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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2021/241 as regards REPowerEU chapters in recovery and resilience plans and amending Regulation (EU) 2021/1060, Regulation (EU) 2021/2115, Directive 2003/87/EC and Decision (EU) 2015/1814 - Four-Column Table

Delegations will find attached the initial four-column table related to the REPowerEU-RRF proposal.

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2022/0164 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Regulation (EU) 2021/241 as regards REPowerEU chapters in recovery and resilience plans and amending Regulation (EU) 2021/1060, Regulation (EU) 2021/2115, Directive 2003/87/EC and Decision (EU) 2015/1814

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposal		ST 12662/22 REV 2	
1.	Title	Proposal for a	Proposal for a	Proposal for a	
1.					
		REGULATION OF THE	REGULATION OF THE	REGULATION OF THE	
		EUROPEAN PARLIAMENT	EUROPEAN PARLIAMENT	EUROPEAN PARLIAMENT	
		AND OF THE COUNCIL	AND OF THE COUNCIL	AND OF THE COUNCIL	
		amending Regulation (EU)	amending Regulation (EU)	amending Regulation (EU)	
		2021/241 as regards	2021/241 as regards	2021/241 as regards REPowerEU	
		REPowerEU chapters in	REPowerEU chapters in	chapters in recovery and	
		recovery and resilience plans	recovery and resilience plans	resilience plans and amending	
		and amending Regulation (EU)	and amending Regulation (EU)	Regulation (EU) 2021/1060 ,	
		2021/1060 , Regulation (EU)	2021/1060 , Regulation (EU)	Regulation (EU) 2021/2115,	
		2021/2115, Directive	2021/2115, Directive	Directive 2003/87/EC and	
		2003/87/EC and Decision (EU)	2003/87/EC and Decision (EU)	Decision (EU) 2015/1814	
		2015/1814	2015/1814		
2.		THE EUROPEAN	THE EUROPEAN	THE EUROPEAN PARLIAMENT	
2.		PARLIAMENT AND THE	PARLIAMENT AND THE	AND THE COUNCIL OF THE	

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		COUNCIL OF THE	COUNCIL OF THE EUROPEAN	EUROPEAN UNION,	
		EUROPEAN UNION,	UNION,		
3.	Cit. 1	Having regard to the Treaty on	,	Having regard to the Treaty on the	
		the Functioning of the European	_	Functioning of the European	
		Union, and in particular Article	Union, and in particular Article	Union, and in particular Article 43	
		175 third paragraph, Article 177	175 third paragraph, Article 177	(2), Article 175 third paragraph,	
		first paragraph, Article 192 (1),	first paragraph, Article 192 (1),	Article 177 first paragraph, Article	
		Article 194 (2) and Article 322	Article 194 (2) and Article 322 (1)	192 (1), Article 194 (2) and Article	
		(1) thereof,	thereof,	322 (1) thereof,	
4.	Cit. 2	Having regard to the proposal	Having regard to the proposal	Having regard to the proposal from	
		from the European Commission,	from the European Commission,	the European Commission,	
5.	Cit. 3	After transmission of the draft	After transmission of the draft	After transmission of the draft	
		legislative act to the national	legislative act to the national	legislative act to the national	
		parliaments,	parliaments,	parliaments,	
6.	Cit. 4	Having regard to the opinion of	Having regard to the opinion of	Having regard to the opinion of the	
		the European Economic and		European Economic and Social	
		Social Committee ¹ ,	Social Committee ² ,	Committee ³ ,	
7.	Cit. 5	Having regard to the opinion of	Having regard to the opinion of	Having regard to the opinion of the	
		the Committee of the Regions ⁴ ,	the Committee of the Regions ⁵ ,	Committee of the Regions ⁶ ,	
8.	Cit. 6	Having regard to the opinion of	Having regard to the opinion of	Having regard to the opinion of the	

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		the Court of Auditors,	the Court of Auditors,	Court of Auditors,	
9.	Cit. 7	Acting in accordance with the ordinary legislative procedure, Whereas:	Acting in accordance with the ordinary legislative procedure, Whereas:	Acting in accordance with the ordinary legislative procedure, Whereas:	
11.	Rec. 1	(1) Since the adoption of Regulation (EU) 2021/241 of the European Parliament and of the Council establishing the Recovery and Resilience Facility, unprecedented geopolitical events and their direct and indirect socioeconomic consequences have considerably affected the Union's society and economy. In particular, it has become clearer than ever that the Union's energy security is indispensable for a successful, sustainable and inclusive recovery from the	Regulation (EU) 2021/241 of the European Parliament and of the Council establishing the Recovery and Resilience Facility, and Resilience Facility, unprecedented geopolitical events triggered by Russia's unprovoked and illegal military invasion of Ukraine and their direct and indirect socio-economic consequences have considerably affected the Union's society and economy, its people and its economic, social and territorial cohesion. In particular, it has	(1) Since the adoption of Regulation (EU) 2021/241 of the European Parliament and of the Council establishing the Recovery and Resilience Facility,9 unprecedented geopolitical events and their direct and indirect socioeconomic consequences have considerably affected the Union's society and economy. In particular, it has become clearer than ever that the Union's energy security is indispensable for a successful, sustainable and inclusive recovery from the COVID-19 crisis, as it is also a major factor contributing to	

⁷ Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17).

⁸ Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17).

⁹ Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17).

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		COVID-19 crisis, as it is also a major factor contributing to the resilience of the European economy.	energy independence is	ST 12662/22 REV 2 the resilience of the European economy.	
12.	Rec. 2	(2) Due to the direct links between a sustainable recovery, building the Union's resilience and the Union's energy security, and its role for a just and inclusive transition, the Recovery and Resilience Facility is a well-suited instrument to contribute to the Union's response to these newly emerging challenges.	l	(2) Due to the direct links between a sustainable recovery, building the Union's resilience and the Union's energy security, and its role for a just and inclusive transition, the Recovery and Resilience Facility is a well-suited instrument to contribute to the Union's response to these newly emerging challenges.	
			legislation ^{10a} and with existing international commitments.		

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Council Directive 92/43/EEC, Directive 2009/147/EC, Directive 2000/60/EC, Regulation (EC) No 1367/2006, Regulation (EU) 2021/1767 and Proposal for a Regulation of the European Parliament and of the Council on nature restoration (COM(2022) 304 final).

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		Commission proposar		ST 12662/22 REV 2	
13.	Rec. 3	(3) The Versailles Declaration of	(3) The Versailles Declaration of	(3) The Versailles Declaration of	
		10-11 March 2022 of the Heads	10-11 March 2022 of the Heads of	10-11 March 2022 of the Heads of	
		of States and Governments	States and Governments invited	States and Governments invited the	
		invited the Commission to	the Commission to propose by the	Commission to propose by the end	
		propose by the end of May a	end of May a REPowerEU plan to	of May a REPowerEU plan to	
		REPowerEU plan to phase out the	phase out the dependency on	phase out the dependency on	
		dependency on Russian fossil fuel	Russian fossil fuel imports, which	Russian fossil fuel imports, which	
		imports, which was subsequently	was subsequently reiterated in the	was subsequently reiterated in the	
		reiterated in the European	European Council Conclusions of	European Council Conclusions of	
		Council Conclusions of 24-25	24-25 March 2022. This should be	24-25 March 2022. This should be	
		March 2022. This should be done	done well before 2030 in a way	done well before 2030 in a way	
		well before 2030 in a way that is	that is consistent with the EU's	that is consistent with the EU's	
		consistent with the EU's Green	Green Deal and the climate	Green Deal and the climate	
		Deal and the climate objectives	objectives for 2030 and 2050	objectives for 2030 and 2050	
		for 2030 and 2050 enshrined in	enshrined in the European	enshrined in the European Climate	
		the European Climate Law.	Climate Law. Regulation (EU)	Law. Regulation (EU) 2021/241	
		Regulation (EU) 2021/241 should	2021/241 should therefore be	should therefore be amended to	
		therefore be amended to enhance	amended to enhance its ability to	enhance its ability to support	
		its ability to support reforms and	support reforms and investments	reforms and investments dedicated	
		investments dedicated to	dedicated to diversifying energy	to diversifying energy supplies, in	
		diversifying energy supplies, in	supplies, in particular fossil fuels,	particular fossil fuels, thereby	
		particular fossil fuels, thereby	as well as to make the energy	strengthening the strategic	
		strengthening the strategic	system more secure, affordable,	autonomy of the Union alongside	
		autonomy of the Union alongside	accessible and sustainable, in	an open economy. Support should	
		an open economy. Support should	particular with the uptake of	also be given to reforms and	
		also be given to reforms and	renewables, energy efficiency	investments increasing the energy	

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		Commission proposal		ST 12662/22 REV 2	
		investments increasing the energy	and increased energy storage	efficiency of the Member States'	
		efficiency of the Member States'	capacity, thereby strengthening	economies.	
		economies.	the strategic autonomy of the		
			Union alongside an open		
			economy. Support should also be		
			given to reforms and investments		
			increasing the energy efficiency		
			and energy savings of the		
			Member States' economies		
			through better coherence with		
			the Renewable Energy Directive,		
			the Energy Efficiency Directive,		
			the Energy Performance		
			Buildings Directive and the		
			Ecodesign for Sustainable		
			Products Regulation.		
14.	Rec. 3a		(3 a) The phasing out of		
1	(new)		dependency on Russian fossil		
			fuel imports should lead to a		
			reduction in the overall energy		
			dependency of the Union. In line		
			with the Recovery and Resilience		
			Facility, the REPowerEU		
			chapters of the recovery and		
			resilience plans should		
			contribute to increasing and		

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		Commission proposal		ST 12662/22 REV 2	
			strengthening the strategic		
			autonomy of the Union, without		
			excessively increasing its		
			dependency on imports of raw		
			materials from third countries.		
15.	Rec. 4	(4) To maximise	(4) To maximise	(4) To maximise complementarity,	
		complementarity, consistency and	complementarity, consistency and	consistency and coherence of	
		coherence of policies and actions	coherence of policies and actions	policies and actions taken by the	
		taken by the Union and Member	taken by the Union and Member	Union and Member States to foster	
		States to foster independence and	States to foster independence and	independence and security of the	
		security of the Union's energy	security and sustainability of the	Union's energy supply, these	
		supply, these energy-related	Union's energy supply, these	energy-related reforms and	
		reforms and investments should	energy-related reforms and	investments should be established	
		be established through a	investments should be established	through a dedicated 'REPowerEU	
		dedicated 'REPowerEU chapter'	through a dedicated 'REPowerEU	chapter' of the recovery and	
		of the recovery and resilience	chapter' of the recovery and	resilience plans.	
		plans.	resilience plans.		
16.	Rec. 4a		(4a) In order to promote the		
	(new)		objectives of the Treaty on the		
			Functioning of the European		
			Union related to economic, social		
			and territorial cohesion, for the		
			preparation of the REPowerEU		
			chapters Member States should		
			ensure that funds are distributed		
			appropriately between regions,		

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		Commission proposal		ST 12662/22 REV 2	
			while taking into account the		
			needs and challenges of each		
			region.		
17.	Rec. 4b		(4b) Particular considerations		
17.	(new)		should be given to remote,		
			peripheral and isolated regions		
			and islands which already		
			experience additional		
			constraints.		
18.	Rec. 5	(5) To maximise the scope of the	(5) To maximise the scope of the	(5) To maximise the scope of the	
		Union's response, all Member	Union's response, all Member	Union's response, all Member	
		States submitting a recovery and	States submitting a recovery and	States submitting a recovery and	
		resilience plan after the entry into		resilience plan after the entry into	
		force of this Regulation should be	force of this Regulation should be	force of this Regulation that	
		required to include a REPowerEU	required to include a REPowerEU	requests the use of additional	
		chapter in their plan. This	chapter in their plan. This	funding under Article 14, Article	
		requirement should apply, in	requirement should apply, in	21a or Article 21b of Regulation	
		particular, to revised plans	particular, to revised plans	(EU) 2021/241 should be required	
		submitted by Member States from	submitted by Member States from	to include a REPowerEU chapter	
		30 June 2022 to take into account	30 June 2022 to take into account	in their plan. In accordance with	
		the updated maximum financial		Article 18 (3), and to ensure	
		contribution.	contribution. Unnecessary	proper preparation of the	
			administrative burden should be	REPowerEU chapters, Member	
			avoided.	States may submit a draft	
				REPowerEU chapter before the	
				submission of a modified	

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				recovery and resilience plan.	
				This requirement should apply,	
				in particular, to revised plans	
				submitted by Member States	
				from 30 June 2022 to take into	
				account the updated maximum	
				financial contribution.	
19.	Rec. 6	(6) The REPowerEU chapter	(6) The REPowerEU chapter	(6) The REPowerEU chapter	
		should include new reforms and	should include new reforms and	should include new reforms and	
		investments contributing to the	investments contributing to the	investments contributing to the	
		REPowerEU aims. Furthermore,	REPowerEU aims and tackling	REPowerEU aims, meaning those	
		that chapter should contain an	the crisis effect caused by the	that are not included in the	
		outline of other measures,	Russian military aggression	already adopted Council	
		financed from sources other than	against Ukraine. Furthermore,	Implementing Decision.	
		the Recovery and Resilience	that chapter should contain an	However, other relevant	
		Facility, contributing to the	outline of other measures,	measures contributing to the	
		energy-related objectives outlined	financed from sources other than	REPowerEU objectives can be	
		in recital (3). The outline should	the Recovery and Resilience	included in the REPowerEU	
		cover measures whose	Facility, contributing to the	chapter, if the Member State	
		implementation should take place	energy-related objectives outlined	concerned is subject to a	
		between 1 February 2022 to 31	in recital (3). The outline should	downwards update of its	
		December 2026, the period	cover measures whose	maximum financial contribution.	
		during which the objectives set by	implementation should take place		
		this Regulation are to be	between 1 February 2022 to 31		
		achieved. As regards natural gas	December 2026, the period during		
		infrastructure, the investments	which the objectives set by this		

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		and reforms of the REPowerEU	Regulation are to be achieved. It		
		chapters to diversify supply away	is imperative to swiftly increase		
		from Russia should build on the	investment in energy efficiency		
		needs currently identified through	measures, such as the uptake of		
		the assessment conducted and	sustainable and efficient heating		
		agreed by the European Network	and cooling solutions, that		
		of Transmission System	present a sustainable and		
		Operators for Gas (ENTSOG),	55		
		established in the spirit of	the most pressing challenges of		
		solidarity as regards security of	energy supply and energy cost. In		
		supply and take into account the	view of the social impact of		
		reinforced preparedness measures	persistently high and volatile		
		taken to adapt to new geopolitical	energy prices and in recognition		
		threats. Finally, the REPowerEU	of the principles of the European		
		chapters should provide an	Pillar of Social Rights, particular		
		explanation and a quantification	emphasis should be given to		
		of the effects of the combination	addressing energy poverty,		
		of the reforms and investments	through supporting energy-poor		
		financed by the Recovery and	and vulnerable consumers. As		
		Resilience Facility and the other	regards natural gas infrastructure,		
		measures financed by other	the investments and reforms of		
		sources than the Recovery and	the REPowerEU chapters to		
		Resilience Facility.	diversify supply away from		
			Russia should build on the needs		
			currently identified through the		
			assessment conducted and agreed		

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		Commission proposal		ST 12662/22 REV 2	
			by the European Network of		
			Transmission System Operators		
			for Gas (ENTSOG), established in		
			the spirit of solidarity as regards		
			security of supply and take into		
			account the reinforced		
			preparedness measures, including		
			energy storage, taken to adapt to		
			new geopolitical threats, as well		
			as make a long term contribution		
			to the green transition by being		
			hydrogen-ready. There should be		
			a significant proportion of		
			measures in the chapter that		
			have cross-border or multi-		
			country dimension or effects,		
			contributing, among other		
			things, to European added value.		
			Finally, the REPowerEU chapters		
			should provide an explanation and		
			a quantification of the effects of		
			the combination of the reforms		
			and investments financed by the		
			Recovery and Resilience Facility		
			and the other measures financed		
			by other sources than the		

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		Commission proposal		ST 12662/22 REV 2	
			Recovery and Resilience Facility.		
20.	Rec. 6a			(6a) The scaled-up part of	
20.	(new)			measures included in the already	
				adopted Council Implementing	
				Decision may be included in the	
				REPowerEU chapter together	
				with the corresponding	
				milestones and targets. Such	
				scale-up should introduce a	
				substantive improvement in the	
				level of ambition of the measure,	
				as reflected in the design or level	
				of the corresponding milestones	
				and targets, while building on	
				the measures included in the	
				already adopted Council	
				Implementing Decision.	
21.	Rec. 6b			(6b) Member States should	
21.	(new)			submit the chapter in the form of	
				an addendum to their	
				consolidated plans. Furthermore,	
				that chapter should provide an	
				explanation on how the measures	
				included in the chapter are	
				coherent with the efforts of the	
				Member State concerned to	

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		Commission proposal		ST 12662/22 REV 2	
				achieve the REPowerEU	
				objectives, taking into account	
				the measures in the already	
				adopted Council Implementing	
				Decision contain an outline of	
				other measures, financed from	
				sources other than the Recovery	
				and Resilience Facility,	
				contributing to the energy-	
				related objectives outlined in	
				recital (3). The outline should	
				cover measures whose	
				implementation should take	
				place between 1 February 2022	
				to 31 December 2026, the period	
				during which the objectives set	
				by this Regulation are to be	
				achieved. As regards natural gas	
				infrastructure, the investments and	
				reforms of the REPowerEU	
				chapters to diversify supply away	
				from Russia should build on the	
				needs currently identified through	
				the assessment conducted and	
				agreed by the European Network	
				of Transmission System Operators	

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		Commission proposar		ST 12662/22 REV 2	
				for Gas (ENTSOG), established in	
				the spirit of solidarity as regards	
				security of supply and take into	
				account the reinforced	
				preparedness measures taken to	
				adapt to new geopolitical threats.	
				Finally, the REPowerEU	
				<u>chapters should provide an</u>	
				explanation and a quantification	
				of the effects of the combination	
				of the reforms and investments	
				financed by the Recovery and	
				Resilience Facility and the other	
				measures financed by other	
				sources than the Recovery and	
				Resilience Facility.	
22.	Rec. 6a		(6a) An effective transition		
	(new)		towards green energy and a rapid		
			reduction of energy dependency		
			should take into account the		
			newly emerging challenges faced		
			by households and micro-, small		
			and medium enterprises,		
			especially the most vulnerable		
			ones. Such challenges relate to		
			energy poverty, that is the		

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			inability, linked to non-		
			affordability, to meet basic		
			energy supply needs and a lack		
			of access to essential energy		
			services to guarantee basic levels		
			of comfort and health, a decent		
			standard of living and health,		
			including adequate heating, hot		
			water, cooling, lighting, and		
			energy to power appliances, in		
			the relevant national context,		
			existing social policy and other		
			relevant policies, caused by high		
			energy expenditures and poor		
			energy efficiency of homes and		
			building.		
23.	Rec. 6b		(6b) Furthermore, the current		
	(new)		geopolitical context requires the		
			Union to act in order to preserve		
			its energy security, that is the		
			continuous and uninterrupted		
			availability of energy, security of		
			supply and technical safety		
			achievable by increasing		
			efficiency and interoperability of		
			transmission and distribution		

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		Commission proposar		ST 12662/22 REV 2	
			networks, promoting system		
			flexibility, avoiding congestions,		
			ensuring resilient supply chains,		
			cybersecurity and the protection		
			and climate adaptation of all,		
			and in particular, critical		
			infrastructure while reducing		
			strategic energy dependencies.		
24.	Rec. 7	(7) An appropriate assessment	(7) An appropriate assessment	(7) An appropriate assessment	
		criterion should be added to serve	criterion should be added to serve	criterion should be added to serve	
		as a basis for the Commission to	as a basis for the Commission to	as a basis for the Commission to	
		assess reforms and investments	assess reforms and investments	assess reforms and investments	
		included in the REPowerEU	included in the REPowerEU	included in the REPowerEU	
		chapter sand to ensure that	chapter sand to ensure that	chapter and to ensure that reforms	
		reforms and investments are fit	reforms and investments are fit	and investments are fit for	
		for achieving the specific	for achieving the specific	achieving the specific	
		REPowerEU-related objectives.	REPowerEU-related objectives.	REPowerEU-related objectives.	
		An A rating should be required	An A rating should be required	An A rating should be required	
		under this new assessment	under this new assessment	under this new assessment criterion	
		criterion for the relevant recovery	criterion for the relevant recovery	for the relevant recovery and	
		and resilience plan to be	and resilience plan to be	resilience plan to be positively	
		positively assessed by the	positively assessed by the	assessed by the Commission.	
		Commission.	Commission.		
25.	Rec. 7a		(7a) The effective transition		
	(new)		towards green energy and a rapid		
			reduction in energy dependency		

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		Commission proposal		ST 12662/22 REV 2	
			in an inclusive way call for		
			measures to boost energy		
			efficiency and savings in		
			buildings and decarbonise faster		
			industries. To accelerate		
			Europe's green transition, the		
			share of sustainable and		
			renewable energies in the energy		
			mix needs to increase and		
			measures need to be taken to and		
			address infrastructure		
			bottlenecks and labour and skill		
			shortages. The potential of		
			digital skill and technologies to		
			serve the green transition should		
			be exploited.		
26.	Rec. 8	(8) Investments in infrastructure	(8) Investments in infrastructure	(8) Investments in infrastructure	
		and technologies alone are not	and technologies alone are not	and technologies alone are not	
		sufficient to ensure a reduction of	sufficient to ensure a reduction of	sufficient to ensure a reduction of	
		dependency from fossil fuels.	dependency from fossil fuels.	dependency from fossil fuels.	
		Resources should be dedicated to	Resources should be dedicated to	Resources should can be also be	
		the reskilling and upskilling of	the reskilling and upskilling of	dedicated to the reskilling and	
		people, to further equip the	people, to further equip the	upskilling of people, to further	
		workforce with green skills. This	workforce with green skills. This	equip the workforce with green	
		is in line with the objective of the	is in line with the objective of the	skills as well as to the research	
		European Social Fund Plus,	European Social Fund Plus, which	and the development of	

