



Council of the
European Union

Brussels, 10 June 2022
(OR. en, fr)

Interinstitutional File:
2021/0104(COD)

9941/22
ADD 1

LIMITE

DRS 29
EF 158
ECOFIN 589
SUSTDEV 107
CODEC 865
IA 91
COMPET 474

COVER NOTE

From:	Secrétariat général du Conseil
To:	Comité des représentants permanents
Subject:	Directive modifiant les directives 2013/34/UE, 2004/109/CE et 2006/43/CE ainsi que le règlement (UE) n° 537/2014 en ce qui concerne la publication d'informations en matière de durabilité par les entreprises. • <i>Préparation du trilogue</i>

Les délégations trouveront ci-joint la proposition du mandat révisé en format de tableau 4 colonnes sur la Proposition de Directive du Parlement Européen et du Conseil modifiant les directives 2013/34/UE, 2004/109/CE et 2006/43/CE ainsi que le règlement (UE) n° 537/2014 en ce qui concerne la publication d'informations en matière de durabilité par les entreprises.

Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2013/34/EU, Directive 2004/109/EC, Directive 2006/43/EC and Regulation (EU) No 537/2014, as regards corporate sustainability reporting (Text with EEA relevance)

2021/0104(COD)
[CSRD- 4CT for CRP on 15.6.2022]
10-06-2022 at 19h07

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
1	2021/0104 (COD)	2021/0104 (COD)	2021/0104 (COD)	2021/0104 (COD)
Proposal Title				
2	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2013/34/EU, Directive 2004/109/EC, Directive 2006/43/EC and Regulation (EU) No 537/2014, as regards corporate sustainability reporting (Text with EEA relevance)	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2013/34/EU, Directive 2004/109/EC, Directive 2006/43/EC and Regulation (EU) No 537/2014, as regards corporate sustainability reporting (Text with EEA relevance)	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2013/34/EU, Directive 2004/109/EC, Directive 2006/43/EC and Regulation (EU) No 537/2014, as regards corporate sustainability reporting (Text with EEA relevance)	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2013/34/EU, Directive 2004/109/EC, Directive 2006/43/EC and Regulation (EU) No 537/2014, as regards corporate sustainability reporting (Text with EEA relevance)
Formula				
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
Citation 1				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
G	4	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 50 and 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 50 and 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 50 and 114 thereof,
Citation 2				
G	5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,
Citation 3				
G	6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,
Citation 4				
Y	7	Having regard to the opinion of the European Central Bank,	~~Having regard to the opinion of the European Central Bank,~~	~~Having regard to the opinion of the European Central Bank,~~ Presidency proposal.
Citation 5				
G	8	Having regard to the opinion of the European Economic and Social Committee ¹ , 1. OJ C [...], [...], p. [...].	Having regard to the opinion of the European Economic and Social Committee ¹ , 1. OJ C [...], [...], p. [...].	Having regard to the opinion of the European Economic and Social Committee ¹ , 1. OJ C [...], [...], p. [...].
Citation 6				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
9	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,
Formula				
10	Whereas:	Whereas:	Whereas:	Whereas:
Recital 1				
11	(1) In its communication on the European Green Deal adopted on 11 December 2019¹, the European Commission made a commitment to review the provisions concerning non-financial reporting of Directive 2013/34/EU of the European Parliament and of the Commission.² The European Green Deal is the European Union's new growth strategy. It aims to transform the Union into a modern, resource-efficient and competitive economy with no net emissions of greenhouse gases by 2050. It also aims to protect, conserve and enhance the Union's natural capital, and protect the health and well-being of citizens from environment-related risks and impacts. The European Green Deal aims at decoupling economic growth from resource use, and ensuring that all regions and citizens of the Union participate in a socially just	(1) <u>(1)</u> In its communication on the European Green Deal adopted on 11 December 2019^{1,30}, the European Commission made a commitment to review the provisions concerning non-financial reporting of Directive 2013/34/EU of the European Parliament and of the Commission.^{2,31} The European Green Deal is the European Union's new growth strategy. It aims to transform the Union into a modern, resource-efficient and competitive economy with no net emissions of greenhouse gases by 2050. It also aims to protect, conserve and enhance the Union's natural capital, and protect the health and well-being of citizens from environment-related risks and impacts. The European Green Deal aims at decoupling economic growth from resource use, and ensuring that all regions and citizens of the Union participate in a socially just	(1) In its communication on the European Green Deal adopted on 11 December 2019¹, the European Commission made a commitment to review the provisions concerning non-financial reporting of Directive 2013/34/EU of the European Parliament and of the ~~Commission~~² Council². The European Green Deal is the European Union's new growth strategy. It aims to transform the Union into a modern, resource-efficient and competitive economy with no net emissions of greenhouse gases by 2050. It also aims to protect, conserve and enhance the Union's natural capital, and protect the health and well-being of citizens from environment-related risks and impacts. The European Green Deal aims at decoupling economic growth from resource use, and ensuring that all regions and citizens of the Union	(1) In its communication on the European Green Deal adopted on 11 December 2019¹, the European Commission made a commitment to review the provisions concerning non-financial reporting of Directive 2013/34/EU of the European Parliament and of the ~~Commission~~² Council². The European Green Deal is the European Union's new growth strategy. It aims to transform the Union into a modern, resource-efficient and competitive economy with no net emissions of greenhouse gases by 2050. It also aims to protect, conserve and enhance the Union's natural capital, and protect the health and well-being of citizens from environment-related risks and impacts. The European Green Deal aims at decoupling economic growth from resource use, and ensuring that all regions and citizens of the Union participate in a

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	transition to a sustainable economic system. It will contribute to the objective of building an economy that works for the people, strengthening the EU's social market economy, helping to ensure that it is future-ready and that it delivers stability, jobs, growth and investment. These goals are especially important considering the socio-economic damage caused by the COVID-19 pandemic and the need for a sustainable, inclusive and fair recovery. In its proposal of 4 March 2020 for a European Climate Law, the European Commission proposed to make the objective of climate neutrality by 2050 binding in the Union.³ 1. COM(2019) 640 final. 2. Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19). 3. Proposal for a Regulation of the European Parliament and of the Council establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law) [2020/0036 (COD)]	transition to a sustainable economic system <u>so that no person and no place is left behind</u>. It will contribute to the objective of building an economy that works for the people, strengthening the EU's social market economy, helping to ensure that it is future-ready and that it delivers stability, jobs, growth and <u>sustainable</u> investment. These goals are especially important considering the socio-economic damage caused by the COVID-19 pandemic and the need for a sustainable, inclusive and fair recovery. In its proposal of 4 March 2020 for a European Climate Law, the European Commission proposed to make the objective of climate neutrality by 2050 binding in the Union.^{3,32} ~~1. COM(2019) 640 final. 2. Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19). 3. Proposal for a Regulation of the European Parliament and of the Council establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law) [2020/0036 (COD)]~~	participate in a socially just transition to a sustainable economic system. It will contribute to the objective of building an economy that works for the people, strengthening the EU's social market economy, helping to ensure that it is future-ready and that it delivers stability, jobs, growth and investment. These goals are especially important considering the socio-economic damage caused by the COVID-19 pandemic and the need for a sustainable, inclusive and fair recovery. In its proposal of 4 March 2020 for a European Climate Law, the European Commission proposed to make the objective of climate neutrality by 2050 binding in the Union^{3,3}. Moreover, in its Biodiversity Strategy for 2030, the European Commission commits to ensure that by 2050 all of the world's ecosystems are restored, resilient, and adequately protected. This strategy aims to put Europe's biodiversity on a path to recovery by 2030. 1. [1] COM(2019) 640 final. 2. [2] Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council	socially just transition to a sustainable economic system so that no person and no place is left behind. It will contribute to the objective of building an economy that works for the people, strengthening the EU's social market economy, helping to ensure that it is future-ready and that it delivers stability, jobs, growth and sustainable investment. These goals are especially important considering the socio-economic damage caused by the COVID-19 pandemic and the need for a sustainable, inclusive and fair recovery. In its proposal of 4 March 2020 for a European Climate Law, the European Commission proposed to make the objective of climate neutrality by 2050 binding in the Union^{3,3}. Moreover, in its Biodiversity Strategy for 2030, the European Commission commits to ensure that by 2050 all of the world's ecosystems are restored, resilient, and adequately protected. This strategy aims to put Europe's biodiversity on a path to recovery by 2030. 1. COM(2019) 640 final. 2. Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19). 3. [3] Proposal for a Regulation of the European Parliament and of the Council establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law) [2020/0036 (COD)]	repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19). 3. Proposal for a Regulation of the European Parliament and of the Council establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law) [2020/0036 (COD)] Presidency proposal Text Origin: Council and EP.
Recital 2				
12	(2) In its Action Plan: Financing Sustainable Growth the Commission set out measures to achieve the following objectives: reorient capital flows towards sustainable investment in order to achieve sustainable and inclusive growth, manage financial risks stemming from climate change, resource depletion, environmental degradation and social issues, and foster transparency and long-termism in financial and economic activity¹. The disclosure by undertakings of relevant, comparable and reliable sustainability information is a prerequisite for meeting those objectives. The European Parliament and the Council adopted a number of legislative acts as part of the	(2) (2) In its Action Plan: Financing Sustainable Growth the Commission set out measures to achieve the following objectives: reorient capital flows towards sustainable investment in order to achieve sustainable and inclusive growth, manage financial risks stemming from climate change, resource depletion, environmental degradation and social issues, and foster transparency and long-termism in financial and economic activity⁴³³. The disclosure by <u>certain categories of</u> undertakings of relevant, comparable and reliable sustainability information is a prerequisite for meeting those objectives. <u>In its Guidelines on reporting climate-related information, the European</u>	(2) In its Action Plan: Financing Sustainable Growth the Commission set out measures to achieve the following objectives: reorient capital flows towards sustainable investment in order to achieve sustainable and inclusive growth, manage financial risks stemming from climate change, resource depletion, environmental degradation and social issues, and foster transparency and long-termism in financial and economic activity¹. The disclosure by undertakings of relevant, comparable and reliable sustainability information is a prerequisite for meeting those objectives. The European Parliament and the Council adopted a number of legislative acts as part of the	(2) In its Action Plan: Financing Sustainable Growth the Commission set out measures to achieve the following objectives: reorient capital flows towards sustainable investment in order to achieve sustainable and inclusive growth, manage financial risks stemming from climate change, resource depletion, environmental degradation and social issues, and foster transparency and long-termism in financial and economic activity¹. The disclosure by undertakings of relevant, comparable and reliable sustainability information is a prerequisite for meeting those objectives.- The European Parliament and the Council adopted a number of legislative acts as part of the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	implementation of the Action Plan on Financing Sustainable Growth. Regulation (EU) 2019/2088 of the European Parliament and of the Council² governs how financial market participants and financial advisers are to disclose sustainability information to end investors and asset owners. Regulation (EU) 2020/852 of the European Parliament and of the Council³ creates a classification system of environmentally sustainable economic activities with the aim of scaling up sustainable investments and combatting greenwashing of financial products that unduly claim to be sustainable. Regulation (EU) 2019/2089 of the European Parliament and of the Council⁴, complemented by Commission Delegated Regulations (EU) 2020/1816⁵, (EU) 2020/1817⁶ and (EU) 2020/1818⁷, introduces environmental, social and governance ('ESG') disclosure requirements for benchmarks administrators and minimum standards for the construction of EU Climate Transition Benchmarks and EU Paris-aligned Benchmarks. Regulation (EU) No 575/2013 of the European Parliament and of the Council⁸ requires large institutions which have issued securities that are admitted to trading on a regulated	<u><i>Commission highlighted the benefits for companies to report on climate related information particularly by increasing awareness and understanding of climate related risks and opportunities within the company, diversifying investor base, creating a lower cost of capital and by improving constructive dialogue with all stakeholders.</i></u> The European Parliament and the Council adopted a number of legislative acts as part of the implementation of the Action Plan on Financing Sustainable Growth. Regulation (EU) 2019/2088 of the European Parliament and of the Council^{2,34} governs how financial market participants and financial advisers are to disclose sustainability information to end investors and asset owners. Regulation (EU) 2020/852 of the European Parliament and of the Council^{3,35} creates a classification system of environmentally sustainable economic activities with the aim of scaling up sustainable investments and combatting greenwashing of financial products that unduly claim to be sustainable. Regulation (EU) 2019/2089 of the European Parliament and of the Council^{4,36}, complemented by Commission Delegated Regulations (EU) 2020/1816^{5,37}, (EU) 2020/1817^{6,38}	implementation of the Action Plan on Financing Sustainable Growth. Regulation (EU) 2019/2088 of the European Parliament and of the Council² governs how financial market participants and financial advisers are to disclose sustainability information to end investors and asset owners. Regulation (EU) 2020/852 of the European Parliament and of the Council³ creates a classification system of environmentally sustainable economic activities with the aim of scaling up sustainable investments and combatting greenwashing of financial products that unduly claim to be sustainable. Regulation (EU) 2019/2089 of the European Parliament and of the Council⁴, complemented by Commission Delegated Regulations (EU) 2020/1816⁵, (EU) 2020/1817⁶ and (EU) 2020/1818⁷, introduces environmental, social and governance ('ESG') disclosure requirements for benchmarks administrators and minimum standards for the construction of EU Climate Transition Benchmarks and EU Paris-aligned Benchmarks. Regulation (EU) No 575/2013 of the European Parliament and of the Council⁸ requires large institutions which have issued securities that are admitted to trading on a regulated	implementation of the Action Plan on Financing Sustainable Growth. Regulation (EU) 2019/2088 of the European Parliament and of the Council² governs how financial market participants and financial advisers are to disclose sustainability information to end investors and asset owners. Regulation (EU) 2020/852 of the European Parliament and of the Council³ creates a classification system of environmentally sustainable economic activities with the aim of scaling up sustainable investments and combatting greenwashing of financial products that unduly claim to be sustainable. Regulation (EU) 2019/2089 of the European Parliament and of the Council⁴, complemented by Commission Delegated Regulations (EU) 2020/1816⁵, (EU) 2020/1817⁶ and (EU) 2020/1818⁷, introduces environmental, social and governance ('ESG') disclosure requirements for benchmarks administrators and minimum standards for the construction of EU Climate Transition Benchmarks and EU Paris-aligned Benchmarks. Regulation (EU) No 575/2013 of the European Parliament and of the Council⁸ requires large institutions which have issued securities that are admitted to trading on a regulated

