft engaged in civil aviation, carrying out commercial air transport flights. It should not	(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~~	(15) The present Regulation should apply to aircraft engaged in civil aviation, carrying out commercial air transport	(15) The present Regulation should apply to aircraft engaged in civil aviation, carrying out	(15) The present Regulation should apply to aircraft engaged in civil aviation, carrying out

	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 at small airports. A threshold of yearly passenger air traffic and	~~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,~~**since** 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~~ **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	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	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	commercial air transport flights. It should not apply to aircraft such as military aircraft and flights used only for operations for humanitarian, repatriation and 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 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

	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.	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 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**	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, 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.	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 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**	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 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

		apply equally in the long term to all Union airports and to all commercial aircraft operators taking off or landing in a Union airport.		**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.** **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 thresholds laid down in** this Regulation**, or located in outmost regions, may request to the respective competent authorities to be treated as a Union**	airports in the Union. For the same reasons, a threshold should be defined to ~~exempt~~**exclude from the scope** aircraft operators accountable for a very low number of departures from airports located on EU territory. 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 the thresholds laid down in this Regulation is subject to this Regulation. An airport located in the Union territory that does not reach the 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 be

				airport and ~~and should therefore~~ be subject to this Regulation. **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** ~~For the same reasons, a threshold should be defined to exempt aircraft operators accountable for a very~~	subject to this Regulation. 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.

				~~low number of departures from airports located on EU territory~~. To reflect changes in Article 2	
25a		**(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 disproportionally 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 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	(16) Development and deployment of sustainable aviation fuels with a high potential for sustainability, commercial maturity and a high potential for 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	(16) Development and deployment of ~~sustainable aviation fuels~~**SAF** with a high potential for sustainability, commercial maturity and a high potential for 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**		

	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.	currently the most commercially mature technology to decarbonise air transport already in the short term.	**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 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.** **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].** **Synthetic low-carbon fuels for aviation achieving similar high greenhouse gas reductions as renewable fuels on non-biological origin should also be included in the scope of this Regulation.**		

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.**		
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 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 stock, such as forests, wetlands and	(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 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 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-		

	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 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	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 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-use change –	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 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		

	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	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.	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-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-		

	is essential to minimise such a shift, as road transport currently remains by far the most polluting transport sector.		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.		
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 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.			
Recital 18					
28	(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 2018/2001[1]. _____ 1. https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018L2001&from=fr	(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 2018/2001[1]. _____ 1. **[1]** https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018L2001&~~amp;~~amp;from=fr	*deleted*		
Recital 19					
29					

	(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 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	(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 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~~**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**	(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 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 Regulation~~**SAF**. In		

	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 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	**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 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	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 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		

	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.	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 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. **Furthermore, synthetic aviation fuels with CO_2 derived from direct air capture (DAC) can play an important role due 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-carbon hydrogen achieving similar high greenhouse gas reductions as renewable** fuels ~~become defined under the Renewable Energy~~		

		their ability to sustainably source carbon and should be further promoted.	~~Directive~~of **non-biological origin**.		
29a		**(19a) The availability of 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 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.			
29b					

		(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 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 further development, implementation and functioning of such system to ensure independence, technical robustness and synergies with other EU measures.			
Recital 20					
30	(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	(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**	(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~~		

	Regulation should be stable over a long period of time.	**the SAF flexibility mechanism** ~~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.	~~aviation fuels~~**SAF** production capacity, the terms of this Regulation should be stable over a long period of time.		
30a			**(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 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 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	(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 unstainable and should be avoided as they	(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 unstainable and should be avoided as they	(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		

	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 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	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 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	~~unstainable~~**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 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		

	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.	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.**	rules**, such as in particular Commission Regulation (EU) No. 965/2012[1]**. 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.~~ _____ **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, p1)**		
Recital 21a					

31a			**(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**	(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~~	(21a)

			the higher use of SAF at that airport.	~~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.~~	
31b		**(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 measures, including, where appropriate, legislative proposals and fuel quality standards, to optimise the aromatic content in aviation fuel.			
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. [**_____** **1. EASA, aviation and air pollution: https://www.easa.europa.eu/eaer/topics/adapting-changing-climate/air-quality.** **2. WHO Global Air Quality Guidelines 2021: https://apps.who.int/iris/bitstream/handle/10665/345329/9789240034228-eng.pdf?sequence=1&isAllowed=y.**			
Recital 22					
32	(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	(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,**	(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**		

	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.	**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 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	**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** 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.		

		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. **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].**			
32a		**(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 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 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.	(23) Aircraft operators should be required to report yearly to the Agency on their purchases of sustainable aviation fuel, as well 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.	(23) Aircraft operators should be required to report yearly to the **competent authorities and to the European Union Aviation Safety** 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.	(23) Aircraft operators should be required to report yearly to the competent authorities and to the European Union Aviation Safety 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	(23) Aircraft operators should be required to report yearly to the competent authorities and to the European Union Aviation Safety Agency (the 'Agency') on their purchases of SAF, as well as on the attributes of this fuel. Information should be provided on the characteristics and origin of the feedstock, conversion process and lifecycle emissions for each purchase and type of SAF.
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	(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	(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		

	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.	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.	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.		
Recital 25					
35	(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	(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.	(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~~	(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**	(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

	level of compliance to the Regulation.		~~Commission to have clear visibility on the level of compliance to the Regulation.~~**SAF.**	**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**. linked to line 93	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.~~
35a					

			(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.		
35b			**(25b) The Agency should draw a technical report on a yearly basis and**		

			forward it to the Council and the European 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 aiviation fuel.		
Recital 26					
36	(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	(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	(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		

	necessary to report the sustainable aviation fuel purchase.	report the sustainable aviation fuel purchase.	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 system referred to in Article 30 of Directive (EU) 2018/2001**.		
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 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.	(27) **In order to promote the uptake of sustainable aviation fuels that have a substantial 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	(27) It is essential that aircraft operators can claim the use of ~~sustainable aviation fuels~~**SAF** under greenhouse gas schemes such as the EU Emissions Trading System or CORSIA, ~~depending on the route of~~**at** their ~~flights~~**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		

		Regulation or greenhouse gas schemes.	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 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;	(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 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.**	(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 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~~;~~**.**		
38a			**(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 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 apply when the Commission assesses that this shortfall is caused by insufficient resources being available**	(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~~;~~.		
Recital 29a					
39a			**(29a) A transitional period of 10 years should be provided for the purposes of complying**	(29a) A transitional period of 10 years should be provided for the purposes of	(29a) A transitional period of 10 years should be provided for the purposes of

			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.	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.	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.
39b		**(29a) The successful transition to sustainable aviation requires an integrated approach and the 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 most innovate technologies and identifying policies and market			

		developments, taking into consideration the principle of technology neutrality.			
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.**			
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 sustainable air fuels should be concentrated inside the Union, creating**			

		industrial, labour and research opportunities in all the Member States.			
Recital 29b					
39e				**(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**	(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

				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 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 any relevant global trend and initiative, as well as the potential	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 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 ~~any~~**all** relevant global trend**s** and initiatives, as well as the potential impact that such a system could have on the functioning of the

				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. linked to changes in Article 13.	market, including with regards to any market volatility, price evolution or trading behaviour of market participants.
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 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	(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 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	(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 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		

	into account when considering a revision of the Regulation.	and should be taken into account when considering a revision of the Regulation.	features of the Regulation such as the minimum shares of ~~sustainable aviation fuels~~**SAF**, the level of ~~administrative~~ fines or policy developments on ~~sustainable aviation fuels~~**SAF** uptake at international level. Such elements are key to provide a clear state of play of the ~~sustainable aviation fuels~~**SAF** market and should be taken into account when considering a revision of the Regulation. **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.**		

			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 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**	*deleted*		

		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 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 disproportionally 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.			
41a			**(31a) In order to ensure uniform conditions for the implementation of Article 4(3) and 5(2), implementing powers 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.**		
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.**			

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.**			
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	(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	(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		

	of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.	not go beyond what is necessary in order to achieve that objective.	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:	HAVE ADOPTED THIS REGULATION:
Article 1					
44	Article 1 Subject matter	Article 1 Subject matter **and objective**	Article 1 Subject matter	Article 1 Subject matter	Article 1 Subject matter
Article 1, first paragraph					
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.	This Regulation lays down harmonised rules on the uptake and supply of sustainable aviation fuels.
Article 2					
46					

		Article 2 Scope	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.	1. This Regulation shall apply to aircraft operators, Union airports and their respective Union airport managing bodies, and to aviation fuel suppliers. Tentatively agreed
	Article 2, first paragraph a					
Y	47a				**Without prejudice to paragraph 3, this Regulation shall apply only to commercial air transport flights.**	Without prejudice to paragraph 3, this Regulation shall apply only to commercial air transport flights. Tentatively agreed
	Article 2, first paragraph b					
Y	47b			**A Member State may decide, where**	**2.** A Member State may decide, ~~where~~	2. A Member State may decide, after

			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 *Official Journal of the European Union* and provide an updated and consolidated list of the airports concerned which shall be easily accessible.	~~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**. **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**	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. 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 that 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

				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). **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 *Official Journal of the European Union* and provide an updated~~	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). 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') at least six months before the beginning of the reporting period as from which that decision 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