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		Commission proposar		ST 12662/22 REV 2	
		which aims at supporting	aims at supporting Member States	innovative solutions linked to the	
		Member States in achieving a	in achieving a skilled and resilient	green transition . This is in line	
		skilled and resilient workforce	workforce ready for the future	with the objective of the European	
		ready for the future world of	world of work. In light of this,	Social Fund Plus, which aims at	
		work. In light of this, resources	resources <i>requested</i> from the	supporting Member States in	
		transferred from the European	European Social Fund Plus	achieving a skilled and resilient	
		Social Fund Plus should help	envelope to support the objectives	workforce ready for the future	
		support measures for the	of REPowerEU should help	world of work. In light of this,	
		reskilling and upskilling of the	support measures for the	resources transferred from the	
		workforce. The Commission will	reskilling and upskilling of the	European Social Fund Plus should	
		assess whether the measures	workforce. The Commission will	help support measures for the	
		included in the REPowerEU	assess whether the measures	reskilling and upskilling of the	
		chapters significantly contribute	included in the REPowerEU	workforce. The Commission will	
		to supporting a requalification of	chapters significantly contribute	assess whether the measures	
		the workforce towards green	to supporting a requalification of	included in the REPowerEU	
		skills.	the workforce towards green	chapters significantly contribute	
			skills.	to supporting a requalification of	
				the workforce towards green	
				skills.	
27.	Rec. 8a			(8a) In light of the current	
	(new)			energy crisis, where high energy	
				prices are aggravating the	
				impact of the COVID-19 crisis,	
				by further increasing the	
				financial burden of consumers,	
				in particular for households with	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
				<u>low income or vulnerable</u>	
				companies, the REPowerEU	
				chapters can also include	
				measures to help structurally	
				address situations of energy	
				poverty, through long-lasting	
				investments and reforms. Such	
				reforms and investments should	
				provide a higher level of	
				financial support in energy	
				efficiency schemes, clean energy	
				policies and schemes to reduce	
				energy demand for those	
				households and companies facing	
				severe difficulties due to high	
				energy bills. Energy demand-	
				reduction measures taken by	
				Member States should take into	
				account the principles set by the	
				Council Regulations on energy	
				demand-reduction measures.	
28.	Rec. 9	(9) The application of this regime	(9) The application of this regime	(9) The application of this regime	
		should be without prejudice to all	should be without prejudice to all	should be without prejudice to all	
		other legal requirements under	other legal requirements under	other legal requirements under	
		Regulation (EU) 2021/241 unless	Regulation (EU) 2021/241 unless	Regulation (EU) 2021/241 unless	
		this Regulation provides	this Regulation provides	this Regulation provides otherwise.	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
		otherwise.	otherwise.		
29.	Rec. 9a		(9a) The measures in the		
	(new)		REPowerEU chapters should not		
			undermine the overall green and		
			digital levels of ambition of the		
			already adopted Council		
			implementing decisions		
			approving the recovery and		
			resilience plans.		
30.	Rec. 10	(10) The recovery and resilience	(10) The recovery and resilience	(10) The recovery and resilience	
		plan, including the REPowerEU	plan, including the REPowerEU	plan, including the REPowerEU	
		chapter, should contribute to	chapter, should contribute to	chapter, should contribute to	
		effectively addressing all or a	effectively addressing all or a	effectively addressing all or a	
		significant subset of the	significant subset of the	significant subset of the challenges	
		challenges identified in the	challenges identified in the	identified in the relevant country-	
		relevant country-specific	relevant country-specific	specific recommendations,	
		recommendations, including the	recommendations, including the	including the country-specific	
		country-specific	country-specific	recommendations to be adopted	
		recommendations to be adopted	recommendations to be adopted	under the 2022 Semester cycle	
		under the 2022 Semester cycle	under the 2022 Semester cycle	which refer inter alia to the energy	
		which refer inter alia to the	which refer inter alia to the energy	challenges that Member States are	
		energy challenges that Member	challenges that Member States are	facing.	
		States are facing.	facing.		
31.	Rec. 11	(11) An effective transition	(11) An effective transition	(11) An effective transition	
		towards green energy and a	towards green energy and a	towards green energy and a	
			reduction of energy dependency	reduction of energy dependency	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		• •		ST 12662/22 REV 2	
		reduction of energy dependency		involves significant digital	
		involves significant digital	_	investments. In light of Regulation	
		investments. In light of	Regulation (EU) 2021/241,	(EU) 2021/241, Member States	
		Regulation (EU) 2021/241,	Member States should provide an	should provide an explanation of	
		Member States should provide an	explanation of how the measures	how the measures in the recovery	
		explanation of how the measures	in the recovery and resilience	and resilience plan, including those	
		in the recovery and resilience	plan, including those included in	included in the REPowerEU	
		plan, including those included in	the REPowerEU chapter, are	chapter, are expected to contribute	
		the REPowerEU chapter, are	expected to contribute to the	to the digital transition or the	
		expected to contribute to the	digital transition or the challenges	challenges resulting therefrom and	
		digital transition or the challenges	resulting therefrom and whether	whether they account for an	
		resulting therefrom and whether	they account for an amount	amount contributing to the digital	
		they account for an amount	contributing to the digital target	target based on the methodology	
		contributing to the digital target	based on the methodology for	for digital tagging. However, given	
		based on the methodology for	digital tagging. However, given	the unprecedented urgency and	
		digital tagging. However, given	the unprecedented urgency and	importance of energy challenges	
		the unprecedented urgency and	importance of energy challenges	faced by the Union, reforms and	
		importance of energy challenges	faced by the Union, reforms and	investments included in the	
		faced by the Union, reforms and	investments included in the	REPowerEU chapter should not be	
		investments included in the	REPowerEU chapter should not	taken into account when	
		REPowerEU chapter should not	be taken into account when	calculating the plan's total	
		be taken into account when	calculating the plan's total	allocation for the purpose of	
		calculating the plan's total	allocation for the purpose of	applying the digital target	
		allocation for the purpose of	applying the digital target	requirement set by Regulation	
		applying the digital target	requirement set by Regulation	(EU) 2021/241.	
		requirement set by Regulation	(EU) 2021/241. <i>Nonetheless</i> ,		

Nr.	Ref.	Commission anomasal	EP	Council	Compromise
		Commission proposal		ST 12662/22 REV 2	
		(EU) 2021/241.	Member States should endeavour		
			to include, to the maximum		
			extent possible, in the		
			REPowerEU chapter measures		
			that contribute to the digital		
			target on the basis of the		
			methodology for digital tagging.		
32.	Rec. 11a		(11a) The excessive duration of		
	(new)		administrative procedures is one		
			of the main obstacles to the		
			deployment of renewable energy		
			projects in accordance with the		
			objectives set for investments in		
			renewables. These barriers		
			include the complexity of the		
			applicable rules for site selection		
			and administrative		
			authorisations for projects, the		
			complexity and duration of the		
			assessment of the environmental		
			impacts of the projects, or the		
			lack of sufficient staff of the		
			permit-granting authorities.		
			Further simplification and		
			shortening of the administrative		
			permit-granting processes,		

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Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposal		ST 12662/22 REV 2	
			including shorter and clearer		
			deadlines for decisions to be		
			taken by competent authorities, is		
			necessary to ensure that the		
			Union achieves its energy and		
			climate targets.In order to		
			accelerate the permit-granting		
			processes, the Commission		
			should support Member States to		
			identify areas particularly		
			suitable for the deployment of		
			renewable energy projects while		
			fully applying the relevant		
			environmental acquis, for which		
			deadlines can be shorter.		
33.	Rec. 12	(12) Pursuant to Article 18(4)	(12) Pursuant to Article 18(4)	(12) Pursuant to Article 18(4)	
		point (q) of Regulation (EU)	point (q) of Regulation (EU)	point (q) of Regulation (EU)	
		2021/241, the Member States	2021/241, the Member States	2021/241, the Member States	
		should also provide a summary of		should also provide a summary	
		the consultation process of local	report of the mandatory and	of the consultation process of	
		and regional authorities and other	adequate consultation process of	<u>local and regional authorities</u>	
		relevant stakeholders, including,	local and regional authorities,	and other relevant stakeholders,	
		as relevant, from the agricultural	social partners as well as NGOs	including, as relevant, from the	
		sector, for reforms and	and other relevant stakeholders	agricultural sector, for reforms	
		investments included in the	relevant to reach the	and investments included in the	
		REPowerEU chapter. Such	REPowerEU objectives,	REPowerEU chapter. Such	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		• •		ST 12662/22 REV 2	
		summaries should explain the	including, as relevant, from the		
		outcome of those consultations	agricultural sector, for reforms	outcome of those consultations	
		and outline how the input	and investments included in the	and outline how the input	
		received was reflected in	REPowerEU chapter. Such	<u>received</u> was reflected in	
		REPowerEU chapters.	summaries should <i>depict the</i>	REPowerEU chapters.	
			timeline and stages of those		
			consultations, note the		
			stakeholders consulted, explain		
			the outcome of those		
			consultations and outline how the		
			input received was reflected in		
			REPowerEU chapters, which		
			input was not reflected and for		
			which reason and how the local		
			and regional authorities and		
			other relevant stakeholders will		
			be involved in the		
			implementation of the		
			REPowerEU chapter and its		
			monitoring. Subject to national		
			legal frameworks, Member States		
			are invited to involve national		
			parliaments in debates related to		
			the modification of the plans.		
			Union standards on public		
			participation and in particular		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
			the Code of Conduct on		
			Partnership could serve as		
			inspiration to the national		
			authorities when conducting the		
			consultation process.		
34.	Rec. 13	(13) The application of the 'do no	(13) The application of the 'do no	(13) The application of the 'do no	
		significant harm' principle is	significant harm' principle is	significant harm' principle is	
		essential to ensure that the	essential to ensure that the	essential to ensure that the	
		investments and reforms	investments and reforms	investments and reforms	
		undertaken as part of the recovery	undertaken as part of the recovery	undertaken as part of the recovery	
		from the pandemic are	from the pandemic are	from the pandemic are	
		implemented in a sustainable	implemented in a sustainable	implemented in a sustainable	
		manner. It should continue to	manner. It should continue to	manner. It should continue to apply	
		apply to the reforms and	apply to the reforms and	to the reforms and investments	
		investments supported by the	investments supported by the	supported by the Facility, with one	
		Facility, with one targeted	Facility, with one targeted and	targeted <u>exemption</u> <u>derogation</u> to	
		exemption to safeguard the EU'	narrow exemption related to	safeguard the EU' immediate	
		immediate energy security	reforms and investments that are	energy security concerns.	
		concerns. Considering the		Considering the objective of	
		objective of diversifying energy	December 2024 to safeguard the	diversifying energy supplies away	
		supplies away from Russian		from Russian suppliers, the	
		suppliers, the reforms and	concerns, provided that a set of	reforms and investments set out in	
		investments set out in those	cumulative conditions apply. The	those REPowerEU chapters which	
		REPowerEU chapters which aim	total amount of resources for	aim to improve energy	
		to improve energy infrastructure	reforms and investments	infrastructure and facilities to meet	
		and facilities to meet immediate	benefiting from that exemption	immediate security of supply needs	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		• •		ST 12662/22 REV 2	
		security of supply needs for oil		for oil and gas, including storage	
		and gas should not be required to	amount to be established by the	facilities , should not be required to	
		comply with the principle of 'do	Commission following a	comply with the principle of 'do no	
		no significant harm' and should	comprehensive needs-based	significant harm' and should	
		therefore be exempted from such	assessment for immediate	therefore be exempted from such	
		assessment.	infrastructure needs. Such	assessment. When derogating	
			assessment should update the	from this principle, Member	
			May 2022 estimates by the	States should undertake best	
			Commission according to which,	efforts to limit the adverse	
			to import sufficient LNG and	climate and environmental	
			pipeline gas from other suppliers,	impact of the measures	
			investments estimated at EUR 10	concerned. This targeted	
			billion will be required by 2030	derogation should not hinder the	
			for a sufficient level of gas	overall progression towards the	
			infrastructure, including LNG	2050 climate neutrality target.	
			import terminals, pipelines, to		
			connect underutilised LNG		
			import terminals and the EU		
			network, and reverse flow		
			capacities.		
35.	Rec. 13a		(13a) The REPowerEU chapters		
	(new)		should be consistent with the		
			National Energy and Climate		
			Plans of that Member State and		
			with the Union climate targets set		
			out in Regulation (EU)		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposal		ST 12662/22 REV 2	
			2021/1119.		
36.	Rec. 13b		(13b) The REPowerEU chapter		
30.	(new)		should include measures having		
			a cross-border or multi-country		
			dimension or effect. Close		
			cooperation between the		
			Commission and the Member		
			States should be sought and		
			achieved throughout the process.		
			Moreover, Member States should		
			be encouraged to co-operate		
			among themselves as early as		
			possible with a view to		
			developing measures having a		
			cross-border or multi-country		
			dimension or effect to be		
			included in the REPowerEU		
			chapters.		
37.	Rec. 14	(14) Further incentives should be	(14) Further incentives should be	(14) Further incentives should be	
		provided for Member States to	provided for Member States to	provided for Member States to	
		request loans, through the	request loans, through the	request loans , through the	
		clarification of the loan allocation	clarification of the loan allocation	<u>elarification</u> of the loan	
		procedure. In accordance with	procedure. In accordance with	<u>allocation procedure</u> <u>to ensure</u>	
		Regulation (EU) 2021/241,	Regulation (EU) 2021/241,	the uptake of the available funds	
		Member States may request loans	Member States may request loans	by Member States while	
		until 31 August 2023. An	until 31 August 2023, provided	complying with the principles of	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		• •		ST 12662/22 REV 2	
		intention to submit a loan request	that they have informed the	equal treatment, solidarity,	
		should be communicated to the	Commission of their intention to	proportionality and	
		Commission 30 days after the	request such loan support. An	transparency. In accordance	
		entry into force of this Regulation	intention to submit a loan request	with Regulation (EU) 2021/241,	
		so that the redistribution of the	should be communicated to the	Member States may request	
		remaining funds can be	Commission 30 days after the	loans until 31 August 2023. An	
		conducted in an orderly manner.	entry into force of this Regulation	<u>intention to submit a loan</u>	
			so that the redistribution of the	<u>request</u> should be	
			remaining funds can be conducted	communicated. To this end,	
			in an orderly manner and for the	Member States should	
			Member States to request such	communicate to the Commission	
			support. When expressing the	30 their intention to submit or	
			intention to request loan support	not a loan request 45 days after	
			and when submitting such loan	the entry into force of this	
			request, Member States should	Regulation so that the	
			act in good faith and, as far as	redistribution of the remaining	
			possible, effectively request such	funds can be conducted in an	
			support, so to ensure	orderly manner. The	
			predictability and effectiveness of	Commission will present without	
			the redistribution. The	undue delay an overview of the	
			Commission should inform,	intentions expressed by the	
			simultaneously, on equal terms	Member States and the proposed	
			and without undue delay, the	way forward for the distribution	
			European Parliament and the	of the available resources. This	
			Council about the status of the	should by no means prejudice	
			loan requests and the proposed	the ability of Member States to	

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Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposal		ST 12662/22 REV 2	
			allocation of the loan supports.	request loan support until 31	
				August 2023 in conformity with	
				Article 14 of Regulation (EU)	
				<u>2021/241</u> .	
38.	Rec. 14a		(14 a) Member States are		
	(new)		encouraged to submit the		
			REPowerEU chapters as soon as		
			possible and preferably within		
			two months of the entry into		
			force of this amending		
			Regulation to foster synergies		
			among the REPowerEU chapters		
			in the national recovery and		
			resilience plans. In order to		
			ensure swift implementation, the		
			Commission and the Council		
			should conclude the assessment		
			and approval of the recovery and		
			resilience plans amended with		
			the inclusion of the REPowerEU		
			chapters as early as possible		
			ideally within one month after		
			the entry into force of this		
			amending Regulation. Likewise,		
			the Commission and the Member		
			States are strongly encouraged to		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposal		ST 12662/22 REV 2	
			conclude operational		
			arrangements at the latest one		
			month after the adoption of the		
			Council implementing decision.		
			To this effect, the Commission		
			and the Member States are		
			encouraged to build on the		
			experience of the prior		
			negotiations for the operational		
			agreements already concluded.		
39.	Rec. 15	(15) In addition, to incentivise a	(15) In addition, to incentivise a	(15) In addition, to incentivise a	
		high level of ambition for reforms	high level of ambition for reforms	high level of ambition for reforms	
		and investments to be included in	and investments to be included in	and investments to be included in	
		the REPowerEU chapter, new	the REPowerEU chapter, new	the REPowerEU chapter, new	
		dedicated funding sources should	dedicated funding sources should	dedicated funding sources should	
		be provided.	be provided.	be provided.	
40.	Rec. 15a		(15 a) The Commission adopted		
10.	(new)		a proposal for a Council		
			regulation on an emergency		
			intervention to address high		
			energy prices that includes a		
			solidarity contribution for the		
			fossil industry applicable in all		
			Member States. A proportion of		
			the revenue generated by this		
			new contribution could be made		

Nr.	Ref.	Commission proposal	ЕР	Council ST 12662/22 REV 2	Compromise
			available in the form of external		
			assigned revenue for the benefit		
			of the REPowerEU chapters		
			commensurate to the needs for		
			achieving the REPowerEU		
			objectives.		
41.	Rec. 16	(16) While extending the current	(16) The current economical	(16) While extending the current	
11.		intake rate of allowances to the	and geopolitical situation requires	intake rate of allowances to the	
		Market Stability Reserve is	the Union to mobilise available	Market Stability Reserve is	
		needed to prevent in long term a	resources to rapidly diversify	needed to prevent in long term a	
		significant increase of the surplus	Union's energy supply and reduce	significant increase of the	
		of allowances in the greenhouse	dependence on fossil fuels before	surplus of allowances in the	
		gas emission allowance trading	2030. In this context, ☐ Directive	greenhouse gas emission	
		within the Union, the current	2003/87/EC of the European	allowance trading within the	
		economical and geopolitical	Parliament and of the Council ¹³	<u>Union</u> , <u>The</u> current economical	
		situation requires the Union to	should be amended to frontload	and geopolitical situation requires	
		mobilise available resources to	the auctioning of allowances	the Union to mobilise available	
		rapidly diversify Union's energy	from the cap towards reforms and	resources to rapidly diversify	
		supply and reduce dependence on	investments contributing to	Union's energy supply and reduce	
		fossil fuels before 2030. In this	REPowerEU objectives, in the	dependence on fossil fuels before	
		context, Decision (EU)	Recovery and Resilience Facility	2030. In this context, Decision	
		2015/1814 of the European	framework. In keeping with the	(EU) 2015/1814 of the European	
		Parliament and of the Council ¹¹	objectives of Directive	Parliament and of the Council ¹⁴	
			2003/87/EC, such revenues	and Directive 2003/87/EC of the	

Decision (EU) 2015/1814 of the European Parliament and of the Council of 6 October 2015 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme and amending Directive 2003/87/EC, OJ L 264/1

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
		and Directive 2003/87/EC of the	should not support investments	European Parliament and of the	
		European Parliament and of the	in fossil fuel infrastructure or	Council ¹⁵ should be amended to	
		Council ¹² should be amended to	facilities.	extend the doubling of the 24%	
		extend the doubling of the 24%		intake rate of the Market	
		intake rate of the Market Stability		Stability Reserve until 2030,	
		Reserve until 2030, while		while allowing allow for an	
		allowing for an exceptional		exceptional <u>release</u> and	
		release and monetisation of a		monetisation of a portion of	
		portion of allowances from the		allowances from the Market	
		Market Stability Reserve and		Stability Reserve Innovation	
		directing revenues towards		Fund and of allowances allocated	
		reforms and investments		to Member States for auctioning	
		contributing to REPowerEU		and directing to direct revenues	
		objectives, in the Recovery and		towards reforms and investments	
		Resilience Facility framework.		contributing to REPowerEU	
				objectives, in the Recovery and	
				Resilience Facility framework.	
				The auctioning of Member State	
				allowances should also be	

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).

establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC

Decision (EU) 2015/1814 of the European Parliament and of the Council of 6 October 2015 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme and amending Directive 2003/87/EC, OJ L 264/1

Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003

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

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
				<u>frontloaded.</u>	
42.	Rec. 16a		(16 a) The current intake rate of		
	(new)		allowances to the Market		
			Stability Reserve is needed to		
			prevent in the long term a		
			significant increase of		
			the surplus of allowances in the		
			greenhouse gas emission		
			allowance trading within the		
			Union. Therefore, Decision (EU)		
			2015/1814 of the European		
			Parliament and of the Council ^{16a}		
			and Directive 2003/87/EC should		
			be amended to extend		
			the doubling of the intake rate of		
			the Market Stability Reserve to		
			24 % until 2030 and to reduce		
			the upper and buffer thresholds		
			in proportion to the reduction of		
			the Union-wide quantity of		
			allowances as from 2025.		
43.	Rec. 16b		(16 b) The Commission should		
٦٥.	(new)		identify additional sources to		
			complement the financing for the		

Decision (EU) 2015/1814 of the European Parliament and of the Council of 6 October 2015 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme and amending Directive 2003/87/EC (OJ L 264, 9.10.2015, p. 1)

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposal		ST 12662/22 REV 2	
			REPowerEU chapters, including		
			by providing flexibility related to		
			unspent funds.		
44.	Rec. 16c		(16 c) For the allocation of the		
' ' '	(new)		maximum financial		
			contributions stemming from the		
			new revenues for the		
			REPowerEU chapters, the		
			methodology set out in [Annexes		
			I / II /II] should be updated to		
			take into account of the new		
			geopolitical situation and		
			changed circumstances. Such		
			indicators could include one or		
			more of the following: energy		
			dependency rate, in particular		
			dependency on third countries,		
			notably Russia; increase of		
			energy-related costs of		
			households for essential goods		
			and services; share of fossil fuels		
			in gross inland energy		
			consumption.		
45.	Rec. 17	(17) Regulation (EU) 2021/1060	(17) In order to provide Member	(17) Regulation (EU) 2021/1060 of	
75.			States and regions with sufficient	the European Parliament and of the	

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Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
		of the European Parliament and	flexibility in addressing the newly	Council ¹⁹ should be amended to	
		of the Council ¹⁷ should be	emerging challenges, Regulation	provide for the possibility, at the	
		amended to provide for the	(EU) 2021/1060 of the European	request of the Member State	
		possibility to transfer up to 7.5%	Parliament and of the Council ¹⁸	concerned , to transfer up to 7.5%	
		of resources of shared	should be amended to provide for	of resources of shared management	
		management programmes	the possibility to <i>request</i> up to	programmes governed by that	
		governed by that Regulation to	7.5% of resources <i>under</i> shared	Regulation to the Facility for the	
		the Facility for the achievement	management programmes to	achievement of the REPowerEU	
		of the REPowerEU objectives, in	contribute to the REPowerEU	objectives, in addition to the	
		addition to the existing transfer	objectives as established in	existing transfer possibility of up	
		possibility of up to 5%. Such a	Regulation (EU) 2021/241 by	to 5%. Such a possibility is	
		possibility is justified by the need	supporting measures referred to	justified by the need to cover	
		to cover REPowerEU objectives,	in Article 21c(1)(b) thereof with	REPowerEU objectives, providing	
		providing Member States with	the exception of fossil-free	Member States with additional	

Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (OJ L 231, 30.6.2021, p. 159).

Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (OJ L 231, 30.6.2021, p. 159).

Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (OJ L 231, 30.6.2021, p. 159).

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		• •		ST 12662/22 REV 2	
		additional flexibility to address	hydrogen, in Article 21c(1)(c)	flexibility to address those urgent	
		those urgent needs. Furthermore,	thereof with the exception of	needs. Furthermore, the Facility	
		the Facility allows for a fast	facilities dedicated to transport	allows for a fast disbursement of	
		disbursement of funds, making it	fossil fuels, and in Article	funds, making it particularly well	
		particularly well suited for	21c(1)(d) thereof while	suited for financing of urgent	
		financing of urgent energy-related	simplifying procedural	energy-related measures. Such	
		measures. Such transfers should	requirements linked to	transfers should be justified by a	
		be justified by a higher financial	programme implementation, in	higher financial need linked to	
		need linked to additional reforms	addition to the existing transfer	additional reforms and investments	
		and investments included in the	possibility of up to 5%, provided	included in the REPowerEU	
		REPowerEU chapter.	that the latter is fully exhausted.	chapter.	
			Such possibility is justified by		
			the need to cover REPowerEU		
			objectives, providing Member		
			States <i>and regions</i> with additional		
			flexibility <i>that is crucial</i> to		
			address those urgent needs and		
			should be justified by a higher		
			financial need linked to additional		
			investments included in the		
			REPowerEU chapter of		
			Regulation (EU) 2021/241.		
46.	Rec. 17a		(17a) The EU ETS was		
	(new)		established to create an efficient,		
			predictable and market driven		
			system for reducing emissions		

Nr.	Ref.	Commission nuonosal	EP	Council	Compromise
		Commission proposal		ST 12662/22 REV 2	
			and tackling the climate crises.		
			While the amendment of		
			Directive 2003/87/EC is justified		
			by an exceptional situation, it		
			remains important not to		
			undermine trust in the EU ETS		
			market through short-term		
			interventions, and this		
			amendment should therefore be		
			seen as a one-off measure, which		
			will not be repeated.		
47.	Rec. 17b		(17b) In order to provide		
	(new)		additional flexibility to Member		
			States for the reallocation of		
			resources with a view to		
			providing tailor-made responses		
			to the energy crisis, the		
			Commission should asses the		
			possibility of allowing financial		
			transfers under the Investment		
			for growth and jobs goal between		
			the ERDF, the ESF and the		
			Cohesion Fund for both		
			programming periods.	(10) 7	
48.	Rec. 18	(18) Regulation (EU) 2021/2115	Deleted	(18) Regulation (EU) 2021/2115 of	
		of the European Parliament and		the European Parliament and of the	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
		of the Council ²⁰ should also be		Council ²¹ should also be amended	
		amended to allow for a possibility		to allow for a possibility, at the	
		to deliver up to 12.5% of the		request of the Member State	
		European Agricultural Fund for		concerned , to deliver up to 12.5%	
		Rural Development through the		of the European Agricultural Fund	
		Recovery and Resilience Facility.		for Rural Development through the	
		Such method of delivery is		Recovery and Resilience Facility.	
		justified by complementarity and		Such method of delivery is	
		synergies between these		justified by complementarity and	
		instruments with regard to the		synergies between these	
		objectives of reducing the use of		instruments with regard to the	
		synthetic fertilisers, or increasing		objectives of reducing the use of	
		production of sustainable		synthetic fertilisers, or increasing	
		biomethane or renewable energy,		production of sustainable	
		in accordance with the objectives		biomethane or renewable energy,	
		of the Common Agricultural		in accordance with the objectives	
		Policy set out in Article 39 of		of the Common Agricultural Policy	

²⁰ Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 (OJ L 435, 6.12.2021, p. 1).