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	market to disclose information on ESG risks from 28 June 2022. The new prudential framework for investment firms set by Regulation (EU) 2019/2033 of the European Parliament and of the Council⁹ and Directive (EU) 2019/2034 of the European Parliament and of the Council¹⁰ contains provisions concerning the introduction of an ESG risk dimension in the supervisory review and evaluation process (SREP) by competent authorities, and contains ESG risks disclosure requirements for investment firms, applicable from 26 December 2022. The Commission has also announced a proposal on a European Green Bond Standard in its Work Programme for 2021, following up on the Action Plan on Financing Sustainable Growth. 1. COM(2018) 97 final. 2. Regulation (EU) 2019/2088 of the European Parliament and of the Council of 27 November 2019 on sustainability- related disclosures in the financial services sector (OJ L 317, 9.12.2019, p. 1). 3. Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13). 4. Regulation (EU) 2019/2089 of the European Parliament and of the Council of 27 November 2019 amending Regulation (EU) 2016/1011 as regards EU Climate	and (EU) 2020/1818³⁹, introduces environmental, social and governance ('ESG') disclosure requirements for benchmarks administrators and minimum standards for the construction of EU Climate Transition Benchmarks and EU Paris-aligned Benchmarks. Regulation (EU) No 575/2013 of the European Parliament and of the Council⁴⁰ requires large institutions which have issued securities that are admitted to trading on a regulated market to disclose information on ESG risks from 28 June 2022. The new prudential framework for investment firms set by Regulation (EU) 2019/2033 of the European Parliament and of the Council^{9,41} and Directive (EU) 2019/2034 of the European Parliament and of the Council⁴² contains provisions concerning the introduction of an ESG risk dimension in the supervisory review and evaluation process (SREP) by competent authorities, and contains ESG risks disclosure requirements for investment firms, applicable from 26 December 2022. The Commission has also announced a proposal on a European Green Bond Standard in its Work Programme for 2021, following up on the Action Plan on Financing Sustainable Growth.	market to disclose information on ESG risks from 28 June 2022. The new prudential framework for investment firms set by Regulation (EU) 2019/2033 of the European Parliament and of the Council⁹ and Directive (EU) 2019/2034 of the European Parliament and of the Council¹⁰ contains provisions concerning the introduction of an ESG risk dimension in the supervisory review and evaluation process (SREP) by competent authorities, and contains ESG risks disclosure requirements for investment firms, applicable from 26 December 2022. The Commission has also announced a proposal on a European Green Bond Standard in its Work Programme for 2021, following up on the Action Plan on Financing Sustainable Growth. 1. COM(2018) 97 final. 2. Regulation (EU) 2019/2088 of the European Parliament and of the Council of 27 November 2019 on sustainability- related disclosures in the financial services sector (OJ L 317, 9.12.2019, p. 1). 3. Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13). 4. Regulation (EU) 2019/2089 of the European Parliament and of the Council of 27 November 2019 amending Regulation (EU) 2016/1011 as regards EU Climate	market to disclose information on ESG risks from 28 June 2022. The new prudential framework for investment firms set by Regulation (EU) 2019/2033 of the European Parliament and of the Council⁹ and Directive (EU) 2019/2034 of the European Parliament and of the Council¹⁰ contains provisions concerning the introduction of an ESG risk dimension in the supervisory review and evaluation process (SREP) by competent authorities, and contains ESG risks disclosure requirements for investment firms, applicable from 26 December 2022. The Commission has also announced a proposal on a European Green Bond Standard in its Work Programme for 2021, following up on the Action Plan on Financing Sustainable Growth. 1. COM(2018) 97 final. 2. Regulation (EU) 2019/2088 of the European Parliament and of the Council of 27 November 2019 on sustainability- related disclosures in the financial services sector (OJ L 317, 9.12.2019, p. 1). 3. Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13). 4. Regulation (EU) 2019/2089 of the European Parliament and of the Council of 27 November 2019 amending Regulation (EU) 2016/1011 as regards EU Climate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Transition Benchmarks, EU Paris-aligned Benchmarks and sustainability-related disclosures for benchmarks (OJ L 317, 9.12.2019, p. 17). 5. Commission Delegated Regulation (EU) 2020/1816 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards the explanation in the benchmark statement of how environmental, social and governance factors are reflected in each benchmark provided and published (OJ L 406, 3.12.2020, p. 1). 6. Commission Delegated Regulation (EU) 2020/1817 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards the minimum content of the explanation on how environmental, social and governance factors are reflected in the benchmark methodology (OJ L 406, 3.12.2020, p. 12). 7. Commission Delegated Regulation (EU) 2020/1818 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards minimum standards for EU Climate Transition Benchmarks and EU Paris-aligned Benchmarks (OJ L 406, 3.12.2020, p. 17). 8. Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1). 9. Regulation (EU) 2019/2033 of the European Parliament and of the Council of 27 November 2019 on the prudential requirements of investment firms and amending Regulations (EU) No 1093/2010, (EU) No 575/2013, (EU) No 600/2014 and (EU) No 806/2014 (OJ L 314, 5.12.2019, p. 1). 10. Directive (EU) 2019/2034 of the European Parliament and of the Council of	~~1. COM(2018) 97 final.~~ ~~2. Regulation (EU) 2019/2088 of the European Parliament and of the Council of 27 November 2019 on sustainability-related disclosures in the financial services sector (OJ L 317, 9.12.2019, p. 1).~~ ~~3. Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13).~~ ~~4. Regulation (EU) 2019/2089 of the European Parliament and of the Council of 27 November 2019 amending Regulation (EU) 2016/1011 as regards EU Climate Transition Benchmarks, EU Paris-aligned Benchmarks and sustainability-related disclosures for benchmarks (OJ L 317, 9.12.2019, p. 17).~~ ~~5. Commission Delegated Regulation (EU) 2020/1816 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards the explanation in the benchmark statement of how environmental, social and governance factors are reflected in each benchmark provided and published (OJ L 406, 3.12.2020, p. 1).~~ ~~6. Commission Delegated Regulation (EU) 2020/1817 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards the minimum content of the explanation on how environmental, social and governance factors are reflected in the benchmark methodology (OJ L 406, 3.12.2020, p. 12).~~ ~~7. Commission Delegated Regulation (EU) 2020/1818 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards minimum standards for EU Climate Transition Benchmarks and EU Paris-aligned Benchmarks (OJ L 406, 3.12.2020, p. 17).~~ ~~8. Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1).~~ ~~9. Regulation (EU) 2019/2033 of the European Parliament and of the Council of 27 November 2019 on the prudential requirements of investment firms and amending Regulations (EU) No 1093/2010, (EU) No 575/2013, (EU) No 600/2014 and (EU) No 806/2014 (OJ L 314, 5.12.2019, p. 1).~~ ~~10. Directive (EU) 2019/2034 of the European Parliament and of the Council of~~	Transition Benchmarks, EU Paris-aligned Benchmarks and sustainability-related disclosures for benchmarks (OJ L 317, 9.12.2019, p. 17). 5. Commission Delegated Regulation (EU) 2020/1816 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards the explanation in the benchmark statement of how environmental, social and governance factors are reflected in each benchmark provided and published (OJ L 406, 3.12.2020, p. 1). 6. Commission Delegated Regulation (EU) 2020/1817 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards the minimum content of the explanation on how environmental, social and governance factors are reflected in the benchmark methodology (OJ L 406, 3.12.2020, p. 12). 7. Commission Delegated Regulation (EU) 2020/1818 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards minimum standards for EU Climate Transition Benchmarks and EU Paris-aligned Benchmarks (OJ L 406, 3.12.2020, p. 17). 8. Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1). 9. Regulation (EU) 2019/2033 of the European Parliament and of the Council of 27 November 2019 on the prudential requirements of investment firms and amending Regulations (EU) No 1093/2010, (EU) No 575/2013, (EU) No 600/2014 and (EU) No 806/2014 (OJ L 314, 5.12.2019, p. 1). 10. Directive (EU) 2019/2034 of the European Parliament and of the Council of	Transition Benchmarks, EU Paris-aligned Benchmarks and sustainability-related disclosures for benchmarks (OJ L 317, 9.12.2019, p. 17). 5. Commission Delegated Regulation (EU) 2020/1816 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards the explanation in the benchmark statement of how environmental, social and governance factors are reflected in each benchmark provided and published (OJ L 406, 3.12.2020, p. 1). 6. Commission Delegated Regulation (EU) 2020/1817 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards the minimum content of the explanation on how environmental, social and governance factors are reflected in the benchmark methodology (OJ L 406, 3.12.2020, p. 12). 7. Commission Delegated Regulation (EU) 2020/1818 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards minimum standards for EU Climate Transition Benchmarks and EU Paris-aligned Benchmarks (OJ L 406, 3.12.2020, p. 17). 8. Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1). 9. Regulation (EU) 2019/2033 of the European Parliament and of the Council of 27 November 2019 on the prudential requirements of investment firms and amending Regulations (EU) No 1093/2010, (EU) No 575/2013, (EU) No 600/2014 and (EU) No 806/2014 (OJ L 314, 5.12.2019, p. 1). 10. Directive (EU) 2019/2034 of the European Parliament and of the Council of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	27 November 2019 on the prudential supervision of investment firms and amending Directives 2002/87/EC, 2009/65/EC, 2011/61/EU, 2013/36/EU, 2014/59/EU and 2014/65/EU (OJ L 314, 5.12.2019, p. 64).	~~p. 17).~~ ~~8. Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1).~~ ~~9. Regulation (EU) 2019/2033 of the European Parliament and of the Council of 27 November 2019 on the prudential requirements of investment firms and amending Regulations (EU) No 1093/2010, (EU) No 575/2013, (EU) No 600/2014 and (EU) No 806/2014 (OJ L 314, 5.12.2019, p. 1).~~ ~~10. Directive (EU) 2019/2034 of the European Parliament and of the Council of 27 November 2019 on the prudential supervision of investment firms and amending Directives 2002/87/EC, 2009/65/EC, 2011/61/EU, 2013/36/EU, 2014/59/EU and 2014/65/EU (OJ L 314, 5.12.2019, p. 64).~~	27 November 2019 on the prudential supervision of investment firms and amending Directives 2002/87/EC, 2009/65/EC, 2011/61/EU, 2013/36/EU, 2014/59/EU and 2014/65/EU (OJ L 314, 5.12.2019, p. 64).	27 November 2019 on the prudential supervision of investment firms and amending Directives 2002/87/EC, 2009/65/EC, 2011/61/EU, 2013/36/EU, 2014/59/EU and 2014/65/EU (OJ L 314, 5.12.2019, p. 64). Presidency proposal Text origin: Commission proposal.
Recital 2a				
12a		<u>(2a) (2 a) Diversity on company boards might have an influence on decision making, corporate governance and resilience.</u>		(2a) In its Guidelines on reporting climate-related information, the European Commission highlighted the benefits for companies to report on climate related information particularly by increasing awareness and understanding of climate related risks and opportunities within the company, diversifying investor base, creating a lower cost of capital and by improving constructive dialogue with all

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				stakeholders. Furthermore, diversity on company boards might have an influence on decision making, corporate governance and resilience.
Recital 3				
13	(3) On 5 December 2019, in its conclusions on deepening the Capital Markets Union, the Council stressed the importance of reliable, comparable and relevant information on sustainability risks, opportunities and impacts, and called on the Commission to consider the development of a European non-financial reporting standard.	(3) On 5 December 2019, in its conclusions on deepening the Capital Markets Union, the Council stressed the importance of reliable, comparable and relevant information on sustainability risks, opportunities and impacts, and called on the Commission to consider the development of a European non-financial reporting standard.	(3) On 5 December 2019, in its conclusions on deepening the Capital Markets Union, the Council stressed the importance of reliable, comparable and relevant information on sustainability risks, opportunities and impacts, and called on the Commission to consider the development of a European non-financial reporting standard.	(3) On 5 December 2019, in its conclusions on deepening the Capital Markets Union, the Council stressed the importance of reliable, comparable and relevant information on sustainability risks, opportunities and impacts, and called on the Commission to consider the development of a European non-financial reporting standard. Text Origin: Commission Proposal
Recital 4				
14	(4) In its resolution on sustainable finance of 29 May 2018 ¹ , the European Parliament called for the further development of non-financial reporting requirements in the framework of Directive 2013/34/EU. In its resolution on sustainable corporate governance of 17 December 2020 ² , the European Parliament welcomed the Commission's commitment to	(4) In its resolution on sustainable finance of 29 May 2018 ¹ , the European Parliament called for the further development of non-financial reporting requirements in the framework of Directive 2013/34/EU. In its resolution on sustainable corporate governance of 17 December 2020 ² , the European Parliament welcomed the Commission's commitment to	(4) In its resolution on sustainable finance of 29 May 2018 ¹ , the European Parliament called for the further development of non-financial reporting requirements in the framework of Directive 2013/34/EU. In its resolution on sustainable corporate governance of 17 December 2020 ² , the European Parliament welcomed the Commission's commitment to	(4) In its resolution on sustainable finance of 29 May 2018 ¹ , the European Parliament called for the further development of non-financial reporting requirements in the framework of Directive 2013/34/EU. In its resolution on sustainable corporate governance of 17 December 2020 ² , the European Parliament welcomed the Commission's commitment to

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	review Directive 2013/34/EU and expressed the need to set up a comprehensive Union framework on non-financial reporting that contains mandatory Union non-financial reporting standards. The European Parliament called for the expansion of the scope of the reporting requirements to additional categories of undertakings and for the introduction of an audit requirement. 1. 2018/2007(INI). 2. A9-0240/2020 (INI).	review Directive 2013/34/EU and expressed the need to set up a comprehensive Union framework on non-financial reporting that contains mandatory Union non-financial reporting standards. The European Parliament called for the expansion of the scope of the reporting requirements to additional categories of undertakings and for the introduction of an audit requirement. 1. 2018/2007(INI). 2. A9-0240/2020 (INI).	review Directive 2013/34/EU and expressed the need to set up a comprehensive Union framework on non-financial reporting that contains mandatory Union non-financial reporting standards. The European Parliament called for the expansion of the scope of the reporting requirements to additional categories of undertakings and for the introduction of an audit requirement. 1. [1] 2018/2007(INI). 2. [2] A9-0240/2020 (INI).	review Directive 2013/34/EU and expressed the need to set up a comprehensive Union framework on non-financial reporting that contains mandatory Union non-financial reporting standards. The European Parliament called for the expansion of the scope of the reporting requirements to additional categories of undertakings and for the introduction of an audit requirement. 1. 2018/2007(INI). 2. A9-0240/2020 (INI). Text Origin: Commission Proposal
Recital 5				
15	(5) On 25 September 2015, the UN General Assembly adopted a new global sustainable development framework: the 2030 Agenda for Sustainable Development (the ‘2030 Agenda’). The 2030 Agenda has at its core the Sustainable Development Goals and covers the three dimensions of sustainability: economic, social and environmental. The Commission communication of 22 November 2016 on the next steps for a sustainable European future linked the Sustainable Development Goals to the Union policy framework to ensure that all Union	(5) On 25 September 2015, the UN General Assembly adopted a new global sustainable development framework: the 2030 Agenda for Sustainable Development (the ‘2030 Agenda’). The 2030 Agenda has at its core the Sustainable Development Goals and covers the three dimensions of sustainability: economic, social and environmental. The Commission communication of 22 November 2016 on the next steps for a sustainable European future linked the Sustainable Development Goals to the Union policy framework to ensure that all Union	(5) On 25 September 2015, the UN General Assembly adopted a new global sustainable development framework: the 2030 Agenda for Sustainable Development (the ‘2030 Agenda’). The 2030 Agenda has at its core the Sustainable Development Goals and covers the three dimensions of sustainability: economic, social and environmental. The Commission communication of 22 November 2016 on the next steps for a sustainable European future linked the Sustainable Development Goals to the Union policy framework to ensure that all Union	(5) On 25 September 2015, the UN General Assembly adopted a new global sustainable development framework: the 2030 Agenda for Sustainable Development (the ‘2030 Agenda’). The 2030 Agenda has at its core the Sustainable Development Goals and covers the three dimensions of sustainability: economic, social and environmental. The Commission communication of 22 November 2016 on the next steps for a sustainable European future linked the Sustainable Development Goals to the Union policy framework to ensure that all Union

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	actions and policy initiatives, both in and beyond the Union, take those goals on board at the outset.¹ In its conclusions of 20 June 2017, the Council confirmed the commitment of the Union and its Member States to the implementation of the 2030 Agenda in a full, coherent, comprehensive, integrated and effective manner, in close cooperation with partners and other stakeholders.² 1. COM(2016) 739 final 2. Council conclusions "A sustainable European future: The EU response to the 2030 Agenda for Sustainable Development", 20 June 2017.	actions and policy initiatives, both in and beyond the Union, take those goals on board at the outset.¹ In its conclusions of 20 June 2017, the Council confirmed the commitment of the Union and its Member States to the implementation of the 2030 Agenda in a full, coherent, comprehensive, integrated and effective manner, in close cooperation with partners and other stakeholders.² 1. COM(2016) 739 final 2. Council conclusions "A sustainable European future: The EU response to the 2030 Agenda for Sustainable Development", 20 June 2017.	actions and policy initiatives, both in and beyond the Union, take those goals on board at the outset.¹ In its conclusions of 20 June 2017, the Council confirmed the commitment of the Union and its Member States to the implementation of the 2030 Agenda in a full, coherent, comprehensive, integrated and effective manner, in close cooperation with partners and other stakeholders.^{2, 2} 1. [1] COM(2016) 739 final 2. [2] Council conclusions "A sustainable European future: The EU response to the 2030 Agenda for Sustainable Development", 20 June 2017.	actions and policy initiatives, both in and beyond the Union, take those goals on board at the outset.¹ In its conclusions of 20 June 2017, the Council confirmed the commitment of the Union and its Member States to the implementation of the 2030 Agenda in a full, coherent, comprehensive, integrated and effective manner, in close cooperation with partners and other stakeholders.². 1. COM(2016) 739 final 2. Council conclusions "A sustainable European future: The EU response to the 2030 Agenda for Sustainable Development", 20 June 2017. Text Origin: Commission Proposal
Recital 6				
16	(6) Directive 2014/95/EU of the European Parliament and the Council¹ amended Directive 2013/34/EU as regards disclosure of non-financial information by certain large undertakings and groups. Directive 2014/95/EU introduced a requirement on undertakings to report information on, as a minimum, environmental, social and employee matters, respect for human rights, and anti-corruption and bribery matters. With regard to these	(6) Directive 2014/95/EU of the European Parliament and the Council¹ amended Directive 2013/34/EU as regards disclosure of non-financial information by certain large undertakings and groups. Directive 2014/95/EU introduced a requirement on undertakings to report information on, as a minimum, environmental, social and employee matters, respect for human rights, and anti-corruption and bribery matters. With regard to these	(6) Directive 2014/95/EU of the European Parliament and the Council¹ amended Directive 2013/34/EU as regards disclosure of non-financial information by certain large undertakings and groups. Directive 2014/95/EU introduced a requirement on undertakings to report information on, as a minimum, environmental, social and employee matters, respect for human rights, and anti-corruption and bribery matters. With regard to these	(6) Directive 2014/95/EU of the European Parliament and the Council¹ amended Directive 2013/34/EU as regards disclosure of non-financial information by certain large undertakings and groups. Directive 2014/95/EU introduced a requirement on undertakings to report information on, as a minimum, environmental, social and employee matters, respect for human rights, and anti-corruption and bribery matters. With regard to these

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	topics, Directive 2014/95/EU required undertakings to disclose information under the following reporting areas: business model, policies (including due diligence processes implemented), the outcome of the policies, risks and risk management, and key performance indicators relevant to the business. 1. Directive 2014/95/EU of the European Parliament and of the Council of 22 October 2014 amending Directive 2013/34/EU as regards disclosure of non-financial and diversity information by certain large undertakings and groups (OJ L 330, 15.11.2014, p. 1).	topics, Directive 2014/95/EU required undertakings to disclose information under the following reporting areas: business model, policies (including due diligence processes implemented), the outcome of the policies, risks and risk management, and key performance indicators relevant to the business. 1. Directive 2014/95/EU of the European Parliament and of the Council of 22 October 2014 amending Directive 2013/34/EU as regards disclosure of non-financial and diversity information by certain large undertakings and groups (OJ L 330, 15.11.2014, p. 1).	topics, Directive 2014/95/EU required undertakings to disclose information under the following reporting areas: business model, policies (including due diligence processes implemented), the outcome of the policies, risks and risk management, and key performance indicators relevant to the business. 1. [1] Directive 2014/95/EU of the European Parliament and of the Council of 22 October 2014 amending Directive 2013/34/EU as regards disclosure of non-financial and diversity information by certain large undertakings and groups (OJ L 330, 15.11.2014, p. 1).	topics, Directive 2014/95/EU required undertakings to disclose information under the following reporting areas: business model, policies (including due diligence processes implemented), the outcome of the policies, risks and risk management, and key performance indicators relevant to the business. 1. Directive 2014/95/EU of the European Parliament and of the Council of 22 October 2014 amending Directive 2013/34/EU as regards disclosure of non-financial and diversity information by certain large undertakings and groups (OJ L 330, 15.11.2014, p. 1). Text Origin: Commission Proposal
Recital 7				
17	(7) Many stakeholders consider the term ‘non-financial’ to be inaccurate, in particular because it implies that the information in question has no financial relevance. Increasingly, however, the information in question does have financial relevance. Many organisations, initiatives and practitioners in this field refer to ‘sustainability’ information. It is therefore preferable to use the term ‘sustainability information’ in place	(7) Many stakeholders consider the term ‘non-financial’ to be inaccurate, in particular because it implies that the information in question has no financial relevance. Increasingly, however, the information in question does have financial relevance. Many organisations, initiatives and practitioners in this field refer to ‘sustainability’ information. It is therefore preferable to use the term ‘sustainability information’ in place	(7) Many stakeholders consider the term ‘non-financial’ to be inaccurate, in particular because it implies that the information in question has no financial relevance. Increasingly, however, the information in question does have financial relevance. Many organisations, initiatives and practitioners in this field refer to ‘sustainability’ information. It is therefore preferable to use the term ‘sustainability information’ in place	(7) Many stakeholders consider the term ‘non-financial’ to be inaccurate, in particular because it implies that the information in question has no financial relevance. Increasingly, however, the information in question does have financial relevance. Many organisations, initiatives and practitioners in this field refer to ‘sustainability’ information. It is therefore preferable to use the term ‘sustainability information’ in place