					~~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 accessibles~~**sharing similar competitive characteristics**.	airports sharing similar competitive characteristics. Tentatively agreed
Article 2, first paragraph c						
Y	47c				**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 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**	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 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.	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. Tentatively agreed
Article 2, first paragraph d						
	47d				**4. On the basis of information received pursuant to paragraphs 2 and 3, the Commission shall provide an updated and consolidated list**	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.	of the Union airports and aircraft operators concerned which shall be easily accessible. Tentatively agreed	
	Article 3						
G	48	Article 3 Definitions		Article 3 Definitions	Article 3 Definitions	Article 3 Definitions	G
	Article 3, first paragraph						
G	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:	For the purposes of this Regulation, the following definitions apply:	G
	Article 3, first paragraph, first indent						
G	50	- 'Union airport' means an airport as defined in Article 2(2) of Directive 2009/12/EC of the European Parliament and of the Council[1], 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	- '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 Council[1]~~, 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**	- '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 Council[1], where passenger traffic was higher than 1 million passengers or where the freight traffic was higher than 100000 tons in the reporting period,	**-1** 'Union airport' means an airport as defined in Article 2(1) of Directive 2009/12/EC of the European Parliament and of the Council[1], where passenger traffic was higher than ~~1 million~~**800000** passengers or where	1 'Union airport' means an airport as defined in Article 2(1) of Directive 2009/12/EC of the European Parliament and of the Council[1], where passenger traffic was higher than 800000 passengers or where	G

		region, as listed in Article 349 of the Treaty on the Functioning of the European Union; _____ 1. Directive 2009/12/EC of the European Parliament and of the Council of 11 March 2009 on airport charges	**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 competent authorities**; _____ 1. **[1]** Directive 2009/12/EC of the European Parliament and of the Council of 11 March 2009 on airport charges**.**	and **that** is not situated in an outermost region, as listed in Article 349 of the Treaty on the Functioning of the European Union; _____ 1. **[1]** Directive 2009/12/EC of the European Parliament and of the Council of 11 March 2009 on airport charges	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; _____ 1. [1] Directive 2009/12/EC of the European Parliament and of the Council of 11 March 2009 on airport charges Agreed at trilogue #2 as a package	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; _____ 1. [1] Directive 2009/12/EC of the European Parliament and of the Council of 11 March 2009 on airport charges 1st package
	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**	**-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 ~~3~~**2(2)** of Directive ~~96/67/EC [1] or, where~~**2009/12/EC or, in case** the Member State	2 'Union airport managing body’ means in respect of a Union airport, the ‘airport managing body’ as defined in Article 2(2) of Directive 2009/12/EC or, in case the Member State concerned has reserved the management of the

				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).**	concerned has reserved the management of the centralized infrastructures for fuel distribution systems to another body pursuant to Article ~~8~~**8(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.	centralized infrastructures for fuel distribution systems to another body pursuant to Article 8(1) of Directive 96/67/EC, that other body. Tentatively agreed
	Article 3, first paragraph, second indent					
G	51	- ‘aircraft operator’ means a 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;	- ‘aircraft operator’ means a 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**	- ‘aircraft operator’ means a 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;	**-3** -‘aircraft operator’ means a 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;	3 ‘aircraft operator’ means a 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;

			has informed accordingly the Commission, the Agency and the competent authorities;		Agreed at Trilogue #2 as part of a package. Opt-in in line 47c	Tentatively agreed	
٧	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.		٧
	Article 3, first paragraph, third indent						
٧	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 **~~flights~~flight operated for commercial purposes**;	4 'commercial air transport flight' means a flight operated for the purposes of transport of passengers, cargo or mail for remuneration or hire, including a business aviation flight operated for commercial purposes;	٧

					Proposal resulting from Trilogue #2	Tentatively agreed	
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.	4a ‘Route’ means a journey carried out in a flight, having regard to the places of departure and destination of that flight. Tentatively agreed	Y
Article 3, first paragraph, fourth indent							
R	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** fuel manufactured for direct use by aircraft;	5 ‘aviation fuel’ means **[drop-in]**~~drop-in~~ fuel manufactured for direct use by aircraft;	R
Article 3, first paragraph, fifth indent							
R	54	- ‘sustainable aviation fuels’ (‘SAF’) means drop-in aviation fuels that are either synthetic aviation fuels, advanced biofuels as defined	- ‘sustainable aviation fuels’ (‘SAF’) means~~-drop-in-~~ aviation fuels that are either**:** synthetic aviation fuels, **liquid and gaseous fuels that are produced from**	- ‘sustainable aviation fuels’ (‘SAF’) means drop-in aviation fuels that are either**: (a) biofuels which comply with the**	- ‘sustainable aviation fuels’ (‘SAF’) means drop-in aviation fuels that are either: (a) biofuels which comply		R

	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;	**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 criteria laid down in Article 29 of Directive (EU)2018/2001 and are certified in accordance with Article 30 of that Directive, 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~~**(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**	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; Propose CGA and linked to proposals in lines 67c, 67h and 67i	

			exception of biofuels produced from 'food and feed crops' as defined in Article 2, second paragraph, point 40 of that Directive;	**to in** Article ~~30 of this~~**25(2), second subparagraph 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;	7 'batch' means a quantity of SAF that can be identified with a number and can be traced;	G
	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;	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;	G

	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		R
	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		R

					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 hydrocarbon fuels, used in aviation;	- ‘conventional aviation fuels’ means fuels produced from fossil non-renewable sources of hydrocarbon fuels, used in aviation;	- ‘conventional aviation fuels’ means fuels produced from fossil non-renewable sources of hydrocarbon fuels, used in aviation;	~~11~~ ‘conventional aviation fuels’ means fuels produced from fossil non-renewable sources of hydrocarbon fuels, used in aviation;	11 ‘conventional aviation fuels’ means fuels produced from fossil non-renewable sources of hydrocarbon fuels, used in ~~aviation~~**aircraft**;	G
	Article 3, first paragraph, thirteenth indent						
R	58a		**- ‘electricity from renewable energy sources’ or ‘renewable electricity’ means electricity produced from renewable energy sources as defined in Article2, second paragraph, point 1 of Directive (EU) 2018/2001;**		**12** Propose deletion of this definition.	12	R
	Article 3, first paragraph, fourteenth indent						
R	58b		**- ‘hydrogen from renewable energy sources’ or ‘renewable**		**13 ‘hydrogen for aviation’ means**		R

			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;		**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 fuel supplier as defined in Article 2, second paragraph, point 38 of Directive (EU) 2018/2001, supplying aviation fuel at a Union airport;	- 'aviation fuel supplier' means a fuel supplier as defined in Article 2, second paragraph, point 38 of Directive (EU) 2018/2001, supplying aviation fuel at a Union airport;	- 'aviation fuel supplier' means a fuel supplier as defined in Article 2, second paragraph, point 38 of Directive (EU) 2018/2001, supplying aviation fuel at a Union airport;	**-14** 'aviation fuel supplier' means a fuel supplier as defined in Article 2, second paragraph, point 38 of Directive (EU) 2018/2001, supplying aviation fuel at a Union airport;	14 'aviation fuel supplier' means a fuel supplier as defined in Article 2, second paragraph, point 38 of Directive (EU) 2018/2001, supplying aviation fuel at a Union airport;	G
	Article 3, first paragraph, sixteenth indent						
Y	59a				**15 'fuel handler' means a supplier of ground-handling services that**	15 'fuel handler' means a supplier of ground-handling services that	Y

					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 Proposal for the purpose of Article 6. Agreeable to the EP.	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 Tentatively agreed
Article 3, first paragraph, seventeenth indent						
Y	59b				**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 exercised.**	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~~**is** exercised. Tentatively agreed

					Proposal for the purposes of Article 10, resulting from Trilogue #2. Agreeable to the EP.		
	Article 3, first paragraph, eleventh indent						
G	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;	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;	G
	Article 3, first paragraph, twelfth indent						
G	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;	18 ‘reporting period’ means a period from 1 January until 31 December of the year preceding the reporting year;	G
	Article 3, first paragraph, thirteenth indent						
G	62	- ‘yearly aviation fuel required’ means the amount of aviation fuel necessary to	- ‘yearly aviation fuel required’ means the amount of aviation fuel **defined as ‘trip fuel’ and ‘taxi**	- ‘yearly aviation fuel required’ means the amount of aviation fuel **referred to**	**-19** ‘yearly aviation fuel required’ means the amount of aviation	19 ‘yearly aviation fuel required’ means the amount of	G

		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;	**fuel' under Commission Implementing Regulation 2021/1296** necessary to 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;	**as 'trip fuel' and 'taxi fuel' in Annex IV to Commission Regulation 965/2012[1] that** is necessary to 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).**	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 ~~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).	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 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	- 'yearly non-tanked quantity' means the difference between the yearly aviation fuel required and the actual fuel uplifted by an	- 'yearly non-tanked quantity' means the difference between the yearly aviation fuel	**-20** 'yearly non-tanked quantity' means the difference between the yearly aviation fuel	20 'yearly non-tanked quantity' means the difference between the yearly	Y

		uplifted by an aircraft operator prior to flights departing from a given Union airport, over the course of a reporting period;	aircraft operator prior to flights departing from a given Union airport, over the course of a reporting period;	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;	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;	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; Tentatively agreed
	Article 3, first paragraph, fifteenth indent					
G	64	- 'total yearly non-tanked quantity' means the sum of the yearly non-tanked quantities by an aircraft operator at all Union airports over the course of a reporting period;	- 'total yearly non-tanked quantity' means the sum of the yearly non-tanked quantities by an aircraft operator at all Union airports over the course of a reporting period;	- 'total yearly non-tanked quantity' means the sum of the yearly non-tanked quantities by an aircraft operator at all Union airports over the course of a reporting period;	**-21** 'total yearly non-tanked quantity' means the sum of the yearly non-tanked quantities by an aircraft operator at all Union airports over the course of a reporting period;	21 'total yearly non-tanked quantity' means the sum of the yearly non-tanked quantities by an 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.	22 'greenhouse gas scheme' means a scheme granting benefits to aircraft operators for the use of SAF.