²¹ Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 (OJ L 435, 6.12.2021, p. 1).

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
		TFEU. The delivery via the		set out in Article 39 of TFEU. The	
		Recovery and Resilience Facility		delivery via the Recovery and	
		should accelerate the		Resilience Facility should	
		disbursement of funds to		accelerate the disbursement of	
		beneficiaries from the agricultural		funds to beneficiaries from the	
		sector which is vital considering		agricultural sector which is vital	
		the urgency of the energy-related		considering the urgency of the	
		objectives.		energy-related objectives.	
49.	Rec. 18a			(18a) Regulation (EU)	
12.	(new)			2021/1755 of the European	
				Parliament and of the Council	
				should also be amended to allow	
				for the possibility, at the request	
				of the Member State concerned,	
				to transfer all or part of its	
				provisional allocation from the	
				resources of the Brexit	
				Adjustment Reserve to the	
				Recovery and Resilience Facility.	
				The Covid-19 crisis, aggravated	
				by the threat to the Union's	
				energy security, has exacerbated	
				the negative repercussions of the	
				withdrawal of the United	
				Kingdom from the Union in	
				Member States, including their	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposal		ST 12662/22 REV 2	
				regions and local communities,	
				and sectors, in particular in	
				those that are most adversely	
				affected by the withdrawal. The	
				measures to be funded under the	
				Brexit Adjustment Reserve and	
				the reforms and investments to	
				be funded under the Recovery	
				and Resilience Facility may serve	
				similar purposes and have	
				similar content. Both the Reserve	
				and the Facility aim ultimately at	
				mitigating the negative impacts	
				on economic, social and	
				territorial cohesion. In this	
				context, whilst reforms and	
				investments under the Facility	
				must primarily aim at	
				addressing the economic	
				consequences of the pandemic,	
				they may also contribute at	
				countering unforeseen and	
				adverse consequences in	
				Member States and sectors that	
				are worst affected by Brexit.	
				Finally, commitments and	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposal		ST 12662/22 REV 2	
				payment appropriations under	
				both the Reserve and the Facility	
				are entered over and above the	
				ceilings of the multiannual	
				financial framework (MFF).	
				Under this scenario, and bearing	
				in mind the global energy	
				market disruption caused by the	
				more recent geopolitical	
				developments, it is appropriate	
				to provide flexibility to Member	
				States by allowing transfers from	
				the Reserve to the Facility, which	
				permit to cater for the objectives	
				of both and ultimately bring	
				about economic, social and	
				territorial cohesion.	
50.	Rec. 19	(19) Disbursements under	(19) Disbursements under	(19) Disbursements under	
		REPowerEU shall be made	REPowerEU shall be made	REPowerEU shall be made	
		following the rules of the	following the rules of the	following the rules of the Recovery	
		Recovery and Resilience Facility	Recovery and Resilience Facility	and Resilience Facility until the	
		until the end of 2026. Payments	until the end of 2026. Payments in	end of 2026. Payments in relation	
		in relation to the resources	relation to the resources <i>requested</i>	to the resources transferred from	
		transferred from shared	, ,	shared management funds shall be	
		management funds shall be		subject to the availability of funds	
		subject to the availability of funds	following the rules of Regulation	approved in the annual EU budget.	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
		approved in the annual EU	(EU) 2021/1060 and the		
		budget.	respective fund- specific		
			regulations and shall be subject		
			to the availability of funds		
			approved in the annual EU		
			budget.		
51.	Rec. 20	(20) A request for a dedicated	(20) A request for a dedicated	(20) A request for a dedicated	
		funding for REPowerEU	funding for REPowerEU	funding for REPowerEU measures,	
		measures, including allocation	measures, including <i>allowances</i>	including allocation from	
		from the Market Stability	for auctioning frontloaded within	auctioning of ETS allowances the	
		Reserve, transfers from the funds	the EU ETS, under Article 26a of	Market Stability Reserve ,	
		governed by Regulation (EU)	Regulation (EU) 2021/1060	transfers from the funds governed	
		2021/1060 and allocated from	should be justified by a higher	by Regulation (EU) 2021/1060 and	
		European Agricultural Fund for	financial need linked to additional	allocated from European	
		Rural Development, submitted in	reforms and investments included	Agricultural Fund for Rural	
		a plan, should be justified by a	in the REPowerEU chapter.	Development, submitted in a plan,	
		higher financial need linked to		should be justified by a higher	
		additional reforms and		financial need linked to additional	
		investments included in the		reforms and investments included	
		REPowerEU chapter.		in the REPowerEU chapter.	
52.	Rec. 20a		(20 a) To ensure that the	(20a) To ensure that the financial	
	(new)		financial support is frontloaded	support is frontloaded to better	
			to better respond to the current	respond to the current energy	
			energy crisis, upon request of a	crisis, upon request of a Member	
			Member State to be submitted	State to be submitted together	
			together with the REPowerEU	with the REPowerEU chapter in	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposal		ST 12662/22 REV 2	
			chapter in a revised recovery and	a modified recovery and	
			resilience plan, an amount of up	resilience plan, an amount of the	
			to 20 % of the additional funding	additional funding required to	
			required to finance its	finance measures of its	
			REPowerEU chapter can be paid	REPowerEU chapter can be paid	
			in the form of a pre-financing	in the form of a pre-financing	
			within, to the extent possible and	within, to the extent possible, two	
			subject to availability of funds,	months after the adoption by the	
			two months after the adoption by	Commission of the legal	
			the Commission of the legal	<u>commitment</u> <u>referred</u> to in	
			commitments.	Article 23 of Regulation (EU)	
				2021/241, subject to available	
				resources.	
53.	Rec. 20b			(20b) In order to comply with the	
	(new)			multiannual financial framework	
				payment ceilings, a capping	
				should be established for	
				payments corresponding to the	
				pre-financing for amounts	
				transferred under the provisions	
				of Regulation (EU) 2021/1060	
				and Regulation (EU) 2021/2115.	
54.	Rec. 21	(21) The Commission should	(21) The Commission should	(21) The Commission should	
		monitor the implementation of	monitor the implementation of	monitor the implementation of	
		reforms and investments outlined	reforms and investments outlined	reforms and investments outlined	
		in the REPowerEU chapter and	in the REPowerEU chapter and	in the REPowerEU chapter and	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
		their contribution to the	their contribution to the	their contribution to the	
		REPowerEU objectives, as	REPowerEU objectives, as	REPowerEU objectives, as	
		established in Regulation (EU)	established in Regulation (EU)	established in Regulation (EU)	
		2021/241.	2021/241.	2021/241.	
55.	Rec. 22	(22) Recent geopolitical events	(22) Recent geopolitical events	(22) Recent geopolitical events	
		have affected prices of energy	have <i>considerably</i> affected prices	have affected prices of energy and	
		and construction materials and	of energy, <i>food</i> and construction	construction materials and have	
		have also caused shortages in the	materials and have also caused	also caused shortages in the global	
		global supply chains. These	shortages in the global supply	supply chains. These developments	
		developments may have a direct	chains, resulted in increased	may have a direct impact on the	
		impact on the capacity to	inflation and generated new	capacity to implement some	
		implement some investments	challenges, including risk of	investments included in the	
		included in the recovery and	energy poverty and higher cost of	recovery and resilience plans. To	
		resilience plans. To the extent	<i>living</i> . These developments may	the extent that Member States can	
		that Member States can	have a direct impact on the	demonstrate that such	
		demonstrate that such	capacity to implement <i>measures</i>	developments make a specific	
		developments make a specific	included in the recovery and	milestone or target, either totally or	
		milestone or target, either totally	resilience plans. To the extent that	partially, no longer achievable,	
		or partially, no longer achievable,	Member States can demonstrate	such situations may be invoked as	
		such situations may be invoked as	that such developments make a	objective circumstances under	
		objective circumstances under	specific milestone or target, either	Article 21. These developments	
		Article 21. These developments	totally or partially, no longer	cannot constitute objective	
		cannot constitute objective	achievable, such situations may	circumstances for revising reforms,	
		circumstances for revising		as reforms are generally not cost	
		reforms, as reforms are generally		dependent. In addition, no request	
		not cost dependent. In addition,	Moreover, to the extent Member	for amendments should undermine	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
		no request for amendments	States can demonstrate that the	the overall implementation of the	
		should undermine the overall	achievement of a specific	recovery and resilience plans.	
		implementation of the recovery	milestone or target conflicts with		
		and resilience plans.	the achievement of the Facility's		
			objectives including the		
			REPowerEU objectives, such		
			situations may also be invoked as		
			objective circumstances under		
			Article 21. In addition, no request		
			for amendments should		
			undermine the overall		
			implementation of the recovery		
			and resilience plans. Member		
			States should also ensure that		
			proposals to amend their		
			recovery and resilience plans		
			respond to challenges stemming		
			from recent geopolitical events;		
56.		HAVE ADOPTED THIS	HAVE ADOPTED THIS	HAVE ADOPTED THIS	
		REGULATION:	REGULATION:	REGULATION:	
57.	Article 1 Title	Article 1	Article 1	Article 1	
58.	Article 1 - para 1 - introducto ry part	Regulation (EU) 2021/241 is amended as follows:	Regulation (EU) 2021/241 is amended as follows:	Regulation (EU) 2021/241 is amended as follows:	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
59.	Article 1 - para 1 - point 1 - introducto ry part	(1) In Article 4, paragraph 1 is replaced by the following:	(1) In Article 4, paragraph 1 is replaced by the following:	(1) In Article 4, paragraph 1 is replaced by the following:	
60.	Article 1 - para 1 - point 1 Regulatio n (EU) 2021/241 Article 4 - paragraph 1	'1. In line with the six pillars referred in Article 3 of this Regulation, the coherence and synergies they generate, and in the context of the COVID-19 crisis, the general objective of the Facility shall be to promote the Union's economic, social and territorial cohesion by improving the resilience, crisis preparedness, adjustment capacity and growth potential of the Member States, by mitigating the social and economic impact of that crisis, in particular on women, by contributing to the implementation of the European Pillar of Social Rights, by supporting the green transition, by contributing to the achievement of the Union's 2030	'1. In line with the six pillars referred in Article 3 of this Regulation, the coherence and synergies they generate, and in the context of the COVID-19 crisis, the general objective of the Facility shall be to promote the Union's economic, social and territorial cohesion by improving the resilience, crisis preparedness, adjustment capacity and growth potential of the Member States, by mitigating the social and economic impact of that crisis, in particular on women, by contributing to the implementation of the European Pillar of Social Rights, by supporting the green transition, by contributing to the achievement of the Union's 2030 climate targets	'1. In line with the six pillars referred in Article 3 of this Regulation, the coherence and synergies they generate, and in the context of the COVID-19 crisis, the general objective of the Facility shall be to promote the Union's economic, social and territorial cohesion by improving the resilience, crisis preparedness, adjustment capacity and growth potential of the Member States, by mitigating the social and economic impact of that crisis, in particular on women, by contributing to the implementation of the European Pillar of Social Rights, by supporting the green transition, by contributing to the achievement of the Union's 2030 climate targets set out in point (11) of Article 2 of	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
		climate targets set out in point	set out in point (11) of Article 2 of	Regulation (EU) 2018/1999, and	
		(11) of Article 2 of Regulation	Regulation (EU) 2018/1999, by	by complying with the objective of	
		(EU) 2018/1999, and by	complying with the objective of	EU climate neutrality by 2050 and	
		complying with the objective of	EU climate neutrality by 2050 and	of the digital transition, by	
		EU climate neutrality by 2050	of the digital transition, by	increasing the resilience of the	
		and of the digital transition, by	increasing the resilience, security	Union energy system through a	
		increasing the resilience of the	and sustainability of the Union	decrease of dependence on fossil	
		Union energy system through a	energy system through a	fuels and diversification of	
		decrease of dependence on	<i>significant</i> decrease of	energy supplies at Union level	
		fossil fuels and diversification	dependence on fossil fuels and	('REPowerEU objectives')	
		of energy supplies at Union	through increasing the uptake of	thereby contributing to the upward	
		level ('REPowerEU objectives')	renewables, energy efficiency	economic and social convergence,	
		thereby contributing to the	and energy storage capacity and	restoring and promoting	
		upward economic and social	diversification of energy supplies	sustainable growth and the	
		convergence, restoring and	at Union level ('REPowerEU	integration of the economies of the	
		promoting sustainable growth and	objectives') thereby contributing	Union, fostering high quality	
		the integration of the economies	to the upward economic and	employment creation, and	
		of the Union, fostering high	social convergence, restoring and	contributing to the strategic	
		quality employment creation, and	promoting sustainable growth and	autonomy of the Union alongside	
		contributing to the strategic	the integration of the economies	an open economy and generating	
		autonomy of the Union alongside	of the Union, fostering high	European added value.'	
		an open economy and generating	quality employment creation, and		
		European added value.'	contributing to the strategic		
			autonomy of the Union alongside		
			an open economy and generating		
			European added value.'		

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
61.	Article 1 - para 1 - point 2 introducto ry part	(2) Article 14 is amended as follows:	(2) Article 14 is amended as follows:		
	Regulatio n (EU) 2021/241 - Article 14				
62.	Article 1 - para 1 - point 2 - point -a (new) - introducto ry part		(-a) paragraph 2 is replaced by the following		
	Regulatio n (EU) 2021/241 - Article 14				
63.	Article 1 - para 1 - point 2 - point -a (new)		"A Member State may request loan support at the time of the submission of <i>a recovery</i> and resilience plan referred to in Article 18, or at a different moment in time until 31 August		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		1 1		ST 12662/22 REV 2	
	Regulatio		2023, as a rule provided that they		
	n (EU)		have informed the Commission		
	2021/241		of their intention to request such		
	Article 14		loan support within 30 days after		
	- para 2		[the entry into force of this		
			amending Regulation]. In the		
			latter case, the request shall be		
			accompanied by a revised		
			recovery and resilience plan,		
			including additional milestones		
			and targets. <i>The Commission may</i>		
			grant a loan to a Member State		
			which has not expressed its		
			intention to request such support		
			within 30 days after [the entry		
			into force of this amending		
			Regulation] subject to the		
			availability of resources		
			following the approval of the		
			loan support requests by the		
			Member States which have		
			expressed their intention within		
			30 days after [the entry into force		
			of this amending Regulation]. ";		
64.	Article 1 -	(a) In paragraph 3, the following	(a) In paragraph 3, the following	(a) In paragraph 3, the following	
04.	para 1 -	point is inserted after point (b):	point is inserted after point (b):	point is inserted after point (b):	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	point 2 - point a - introducto ry part			S1 12002/22 1td v 2	
	Regulatio n (EU) 2021/241 Article 14 - para 3				
65.	Article 1 - para 1 - point 2 - point a	'(ba) where applicable, the reforms and investments in line with Article 21c(1);';	'(ba) where applicable, the reforms and investments in line with Article 21c(1);';	'(ba) where applicable, the reforms and investments in line with Article 21c(1);';	
	Regulatio n (EU) 2021/241 Article 14 - para 3				
66.	Article 1 - para 1 - point 2 - point b introducto ry part Regulatio	(b) paragraph 4 is replaced by the following:	(b) paragraph 4 is replaced by the following:	(b) paragraph 4 is replaced by the following:	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
67.	n (EU) 2021/241 Article 14 - para 4 Article 1 - para 1 - point 2 - point b Regulatio n (EU) 2021/241 - Article 14 - para 4	'4. The loan support to the recovery and resilience plan of the Member State concerned shall not be higher than the difference between the total costs of the recovery and resilience plan, as revised where relevant, and the maximum financial contribution referred to in Article 11, including, where relevant, the revenue referred to in Article 21a as well as, where relevant, resources from shared management programmes to support REPowerEU objectives referred to in Article 21b.'	'4. The loan support to the recovery and resilience plan of the Member State concerned shall not be higher than the difference between the total costs of the recovery and resilience plan, as revised where relevant, and the maximum financial contribution referred to in Article 11, including, where relevant, the revenue referred to in Article 21a as well as, where relevant, resources from shared management programmes to support REPowerEU objectives referred to in Article 21b.'	recovery and resilience plan of the Member State concerned shall not be higher than the difference between the total costs of the recovery and resilience plan, as revised where relevant, and the	
68.	Article 1 - para 1 - point 2 - point c - introducto ry part	(c) paragraph 6 is replaced by the following:	(c) paragraph 6 is replaced by the following:	(c) paragraph 6 is replaced by the following:	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposal		ST 12662/22 REV 2	
	Regulatio				
	n (EU)				
	2021/241 -				
	Article 14				
	- para 6 Article 1 -	'6. By derogation from paragraph	'6. By derogation from paragraph	'6. By derogation from paragraph	
69.	para 1 -	3 6 1		5, subject to the availability of	
	point 2 -	5, subject to the availability of	resources, in exceptional	resources, in exceptional	
	point c	resources, in exceptional circumstances the amount of the	circumstances the amount of the	circumstances the amount of the	
			loan support may be increased,	loan support may be increased,	
	Regulatio	loan support may be increased,	considering the needs of the	considering the needs of the	
	n (EU)	considering the needs of the	requesting Member State, as well	requesting Member State, as well	
	2021/241 -	requesting Member State, as	as requests for loan support	as requests for loan support	
	Article 14	well as requests for loan	already submitted or planned to	already submitted or planned to	
	- para 6	support already submitted or	be submitted by other Member	be submitted by other Member	
		planned to be submitted by		States, while applying the	
		other Member States, while		principles of equal treatment,	
		applying the principles of equal		solidarity, proportionality and	
		treatment, solidarity,	transparency. To facilitate the	transparency. To facilitate the	
		proportionality and	application of these principles,	application of these principles,	
		transparency. To facilitate the	Member States shall communicate	Member States shall	
		application of these principles,	to the Commission within 30 days	communicate to the Commission	
		Member States shall			
		communicate to the	after [the entry into force of this	within 30 45 days after [the entry into force of this amonding	
		Commission within 30 days	amending Regulation], whether	into force of this amending	
		after [the entry into force of	they intend to request loan	Regulation], whether or not they	
		this amending Regulation],	support. Once a Member State	intend to request loan support.	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		whather they intend to request	annuagg ag its intention to neguest	ST 12662/22 REV 2 This shall not prejudice the	
		whether they intend to request			
		loan support.'	loan support, the Commission	ability of Member States to	
			shall notify, without undue delay,	request loan support until 31	
			the European Parliament and the	August 2023. The Commission	
			Council, simultaneously and on	shall present without undue	
			equal terms. Within 60 days after	delay an overview of the	
			[the entry into force of this	intentions expressed by the	
			amending Regulation], the	Member States and the proposed	
			Commission shall communicate,	way forward for the distribution	
			without undue delay, to the	of the available resources.'	
			European Parliament and the		
			Council, simultaneously and on		
			equal terms the proposed		
			allocation of the loan supports to		
			the Member States which have		
			expressed their intention.'		
70.	Article 1 -		(2 a) In Article 17, paragraph 2		
70.	para 1 -		is replaced by the following:		
	point 2a				
	(new) -				
	introducto				
	ry part				
	Regulatio n (EU) 2021/241-				
1	Article 17				

Nr.	Ref.	Commission proposal	ЕР	Council	Compromise
		0 0 1111111011011		ST 12662/22 REV 2	
	- para 2				
71.	Article 1 - para 1 - point 2a (new) Regulatio n (EU) 2021/241 -		"2. Measures started from 1 February 2020 onwards shall be eligible provided that they comply with the requirements set out in this Regulation, with the exception of measures included in the REPowerEU chapters, which may only start as from 1 February 2022."		
	Article 17 - para 2		·		
72.	Article 1 - para 1 - point 2b (new) - introducto ry part		(2b) In Article 18, paragraph 4 point (h) is replaced by the following:		
	Regulatio n (EU) 2021/241- Article 18 – para 4 - point h				
73.	Article 1 - para 1 - point 2b (new)		"(h) an indication of whether the measures included in the recovery and resilience plan comprise cross-border or multi-country projects. <i>With respect to the</i>		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
	Regulatio n (EU) 2021/241- Article 18 – para 4 - point h		REPowerEU chapters, a confirmation that at least 35 % of the grants and at least 35 % of the loans, as applicable, to be used under the REPowerEU chapter are allocated to measures having a cross-border or multicountry dimension or effect, even if carried out by one Member State, and shall contribute to the objectives outlined in Article 21c(1), unless a derogation is granted to the Member State pursuant to Article 21c(1a);"		
74.	Article 1 - para 1 - point 2c (new) introducto ry part Regulatio n (EU) 2021/241-		(2c) In Article 18, paragraph 4 point (da) is inserted:		
75.	Article 18 - para 4 - point da (new) Article 1 -		"(da) an explanation that the		

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	para 1 - point 2c (new)		measures under Article 21c(1)(a) meet the conditions set out in Article 21c(4) and (4a);"	51 12002/22 RL v 2	
	Regulatio n (EU) 2021/241- Article 18 – para 4 - point da (new)				
76.	Article 1 - para 1 - point 3 - introducto ry part	(3) In Article 18 (4) (q) the following sentence is inserted:	(3) In Article 18 (4) (q) the following sentence is inserted:	(3) In Article 18 (4) (q) the following sentence is inserted:	
	Regulatio n (EU) 2021/241- Article 18 – para 4 - point q				
77.	Article 1 - para 1 - point 3	'(q) for the preparation and, where available, for the implementation of the recovery	'(q) for the preparation and, where available, for the implementation of the recovery and resilience	'(q) for the preparation and, where available, for the implementation of the recovery and resilience plan,	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
		and resilience plan, a summary of	plan, a <i>detailed report</i> of the	a summary of the consultation	
	Regulatio	the consultation process,	consultation process, which shall	process, conducted in accordance	
	n (EU)	conducted in accordance with the	be mandatory, adequate and	with the national legal framework,	
	2021/241-	national legal framework, of local	conducted in accordance with the	of local and regional authorities,	
	Article 18	and regional authorities, social	national legal framework, of local	social partners, civil society	
	– para 4 - point q	partners, civil society	and regional authorities, social	organisations, youth organisations	
	point q	organisations, youth organisations	partners, civil society	and other relevant stakeholders,	
		and other relevant stakeholders,	organisations, youth organisations	and how the input of the	
		and how the input of the	and other relevant stakeholders,	stakeholders is reflected in the	
		stakeholders is reflected in the	and how the input of the	recovery and resilience plan; in	
		recovery and resilience plan; in	stakeholders is reflected in the	particular, the summary of the	
		particular, the summary of the	recovery and resilience plan; in	consultation process shall	
		consultation process shall	particular, the detailed report of	explain the outcome of the	
		explain the outcome of the	the consultation process shall	consultations with local and	
		consultations with local and	depict the timeline and the stages	regional authorities and other	
		regional authorities and other	the outcome of the consultations	relevant stakeholders on reforms	
		relevant stakeholders on	with local and regional	and investments included in the	
		reforms and investments	authorities, the social partners as	REPowerEU chapter and outline	
		included in the REPowerEU	well as the NGOs and other	how the input received was	
		chapter and outline how the	relevant stakeholders relevant to	reflected in the REPowerEU	
		input received was reflected in	reach the REPowerEU	chapter;'	
		the REPowerEU chapter;'	objectives, note the stakeholders		
			consulted, explain the outcome		
			of these consultations on reforms		
			and investments included in the		
			REPowerEU chapter, outline how		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
			the input received was reflected in the REPowerEU chapter, which input was not reflected and for which reason and how the local and regional authorities and other relevant stakeholders will be involved in the implementation of the REPowerEU chapter and its		
78.	Article 1 - para 1 - point 4 - introducto ry part Regulatio n (EU) 2021/241 - Article 19 - para 3	(4) In Article 19(3), the following point is inserted:	monitoring;' (4) In Article 19(3), the following points are inserted:	(4) In Article 19(3), the following point is inserted:	
79.	Article 1 - para 1 - point 4 - point -da (new)		'(-da)for the measures under Article 21c(1)(a) meeting the cumulative conditions set out in Article 21c(4):		