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of ‘non-financial information’. Directive 2013/34/EU should therefore be amended to take account of this change in terminology.	of ‘non-financial information’. Directive 2013/34/EU should therefore be amended to take account of this change in terminology.	of ‘non-financial information’. Directive 2013/34/EU should therefore be amended to take account of this change in terminology.	of ‘non-financial information’. Directive 2013/34/EU should therefore be amended to take account of this change in terminology. Text Origin: Commission Proposal
Recital 8				
18	(8) The ultimate beneficiaries of better sustainability reporting by undertakings are individual citizens and savers. Savers who want to invest sustainably will have the opportunity to do so, while all citizens should benefit from a stable, sustainable and inclusive economic system. To realise these benefits, the sustainability information disclosed in undertaking’s annual reports first has to reach two primary groups (‘users’). The first group of users consists of investors, including asset managers, who want to better understand the risks and opportunities that sustainability issues pose to their investments and the impacts of those investments on people and the environment. The second group of users consists of organisations, including non-governmental organisations and social partners, that wish to better hold undertakings to account for	(8) <u>(8)</u> The ultimate beneficiaries of better sustainability reporting by undertakings are <u>public authorities, individual citizens, including workers, and savers, trade unions and workers’ representatives to be adequately informed, and thereby to better engage in social dialogue</u> . Savers who want to invest <u>ethically and</u> sustainably will have the opportunity to do so, while all citizens should benefit from a stable, sustainable and inclusive economic system. To realise these benefits, the sustainability information disclosed in undertaking’s annual reports first has to reach ~~two~~ <u>three</u> primary groups (‘users’). The first group of users consists of <u>policymakers and public authorities. The second group of users consists of</u> investors, including asset managers, who want to better understand the risks and opportunities that sustainability	(8) The ultimate beneficiaries of better sustainability reporting by undertakings are individual citizens and savers. Savers who want to invest sustainably will have the opportunity to do so, while all citizens should benefit from a stable, sustainable and inclusive economic system. To realise these benefits, the sustainability information disclosed in undertaking’s annual reports first has to reach two primary groups (‘users’). The first group of users consists of investors, including asset managers, who want to better understand the risks and opportunities that sustainability issues pose to their investments and the impacts of those investments on people and the environment. The second group of users consists of organisations, including non-governmental organisations and social partners, that wish to better hold undertakings to account for	(8) The ultimate beneficiaries of better sustainability reporting by undertakings are individual citizens and savers, including trade unions and workers’ representatives to be adequately informed and thereby to better engage in social dialogue . Savers who want to invest sustainably will have the opportunity to do so, while all citizens should benefit from a stable, sustainable and inclusive economic system. To realise these benefits, the sustainability information disclosed in undertaking’s annual reports first has to reach two primary groups (‘users’). The first group of users consists of investors, including asset managers, who want to better understand the risks and opportunities that sustainability issues pose to their investments and the impacts of those investments on people and the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	their impacts on people and the environment. Other stakeholders may also make use of sustainability information disclosed in annual reports. The business partners of undertakings, including customers, may rely on this information to understand, and where necessary report on, the sustainability risks and impacts through their own value chains. Policy makers and environmental agencies may use such information, in particular on an aggregate basis, to monitor environmental and social trends, to contribute to environmental accounts, and to inform public policy. Few individual citizens and consumers directly consult undertaking's reports, but they may use such information indirectly such as when considering the advice or opinions of financial advisers or non-governmental organisations. Many investors and asset managers purchase sustainability information from third party data providers, who collect information from various sources, including public corporate reports.	issues pose to their investments and the impacts of those investments on people and the environment. The ~~second~~^{third} group of users consists of ~~organisations~~^{civil society actors}, including non-governmental organisations and social partners, that wish to better hold undertakings to account for their impacts on people and the environment <u>or in the case of worker's representatives wish to take part in the design of those reports</u>. Other stakeholders may also make use of sustainability information disclosed in annual reports, <u>notably to foster comparability across and within market sectors and assess, in line with Regulation (EU) 2020/852, the respect of the "do not significant harm" principle</u>. The business partners of undertakings, including customers, may rely on this information to understand, and where necessary report on, the sustainability risks and impacts through their own value chains. Policy makers and environmental agencies may use such information, in particular on an aggregate basis, to monitor environmental and social trends, to contribute to environmental accounts, and to inform public policy. Few individual citizens and consumers directly consult undertaking's reports, but	their impacts on people and the environment. Other stakeholders may also make use of sustainability information disclosed in annual reports. The business partners of undertakings, including customers, may rely on this information to understand, and where necessary report on, the sustainability risks and impacts through their own value chains. Policy makers and environmental agencies may use such information, in particular on an aggregate basis, to monitor environmental and social trends, to contribute to environmental accounts, and to inform public policy. Few individual citizens and consumers directly consult undertaking's reports, but they may use such information indirectly such as when considering the advice or opinions of financial advisers or non-governmental organisations. Many investors and asset managers purchase sustainability information from third party data providers, who collect information from various sources, including public corporate reports.	environment. The second group of users consists of ~~organisations~~^{civil society actors}, including non-governmental organisations and social partners, that wish to better hold undertakings to account for their impacts on people and the environment. Other stakeholders may also make use of sustainability information disclosed in annual reports, notably to foster comparability across and within market sectors. The business partners of undertakings, including customers, may rely on this information to understand, and where necessary report on, the sustainability risks and impacts through their own value chains. Policy makers and environmental agencies may use such information, in particular on an aggregate basis, to monitor environmental and social trends, to contribute to environmental accounts, and to inform public policy. Few individual citizens and consumers directly consult undertaking's reports, but they may use such information indirectly such as when considering the advice or opinions of financial advisers or non-governmental organisations. Many investors and asset managers purchase sustainability information from third party data providers, who collect

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		they may use such information indirectly such as when considering the advice or opinions of financial advisers or non-governmental organisations. Many investors and asset managers purchase sustainability information from third party data providers, who collect information from various sources, including public corporate reports.	PUBLIC	information from various sources, including public corporate reports.
Recital 8a				
18a		<u>(8a) (8a) The market for sustainability information is rapidly growing, and the role of data providers is gaining in importance with the new obligations that investors and asset managers need to fulfil. With the increased availability of disaggregated data, sustainability information should come at a more reasonable cost. The amended Directive 2013/34 is expected to increase the comparability of data and harmonise standards. It is expected that the practices of data providers should converge and that expertise will grow in this area, with a vast potential for job creation. In the event that the review of this Directive concludes that the practices of data providers remain fragmented, rules should be</u>		(8a) The market for sustainability information is rapidly growing, and the role of data providers is gaining in importance with the new obligations that investors and asset managers need to fulfil. With the increased availability of disaggregated data, sustainability information should come at a more reasonable cost. The amended Directive 2013/34 is expected to increase the comparability of data and harmonise standards. It is expected that the practices of data providers should improve and that expertise will grow in this area, with a potential for job creation. EP: To align with outcome of the Review clause.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>introduced in order to further standardise those practices and increase their reliability.</u>		
Recital 9				
19	(9) There has been a very significant increase in demand for corporate sustainability information in recent years, especially on the part of the investment community. That increase in demand is driven by the changing nature of risks to undertakings and growing investor awareness of the financial implications of these risks. That is especially the case for climate-related financial risks. Awareness of the risks to undertakings and to investments resulting from other environmental issues and from social issues, including health issues, is also growing. The increase in demand for sustainability information is also driven by the growth in investment products that explicitly seek to meet certain sustainability standards or achieve certain sustainability objectives. Part of that increase is the logical consequence of previously adopted Union legislation, notably Regulation (EU) 2019/2088 and Regulation (EU) 2020/852. Some of the increase would have happened in	(9) <u>(9)</u> There has been a very significant increase in demand for corporate sustainability information in recent years, especially on the part of the investment community <u>and civil society</u>. That increase in demand is driven by the changing nature of risks to undertakings and growing investor awareness of the financial implications of these risks. That is especially the case for climate-related financial risks. Awareness ~~of~~ <u>is also growing on</u> the risks <u>and opportunities</u> to undertakings and to investments resulting from other environmental <u>and climate</u> issues and from <u>health and</u> social issues, including ~~health issues, is also growing on~~ <u>child and forced labour</u>. The increase in demand for sustainability information is also driven by the growth in investment products that explicitly seek to meet certain sustainability standards or achieve certain sustainability objectives <u>and to ensure coherence with the ambition of the Paris Agreement, Convention on Biological diversity</u>	(9) There has been a very significant increase in demand for corporate sustainability information in recent years, especially on the part of the investment community. That increase in demand is driven by the changing nature of risks to undertakings and growing investor awareness of the financial implications of these risks. That is especially the case for climate-related financial risks. Awareness of the risks to undertakings and to investments resulting from other environmental issues, such as biodiversity loss, and from social issues, including health issues, is also growing. The increase in demand for sustainability information is also driven by the growth in investment products that explicitly seek to meet certain sustainability standards or achieve certain sustainability objectives. Part of that increase is the logical consequence of previously adopted Union legislation, notably Regulation (EU) 2019/2088 and Regulation (EU) 2020/852. Some of	(9) There has been a very significant increase in demand for corporate sustainability information in recent years, especially on the part of the investment community. That increase in demand is driven by the changing nature of risks to undertakings and growing investor awareness of the financial implications of these risks. That is especially the case for climate-related financial risks. Awareness ~~of~~ is also growing on the risks and opportunities to undertakings and to investments resulting from other environmental issues, such as biodiversity loss, and from health and social issues, including on child labour and forced labour ~~health issues, is also growing~~. The increase in demand for sustainability information is also driven by the growth in investment products that explicitly seek to meet certain sustainability standards or achieve certain sustainability objectives and to ensure coherence with the ambition of the Paris Agreement, Convention on Biological diversity

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	any case, due to fast-changing citizen awareness, consumer preferences and market practices. The COVID-19 pandemic will further accelerate the increase in users' information needs, in particular as it has exposed the vulnerabilities of workers and of undertaking's value chains. Information on environmental impacts is also relevant in the context of mitigating future pandemics with human disturbance of ecosystems increasingly linked to the occurrence and spread of diseases.	<u>and Union policies</u> . Part of that increase is the logical consequence of previously adopted Union legislation, notably Regulation (EU) 2019/2088 and Regulation (EU) 2020/852. Some of the increase would have happened in any case, due to fast-changing citizen awareness, consumer preferences and market practices. The COVID-19 pandemic will further accelerate the increase in users' information needs, in particular as it has exposed the vulnerabilities of workers and of undertaking's value chains. Information on environmental impacts is also relevant in the context of mitigating future pandemics with human disturbance of ecosystems increasingly linked to the occurrence and spread of diseases.	the increase would have happened in any case, due to fast-changing citizen awareness, consumer preferences and market practices. The COVID-19 pandemic will further accelerate the increase in users' information needs, in particular as it has exposed the vulnerabilities of workers and of undertaking's value chains. Information on environmental impacts is also relevant in the context of mitigating future pandemics with human disturbance of ecosystems increasingly linked to the occurrence and spread of diseases.	and Union policies . Part of that increase is the logical consequence of previously adopted Union legislation, notably Regulation (EU) 2019/2088 and Regulation (EU) 2020/852. Some of the increase would have happened in any case, due to fast-changing citizen awareness, consumer preferences and market practices. The COVID-19 pandemic will further accelerate the increase in users' information needs, in particular as it has exposed the vulnerabilities of workers and of undertaking's value chains. Information on environmental impacts is also relevant in the context of mitigating future pandemics with human disturbance of ecosystems increasingly linked to the occurrence and spread of diseases.
Recital 9a				
19a		<u>(9a) (9c) Legislative bodies should provide legal certainty. Undertakings, customers and trade unions, among others, should be allowed to agree upon guidelines that might support the application of this Directive.</u>		Presidency proposal: delete.
Recital 10				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
20	(10) Undertakings themselves stand to benefit from carrying out high quality reporting on sustainability matters. The growth in the number of investment products that aim to pursue sustainability objectives means that good sustainability reporting can enhance an undertaking's access to financial capital. Sustainability reporting can help undertakings to identify and manage their own risks and opportunities related to sustainability matters. It can provide a basis for better dialogue and communication between undertakings and their stakeholders, and can help undertakings to improve their reputation.	(10) Undertakings themselves stand to benefit from carrying out high quality reporting on sustainability matters. The growth in the number of investment products that aim to pursue sustainability objectives means that good sustainability reporting can enhance an undertaking's access to financial capital. Sustainability reporting can help undertakings to identify and manage their own risks and opportunities related to sustainability matters. It can provide a basis for better dialogue and communication between undertakings and their stakeholders, and can help undertakings to improve their reputation.	(10) Undertakings themselves stand to benefit from carrying out high quality reporting on sustainability matters. The growth in the number of investment products that aim to pursue sustainability objectives means that good sustainability reporting can enhance an undertaking's access to financial capital. Sustainability reporting can help undertakings to identify and manage their own risks and opportunities related to sustainability matters. It can provide a basis for better dialogue and communication between undertakings and their stakeholders, and can help undertakings to improve their reputation. Moreover, a consistent basis for sustainability reporting by undertakings in the form of reporting standards should provide for the relevant and sufficient information and thus significantly decrease ad hoc requests for information.	(10) Undertakings themselves stand to benefit from carrying out high quality reporting on sustainability matters. The growth in the number of investment products that aim to pursue sustainability objectives means that good sustainability reporting can enhance an undertaking's access to financial capital. Sustainability reporting can help undertakings to identify and manage their own risks and opportunities related to sustainability matters. It can provide a basis for better dialogue and communication between undertakings and their stakeholders, and can help undertakings to improve their reputation. Moreover, a consistent basis for sustainability reporting by undertakings in the form of reporting standards should provide for the relevant and sufficient information and thus significantly decrease ad hoc requests for information.
Recital 10a				
20a		<u>(10a) (9c) Legislative bodies should provide legal certainty. Undertakings, customers and trade unions, among others, should be allowed to agree upon guidelines</u>		Repetition of row 19a (to be deleted).

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>that might support the application of this Directive.</i></u>		
Recital 11				
21	(11) The report on the review clause of the Non-Financial Reporting Directive (Directive 2014/95/EU), and its accompanying fitness check on corporate reporting, identified problems as to the effectiveness of that Directive¹. There is significant evidence that many undertakings do not disclose material information on all major sustainability-related topics. The report also identified as significant problems the limited comparability and reliability of sustainability information. Additionally, many undertakings from which users need sustainability information are not obliged to report such information. ¹. Publication office: please insert reference to Report from the Commission to the European Parliament, the Council and the European Economic and Social Committee on the review clauses in Directives 2013/34/EU, 2014/95/EU, and 2013/50/EU, and accompanying SWD- Fitness Check.	(11) <u><i>(11)</i></u> The report on the review clause of the Non-Financial Reporting Directive (Directive 2014/95/EU), and its accompanying fitness check on corporate reporting, identified problems as to the effectiveness of that Directive¹⁴⁸. There is significant evidence that many undertakings do not disclose material information on all major sustainability-related topics, <u><i>especially climate-related information including all greenhouse gas emission and factors that affect biodiversity</i></u>. The report also identified as significant problems the limited comparability and reliability of sustainability information. Additionally, many undertakings from which users need sustainability information are not obliged to report such information <u><i>which underlines the need for a robust and affordable monitoring, reporting and verification framework and effective auditing within corporate sustainability reporting to ensure the reliability of data and avoid greenwashing and/or double accounting</i></u>.	(11) The report on the review clause of the Non-Financial Reporting Directive (Directive 2014/95/EU), and its accompanying fitness check on corporate reporting, identified problems as to the effectiveness of that Directive¹. There is significant evidence that many undertakings do not disclose material information on all major sustainability-related topics. The report also identified as significant problems the limited comparability and reliability of sustainability information. Additionally, many undertakings from which users need sustainability information are not obliged to report such information. ¹. [1] Publication office: please insert reference to Report from the Commission to the European Parliament, the Council and the European Economic and Social Committee on the review clauses in Directives 2013/34/EU, 2014/95/EU, and 2013/50/EU, and accompanying SWD- Fitness Check.	(11) The report on the review clause of the Non-Financial Reporting Directive (Directive 2014/95/EU), and its accompanying fitness check on corporate reporting, identified problems as to the effectiveness of that Directive¹. There is significant evidence that many undertakings do not disclose material information on all major sustainability-related topics, including climate-related information such as all greenhouse gas emission and factors that affect biodiversity. The report also identified as significant problems the limited comparability and reliability of sustainability information. Additionally, many undertakings from which users need sustainability information are not obliged to report such information. All this underlines the need for a robust and affordable reporting framework accompanied by effective auditing practices to ensure the reliability of data and avoid greenwashing and/or double accounting.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		~~<i>1. Publication office: please insert reference to Report from the Commission to the European Parliament, the Council and the European Economic and Social Committee on the review clauses in Directives 2013/34/EU, 2014/95/EU, and 2013/50/EU, and accompanying SWD- Fitness Check.</i>~~		1. Publication office: please insert reference to Report from the Commission to the European Parliament, the Council and the European Economic and Social Committee on the review clauses in Directives 2013/34/EU, 2014/95/EU, and 2013/50/EU, and accompanying SWD- Fitness Check. ~~<i>1. Publication office: please insert reference to Report from the Commission to the European Parliament, the Council and the European Economic and Social Committee on the review clauses in Directives 2013/34/EU, 2014/95/EU, and 2013/50/EU, and accompanying SWD- Fitness Check.</i>~~
Recital 12				
22	(12) In the absence of policy action, the gap between users' information needs and the sustainability information reported by undertakings is expected to grow. This gap has significant negative consequences. Investors are unable to take sufficient account of sustainability-related risks and opportunities in their investment decisions. The aggregation of multiple investment decisions that do not take adequate account of sustainability-related risks has the potential to create systemic risks that threaten financial stability. The	(12) <u>(12)</u> In the absence of policy action, the gap between users' information needs and the sustainability information reported by undertakings is expected to grow. This gap has significant negative consequences. Investors are unable to take sufficient account of sustainability-related risks and opportunities in their investment decisions. The aggregation of multiple investment decisions that do not take adequate account of sustainability-related risks has the potential to create systemic risks that threaten financial stability. The	(12) In the absence of policy action, the gap between users' information needs and the sustainability information reported by undertakings is expected to grow. This gap has significant negative consequences. Investors are unable to take sufficient account of sustainability-related risks and opportunities in their investment decisions. The aggregation of multiple investment decisions that do not take adequate account of sustainability-related risks has the potential to create systemic risks that threaten financial stability. The	(12) In the absence of policy action, the gap between users' information needs and the sustainability information reported by undertakings is expected to grow. This gap has significant negative consequences. Investors are unable to take sufficient account of sustainability-related risks and opportunities in their investment decisions. The aggregation of multiple investment decisions that do not take adequate account of sustainability-related risks has the potential to create systemic risks that threaten financial stability. The