	Article 3, first paragraph, twenty-fourth 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 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.**		Propose Deletion. Definition not needed. See Article 13.	Not needed, See L 118a Tentatively agreed	Y

	Article 4						
G	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 Share of SAF available at Union airports	G
	Article 4, first paragraph						
G	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.	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.	G
	Article 4, first paragraph a						
R	67a			**This obligation shall be deemed to be met where the shares mentioned in the first sub-paragraph**	This obligation shall be deemed to be met where the **minimum** shares mentioned in		R

				are reached using synthetic low-carbon fuels for aviation.	the first sub-paragraph are reached using**:** **a)** synthetic low-carbon fuels **for aviation, or** **b) hydrogen** for aviation.	
	Article 4, first paragraph b					
R	67b				**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.** **In that case, the energy content of hydrogen supplied shall be taken into account both in the numerator and in the denominator.**	R

					PCY Proposal. Rules needed for calculation of the energy content of hydrogen to compare to drop-in fuels.	
	Article 4, first paragraph c					
R	67b b					**Where an aviation fuel supplier makes use of the possibility laid down in the second subparagraph, point a), of this paragraph or where an aircraft operator uplift fuels referred to in that point, references to SAF in Article [XX], Article [XX], Article [XX] and Annex [XX] shall be construed as referring also to [synthetic low-carbon fuels for aviation].** **Where an aviation fuel supplier makes use of the possibility** R

						laid down in the second subparagraph, point b), of this paragraph or where an aircraft operator uplift fuels referred to in that point, references to SAF in Article [XX], Article [XX], Article [XX] and Annex [XX] shall be construed as referring also to [renewable hydrogen/hydrogen for aviation]. PCY proposal to introduce instead of references in several articles (for example lines 75-94). Exact references to be checked.	
	Article 4, first paragraph d						
R	67c			**2. For each reporting period, biofuels other than advanced biofuels as defined in Article 2, second paragraph, point 34 of Directive (EU)**	2. For each reporting period, biofuels other than advanced biofuels as defined in Article 2, second paragraph, point 34 of Directive	PM.: To be clarified in the text that the % refers to % of the total fuel tanked.	R

				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.	(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. Propose CGA. Linked to line 54.	
Article 4, first paragraph e							
R	67ca				**2a. 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)**	2a. 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)~~	R

					2018/2001 or its subsequent revisions:	~~2018/2001 or its subsequent revisions~~:
Article 4, first paragraph f						
R	67c b				**- Sustainable aviation fuels made from food and feed crops as defined in Article 2, second paragraph, point 40 of Directive (EU) 2018/2001, 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 as defined in Article 2, second paragraph, point 40 of Directive (EU) 2018/2001, intermediate crops, palm fatty acid distillate and ~~all~~ palm and soy-derived materials, and soap stock and its derivatives. **However, the exclusion in the first subparagraph shall not apply to:** **(a) any feedstock that is named in Annex IX to Directive (EU) 2018/2001 or** **(b) any subcatagory of feedstock, where that subcategory is named in Annex IX**

						to Directive (EU) 2018/2001. Compromise text discussed during trilogue. Wording as agreed by EP and Council LS without prejudice to the political discussion.
Article 4, first paragraph g						
R	67cc			**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 Commission shall, in accordance with the examination procedure referred to in Article**	Propose CGA	R

				13a(2), adopt a decision requesting the Member State to suspend the application of that measure.		
	Article 4, first paragraph h					
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 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**	Propose CGA	R

				Member States and the Commission of the measure adopted. The Commission shall publish this notification in the *Official Journal of the European Union*.			
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 Commission shall, in accordance with the examination procedure referred to in Article 13a(2), adopt a decision requesting the Member State to suspend the**			R

				application of that measure.			
Article 4, first paragraph i							
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		R
Article 4, first paragraph j							
R	67g			**5. Fuel suppliers may demonstrate compliance with the obligation contained in paragraph 1 and with any measure**	5. Fuel suppliers may demonstrate compliance with the obligation contained in paragraph 1 and with	5. **Aviation f**~~F~~uel suppliers may demonstrate compliance with the obligation contained	R

				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.	any 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. Propose CGA. EP disagrees with the reference to paragraph 3.	in paragraph 1 ***[and with any measure adopted by Member States pursuant to the first subparagraph of paragraph 3]*** ~~and with any 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. Wording in brackets linked to National Mandates.	
Article 4, first paragraph k							
Y	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**	See L 67ca	Y

					contained in Annex IX to Directive (EU) 2018/2001: linked to line 54		
	Article 4, first paragraph l						
Y	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.** linked to line 54	See L 67cb	Y
	Article 4, second paragraph						
R	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**	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 at least complement that	EP prefers to keep this line open.	R

			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.		shortfall in the subsequent reporting period. Propose CGA. EP Disagrees.		
	Article 4, second paragraph a						
Y	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	See L 67g	Y
	Article 5						
G	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 Refuelling obligation for aircraft operators	G
	Article 5, first paragraph						
Y	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**	**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**	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	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	Y

			compliance with fuel safety rules.	**quantity of fuel to be uplifted in order to comply with applicable fuel safety rules**.	required~~, without prejudice to the quantity of fuel to be uplifted in order to comply with applicable fuel safety rules~~.	yearly aviation fuel required. Tentatively agreed
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 quantities shall be reported separately**	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 quantities shall be reported separately in

					in accordance with Article 7. New proposal to fine tune the provision of safety rules. Agreeable to EP.	accordance with Article 7. Tentatively agreed	
	Article 5, first paragraph b						
Y	70b			**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.**	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. Propose CGA. EP is highly critical on the threshold.	2. An aircraft operator may**, when duly justified,** request the competent authority referred to in Article 10(4) that the flights on a specific existing or new route of less than **850 kilometers, or 1200 kilometers for routes connecting with airports situated on islands without rail or road connections,**~~1200 kilometres~~ departing from a Union airport be **temporarily and exceptionally** exempted from the obligation laid down in paragraph 1 of this	Y

						Article. That distance shall be measured by the great circle route method. Tentatively agreed	
	Article 5, first paragraph c						
Y	70c			**Such request shall be made at least three months before the date of application of the 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**	Such request shall be made at least three months before the **envisaged** date of application of the ~~envisaged~~ exemption. That request shall provide adequate justification based on serious and recurrent operational difficulties in refuelling aircrafts at ~~a~~**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	Such request shall be made at least three months before the envisaged date of application of the exemption~~. That request shall provide~~**, supported by a detailed and** adequate justification**. Such exemption should be limited to the following situations:** **a)** ~~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~~	Y

			in particular to specific fuel transport constraints or to limited availability of fuels at that airport.	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**. PCY proposal.	**b)** 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. Tentatively agreed
Article 5, first paragraph d					

Y	70d			**The competent authority shall assess that request and, in light of the justification provided, it may ask for complementary information.**	The competent authority shall assess that request and, in light of the justification provided, it may ask for complementary information. Propose CGA.	The competent authority shall assess that request and, in light of the justification provided, it may ask for complementary information. Tentatively agreed	Y
Article 5, first paragraph e							
Y	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	The competent authority shall take a decision on that request ~~the latest~~**without undue delay at the latest** one month before the date of application of the envisaged exemption. In ~~that~~ case~~,~~ **the competent authority asks for complementary information pursuant to the third subparagraph of this paragraph,** the deadline for the competent authority to take a decision	Y

					exceeding one ~~years~~**year**, after which it shall be reviewed upon request of the aircraft operator. PCY proposal.	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 year, after which it shall be reviewed upon request of the aircraft operator. Tentatively agreed
Article 5, first paragraph f						
	70f			**The failure to adopt a decision pursuant to the fourth subparagraph of this paragraph 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 failure to adopt a decision pursuant to the fourth subparagraph of this paragraph 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	**As regards the initial decision to grant an exemption to an aircraft operator**~~The failure to adopt a decision~~ pursuant to the **[**fourth**] paragraph** ~~subparagraph~~ of this **[**paragraph**], failure to adopt such a decision** within the time limit laid down therein shall **not** 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.	deemed as an implicit decision of authorisation to apply the requested exemption**. Failure to adopt any subsequent decision relating that same request for exemption at least one month at the latest before the date of application of the envisaged exemption** ~~for a period of one year, after which it~~ shall be ~~reviewed upon request of the aircraft operator~~**deemed as an implicit decision of authorisation to apply the requested exemption**. The aircraft operator shall have the right to appeal a decision of the competent authority rejecting the request for exemption. Tentatively agreed

	Article 5, first paragraph g						
Y	70g			**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.**	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	The competent authority shall notify the list of ~~exemptions authorised~~**authorised and rejected exemptions** to the Commission, ~~which~~**with justification for its decision and underlying assessment. The Commission** shall publish **the list of authorised exemptions** and update that list at least once a year. Tentatively agreed	Y
	Article 5, first paragraph h						
Y	70h			**Following a written complaint submitted by a Member State, an aircraft operator, the managing body of the Union airport concerned, a fuel supplier or on its own initiative, the Commission may, after assessing the**	**3.** Following a written complaint submitted by a Member State, an aircraft operator, the managing body of the Union airport concerned, a fuel supplier or on its own initiative, the	3. Following a written complaint submitted by a Member State, an aircraft operator, the managing body of the Union airport concerned, a fuel supplier or on its own	Y

			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.	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.	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 paragraph 2, by means of ~~an implementing act~~**a decision** adopted in accordance with Article 13a(2) **[advisory procedure]**, 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~~**decision**, the