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	Regulatio n (EU) 2021/241- Article 19 – para 3				
80.	Article 1 - para 1 - point 4 - point -da (new) - indent 1 Regulatio n (EU) 2021/241- Article 19 - para 3		- whether the measure is necessary meet immediate security of supply needs as identified in Article 21c(1)(a);		
81.	Article 1 - para 1 - point 4 - point -da (new) - indent 2		- whether there is no adequate clean technology alternative in terms of costs or timeline of implementation to reach the REPowerEU objectives under Article 21c(1)(a);		

Nr.	Ref.	Commission proposal	ЕР	Council ST 12662/22 REV 2	Compromise
	n (EU) 2021/241- Article 19 – para 3				
82.	Article 1 - para 1 - point 4 - point -da (new) - indent 3 Regulatio n (EU) 2021/241 - Article 19 - para 3		- whether the potential harm to the EU's environmental objectives within the meaning of Article 17 of Regulation (EU) 2020/852 is narrowed to the strict unavoidable extent;		
83.	Article 1 - para 1 - point 4 - point -da (new) - indent 4 Regulatio n (EU) 2021/241 - Article 19		- whether the potential harm to the EU's environmental objectives is mitigated by accompanying measures, or other measures contributing to the REPowerEU objectives, and the integrity of EU's 2030 and 2050 climate targets is not jeopardised;		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
	– para 3			ST 12662/22 REV 2	
84.	Article 1 - para 1 - point 4 - point -da (new) - indent 5 Regulatio n (EU) 2021/241 - Article 19 - para 3		- whether the measure is to be in operation by 31 December 2024;'		
85.	Article 1 - para 1 - point 4 - point da Regulatio n (EU) 2021/241 - Article 19 - para 3	'(da) whether the reforms and investments referred to in Article 21c(1) effectively contribute towards the diversification of the Union's energy supply or reduction of dependence on fossil fuels before 2030.';	'(da) whether the reforms and investments referred to in Article 21c(1) effectively contribute towards energy security, the diversification of the Union's energy supply, increase of energy storage capacities or significant or reduction of dependence on fossil fuels before 2030, towards the Union's 2030 targets including energy efficiency and renewable energy and towards	'(da) whether the reforms and investments referred to in Article 21c(11) effectively contribute towards the diversification of the Union's energy supply or reduction of dependence on fossil fuels before 2030.';	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
			the Union's climate neutrality objective';	ST 12662/22 REV 2	
86.	Article 1 - para 1 - point 4 - point -fa (new) Regulatio n (EU) 2021/241 - Article 19 - para 3		'(fa) whether at least 35 % of the grants and at least 35 % of the loans, as applicable, to be used under the REPowerEU chapter are allocated to measures having a cross-border or multi-country dimension or effect, even if carried out by one Member State, and shall contribute to the objectives outlined in Article 21c(1), unless a derogation is granted to the Member State pursuant to Article 21c(1a);		
87.	Article 1 - para 1 - point 4 - point ka (new) Regulatio n (EU) 2021/241 - Article 19 - para 3		'(ka) whether the consultation process referred to in Article 18(4)(q) related to the measures referred to in Article 21c(1) is adequate and the pertinent input from the relevant stakeholders is properly reflected in the substance of the REPowerEU chapter as well as whether the detailed report of the consultation process depicts the		

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
			timeline and the stages of the consultations, notes the stakeholders consulted, explains the outcome of these consultations, and outlines how the input received was reflected in the REPowerEU chapter, which input was not reflected and for which reason and how the relevant stakeholders will be involved in the implementation of the REPowerEU chapter and its monitoring;'		
88.	Article 1 - para 1 - point 4a (new) - introducto ry part Regulatio n (EU) 2021/241 - Article 21 - para 1		(4 a) In Article 21, paragraph 1 is replaced by the following		

Nr.	Ref.	Commission muonosal	ЕР	Council	Compromise
		Commission proposal		ST 12662/22 REV 2	
89.	Article 1 - para 1 -		'1. Where the recovery and resilience plan including relevant		
	point 4a		milestones and targets is no		
			longer achievable, either partially		
			or totally, by the Member State		
	Regulatio		concerned because of objective		
	n (EU) 2021/241-		circumstances, including the		
	2021/241- Article 21		crisis caused by Russia's military		
	- para 1		aggression against Ukraine, or		
	<i>F</i>		where new measures are		
			required to tackle the effects of		
			this crisis, the Member State		
			concerned may make a reasoned		
			request to the Commission to		
			make a proposal to amend or		
			replace the Council implementing		
			decisions referred to in Article		
			20(1) and (3). To that end, the		
			Member State may propose an		
			amended or a new recovery and		
			resilience plan. Member States		
			may request technical support for		
			the preparation of such proposal		
			under the Technical Support		
			Instrument. '		
90.	Article 1 -		(4 b) In Article 21, paragraph 2		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
	para 1 - point 4b (new) - introducto ry part		is replaced by the following:		
	Regulatio n (EU) 2021/241 - Article 21 - para 2				
91.	Article 1 - para 1 - point 4b Regulatio n (EU) 2021/241 - Article 21 - para 2		'2. Where the Commission considers that the reasons put forward by the Member State concerned justify an amendment of the relevant recovery and resilience plan, the Commission shall assess the amended or new recovery and resilience plan in accordance with Article 19 and shall make a proposal for a new Council implementing decision in accordance with Article 20(1) within <i>one month</i> of the official submission of the request. The Member State concerned and the Commission may agree to extend		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
			that deadline by a reasonable period if necessary. The Council shall adopt the new implementing decision, as a rule, within four weeks of the adoption of the Commission proposal.		
92.	Article 1 - para 1 - point 5 - introducot ory part Regulatio n (EU) 2021/241 - Article 23 - para 1	(5) In Article 23, paragraph 1 is replayed by the following:	(5) In Article 23, paragraph 1 is replayed by the following:	(5) In Article 23, paragraph 1 is replayed by the following:	
93.	Article 1 - para 1 - point 5 Regulatio n (EU) 2021/241 - Article 23 - para 1	'Once the Council has adopted an implementing decision as referred to in Article 20(1), the Commission shall conclude an agreement with the Member State concerned constituting an individual legal commitment within the meaning of the Financial Regulation. For each Member State the legal	'Once the Council has adopted an implementing decision as referred to in Article 20(1), the Commission shall conclude an agreement with the Member State concerned constituting an individual legal commitment within the meaning of the Financial Regulation. For each Member State the legal	'Once the Council has adopted an implementing decision as referred to in Article 20(1), the Commission shall conclude an agreement with the Member State concerned constituting an individual legal commitment within the meaning of the Financial Regulation. For each Member State the legal	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
		commitment shall not exceed the	commitment shall not exceed the	commitment shall not exceed the	
		total of the financial contribution	total of the financial contribution	total of the financial contribution	
		referred to in point (a) of Article	referred to in point (a) of Article	referred to in point (a) of Article	
		11(1) for 2021 and 2022, the	11(1) for 2021 and 2022, the	11(1) for 2021 and 2022, the	
		updated financial contribution	updated financial contribution	updated financial contribution	
		referred to in Article 11(2) for	referred to in Article 11(2) for	referred to in Article 11(2) for	
		2023 and the amount calculated	2023 and the amount calculated	2023 and the amount calculated	
		under Article 21a(2).'	under Article 21a(2).'	under Article 21a(2).'	
94.	Article 1 - para 1 - point 6 - introducto	(6) The following Chapter is inserted after Chapter III:	(6) The following Chapter is inserted after Chapter III:	(6) The following Chapter is inserted after Chapter III:	
	ry part Regulatio n (EU) 2021/241				
95.	Article 1 - para 1 - point 6	'CHAPTER IIIa	'CHAPTER IIIa	'CHAPTER IIIa	
	Regulatio n (EU) 2021/241				
96.	Article 1 -	REPowerEU	REPowerEU	REPowerEU	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	para 1 - point 6 Regulatio n (EU) 2021/241				
97.	Article 1 - para 1 - point 6	Article 21a	Article 21a	Article 21a	
	Regulatio n (EU) 2021/241				
98.	Article 1 - para 1 - point 6	New revenue	Use of revenues generated by the EU Emissions Trading System (EU ETS)	New revenue	
	Regulatio n (EU) 2021/241				
99.	Article 1 - para 1 -	(1) EUR 20 000 000 000 in current prices shall be available,	(1) EUR 20 000 000 000 in current prices shall be available,	(1) EUR 20 000 000 000 in current prices shall be available <u>as</u>	
	point 6	in line with Article 10e(4) of	in line with Article 10e(4) of Directive 2002/87/EC for	additional non-repayable	
	Regulatio	Directive 2003/87/EC, for implementation under this	Directive 2003/87/EC, for implementation under this	<u>financial support under the</u> <u>Facility</u> , in <u>line with</u> <u>accordance</u>	
	n (EU)	implementation under this Regulation to increase the	Regulation to increase the		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
	2021/241 -	resilience of the Union energy	resilience , security and	2003/87/EC, for implementation	
	Article	system through a decrease of	sustainability of the Union energy	under this Regulation to increase	
	21a –	dependence on fossil fuels and	system through a significant	the resilience of the Union energy	
	para 1	diversification of energy supplies	decrease of dependence on fossil	system through a decrease of	
		at Union level. That amount shall	fuels and diversification of energy	dependence on fossil fuels and	
		be made available in the form of	supplies, increase energy storage	diversification of energy supplies	
		external assigned revenue within	capacities at Union level and by	at Union level. That amount shall	
		the meaning of Article 21(5) of	boosting investments in energy	be made available in the form of	
		the Financial Regulation.	efficiency and renewable energy	external assigned revenue within	
			generation, thereby contributing	the meaning of Article 21(5) of the	
			to ensuring affordable energy in	Financial Regulation.	
			the Union. That amount shall be		
			made available in the form of		
			external assigned revenue within		
			the meaning of Article 21(5) of		
			the Financial Regulation.		
100.	Article 1 -	(2) The share of the resources	(2) The share of the resources	(2) The share of the resources	
100.	para 1 -	referred to in paragraph 1	referred to in paragraph 1	referred to in paragraph 1 available	
	point 6	available for each Member State	available for each Member State	for each Member State shall be	
		shall be calculated on the basis of	shall be calculated on the basis of	calculated on the basis of the	
	Regulatio	the indicators defined for the	the indicators defined for the	indicators <u>defined</u> for the	
	n (EU) 2021/241 -	maximum financial contribution,	maximum financial contribution,	maximum financial contribution,	
	2021/241 - Article	as set out in the methodology in	as set out in the methodology in	as set out in the methodology in	
	21a –	Annex II for 70% of the amount	Annex II for 70% of the amount	Annex <u>H</u> <u>IVa</u> for 70% of the	
	para 2	and methodology set out in	and methodology set out in Annex	amount and methodology set out	
		Annex III for 30% of the amount.	III for 30% of the amount.	in Annex III for 30% of the	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
				amount.	
101.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 - Article 21a - para 3	(3) The amount referred to in paragraph 1 shall be allocated exclusively to measures referred to in Article 21c(1).	(3) The amount referred to in paragraph 1 shall be allocated exclusively to measures referred to in Article 21c(1).	(3) The amount referred to in paragraph 1 shall be allocated exclusively to measures referred to in Article 21c(11). It may also cover expenses referred to in Article 6 (2) of this Regulation.	
102.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241- Article 21a - para 4	(4) Commitment appropriations covering the amount referred to in paragraph 1 shall be made available automatically up to the respective amounts referred to in that paragraph as of [the date of entry into force of this amending Regulation].	(4) Commitment appropriations covering the amount referred to in paragraph 1 shall be made available automatically up to the respective amounts referred to in that paragraph as of [the date of entry into force of this amending Regulation].	(4) Commitment appropriations covering the amount referred to in paragraph 1 shall be made available automatically up to the respective amounts referred to in that paragraph as of [the date of entry into force of this amending Regulation].	
103.	Article 1 - para 1 - point 6 Regulatio n (EU)	(5) Each Member State may submit to the Commission a request for allocation of an amount not exceeding its share, by including in its plan the reforms and investments	(5) Each Member State may submit to the Commission a request for allocation of an amount not exceeding its share, by including in its plan the reforms and investments	(5) Each Member State may submit to the Commission a request for allocation of an amount not exceeding its share, by including in its plan the reforms and investments described in	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
104.	2021/24 - Article 21a - para 5 Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 - Article 21a - para 6	described in Article 21c(1) and indicating their estimated costs. (6) The Council implementing decision adopted pursuant to Article 20(1) following a proposal from the Commission shall lay down the amount of the revenue referred to in Article 10e (1) of Directive 2003/87/EC allocated to the Member State following the application of paragraph 2, to be paid in instalments, subject to available funding, in accordance with Article 24 of this Regulation, once the Member State has satisfactorily fulfilled the milestones and targets identified in relation to the implementation of the measures referred to in Article 21c (1).	described in Article 21c(1) and indicating their estimated costs. (6) The Council implementing decision adopted pursuant to Article 20(1) following a proposal from the Commission shall lay down the amount of the revenue referred to in Article 10e (1) of Directive 2003/87/EC allocated to the Member State following the application of paragraph 2, to be paid in instalments, subject to available funding, in accordance with Article 24 of this Regulation, once the Member State has satisfactorily fulfilled the milestones and targets identified in relation to the implementation of the measures referred to in Article 21c (1).	Article 21c(1) and indicating their estimated costs. (6) The Council implementing decision adopted pursuant to Article 20(1) following a proposal from the Commission shall lay down the amount of the revenue referred to in Article 10e (1) of Directive 2003/87/EC allocated to the Member State following the application of paragraph 2, to be paid in instalments, subject to available funding, in accordance with Article 24 of this Regulation, once the Member State has satisfactorily fulfilled the milestones and targets identified in relation to the implementation of the measures referred to in Article 21c(1).	
105.	Article 1 - para 1 - point 6	Article 21b	Article 21b	Article 21b	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	Regulatio n (EU) 2021/241 - Article 21b				
106.	Article 1 - para 1 - point 6 - title	Resources from shared management programmes to support REPowerEU objectives	Resources from shared management programmes to support REPowerEU objectives	Resources from shared management programmes to support REPowerEU objectives	
	Regulatio n (EU) 2021/241 - Article 21b				
107.	Article 1 - para 1 - point 6 Regulatio	(1) Resources allocated to Member States under shared management may, at their request, be transferred or allocated to the Facility subject to	(1) Within the resources allocated to them under shared management Member States may request to support measures referred to in Article 21c(1)(b) of this	(1) Resources allocated to Member States under shared management may, at their request, be transferred or allocated to the Facility subject to the conditions set out in Article	
	n (EU) 2021/241 - Article 21b - para 1	the conditions set out in Article 26a of Regulation (EU) 2021/1060 and Article 81a of Regulation (EU) 2021/2115.	Regulation with the exception of fossil-free hydrogen, in Article	26a of Regulation (EU) 2021/1060, and Article 81a of Regulation (EU) 2021/2115 and Article 4a of Regulation (EU) 2021/1755.	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		• •		ST 12662/22 REV 2	
		Those resources shall be used	dedicated to transport fossil	Those resources shall be used	
		exclusively for the benefit of the	fuels, and in Article 21c(1)(d) of	exclusively for the benefit of the	
		Member State concerned.	this Regulation subject to the	Member State concerned.	
			conditions set out in Article 26a		
			of Regulation (EU) 2021/1060.		
			Those resources shall be used		
			exclusively for the benefit of the		
			Member State concerned.		
108.	Article 1 -	(a) Resources may be transferred	(a) Resources may be <i>requested</i>	(a) Resources may be transferred	
100.	para 1 -	under Article 26a of Regulation	under Article 26a of Regulation	under Article 26a of Regulation	
	point 6	(EU) 2021/1060 to support	(EU) 2021/1060 to support	(EU) 2021/1060 to support	
		measures referred to in Article	measures referred to in Article	measures referred to in Article	
	Regulatio	21c(1) of this Regulation,	21c(1)(b) of this Regulation with	21c(11) of this Regulation, provided	
	n (EU) 2021/241	provided that the Member State	the exception of fossil-free	that the Member State has already	
	Article	has already requested transfers	hydrogen, in Article 21c(1)(c) of	requested transfers from a given	
	Article 21b - para	from a given Fund up to the	this Regulation with the	Fund up to the ceiling of 5% in	
	1 - point a	ceiling of 5% in accordance with	exception of facilities dedicated	accordance with the first and	
	P S S S S S S S S S S S S S S S S S S S	the first and second sub-	to transport fossil fuels, and in	second sub-paragraphs of Article	
		paragraphs of Article 26(1).	Article 21c(1)(d) of this	26(1).	
			Regulation, provided that the		
			Member State has already		
			requested transfers from a given		
			Fund up to the ceiling of 5% in		
			accordance with the first and		
			second sub-paragraphs of Article		
			26(1).		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
109.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 Article 21b - para 1 - point b	(b) Resources allocated under Article 81a of Regulation (EU) 2021/2115 shall support measures in Article 21c(1)(b) of this Regulation for farm investments for the benefit of farmers or groups of farmers, in particular to contribute reducing the use of synthetic fertilisers, increasing production of renewable energy and sustainable biomethane, and	Deleted	(b) Resources allocated under Article 81a of Regulation (EU) 2021/2115 shall support measures in Article 21c(1 b)(b) of this Regulation for farm investments for the benefit of farmers or groups of farmers, in particular to contribute reducing the use of synthetic fertilisers, increasing production of renewable energy and sustainable biomethane, and	
110.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 - Article 21b - para 1 - point ba (new)	boosting energy efficiency.		(ba) Resources may be transfrerred under Article 4a of Regulation (EU) 2021/1755 to support measures referred to in Article 21c of this Regulation.	
111.	Article 1 - para 1 - point 6	(2) Payments shall be made in accordance with Article 24 of this Regulation and subject to	(2) Resources requested under paragraph 1 shall be implemented in accordance with	(2) Payments shall be made in accordance with Article 24 of this Regulation and subject to available	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	Regulatio n (EU) 2021/241- Article 21b - para 2	available funding.	the provisions set out in Regulation (EU) 2021/1060 and the fund-specific regulation of the respective shared management fund. Related payments shall be made in accordance with Article 91 of Regulation (EU) 2021/1060 subject to available funding.	funding.	
112.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241-Article 21b - para 3	(3) The Commission shall implement those resources directly in accordance with Article 62(1), first subparagraph, point (a) of the Financial Regulation.	(3) The Commission shall implement those resources <i>under shared management</i> in accordance with Article 62(1), first subparagraph, point <i>(b)</i> of the Financial Regulation.	(3) The Commission shall implement those resources directly in accordance with Article 62(1), first subparagraph, point (a) of the Financial Regulation.	
113.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241	Article 21c	Article 21c	Article 21c	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		C COMMISSION PO C COMMISSION COMM		ST 12662/22 REV 2	
	Article 21c				
114.	Article 1 - para 1 - point 6	The REPowerEU chapter in the recovery and resilience plans	The REPowerEU chapter in the recovery and resilience plans	The REPowerEU chapter in the recovery and resilience plans	
	Regulatio n (EU) 2021/241				
	Article 21c				
115.	Article 1 -	(1) The recovery and resilience	(1) The recovery and resilience	(1) <u>Any</u> <u>The</u> recovery and	
	para 1 -	plan submitted to the	plan submitted to the Commission	resilience plan submitted to the	
	point 6	Commission after [the entry into	after [the entry into force of this	Commission after [the entry into	
	D 1 .:	force of this amending	amending Regulation] shall	force of this amending Regulation]	
	Regulatio n (EU)	Regulation] shall contain a	contain a REPowerEU chapter.	that requires the use	
	n (EU) 2021/241	REPowerEU chapter. The	The submission of the	of additional funding under	
	Article	REPowerEU chapter shall outline	REPowerEU chapters shall be	Article 14, Article 21a or Article	
	21c - para	reforms and investments, with	made as soon as possible after	21b of this Regulation, shall	
	1	their corresponding milestones	the entry into force of this	contain a REPowerEU chapter.	
		and targets, other than measures	amending Regulation. Where	The REPowerEU chapter shall	
		referred in paragraph 2 (a),	relevant, measures contained in	outline reforms and investments to	
		aiming to contribute to the	the REPowerEU chapter shall	be funded by the Facility, with	
		REPowerEU objectives, by:	give adequate priority to the	their corresponding milestones and	
			needs of those affected by energy	targets, other than those measures	
			poverty as well as to the	referred to in paragraph 2 (a),	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
			reduction of vulnerabilities during the coming winter seasons. The REPowerEU chapter shall outline reforms and investments, from 1 February 2022 onwards, with their corresponding milestones and targets, an explanation of the contribution to address energy poverty and of the reduction of dependence towards fossil-fuel, in particular from Russia, and quantification of the energy savings, other than measures referred in paragraph 2 (a), aiming to contribute to the REPowerEU objectives, by:	the already adopted Council Implementing Decision, unless the measures are scaled-up.	
116.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 Article 21c - para 1b (new)			(1b) Reforms and investments in the REPowerEU chapter shall aiming aim to contribute to the REPowerEU objectives, by at least one of the following:	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
117.	Article 1 - para 1 - point 6	(a) improving energy infrastructure and facilities to meet immediate security of supply needs for oil and gas, notably to enable diversification of supply in the interest of the Union as a whole,	(a) improving energy infrastructure and facilities to meet immediate security of supply needs for gas, <i>including LNG</i> , notably to enable diversification of supply in the interest of the Union as a whole, <i>while ensuring that the relevant infrastructures are hydrogen ready</i> ,	ST 12662/22 REV 2 (a) improving energy infrastructure and facilities to meet immediate security of supply needs for oil and gas, notably to enable diversification of supply in the interest of the Union as a whole,	
118.	Article 1 - para 1 - point 6	(b) boosting energy efficiency in buildings, decarbonising industry, increasing production and uptake of sustainable biomethane and renewable or fossil-free hydrogen and increasing the share of renewable energy,	(b) boosting energy efficiency and savings in buildings, including via investment schemes targeted to vulnerable households, SMEs and microenterprises,	(b) boosting energy efficiency in buildings and critical energy infrastructure, decarbonising industry the economy, increasing production and uptake of sustainable biomethane and renewable or fossil-free hydrogen and increasing the share of renewable energy,	
119.	Article 1 - para 1 - point 6		(ba) decarbonising industry, increasing energy storage capacity, increasing production and uptake of sustainable biomethane, renewable energy, renewable fuels of non-biological origin (RFNBOs), and renewable or fossil-free hydrogen and		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
			speeding up permitting processes		
			for plants producing renewable		
			energy, including the		
			improvement of related electricity		
			generation and other		
			infrastructure, including by		
			accelerating		
			permitting procedures,		
120.	[EP		(bb) addressing energy poverty,	(da) addressing energy poverty	
120.	version]		in particular through measures	and incentivising reduction of	
	Article 1 -		benefitting vulnerable and low-	energy demand.	
	para 1 -		income households,		
	point 6		(ha) in continious materials of		
121.	Article 1 - para 1 -		(bc) incentivising reduction of		
	para 1 -		energy demand, including by		
	point o		upscaling existing energy savings solutions,		
	A .: 1 1		,		
122.	Article 1 -		(bd) boosting low-carbon energy		
	para 1 - point 6		sources within the Union,		
122	Article 1 -	(c) addressing internal and cross-	(c) addressing internal and <i>energy</i>	(c) addressing internal and cross-	
123.	para 1 -	border energy transmission	interconnectors and cross-border	border energy transmission and	
	point 6	bottlenecks and supporting zero	energy transmission bottlenecks,	distribution bottlenecks and	
		emission transport and its	including the connection of grids	supporting zero emission transport	
		infrastructure, including railways,	to new renewable energy sources,	and its infrastructure, including	
		,	and supporting zero emission	railways,	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposal		ST 12662/22 REV 2	
124.	Article 1 - para 1 - point 6	(d) supporting the objectives in points (a), (b) and (c) through an accelerated requalification of the workforce towards green skills, as well as support of the value chains in key materials and technologies linked to the green transition.	transport and its infrastructure in a just and inclusive way, including railways, thereby contributing to ensuring affordable energy and transport in the Union, (d) supporting the objectives in points (a), (b) and (c) through an accelerated requalification of the workforce towards green and the related digital skills and energy transition, including for the administrative implementation of those objectives, as well as support of the value chains in key materials and technologies linked to the green transition and the use of sustainable construction materials and products, thereby reducing the dependency on primary critical raw materials relevant to the energy transition.		
125.	Article 1 - para 1 - point 6			(1a) By way of derogation from paragraph 1, measures referred to in the already adopted Council Implementing Decision	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
	Regulatio			of the Member State concerned	
	n (EU)			contributing to the REPowerEU	
	2021/241			objectives may be included in the	
	Article			REPowerEU chapter, if the	
	21c - para 1a (new)			Member State concerned is	
	Ta (new)			subject to a decrease of the	
				maximum financial contribution	
				in accordance with Article 11 (2).	
126.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 Article 21c - para 1a (new)		(1a) At least 35 % of the grants and at least 35% of the loans, as applicable, to be used under the REPowerEU chapter shall be allocated to measures having a cross-border or multi-country dimension or effect, even if carried out by one Member State, and shall contribute to the objectives outlined in Article 21c(1). By way of derogation, the Commission may grant a derogation from this requirement		
127.	Article 1 - para 1 - point 6		to a Member State in one of the following instances: (a) the Member State can demonstrate that other measures included in its REPowerEU chapter would better address the		