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	European Central Bank and international organisations such as the Financial Stability Board have drawn attention to those systemic risks, in particular in the case of climate. Investors are also less able to channel financial resources to undertakings and economic activities that address and do not exacerbate social and environmental problems, which undermines the objectives of the European Green Deal and the Action Plan on Financing Sustainable Growth. Non-governmental organisations, social partners, communities affected by undertakings' activities, and other stakeholders are less able to hold undertakings accountable for their impacts on people and the environment. This creates an accountability deficit, and may contribute to lower levels of citizen trust in businesses, which in turn may have negative impacts on the efficient functioning of the social market economy. The lack of generally accepted metrics and methods for measuring, valuing, and managing sustainability-related risks is also an obstacle to the efforts of undertakings to ensure that their business models and activities are sustainable.	European Central Bank and international organisations such as the Financial Stability Board have drawn attention to those systemic risks, in particular in the case of climate. Investors are also less able to channel financial resources to undertakings and economic activities that address and do not exacerbate social and environmental problems, which undermines the objectives of the European Green Deal and the Action Plan on Financing Sustainable Growth <u>and the objectives of the Paris agreement</u>. Non-governmental organisations, social partners, communities affected by undertakings' activities, and other stakeholders are less able to hold undertakings accountable for their impacts on people and the environment <u>and the climate</u>. This creates an accountability deficit, and may contribute to lower levels of citizen trust in businesses, which in turn may have negative impacts on the efficient functioning of the social market economy. The lack of generally accepted metrics and methods for measuring, valuing, and managing sustainability-related risks is also an obstacle to the efforts of undertakings to ensure that their business models and activities are sustainable. <u>The lack of sustainability information also</u>	European Central Bank and international organisations such as the Financial Stability Board have drawn attention to those systemic risks, in particular in the case of climate. Investors are also less able to channel financial resources to undertakings and economic activities that address and do not exacerbate social and environmental problems, which undermines the objectives of the European Green Deal and the Action Plan on Financing Sustainable Growth. Non-governmental organisations, social partners, communities affected by undertakings' activities, and other stakeholders are less able to hold undertakings accountable for their impacts on people and the environment. This creates an accountability deficit, and may contribute to lower levels of citizen trust in businesses, which in turn may have negative impacts on the efficient functioning of the social market economy. The lack of generally accepted metrics and methods for measuring, valuing, and managing sustainability-related risks is also an obstacle to the efforts of undertakings to ensure that their business models and activities are sustainable.	European Central Bank and international organisations such as the Financial Stability Board have drawn attention to those systemic risks, in particular in the case of climate. Investors are also less able to channel financial resources to undertakings and economic activities that address and do not exacerbate social and environmental problems, which undermines the objectives of the European Green Deal and the Action Plan on Financing Sustainable Growth and the objectives of the Paris agreement. Non-governmental organisations, social partners, communities affected by undertakings' activities, and other stakeholders are less able to hold undertakings accountable for their impacts on people and the environment. This creates an accountability deficit, and may contribute to lower levels of citizen trust in businesses, which in turn may have negative impacts on the efficient functioning of the social market economy. The lack of generally accepted metrics and methods for measuring, valuing, and managing sustainability-related risks is also an obstacle to the efforts of undertakings to ensure that their business models and activities are sustainable. The lack of sustainability information also

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>limits the ability of stakeholders, including civil society actors, trade unions and workers representatives to enter into dialogue with undertakings on sustainability matters.</u>		limits the ability of stakeholders, including civil society actors, trade unions and workers representatives to enter into dialogue with undertakings on sustainability matters.
Recital 13				
23	(13) The report on the review clause of Directive 2014/95/EU, and its accompanying fitness check on corporate reporting, also recognised a significant increase in information requests for information about sustainability matters to undertakings in an attempt to address the existing information gap. In addition, ongoing expectations on undertakings to use a variety of different frameworks and standards are likely to continue and may even intensify as the value placed on sustainability information continues to grow. In the absence of policy action to build consensus on the information that undertakings should report, there will be significant increases in costs and burden for reporting undertakings and for users of such information.	(13) <u>(13)</u> The report on the review clause of Directive 2014/95/EU, and its accompanying fitness check on corporate reporting, also recognised a significant increase in information requests for information about sustainability matters to undertakings in an attempt to address the existing information gap. In addition, ~~ongoing expectations on undertakings to use~~ a variety of different frameworks and standards are likely to continue and may even intensify as the value placed on sustainability information continues to grow. In the absence of policy action to build consensus on the information that undertakings should report, there will be significant increases in costs and burden for reporting undertakings and for users of such information.	(13) The report on the review clause of Directive 2014/95/EU, and its accompanying fitness check on corporate reporting, also recognised a significant increase in ~~information~~ STTI information about sustainability matters to undertakings in an attempt to address the existing information gap. In addition, ongoing expectations on undertakings to use a variety of different frameworks and standards are likely to continue and may even intensify as the value placed on sustainability information continues to grow. In the absence of policy action to build consensus on the information that undertakings should report, there will be significant increases in costs and burden for reporting undertakings and for users of such information.	(13) The report on the review clause of Directive 2014/95/EU, and its accompanying fitness check on corporate reporting, also recognised a significant increase in information requests for information about sustainability matters to undertakings in an attempt to address the existing information gap. In addition, ongoing expectations on undertakings to use a variety of different frameworks and standards are likely to continue and may even intensify as the value placed on sustainability information continues to grow. In the absence of policy action to build consensus on the information that undertakings should report, there will be significant increases in costs and burden for reporting undertakings and for users of such information. Presidency proposal. <u>Text Origin: Commission Proposal</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 14				
24	(14) The growing gap between users' information needs and the current reporting practices of undertakings makes it more likely that individual Member States will introduce increasingly divergent national rules or standards. Different reporting requirements in different Member States would create additional costs and complexity for undertakings operating across borders and therefore undermine the single market, and would undermine the right of establishment and the free movement of capital across the Union. Those different reporting requirements also make reported information less comparable across borders, undermining the capital markets union.	(14) The growing gap between users' information needs and the current reporting practices of undertakings makes it more likely that individual Member States will introduce increasingly divergent national rules or standards. Different reporting requirements in different Member States would create additional costs and complexity for undertakings operating across borders and therefore undermine the single market, and would undermine the right of establishment and the free movement of capital across the Union. Those different reporting requirements also make reported information less comparable across borders, undermining the capital markets union.	(14) The growing gap between users' information needs and the current reporting practices of undertakings makes it more likely that individual Member States will introduce increasingly divergent national rules or standards. Different reporting requirements in different Member States would create additional costs and complexity for undertakings operating across borders and therefore undermine the single market, and would undermine the right of establishment and the free movement of capital across the Union. Those different reporting requirements also make reported information less comparable across borders, undermining the capital markets union.	(14) The growing gap between users' information needs and the current reporting practices of undertakings makes it more likely that individual Member States will introduce increasingly divergent national rules or standards. Different reporting requirements in different Member States would create additional costs and complexity for undertakings operating across borders and therefore undermine the single market, and would undermine the right of establishment and the free movement of capital across the Union. Those different reporting requirements also make reported information less comparable across borders, undermining the capital markets union. Text Origin: Commission Proposal
Recital 15				
25	(15) Articles 19a and 29a of Directive 2013/34/EU apply to large undertakings that are public-interest entities with an average number of employees in excess of 500, and to public-interest entities that are parent	(15) <u>(15)</u> Articles 19a and 29a of Directive 2013/34/EU apply to large undertakings that are public-interest entities with an average number of employees in excess of 500, and to public-interest entities that are parent	(15) Articles 19a and 29a of Directive 2013/34/EU apply to large undertakings that are public-interest entities with an average number of employees in excess of 500, and to public-interest entities that are parent	(15) Articles 19a and 29a of Directive 2013/34/EU apply to large undertakings that are public-interest entities with an average number of employees in excess of 500, and to public-interest entities that are parent

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	undertakings of a large group with an average number of employees in excess of 500 on a consolidated basis, respectively. In view of the growth of users' needs for sustainability information, additional categories of undertakings should be required to report such information. It is therefore appropriate to require all large undertakings and all undertakings listed on regulated markets, except micro undertakings, to report detailed sustainability information. In addition, all undertakings that are parent undertakings of large groups should prepare sustainability reporting at group level.	undertakings of a large group with an average number of employees in excess of 500 on a consolidated basis, respectively. In view of the growth of users' needs for sustainability information, additional categories of undertakings should be required to report such information. It is therefore appropriate to require all large undertakings ~~and all undertakings listed on regulated markets, except micro undertakings,~~ to report detailed sustainability information. In addition, all undertakings that are parent undertakings of large groups should prepare sustainability reporting at group level.	undertakings of a large group with an average number of employees in excess of 500 on a consolidated basis, respectively. In view of the growth of users' needs for sustainability information, additional categories of undertakings should be required to report such information. It is therefore appropriate to require all large undertakings and all undertakings listed on regulated markets, except micro undertakings, to report detailed sustainability information. Articles 19a and 29a explicitly set out the scope of the reporting requirements with reference to Articles 2 and 3 of Directive 2013/34/EU. Therefore, Articles 19a and 29a do not 'simplify' or 'modify' another requirement and the restriction of exemptions for public-interest entities in Article 40 of Directive 2013/34/EU does not apply. In particular, public-interest entities should not be treated as large undertakings for the purposes of the reporting obligations of Articles 19a and 29a, i.e. small and medium sized public-interest entities should be allowed to report according to the simplified SME sustainability reporting standards. In addition, all undertakings that are parent undertakings of large groups should	undertakings of a large group with an average number of employees in excess of 500 on a consolidated basis, respectively. In view of the growth of users' needs for sustainability information, additional categories of undertakings should be required to report such information. It is therefore appropriate to require all large undertakings and all undertakings listed on regulated markets, except micro undertakings, to report detailed sustainability information. Articles 19a and 29a explicitly set out the scope of the reporting requirements with reference to Articles 2 and 3 of Directive 2013/34/EU. Therefore, Articles 19a and 29a do not 'simplify' or 'modify' another requirement and the restriction of exemptions for public-interest entities in Article 40 of Directive 2013/34/EU does not apply. In particular, public-interest entities should not be treated as large undertakings for the purposes of the reporting obligations of Articles 19a and 29a, i.e. small and medium sized public-interest entities should be allowed to report according to the simplified SME sustainability reporting standards. In addition, all undertakings that are parent undertakings of large groups should