					PCY Proposal	decision repealing the exemption shall start applying from the beginning of the following scheduling period. Tentatively agreed	
	Article 5, first paragraph i						
Y	70i				**In order to carry out its duties under this paragraph the Commission may request all 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.	In order to carry out its duties under this paragraph the Commission may request all 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. **The Commission shall by 1 September 2024 adopt guidelines on the application of this**	Y

						exemptions, including elements that an aircraft operator needs to provide in order to justify the reasons set out in the previous subparagraph. Tentatively agreed
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~~**facilitate 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 Obligations of Union airport managing body to facilitate the access to SAF Tentatively agreed
Article 6, first paragraph						
Y	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	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,	**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	**1.** The **Union airport** managing body ~~of Union airports~~ shall take **all** necessary measures to facilitate the access of aircraft operators to aviation fuels containing	1. The Union airport managing body shall take all necessary measures to facilitate the access of aircraft operators to aviation fuels containing minimum shares of

		necessary for the delivery, storage and uplifting of such fuels.	shall provide the infrastructure 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]**.	accordance with ~~Annex I and, shall provide the infrastructure necessary for the delivery, storage and uplifting of such fuels.~~**this Regulation.**	**minimum** shares of SAF in accordance with this Regulation. Agreeable to the EP.	SAF in accordance with this Regulation. Tentatively agreed
	Article 6, second paragraph					
Y	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~~	**2.** Where aircraft operators report difficulties to the competent authority ~~of the Member State where the~~**in 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	2. Where aircraft operators report difficulties to the competent authority in accessing, at a given Union airport, aviation fuels containing minimum shares of SAF in accordance with this Regulation, the competent authority shall~~,~~ request the Union airport managing body, to provide the

			of the airport, concerned shall provide the information without undue delay.	~~may request the~~ Union airport to provide the information necessary to prove compliance with 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.**	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 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.	information necessary to prove compliance with paragraph 1. The Union airport managing body concerned shall provide the information to the competent authority without undue delay. Tentatively agreed
Article 6, third paragraph						
Y	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	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**	~~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~~	~~Upon request from~~**3. The competent authority shall assess all the information received under paragraph 2.** The	3. The competent authority shall assess all the information received under paragraph 2. The competent authority

	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).	**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).~~	~~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**.	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 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~~	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 shall 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 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. Tentatively agreed

					~~accordance with this Regulation~~. Agreeable to the EP.		
	Article 6, third paragraph a						
Y	74a				**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.** Agreeable to the EP.	4. For the purpose of paragraphs 2 and 3, where appropriate, **aviation** 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. Tentatively agreed	Y

	Article 6, third paragraph b						
Y	74b				**5. The competent authority shall transmit without undue delay all the relevant information provided under paragraphs 2 and 3 to the Agency for the purpose of establishing the technical report referred to in Article 12.** Agreeable to the EP.	5. The competent authority shall transmit without undue delay all the relevant information provided under paragraphs 2 and 3 to the Agency for the purpose of establishing the technical report referred to in Article 12. Tentatively agreed	Y
	Article 6a						
Y	74c				**Article 6a** **Promoting hydrogen and electricity supply at the Union airports**	Article 6a Promoting hydrogen and electricity supply at the Union airports Tentatively agreed	Y
	Article 6a, first paragraph						
Y	74d				1 **Union airport managing**	1 Union airport managing bodies,	Y

					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 within the scope of the Regulation […] on the deployment of alternative fuels infrastructure [AFIR], where such a	**aviation** 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~~**deployment plan** for alternative ~~fuels infrastructure~~**fuel insfrastructure** in airports ~~falling within the scope of the Regulation […] on the deployment of alternative fuels infrastructure [AFIR],~~ where such a plan is ~~to be adopted~~**adopted by Member States**. PM.: To keep track of AFIR timeline in case it is concluded ahead of Refuel. Tentatively agreed

					plan is to be adopted. PCY Proposal		
	Article 6a, second paragraph						
Y	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**	2 Union airport managing bodies, **aviation** 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, **cooperate and** 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	Y

					electricity to refuel or recharge aircraft in line with national deployment plans for alternative fuel infrastructure where relevant. PCY Proposal	electricity to refuel or recharge aircraft in line with national deployment plans for alternative fuel infrastructure where relevant. Tentatively agreed
Article 6a, third paragraph						
	74f				**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**	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. PCY proposal. Agreeable to the EP.	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. Tentatively agreed
Article 7						
G	75	Article 7 Reporting Obligations for Aircraft Operators	Article 7 Reporting Obligations for Aircraft Operators	Article 7 Reporting Obligations for Aircraft Operators	Article 7 Reporting Obligations for Aircraft Operators	Article 7 Reporting Obligations for Aircraft Operators
Article 7, first paragraph						
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~~:~~	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 the Agency	By 31 March of each reporting year**, and the first time in 2024,** aircraft operators shall report the following information with respect to a given reporting period to

						the competent authorities and 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;	(a) The total amount of aviation fuel uplifted at each Union airport, expressed in tonnes; Propose CGA	(a) The total amount of aviation fuel uplifted at each Union airport, expressed in tonnes; Tentatively agreed	Y
	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;	(b) The yearly aviation fuel required, per Union airport, expressed in tonnes; Propose CGA	(b) The yearly aviation fuel required, per Union airport, expressed in tonnes; Tentatively agreed	Y
	Article 7, first paragraph, point (c)						
Y	79	(c) The yearly non-tanked 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	(c) The yearly non-tanked 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-	(c) The yearly non-tanked 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	(c) The yearly non-tanked quantity, per Union airport. If the yearly non-tanked quantity is negative or if it is lower than **or equal to** 10% of the	(c) The yearly non-tanked quantity, per Union airport. If the yearly non-tanked quantity is negative or if it is lower than or equal to 10% of the	Y

		reported yearly non-tanked quantity shall be reported as 0;	tanked quantity shall be reported as 0;	yearly non-tanked quantity shall be reported as 0;	yearly aviation fuel required, the reported yearly non-tanked quantity shall be reported as 0;	yearly aviation fuel required, the reported yearly non-tanked quantity shall be reported as 0; Tentatively agreed	
	Article 7, first paragraph, point (ca)						
Y	79a				**(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;** New proposal linked to line 70 and 70a. Agreeable to the EP.	(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; Tentatively agreed	Y
	Article 7, first paragraph, point (d)						
Y	80	(d) The total amount of sustainable aviation fuel purchased from aviation fuel suppliers, for the purpose of operating their flights	(d) The total amount of sustainable aviation fuel purchased from aviation fuel suppliers, for the purpose of operating their flights departing	(d) The total amount of ~~sustainable aviation fuel~~**SAF** purchased from aviation fuel suppliers, for the purpose of operating their **commercial air**	(d) The total amount of SAF **and, where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation**	(d) The total amount of SAF~~ and, where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation~~	Y

		departing from Union airports, expressed in tonnes.	from Union airports, expressed in tonnes~~.~~ **of kerosene equivalent**	**transport** flights departing from Union airports, expressed in tonnes.	purchased from aviation fuel suppliers, for the purpose of operating their ~~commercial air transport flights~~**flights covered by this regulation,** departing from Union 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.	purchased from aviation fuel suppliers, for the purpose of operating their flights covered by this regulation, departing from Union airports, expressed in tonnes. Tentatively agreed
Article 7, first paragraph, point (e)						
Y	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	(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	(e) For each purchase of ~~sustainable aviation fuel~~**SAF**, the name of the aviation fuel supplier, the amount purchased expressed in tonnes, the	(e) For each purchase of SAF, **and where applicable, synthetic low-carbon fuels for aviation and hydrogen for**	(e) For each purchase of SAF, ~~and where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation,~~ the name

	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.	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.	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**.	**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 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**.	of the aviation fuel supplier, the amount purchased expressed in tonnes, the conversion 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 hydrogen for aviation~~ 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~~. Tentatively agreed

					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.	(ea) Total flights operated covered by this Regulation departing from Union airports, expressed in number of flights and in flight hours. Tentatively agreed	Y
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.	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.	G
Article 7, third paragraph							
G	83	The report shall be verified by an independent verifier in compliance with the requirements set out in Articles 14 and 15 of	The report shall be verified by an independent verifier in compliance with the requirements set out in Articles 14 and 15 of Directive 2003/87/EC of the	The report shall be verified by an independent verifier in compliance with the requirements set out in Articles 14 and 15 of	The report shall be verified by an independent verifier in compliance with the requirements set out in	The report shall be verified by an independent verifier in compliance with the requirements set	G

		Directive 2003/87/EC of the European Parliament and of the Council[1], and in Commission Implementing Regulation (EU) 2018/2067[2] 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 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).	European Parliament and of the Council[1], and in Commission Implementing Regulation (EU) 2018/2067[2]**.** 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**.** 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).	Directive 2003/87/EC of the European Parliament and of the Council[1], and ~~in Commission~~**the** implementing ~~Regulation (EU) 2018/2067[2]~~**acts adopted on the basis thereof** 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).** ~~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).~~	Articles 14 and 15 of Directive 2003/87/EC of the European Parliament and of the Council[1], and the implementing acts adopted on the basis thereof 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).	out in Articles 14 and 15 of Directive 2003/87/EC of the European Parliament and of the Council[1], and the implementing acts adopted on the basis thereof 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).
	Article 8					
G	84	Article 8	Article 8	Article 8	Article 8	Article 8 G