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	Regulatio n (EU) 2021/241 Article 21c - para 1a - point a (new)		objectives outlined in Article 21c(1), or		
128.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 Article 21c - para 1a - point b (new)		(b) the Member State can demonstrate that there are no enough realistic projects available having cross-border or multi-country dimension or effect, or		
129.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 Article 21c - para		(c) the Member State concerned is granted an exception from this minimum requirement in the supra-national energy security needs assessment referred to in Article 21ca, or		

Nr.	Ref.	Commission proposal	ЕР	Council ST 12662/22 REV 2	Compromise
	1a - point c (new)				
130.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 Article 21c - para 1a - point d (new)		(d) the Member State can demonstrate that no measures having cross-border or multicountry dimension or effect can be finalised in the lifetime of the Facility.		
131.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 Article 21c - para 2	(2) The REPowerEU chapter shall also contain:	(2) The REPowerEU chapter shall also contain:	(2) The REPowerEU chapter shall also contain	
132.	Article 1 - para 1 - point 6	(a) Where applicable, a description of reforms and	(a) Where applicable, a <i>detailed</i> description of reforms and	(a) Where applicable, a description of reforms and	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposal		ST 12662/22 REV 2	
	Regulatio n (EU) 2021/241 Article 21c - para 2 - point a	investments in the already adopted Council implementing decisions that are expected to contribute to the REPowerEU objectives;		investments in the already adopted Council implementing decisions that are expected to contribute to the REPowerEU objectives;	
133.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 Article 21c - para 2 - point b	(b) an outline of other measures contributing to the REPowerEU objectives with a corresponding calendar, to be implemented from 1 February 2022 until 31 December 2026 without financial support under the Facility;	(b) an outline of other measures, including national and EU-funded complementary or accompanying measures, contributing to the REPowerEU objectives with a corresponding calendar and financial allocation, to be implemented from 1 February 2022 until 31 December 2026 without financial support under the Facility;	(b) an outline of other measures contributing to the REPowerEU objectives with a corresponding calendar, to be implemented from 1 February 2022 until 31 December 2026 without financial support under the Facility;	
134.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 Article 21c - para	(c) an explanation on how the combination of the measures referred to in paragraph 1 and points (a) and (b) of this paragraph is coherent, effective and expected to contribute to the REPowerEU objectives, including a quantification of the	coherence of each measure referred to in paragraph 1 with the other measures in the plan and an explanation on how the combination of the measures referred to in paragraph 1 and	an explanation on how the embination of the measures of the REPowerEU chapter and points (a) and (b) of this paragraph is are coherent; effective and expected to contribute to the REPowerEU objectives, including a	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
	2 - point c	energy savings.	paragraph is coherent, effective	quantification of the energy	
			and expected to contribute to the	savings with the efforts of the	
			REPowerEU objectives, including	Member State concerned to	
			a quantification of the energy	achieve the REPowerEU	
			savings;	objectives, taking into account	
				the measures in the already	
				adopted Council Implementing	
				Decision	
135.	Article 1 -		(ca) a qualitative explanation of		
	para 1 -		how the measures in the		
	point 6		REPowerEU chapter are		
			expected to contribute to the		
	Regulatio		green transition, including		
	n (EU) 2021/241		biodiversity, or to addressing the		
	Article		challenges resulting there from;		
	21c - para		the 37 % climate target shall be		
	2 - point		calculated separately for the		
	ca (new)		REPowerEU chapter and the rest		
			of the recovery and resilience		
			plan.		
136.	Article 1 -	(3) The estimated costs of the	(3) The estimated costs of the		
	para 1 -	reforms and investments of the	reforms and investments of the		
	point 6	REPowerEU chapter under	REPowerEU chapter under	REPowerEU chapter <u>under</u>	
	D	paragraph 1 shall not be taken	paragraph 1 shall not be taken into	<u>paragraph 1</u> shall not be taken	
	Regulatio	into account for the calculation of	account for the calculation of the	into account for the calculation of	
	n (EU)	the plan's total allocation under	plan's total allocation under	the plan's total allocation under	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
	2021/241	Article 18(4), point (f) and	Article 18(4), point (f) and Article	Article 18(4), point (f) and Article	
	Article	Article 19(3), point (f).	19(3), point (f). <i>Notwithstanding</i>	19(3), point (f).	
	21c - para		this provision, the Commission		
	3		shall encourage Member States		
			to propose measures in the		
			REPowerEU chapters that		
			facilitate, to the extent possible,		
			reaching at least the digital		
			target of the Facility.		
137.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 Article 21c - para 4	(4) By way of derogation from Articles 5(2), 17(4), 18(4) point (d) and 19(3) points (d), the principle of "do no significant harm" within the meaning of Article 17 of Regulation (EU) 2020/852 shall not apply to the reforms and investments expected to contribute to the REPowerEU objectives under paragraph 1, point (a) of this Article.	(4) The principle of "do no significant harm" within the meaning of Article 17 of Regulation (EU) 2020/852 shall apply to the reforms and investments expected to contribute to the REPowerEU objectives under paragraph 1, point (a) of this Article, unless the following cumulative conditions apply:	(4) By way of derogation from Articles 5(2), 17(4), 18(4) point (d) and 19(3) points (d), the principle of "do no significant harm" within the meaning of Article 17 of Regulation (EU) 2020/852 shall not apply, where a justification is provided by the Member State concerned to the Commission, to the reforms and investments expected to contribute to the REPowerEU objectives under paragraph 1b, point (a) of this Article.	
120	Article 1 -		(a) the measure is necessary meet		
138.	para 1 -		immediate security of supply		
	point 6		needs as identified in Article		

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
139.	Regulatio n (EU) 2021/241 Article 21c - para 4 - point a (new) Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 Article 21c - para 4 - point b (new)		21c(1)(a); and (b) there is no adequate clean technology alternative in terms of costs or timeline of implementation to reach the REPowerEU objectives under Article 21c(1)(a); and	31 12002/22 REV 2	
140.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 Article 21c - para		(c) the potential harm to the EU's environmental objectives is mitigated by accompanying measures, or other measures contributing to the REPowerEU objectives, and the integrity of EU's 2030 and 2050 climate targets is not jeopardised; and		

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	4 - point c (new)				
141.	Article 1 - para 1 - point 6		(d) the measure is to be in operation by 31 December 2024.		
	Regulatio n (EU) 2021/241				
	Article 21c - para 4 - point d (new)				
142.	Article 1 - para 1 - point 6		(4a) The measures benefiting from the exemption from the requirement of Article 5(2) of Regulation (EU) 2021/241 as		
	Regulatio n (EU) 2021/241		detailed in paragraph 4 of this Article shall be submitted to the following assessment:		
	Article 21c - para 4 a (new) - introducto				
	ry part		— whether there is no adequate		
143.	Article 1 - para 1 - point 6		clean technology alternative in terms of costs or timeline of		

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	Regulatio n (EU) 2021/241 Article 21c - para 4 a (new) - indent 1		implementation to reach the REPowerEU objectives under Article 21c(1)(a);	S1 12002/22 REV 2	
144.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 Article 21c - para 4 a (new) - indent 2		—whether the potential harm to the EU's environmental objectives within the meaning of Article 17 of Regulation (EU) 2020/852 is narrowed to the strict unavoidable extend;		
145.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 Article 21c - para		— whether the potential harm to the EU's environmental objectives is mitigated by accompanying measures, or other measures contributing to the REPowerEU objectives, and the integrity of EU's 2030 and 2050 climate targets is not		

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	4 a (new) - indent 3		jeopardised;	51 12002/22 RL v 2	
146.	Article 1 - para 1 - point 6		— whether the measure is to be in operation by 31 December 2024.		
	Regulatio n (EU) 2021/241				
	Article 21c - para 4 a (new) - indent 4				
147.	Article 1 - para 1 - point 6		(4b) The total amount of resources for reforms and investments aiming to contribute		
	Regulatio n (EU) 2021/241 Article 21c - para 4 b (new)		to the REPowerEU objectives in accordance with Article 21c(1)(a) of this Regulation shall be limited to a maximum amount of EUR [] billion, established by the Commission following a comprehensive needs-based		
			assessment for immediate infrastructure needs. The amount of revenue made available in accordance with		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
			Article 10e(1) of Directive		
			2003/87/EC [revenues generated		
			by the EU Emissions Trading		
			System] shall not contribute to		
			reforms and investments under		
			Article 21c(1)(a) of this		
			Regulation.		
148.	Article 1 -	(5) The provisions of this	(5) The provisions of this	(5) The provisions of this	
1.0.	para 1 -	Regulation shall be applicable	Regulation shall be applicable	Regulation shall be applicable	
	point 6	mutatis mutandis to the reforms	mutatis mutandis to the reforms	mutatis mutandis to the reforms	
		and investments of the	and investments of the	and investments of the	
	Regulatio	REPowerEU chapter, unless	REPowerEU chapter, except for	REPowerEU chapter, unless	
	n (EU) 2021/241	provided otherwise.	investments of the REPowerEU	provided otherwise.	
	Article		chapter financed by requested		
	21c - para		resources under Article 26a of		
	5 -		Regulation (EU) 2021/1060 and		
	introducto		the fund-specific rules apply.		
	ry part				
149.	Article 1 -		Article 21ca		
	para 1 -				
	point 6				
	D 1				
	Regulatio				
	n (EU) 2021/241				
	Article				
	21c a				

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	(new)			51 12002/22 ICL V 2	
150.	Article 1 - para 1 - point 6		Supra-national energy security needs assessment		
	Regulatio n (EU) 2021/241 Article 21c a (new)				
151.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 Article 21c a (new) - para 1		1. The Commission shall conduct an assessment of the needs to secure energy supply in the Union as a whole, prior to the approval of any recovery and resilience plan containing the REPowerEU chapter. That assessment shall aim to provide a supra-national perspective of the Union energy-security needs to facilitate the most efficient use of resources to reach the REPowerEU objectives. To that end, the Commission shall, at the latest by [one month after the entry into force of this amending		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposal		ST 12662/22 REV 2	
			Regulation] draw up a report		
			identifying and evaluating the		
			most urgent infrastructure and		
			investment needs to secure		
			energy supply in the Union as a		
			whole, including mainly cross-		
			border or multi-country projects.		
152.	Article 1 -		2. The report referred to in		
	para 1 -		paragraph 1 shall cover at least		
	point 6		the following:		
	D 1 c				
	Regulatio n (EU)				
	n (EO) 2021/241				
	Article				
	21c a				
	(new) -				
	para 2				
153.	Article 1 -		(a) the risk of energy-supply		
	para 1 -		interruptions in each Member State in the short and medium-		
	point 6		term; and		
	Regulatio				
	n (EU)				
	2021/241				
	Article				
	21c a				
	(new) -				

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	para 2 - point b			51 12002/22 RE V 2	
154.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 Article 21c a (new) - para 2 - point b		(b) the most relevant infrastructure and investment needs to secure energy supply in the Union as a whole, including a cross-border and multi-country dimension.		
155.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 Article 21c a - para 3 (new)		3. Member States shall contribute to the elaboration of the report referred to in paragraph 1 by providing information on national energy security needs and projects as requested by the Commission.		
156.	Article 1 - para 1 - point 1a		(1a) The following Article is inserted:		

Nr.	Ref.	Commission proposal	ЕР	Council ST 12662/22 REV 2	Compromise
	(new) Regulatio n (EU) 2021/241 - Article 13 a (new)				
157.	[EP version] Article 1 - para 1 - point 1a (new) Regulatio n (EU) 2021/241 - Article 13 a (new)		Article 13 a	Article 21ca	
158.	[EP version] Article 1 - para 1 - point 1a (new) Regulatio n (EU)		REPowerEU pre-financing	REPowerEU pre-financing	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
	2021/241 -				
	Article 13				
	a (new)		771	(4) (7)	
159.	[EP		The recovery and resilience plan	(1) The recovery and resilience	
	version]		containing a REPowerEU	plan containing a REPowerEU	
	Article 1 -		chapter may be accompanied by	chapter may be accompanied by	
	para 1 -		a request for pre-financing.	a request for pre-financing.	
	point 1a (new)		Subject to the adoption by the	Subject to the adoption by the	
	(new)		Council of the implementing	Council of the implementing	
	Pagulatio		decision referred to in Articles	decision referred to in Articles	
	Regulatio n (EU)		20(1) and 21(2) by 31 December	20(1) and 21(2) by 31 December	
	2021/241 -		2023, the Commission shall	2023, the Commission shall make	
	Article 13		make a pre-financing payment of	a pre-financing payment of an	
	a (new)		an amount of up to 20 % of the	amount of up to 15% of the	
			additional funding requested to	additional funding requested to	
			finance its REPowerEU chapter,	finance its REPowerEU chapter,	
			under Articles 12 and 21a."	under Article 12, Article 14,	
				Article 21a and Article 21b.	
160.	Article 1 -			(2) The total pre-financing	
100.	para 1 -			payments for resources	
	point 6			transferred under the conditions	
				set out in Regulation (EU)	
	Regulatio			2021/1060 and Regulation (EU)	
	n (EU)			2021/2115 shall not exceed EUR	
	2021/241			1 billion.	
	Article				
	21c a				

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
	(new) -				
	para 2			(2) D 1 4' C A 4' 1	
161.	Article 1 -			(3) By derogation from Article	
	para 1 -			116 (1) of the Financial	
	point 6			Regulation, the Commission	
				shall make the corresponding	
	Regulatio			payment within, to the extent	
	n (EU)			possible, two months after the	
	2021/241			adoption by the Commission of	
	Article			the legal commitment referred to	
	21c a - para 3			in Article 23, subject to available	
	(new)			resources.	
	Article 1 -			(4) The payment of pre-financing	
162.	para 1 -			for resources referred in	
	point 6				
	point o			paragraph 2 shall be made	
	Dogulatio			following receipt of information	
	Regulatio n (EU)			from all Member States on	
	2021/241			whether or not they intend to	
	Article			request pre-financing of such	
	21c a -			resources, and, where necessary,	
	para 4			on a pro-rata basis to respect the	
	(new)			total ceiling of EUR 1 billion.	
163.	Article 1 -			(5) In cases of pre-financing	
103.	para 1 -			under paragraph 1, the financial	
	point 6			contribution and, where	
				applicable, the amount of the	

Nr.	Ref.	Commission proposal	ЕР	Council ST 12662/22 REV 2	Compromise
	Regulatio n (EU) 2021/241 Article 21c a - para 5 (new)			loan to be paid as referred to in point (a) or point (h) of Article 20(5), respectively, shall be adjusted proportionally.	
164.	Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 Article	Article 21d	Article 21d	Article 21d	
165.	Article 21d Article 1 - para 1 - point 6 Regulatio n (EU) 2021/241 Article 21d	Monitoring implementation of REPowerEU chapters	Monitoring implementation of REPowerEU chapters	Monitoring implementation of REPowerEU chapters	
166.	Article 1 - para 1 - point 6	(1) The Commission shall monitor the implementation of the measures outlined in the	(1) The Commission shall monitor the implementation of the measures outlined in the	(1) In accordance with Article 29, The the Commission shall monitor the implementation of the	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
		REPowerEU chapter and their	REPowerEU chapter and their	measures outlined in the	
	Regulatio	contribution to the REPowerEU	contribution to the REPowerEU	REPowerEU chapter and their	
	n (EU)	objectives.	objectives. To that end, within	contribution to the REPowerEU	
	2021/241		[two months after the entry into	objectives using already existing	
	Article		force of this amending	monitoring tools in the context of	
	21d - para		Regulation], the Commission	<u>RRF</u> .	
			shall amend the delegated acts		
			referred to in Article 29(4)(a)		
			and Article 30(2) for the purpose		
			of including additional indicators		
			and information relevant to the		
			REPowerEU objectives. The		
			proposed additional indicators		
			shall be limited to the objectives		
			listed in Article 21c(1). The		
			procedure set out in Article 33		
			shall apply to the adoption and		
			entry into force of the		
			amendment to the delegated acts.		
167.	Article 1 -	(2) The Commission shall	(2) The Commission shall provide	(2) The Commission shall provide	
	para 1 -	provide information on the	information on the progress of	information on the progress of	
	point 6	progress of implementation of the	implementation of the	implementation of the	
	D 1.	REPowerEU chapter in the	REPowerEU chapter through a	REPowerEU chapter in the annual	
	Regulatio	annual report to the European	dedicated section in the annual	report to the European Parliament	
	n (EU) 2021/241	Parliament and the Council, in	report to the European Parliament	and the Council, in accordance	
	2021/271	accordance with Article 31.'	and the Council, in accordance	with Article 31.'	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
	Article		with Article 31, <i>including</i>		
	21d - para		through lessons learned after		
	2		assessing the data available on		
			final beneficiaries and examples		
			of best practices, as well as		
			through regular and transparent		
			information exchanges at the		
			Recovery and Resilience		
			Dialogue.		
168.	Article 1 -		(2a) By [two years from the		
100.	para 1 -		entry into force of this amending		
	point 6		Regulation], the Commission		
			shall provide the European		
	Regulatio		Parliament, the Council, the		
	n (EU)		European Economic and Social		
	2021/241		Committee and the Committee of		
	Article		the Regions with an independent		
	21d - para 2 a (new)		evaluation report on the		
	2 a (new)		implementation of the		
			REPowerEU chapters and their		
			contributions to the REPowerEU		
			objectives and the objectives of		
			the Facility.		
169.	Article 1 -		(2b) Each Member State shall		
109.	para 1 -		create an easy to use and public		
	point 6		portal containing real-time data		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
	Regulatio n (EU) 2021/241 Article 21d - para 2 b (new)	(7) Amov V is smoothed in	on the implementation of measures included in the REPowerEU chapters, including final recipients and beneficiaries. (7) Annex V is amended in	(7) Annex V is amended in	
170.	Article 1 - para 1 - point 7	(7) Annex V is amended in accordance with the Annex I to this Regulation.	accordance with the Annex I to this Regulation.	accordance with the Annex I to this Regulation.	
171.	Article 1 - para 1 - point 7 A (new)			(7a) Annex IVa is inserted after Annex IV in accordance with Annex Ia to this Regulation.	
172.	Article 2 - title	Article 2	Article 2	Article 2	
173.	Article 2 - para 1	Regulation (EU) 2021/1060, is amended as follows:	Regulation (EU) 2021/1060, is amended as follows:	Regulation (EU) 2021/1060, is amended as follows:	
174.	Article 2 - para 1 - point 1	(1) In Article 11(1), the following point is added:	(1) In Article 11(1), the following point is added:	(1) In Article 11(1), the following point is added:	
	Regulatio n (EU) 2021/1060 Article 11				

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	- para 1			51 12002/22 ICE v 2	
175.	Article 2 - para 1 - point 1 Regulatio n (EU) 2021/1060 Article 11 - para 1 - point e	'(e) where applicable, the breakdown of financial resources by category of region drawn up in accordance with Article 108(2) and the amounts of allocations proposed to be transferred pursuant to Articles 26, 26a and 111, including a justification for such transfers;'	'(e) where applicable, the breakdown of financial resources by category of region drawn up in accordance with Article 108(2) and the amounts of allocations proposed to be requested pursuant to Article 26a or to be transferred pursuant to Article 26, or pursuant to Article 111,	'(e) where applicable, the breakdown of financial resources by category of region drawn up in accordance with Article 108(2) and the amounts of allocations proposed to be transferred pursuant to Articles 26, 26a and 111, including a justification for such transfers;'	
176.	Article 2 - para 1 - point 2 Regulatio n (EU) 2021/1060 Article 23 - para 3 - point g	(2) In Article 22(3)(g), the following point is added:	including a justification;' (2) In Article 22(3)(g), the following point is added:	(2) In Article 22(3)(g), the following point is added:	
177.	Article 2 - para 1 - point 2 Regulatio n (EU)	'(i) a table specifying the total financial allocations for each of the Funds and, where applicable, for each category of region for the whole programming period and by year, including any	'(i) a table specifying the total financial allocations for each of the Funds and, where applicable, for each category of region for the whole programming period and by year, including any amounts	'(i) a table specifying the total financial allocations for each of the Funds and, where applicable, for each category of region for the whole programming period and by year, including any amounts	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
	2021/1070			ST 12662/22 REV 2	
	2021/1060	1	requested pursuant to Article 26a	transferred pursuant to Article 26,	
	Article 22	Article 26, Article 26a or 27;	or transferred pursuant to	Article 26a or 27;	
	– para 3 –		Article 26 or pursuant to Article		
	point g –		27;'		
	point i		(2 m) In Anti-la 24 the Callernine		
178.	Article 2 -		(2a) In Article 24, the following		
	para 1 -		paragraph is added:		
	point 2 a (new)				
	(new)				
	Description				
	Regulatio n (EU)				
	2021/1060				
	Article 24				
1.50	Article 2 -		7a. For programmes supported		
179.	para 1 -		by the ERDF, Cohesion Fund or		
	point 2 a		ESF+, the Member State or the		
	(new)		managing authority may request,		
			1		
	Regulatio		until 31 December 2025, an		
	n (EU)		amount of up to 7,5% of the		
	2021/1060		budget of the initial national		
	Article 24		allocation to be contributed for		
	– para 7 a		the financing of measures		
	(new)		supporting the objectives of the		
			REPowerEU as referred to in		
			Article 21c(1)(b) of Regulation		
			(EU) 2021/241 with the exception		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
			of fossil-free hydrogen, in Article		
			21c(1)(c) of Regulation (EU)		
			2021/241 with the exception of		
			facilities dedicated to transport		
			fossil fuels, and in Article		
			21c(1)(d) of Regulation (EU)		
			2021/241. For programmes		
			supported by the ERDF,		
			Cohesion Fund or ESF+, such		
			contributions shall only be made		
			within the same programme and		
			shall require a Commission		
			decision amending the		
			programme. They shall comply		
			with all regulatory requirements		
			and shall be approved in advance		
			by the monitoring committee.		
			The Member State or the		
			managing authority shall		
			communicate the revised		
			financial tables and the revised		
			programme to the Commission.		
180.	Article 2 -	(3) In Article 26(1), the following	(3) In Article 26(1), the following	(3) In Article 26(1), the following	
	para 1 -	is inserted after the end of the	is inserted after the end of the first	is inserted after the end of the first	
	point 3	first sub-paragraph :	sub-paragraph :	sub-paragraph:	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	Regulatio n (EU) 2021/1060 Article 26 – para 1			S 1 1 2 0 0 2 / 2 2 1 2 2 1 2 3 4 2 1 2 2 4 2 2 1 2 2 4 2 2 1 2 2 4 2 2 2 2	
181.	Article 2 - para 1 - point 3 Regulatio n (EU) 2021/1060 Article 26 - para 1	'Where the Partnership Agreement has been approved and one or more programmes have not yet been adopted, a transfer to the Recovery and Resilience Facility in accordance with Regulation (EU) 2021/241 may be requested through notification of a revision of the information referred to in Article 11(1) points (c), (e) and (h) in accordance with Article 69(9).'	'Where the Partnership Agreement has been approved and one or more programmes have not yet been adopted, a transfer to the Recovery and Resilience Facility in accordance with <i>this Article</i> may be requested through notification of a revision of the information referred to in Article 11(1) points (c), (e) and (h) in accordance with Article 69(9).'	'Where the Partnership Agreement has been approved and one or more programmes have not yet been adopted, a transfer to the Recovery and Resilience Facility in accordance with Regulation (EU) 2021/241 may be requested through notification of a revision of the information referred to in Article 11(1) points (c), (e) and (h) in accordance with Article 69(9).'	
182.	Article 2 - para 1 - point 4 Regulatio n (EU) 2021/1060 Article 26 - para 1	(4) In Article 26 (1), the following new sub-paragraph is inserted:	(4) In Article 26 (1), the following new sub-paragraph is inserted:	(4) In Article 26 (1), the following new sub-paragraph sub-paragraphs is are inserted:	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
183.	Article 2 - para 1 - point 4	2. By way of derogation from Article 40(2), point (d) and the paragraph above, the monitoring committee shall be consulted on the programme amendment, where such amendment is strictly limited to what is necessary for the purposes of the transfer to the Recovery and Resilience Facility.	Deleted	ST 12662/22 REV 2 '2. By way of derogation from Article 40(2), point (d) and the paragraph above, the monitoring committee shall be consulted on the programme amendment, where such amendment is strictly limited to what is necessary for the purposes of the transfer to the Recovery and Resilience Facility.	
184.	Article 2 - para 1 - point 4	'3. Where the Partnership Agreement has been approved and the transfer is requested as part of a programme submission, the resulting inconsistency shall not be taken into account when assessing the programme pursuant to Article 23(1).'	'3. Where the Partnership Agreement has been approved and the transfer is requested as part of a programme submission, the resulting inconsistency shall not be taken into account when assessing the programme pursuant to Article 23(1).'	±3. Where the Partnership Agreement has been approved and the transfer is requested as part of a programme submission, the resulting inconsistency shall not be taken into account when assessing the programme pursuant to Article 23(1).'	
185.	Article 2 - para 1 - point 4 a (new)			(4a) In Article 26 (5), the following sentence is inserted at the end of the paragraph:	
186.	Article 2 - para 1 - point 4 a - subpara 1			'For transfers to the Recovery and Resilience Facility, resources of current calendar years may be transferred if such request for	