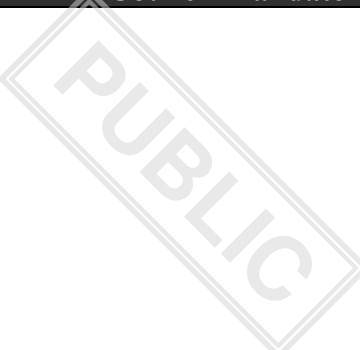
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			prepare sustainability reporting at group level.	prepare sustainability reporting at group level. Moreover, since Article 8 of the Taxonomy Regulation refers to Art. 19a and Art. 29a of the Accounting Directive, the undertakings added to the scope of the reporting obligations in Article 19a or Article 29a will also have to comply with Art. 8 Taxonomy Regulation.
Recital 16				
26	(16) The requirement that also large non-listed undertakings should disclose information on sustainability matters is mainly driven by concerns about the impacts and accountability of such undertakings, including through their value chain. In this respect, all large undertakings should be subject to the same requirements to report sustainability information publicly. In addition, financial market participants also need information from those large non-listed undertakings.	(16) The requirement that also large non-listed undertakings should disclose information on sustainability matters is mainly driven by concerns about the impacts and accountability of such undertakings, including through their value chain. In this respect, all large undertakings should be subject to the same requirements to report sustainability information publicly. In addition, financial market participants also need information from those large non-listed undertakings.	(16) The requirement that also large non-listed undertakings should disclose information on sustainability matters is mainly driven by concerns about the impacts and accountability of such undertakings, including through their value chain. In this respect, all large undertakings should be subject to the same requirements to report sustainability information publicly. In addition, financial market participants also need information from those large non-listed undertakings.	(16) The requirement that also large non-listed undertakings should disclose information on sustainability matters is mainly driven by concerns about the impacts and accountability of such undertakings, including through their value chain. In this respect, all large undertakings should be subject to the same requirements to report sustainability information publicly. In addition, financial market participants also need information from those large non-listed undertakings. Text Origin: Commission Proposal
Recital 17				
27				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(17) The requirement that undertakings not established in the Union but with securities listed on regulated markets should also disclose information on sustainability matters responds to the needs of financial market participants for information from such undertakings in order to understand the risks and impacts of their investments, and to comply with the disclosure requirements laid down in Regulation (EU) 2019/2088.	(17) The requirement that undertakings not established in the Union but with securities listed on regulated markets should also disclose information on sustainability matters responds to the needs of financial market participants for information from such undertakings in order to understand the risks and impacts of their investments, and to comply with the disclosure requirements laid down in Regulation (EU) 2019/2088.	(17) The requirement that undertakings not established in the Union but with securities listed on regulated markets should also disclose information on sustainability matters responds to the needs of financial market participants for information from such undertakings in order to understand the risks and impacts of their investments, and to comply with the disclosure requirements laid down in Regulation (EU) 2019/2088.	(17) The requirement that undertakings not established in the Union but with securities listed on regulated markets should also disclose information on sustainability matters responds to the needs of financial market participants for information from such undertakings in order to understand the risks and impacts of their investments, and to comply with the disclosure requirements laid down in Regulation (EU) 2019/2088. Text Origin: Commission Proposal
Recital 17a				
27a		<u>(17a) (17a) In order to ensure a level playing field on the single market, it is appropriate that third-country companies that are not established in the EU but provide goods and services inside the EU are subject to the same reporting rules than EU companies, or at least apply rules that are evaluated equivalent to the EU standards by the Commission, once implementing measures for those equivalence schemes are adopted.</u>		
Recital 18				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
28	(18) Considering the growing relevance of sustainability-related risks and taking into account that small and medium-sized enterprises (SMEs) listed on regulated markets comprise a significant proportion of all listed undertakings in the Union, in order to ensure investor protection it is appropriate to require that also those SMEs disclose information on sustainability matters. The introduction of this requirement will help to ensure that financial market participants can include smaller listed undertakings in investment portfolios on the basis that they report the sustainability information that financial market participants need. It will therefore help to protect and enhance the access of smaller listed undertakings to financial capital, and avoid discrimination against such undertakings on the part of financial market participants. The introduction of this requirement is also necessary to ensure that financial market participants have the information they need from investee undertakings to be able to comply with their own sustainability disclosure requirements laid down in Regulation (EU) 2019/2088. SMEs listed on regulated markets should, however, be provided with sufficient time to prepare for the application of	(18) Considering the growing relevance of sustainability-related risks and taking into account that small and medium-sized enterprises (SMEs) listed on regulated markets comprise a significant proportion of all listed undertakings in the Union, in order to ensure investor protection it is appropriate to require that also those SMEs disclose information on sustainability matters. The introduction of this requirement will help to ensure that financial market participants can include smaller listed undertakings in investment portfolios on the basis that they report the sustainability information that financial market participants need. It will therefore help to protect and enhance the access of smaller listed undertakings to financial capital, and avoid discrimination against such undertakings on the part of financial market participants. The introduction of this requirement is also necessary to ensure that financial market participants have the information they need from investee undertakings to be able to comply with their own sustainability disclosure requirements laid down in Regulation (EU) 2019/2088. SMEs listed on regulated markets should, however, be provided with sufficient time to prepare for the application of	(18) Considering the growing relevance of sustainability-related risks and taking into account that small and medium-sized enterprises (SMEs) listed on regulated markets comprise a significant proportion of all listed undertakings in the Union, in order to ensure investor protection it is appropriate to require that also those SMEs disclose information on sustainability matters. The introduction of this requirement will help to ensure that financial market participants can include smaller listed undertakings in investment portfolios on the basis that they report the sustainability information that financial market participants need. It will therefore help to protect and enhance the access of smaller listed undertakings to financial capital, and avoid discrimination against such undertakings on the part of financial market participants. The introduction of this requirement is also necessary to ensure that financial market participants have the information they need from investee undertakings to be able to comply with their own sustainability disclosure requirements laid down in Regulation (EU) 2019/2088. SMEs listed on regulated markets should, however, be provided with sufficient time to prepare for the application of	(18) Considering the growing relevance of sustainability-related risks and taking into account that small and medium-sized enterprises (SMEs) listed on regulated markets comprise a significant proportion of all listed undertakings in the Union, in order to ensure investor protection it is appropriate to require that also those SMEs disclose information on sustainability matters. The introduction of this requirement will help to ensure that financial market participants can include smaller listed undertakings in investment portfolios on the basis that they report the sustainability information that financial market participants need. It will therefore help to protect and enhance the access of smaller listed undertakings to financial capital, and avoid discrimination against such undertakings on the part of financial market participants. The introduction of this requirement is also necessary to ensure that financial market participants have the information they need from investee undertakings to be able to comply with their own sustainability disclosure requirements laid down in Regulation (EU) 2019/2088. SMEs listed on regulated markets should, however, be provided with sufficient time to prepare for the application of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the requirement to report sustainability information, due to their smaller size and more limited resources, and taking account of the difficult economic circumstances created by the COVID-19 pandemic. They should also be given the possibility to report according to standards that are proportionate to the capacities and resources of SMEs. Non-listed SMEs can also choose to use these proportionate standards on a voluntary basis. The SME standards will set a reference for undertakings that are within the scope of the Directive regarding the level of sustainability information that they could reasonably request from SME suppliers and clients in their value chains.	the requirement to report sustainability information, due to their smaller size and more limited resources, and taking account of the difficult economic circumstances created by the COVID-19 pandemic. They should also be given the possibility to report according to standards that are proportionate to the capacities and resources of SMEs. Non-listed SMEs can also choose to use these proportionate standards on a voluntary basis. The SME standards will set a reference for undertakings that are within the scope of the Directive regarding the level of sustainability information that they could reasonably request from SME suppliers and clients in their value chains.	the requirement to report sustainability information, due to their smaller size and more limited resources, and taking account of the difficult economic circumstances created by the COVID-19 pandemic. They should also be given the possibility to report according to standards that are proportionate to the capacities and resources of SMEs, and relevant to the scale and complexity of their activities . Non-listed SMEs can also choose to use these proportionate standards on a voluntary basis. The SME standards will set a reference for undertakings that are within the scope of the Directive regarding the level of sustainability information that they could reasonably request from SME suppliers and clients in their value chains.	the requirement to report sustainability information, due to their smaller size and more limited resources, and taking account of the difficult economic circumstances created by the COVID-19 pandemic. They should also be given the possibility to report according to standards that are proportionate to the capacities and resources of SMEs, and relevant to the scale and complexity of their activities . Non-listed SMEs can also choose to use these proportionate standards on a voluntary basis. The SME standards will set a reference for undertakings that are within the scope of the Directive regarding the level of sustainability information that they could reasonably request from SME suppliers and clients in their value chains. Presidency proposal. EP: To align with operative part. Text Origin: Council Mandate
Recital 18a				
28a		<u>(18a) (18a) SMEs should be given the possibility to report according to standards that are proportionate to their capacities and resources. Listed and Non-</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>listed SMEs can choose to use proportionate standards on a voluntary basis. The SME standards should set a reference for undertakings that are within the scope of the Directive regarding the level of sustainability information that they could reasonably request from SME suppliers, investees and clients in their value chains.</u>		
	Recital 18b			
G	28b	<u>(18b) (18 b) Member States are invited to assess the impact of their transposition act on SMEs in order to ensure that they are not disproportionately affected, giving specific attention to micro-enterprises and to unnecessary administrative burden, and to publish the results of such assessments. Member States should consider introducing measures to support SMEs in applying the voluntary simplified reporting standards.</u>		(18b) Member States are free to assess the impact of their transposition act on SMEs in order to ensure that they are not disproportionately affected, giving specific attention to micro-enterprises and to unnecessary administrative burden. Member States should consider introducing measures to support SMEs in applying the voluntary simplified reporting standards. Text Origin: EP Mandate with some changes.
	Recital 18c			
R	28c	<u>(18c) (18c) Certain economic activities in high-risk sectors are recognised as posing particularly significant sustainability risks. The</u>		Presidency proposal: to be deleted since addressed in recital 46.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>list of high-risk sectors are based on existing sectoral OECD guidance. In order to ensure that this directive can also apply to such economic activities in high-risk sectors they should be defined and the power to adopt a delegated act in accordance with Article 290 of the Treaty on the Functioning of the European Union in respect of establishing a list economic activities in high-risk sectors of economic activity should be delegated to the Commission. This list should, to the extent possible, use the European NACE classification. Not all economic activities in those sectors could be considered as high-risk. The Commission should therefore aim at using the lowest classification level possible. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure their equal participation in the preparation of delegated acts, Parliament and the Council should receive all documents at the same time as Member States' experts, and their experts should systematically</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</u>		
Recital 19				
29	(19) Directive 2004/109/EC of the European Parliament and of the Council¹ applies to all undertakings with securities listed on regulated markets. In order to ensure that all undertakings with securities listed on regulated markets, including third country issuers, fall under the same sustainability reporting requirements, Directive 2004/109/EC should contain the necessary cross-references to any requirement on sustainability reporting in the annual financial report. 1. Directive 2004/109/EC of the European Parliament and of the Council of 15 December 2004 on the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market and amending Directive 2001/34/EC (OJ L 390, 31.12.2004, p. 38).	(19) <u>(19)</u> Directive 2004/109/EC of the European Parliament and of the Council¹⁴⁹ applies to all undertakings with securities listed on regulated markets. In order to ensure that all <u>large</u> undertakings with securities listed on regulated markets <u>or business activities in the EU internal market</u>, including third country issuers, fall under the same sustainability reporting requirements, Directive 2004/109/EC should contain the necessary cross-references to any requirement on sustainability reporting in the annual financial report. ~~1. Directive 2004/109/EC of the European Parliament and of the Council of 15 December 2004 on the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market and amending Directive 2001/34/EC (OJ L 390, 31.12.2004, p. 38).~~	(19) Directive 2004/109/EC of the European Parliament and of the Council¹ applies to all undertakings with securities listed on regulated markets. In order to ensure that all undertakings with securities listed on regulated markets, including third country issuers, fall under the same sustainability reporting requirements, Directive 2004/109/EC should contain the necessary cross-references to any requirement on sustainability reporting in the annual financial report. 1. [1] Directive 2004/109/EC of the European Parliament and of the Council of 15 December 2004 on the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market and amending Directive 2001/34/EC (OJ L 390, 31.12.2004, p. 38).	
Recital 20				
30				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(20) Article 23(4), first subparagraph, point (i), and Article 23(4), fourth subparagraph of Directive 2004/109/EC empower the Commission to adopt measures to set up a mechanism for the determination of equivalence of information required under the Directive, and for the establishment of general equivalence criteria regarding accounting standards, respectively. Article 23(4), third subparagraph, of Directive 2004/109/EC also empowers the Commission to take the necessary decisions on the equivalence of accounting standards that are used by third-country issuers. In order to reflect the inclusion of the sustainability requirements in Directive 2004/109/EC, the Commission should be empowered to establish a mechanism for the determination of equivalence of sustainability reporting standards applied by third-country issuers of securities. For the same reason, the Commission should also be empowered to take the necessary decisions on the equivalence of sustainability reporting standards that are used by third-country issuers. Those amendments will ensure consistent equivalence regimes for sustainability reporting obligations and for financial	(20) Article 23(4), first subparagraph, point (i), and Article 23(4), fourth subparagraph of Directive 2004/109/EC empower the Commission to adopt measures to set up a mechanism for the determination of equivalence of information required under the Directive, and for the establishment of general equivalence criteria regarding accounting standards, respectively. Article 23(4), third subparagraph, of Directive 2004/109/EC also empowers the Commission to take the necessary decisions on the equivalence of accounting standards that are used by third-country issuers. In order to reflect the inclusion of the sustainability requirements in Directive 2004/109/EC, the Commission should be empowered to establish a mechanism for the determination of equivalence of sustainability reporting standards applied by third-country issuers of securities. For the same reason, the Commission should also be empowered to take the necessary decisions on the equivalence of sustainability reporting standards that are used by third-country issuers. Those amendments will ensure consistent equivalence regimes for sustainability reporting obligations and for financial	(20) Article 23(4), first subparagraph, point (i), and Article 23(4), fourth subparagraph of Directive 2004/109/EC empower the Commission to adopt measures to set up a mechanism for the determination of equivalence of information required under the Directive, and for the establishment of general equivalence criteria regarding accounting standards, respectively. Article 23(4), third subparagraph, of Directive 2004/109/EC also empowers the Commission to take the necessary decisions on the equivalence of accounting standards that are used by third-country issuers. In order to reflect the inclusion of the sustainability requirements in Directive 2004/109/EC, the Commission should be empowered to establish a mechanism for the determination of equivalence of sustainability reporting standards applied by third-country issuers of securities, similar to existing Commission Regulation (EC) No 1569/2007¹ which sets out the criteria for the determination of equivalence of accounting standards applied by third country issuers. For the same reason, the Commission should also be empowered to take the necessary decisions on the equivalence of	(20) Article 23(4), first subparagraph, point (i), and Article 23(4), fourth subparagraph of Directive 2004/109/EC empower the Commission to adopt measures to set up a mechanism for the determination of equivalence of information required under the Directive, and for the establishment of general equivalence criteria regarding accounting standards, respectively. Article 23(4), third subparagraph, of Directive 2004/109/EC also empowers the Commission to take the necessary decisions on the equivalence of accounting standards that are used by third-country issuers. In order to reflect the inclusion of the sustainability requirements in Directive 2004/109/EC, the Commission should be empowered to establish a mechanism for the determination of equivalence of sustainability reporting standards applied by third-country issuers of securities, similar to existing Commission Regulation (EC) No 1569/2007¹ which sets out the criteria for the determination of equivalence of accounting standards applied by third country issuers. For the same reason, the Commission should also be empowered to take the necessary decisions on the equivalence of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	reporting obligations regarding the annual financial report.	reporting obligations regarding the annual financial report.	sustainability reporting standards that are used by ~~third country~~ third country issuers. The competent authority of the home Member State of a third country issuer may consider that the third country issuer is compliant with the EU sustainability reporting obligations if it reports according to equivalent sustainability reporting standards. Those amendments will ensure consistent equivalence regimes for sustainability reporting obligations and for financial reporting obligations regarding the annual financial report. 1. [1] Commission Regulation (EC) No 1569/2007 of 21 December 2007 establishing a mechanism for the determination of equivalence of accounting standards applied by third country issuers of securities pursuant to Directives 2003/71/EC and 2004/109/EC of the European Parliament and of the Council (OJ L 340, 22.12.2007, p. 66).	sustainability reporting standards that are used by ~~third country~~ third country issuers. Those amendments will ensure consistent equivalence regimes for sustainability reporting obligations and for financial reporting obligations regarding the annual financial report. 1. [1] Commission Regulation (EC) No 1569/2007 of 21 December 2007 establishing a mechanism for the determination of equivalence of accounting standards applied by third country issuers of securities pursuant to Directives 2003/71/EC and 2004/109/EC of the European Parliament and of the Council (OJ L 340, 22.12.2007, p. 66). Presidency proposal Text Origin: Council Mandate
Recital 21				
31	(21) Articles 19a(3) and 29a(3) of Directive 2013/34/EU currently exempt all subsidiary undertakings from the obligation to report non-financial information where such undertakings and their subsidiary undertakings are included in the	(21) <u>(21)</u> Articles 19a(3) and 29a(3) of Directive 2013/34/EU currently exempt all subsidiary undertakings from ~~the obligation~~ obligations to report <u>some</u> non-financial information where such undertakings and their	(21) Articles 19a(3) and 29a(3) of Directive 2013/34/EU currently exempt all subsidiary undertakings from the obligation to report non-financial information where such undertakings and their subsidiary undertakings are included in the	(21) Articles 19a(3) and 29a(3) of Directive 2013/34/EU currently exempt all subsidiary undertakings from the obligation to report non-financial information where such undertakings and their subsidiary undertakings are included in the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	consolidated management report of their parent undertaking, provided this includes the required non-financial information. It is necessary, however to ensure that sustainability information is easily accessible for users, and to bring transparency about which is the parent undertaking of the exempted subsidiary undertaking which is reporting at consolidated level. It is therefore necessary to require those subsidiary undertakings to publish the consolidated management report of their parent undertaking and to include a reference in their management report to the fact that they are exempted from reporting sustainability information. That exemption should also apply where the parent undertaking reporting at consolidated level is a third country undertaking reporting sustainability information in accordance with the requirements of this Directive or in a manner equivalent to EU sustainability reporting standards.	subsidiary undertakings are included in the consolidated management report of their parent undertaking, provided this includes the required non-financial information <u>and that certain information are broken down for each consolidated entity</u>. It is necessary, however to ensure that sustainability information is easily accessible for users, and to bring transparency about which is the parent undertaking of the exempted subsidiary undertaking which is reporting at consolidated level. It is therefore necessary to require those subsidiary undertakings to publish the consolidated management report of their parent undertaking and to include a reference in their management report to the fact that they are exempted from reporting sustainability information. ~~That exemption should also apply where the parent undertaking reporting at consolidated level is a third country undertaking reporting~~ <u>some sustainability information in accordance with the requirements of this Directive or in a manner equivalent to EU sustainability reporting standards their own management report.</u>	consolidated management report of their parent undertaking, provided this includes the required non-financial information. It is necessary, however to ensure that non-financial information reported according to EU requirements. That exemption should also apply where the parent undertaking reporting at consolidated level is a third country undertaking reporting sustainability information is easily accessible for users, and to bring transparency about which is the parent undertaking of the exempted subsidiary undertaking which is reporting at consolidated level. It is therefore necessary to require those subsidiary undertakings to publish the consolidated management report of their parent undertaking and to include a reference in their management report to the fact that they are exempted from reporting sustainability information. That exemption should also apply where the parent in accordance with equivalent sustainability reporting standards. Given that Directive 2004/109/EC would foresee appropriate mechanisms to determine the equivalence of sustainability reporting standards, and given that both undertakings with and without securities listed on regulated markets should be	consolidated management report of their parent undertaking, provided this includes the required non-financial information. It is necessary, however to ensure that non-financial information reported according to EU requirements. That exemption should also apply where the parent undertaking reporting at consolidated level is a third country undertaking reporting sustainability information is easily accessible for users, and to bring transparency about which is the parent undertaking of the exempted subsidiary undertaking which is reporting at consolidated level. It is therefore necessary to require those subsidiary undertakings to publish the consolidated management report of their parent undertaking and to include a reference in their management report to the fact that they are exempted from reporting sustainability information. That in accordance with equivalent sustainability reporting standards. Given that Directive 2004/109/EC would foresee appropriate mechanisms to determine the equivalence of sustainability reporting standards, and given that both undertakings with and without securities listed on regulated markets should be required to report according to

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			required to report according to the same sustainability reporting standards, the measures adopted pursuant to Article 23(4), first subparagraph, point (i), and Article 23(4), fourth subparagraph of Directive 2004/109/EC establishing a mechanism for the determination of equivalence of standards should be put to use for determining the exemption of subsidiary undertakings of non-EU parent undertakings under the regime of Directive 2013/34/EU. In this sense, the subsidiary undertaking reporting at consolidated level is a third country undertaking reporting sustainability reporting is drawn up in a manner equivalent to European sustainability information reporting standards, determined in accordance with the requirements of this Directive or in a manner equivalent to EU sustainability reporting standards relevant measures adopted pursuant to Article 23(4), first subparagraph, point (i), and Article 23(4), fourth subparagraph of Directive 2004/109/EC.	the same sustainability reporting standards, the measures adopted pursuant to Article 23(4), first subparagraph, point (i), and Article 23(4), fourth subparagraph of Directive 2004/109/EC establishing a mechanism for the determination of equivalence of standards should be put to use for determining the exemption should also apply where the of subsidiary undertakings of non-EU parent undertaking reporting at consolidated level is a third country undertakings under the regime of Directive 2013/34/EU. In this sense, the subsidiary undertaking reporting should be exempted when consolidated sustainability information reporting is drawn up in accordance with the requirements of this Directives sustainability reporting standards adopted pursuant to Article 29b or in a manner equivalent to EU those European sustainability reporting standards, determined in accordance with Commission's decisions on the equivalence of sustainability reporting standards adopted pursuant to Article 23(4), third subparagraph of Directive 2004/109/EC.
Recital 22				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
32	(22) Article 23 of Directive 2013/34/EU exempts parent undertakings from the obligation to prepare consolidated financial statements and a consolidated management report where those undertakings are subsidiaries of another parent undertaking that complies with that obligation. It should be specified, however, that the exemption regime for consolidated financial statements and consolidated management reports operates independently from the exemption regime for consolidated sustainability reporting. An undertaking can therefore be exempted from consolidated financial reporting obligations but not exempted from consolidated sustainability reporting obligations where its ultimate parent prepares consolidated financial statements and consolidated management reports in accordance with Union law, or in accordance with equivalent requirements if the undertaking is established in a third country, but does not prepare consolidated sustainability reporting in accordance with EU law, or in accordance with equivalent requirements if the undertaking is established in a third country.	(22) <u>(22)</u> Article 23 of Directive 2013/34/EU exempts parent undertakings from the obligation to prepare consolidated financial statements and a consolidated management report where those undertakings are subsidiaries of another parent undertaking that complies with that obligation. ~~It should be specified, however, that the exemption regime for consolidated financial statements and consolidated management reports operates independently from the exemption regime for consolidated sustainability reporting. An undertaking can therefore be exempted from consolidated financial reporting obligations but not exempted from consolidated sustainability reporting obligations where its ultimate parent prepares~~ <u>unless the parent undertaking is a subsidiary undertaking from a parent undertaking that is established in a third country. It should be specified, however, that the exemption regime for</u> consolidated financial statements and consolidated management reports ~~in accordance with Union law, or in accordance with equivalent requirements if the undertaking is established in a third country, but~~	(22) Article 23 of Directive 2013/34/EU exempts parent undertakings from the obligation to prepare consolidated financial statements and a consolidated management report where those undertakings are subsidiaries of another parent undertaking that complies with that obligation. It should be specified, however, that the exemption regime for consolidated financial statements and consolidated management reports operates independently from the exemption regime for consolidated sustainability reporting. An undertaking can therefore be exempted from consolidated financial reporting obligations but not exempted from consolidated sustainability reporting obligations where its ultimate parent prepares consolidated financial statements and consolidated management reports in accordance with Union law, or in accordance with equivalent requirements if the undertaking is established in a third country, but does not prepare consolidated sustainability reporting in accordance with EU law, or in accordance with equivalent requirements if the undertaking is established in a third country.	(22) Article 23 of Directive 2013/34/EU exempts parent undertakings from the obligation to prepare consolidated financial statements and a consolidated management report where those undertakings are subsidiaries of another parent undertaking that complies with that obligation. It should be specified, however, that the exemption regime for consolidated financial statements and consolidated management reports operates independently from the exemption regime for consolidated sustainability reporting. An undertaking can therefore be exempted from consolidated financial reporting obligations but not exempted from consolidated sustainability reporting obligations where its ultimate parent prepares consolidated financial statements and consolidated management reports in accordance with Union law, or in accordance with equivalent requirements if the undertaking is established in a third country, but does not prepare consolidated sustainability reporting in accordance with EU law, or in accordance with equivalent requirements if the undertaking is established in a third country. It is necessary that parent