		Aircraft operator claiming of use of sustainable aviation fuels	Aircraft operator claiming of use of sustainable aviation fuels	Aircraft operator claiming of use of ~~sustainable aviation fuels~~**SAF**	Aircraft operator claiming of use of SAF **and where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation**	Aircraft operator claiming of use of SAF ~~and where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation~~ Tentatively agreed	
	Article 8, first paragraph						
R	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.	**Aircraft operators shall not claim benefits for the use of an identical batch of sustainable aviation fuels under more than one greenhouse gas scheme. [The provision relating to the benefits for the use of such fuels are provided for in Directive 2203/87. For the purpose of [allocation of free allowances] [claiming benefits] under the EU Emission Trading System (EU ETS) Article 3c paragraph**	R

						5a of Directive 2003/87 shall apply]. **Together with the report referred to in Article 7, aircraft operators shall provide the Agency with:"** EP and Council LSs fine-tuning the agreed concept.
Article 8, first paragraph, point (a)						
Y	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** 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~~ **are used pursuant to Article 4(1), second subparagraph, the use of such fuels** may be reported; Tentatively agreed
Article 8, first paragraph, point (b)						

	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 ~~sustainable aviation fuels~~**SAF** 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**.**	(b) A declaration that they have not reported **under more than one greenhouse gas scheme** identical batches of SAF ~~and, where applicable, synthetic low-carbon fuels for aviation and hydrogen for aviation under more than one greenhouse gas scheme~~ **are used pursuant to Article 4(1), second subparagraph, identical batch of such fuels.** Tentatively agreed	
	Article 8, first paragraph, point (ba)						
	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**	(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.	information on whether the same batch of SAF received support under more than one financial support scheme. Tentatively agreed
Article 8, second paragraph						
G	88	For the purpose of reporting sustainable aviation fuels 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 information free of charge.	For the purpose of reporting sustainable aviation fuels 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 information **relative to the reporting period** free of charge **not later than 31 January of each reporting year**.	For the purpose of reporting ~~sustainable aviation fuels~~**SAF** 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 information free of charge.	**2.** For the purpose of reporting SAF **and where applicable, synthetic low-carbon fuels for 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**	2. For the purpose of reporting **SAF** under Article 7 of this Regulation, or under a greenhouse gas scheme, ~~SAF use and use of synthetic low-carbon fuels for aviation and of hydrogen for aviation where such fuels are used pursuant to Article 4(1), second subparagraph~~ aviation fuel suppliers shall provide aircraft operators with the relevant accurate information relative to the reporting

					than 14 February of each reporting year.	period free of charge as soon as possible, and in any case not later than 14 February of each reporting year. Tentatively agreed	
	Article 8, second paragraph a						
G	88a				**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**	3. The aircraft operator may request the **aviation** fuel supplier to provide it with the information referred to in paragraph 2 for other reporting obligations, including under national law. The **aviation** 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 **aviation** fuel supplier shall provide that information within 90 days from	G

					case the request concerns information relating to a period that has not yet ended at the time the request is made, the 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.	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 aircraft operator shall endeavour to submit its request at least 45 days before the end of the period. The **aviation** 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 fuel suppliers	Article 9 Reporting obligations for **aviation** fuel suppliers	Article 9 Reporting obligations for aviation fuel suppliers	G
	Article 9, first paragraph						
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)	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	By 31 March of each reporting year, aviation fuel suppliers shall report in the Union Database referred to in Article 28 of Directive	By ~~31 March~~**14 February** of each reporting year, aviation fuel suppliers shall report in the	By 14 February of each reporting year **and the first time in 2024**, aviation fuel suppliers shall report	G

		2018/2001, the following information relative to the reporting period:	following information relative to the reporting period:	(EU) 2018/2001, the following information relative to the reporting period:	Union Database referred to in Article 28 of Directive (EU) 2018/2001, the following information relative to the reporting period:	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 of aviation fuel supplied at each Union airport;	(a) The ~~volume~~**amount** of aviation fuel supplied at each Union airport**, expressed in tonnes**; PCY Proposal	(a) The amount of aviation fuel supplied at each Union airport, expressed in tonnes; Tentatively agreed
	Article 9, first paragraph, point (b)					
Y	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)~~ **(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, of 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	(b) The amount of SAF ~~and, where applicable, of 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;

					detailed in point c)**, expressed in tonnes**; PCY Proposal	Tentatively agreed	
	Article 9, first paragraph, point (c)						
٧	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	(c) The conversion process, the characteristics and origin of the feedstock used for production, and the lifecycle emissions of each **type of** SAF ~~and, where applicable, synthetic low-carbon fuels for aviation type~~ supplied at Union airports; Tentatively agreed	٧
	Article 9, first paragraph, point (ca)						
٧	93a		**(ca) The yearly average concentration of total aromatic hydrocarbons, naphthalenes and sulphur in aviation fuel supplied at each Union airport.**		(ca) The ~~yearly average concentration of total aromatic hydrocarbons, naphthalenes and~~ **content of aromatics and naphthalenes by percentage volume**	(ca) The content of aromatics and naphthalenes by percentage volume and of sulphur by percentage mass in aviation fuel supplied per batch, per Union	٧

					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;** see line 93f Agreeable to EP	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; Tentatively agreed
Article 9, first paragraph, point (cb)						
R	93b				**(cb) Where applicable, the amount of hydrogen for aviation, supplied at each Union airport;** The unit will depend on the form of Hydrogen (liquid or gaseous), and will be defined in Union database (IT developments ongoing),	R

					therefore, to avoid inconsistency with RED the wording “amount” is proposed.		
	Article 9, first paragraph, point (cc)						
R	93c				**(cc) Where applicable, the sustainability characteristics in accordance with Directive (EU) 2018/2001 of each type of hydrogen for aviation supplied at Union airports;** PCY Proposal		R
	Article 9, first paragraph, point (cd)						
Y	93d				**(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.** PCY proposal	(cd) The energy content for aviation fuel~~,~~ **and** SAF ~~and where applicable, synthetic low-carbon fuels for aviation and hydrogen~~ supplied at each Union airport, for each type of fuel. Tentatively agreed	Y

					This information will be reported in Union database under RED, so does not introduce new requirement in case of SAF and renewable hydrogen.		
R	93e		**(ca) Where applicable, the amount of hydrogen and/or electricity, supplied at each Union airport, expressed in tonnes of kerosene equivalent;**		replaced by line 93b.		R
	Article 9, first paragraph, point (ce)						
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	See L 93a	Y
	Article 9, first paragraph, point (cf)						
Y	93g				**(cg) Member States shall have the necessary legal and administrative framework in place**	(~~ee~~**cf**) Member States shall have the necessary legal and administrative framework in place at	Y

					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. Same framework for verification and audit as per RED, but on additional data reported based on ReFuelEU Aviation. Moved from line 106a	national level to ensure that information entered by **aviation** 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. Tentatively agreed	
	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	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	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	G

				of Directive (EU) 2018/2001.	of Directive (EU) 2018/2001. Agreed at trilogue 2	pursuant to Article 28 of Directive (EU) 2018/2001.	
	Article 10						
G	95	Article 10 Competent authority	Article 10 Competent authority	Article 10 Competent authority	Article 10 Competent authority	Article 10 Competent authority	G
	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 the managing bodies of airports, and on**~~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 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 States shall inform the Commission **and the Agency** thereof. Proposal resulting from Trilogue #2	(1) Member States shall designate the competent authority or authorities responsible for enforcing the application of this Regulation and for imposing the fines on aircraft operators, on the Union airport managing bodies, and on aviation fuel suppliers. Member States shall inform the Commission and the Agency thereof. Tentatively agreed	Y

					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.	1a. Member States shall ensure that their competent authorities exercise their tasks of oversight and enforcement **impartially, transparently and in an independent**~~in a non-discriminatory~~ manner~~, impartially, and transparently~~ **from aircraft operators, aviation fuel suppliers and Union airport managing bodies**. 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.

						Tentatively agreed
Article 10(1b)						
Y	96b				**1b. The Commission, the Agency and the competent authorities of the Member States shall cooperate and exchange all relevant information to ensure effective implementation and compliance with this Regulation.** Proposal resulting from trilogue #2. Agreeable to the EP.	1b. The Commission, the Agency and the competent authorities of the Member States shall cooperate and exchange all relevant information to ensure effective implementation and compliance with this Regulation. Tentatively agreed
Article 10(2)						
Y	97	(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	(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	(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	(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**	(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 fuel suppliers for

		authorities are competent pursuant to paragraphs 3, 4 and 5.	authorities are competent pursuant to paragraphs 3, 4 and 5.	which the authorities are competent pursuant to paragraphs 3, 4 and 5.	suppliers for which the authorities are competent pursuant to paragraphs 3, 4 and 5. Proposal resulting from Trilogue #2. Agreeable to the EP.	which the authorities are competent pursuant to paragraphs 3, 4 and 5. Tentatively agreed
	Article 10(3)					
Y	98	(3) The competent authorities in respect of an aircraft operator shall be determined pursuant to Commission Regulation (EC) No 748/2009[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	(3) The competent **authority or** authorities in respect of an aircraft operator shall be determined 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**.**	(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 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).**	(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 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**	(3) The Member State whose competent authority, or authorities, referred to in paragraph 1 of this Article is responsible for a given aircraft operator shall be determined 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

					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	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). Tentatively agreed
Article 10(4)						
Y	99	(4) The competent authorities in respect of Union airports shall be determined on the	(4) The competent **authority or** authorities in respect of Union airports shall be determined on	(4) The **Member State whose** competent ~~authorities in respect of~~ **authority(ies) referred to**	(4) The Member State whose competent authority~~(ies)~~**, or authorities,** referred to	(4) The Member State whose competent authority, or authorities,

		basis of the respective territorial jurisdiction.	the basis of the respective territorial jurisdiction.	**in paragraph 1 of this Article is responsible for a given** Union ~~airports~~**airport** shall be determined on the basis of the respective territorial jurisdiction.	in 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**. New proposal resulting from Trilogue #2. Agreeable to the EP.	referred to in 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. Tentatively agreed
Article 10(5)						
Y	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.	(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.** **For** aviation fuel suppliers **which do not have a registered office in a Member State, the Member State concerned** shall be ~~determined~~	(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.** For aviation fuel suppliers which do not	(5) The Member State whose competent authority 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 principal place of business. For aviation fuel suppliers which do