Nr.	Ref.	Commission proposal	ЕР	Council ST 12662/22 REV 2	Compromise
	(new)			transfer is submitted before 1 November of that given year.'	
187.	Article 2 - para 1 - point 4 b - (new)			(4b) Article 26 (6) is replaced by the following:	
188.	Article 2 - para 1 - point 4 b - point 6 (new)			'6. JTF resources, including any resources transferred from the ERDF and the ESF+ in accordance with Article 27, shall not be transferable to other Funds or instruments pursuant to paragraphs 1 to 5 of this Article, with the exception of the Recovery and Resilience Facility.'	
189.	Article 2 – para 5 -	(5) The following Article is inserted:	(5) The following Article is inserted:	(5) The following Article is inserted:	
190.	Article 2 - para 1 - point 5 Regulatio n (EU) 2021/1060	'Article 26a	'Article 26a	'Article 26a	
	Article				

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	26a			31 12002/22 RE V 2	
191.	Article 2 - para 1 - point 5	Transfer to the Recovery and Resilience Facility	Support for the REPowerEU objectives	Transfer to the Recovery and Resilience Facility	
	Regulatio n (EU) 2021/1060 Article 26a - title				
192.	Article 2 - para 1 - point 5 Regulatio n (EU) 2021/1060 Article 26a - para 1	(1) Member States submitting to the Commission a recovery and resilience plan containing a REPowerEU chapter in accordance with Regulation (EU) 2021/241 may request the transfer of up to 7.5% of their initial national allocation of each Fund to the Recovery and Resilience Facility, provided that the Member State has already requested transfers from that specific Fund up to the ceiling of 5% in accordance with the first and second sub-paragraphs of Article 26(1). The transfer request	(1) Member States submitting to the Commission a recovery and resilience plan containing a REPowerEU chapter in accordance with Regulation (EU) 2021/241 may request that up to 7.5% of their initial national allocation of each Fund be contributed to the REPowerEU objectives as established in Regulation (EU) 2021/241 by supporting measures referred to in Article 21c(1)(b) thereof with the exception of fossil-free hydrogen, in Article 21c(1)(c) thereof with the exception of facilities dedicated to transport	(1) Member States submitting to the Commission a recovery and resilience plan containing a REPowerEU chapter in accordance with Regulation (EU) 2021/241 may request the transfer of up to 7.5% of their initial national allocation of each Fund to the Recovery and Resilience Facility, provided that the Member State has already requested transfers from that specific Fund up to the ceiling of 5% in accordance with the first and second sub-paragraphs of Article 26(1). The transfer request shall be made either in the Partnership Agreement, including	

Nr.	Ref.	Commission proposal	ЕР	Council	Compromise
		• •		ST 12662/22 REV 2	
		shall be made either in the	3 '	through the notification of a	
		Partnership Agreement, including		revision of the information referred	
		through the notification of a	<u> </u>	to in Article 11(1) points (c), (e)	
		revision of the information	requested transfers from that	and (h) in accordance with Article	
		referred to in Article 11(1) points	specific Fund up to the ceiling of	69(9) or in a request for an	
		(c), (e) and (h) in accordance with		amendment of a programme.	
		Article 69(9) or in a request for		Where the request for transfer	
		an amendment of a programme.	Article 26(1). Where the	concerns an amendment of a	
		Where the request for transfer	1 0	programme, <u>only</u> resources of	
		concerns an amendment of a	1 2	<u>future</u> <u>current</u> calendar years may	
		programme, only resources of	supporting REPowerEU	be transferred if such request for	
		future calendar years may be	objectives shall be made either in	transfer is submitted before 1	
		transferred. Such transfers shall	the Partnership Agreement,	November of that given year.	
		be additional to the possibility of	including through the notification	Such transfers shall be additional	
		transfer of resources envisaged	of a revision of the information	to the possibility of transfer of	
		under Article 26 of this	referred to in Article 11(1) points	resources envisaged under Article	
		Regulation.	(c), (e) and (h) in accordance with	26 of this Regulation.	
			Article 69(9) or in a request for an		
			amendment of a programme.		
			Where the request concerns an		
			amendment of a programme, only		
			resources of future calendar years		
			may be requested. The possibility		
			of such a request shall be		
			additional to the possibility of		
			transfer of resources envisaged		

Nr.	Ref.	Commission proposal	ЕР	Council ST 12662/22 REV 2	Compromise
			under Article 26 of this		
			Regulation.		
193.	Article 2 -	(2) Transferred resources shall be	(2) Transferred resources <i>under</i>	(2) Transferred resources shall be	
	para 1 -	implemented in accordance with	Article 26 of this Regulation shall	implemented in accordance with	
	point 5	the provisions of Regulation (EU)	be implemented in accordance	the provisions of Regulation (EU)	
		2021/241 and shall be used for	with the provisions of Regulation	2021/241 and shall be used for the	
		the benefit of the Member State	(EU) 2021/241. Resources	benefit of the Member State	
	Regulatio	concerned.	requested under Article 26a of	concerned.	
	n (EU)		this Regulation shall be		
	2021/1060		implemented in accordance with		
	Article		Regulation (EU) 2021/1060 and		
	26a - para 2		the provisions set out in the fund-		
	2		specific regulation of the		
			respective shared management		
			fund. Transferred resources or		
			requested resources supporting		
			REPowerEU objectives shall be		
			exclusively used for the benefit of		
			the Member State concerned.		
194.	Article 2 -	(3) Where the Partnership	(3) Where the Partnership	(3) Where the Partnership	
174.	para 1 -	Agreement has been approved,	Agreement has been approved,	Agreement has been approved, and	
	point 5	and the transfer is requested	and the <i>request for supporting</i>	the transfer is requested before the	
		before the approval of one or	REPowerEU objectives is	approval of one or more	
		more programmes, the resulting	submitted before the approval of	programmes, the resulting	
	Regulatio	inconsistency between the	one or more programmes, the	inconsistency between the	
	n (EU)	Partnership Agreement and the	resulting inconsistency between	Partnership Agreement and the	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
	2021/1060	programmes shall not be taken	the Partnership Agreement and	programmes shall not be taken into	
	Article	into account when assessing the	the programmes shall not be taken	account when assessing the	
	26a - para	programme pursuant to Article	into account when assessing the	programme pursuant to Article	
	3	23(1). In such cases the Member	programme pursuant to Article	23(1). In such cases the Member	
		State concerned shall submit a	23(1). In such cases the Member	State concerned shall submit a	
		revision of the information	State concerned shall submit a	revision of the information referred	
		referred to in Article 11(1) points	revision of the information	to in Article 11(1) points (c), (e)	
		(c), (e) and (h), which shall	referred to in Article 11(1) points	and (h), which shall constitute a	
		constitute a request for transfer	(c), (e) and (h), including a	request for transfer within the	
		within the meaning of this	summary of a mandatory	meaning of this Article.	
		Article.	consultation with partners in line		
			with Article 8(1), which shall		
			constitute a request for		
			supporting REPowerEU		
			objectives within the meaning of		
			this Article.		
195.	Article 2 -		(3a) By way of derogation from		
175.	para 1 -		Article 13, approved Partnership		
	point 5		Agreements shall not be		
			amended and amendments to the		
			programmes shall not entail the		
	Regulatio		amendment of the approved		
	n (EU)		Partnership Agreements.		
	2021/1060				
	Article 26a - para				
	3 a (new)				

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
196.	Article 2 - para 1 - point 5 Regulatio n (EU) 2021/1060 Article 26a - para 4	(4) Where a programme need to be amended for the purpose of transfers set out in this Article, by way of derogation from Article 24(2) and (4), the Commission shall adopt or refuse the amendment as regards the transfer and the resulting changes to the programme within one month after the date of submission of the programme by the Member State. By way of derogation from Article 40(2), point (d), the monitoring committee shall be consulted on the programme amendment. Requests for an amendment of a programme shall set out the total amount transferred for each year by Fund and by category of region, where applicable.	(4) Where a programme <i>needs</i> to be amended for the purpose of <i>a request for supporting REPowerEU objectives</i> set out in this Article, by way of derogation from Article 24(2) and (4), the Commission shall adopt or refuse the amendment as regards <i>that request</i> and the resulting changes to the programme within one month after the date of submission of the programme by the Member State. Requests for an amendment of a programme shall set out the total amount <i>contributed to the achievement of the REPowerEU objectives</i> for each year by Fund and by category of region, where applicable.	(4) Where a programme need to be amended for the purpose of transfers set out in this Article, by way of derogation from Article 24(2) and (4), the Commission shall adopt or refuse the amendment as regards the transfer and the resulting changes to the programme within one month after the date of submission of the programme by the Member State. By way of derogation from Article 40(2), point (d), the monitoring committee shall be consulted on the programme amendment. Requests for an amendment of a programme shall set out the total amount transferred for each year by Fund and by category of region, where applicable.	
197.	Article 2 - para 1 - point 5	(5) JTF resources, including any resources transferred from the ERDF and the ESF+ in accordance with Article 27, shall not be transferable to the	(5) JTF resources, including any resources transferred from the ERDF and the ESF+ in accordance with Article 27, shall not be transferable to the	(5) JTF resources, including any resources transferred from the ERDF and the ESF+ in accordance with Article 27, shall not be transferable to the	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
	Regulatio	Recovery and Resilience Facility	Recovery and Resilience Facility	Recovery and Resilience Facility	
	n (EU)	pursuant to this Article.	and shall not be requested for	pursuant to this Article. In	
	2021/1060		supporting REPowerEU	accordance with Article 26(6),	
	Article		<i>objectives</i> pursuant to this Article.	JTF resources allocated under	
	26a - para			Regulation (EU) 2020/2094	
	5			according to Article 4 of	
				Regulation (EU) 2021/1056 may	
				be transfered to the Recovery	
				and Resilience Facility pursuant	
				to this Article.	
198.	Article 2 -	(6) Where the Commission has	Deleted	(6) Where the Commission has not	
170.	para 1 -	not entered into a legal		entered into a legal commitment	
	point 5	commitment for resources		for resources transferred in	
		transferred in accordance with		accordance with paragraph 1, the	
		paragraph 1, the corresponding		corresponding uncommitted	
	Regulatio	uncommitted resources may be		resources may be transferred back	
	n (EU) 2021/1060	transferred back to the Fund from		to the Fund from which they have	
	2021/1000 Article	which they have been initially		been initially transferred and	
	26a - para	transferred and allocated to one or		allocated to one or more	
	6	more programmes, in accordance		programmes, in accordance with	
		with the provisions in Article		the provisions in Article 26(7),	
		26(7), 26(8) and 26(9).'		26(8) and 26(9).'	
199.	Article 2 -		(6a) Expenditure incurred and		
177.	para 1 -		paid for measures referred to in		
	point 5		Article 21c(1)(b) of Regulation		
			(EU) 2021/241 with the exception		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
	Regulatio n (EU) 2021/1060 Article 26a - para 6 a (new)		of fossil-free hydrogen, in Article 21c(1)(c) thereof with the exception of facilities dedicated to transport fossil fuels, and in Article 21c(1)(d) thereof shall be counted towards the share of the climate targets and the climate adjustment mechanism in accordance with Article 6 of this Regulation.		
200.	Article 2 - para 1 - point 5 a (new) - introducto ry part		(5a) In Article 112, the following paragraph is added:		
	Regulatio n (EU) 2021/1060 Article 112				
201.	Article 2 - para 1 - point 5 a		6a. Where a Member State decides to request resources under Article 26a of this Regulation, by way of derogation		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
	Regulatio n (EU) 2021/1060 Article 112 - para 6 a (new)		from Article 112(3) and (4) a co- financing rate of up to 100 % may be applied to expenditure declared in payment applications in the accounting years starting on 1 July 2022 and ending on 30 June 2026 for one or more priority axes in a programme supported by the ERDF, the ESF+ or the Cohesion Fund, for the financing of measures supporting the objectives of REPowerEU referred to in Article 21c(1)(b) of Regulation (EU)2021/241 with the exception of fossil-free hydrogen, in Article 21c(1)(c) of that Regulation with the exception of facilities dedicated to transport fossil fuels, and in Article 21c(1)(d) of that Regulation.	ST 12662/22 REV 2	
202.	Article 2 - para 1 - point 5 a Regulatio n (EU) 2021/1060 Article		A request for a modification of the co-financing rate shall be submitted as an amendment of a programme in accordance with Article 24 and shall be accompanied by a revised programme.		

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	112 - para 6 a - subpara 1 (new)			2112002/2211211	
203.	Article 2 - para 1 - point 6	(6) Annexes II and V are amended in accordance with the Annex II to this Regulation.	(6) Annexes II and V are amended in accordance with the Annex II to this Regulation.	(6) Annexes II and V are amended in accordance with the Annex II to this Regulation.	
204.	Article 2 a (new)		Article 2a		
205.	Article 2 a - title (new)		Regulation (EU) No 1303/2013 is amended as follows:		
206.			(1) In Article 60, the following paragraphs are added:		
207.	Article 2 a (new) Regulatio n (EU) No 1303/2013 Article 60 - para 2 a (new)		2a. By way of derogation from Article 60(1) and the first and fourth subparagraphs of Article 120(3), at the request of a Member State, a co-financing rate of 100 % may be applied to expenditure for fostering energy crisis response capacities in accordance with the "REPowerEU objectives" and support for vulnerable households and micro-, small		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
			and medium enterprises from 1 February 2022 for one or more priority axes in a programme supported by the ERDF, the ESF or the Cohesion Fund.		
208.	Article 2 a (new) Regulatio n (EU) No 1303/2013 Article 60 - para 2 a - subpara 1 (new)		Requests for modification of the co-financing rate shall be submitted in accordance with the procedure for the amendment of programmes set out in Article 30 and shall be accompanied by a revised programme or programmes.		
209.	Article 2 a (new) Regulatio n (EU) No 1303/2013 Article 60 - para 2 a - subpara 2 (new)		The co-financing rate of 100 % shall apply only if the relevant amendment of the operational programme is approved by the Commission before the submission of the final application for an interim payment in accordance with Article 135(2).		
210.	Article 2 a (new)		2b. In response to the energy crisis resulting from the Russian		

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Nr.	Ref.	Commission proposal	EP	Council	Compromise
	Regulatio n (EU) No 1303/2013 Article 60 - para 2 b (new)		aggression towards Ukraine, the resources available for the 2014-2020 programming period for the Investment for growth and jobs goal may, at the request of a Member State, be transferred between the ERDF, the ESF and the Cohesion Fund, irrespective of the percentages referred to in points (a) to (d) of Article 92(1). For the purpose of those transfers, the requirements laid down in Article 92(4) shall not apply.	ST 12662/22 REV 2	
211.	Article 2 a (new) Regulatio n (EU) No 1303/2013 Article 60 - para 2 b - subpara 1 (new)		Resources transferred between the ERDF, the ESF and the Cohesion Fund under this paragraph shall be implemented in accordance with the rules of the Fund to which they are transferred.		
212.	Article 3	Article 3	Deleted	Article 3	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
213.	Article 3 - para 1	Regulation (EU) 2021/2115 is amended as follows:	Deleted	Regulation (EU) 2021/2115 is amended as follows:	
214.	Article 3 - para 1 - point 1	(1) The following Article is inserted:	Deleted	(1) The following Article is inserted:	
215.	Article 3 - para 1 - point 1 Regulatio n (EU) 2021/2115 - Aricle 81 a (new)	Article 81a	Deleted	Article 81a	
216.	Article 3 - para 1 - point 1 Regulatio n (EU) 2021/2115 - Aricle 81 a (new)	Use of EAFRD delivered through the Recovery and Resilience Facility	Deleted	Use of EAFRD delivered through the Recovery and Resilience Facility	
217.	Article 3 - para 1 - point 1 Regulatio	(1) Member States submitting to the Commission a recovery and resilience plan containing a REPowerEU chapter in	Deleted	(1) Member States submitting to the Commission a recovery and resilience plan containing a REPowerEU chapter in accordance	

n (EU) 2021/2115 - Aricle 81 a - para 1 2021/241 of the European Parliament and of the Council may allocate, in the proposal for a CAP Strategic Plan referred to in Article 118 or in the request for amendment of a CAP Strategic Plan referred to in Article 119, up to 12.5% of its initial allocation for the EAFRD to the Recovery and Resilience Facility. 218. Article 3 - para 1 - point 1 Regulation (EU) 2021/241 of the European Parliament and of the Council may allocate, in the proposal for a CAP Strategic Plan referred to in Article 118 or in the request for amendment of a CAP Strategic Plan referred to in Article 119, up to 12.5% of its initial allocation for the EAFRD to the Recovery and Resilience Facility, including the amount transferred to EAFRD in accordance with Article 103. 218. Article 3 - para 1 - point 1 Regulation (EU) 2021/241 of the European Parliament and of the Council may allocate, in the proposal for a CAP Strategic Plan referred to in Article 118 or in the request for amendment of a CAP Strategic Plan referred to in Article 119, up to 12.5% of its initial allocation for the EAFRD to the Recovery and Resilience Facility, including the amount transferred to EAFRD in accordance with Article 103. 218. (2) Member States shall determine the total amount contributed for each year. In case of request for amendment of a CAP Strategic Plan, those amounts shall concern only future years	Nr. Ref.	r .	ef. Commission proposal	EP	Council	Compromise
218. Article 3 - para 1 - determine the total amount point 1	2021/2115 - Aricle 81	202 - A	accordance with Regulation (EU) 20115 le 81 ra 1 Parliament and of the Council may allocate, in the proposal for a CAP Strategic Plan referred to in Article 118 or in the request for amendment of a CAP Strategic Plan referred to in Article 119, up to 12.5% of its initial allocation for the EAFRD to the Recovery		the European Parliament and of the Council may allocate, in the proposal for a CAP Strategic Plan referred to in Article 118 or in the request for amendment of a CAP Strategic Plan referred to in Article 119, up to 12.5% of its initial allocation for the EAFRD to the Recovery and Resilience Facility, including the amount	
2021/2115 - Aricle 81 a - para 2 years. resources of current calendar years may be allocated if such request for allocation is submitted before 1 November of that given year. 219. Article 3 - (3) Where a CAP Strategic plan Deleted (3) Where a CAP Strategic plan	para 1 - point 1 Regulatio n (EU) 2021/2115 - Aricle 81 a - para 2	Res n (1 202 - A a -	determine the total amount contributed for each year. In case of request for amendment of a CAP Strategic Plan, those amounts shall concern only future years.		accordance with Article 103. (2) Member States shall determine the total amount contributed for each year. In case of request for amendment of a CAP Strategic Plan, those amounts shall concern only future years resources of current calendar years may be allocated if such request for allocation is submitted before 1 November of that given year.	

Nr.	Ref.	Commission proposal	ЕР	Council ST 12662/22 REV 2	Compromise
	point 1 Regulatio n (EU) 2021/2115 - Aricle 81 a - para 3	purpose of transfers set out in this Article, by way of derogation from Article 119(6), the Commission shall adopt or refuse the amendment containing the allocation and the resulting changes to the CAP Strategic Plan within one month after the date of submission of the request by the Member State. The amendment shall not count for the maximum number of requests for amendment provided for in Art. 119 (7).		purpose of transfers set out in this Article, by way of derogation from Article 119(6), the Commission shall adopt or refuse the amendment containing the allocation and the resulting changes to the CAP Strategic Plan within one month after the date of submission of the request by the Member State. The amendment shall not count for the maximum number of requests for amendment provided for in Art. 119 (7).	
220.	Article 3 - para 1 - point 1 Regulatio n (EU) 2021/2115 - Aricle 81 a - para 4	(4) Member States may revise the proposed CAP Strategic Plans for the purpose of allocation set out in this Article, at any time before their approval by the Commission.	Deleted	(4) Member States may revise the proposed CAP Strategic Plans for the purpose of allocation set out in this Article, at any time before their approval by the Commission.	
221.	Article 3 - para 1 - point 1	(5) The EAFRD allocation delivered through the Recovery	Deleted	(5) The EAFRD allocation delivered through the Recovery and Resilience Facility, in	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	Regulatio n (EU) 2021/2115 - Aricle 81 a - para 5	and Resilience Facility, in accordance with paragraph 1, shall be fully included:		accordance with paragraph 1, shall be fully included:	
222.	Article 3 - para 1 - point 1 Regulatio n (EU) 2021/2115 - Aricle 81 a - para 5 - point a	(a) in the calculation of the minimum financial allocation referred in Article 93 (1) and shall for the purpose of Article 93 (3) be considered as an intervention referred to in Article 93 (2). 100% of the allocated expenditure will be taken into account for the calculation referred to in Article 93(2);	Deleted	(a) in the calculation of the minimum financial allocation referred in Article 93 (1) and shall for the purpose of Article 93 (3) be considered as an intervention referred to in Article 93 (2). 100% of the allocated expenditure will be taken into account for the calculation referred to in Article 93(2);	
223.	Article 3 - para 1 - point 1 Regulatio n (EU) 2021/2115 - Aricle 81 a - para 5 - point b	(b) in the calculation of the reduction of the minimum financial allocation for ecoschemes as defined in Article 97(2) and shall for the purpose of Article 97 (3) be considered as an intervention in accordance with Articles 70, 72, 73 and 74.	Deleted	(b) in the calculation of the reduction of the minimum financial allocation for eco-schemes as defined in Article 97(2) and shall for the purpose of Article 97 (3) be considered as an intervention in accordance with Articles 70, 72, 73 and 74.	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
224.	Article 3 - para 1 - point 1 Regulatio n (EU) 2021/2115 - Aricle 81a - para 6	(6) Where the Commission has not entered into a legal commitment for resources allocated in accordance with paragraph 1, the corresponding uncommitted resources may be transferred back to the EAFRD.	Deleted	(6) Where the Commission has not entered into a legal commitment for resources allocated in accordance with paragraph 1, the corresponding uncommitted resources may be transferred back to the EAFRD.	
225.	Article 3 - para 1 - point 1 Regulatio n (EU) 2021/2115 - Aricle 81a - para 5 - point a	(a) To this end, the Member State shall submit a request for a CAP Strategic Plan amendment in accordance with Article 119, at the latest 4 months before the time limit for commitments set out in the first subparagraph of Article 114(2) of the Financial Regulation. Such amendment shall not count for the maximum number of requests for amendment provided for in Art. 119 (7).	Deleted	(a) To this end, the Member State shall submit a request for a CAP Strategic Plan amendment in accordance with Article 119, at the latest 4 months before the time limit for commitments set out in the first subparagraph of Article 114(2) of the Financial Regulation. Such amendment shall not count for the maximum number of requests for amendment provided for in Art. 119 (7).	
226.	Article 3 - para 1 - point 1	(b) Resources transferred back to the EAFRD shall be implemented in accordance with the rules set	Deleted	(b) Resources transferred back to the EAFRD shall be implemented in accordance with the rules set out in this Regulation as from the date	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	Regulatio n (EU) 2021/2115 - Aricle 81a - para 5 - point b	out in this Regulation as from the date of submission of the request for programme amendment according to point (a) above.		of submission of the request for programme amendment according to point (a) above.	
227.	Article 3 - para 1 - point 1 Regulatio n (EU) 2021/2115 - Aricle 81a - para 5 - point c	(c) For the resources transferred back to the EAFRD in accordance with paragraph 6 of this Article, the decommitment time limit as defined Article 34(1) of Regulation (EU) 2021/2116 shall start in the year in which the corresponding budgetary commitments are made.	Deleted	(c) For the resources transferred back to the EAFRD in accordance with paragraph 6 of this Article, the decommitment time limit as defined Article 34(1) of Regulation (EU) 2021/2116 shall start in the year in which the corresponding budgetary commitments are made.	
228.	Article 3 - para 2 Regulatio n (EU) 2021/2115 - Aricle 112 - para 2	In Article 112(2), point (d) is replaced by the following:	Deleted	(2) In Article 112(2), point (d) is replaced by the following:	
229.	Article 3 - para 2	'(d) where relevant, transfer of Member State's allocations from the EAFRD for support under	Deleted	'(d) where relevant, transfer of Member State's allocations from the EAFRD for support under	