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		~~does not prepare~~<u>operates independently from the exemption regime for</u> consolidated sustainability reporting ~~in accordance with EU law, or in accordance with equivalent requirements if the undertaking is established in a third country.~~		undertakings reporting at consolidated level provide an adequate understanding of the risks and impacts of their subsidiaries, including information on their due diligence processes where appropriate. There might be cases where the differences between the situation of the group and its individual subsidiaries, or between the situation of individual subsidiaries in different geographies are particularly significant and would, in the absence of additional information about the individual subsidiary concerned, cause the user to reach a substantially different conclusion about the risks or impacts of that subsidiary. Compromise text based on Council Mandate with additions from the EP Mandate.
Recital 23				
33	(23) Credit institutions and insurance undertakings play a key role in the transition towards a fully sustainable and inclusive economic and financial system in line with the European Green Deal. They can have significant positive and negative impacts via their lending,	(23) <u>(23)</u> Credit institutions and insurance undertakings play a key role in the transition towards a fully sustainable and inclusive economic and financial system in line with the European Green Deal. They can have significant positive and negative impacts via their lending,	(23) Credit institutions and insurance undertakings play a key role in the transition towards a fully sustainable and inclusive economic and financial system in line with the European Green Deal. They can have significant positive and negative impacts via their lending,	(23) Credit institutions and insurance undertakings play a key role in the transition towards a fully sustainable and inclusive economic and financial system in line with the European Green Deal. They can have significant positive and negative impacts via their lending,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	investment and underwriting activities. Credit institutions and insurance undertakings other than those that are required to comply with Directive 2013/34/EU, including cooperatives and mutual undertakings, should therefore be subject to sustainability reporting requirements provided that they meet certain size criteria. Users of that information would thus be enabled to assess both the impacts of these undertakings on society and the environment and the risks arising from sustainability matters that these undertakings could face. To ensure coherence with the reporting requirements of Council Directive 86/635/EEC¹ on the annual accounts and consolidated accounts of banks and other financial institutions, sustainability reporting Member States may choose not to apply sustainability reporting requirements to credit institutions listed in Article 2(5) of Directive 2013/36/EU of the European Parliament and of the Council². 1. Council Directive 86/635/EEC of 8 December 1986 on the annual accounts and consolidated accounts of banks and other financial institutions (OJ L 372, 31.12.1986, p. 1). 2. Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of	investment and underwriting activities. Credit institutions and insurance undertakings other than those that are required to comply with Directive 2013/34/EU, including cooperatives and mutual undertakings, <u>as well as for-profit legal entities organised as trusts or under similar legal arrangements</u>, should therefore be subject to sustainability reporting requirements provided that they meet certain size criteria. Users of that information would thus be enabled to assess both the impacts of these undertakings on society and the environment and the risks arising from sustainability matters that these undertakings could face. To ensure coherence with the reporting requirements of Council Directive 86/635/EEC²⁵¹ on the annual accounts and consolidated accounts of banks and other financial institutions, sustainability reporting Member States may choose not to apply sustainability reporting requirements to credit institutions listed in Article 2(5) of Directive 2013/36/EU of the European Parliament and of the Council²⁵¹. ~~1. Council Directive 86/635/EEC of 8 December 1986 on the annual accounts and consolidated accounts of banks and other financial institutions (OJ L 372, 31.12.1986, p. 1).~~	investment and underwriting activities. Credit institutions and insurance undertakings other than those that are required to comply with Directive 2013/34/EU, including cooperatives and mutual undertakings, should therefore be subject to sustainability reporting requirements provided that they meet certain size criteria. Users of that information would thus be enabled to assess both the impacts of these undertakings on society and the environment and the risks arising from sustainability matters that these undertakings could face. The Accounting Directive applies three possible criteria to determine whether an undertaking is considered to be a "large undertaking", which are the balance sheet total, net turnover and average number of employees during the financial year. The criterion of net turnover needs to be adapted for credit institutions and for insurance undertakings by referring to the definition of net turnover in Directive 1986/635 and in Directive 1991/674 instead of the general definition of Directive 2013/34/EU. To ensure coherence with the reporting requirements of Council Directive 86/635/EEC¹ on the annual accounts and consolidated accounts of banks and other	investment and underwriting activities. Credit institutions and insurance undertakings other than those that are required to comply with Directive 2013/34/EU, including cooperatives and mutual undertakings, should therefore be subject to sustainability reporting requirements provided that they meet certain size criteria. Users of that information would thus be enabled to assess both the impacts of these undertakings on society and the environment and the risks arising from sustainability matters that these undertakings could face. The Accounting Directive applies three possible criteria to determine whether an undertaking is considered to be a "large undertaking", which are the balance sheet total, net turnover and average number of employees during the financial year. The criterion of net turnover needs to be adapted for credit institutions and for insurance undertakings by referring to the definition of net turnover in Directive 1986/635 and in Directive 1991/674 instead of the general definition of Directive 2013/34/EU. To ensure coherence with the reporting requirements of Council Directive 86/635/EEC¹ on the annual accounts and consolidated accounts of banks and other

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).	~~2. Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).~~	financial institutions, ~~sustainability reporting~~ Member States may choose not to apply sustainability reporting requirements to credit institutions listed in Article 2(5) of Directive 2013/36/EU of the European Parliament and of the Council ² . 1. [1] Council Directive 86/635/EEC of 8 December 1986 on the annual accounts and consolidated accounts of banks and other financial institutions (OJ L 372, 31.12.1986, p. 1). 2. [2] Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).	financial institutions, ~~sustainability reporting~~ Member States may choose not to apply sustainability reporting requirements to credit institutions listed in Article 2(5) of Directive 2013/36/EU of the European Parliament and of the Council ² . 1. [1] Council Directive 86/635/EEC of 8 December 1986 on the annual accounts and consolidated accounts of banks and other financial institutions (OJ L 372, 31.12.1986, p. 1). 2. [2] Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338). Presidency proposal. <u>Text Origin: Council Mandate</u>
Recital 24				
34	(24) The list of sustainability matters on which undertakings are required to report should be as coherent as possible with the definition of ‘sustainability factors’ laid down in Regulation (EU) 2019/2088. That list should also correspond to the needs and	(24) <u>(24)</u> The list of sustainability matters on which undertakings are required to report should be as coherent as possible with the definition of ‘sustainability factors’ laid down in Regulation (EU) 2019/2088, <u>and prevent a mismatch of information required</u>	(24) The list of sustainability matters on which undertakings are required to report should be as coherent as possible with the definition of ‘sustainability factors’ laid down in Regulation (EU) 2019/2088. That list should also correspond to the needs and	(24) The list of sustainability matters on which undertakings are required to report should be as coherent as possible with the definition of ‘sustainability factors’ laid down in Regulation (EU) 2019/2088, and prevent a mismatch between information

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	expectations of users and undertakings themselves, who often use the terms ‘environmental’, ‘social’ and ‘governance’ as a means to categorise the three main sustainability matters. The list of sustainability factors laid down in Regulation (EU) 2019/2088 does not explicitly include governance matters. The definition of sustainability matters in Directive 2013/34/EU should therefore be based on the definition of ‘sustainability factors’ laid down in Regulation (EU) 2019/2088, but with the addition of governance matters.	<u>by data users and to be reported by data preparers.</u> That list should also correspond to the needs and expectations of users and undertakings themselves, who often use the terms ‘environmental’, ‘social’ and ‘governance’ as a means to categorise the three main sustainability matters. The list of sustainability factors laid down in Regulation (EU) 2019/2088 does not explicitly include governance matters. The definition of sustainability matters in Directive 2013/34/EU should therefore be based on the definition, <u>indicators and methodologies</u> of ‘sustainability factors’ laid down in Regulation (EU) 2019/2088 <u>and delegated acts</u>, but with the addition of governance matters. <u>The list is a minimum requirement, which will not lower existing national reporting requirements. The list of environmentally sustainable matters should be based on, and take account of, underlying indicators and methodologies set out in Regulation (EU) 2020/852 and in various delegated acts adopted pursuant to it, as they jointly create a classification system for environmentally sustainable economic activities.</u>	expectations of users and undertakings themselves, who often use the terms ‘environmental’, ‘social’ and ‘governance’ as a means to categorise the three main sustainability matters. The list of sustainability factors laid down in Regulation (EU) 2019/2088 does not explicitly include governance matters. The definition of sustainability matters in Directive 2013/34/EU should therefore relate to environmental, social and human rights and governance factors, and be based on the definition of ‘sustainability factors’ laid down in Regulation (EU) 2019/2088, ~~but with the addition of governance matters.~~	required by data users and information to be reported by data preparers. That list should also correspond to the needs and expectations of users and undertakings themselves, who often use the terms ‘environmental’, ‘social’ and ‘governance’ as a means to categorise the three main sustainability matters. The list of sustainability factors laid down in Regulation (EU) 2019/2088 does not explicitly include governance matters. The definition of sustainability matters in Directive 2013/34/EU should therefore relate to environmental, social and human rights and governance factors, and be based on the definition of ‘sustainability factors’ laid down in Regulation (EU) 2019/2088, ~~but with the addition of governance matters.~~ The reporting requirements of this directive should be without prejudice of other national reporting obligations.
Recital 25				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
35	(25) Articles 19a and 29a of Directive 2013/34/EU require reporting not only on information ‘to the extent necessary for an understanding of the undertaking’s development, performance, position’, but also on information necessary for an understanding of the impact of the undertaking’s activities on environmental, social and employee matters, respect for human rights, anti-corruption and bribery matters. Those articles therefore require undertakings to report both on how various sustainability matters affect the undertaking, and on the impacts of the activities of the undertaking on people and the environment. That is referred to as the double-materiality perspective, in which the risks to the undertaking and the impacts of the undertaking each represent one materiality perspective. The fitness check on corporate reporting shows that those two perspectives are often not well understood or applied. It is therefore necessary to clarify that undertakings should consider each materiality perspective in its own right, and should disclose information that is material from both perspectives as well as information that is material from only one perspective.	(25) <u>(25)</u> Articles 19a and 29a of Directive 2013/34/EU require reporting not only on information ‘to the extent necessary for an understanding of the undertaking’s development, performance, position’, but also on information necessary for an understanding of the impact of the undertaking’s activities on environmental, <u>climate-related</u>, social and employee matters, respect for human rights, <u>gender equality</u>, anti-corruption and bribery matters. Those articles therefore require undertakings to report both on how various sustainability matters affect the undertaking, and on the impacts of the activities of the undertaking on people and the environment. That is referred to as the double-materiality perspective, in which the risks to the undertaking and the impacts of the undertaking each represent one materiality perspective. The fitness check on corporate reporting shows that those two perspectives are often not well understood or applied. It is therefore necessary to clarify that undertakings should consider each materiality perspective in its own right, and should disclose information that is material from both perspectives as well as information that is material from	(25) Articles 19a and 29a of Directive 2013/34/EU require reporting not only on information ‘to the extent necessary for an understanding of the undertaking’s development, performance, position’, but also on information necessary for an understanding of the impact of the undertaking’s activities on environmental, social and employee matters, respect for human rights, anti-corruption and bribery matters. Those articles therefore require undertakings to report both on ~~how various sustainability matters affect the undertaking, and on the impacts of the activities of the undertaking on people and the environment~~ and on how various sustainability matters affect the undertaking. That is referred to as the double-materiality perspective, in which the risks to the undertaking and the impacts of the undertaking each represent one materiality perspective. The fitness check on corporate reporting shows that those two perspectives are often not well understood or applied. It is therefore necessary to clarify that undertakings should consider each materiality perspective in its own right, and should disclose information that is material from both perspectives as well as	(25) Articles 19a and 29a of Directive 2013/34/EU require reporting not only on information ‘to the extent necessary for an understanding of the undertaking’s development, performance, position’, but also on information necessary for an understanding of the impact of the undertaking’s activities on environmental, social and employee matters, respect for human rights, anti-corruption and bribery matters. Those articles therefore require undertakings to report both on ~~how various sustainability matters affect the undertaking, and on the impacts of the activities of the undertaking on people and the environment~~, and on how various sustainability matters affect the undertaking. That is referred to as the double-materiality perspective, in which the risks to the undertaking and the impacts of the undertaking each represent one materiality perspective. The fitness check on corporate reporting shows that those two perspectives are often not well understood or applied. It is therefore necessary to clarify that undertakings should consider each materiality perspective in its own right, and should disclose information that is material from both perspectives as well as

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		only one perspective, <u>bearing in mind that double-materiality is fundamental to understanding a company's long-term value creation</u> .	information that is material from only one perspective.	information that is material from only one perspective.
Recital 26				
36	(26) Articles 19a(1) and 29a(1) of Directive 2013/34/EU require undertakings to disclose information about five reporting areas: business model, policies (including due diligence processes implemented), the outcome of those policies, risks and risk management, and key performance indicators relevant to the business. Article 19a(1) of Directive 2013/34/EU does not contain explicit references to other reporting areas that users of information consider relevant, some of which align with disclosures included in international frameworks, including the recommendations of the Task Force on Climate-related Financial Disclosures. Disclosure requirements should be specified in sufficient detail to ensure that undertakings report information on their resilience to risks related to sustainability matters. In addition to the reporting areas identified in Articles 19a(1) and 29a(1) of	(26) <u>(26)</u> Articles 19a(1) and 29a(1) of Directive 2013/34/EU require undertakings to disclose information about five reporting areas: business model, policies (including due diligence processes implemented), the outcome of those policies, risks and risk management, and key performance indicators relevant to the business. Article 19a(1) of Directive 2013/34/EU does not contain explicit references to other reporting areas that users of information consider relevant, some of which align with disclosures included in international frameworks, including the recommendations of the Task Force on Climate-related Financial Disclosures. Disclosure requirements should be specified in sufficient detail to ensure that undertakings report information on their resilience to risks related to sustainability matters. In addition to the reporting areas identified in Articles 19a(1) and 29a(1) of	(26) Articles 19a(1) and 29a(1) of Directive 2013/34/EU require undertakings to disclose information about five reporting areas: business model, policies (including due diligence processes implemented), the outcome of those policies, risks and risk management, and key performance indicators relevant to the business. Article 19a(1) of Directive 2013/34/EU does not contain explicit references to other reporting areas that users of information consider relevant, some of which align with disclosures included in international frameworks, including the recommendations of the Task Force on Climate-related Financial Disclosures. Disclosure requirements should be specified in sufficient detail to ensure that undertakings report information on their resilience to risks related to sustainability matters. In addition to the reporting areas identified in Articles 19a(1) and 29a(1) of	(26) Articles 19a(1) and 29a(1) of Directive 2013/34/EU require undertakings to disclose information about five reporting areas: business model, policies (including due diligence processes implemented), the outcome of those policies, risks and risk management, and key performance indicators relevant to the business. Article 19a(1) of Directive 2013/34/EU does not contain explicit references to other reporting areas that users of information consider relevant, some of which align with disclosures included in international frameworks, including the recommendations of the Task Force on Climate-related Financial Disclosures. Disclosure requirements should be specified in sufficient detail to ensure that undertakings report information on their resilience to risks related to sustainability matters. In addition to the reporting areas identified in Articles 19a(1) and 29a(1) of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Directive 2013/34/EU, undertakings should therefore be required to disclose information about their business strategy and the resilience of the business model and strategy to risks related to sustainability matters, any plans they may have to ensure that their business model and strategy are compatible with the transition to a sustainable and climate-neutral economy; whether and how their business model and strategy take account of the interests of stakeholders; any opportunities for the undertaking arising from sustainability matters; the implementation of the aspects of the business strategy which affect, or are affected by sustainability matters; any sustainability targets set by the undertaking and the progress made towards achieving them; the role of the board and management with regard to sustainability matters; the principal actual and potential adverse impacts connected with the undertaking's activities; and how the undertaking has identified the information that they report on. Once the disclosure of elements such as targets and the progress towards achieving them is required, the separate requirement to disclose the outcomes of policies is no longer necessary.	Directive 2013/34/EU, undertakings should therefore be required to disclose information about their business strategy and the resilience of the business model and strategy to risks related to sustainability matters, any plans they may have to ensure that their business model and strategy are compatible with the transition to a sustainable and climate-neutral economy <u>and should include information on, as appropriate, climate change mitigation and adaptation; the sustainable use and protection of water and marine and soil resources; the transition to circular economy, including resource use; pollution prevention and control; and protection and restoration of biodiversity and ecosystems</u>; whether and how their business model and strategy take account of the interests of stakeholders, <u>including workers, indigenous people and local communities</u>; any opportunities for the undertaking arising from sustainability matters; the implementation of the aspects of the business strategy which affect, or are affected by sustainability matters; any <u>science-based and time-bound short-term, mid-term and long-term</u> sustainability targets set by the undertaking and the progress made towards achieving	Directive 2013/34/EU, undertakings should therefore be required to disclose information about their business strategy and the resilience of the business model and strategy to risks related to sustainability matters, any plans they may have to ensure that their business model and strategy are compatible with the transition to a sustainable and climate-neutral economy; whether and how their business model and strategy take account of the interests of stakeholders; any opportunities for the undertaking arising from sustainability matters; the implementation of the aspects of the business strategy which affect, or are affected by sustainability matters; any sustainability targets set by the undertaking and the progress made towards achieving them; the role of the board and management with regard to sustainability matters; the principal actual and potential adverse impacts connected with the undertaking's activities; and how the undertaking has identified the information that they report on. Once the disclosure of elements such as targets and the progress towards achieving them is required, the separate requirement to disclose the outcomes of policies is no longer necessary.	Directive 2013/34/EU, undertakings should therefore be required to disclose information about their business strategy and the resilience of the business model and strategy to risks related to sustainability matters. They should also be required to disclose any plans they may have to ensure that their business model and strategy are compatible with the transition to a sustainable economy and with the objectives of limiting global warming to 1,5 °C in line with the Paris Agreement and achieving climate neutrality by 2050 as established in Regulation (EU) 2021/1119 (European Climate Law), with no or limited overshoot. It is especially important that plans related to climate are based on the latest science, including IPCC reports and reports by the European Scientific Advisory Board on Climate Change. Information disclosed in accordance with Article 8 of Regulation (EU) 2020/852 about the amount of Capex or Opex associated with activities aligned with the taxonomy could support financial and investment plans related to these transition plans where appropriate. Undertakings should also be required to disclose

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		them; the role of the board and management with regard to sustainability matters; <u>a description of the due diligence strategy; the</u>~~the~~ ~~principal~~ actual and potential adverse impacts connected with the undertaking's activities; and how the undertaking has identified <u>and evaluated</u> the information that they report on. Once the disclosure of elements such as targets and the progress towards achieving them is required, the separate requirement to disclose the outcomes of policies is no longer necessary.		~~climate-neutral economy~~; whether and how their business model and strategy take account of the interests of stakeholders; any opportunities for the undertaking arising from sustainability matters; the implementation of the aspects of the business strategy which affect, or are affected by sustainability matters; any sustainability targets set by the undertaking and the progress made towards achieving them; the role of the board and management with regard to sustainability matters; the principal actual and potential adverse impacts connected with the undertaking's activities; and how the undertaking has identified the information that they report on. Once the disclosure of elements such as targets and the progress towards achieving them is required, the separate requirement to disclose the outcomes of policies is no longer necessary.
Recital 27				
37	(27) To ensure consistency with international instruments such as the UN Guiding Principles on Business and Human Rights and the OECD Due Diligence Guidance for Responsible Business Conduct, the due diligence disclosure	(27) <u>(27)</u> To ensure consistency with international instruments such as the UN Guiding Principles on Business and Human Rights and the OECD Due Diligence Guidance for Responsible Business Conduct <u>and the ILO Tripartite Declaration of</u>	(27) To ensure consistency with international instruments such as the UN Guiding Principles on Business and Human Rights, the OECD Guidelines for Multinational Enterprises and the OECD Due Diligence Guidance for Responsible	(27) To ensure consistency with international instruments such as the UN Guiding Principles on Business and Human Rights, the OECD Guidelines for Multinational Enterprises and the OECD Due Diligence Guidance for Responsible