			~~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, 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~~.	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 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	not have **their** 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 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 six months following the request by the aviation fuel supplier, shall be subject to the agreement of the

					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. Proposal resulting from trilogue #2. Agreeable to the EP.	competent authorities of the Member State of reattribution and shall be transmitted without undue delay to the Agency and the Commission. It shall enter into force at the beginning of the reporting period following the date of that decision. Tentatively agreed	
	Article 11						
G	101	Article 11 Enforcement	Article 11 Enforcement	Article 11 Enforcement	Article 11 Enforcement	Article 11 Enforcement	G
	Article 11(1)						
Y	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	(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	(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	(1) Member States shall lay down the rules on penalties applicable to infringements of the provisions adopted pursuant to this Regulation and shall	(1) Member States shall lay down the rules on penalties applicable to infringements of the provisions adopted pursuant to this Regulation and shall	Y

		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.	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.	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.	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	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. Tentatively agreed
Article 11(2)						
Y	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	(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	(2) Member States shall ensure that any aircraft operator failing to comply with the obligations laid down in Article 5 is liable	(2) Member States shall ensure that any aircraft operator failing to comply with the obligations laid down	(2) Member States shall ensure that any aircraft operator failing to comply with the obligations laid

	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-tanked quantity;	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-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.**	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-tanked quantity;	in Article 5 is liable to ~~an~~**a** 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 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.	down in Article 5 is liable to a fine. That fine shall be proportionate and dissuasive but not less than twice as high as the multiplication of the yearly average price of aviation 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. Tentatively agreed
Article 11(2a)					

Y	103 a		**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.	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. Tentatively agreed	Y
Article 11(3)							
Y	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	(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	(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~~**a** fine. That fine shall be at least twice as high as the multiplication of the difference between the yearly average price of	(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**	(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, t~~**T**hat fine shall be proportionate and dissuasive but not	Y

		the quantity of aviation fuels not complying with the minimum share referred to in Article 4 and Annex I;	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~~;~~**.**	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;	**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.	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. Tentatively agreed
	Article 11(4)					
Y	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 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	(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 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	(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 shall be at least twice as high as the multiplication of the difference between the yearly average price of synthetic aviation fuel and	(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~~**a** fine. That fine shall be ~~at least~~**proportionate and dissuasive but not less than** twice as high as the	(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 a fine. That fine shall be proportionate and dissuasive but not less than twice as high as the multiplication of

		fuel not complying with the minimum share referred to in Article 4 and Annex I;	with the minimum share referred to in Article 4 and Annex I~~;~~.	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;	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; Agreeable to the EP.	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; Tentatively agreed
	Article 11(4a)					
Y	105 a				**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**	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

					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 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	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, of synthetic low-carbon 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. Tentatively agreed	
Article 11(5)						
Y	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	(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	(5) In the decision imposing the ~~administrative~~ fines referred to in paragraphs 3 and 4, the competent authority shall explain the methodology	(5) In the decision imposing the fines referred to in paragraphs **2, 3, 4 and 4a**~~3 and 4~~, the competent authority	(5) In the decision imposing the fines referred to in paragraphs 2, 3, 4 and 4a, the competent authority shall explain	Y

		of the price of aviation fuel, sustainable aviation fuel and synthetic aviation fuel on the Union market, based on verifiable and objective criteria;	aviation fuel, sustainable aviation fuel and synthetic aviation fuel on the Union market, based on verifiable and objective criteria~~;~~**.**	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**;	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	the methodology applied for the determination of the **yearly average** price of aviation fuel, **conventional 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; Tentatively agreed
	Article 11(5a)					
Y	106 a		**5a. 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.**		Moved to line 93g	See L 93g

Article 11(6)							
Y	107	(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;	(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~~;~~**.**	(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;	(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; PCY Proposal	(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 fines laid out in paragraphs 3 and 4 of this Article; Tentatively agreed	Y
Article 11(7)							

R	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	(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. Linked to L 108a according to EP	R
Article 11(7a)							
R	108 a			**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**	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	Check reference date: 25 March 2026 EP insists that lines 108-108e are political and insists that MS shall earmark revenues. The PCY proposes to keep the Coreper mandate text.	EP R

			and conventional aviation fuels.	SAF and conventional aviation fuels. **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 of this paragraph, 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.** **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.		
R	108 b		**Article 11a Sustainable Aviation Fund**		New compromise linked to line 108.	See line 108a	R
R	108 c		**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**		In line with lines 108 and 108a, this line would be deleted.	See line 108a	R

			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. All investment supported by the Fund shall be made public and shall be consistent with the aims of this Regulation.			
R	108 d		**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.	See line 108a

R	108 e		**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.	See line 108a	R
	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 Data collection and publication	G
	Article 12, first paragraph						
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**	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	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	G

				Parliament. That report shall contain at least the following information:	Council and the European Parliament. That report shall contain at least the following information:	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;	(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 flights covered by this Regulation departing from a Union airport, and by Union airport; Tentatively agreed	Y
	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**, by Member**	(b) The amount of ~~sustainable aviation fuel~~**SAF** and of synthetic aviation fuel supplied at Union level in aggregate	(b) The amount of SAF**, synthetic aviation fuel and, where applicable,** ~~and of~~ synthetic **low-**	(b) The amount of SAF~~,~~ **and of** synthetic aviation fuel ~~and, where applicable, synthetic low-carbon~~	Y

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

				Union, or the Union and its Member States, and to the extent possible in other third countries	**aviation and hydrogen for aviation** supplied**,** in the third 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~~**in other third countries where such information is publicly available;**	~~aviation and hydrogen for aviation~~ supplied, in the third countries with which an agreement that regulates the provision of air services has been concluded by the Union, or the Union and its Member States, and in other third countries where such information is publicly available; Tentatively agreed	
	Article 12, first paragraph, point (bb)						
G	112 b		**(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	See L 113	G
	Article 12, first paragraph, point (c)						
Y	113	(c) The state of the market, including price information,	(c) The state of the market, including price information, and	(c) The state of the market, including price information,	(c) The state of the market, including price	(c) The state of the market, including	Y

	and trends in sustainable aviation fuel production and use in the Union;	trends in sustainable aviation fuel production and use in the Union **and per Member State**;	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 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**;	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 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;	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 countries with which an agreement that regulates the provision of air services has been concluded by the Union, or the Union and its Member States, and 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 **conventional aviation** ~~fossil~~ fuels; Tentatively agreed

	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	(d) The status of compliance of the Union airport managing body per airport, regarding obligations set out in Article 6; Tentatively agreed	Y
	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 aircraft operator, pursuant to Article 3, paragraph 1, indent 2**;	(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; Agreed at trilogue 2	(e) The compliance status of each aircraft operator and aviation fuel supplier having an obligation under this Regulation in the reporting period;	G
	Article 12, first paragraph, point (f)						
R	116	(f) The origin and the characteristics of all sustainable aviation fuels purchased by aircraft	(f) The origin and the characteristics of all sustainable aviation fuels purchased by aircraft operators for use on flights **covered under this**	(f) The origin and the characteristics of all ~~sustainable aviation fuels~~**SAF** purchased by aircraft operators for use on	(f) The origin and the characteristics of all SAF **and where applicable, synthetic low-carbon fuels for**	(f) The origin and the characteristics of all SAF and ~~where applicable, synthetic low-carbon fuels for~~	R

		operators for use on flights departing from Union airports.	**Regulation** departing from Union airports~~.~~**;**	flights departing from Union airports.	**aviation and sustainability characteristics of hydrogen for aviation** purchased by aircraft operators for use on flights **covered under this Regulation** departing from Union airports~~.~~**;** PCY proposal	~~aviation and~~ sustainability characteristics of **[**hydrogen for aviation**]** purchased by aircraft operators for use on flights covered under this Regulation departing from Union airports;
	Article 12, first paragraph, point (g)					
Y	116 a			**(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 ~~at~~**by** Union ~~level in aggregate and by~~**airport and at** Union ~~airport~~**level**. Aligned with the text in Article 9.	(fa) The average content of total aromatics and naphthalenes by percentage volume and sulphur by percentage mass in aviation fuel supplied by Union airport and at Union level. Tentatively agreed
	Article 12, first paragraph, point (fb)					

Y	116 b				**(fb) The status of advancement of projects at Union airports pursuing initiatives referred to in Article 6a(2).** Linked to new Article 6a.	(fb) The status of advancement of projects at Union airports pursuing initiatives referred to in Article 6a(2). Tentatively agreed	Y
	Article 12, second paragraph						
Y	116 c			**(fc) 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.	**(fc)** The Agency may consult the experts of the Member States when drawing up that report. Tentatively agreed	Y
Y	116 d		**(fa) The average aromatic, naphthalene and sulphur content of aviation fuel supplied at Union level in aggregate and by Union airport.**		see line 116a		Y
	Article 12a						