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Nr.	Ref.	Commission proposal	ЕР	Council ST 12662/22 REV 2	Compromise
	Regulatio n (EU) 2021/2115 - Aricle	InvestEU or the RRF in accordance with Article 81 or 81a of this Regulation respectively,		InvestEU or the RRF in accordance with Article 81 or 81a of this Regulation respectively,	
	112 - para 2 - point d	under Regulation (EU) 2021/783 or under Regulation (EU) 2021/817 in accordance with Article 99 of this Regulation;'		under Regulation (EU) 2021/783 or under Regulation (EU) 2021/817 in accordance with Article 99 of this Regulation;'	
230.	Article 3 a (new)			Article 3a	
231.	Article 3 a - para 1			Regulation (EU) 2021/1755 is amended as follows:	
232.	Article 3 a - para 1 - point 1			(1) The following Article is inserted:	
233.	Article 3 a - para 1 - point 1			'Article 4a	
	Regulatio n (EU) 2021/1755 - Article				
234	4a (new) Article 3 a			Transfer to the Recovery and	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		* *		ST 12662/22 REV 2	
	- para 1 -			Resilience Facility	
	point 1				
	B 1 .				
	Regulatio				
	n (EU) 2021/1755				
	- Article				
	4a (new)				
225	Article 3 a			(1) By 1 March 2023, Member	
235.	- para 1 -			States may submit to the	
	point 1			Commission a reasoned request	
				to transfer to the Recovery and	
	Regulatio			Resilience Facility all or part of	
	n (EU)			the amounts of the provisional	
	2021/1755			allocation set out in the	
	- Article			implementing act referred to in	
	4a (new)				
				Article 4(5). If the transfer	
				request is approved, the	
				Commission shall amend the	
				implementing act referred to in	
				Article 4 (5) to reflect the	
				adjusted amounts following the	
				transfers.	
236.	Article 3 a			(2) Where the transfers affect	
	- para 1 -			the instalments already paid or	
	point 1			to be paid as pre-financing, the	
				Commission shall amend the	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
	Regulatio			implementing act referred to in	
	n (EU)			Article 9(1) accordingly for the	
	2021/1755			Member State concerned. Where	
	- Article			appropriate, the Commission	
	4a (new)			shall recover all or part of the	
				2021 and 2022 instalments paid	
				to that Member State as pre-	
				financing, in accordance with the	
				Financial Regulation. In that	
				case the recovered amounts shall	
				be transferred to the Recovery	
				and Resilience Facility for the	
				exclusive benefit of the Member	
				State concerned.	
237.	Article 3 a			(3) Where a Member State	
	- para 1 -			chooses to transfer all or part of	
	point 1			its provisional allocation to the	
				Recovery and Resilience Facility	
	Regulatio			in accordance with this Article,	
	n (EU) 2021/1755			the amounts to be spent for the	
	- Article			purpose referred to in Article	
	4a (new)			4(4) first subparagraph shall be	
				proportionately reduced.	
238.	Article 3 a			(4) Where a Member State	
250.	- para 1 -			chooses to transfer all of its	
	point 1			provisional allocation to the	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	Regulatio n (EU) 2021/1755 - Article 4a (new)			Recovery and Resilience Facility, Article 10 (1) shall not apply. Article 10 (2) shall not apply to the amounts transferred to the Recovery and Resilience Facility.'	
239.	Article 4	Article 4	Article 4	Article 4	
240.	Article 4 - para 1 (new) - introducto ry part	(1) In Directive 2003/87/EC, the following Article is inserted:	Directive 2003/87/EC is amended as follows:	(1) In Directive 2003/87/EC, the following Article is inserted:	
	2003/87/E C				
241.	Article 4 - para 1		(1) the following Article is inserted:		
	Directive 2003/87/E C				
242.	Article 4 - para 1 Directive 2003/87/E	Article 10e	Article 10e	'Article 10e	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
	C - Article 10e				
243.	Article 4 - para 1	Recovery and Resilience Facility	Recovery and Resilience Facility	Recovery and Resilience Facility	
	Directive 2003/87/E C - Article 10e				
244.	Article 4 - para 1 Directive	(1) For the period until 31 December 2026, the allowances released pursuant to Article 1(6) of Decision (EU) 2015/1814 shall	(1) For the period until 31 December 2025, the allowances referred to in Article 10(3), second subparagraph, shall be	(1) For the period until 31 December 2026, the allowances released pursuant to Article 1(6) of Decision (EU) 2015/1814 and	
	2003/87/E C - Article 10e - para 1	be auctioned until the amount of revenue obtained from such auctioning has reached EUR 20 billion. This revenue shall be made available to the Recovery	auctioned until the amount of revenue obtained from such auctioning has reached EUR 20 billion. The revenue referred to in the first subparagraph of this	the allowances auctioned pursuant to paragraph 1a and 1b of this Article shall be auctioned until the total amount of revenue obtained from such auctioning has	
		and Resilience Facility established by Regulation (EU) 2021/241 and shall be implemented in accordance with the provisions of that Regulation.	paragraph shall be made available to the Recovery and Resilience Facility established by Regulation (EU) 2021/241 for the purpose of contributing to the	reached EUR 20 billion. This revenue shall be made available to the Recovery and Resilience Facility established by Regulation (EU) 2021/241 and shall be implemented in accordance with	
			REPowerEU objectives as set outin Article21c(1) of thatRegulationand shall beimplemented in accordance with	implemented in accordance with the provisions of that Regulation.	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
			the provisions of that Regulation.		
245.	Article 4 0		(-1) In Article 10(3), the		
213.	para 1		following subparagraph is		
			inserted after the first		
	Directive		subparagraph:		
	2003/87/E				
	C - Article				
	10 - para				
	3- point -1 (new)				
2.1.5	Article 4 -			(1a) By derogation from Article	
246.	para 1			10a paragraph 8, for a period	
	pww 1			until 31 December 2026, a part	
	Directive			of the allowances referred to in	
	2003/87/E			that paragraph shall be	
	C - Article			auctioned to support the	
	10e - para			objectives of Article 21c of	
	la (new)			Regulation (EU) 2021/241, until	
				the amount of revenue obtained	
				from such auctioning has	
				reached EUR 15 000 000 000.	
	FG :1		"By way of derogation from		
247.	[Council reference]		the first subparagraph of this	December 2026, a number of	
	Article 4 -				
	para 1		1 0 1	allowances from the quantity	
	para 1		extraordinary and one-	which would otherwise be	
	Directive		time measure, for the period until	auctioned by the Member States	
	Directive		31 December 2025, a number of	pursuant to Article 10(1), fourth	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
	2003/87/E		allowances shall be deducted	subparagraph under Article	
	C - Article		from the volume of allowances to	10(2), from 1 January 2027 to 31	
	10e - para		be auctioned from 1	December 2030, shall be	
	1 b (new)		January 2027 to 31 December	auctioned to support the	
			2030 by Member States in	objectives of Article 21c of	
			accordance with paragraph 2 of	Regulation (EU) 2021/241, until	
			this Article and shall be	the amount of revenue obtained	
			auctioned over the period until	from such auctioning has	
			31 December 2025 in accordance	reached EUR 5 000 000 000.	
			with Article 10e, until the	Those allowances shall, in	
			amount of revenue obtained from	principle, be auctioned in equal	
			such auctioning has reached	annual volumes over the relevant	
			EUR 20 billion."	period.	
248.	Article 4 -	(2) The Commission shall ensure	(2) The Commission shall ensure	(2) The Commission shall ensure	
240.	para 1	that the allowances destined for	that the allowances destined for	that the allowances destined for the	
		the Recovery and Resilience	the Recovery and Resilience	Recovery and Resilience Facility,	
	Directive	Facility are auctioned in	Facility are auctioned in	including for pre-financing	
	2003/87/E	accordance with the principles	accordance with the principles	payments, where appropriate, in	
	C - Article	and modalities laid down in	and modalities laid down in	accordance with Article 21ca of	
	10e - para	Article 10(4) of Directive	Article 10(4) of Directive	Regulation (EU) 2021/241, are	
	2	2003/87/EC and in accordance	2003/87/EC and in accordance	auctioned in accordance with the	
		with Article 24 of Commission	with Article 24 of Commission	principles and modalities laid	
		Regulation (EU) No 1031/2010 ^[1] .	Regulation (EU) No 1031/2010[1].	down in Article 10(4) of Directive	
				2003/87/EC and in accordance	
				with Article 24 of Commission	
				Regulation (EU) No 1031/2010 ^[1] .	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
249.	Article 4 - para 1 Directive 2003/87/E C - Article 10e - para 3	(3) The European Investment Bank (EIB) shall be the auctioneer for the allowances to be auctioned pursuant to this Article on the auction platform appointed pursuant to Article 26(1) of Commission Regulation (EU) No 1031/2010 ^[2] and shall provide the auction revenues to the Commission.	(3) The European Investment Bank (EIB) shall be the auctioneer for the allowances to be auctioned pursuant to this Article on the auction platform appointed pursuant to Article 26(1) of Commission Regulation (EU) No 1031/2010 ^[2] and shall provide the auction revenues to the Commission.		
250.	Article 4 - para 1 Directive 2003/87/E C - Article 10e - para 4	(4) The proceeds from auctioning those allowances shall constitute external assigned revenue for the purpose of Article 21(5) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council.'	(4) The proceeds from auctioning those allowances shall constitute external assigned revenue for the purpose of Article 21(5) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council.'	(4) The proceeds from auctioning those allowances shall constitute external assigned revenue for the purpose of Article 21(5) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council.'	
251.	Article 5	Article 5	Article 5	<u>Article 5</u>	
252.	Article 5 - title Decision (EU) 2015/1814	Amendments to Decision (EU) 2015/1814	Amendments to Decision (EU) 2015/1814	Amendments to Decision (EU) 2015/1814	
253.	Article 5 - para 1	Article 1 of Decision (EU)	Article 1 of Decision (EU)	Article 1 of Decision (EU)	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	Decision (EU) 2015/1814 - Article 1	2015/1814 is amended as follows:	2015/1814 is amended as follows:	2015/1814 is amended as follows:	
254.	Article 5 - para 1 - point 1 Decision (EU) 2015/1814 Article 1 - para 5 - subpara 1	In paragraph 5, first subparagraph, the third sentence is replaced by the following:	In paragraph 5, <i>the</i> first subparagraph is replaced by the following:	In paragraph 5, first subparagraph, the third sentence is replaced by the following:	
255.	Article 5 - para 1 - point 1 Decision (EU) 2015/1814 Article 1 - para 5 - subpara 2	'By way of derogation from the first and second sentences, until 31 December 2030, the percentages and the 100 million allowances referred to in those sentences shall be doubled.'	'In any given year, if the total number of allowances in circulation is between 700 million and 921 million, a number of allowances equal to the difference between the total number of allowances in circulation, as set out in the most recent publication as referred to in paragraph 4 of this Article,	'By way of derogation from the first and second sentences, until 31 December 2030, the percentages and the 100 million allowances referred to in those sentences shall be doubled.'	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposal		ST 12662/22 REV 2	
			and 700 million, shall be		
			deducted from the volume of		
			allowances to be auctioned by the		
			Member States under Article		
			10(2) of Directive 2003/87/EC		
			and shall be placed in the reserve		
			over a period of 12 months		
			beginning on 1 September of that		
			year. If the total number of		
			allowances in circulation is		
			above 921 million, the number of		
			allowances to be deducted from		
			the volume of allowances to		
			be auctioned by the Member		
			States under Article 10(2) of		
			Directive 2003/87/EC and to be		
			placed in the reserve over a		
			period of 12 months beginning		
			on 1 September of that year shall		
			be equal to 12 % of the total		
			number of allowances in		
			circulation. By way of derogation		
			from the <i>last sentence</i> , until 31		
			December 2030, the <i>percentage</i>		
			shall be doubled. As from 2025,		
			the thresholds referred to in this		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
256. 257.	Article 5 - para 1 - point 2 Article 5 - para 1 - point 1 - subpara 1	In paragraph 6, the following subparagraph is added: 'By way of derogation from the first subparagraph, for a period until 31 December 2026, a number of allowances shall be	subparagraph shall be reduced in proportion to the reduction of the Union-wide quantity of allowances referred to in Article 9 of Directive 2003/87/EC in the same year.' Deleted Deleted	In paragraph 6, the following subparagraphs is are added: 'By way of derogation from the first subparagraph, for a period until 31 December 2026, a number of allowances shall be	
250	Article 5 a	released from the reserve and auctioned in accordance with Article 10e of Directive 2003/87/EC, until the amount of revenue obtained from such auctioning has reached EUR 20 billion.'	Article 5a	released from the reserve and auctioned in accordance with Article 10e of Directive 2003/87/EC, until the amount of revenue obtained from such auctioning has reached EUR 20 billion.'	
258.	(new)		Article 3a		
259.	Article 5 a - title (new)		Entry into force		
260.	[EP		This Regulation shall enter into	This Regulation shall enter into	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposal		ST 12662/22 REV 2	
	version]		force on the day following that of	force on the day following that of	
	Article 5 a		its publication in the Official	its publication in the Official	
	- para 1 (new)		Journal of the European Union.	Journal of the European Union.	
261.	Article 6	Article 6	Article 6	Article 6	
262.	Article 6 -	This Regulation shall be binding	This Regulation shall be binding	This Regulation shall be binding in	
202.	para 1	in its entirety and directly	in its entirety and directly	its entirety and directly applicable	
		applicable in all Member States.	applicable in all Member States.	in all Member States.	
263.	Article 6 - para 2	Done at Brussels,	Done at Brussels,	Done at Brussels,	
264.	Article 6	For the European Parliament For	For the European Parliament	For the European Parliament For	
2011		the Council	The President	the Council	
265.	Article 6	The President The President	For the Council The President	The PresidentThe President	
266.					
267.					
268.					
269.					
270.					
271.					
272.	Annex I	ANNEX I	ANNEX I	ANNEX I	
273.					
274.	Annex I -	Annex V of Regulation 2021/241	Annex V of Regulation 2021/241	Annex V of Regulation 2021/241	
	para 1		is amended as follows:	is amended as follows:	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		is amended as follows:		ST 12662/22 REV 2	
275.	Annex I - para 1 - point a	(a) In section 2, the following point is added:	(a) In section 2, the following points are added:	(a) In section 2, the following point is added:	
276.	Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 2.12 - subpara 1	'2.12. The measures referred to in Article 21c (1) and (2) are expected to effectively contribute towards the Union's security of supply for the Union as a whole, notably through a diversification of energy supply or reduction of dependence on fossil fuels before 2030.'.	'2.12. The measures referred to in Article 21c (1) and (2) are expected to effectively contribute towards the Union's security of supply for the Union as a whole, notably through a diversification of energy supply, increase of energy storage capacities or significant or reduction of dependence on fossil fuels before 2030, towards the Union's 2030 targets including energy efficiency and renewable energy and towards the EU's climate neutrality objective. Where relevant, measures contained in the REPowerEU chapter shall give adequate priority to the needs of those affected by energy poverty as well as to the reduction of vulnerabilities during the nearest winter	'2.12. The measures referred to in Article 21c (1) and (2) are expected to effectively contribute towards the Union's security of supply for the Union as a whole, notably through a diversification of energy supply or reduction of dependence on fossil fuels before 2030'.	

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Nr.	Ref.	Commission proposal	EP	Council	Compromise
			seasons.'.	ST 12662/22 REV 2	
277.	Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 2.12	When assessing the measures referred to in Article 21c (1) under this criterion, the Commission shall take into account the following elements:	When assessing the measures referred to in Article 21c (1) under this criterion, the Commission shall take into account the following elements:	When assessing the measures referred to in Article 21c (1) under this criterion, the Commission shall take into account the specific challenges and the additional funding under the Facility available to the Member State concerned take. The Commission shall consider the	
278.	-subpara 2 Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 2.12 -subpara 3	Scope	Scope	following elements: Scope	
279.	Annex I - para 1 - point a Regulatio	— the implementation of the envisaged measures is expected to significantly contribute to the improvement of energy	— the implementation of the envisaged measures is expected to significantly contribute to the improvement of energy infrastructure and facilities to	— the implementation of the envisaged measures is expected to effectively significantly contribute to the improvement of energy infrastructure and facilities to meet	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	n (EU) 2021/241 Annex V - Section 2 - point 2.12 -subpara 3 - indent 1	infrastructure and facilities to meet immediate security of supply needs for oil and gas, notably to enable diversification of supply in the interest of the Union as a whole,	meet immediate security of supply needs for gas, <i>including LNG</i> , notably to enable diversification of supply in the interest of the Union as a whole, <i>while ensuring that the relevant infrastructures are hydrogen ready</i> ,	immediate security of supply needs for oil and gas, notably to enable diversification of supply in the interest of the Union as a whole,	
280.	Regulatio n (EU) 2021/241 Annex V - Section 2 - point 2.12 -subpara 3 - indent 1 - subpara 2	or	or	or	
281.	Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 2.12 -subpara 3	— the implementation of the envisaged measures is expected to significantly contribute to boosting energy efficiency in buildings, decarbonising industry, increasing production and uptake of sustainable biomethane and renewable or fossil free hydrogen and increasing the share of renewable energy,	— the implementation of the envisaged measures is expected to significantly contribute to boosting energy efficiency and savings in buildings, including via investment schemes targeted to vulnerable households, SMEs and micro-enterprises,	— the implementation of the envisaged measures is expected to effectively significantly contribute to boosting energy efficiency in buildings and critical energy infrastructure, decarbonising industry, increasing production and uptake of sustainable biomethane and renewable or fossil free hydrogen and increasing the share	

Ref.	Commission proposal	EP	Council	Compromise
	Commission proposar		ST 12662/22 REV 2	
- indent 2			of renewable energy,	
Annex I - para 1 - point a	or	or	or	
Regulatio n (EU) 2021/241 Annex V - Section 2 - point 2.12 -subpara 3 - indent 2 - subpara 2				
Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 2.12 - subpara 3 - indent 3		increasing energy storage capacity, increasing production and uptake of sustainable biomethane, renewable energy, renewable fuels of non-biological origin (RFNBOs), renewable or fossil free hydrogen and speeding up permitting processes for plants producing renewable energy, including the		
	- indent 2 Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 2.12 - subpara 3 - indent 2 - subpara 2 Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 2.12 - subpara 3	- indent 2 Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 2.12 -subpara 3 - indent 2 - subpara 2 Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 2.12 -subpara 3	- indent 2 Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 2.12 -subpara 3 - indent 2 - subpara 2 Annex I - point a — decarbonising industry, increasing energy storage capacity, increasing production and uptake of sustainable biomethane, renewable energy, renewable fuels of non-biological origin (RFNBOs), renewable or fossil free hydrogen and speeding up permitting processes for plants producing renewable	- indent 2 Annex I- para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point a Annex I- para 1 - point a - decarbonising industry, increasing energy storage capacity, increasing production and uptake of sustainable biomethane, renewable energy, renewable fatels of non-biological origin (RFNBOs), renewable or fossil free hydrogen and speedling up permitting processes for plants producing renewable energy, including the

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Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
			generation and other infrastructure, including by accelerating permitting procedures,	S1 12002/22 REV 2	
284.	Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 2.12 - subpara 3 - indent 3 - subpara 2		or		
285.	[EP version] Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V -		— addressing energy poverty, in particular through measures benefitting vulnerable and low-income households,	— the implementation of the envisaged measures is expected to effectively contribute to addressing energy poverty and incentivising reduction of energy demand,	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	Section 2 - point 2.12 -subpara 3 - indent 3 a (new)			51 12002/22 REV 2	
286.	Annex I - para 1 - point a		or		
	Regulatio n (EU) 2021/241 Annex V - Section 2 - point 2.12 -subpara 3 - indent 3 - subpara				
287.	Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 2.12		— incentivising reduction of energy demand, including by upscaling existing energy savings solutions,		

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	-subpara 3 - indent 3b (new)				
288.	Annex I - para 1 - point a		or		
	Regulatio n (EU) 2021/241 Annex V - Section 2 - point 2.12 -subpara 3 - indent 3b (new) - subpara 2				
289.	[EP version] Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 -	— the implementation of the envisaged measures is expected to address energy infrastructure bottlenecks, in particular by constructing cross-border links with other Member States, or supports zero-emission transport and its infrastructure, including railways,		— the implementation of the envisaged measures is expected to address energy infrastructure bottlenecks, in particular by constructing cross-border links with other Member States, or supports zero-emission transport and its infrastructure, including railways,	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	point 2.12 - subpara 3 - indent 4		a just and inclusive way, including railways, thereby contributing to ensuring affordable energy and transport in the Union,	S1 12002/22 REV 2	
290.	[EP version] Annex I - para 1 - point a	or	or	or	
	Regulatio n (EU) 2021/241 Annex V - Section 2 - point 2.12 - subpara 3 - indent 4 - subpara 2				
291.	[EP version] Annex I - para 1 - point a Regulatio	— the implementation of the envisaged measures is expected to significantly contribute to supporting a requalification of the workforce towards green skills, as well as supporting value chains in	— the implementation of the envisaged measures is expected to significantly contribute to supporting a requalification of the workforce towards green and the related digital skills and energy	— the implementation of the envisaged measures is expected to effectively significantly contribute to supporting a requalification of the workforce towards green skills, as well as supporting value chains	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
	n (EU)	key materials and technologies	transition, including for the	in key materials and technologies	
	2021/241	linked to the green transition,	administrative implementation of	linked to the green transition,	
	Annex V -		those objectives, as well as		
	Section 2 -		supporting value chains in key		
	point 12 - subpara 2		materials and technologies linked		
	- indent 5		to the green transition and the use		
			of sustainable construction		
			materials and products, thereby		
			reducing the dependency on		
			primary critical raw materials		
			relevant to the energy transition,		
292.	Annex I - para 1 - point a	and	and	and	
	Regulatio n (EU) 2021/241				
	Annex V -				
	Section 2 -				
	point 12 -				
	subpara 2 - indent 5				
	- subpara				
	2				
293.	Annex I -	— whether the measures and	— whether the measures and	— whether the measures, provided	
	para 1 -	explanation, provided under	explanation, provided under	under Article 21c (11) are	