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	requirements should be specified in greater detail than is the case in Article 19a(1), point (b), and Article 29a(1), point (b) of Directive 2013/34/EU. Due diligence is the process that undertakings carry out to identify, prevent, mitigate and remediate the principal actual and potential adverse impacts connected with their activities and identifies how they address those adverse impacts. Impacts connected with an undertaking's activities include impacts directly caused by the undertaking, impacts to which the undertaking contributes, and impacts which are otherwise linked to the undertaking's value chain. The due diligence process concerns the whole value chain of the undertaking including its own operations, its products and services, its business relationships and its supply chains. In alignment with the UN Guiding Principles on Business and Human Rights, an actual or potential adverse impact is to be considered principal where it measures among the greatest impacts connected with the undertaking's activities based on: the gravity of the impact on people or the environment; the number of individuals that are or could be affected, or the scale of damage to the environment; and the ease with which the harm could be remediated,	<u>Principles concerning Multinational Enterprises and Social Policy</u>, the due diligence disclosure requirements should be specified in greater detail than is the case in Article 19a(1), point (b), and Article 29a(1), point (b) of Directive 2013/34/EU. Due diligence is the process that undertakings carry out to identify, <u>track</u>, prevent, mitigate, <u>cease</u> and remediate the principal actual and potential adverse impacts connected with their activities and identifies how they address those adverse impacts. Impacts connected with an undertaking's activities include impacts directly caused by the undertaking, impacts to which the undertaking contributes, and impacts which are otherwise linked to the undertaking's value chain. The due diligence process concerns the whole value chain of the undertaking including its own operations, its products and services, its business relationships and its supply chains. In alignment with the UN Guiding Principles on Business and Human Rights, an actual or potential ~~adverse~~ <u>principal</u> ~~where it measures among the greatest impacts connected with the undertaking's activities~~ <u>adverse</u> based on: the gravity of the impact on people or the environment; the number of individuals that are or	Business Conduct, the due diligence disclosure requirements should be specified in greater detail than is the case in Article 19a(1), point (b), and Article 29a(1), point (b) of Directive 2013/34/EU. Due diligence is the process that undertakings carry out to identify, prevent, mitigate and remediate the principal actual and potential adverse impacts connected with their activities and identifies how they address those adverse impacts. Impacts connected with an undertaking's activities include impacts directly caused by the undertaking, impacts to which the undertaking contributes, and impacts which are otherwise linked to the undertaking's value chain. The due diligence process concerns the whole value chain of the undertaking including its own operations, its products and services, its business relationships and its supply chains. In alignment with the UN Guiding Principles on Business and Human Rights, an actual or potential adverse impact is to be considered principal where it measures among the greatest impacts connected with the undertaking's activities based on: the gravity of the impact on people or the environment; the number of individuals that are or could be affected, or the scale of damage to the environment; and the ease with	Business Conduct, the due diligence disclosure requirements should be specified in greater detail than is the case in Article 19a(1), point (b), and Article 29a(1), point (b) of Directive 2013/34/EU. Due diligence is the process that undertakings carry out to identify, monitor, prevent, mitigate, remediate and bring an end to and remediate the principal actual and potential adverse impacts connected with their activities and identifies how they address those adverse impacts. Impacts connected with an undertaking's activities include impacts directly caused by the undertaking, impacts to which the undertaking contributes, and impacts which are otherwise linked to the undertaking's value chain. The due diligence process concerns the whole value chain of the undertaking including its own operations, its products and services, its business relationships and its supply chains. In alignment with the UN Guiding Principles on Business and Human Rights, an actual or potential adverse impact is to be considered principal where it measures among the greatest impacts connected with the undertaking's activities based on: the gravity of the impact on people or the environment; the number of individuals that are or could be affected, or the scale of damage to

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	restoring the environment or affected people to their prior state.	could be affected, or the scale of damage to the environment; and the ease with which the harm could be remediated, restoring the environment or affected people to their prior state.	which the harm could be remediated, restoring the environment or affected people to their prior state.	the environment; and the ease with which the harm could be remediated, restoring the environment or affected people to their prior state.
Recital 28				
38	(28) Directive 2013/34/EU does not require the disclosure of information on intangibles other than intangible assets recognised in the balance sheet. It is widely recognised that information on intangible assets and other intangible factors, including internally-generated intangibles, is underreported, impeding the proper assessment of an undertaking's development, performance and position and monitoring of investments. To enable investors to better understand the increasing gap between the accounting book value of many undertakings and their market valuation, which is observed in many sectors of the economy, adequate reporting on intangibles should be required. It is therefore necessary to require undertakings to disclose information on intangibles other than intangible assets recognised in the balance sheet, including intellectual capital, human capital, including skills	(28) <u>(28)</u> Directive 2013/34/EU does not require the disclosure of information on intangibles other than intangible assets recognised in the balance sheet. It is widely recognised that information on intangible assets and other intangible factors, including internally-generated intangibles, is underreported, impeding the proper assessment of an undertaking's development, performance and position and monitoring of investments. To enable investors to better understand the increasing gap between the accounting book value of many undertakings and their market valuation, which is observed in many sectors of the economy, adequate reporting on intangibles should be required. It is therefore necessary to require undertakings to disclose <u>relevant</u> information on intangibles ~~other than intangible assets recognised~~ <u>that are consistent with intangibles reported</u> in the	(28) Directive 2013/34/EU does not require the disclosure of information on ~~intangibles~~ intangible resources other than intangible assets recognised in the balance sheet. It is widely recognised that information on intangible assets and other intangible factors, including internally-generated intangibles, is underreported, impeding the proper assessment of an undertaking's development, performance and position and monitoring of investments. To enable investors to better understand the increasing gap between the accounting book value of many undertakings and their market valuation, which is observed in many sectors of the economy, adequate reporting on intangibles should be required. ~~It is therefore necessary to require~~ from all large undertakings and all undertakings to disclose listed on regulated markets, except micro undertakings. Nonetheless, certain	(28) Directive 2013/34/EU does not require the disclosure of information on ~~intangibles~~ intangible resources other than intangible assets recognised in the balance sheet. It is widely recognised that information on intangible assets and other intangible factors, including internally-generated intangibles, is underreported, impeding the proper assessment of an undertaking's development, performance and position and monitoring of investments. To enable investors to better understand the increasing gap between the accounting book value of many undertakings and their market valuation, which is observed in many sectors of the economy, adequate reporting on intangibles should be required. ~~It is therefore necessary to require~~ from all large undertakings and all undertakings to disclose listed on regulated markets, except micro undertakings. Nonetheless, certain

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	development, and social and relationship capital, including reputation capital. Information on intangibles should also include information related to research and development.	~~balance sheet~~<u>financial statement</u>, including <u>when material on</u> intellectual capital, human capital, including skills development, and social and relationship capital, including reputation capital. Information on intangibles should also include information related to research and development.	information on intangibles other than intangible assets recognised in the balance sheet, including intellectual capital, human capital, including skills development, and intangibles is intrinsic to sustainability matters, and will therefore be part of sustainability reporting. For example, information about employees' skills, competencies, experience, loyalty to the undertaking and motivation for improving processes, goods and services, is sustainability information regarding social matters that could also be considered as information on intangible resources. Likewise, information about the quality of the relationships between the undertaking and its stakeholders and relationship capital, including reputation capital. customers, suppliers and communities affected by the activities of the undertaking, is sustainability information on intangibles should also include relevant to social or governance matters that could also be considered as information related to research and development on intangible resources. These examples illustrate how in some cases it is not possible to distinguish	information on intangibles other than intangible assets recognised in the balance sheet, including intellectual capital, human capital, including skills development, and intangibles is intrinsic to sustainability matters, and will therefore be part of sustainability reporting. For example, information about employees' skills, competencies, experience, loyalty to the undertaking and motivation for improving processes, goods and services, is sustainability information regarding social matters that could also be considered as information on intangible resources. Likewise, information about the quality of the relationships between the undertaking and its stakeholders and relationship capital. customers, suppliers and communities affected by the activities of the undertaking, is sustainability information on intangibles should also include relevant to social or governance matters that could also be considered as information related to research and development on intangible resources. These examples illustrate how in some cases it is not possible to distinguish

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			information on intangible resources from information on sustainability matters.	information on intangible resources from information on sustainability matters.
Recital 29				
39	(29) Articles 19a(1) and 29a(1) of Directive 2013/34/EU do not specify whether the information to be reported is to be forward looking or information about past performance. There is currently a lack of forward-looking disclosures, which users of sustainability information especially value. Articles 19a and 29a of Directive 2013/34/EU should therefore specify that the sustainability information reported shall include forward-looking and retrospective, and both qualitative and quantitative information. Reported sustainability information should also take into account short, medium and long-term time horizons and contain information about the undertaking's whole value chain, including its own operations, its products and services, its business relationships, and its supply chain, as appropriate. Information about the undertaking's whole value chain would include information related to its value chain within the EU and information that covers third countries if the undertaking's value	(29) (29) Articles 19a(1) and 29a(1) of Directive 2013/34/EU do not specify whether the information to be reported is to be forward looking or information about past performance. There is currently a lack of forward-looking disclosures, which users of sustainability information especially value. Articles 19a and 29a of Directive 2013/34/EU should therefore specify that the sustainability information reported shall include forward-looking and retrospective, and both qualitative and quantitative information <u>that is based on science-based, harmonised, comparable and uniform indicators, while not endangering the commercial position of the undertaking</u>. Reported sustainability information should also take into account short, medium and long-term time horizons and contain information about the undertaking's whole value chain, including its own operations, its products and services, its business relationships, and its supply chain, as appropriate.	(29) Articles 19a(1) and 29a(1) of Directive 2013/34/EU do not specify whether the information to be reported is to be forward looking or information about past performance. There is currently a lack of forward-looking disclosures, which users of sustainability information especially value. Articles 19a and 29a of Directive 2013/34/EU should therefore specify that the sustainability information reported shall include forward-looking and retrospective, and both qualitative and quantitative information. Reported sustainability information should also take into account short, medium and long-term time horizons and contain information about the undertaking's whole value chain, including its own operations, its products and services, its business relationships, and its supply chain, as appropriate. Information about the undertaking's whole value chain would include information related to its value chain within the EU and information that covers third countries if the undertaking's value	(29) Articles 19a(1) and 29a(1) of Directive 2013/34/EU do not specify whether the information to be reported is to be forward looking or information about past performance. There is currently a lack of forward-looking disclosures, which users of sustainability information especially value. Articles 19a and 29a of Directive 2013/34/EU should therefore specify that the sustainability information reported shall include forward-looking and retrospective, and both qualitative and quantitative information. Information should be based on conclusive scientific evidence where appropriate. Information should also be harmonized, comparable and based on uniform indicators where appropriate, while allowing for reporting that is specific to individual undertakings and not endangering the commercial position of the undertaking. Reported sustainability information should also take into account short, medium and long-term time horizons and

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	chain extends outside the EU.	Information about the undertaking's whole value chain would include information related to its value chain within the EU and information that covers third countries if the undertaking's value chain extends outside the EU. <u><i>The Commission should help businesses and prepare non-binding guidelines on appropriate methodologies to generate the forward-looking information to be provided in the reporting.</i></u>	chain extends outside the EU.	contain information about the undertaking's whole value chain, including its own operations, its products and services, its business relationships, and its supply chain, as appropriate. Information about the undertaking's whole value chain would include information related to its value chain within the EU and information that covers third countries if the undertaking's value chain extends outside the EU.
	Recital 29a			
39a		<u><i>(29a) (29a) For reporting purposes, Articles 19a(1) and 29a(1) of Directive 2013/34/EU should not require undertakings to publish confidential information, in accordance with Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (Trade Secrets Directive).</i></u>		(29a) It is not the objective of this Directive to require undertakings to disclose intellectual capital, intellectual property, know-how or the results of innovation that would qualify as trade secrets as defined in the Trade Secrets Directive. Reporting requirements defined by this Directive are therefore without prejudice to Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information.
	Recital 30			
40				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(30) Articles 19a(1) and 29a(1) of Directive 2013/34/EU require undertakings to include in their non-financial reporting references to, and additional explanations of, amounts reported in the annual financial statements. Those Articles do, however, not require undertakings to make references to other information in the management report or to add additional explanations to that information. There is currently thus a lack of consistency between non-financial information reported and the rest of the information disclosed in the management report. It is necessary to lay down clear requirements in this regard.	(30) Articles 19a(1) and 29a(1) of Directive 2013/34/EU require undertakings to include in their non-financial reporting references to, and additional explanations of, amounts reported in the annual financial statements. Those Articles do, however, not require undertakings to make references to other information in the management report or to add additional explanations to that information. There is currently thus a lack of consistency between non-financial information reported and the rest of the information disclosed in the management report. It is necessary to lay down clear requirements in this regard.	(30) Articles 19a(1) and 29a(1) of Directive 2013/34/EU require undertakings to include in their non-financial reporting references to, and additional explanations of, amounts reported in the annual financial statements. Those Articles do, however, not require undertakings to make references to other information in the management report or to add additional explanations to that information. There is currently thus a lack of consistency between non-financial information reported and the rest of the information disclosed in the management report. It is necessary to lay down clear requirements in this regard.	(30) Articles 19a(1) and 29a(1) of Directive 2013/34/EU require undertakings to include in their non-financial reporting references to, and additional explanations of, amounts reported in the annual financial statements. Those Articles do, however, not require undertakings to make references to other information in the management report or to add additional explanations to that information. There is currently thus a lack of consistency between non-financial information reported and the rest of the information disclosed in the management report. It is necessary to lay down clear requirements in this regard. Text Origin: Commission Proposal
Recital 31				
41	(31) Articles 19a(1) and 29a(1) of Directive 2013/34/EU require undertakings to provide a clear and reasoned explanation for not pursuing policies in relation to one or more of the matters listed, where the undertaking does not do so. The different treatment of disclosures on the policies that undertakings may have, compared to the other reporting areas included in those articles, has created confusion	(31) Articles 19a(1) and 29a(1) of Directive 2013/34/EU require undertakings to provide a clear and reasoned explanation for not pursuing policies in relation to one or more of the matters listed, where the undertaking does not do so. The different treatment of disclosures on the policies that undertakings may have, compared to the other reporting areas included in those articles, has created confusion	(31) Articles 19a(1) and 29a(1) of Directive 2013/34/EU require undertakings to provide a clear and reasoned explanation for not pursuing policies in relation to one or more of the matters listed, where the undertaking does not do so. The different treatment of disclosures on the policies that undertakings may have, compared to the other reporting areas included in those articles, has created confusion	(31) Articles 19a(1) and 29a(1) of Directive 2013/34/EU require undertakings to provide a clear and reasoned explanation for not pursuing policies in relation to one or more of the matters listed, where the undertaking does not do so. The different treatment of disclosures on the policies that undertakings may have, compared to the other reporting areas included in those articles, has created confusion

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	among reporting undertakings and has not helped to improve the quality of the reported information. Therefore, there is no need to maintain this different treatment of policies in the Directive. The standards will determine what information needs to be disclosed in relation to each of the reporting areas mentioned in Articles 19a and 29a.	among reporting undertakings and has not helped to improve the quality of the reported information. Therefore, there is no need to maintain this different treatment of policies in the Directive. The standards will determine what information needs to be disclosed in relation to each of the reporting areas mentioned in Articles 19a and 29a.	among reporting undertakings and has not helped to improve the quality of the reported information. Therefore, there is no need to maintain this different treatment of policies in the Directive. The standards will determine what information needs to be disclosed in relation to each of the reporting areas mentioned in Articles 19a and 29a.	among reporting undertakings and has not helped to improve the quality of the reported information. Therefore, there is no need to maintain this different treatment of policies in the Directive. The standards will determine what information needs to be disclosed in relation to each of the reporting areas mentioned in Articles 19a and 29a. Text Origin: Commission Proposal
Recital 32				
42	(32) Undertakings under the scope of Articles 19a(1) and 29a(1) of Directive 2013/34/EU may rely on national, Union-based or international reporting frameworks, and where they do so, they have to specify which frameworks they relied upon. However, Directive 2013/34/EU does not require undertakings to use a common reporting framework or standard, and it does not prevent undertakings from choosing not to use any reporting framework or standards at all. As required by Article 2 of Directive 2014/95/EU, the Commission published in 2017 non-binding guidelines for undertakings under the scope of that Directive ¹ . In	(32) <u>(32)</u> Undertakings under the scope of Articles 19a(1) and 29a(1) of Directive 2013/34/EU may rely on national, Union-based or international reporting frameworks, and where they do so, they have to specify which frameworks they relied upon. However, Directive 2013/34/EU does not require undertakings to use a common reporting framework or standard, and it does not prevent undertakings from choosing not to use any reporting framework or standards at all. As required by Article 2 of Directive 2014/95/EU, the Commission published in 2017 non-binding guidelines for undertakings under the scope of that Directive ^{1,52} .	(32) Undertakings under the scope of Articles 19a(1) and 29a(1) of Directive 2013/34/EU may rely on national, Union-based or international reporting frameworks, and where they do so, they have to specify which frameworks they relied upon. However, Directive 2013/34/EU does not require undertakings to use a common reporting framework or standard, and it does not prevent undertakings from choosing not to use any reporting framework or standards at all. As required by Article 2 of Directive 2014/95/EU, the Commission published in 2017 non-binding guidelines for undertakings under the scope of that Directive ¹ . In	(32) Undertakings under the scope of Articles 19a(1) and 29a(1) of Directive 2013/34/EU may rely on national, Union-based or international reporting frameworks, and where they do so, they have to specify which frameworks they relied upon. However, Directive 2013/34/EU does not require undertakings to use a common reporting framework or standard, and it does not prevent undertakings from choosing not to use any reporting framework or standards at all. As required by Article 2 of Directive 2014/95/EU, the Commission published in 2017 non-binding guidelines for undertakings under the scope of that Directive ¹ . In