Y	116 e		**Article 12a Union labelling system for the environmental performance of aviation**		**Article 12a Environmental Labelling Scheme** PCY Proposal in lines 116e-116ab	Article 12a Environmental Labelling Scheme Tentatively agreed	Y
	Article 12a(1)						
Y	116 f		**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.**	1. A voluntary environmental labelling scheme allowing measuring the environmental performance of flights is hereby established. Tentatively agreed	Y
	Article 12a(2)						
Y	116 g		**2. By 1 January 2024, the Commission shall adopt a delegated act in accordance with Article 13a (new) to**		**2. Labels issued pursuant to this Article shall apply to aircraft operators**	2. Labels issued pursuant to this Article shall apply to aircraft operators	Y

		supplement this Regulation by setting out the detailed provisions and technical standards for the functioning of the Union labelling system for the environmental performance of aircrafts, aircraft operators and commercial flights.		**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 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.**	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 Article also to their flights **covered by this Regulation** 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. Tentatively agreed
	Article 12a(3)					
Y	116 h				**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 the previous corresponding scheduling period**	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 the previous corresponding scheduling period

					within the meaning of Article 2, point d, Regulation (EEC) 95/93. **Labels issued pursuant to this Article shall consist of the following information:**	within the meaning of Article 2, point d, Regulation (EEC) 95/93. Labels issued pursuant to this Article shall consist of the following information: Tentatively agreed	
Article 12a(3), point (a)							
Y	116i				**(a) The expected carbon footprint per passenger (e.g. kilograms of CO2 per passenger) for the period of validity of the label;**	(a) The expected carbon footprint per passenger (e.g. kilograms of CO2 per passenger) for the period of validity of the label; Tentatively agreed	Y
Article 12a(3), point (b)							
Y	116j				**(b) The expected CO2 efficiency per kilometre (e.g. grams of CO2 per passenger per kilometre) for the**	(b) The expected CO2 efficiency per kilometre (e.g. grams of CO2 per passenger per kilometre) for the	Y

					period of validity of the label.	period of validity of the label. Tentatively agreed	
	Article 12a(4)						
Y	116 k				**4. The expected carbon footprint per passenger and the expected CO2 efficiency per kilometre of a flight shall be 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:**	4. The expected carbon footprint per passenger and the expected CO2 efficiency per kilometre of a flight shall be 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: Tentatively agreed	Y
	Article 12a(4), point (a)						
Y	116l				**(a) the types of planes, average number of passengers and**	(a) the types of ~~planes~~ **aircrafts**, average number of passengers and freight	Y

					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	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 Tentatively agreed
Article 12a(4), point (b)						
Y	116 m				**(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 GHG emissions from fuel**	(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 ~~GHG~~ emissions from fuel use calculated for the flight.

					use calculated for the flight.	Tentatively agreed
Article 12a(5)						
Y	116 n				**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.**	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~~**10(c)**. The period of validity of the label shall be clearly displayed by the aircraft operator together with the label. Tentatively agreed
Article 12a(6)						
Y	116 o				**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**	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

				information referred to in paragraph 3 and of the standardised and science-based methodology and factors referred to in paragraph 4. **The Agency may require the aircraft operator to provide additional information to allow for the issuance of the Label.** **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.** **Any decision taken by the Agency pursuant to this paragraph shall be taken without any undue delay.**	to in paragraph 3 and of the standardised and science-based methodology and factors referred to in paragraph 4. The Agency may require the aircraft operator to provide additional information to allow for the issuance of the Label. 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. **An appeal may be brought by the aircraft operator against decisions of the Agency taken pursuant to paragraphs 6 and 7. Such an appeal shall be filed to the Board**

						of Appeal referred to in Article 105 of Regulation (EU) 2018/1139 within 10 days of notification of the decision. Articles 106, 107, 108(2) and (3), 111, 112, 113 and 114 of Regulation (EU) 2018/1139 shall apply. Any decision taken by the Agency pursuant to this paragraph shall be taken without any undue delay. Tentatively agreed
Article 12a(7)						
	116 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**	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

					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. **The aircraft operator shall adjust the display of the label accordingly without any delay.**	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. The aircraft operator shall adjust the display of the label accordingly without any delay. Tentatively agreed	
	Article 12a(8)						
	116 q				**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**	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	

				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. **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.**	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 customers, they shall do so for all flights falling in scope of this Regulation. ~~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.~~ Tentatively agreed

						Deleted text moved to line 116ac
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**	9. Aircraft operators requesting the issuance of a label shall pay a ~~fee~~**charge** 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 and to the review carried out under paragraph 7~~. The revenues generated from such ~~fee~~**charge** shall constitute another revenue within the meaning of Article 120, paragraph 1, of Regulation (EU) 2018/1139 and be

					be allocated by the Agency to cover those costs.	assigned revenues to be allocated by the Agency to cover those costs. **Article 126 (2) and (3) of Regulation (EU) 2018/1139 shall apply. The amount of the charge shall be defined pursuant to Article 126 (4) of Regulation (EU) 2018/1139.** Tentatively agreed
Article 12a(10)						
Y	116 s				**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 the existence of the labelling scheme set up by this Article, in particular through promotion actions, information and education campaigns,**	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 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.	~~at local, national and Union levels~~. Tentatively agreed	
	Article 12a(11)						
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:**	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 2025~~XX]~~, implementing acts **adopted in accordance with Article 13a(3)[examination procedure]** laying down detailed provisions concerning: Tentatively agreed	Y
	Article 12a(11), point (a)						
Y	116 u				**(a) the standardised and science-based**	(a) the standardised and science-based	Y

					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);	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); Tentatively agreed
	Article 12a(11), point (b)					
Y	116 v				**(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;**	(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; Tentatively agreed

	Article 12a(11), point (c)					
Y	116 w				**(c) the duration of the validity of labels issued pursuant to this Article;**	(c) the duration of the validity of labels issued pursuant to this Article; Tentatively agreed
	Article 12a(11), point (d)					
Y	116 x				**(d) the conditions under which the Agency shall carry out the review referred to in paragraph 7;**	(d) the conditions under which the Agency shall carry out the review referred to in paragraph 7; Tentatively agreed
	Article 12a(11), point (e)					
Y	116 y				**(e) the procedure mentioned in paragraph 7 through which the Agency can either revoke existing labels or issue a new label;**	(e) the procedure mentioned in paragraph 7 through which the Agency can either revoke existing labels or issue a new label; Tentatively agreed
	Article 12a(11), point (f)					

Y	116 z				**(f) the templates for displaying labels issued pursuant to this Article;**	(f) the templates for displaying labels issued pursuant to this Article; Tentatively agreed	Y
	Article 12a(11), point (g)						
Y	116 aa				**(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 a 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**	(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 a 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~~	Y

					labels and to the review carried out under paragraph 7; h. easy access to all issued labels in machine-readable format.	~~labels and to the review carried out under paragraph 7; h. easy access to all issued labels in machine-readable format.~~ Tentatively agreed	
Article 12a(11), point (h)							
Y	116 ab				**(h) easy access to all issued labels in machine-readable format.**	(h) **ensuring an** easy access to all issued labels in machine-readable format; Tentatively agreed	Y
Article 12a(11), point (i)							
Y	116 ac			**(a)**		**(i) the possibility and conditions under which aircraft operators may display, without using a label under this Article, any environmental performance information similar to the one referred to in paragraph 3**	Y

						for flights departing from Union airports. Tentatively agreed
	Article 12a(12)					
Y	116 ad					**12. By 1 July 2027, the Commission shall identify and assess the developments on the functioning of the labelling scheme set up by this Article as well as possible improvements or additional measures to such scheme, with a view in particular to establish a compulsory environmental labelling scheme encompassing all aspects of the environmental performance of flights or set of flights and the different decarbonisation measures that aircraft operators** Y

						take, in full compliance with EU law. The Commission shall present a report with the main findings of the assessment carried out pursuant to this paragraph to the European Parliament and to the Council. It may, where appropriate, accompany the report, by a legislative proposal. Tentatively agreed
	Article 13					
G	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 Flexibility mechanisms
	Article 13, first paragraph					
G	118	By way of derogation from Article 4, from 1 January 2025	By way of derogation from Article 4, **, and during the**	By way of derogation from Article **44(1)**, from 1	**1** By way of derogation from	1 By way of derogation from

		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.	**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)**.	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.	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	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. Tentatively agreed	
	Article 13, first paragraph a						
Y	118 a		**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**		**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**	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	Y

		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.		**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.** **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 aviation fuel suppliers and to**	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. Such a possible system, incorporating elements of a book & claim scheme~~,~~ may enable **aircraft** operators and/or fuel suppliers to purchase SAF through contractual arrangements with aviation fuel suppliers and to claim its use at Union airports.

				claim its use at Union airports. **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.** Proposal following Trilogue 2. 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	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. Tentatively agreed

				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 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	118 b		**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 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**		EP believes this line is still necessary.	Tentatively agreed	Y

			abusing a dominant market position.				
Article 13a							
Y	118 c			**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	Tentatively agreed	Y
Article 13a(1)							
Y	118 d			**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 Regulation (EU) No 182/2011.**	Propose CGA	**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 Regulation (EU) No 182/2011.** Tentatively agreed	Y

	Article 13a(2)						
Y	118 e					**2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.** Tentatively agreed	Y
	Article 13a(3)						
Y	118 f			**3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.**	Propose CGA	**3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.** Tentatively agreed	Y
	Article 13a(4)						
R	118 g		**Article 13a** **Exercise of the delegation**			EP to confirm this Article is not needed anymore.	R
R	118 h						R

			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.				
R	118i		**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 Regulation].**				R
R	118j		**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**				R

			any delegated acts already in force.				
R	118 k		**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.**				R
R	118l		**5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.**				R
R	118 m		**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**				R

			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.				
	Article 14						
R	119	Article 14 Reports and Review	Article 14 Reports and Review	Article 14 Reports and Review	Article 14 Reports and Review	Article 14 Reports and Review PM.: To be fine-tuned at the end of the negotiations.	R
	Article 14, first paragraph						
R	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	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**	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,	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.**	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.	R