Nr.	Ref.	Commission proposal	ЕР	Council	Compromise
				ST 12662/22 REV 2	
	point a	Article 21c (1) are	Article 21c (1) are complementary	complementary to each other	
		complementary to each other and	to each other and significantly	and significantly contribute,	
	Regulatio	significantly contribute, together	contribute, together with measures	together with measures under	
	n (EU)	with measures under Article	under Article 21c(2), points (a)	Article 21c(2), points (a) and (b),	
	2021/241	21c(2), points (a) and (b), to	and (b), to achieve energy	to achieve the Union's	
	Annex V -	achieve the Union's	security, the Union's	diversification of energy supply	
	Section 2 -	diversification of energy supply	diversification of energy supply,	or reduction of dependence on	
	point 12 - subpara 2	or reduction of dependence on		fossil fuels before 2030.	
	- indent 6	fossil fuels before 2030.'	capacities or significant or	coherent with the efforts of the	
	inacni o		reduction of dependence on fossil	Member State concerned to	
			fuels before 2030, towards the	achieve the REPowerEU	
			Union's 2030 targets including	objectives, taking into account	
			energy efficiency and renewable		
			energy and towards the EU's	adopted Council Implementing	
			climate neutrality objective.	Decision.'	
204	Annex I -	Rating	Rating	Rating	
294.	para 1 -	Tutting			
	point a				
	Regulatio				
	n (EU)				
	2021/241				
	Annex V -				
	Section 2 -				
	point 12 -				
	subpara 3				

Nr.	Ref.	Commission proposal	EP	Council	Compromise
295.	Annex I - para 1 - point a	A – to a large extent	A – to a large extent	ST 12662/22 REV 2 A – to a large extent	
	Regulatio n (EU) 2021/241				
	Annex V - Section 2 - point 12 - subpara 4				
296.	Annex I - para 1 - point a	B – to a medium extent	B – to a medium extent	B – to a medium extent	
	Regulatio n (EU) 2021/241				
	Annex V - Section 2 - point 12 - subpara 5				
297.	Annex I - para 1 - point a	C – to a small extent	C – to a small extent	C – to a small extent	
	Regulatio n (EU)				

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	2021/241 Annex V - Section 2 - point 12 - subpara 6		2.12a The consultation process		
298.	Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 12 a (new)		2.12a. The consultation process as referred to in Article 18(4)(q) related to the measures referred to in Article 21c(1) is adequate and the pertinent input from the relevant stakeholders is properly reflected in the substance of the REPowerEU chapter.		
299.	Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 12 a - subpara		The Commission shall take into account the following elements for the assessment of this criterion		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
300.	Annex I - para 1 - point a		Scope:	ST 12662/22 REV 2	
	Regulatio n (EU) 2021/241				
	Annex V - Section 2 - point 12 a - subpara 3				
301.	Annex I - para 1 - point a		— the consultation process as referred to in Article 18(4)(q) related to the measures referred to in Article 21c(1) is adequate		
	Regulatio n (EU) 2021/241		to in Trucic 21c(1) is unequine		
	Annex V - Section 2 - point 12 a - subpara 3 - indent 1				
302.	Annex I - para 1 - point a		and		

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	Regulatio n (EU) 2021/241 Annex V - Section 2 - point 12 a - subpara 3 - indent 1 subpara 1 (new) Annex I -		— the detailed consultation		
303.	para 1 - point a Regulatio n (EU) 2021/241		report depicts the timeline and the stages of the consultations, notes the stakeholders consulted and explains the outcome of these consultations,		
	Annex V - Section 2 - point 12 a - subpara 3 - indent 2 (new)				
304.	Annex I - para 1 - point a		and		

Nr.	Ref.	Commission proposal	ЕР	Council ST 12662/22 REV 2	Compromise
	Regulatio n (EU) 2021/241 Annex V - Section 2 - point 12 a - subpara 3 - indent 2 - subpara 2				
305.	(new) Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 12 a - subpara 3 - indent		— the pertinent input from the relevant stakeholders is properly reflected in the substance of the REPowerEU chapter		
306.	3 (new) Annex I - para 1 - point a		and		

Nr.	Ref.	Commission proposal	ЕР	Council ST 12662/22 REV 2	Compromise
	Regulatio n (EU) 2021/241 Annex V - Section 2 - point 12 a - subpara 3 - indent 2 - subpara 2 (new)				
307.	Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 12 a - subpara 3 - indent 4 (new)		— the Members State has provided information on which input was not reflected and for which reason,		
308.	Annex I - para 1 - point a		and		

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
200	Regulatio n (EU) 2021/241 Annex V - Section 2 - point 12 a - subpara 3 - indent 4 - subpara 2 (new) Annex I -		— the Member State has		
309.	Regulation (EU) 2021/241 Annex V - Section 2 - point 12 a - subpara 3 - indent 5 (new)		provided information on how the local and regional authorities and other relevant stakeholders will be involved in the implementation of the REPowerEU chapter and its monitoring.		
310.	Annex I - para 1 - point a		Rating		

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	Regulatio n (EU) 2021/241				
	Annex V - Section 2 - point 12 a - subpara 4				
311.	Annex I - para 1 - point a		A – to a large extent		
	Regulatio n (EU) 2021/241 Annex V - Section 2 - point 12 a - subpara 5				
312.	Annex I - para 1 - point a		B – to a medium extent		
	Regulatio n (EU) 2021/241 Annex V -				

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	Section 2 - point 12 a - subpara 6				
313.	Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 12 a - subpara		C – to a small extent		
314.	Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 12 b (new)		2.12b. Unless a derogation is granted to the Member State pursuant to Article 21c(1a), at least 35 % of the grants and at least 35 % of the loans, as applicable, to be used under the REPowerEU chapter is allocated to measures having a crossborder or multi-country dimension or effect, even if carried out by one Member State,		

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
			and shall contribute to the objectives outlined in Article 21c(1).	27 12002/22 1td \ 2	
315.	Annex I - para 1 - point a		Rating		
	Regulatio n (EU) 2021/241				
	Annex V - Section 2 - point 12 b - subpara 2 (new)				
316.	Annex I - para 1 - point a		A – At least 35 % of the grants and at least 35 % of the loans, as applicable, to be used under the REPowerEU chapter is allocated		
	Regulatio n (EU) 2021/241 Annex V - Section 2 -		to measures having a cross- border or multi-country dimension or effect, unless a derogation is granted		
	point 12 b- subpara 3 (new)		C – Less than 35 % of the grants		
317.	Annex I -		C Less man 33 /0 of the grants		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposal		ST 12662/22 REV 2	
	para 1 - point a Regulatio n (EU)		or less than 35% of the loans, as applicable, to be used under the REPowerEU chapter is allocated to measures having a crossborder or multi-country		
	2021/241 Annex V - Section 2 - point 12 b- subpara 4 (new)		dimension or effect, without a derogation being granted		
318.	Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 12 c		2.12c. The measures under Article 21c(1)(a) meeting the cumulative conditions set out in Article 21c(4) fulfil the requirements of Article 21c(4a).		
319.	(new) Annex I - para 1 - point a Regulatio n (EU)		The Commission shall take into account the following elements for the assessment of this criterion		

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	2021/241 Annex V -				
	Section 2 -				
	point 12 c				
	- subpara				
	2 (new)				
320.	Annex I -		Scope:		
	para 1 -				
	point a				
	Regulatio				
	n (EU) 2021/241				
	Annex V -				
	Section 2 -				
	point 12 c				
	- subpara				
	3 (new)				
321.	Annex I -		– there is no adequate clean		
321.	para 1 -		technology alternative in terms of		
	point a		costs or timeline of		
			implementation to reach the		
	Regulatio		REPowerEU objectives under		
	n (EU)		Article 21c(1)(a);		
	2021/241				
	Annex V - Section 2 -				
	point 12 c				

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	- subpara 3 - indent 1 (new)				
322.	Annex I - para 1 - point a		and		
	Regulatio n (EU) 2021/241				
	Annex V - Section 2 - point 12 c - subpara				
	3 - indent 1 (new)				
323.	Annex I - para 1 - point a		- the potential harm to the EU's environmental objectives within the meaning of Article 17 of Regulation (EU) 2020/852 is		
	Regulatio n (EU) 2021/241		narrowed to the strict unavoidable extent;		
	Annex V - Section 2 - point 12 c				
	- subpara 3 - indent 2 (new)				

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
324.	Annex I - para 1 - point a		and	31 12002/22 REV 2	
	Regulatio n (EU) 2021/241				
	Annex V - Section 2 - point 12 c - subpara				
	3 - indent 2 (new)				
325.	Annex I - para 1 - point a Regulatio n (EU)		- the potential harm to the EU's environmental objectives is mitigated by accompanying measures, or other measures contributing to the REPowerEU objectives, and the integrity of		
	2021/241 Annex V - Section 2 - point 12 c - subpara 3 - indent 3 (new)		EU's 2030 and 2050 climate targets is not jeopardised;		
326.	Annex I - para 1 -		and		

Nr.	Ref.	Commission proposal	ЕР	Council ST 12662/22 REV 2	Compromise
	point a Regulatio n (EU) 2021/241 Annex V - Section 2 - point 12 c - subpara 3 - indent				
327.	3 (new) Annex I - para 1 - point a		- the measure is to be in operation by 31 December 2024.		
	Regulatio n (EU) 2021/241 Annex V - Section 2 - point 12 c - subpara 3 - indent 4 (new)				
328.	Annex I - para 1 - point a		Rating		

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
329.	Regulatio n (EU) 2021/241 Annex V - Section 2 - point 12 c - subpara 4 (new) Annex I - para 1 - point a Regulatio n (EU) 2021/241 Annex V -		A – all the measures under Article 21c (1) (a) meeting the cumulative conditions set out in Article 21c(4) fulfil the requirements of Article 21c(4a)	51 12002/22 IXLV 2	
220	Section 2 - point 12 c - subpara 5 (new) Annex I -		C – one or more measures under		
330.	para 1 - point a Regulatio n (EU) 2021/241 Annex V -		Article 21c (1) (a) meeting the cumulative conditions set out in Article 21c(4) do not fulfil the requirements of Article 21c(4a)'		

Nr.	Ref.	Commission proposal	EP	Council	Compromise
	Section 2 - point 12 c - subpara 5 (new)	, , , , , , , , , , , , , , , , , , ,		ST 12662/22 REV 2	
331.	Annex I - para 1 - point b	(b) In section 3 the part which starts with the words "As a result of the assessment process, and taking into account the ratings" is replaced by the following:	(b) In section 3 the part which starts with the words "As a result of the assessment process, and taking into account the ratings" is replaced by the following:	(b) In section 3 the part which starts with the words "As a result of the assessment process, and taking into account the ratings" is replaced by the following:	
332.	Annex I - para 1 - point b - subpara 2	'As a result of the assessment process, and taking into account the ratings:	'As a result of the assessment process, and taking into account the ratings:	'As a result of the assessment process, and taking into account the ratings:	
333.	Annex I - para 1 - point b - subpara 2 - point a	(a) The recovery and resilience plan complies satisfactorily with the assessment criteria:	(a) The recovery and resilience plan complies satisfactorily with the assessment criteria:	(a) The recovery and resilience plan complies satisfactorily with the assessment criteria:	
334.	Annex I - para 1 - point b - subpara 2 - point a - subpara 2	If the final ratings for the criteria under point 2 include scores with:	If the final ratings for the criteria under point 2 include scores with:	If the final ratings for the criteria under point 2 include scores with:	
335.	Annex I - para 1 - point b - subpara 2	— an A for criteria 2.2, 2.3, 2.5, 2.6 and 2.12;	— an A for criteria 2.2, 2.3, 2.5, 2.6, 2.12, 2.12a, 2.12b and 2.12c;	— an A for criteria 2.2, 2.3, 2.5, 2.6 and 2.12;	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	- point a - subpara 2 - indent 1				
336.	Annex I - para 1 - point b - subpara 2 - point a - subpara 3	and for the other criteria:	and for the other criteria:	and for the other criteria:	
337.	Annex I - para 1 - point b - subpara 2 - point a - subpara 2 - indent 2	— all As,	— all As,	— all As,	
338.	Annex I - para 1 - point b - subpara 2 - point a - subpara 4	or	or	Or	
339.	Annex I - para 1 - point b - subpara 2 - point a -	— no majority of Bs over As and no Cs.	— no majority of Bs over As and no Cs.	— no majority of Bs over As and no Cs.	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
	subpara 2 - indent 3				
340.	Annex I - para 1 - point b - subpara 2 - point b	(b) The recovery and resilience plan does not comply satisfactorily with the assessment criteria:	(b) The recovery and resilience plan does not comply satisfactorily with the assessment criteria:	(b) The recovery and resilience plan does not comply satisfactorily with the assessment criteria:	
341.	Annex I - para 1 - point b - subpara 2 - point b - supara 2	If the final ratings for the criteria under point 2 include scores with:	If the final ratings for the criteria under point 2 include scores with:	If the final ratings for the criteria under point 2 include scores with:	
342.	Annex I - para 1 - point b - subpara 2 - point b - indent 1	— not an A in criteria 2.2, 2.3, 2.5, 2.6 and 2.12;	— not an A in criteria 2.2, 2.3, 2.5, 2.6, 2.12, 2.12a, 2.12b and 2.12c;	— not an A in criteria 2.2, 2.3, 2.5, 2.6 and 2.12;	
343.	Annex I - para 1 - point b - subpara 2 - point b - subpara 3	and for the other criteria:	and for the other criteria:	and for the other criteria:	
344.	Annex I - para 1 - point b - subpara 2	— a majority of Bs over As,	— a majority of Bs over As,	— a majority of Bs over As,	

Nr.	Ref.	Commission proposal	EP	Council ST 12662/22 REV 2	Compromise
	- point b - indent 2			S1 12002/22 REV 2	
345.	Annex I - para 1 - point b - subpara 2 - point b - subpara 4	or	or	Or	
346.	Annex I - para 1 - point b - subpara 2 - point b - indent 3	— at least one C.'	— at least one C.'	— at least one C.'	
347.					
348.	ANNEX Ia (new)			ANNEX Ia (new)	
349.				Annex IVa is inserted after Annex IV of Regulation (EU) 2021/241 as follows:	
350.				'This Annex sets out the methodology for calculating the allocation share of the resources in the form of additional non-repayable financial support under the Facility referred to in Article 21a (1) available for each Member	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
				State. The method takes into	
				account, with regard to each	
				Member State:	
351.				— the population;	
331.				— the inverse of the GDP per	
				capita;	
				— the gross fixed capital	
				formation price deflator;	
				— the share of fossil fuels in gross	
				inland energy consumption.	
352.				To avoid excessive concentration	
302.				of resources:	
				— the inverse of the GDP per	
				capita is capped at a maximum of	
				160% of the Union weighted	
				average;	
				— the inverse of the GDP per	
				capita is capped at a maximum of	
				55% of the Union weighted	
				average if the GDP per capita of	
				the Member State concerned is	
				above 130% of EU-27 average;	
				— a minimum allocation share is	
				set at 0,15%	
				— a maximum allocation share is	
				set at 13,80%.	

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
353.				The allocation key applied to the	
				amount referred to in Article 21a	
				(1), ρ_i is defined as follows:	
354.				$\rho_i = \begin{cases} 0.0015 & \omega_i \leq 0.0015 \\ 0.138 & \omega_i \geq 0.138 \\ \omega_i - \frac{\omega_i}{\sum_{i}^{2-\gamma-q} \omega_i} \int_{i}^{z} \left[\int_{i-1}^{z} (0.0015 - \omega_i) - \sum_{i=1}^{q} (\omega_i - 0.138) \right] 0.0015 < \omega_i < 0.138 \end{cases}$	
355.				where Member States i to z are the	
				Member States benefitting from a	
				minimum allocation share and	
				Member States i to q are the	
				Member States benefitting from a	
				maximum allocation share.	
356.				where $\omega_i = \frac{\tau_i + \mu_i + \psi_i}{3}$	
357.				where $\tau_i = \frac{\sigma_{i,2021}}{\sum_{i=1}^{27} \sigma_{i,2021}}$ and $\mu_i =$	
				$\frac{\frac{\sigma_{i,2021} \times \frac{FFGIC_{i,2020}}{FFGIC_{EU,2020}}}{\sum_{i=1}^{27} \sigma_{i,2021} \times \frac{FFGIC_{i,2020}}{FFGIC_{EU,2020}}} \text{ and } \psi_i =$	
				$\frac{\sigma_{i,2021} \times \frac{GFCF_{EU,2022Q2/2021Q2}}{GFCF_{EU,2022Q2/2021Q2}}}{\sum_{i=1}^{27} \sigma_{i,2021} \times \frac{GFCF_{i,2022Q2/2021Q2}}{GFCF_{EU,2022Q2/2021Q2}}},$	
358.				where $\sigma_{i,2021} = \frac{pop_{i,2021}}{pop_{EU,2021}} \times$	
				$\min \left\{ \frac{GDP_{EU,2021}^{PC}}{GDP_{i,2021}^{PC}}; 1,6 \right\}$ for Member	
				States i with $\frac{GDP_{i,2021}^{PC}}{GDP_{EU,2021}^{PC}} \le 1,3$ and	
359.				$\sigma_{i,2021} = \frac{pop_{i,2021}}{pop_{EU,2021}} \times$	

Nr.	Ref.	Commission proposal	ЕР	Council ST 12662/22 REV 2	Compromise
				$\min \left\{ \frac{GDP_{EU,2021}^{PC}}{GDP_{1,2021}^{PC}}; 0,55 \right\} \text{ for Member}$	
				States i with $\frac{GDP_{i,2021}^{PC}}{GDP_{EU,2021}^{PC}} > 1,3$	
360.				Defining ²² :	
361.					
362.				$pop_{i,2021}$ – as the 2021 total population (national accounts) in Member State i;	
363.				$pop_{EU,2021}$ – as the 2021 total population (national accounts) in the EU-27 Member States;	
364.				GDP _{EU,2021} – as the 2021 weighted average of the nominal GDP per capita (euro) of the EU-27 Member States;	
365.				$GDP_{i,2021}^{PC}$ – as the 2021 nominal GDP per capita (euro) of Member State i;	
366.				FFGIC _{i,2020} — as the 2020 share of fossil fuels in gross inland energy consumption of Member State i;	

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²² All data in this Regulation is from Eurostat. Cut-off date 20 September 2022 for historical data used for the application of the allocation key in this annex. Fossil fuels include solid fossil fuels, manufactured gases, peat and peat products, oil shale and oil sands, oil and petroleum products (excluding biofuel portion), natural gas and non-renewable waste.

Nr.	Ref.	Commission proposal	EP	Council	Compromise
		Commission proposar		ST 12662/22 REV 2	
367.				$FFGIC_{EU,2020}$ – as the 2020	
				weighted average share of fossil	
				fuels in gross inland energy	
				consumption of the EU-27	
				Member States;	
368.				$GFCF_{i,2022Q2/2021Q2}$ – as the ratio	
500.				of 2022 Q2 gross fixed capital	
				formation price index (implicit	
				deflator, 2015=100, national	
				currency, seasonally and calendar	
				adjusted data) of Member State i	
				and 2021 Q2 Gross fixed capital	
				formation price index (implicit	
				deflator, 2015=100, national	
				currency, seasonally and calendar	
				adjusted data) of Member State i;	
369.				$GFCF_{EU,2022Q2/2021Q2}$ – as the	
309.				ratio of 2022 Q2 gross fixed capital	
				formation price index (implicit	
				deflator, 2015=100, national	
				currency, seasonally and calendar	
				adjusted data) of the EU-27	
				aggregate and 2021 Q2 gross fixed	
				capital formation price index	
				(implicit deflator, 2015=100,	

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Nr.	Ref.	Commission proposal	ЕР	Council			Compromise
		т р тр			12662/22		
					-	seasonally and	
				· ·	-	ta) of the EU-	
				27 aggregat		0 1	
370.					plication		
				_	-	the amount	
						e 21a (1) will	
						ing share and	
				amount per	1		
371.				Member	Share	Amount (in	
				State	as	EUR 1 000,	
					% of	current	
					total	prices)	
				Belgium	1,41%	282 139	
				Bulgaria	2,40%	480 047	
				Czechia	3,41%	681 565	
				Denmark	0,65%	130 911	
				Germany	10,45		
					%	2 089 555	
				Estonia	0,42%	83 423	
				Ireland	0,45%	89 598	
				Greece	3,85%	769 222	
				Spain	12,93		
					%	2 586 147	

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Nr.	Ref.	Commission proposal	EP		Counc	il	Compromise
		Commission proposar		ST 1	2662/22	REV 2	
				France	11,60		
					%	2 320 955	
				Croatia	1,35%	269 441	
				Italy	13,80		
					%	2 760 000	
				Cyprus	0,26%	52 487	
				Latvia	0,62%	123 983	
				Lithuania	0,97%	194 020	
				Luxembo			
				urg	0,15%	30 000	
				Hungary	3,51%	701 565	
				Malta	0,15%	30 000	
				Netherlan			
				ds	2,28%	455 042	
				Austria	1,05%	210 620	
				Poland	13,80		
					%	2 760 000	
				Portugal	3,52%	704 420	
				Romania	7,00%	1 399 326	
				Slovenia	0,58%	116 910	
				Slovakia	1,83%	366 959	
				Finland	0,56%	112 936	
				Sweden	0,99%	198 727	
				EU27	100,0		
					0%	20 000 000	

Nr.	Ref.	Commission proposal	ЕР	Council ST 12662/22 REV 2	Compromise
				,	
372.		ANNEX II	ANNEX II	ANNEX II	
373.	Annex II - para 1 Regulatio n (EU) 2021/1060 Annex II - para 4 - point - 2	(1) In paragraph 4.2 of Annex II of Regulation (EU) 2021/1060, the following is inserted:	Deleted	(1) In paragraph 4.2 of Annex II of Regulation (EU) 2021/1060, the following is inserted:	
374.	Annex II - para 1 - subpara 1 Regulatio n (EU) 2021/1060 Annex II - para 4.2	'Reference: Articles 26(1) and 26a CPR'	Deleted	'Reference: Articles 26(1) and 26a CPR'	
375.	Annex II - para 2 Regulatio n (EU) 2021/1060 - Annex V	(2) In paragraph 3.1 of Annex V of Regulation (EU) 2021/1060, the following is inserted:	(2) In paragraph 3.1 of Annex V of Regulation (EU) 2021/1060 is amended as follows:	(2) In paragraph 3.1 of Annex V of Regulation (EU) 2021/1060, the following is inserted:	

Nr.	Ref.	Commission proposal	ЕР	Council ST 12662/22 REV 2	Compromise
	- para 3.1				
376.	Annex II - para 2 - point a (new)		(a) the following is inserted:		
	Regulatio n (EU) 2021/1060 - Annex V - para 3.1 - table column 1				
377.	Annex II - para 2 - point a - para 1	'Reference: Articles 14, 26, 26a and 27 CPR'	'Reference: Articles 14, 26, 26a and 27 CPR'	'Reference: Articles 14, 26, 26a and 27 CPR'	
	Regulatio n (EU) 2021/1060 - Annex V - para 3.1 - subpara 2				
378.	Annex II -		(b) the first table is amended as		

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Nr.	Ref.	Commission proposal	EP			Council ST 12662/22 REV 2	Compromise
	para 2 - point b (new) Regulatio n (EU) 2021/1060 - Annex V - para 3.1 - table column 1 - row 1 a (new)		follows:				
379.	Annex II - para 2 - point b (new) Regulatio n (EU) 2021/1060 - Annex V - para 3.1 - table column 2 - row 3 a (new)		Programme amendment related to	□ contributo Investo Investo Investo Investo Investo Investo Investo Instrum under dorindir manage □ transfer between ERDF, ESF+, Cohesia Fund or another or Fund Insupport the REPow	to ents irect ect ement on to Fund is		

Nr.	Ref.	Commission proposal	ЕР	Council ST 12662/22 REV 2	Compromise
			objectives		
380.	Annex II -	(3) In footnote 1 of paragraph 3.1	(c) In footnote 1, the following is	(3) In footnote 1 of paragraph 3.1	
	point 3 -	of Annex V of Regulation (EU)	inserted:	of Annex V of Regulation (EU)	
	para 1	2021/1060, the following is		2021/1060, the following is	
		inserted:		inserted:	
381.	Annex II -	¹ Applicable only to programme		¹ Applicable only to programme	
	point 3 -	amendments in accordance with	amendments in accordance with	amendments in accordance with	
	para 2	Articles 14, 26, and 26a except	Articles 14, 26, and 26a except	Articles 14, 26, and 26a except	
		complementary transfers to the	complementary transfers to the	complementary transfers to the	
		JTF in accordance with Article 27	JTF in accordance with Article 27	JTF in accordance with Article	
		CPR. Transfers shall not affect	CPR. '	<u>27-CPR</u> . Transfers shall not affect	
		the annual breakdown of financial		the annual breakdown of financial	
		appropriations at the MFF level		appropriations at the MFF level for	
		for a Member State. '		a Member State. '	