	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 reduction of non-CO_2 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.	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, 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**	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 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	**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**	The report shall contain ~~the~~ **detailed** assessment of the evolution of the aviation fuels market, its impact on the functioning of the aviation internal market of the Union including 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. 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

		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 reduction of non-CO_2 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**	uptake of ~~sustainable aviation fuels~~**SAF** 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~~**SAF**, including with regards to the reduction of non-CO_2 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~~**SAF** uptake at ICAO level.	**innovation in SAF. 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.** **The report shall evaluate** the possible ~~revision~~**need 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 in~~**evaluate possible extension of the scope of this Regulation to** other ~~countries,~~	reduction of non-CO2 emissions or direct air capture (DAC) technologies. The report shall evaluate the possible need 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 evaluate possible extension of the scope of this Regulation to other 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

		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 concerning fuel tankering and, where appropriate, submit a legislative proposal to amend those.		~~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 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**	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 may also assess possible measures to optimise the fuel content in aviation fuels. The report shall consider possible inclusion of mechanisms to support the production and uplift of SAF, including the collection and use of funds, and to limit the adverse impacts of this Regulation on the connectivity and competitiveness. This shall include financial and other mechanism to bridge the price

				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.** **The report shall consider possible inclusion of mechanisms to**	differences between SAF and conventional aviation fuels.

				support the production and uplift of SAF, including ~~with regards to the reduction of non-CO_2 emissions.~~ ~~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**. PCY proposal	
Article 14, first paragraph a					

R	120 a			**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 Regulation on air connectivity, to avoid a shift in traffic towards airport hubs in thirds countries and to mitigate carbon leakages.**	~~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).** **To the extent possible, the report 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 level**~~the collection and use of~~	The report shall assess the impact on the functioning of the aviation internal market of the exemptions granted under Article 5(2). To the extent possible, the report 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 level. The report shall assess the competitiveness of Union air carriers and airport hubs vis-à-vis their competitors in relevant third	R

				~~funds, and other mechanisms allowing to bridge the price differences between SAF and conventional aviation fuels~~. **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**	countries and possible rerouting, notably through a shift in traffic towards airport hubs in 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 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~~ **should, where appropriate**, consider targeted mechanisms aiming at

				ambition 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~~.	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.

					PCY proposal	
Article 14, first paragraph b						
R	120 b			**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 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**	~~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 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~~**if this**	The report shall include detailed information on the enforcement of this Regulation. The report shall consider if this Regulation should be amended and, where appropriate, which options for amendments should be considered, in line with a potential policy framework on SAF uptake at ICAO level.	R

				destination outside the territory of the Union. _____ **1. REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL […] establishing a carbon border adjustment mechanism**	**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**. _____ ~~1. REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL […] establishing a carbon border adjustment mechanism~~ PCY proposal		
Article 14, first paragraph c							
R	120 c			**The Commission shall consult the Committee referred to in Article 13a(1) when drawing up**	The Commission ~~shall~~**may** consult ~~the Committee referred to in Article~~	The Commission may consult Member States when drawing up that report, at least	R

				that report, at least 6 months before its adoption.	~~13a(1)~~**Member States** when drawing up that report, at least 6 months before its adoption. PCY proposal EP still disagrees	6 months before its adoption.	
	Article 15						
G	121	Article 15 Entry into force	Article 15 Entry into force	Article 15 Entry into force	Article 15 Entry into force	Article 15 Entry into force	G
	Article 15, first paragraph						
G	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 ***Official Journal of the European Union***~~Official Journal of the European Union~~.	This Regulation shall enter into force on the day twentieth following that of its publication in the ***Official Journal of the European Union***~~Official Journal of the European Union~~.	This Regulation shall enter into force on the **twentieth** day ~~twentieth~~ following that of its publication in the ~~*Official Journal of the European Union*~~**Official Journal of the European Union**.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	G
	Article 15, second paragraph						
G	123	It shall apply from 1st January 2023.	It shall apply from 1st January 2023.	It shall apply from 1st January 2023.	It shall apply from 1st January 2023.	It shall apply from 1st January 2023.	G

						PM.: To be adapted after finalisation	
	Article 15, third paragraph						
Y	124	However, Article 4 and 5 shall apply from 1 January 2025 and Articles 7 and Article 9 shall apply from 1st 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 1st 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 1st 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 1st April 2024 for the reporting period of the year 2023. PCY proposal	However, Article 4, 5 and 6 shall apply from 1 January 2025 ~~and Articles 7 and 9 shall apply from 1st April 2024 for the reporting period of the year 2023~~. Article 12a shall apply from 1 January 2024.	Y
	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.	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.	G
	Formula						
G	126	Done at Brussels,	Done at Brussels,	Done at Brussels,			G
	Formula						

G	127	For the European Parliament	For the European Parliament	For the European Parliament	For the European Parliament	For the European Parliament	G
	Formula						
G	128	The President	The President	The President	The President	The President	G
	Formula						
G	129	For the Council	For the Council	For the Council	For the Council	For the Council	G
	Formula						
G	130	The President	The President	The President	The President	The President	G
	Annex I volume shares						
	130.1	Annex I (volume shares)					
	Annex I volume shares, first paragraph						
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.		R
	Annex I volume shares, second paragraph						
R	132						R

		(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.	EP insists on 2% for syntetic fuels	
Annex I volume shares, third paragraph							
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;	(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;	G
Annex I volume shares, fourth paragraph							
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.		R
Annex I volume shares, fifth paragraph							
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.		R

Annex I volume shares, sixth paragraph						
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						
136.1	Annex II – Template for aircraft operator reporting					
Annex II – Template for aircraft operator reporting, Table 1, Column 1, Row 1						
137	Union airport	Union airport	Union airport	Union airport	Union airport	
Annex II – Template for aircraft operator reporting, Table 1, Column 2, Row 1						
138	ICAO code of Union airport	ICAO code of Union airport	ICAO code of Union airport	ICAO code of Union airport	ICAO code of Union airport	
Annex II – Template for aircraft operator reporting, Table 1, Column 3, Row 1						
139	Yearly aviation fuel required (tonnes)	Yearly aviation fuel required (tonnes **of kerosene equivalent**)	Yearly aviation fuel required (tonnes)	Yearly aviation fuel required (tonnes) Propose CGA	Yearly aviation fuel required (tonnes) Tentatively agreed	

Annex II – Template for aircraft operator reporting, Table 1, Column 4, Row 1						
	140	Actual aviation fuel uplifted (tonnes)	Actual aviation fuel uplifted (tonnes **of kerosene equivalent**)	Actual aviation fuel uplifted (tonnes)	Actual aviation fuel uplifted (tonnes) Propose CGA	Actual aviation fuel uplifted (tonnes) Tentatively agreed
Annex II – Template for aircraft operator reporting, Table 1, Column 5, Row 1						
	141	Yearly non-tanked quantity (tonnes)	Yearly non-tanked quantity (tonnes **of kerosene equivalent**)	Yearly non-tanked quantity (tonnes)	Yearly non-tanked quantity (tonnes) Propose CGA	Yearly non-tanked quantity (tonnes)
Annex II – Template for aircraft operator reporting, Table 1, Column 6, Row 1						
	142	Total yearly non-tanked quantity (tonnes)	Total yearly non-tanked quantity (tonnes **of kerosene equivalent**)	Total yearly non-tanked quantity (tonnes)	Total yearly non-tanked quantity (tonnes) Propose CGA	Total yearly non-tanked quantity (tonnes)
Annex II – Template for aircraft operator reporting, point (1)						
	142 a				**Yearly tanked quantity for fuel safety rules (tonnes)** New proposal in line with line 70 and 70a.	**1.** Yearly tanked quantity for fuel safety rules (tonnes) PM.: Annex II termplate ~II

					PM.: Annex II template II to be inserted in TTE. Linked to Art 4 and to be aligned with Art 7.

Annex II – Template 2					
142b		**Template 2**	**2. Template for aircraft operator reporting on purchases of SAF**		Linked to Art 4 and to be aligned with Art 7. To be checked whether a new title should be given to this table. We could consider keeping the original title "Template for aircraft operator reporting" to both tables.
Annex II – Template for aircraft operator reporting, Table 2, Column 1, Row 1					
142c				**2. Total number of flights operated**	**3.** Total number of flights operated
Annex II – Template for aircraft operator reporting, Table 2, Column 2, Row 1					
142d				**3. Total number of flight hours**	**4.** Total number of flight hours
Annex II – Template for aircraft operator reporting, Table 2, Column 3, Row 1					

G	142e		**Fuel supplier**	**4. Fuel supplier**		**5. Fuel supplier**	G
	Annex II – Template for aircraft operator reporting, Table 2, Column 4, Row 1						
R	142f		**Amount purchased (tonnes of kerosene equivalent)**	**5. Amount purchased (tonnes)**		**5. Amount purchased (tonnes)**	R
	Annex II – Template for aircraft operator reporting, Table 2, Column 5, Row 1						
	142g		**Conversion technology**	**6. Conversion technology**	**5.**	**7. Conversion process**	
	Annex II – Template for aircraft operator reporting, Table 2, Column 6, Row 1						
	142h		**Characteristics**	**7. Characteristics**		**8. Characteristics** To be checked with COM on possible hydrogen alignment	
	Annex II – Template for aircraft operator reporting, Table 2, Column 7, Row 1						
G	142i		**Origin of feedstock**	**8. Origin of feedstock**		**9. Origin of feedstock**	G
	Annex II – Template for aircraft operator reporting, Table 2, Column 8, Row 1						
G	142j		**Lifecycle emissions**				G

				9. Lifecycle emissions		**10. Lifecycle emissions**	