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2019, the Commission published additional guidelines, specifically on reporting climate-related information². The climate reporting guidelines explicitly incorporated the recommendations of the Task Force on Climate-related Financial Disclosures. Available evidence indicates that those non-binding guidelines did not have a significant impact on the quality of non-financial reporting by undertakings under the scope of Articles 19a and 29a of Directive 2013/34/EU. The voluntary nature of the guidelines means that undertakings are free to apply them or not. The guidelines can therefore not ensure on their own the comparability of information disclosed by different undertakings or the disclosure of all information that users consider relevant. That is why there is a need for mandatory common reporting standards to ensure that information is comparable and that all relevant information is disclosed. Building on the double-materiality principle, standards should cover all information that is material to users. Common reporting standards are also necessary to enable the audit and digitalisation of sustainability reporting and to facilitate its supervision and enforcement. The development of mandatory common	In 2019, the Commission published additional guidelines, specifically on reporting climate-related information²⁵³. The climate reporting guidelines explicitly incorporated the recommendations of the Task Force on Climate-related Financial Disclosures. Available evidence indicates that those non-binding guidelines did not have a significant impact on the quality of non-financial reporting by undertakings under the scope of Articles 19a and 29a of Directive 2013/34/EU. The voluntary nature of the guidelines means that undertakings are free to apply them or not. The guidelines can therefore not ensure on their own the comparability, <u>reliability and sincerity of the</u> ~~of~~ information disclosed by different undertakings or the disclosure of all information that users consider relevant. That is why there is a need for mandatory common reporting standards to ensure that information is comparable, <u>reliable and sincere</u> and that all relevant information is disclosed. Building on the double-materiality principle, standards should cover all information that is material to users. Common reporting standards are also necessary to enable the audit and digitalisation of sustainability reporting and to	2019, the Commission published additional guidelines, specifically on reporting climate-related information². The climate reporting guidelines explicitly incorporated the recommendations of the Task Force on Climate-related Financial Disclosures. Available evidence indicates that those non-binding guidelines did not have a significant impact on the quality of non-financial reporting by undertakings under the scope of Articles 19a and 29a of Directive 2013/34/EU. The voluntary nature of the guidelines means that undertakings are free to apply them or not. The guidelines can therefore not ensure on their own the comparability of information disclosed by different undertakings or the disclosure of all information that users consider relevant. That is why there is a need for mandatory common reporting standards to ensure that information is comparable and that all relevant information is disclosed. Building on the double-materiality principle, standards should cover all information that is material to users. Common reporting standards are also necessary to enable the audit and digitalisation of sustainability reporting and to facilitate its supervision and enforcement. The development of mandatory common	2019, the Commission published additional guidelines, specifically on reporting climate-related information². The climate reporting guidelines explicitly incorporated the recommendations of the Task Force on Climate-related Financial Disclosures. Available evidence indicates that those non-binding guidelines did not have a significant impact on the quality of non-financial reporting by undertakings under the scope of Articles 19a and 29a of Directive 2013/34/EU. The voluntary nature of the guidelines means that undertakings are free to apply them or not. The guidelines can therefore not ensure on their own the comparability of the information disclosed by different undertakings, or the disclosure of all information that users consider relevant. That is why there is a need for mandatory common reporting standards to ensure that information is comparable and that all relevant information is disclosed. Building on the double-materiality principle, standards should cover all information that is material to users. Common reporting standards are also necessary to enable the audit and digitalisation of sustainability reporting and to facilitate its supervision and enforcement. The development of mandatory common

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	sustainability reporting standards is necessary to progress to a situation in which sustainability information has a status comparable to that of financial information. 1. Communication from the Commission Guidelines on non-financial reporting (methodology for reporting non-financial information) (C/2017/4234). 2. Communication from the Commission Guidelines on non-financial reporting: Supplement on reporting climate-related information (C/2019/4490).	facilitate its supervision and enforcement. The development of mandatory common sustainability reporting standards is necessary to progress to a situation in which sustainability information has a status comparable to that of financial information. <u>When defining such standards, it is essential to give due consideration to the main sustainability reporting standards used worldwide today.</u> ~~1. Communication from the Commission Guidelines on non-financial reporting (methodology for reporting non-financial information) (C/2017/4234).~~ ~~2. Communication from the Commission Guidelines on non-financial reporting: Supplement on reporting climate-related information (C/2019/4490).~~	sustainability reporting standards is necessary to progress to a situation in which sustainability information has a status comparable to that of financial information. The adoption of sustainability reporting standards by means of Delegated Regulations will ensure harmonised sustainability reporting across the Union. Therefore, an undertaking would be compliant with the requirements of Articles 19a and 29a by reporting according to the sustainability reporting standards. 1. [1] Communication from the Commission Guidelines on non-financial reporting (methodology for reporting non-financial information) (C/2017/4234). 2. [2] Communication from the Commission Guidelines on non-financial reporting: Supplement on reporting climate-related information (C/2019/4490).	sustainability reporting standards is necessary to progress to a situation in which sustainability information has a status comparable to that of financial information. The adoption of sustainability reporting standards by means of Delegated Regulations will ensure harmonised sustainability reporting across the Union. Therefore, an undertaking would be compliant with the requirements of Articles 19a and 29a by reporting according to the sustainability reporting standards. When defining such standards, it is essential to give due consideration and to the greatest extent possible to the main sustainability reporting standards used worldwide, while not lowering the ambition of this Directive and its Delegates acts. 1. Communication from the Commission Guidelines on non-financial reporting (methodology for reporting non-financial information) (C/2017/4234). 2. Communication from the Commission Guidelines on non-financial reporting: Supplement on reporting climate-related information (C/2019/4490).
Recital 33				
43	(33) No existing standard or framework satisfies the Union's	(33) <u>(33)</u> No existing standard or framework satisfies the Union's	(33) No existing standard or framework satisfies the Union's	(33) No existing standard or framework satisfies the Union's

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	needs for detailed sustainability reporting by itself. Information required by Directive 2013/34/EU needs to cover information relevant from each of the materiality perspectives, needs to cover all sustainability matters and needs to be aligned, where appropriate, with other obligations under Union law to disclose sustainability information, including obligations laid down in Regulation (EU) 2020/852 and Regulation (EU) 2019/2088. In addition, mandatory sustainability reporting standards for Union undertakings must be commensurate with the level of ambition of the European Green Deal and the Union's climate-neutrality objective for 2050. It is therefore necessary to empower the Commission to adopt Union sustainability reporting standards, enabling their rapid adoption and ensuring that the content of sustainability reporting standards are consistent with the Union's needs.	needs for detailed sustainability reporting by itself. Information required by Directive 2013/34/EU needs to cover information relevant from each of the materiality perspectives, needs to cover all sustainability matters and needs to be aligned, ~~where appropriate, with other obligations under Union law to disclose sustainability information, including~~ <u>including</u> obligations laid down in Regulation (EU) 2020/852 and Regulation (EU) 2019/2088 <u>and with the EU acquis. This information must be based on science-based, harmonised, comparable and uniform indicators.</u> In addition, mandatory sustainability reporting standards for Union undertakings must be commensurate with the level of ambition of the European Green Deal and the Union's climate-neutrality objective for 2050 <u>as well as intermediate targets under Regulation (EU) 2021/1119.</u> It is therefore necessary to empower the Commission to adopt Union sustainability reporting standards, enabling their rapid adoption and ensuring that the content of sustainability reporting standards are consistent with the Union's needs, <u>while ensuring consistency with international standards.</u>	needs for detailed sustainability reporting by itself. Information required by Directive 2013/34/EU needs to cover information relevant from each of the materiality perspectives, needs to cover all sustainability matters and needs to be aligned, where appropriate, with other obligations under Union law to disclose sustainability information, including obligations laid down in Regulation (EU) 2020/852 and Regulation (EU) 2019/2088. In addition, mandatory sustainability reporting standards for Union undertakings must be commensurate with the level of ambition of the European Green Deal and the Union's climate-neutrality objective for 2050. It is therefore necessary to empower the Commission to adopt Union sustainability reporting standards, enabling their rapid adoption and ensuring that the content of sustainability reporting standards are consistent with the Union's needs.	needs for detailed sustainability reporting by itself. Information required by Directive 2013/34/EU needs to cover information relevant from each of the materiality perspectives, needs to cover all sustainability matters and needs to be aligned, where appropriate, with other obligations under Union law to disclose sustainability information, including obligations laid down in Regulation (EU) 2020/852 and Regulation (EU) 2019/2088. In addition, mandatory sustainability reporting standards for Union undertakings must be commensurate with the level of ambition of the European Green Deal and the Union's climate-neutrality objective for 2050 as well as intermediate targets under Regulation (EU) 2021/1119. It is therefore necessary to empower the Commission to adopt Union sustainability reporting standards, enabling their rapid adoption and ensuring that the content of sustainability reporting standards are consistent with the Union's needs.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 34				
44	(34) The European Financial Reporting Advisory Group (EFRAG) is a non-profit association established under Belgian law that serves the public interest by providing advice to the Commission on the endorsement of international financial reporting standards. EFRAG has established a reputation as a European centre of expertise on corporate reporting, and is well placed to foster coordination between European sustainability reporting standards and international initiatives that seek to develop standards that are consistent across the world. In March 2021, a multi-stakeholder task force set up by EFRAG published recommendations for the possible development of sustainability reporting standards for the European Union. Those recommendations contain proposals to develop a coherent and comprehensive set of reporting standards, covering all sustainability matters from a double-materiality perspective. Those recommendations also contain a detailed roadmap for developing such standards, and proposals for mutually reinforcing cooperation between global	(34) <u>(34)</u> The European Financial Reporting Advisory Group (EFRAG) is a non-profit association established under Belgian law that serves the public interest by providing advice to the Commission on the endorsement of international financial reporting standards. EFRAG has established a reputation as a European centre of expertise on corporate reporting, and is well placed to foster coordination between European sustainability reporting standards and international initiatives that seek to develop standards that are consistent across the world. In March 2021, a multi-stakeholder task force set up by EFRAG published recommendations for the possible development of sustainability reporting standards for the European Union. Those recommendations contain proposals to develop a coherent and comprehensive set of reporting standards, covering all sustainability matters from a double-materiality perspective. Those recommendations also contain a detailed roadmap for developing such standards, and proposals for mutually reinforcing cooperation between global	(34) The European Financial Reporting Advisory Group (EFRAG) is a non-profit association established under Belgian law that serves the public interest by providing advice to the Commission on the endorsement of international financial reporting standards. EFRAG has established a reputation as a European centre of expertise on corporate reporting, and is well placed to foster coordination between European sustainability reporting standards and international initiatives that seek to develop standards that are consistent across the world. In March 2021, a multi-stakeholder task force set up by EFRAG published recommendations for the possible development of sustainability reporting standards for the European Union. Those recommendations contain proposals to develop a coherent and comprehensive set of reporting standards, covering all sustainability matters from a double-materiality perspective. Those recommendations also contain a detailed roadmap for developing such standards, and proposals for mutually reinforcing cooperation between global	(34) The European Financial Reporting Advisory Group (EFRAG) is a non-profit association established under Belgian law that serves the public interest by providing advice to the Commission on the endorsement of international financial reporting standards. EFRAG has established a reputation as a European centre of expertise on corporate reporting, and is well placed to foster coordination between European sustainability reporting standards and international initiatives that seek to develop standards that are consistent across the world. In March 2021, a multi-stakeholder task force set up by EFRAG published recommendations for the possible development of sustainability reporting standards for the European Union. Those recommendations contain proposals to develop a coherent and comprehensive set of reporting standards, covering all sustainability matters from a double-materiality perspective. Those recommendations also contain a detailed roadmap for developing such standards, and proposals for mutually reinforcing cooperation between global

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	standard-setting initiatives and standard-setting initiatives of the European Union. In March 2021, the EFRAG President published recommendations for possible governance changes to EFRAG if it were to be asked to develop technical advice about sustainability reporting standards. These recommendations include offsetting up within EFRAG a new sustainability reporting pillar while not significantly modifying the existing financial reporting pillar. When adopting sustainability reporting standards, the Commission should take account of technical advice that EFRAG will develop. In order to ensure high-quality standards that contribute to the European public good and meet the needs of undertakings and of users of the information reported, EFRAG's technical advice should be developed with proper due process, public oversight and transparency, accompanied by cost benefit analyses, and be developed with the expertise of relevant stakeholders. To ensure that Union sustainability reporting standards take account of the views of the Member States of the Union, before adopting the standards the Commission should consult the Member State Expert Group on Sustainable Finance	standard-setting initiatives and standard-setting initiatives of the European Union. In March 2021, the EFRAG President published recommendations for possible governance changes to EFRAG if it were to be asked to develop technical advice about sustainability reporting standards. These recommendations include offsetting up within EFRAG a new sustainability reporting pillar while not significantly modifying the existing financial reporting pillar. <u>In January 2022, EFRAG announced the membership of several civil society organisations and hopes to enable a broader representation of all relevant sustainability reporting stakeholders.</u> When adopting sustainability reporting standards, the Commission should take account of technical advice that EFRAG will develop. In order to ensure <u>that EFRAG has sufficient independence from private funding contributions to its budget while being sufficiently equipped to develop high quality standard recommendations, the Commission should increase its funding to at least 75% of the work on sustainability issues in relative and absolute share.</u> In order to ensure high-quality standards that contribute to the European public	standard-setting initiatives and standard-setting initiatives of the European Union. In March 2021, the EFRAG President published recommendations for possible governance changes to EFRAG if it were to be asked to develop technical advice about sustainability reporting standards. These recommendations include offsetting up within EFRAG a new sustainability reporting pillar while not significantly modifying the existing financial reporting pillar. When adopting sustainability reporting standards, the Commission should take account of technical advice that EFRAG will develop. In order to ensure high-quality standards that contribute to the European public good and meet the needs of undertakings and of users of the information reported, EFRAG's technical advice should be developed with proper due process, public oversight and transparency, accompanied by cost benefit analyses, and be developed with the expertise of relevant stakeholders. To ensure that Union sustainability reporting standards take account of the views of the Member States of the Union, before adopting the standards the Commission should consult the Member State Expert	standard-setting initiatives and standard-setting initiatives of the European Union. In March 2021, the EFRAG President published recommendations for possible governance changes to EFRAG if it were to be asked to develop technical advice about sustainability reporting standards. These recommendations include offsetting up within EFRAG a new sustainability reporting pillar while not significantly modifying the existing financial reporting pillar. In March 2022, the EFRAG General Assembly appointed the members of the newly created EFRAG Sustainability Reporting Board. When adopting sustainability reporting standards, the Commission should take account of technical advice that EFRAG will develop. In order to ensure high-quality standards that contribute to the European public good and meet the needs of undertakings and of users of the information reported, EFRAG-~~s~~ should have sufficient public funding to ensure its independence. Its technical advice should be developed with proper due process, public oversight and transparency, accompanied by cost benefit analyses, and be developed with the expertise of a balanced representation of relevant

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	referred to in Article 24 of Regulation (EU) 2020/852 on EFRAG's technical advice. The European Securities and Markets Authority (ESMA) plays a role in drafting regulatory technical standards pursuant to Regulation (EU) 2019/2088 and there needs to be coherence between those regulatory technical standards and sustainability reporting standards. According to Regulation (EU) No 1095/2010 of the European Parliament and of the Council¹, ESMA also plays a role in promoting supervisory converge in the enforcement of corporate reporting by issuers whose securities are listed on EU regulated markets and who will be required to use these sustainability reporting standards. Therefore, ESMA should be required to provide an opinion on EFRAG's technical advice. This opinion should be provided within two months from the date of receipt of the request from the Commission. In addition, the Commission should consult the European Banking Authority, the European Insurance and Occupational Pensions Authority, the European Environment Agency, the European Union Agency for Fundamental Rights, the European Central Bank, the Committee of European Auditing	good and meet the needs of undertakings and of users of the information reported, EFRAG's technical advice should be developed with proper due process, public oversight and transparency, accompanied by cost benefit analyses, and be developed with the expertise of <u>a balanced representation</u> relevant stakeholders, <u>including social partners, NGOs and consumer organisations, who should be able to participate in the standard setting process on equal footing.</u> <u>Participation in the independent technical advisory group shall be based on expertise on matters outlined in articles 19a and 19b and shall not be conditional to any financial contribution.</u> <u>The Commission should guarantee a transparent process avoiding any risk of conflict of interest, as well as the full inclusion in the development of sustainability reporting standards of trade unions, consumer organisations, NGOs and all other relevant stakeholders, such as international organisations or governments from countries where the undertaking or its value and supply chain will operate, in order to represent the interests of all groups of users.</u> To ensure that Union sustainability reporting	Group on Sustainable Finance referred to in Article 24 of Regulation (EU) 2020/852 and the Accounting Regulatory Committee referred to in Article 6 of Regulation (EU) 1606/2002 on EFRAG's technical advice. The European Securities and Markets Authority (ESMA), the European Banking Authority (EBA) and the European Insurance and Occupational Pensions Authority (EIOPA) play-plays a role in drafting regulatory technical standards pursuant to Regulation (EU) 2019/2088, and there needs to be coherence between those regulatory technical standards and sustainability reporting standards. According to Regulation (EU) No 1095/2010 of the European Parliament and of the Council¹, ESMA also plays a role in promoting supervisory converge in the enforcement of corporate reporting by issuers whose securities are listed on EU regulated markets and who will be required to use these sustainability reporting standards. Therefore, ESMA, EBA and EIOPA should be required to provide an opinion on EFRAG's technical advice. This opinion should be provided within two months from the date of	stakeholders, including preparers, investors, civil society organisations and trade unions. Participation in the EFRAG work at technical level should be based on expertise in sustainability reporting and should not be conditional on any financial contribution, without prejudice to the participation of public bodies and national standard setting organisations in this technical work. A transparent process avoiding conflicts of interest should be guaranteed. To ensure that Union sustainability reporting standards take account of the views of the Member States of the Union, before adopting the standards the Commission should consult the Member State Expert Group on Sustainable Finance referred to in Article 24 of Regulation (EU) 2020/852 and the Accounting Regulatory Committee referred to in Article 6 of Regulation (EU) 1606/2002 on EFRAG's technical advice. The European Securities and Markets Authority (ESMA), the European Banking Authority (EBA) and the European Insurance and Occupational Pensions Authority (EIOPA) play-plays a role in drafting regulatory technical standards pursuant to Regulation (EU) 2019/2088 and

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Oversight Bodies and the Platform on Sustainable Finance to ensure that the sustainability reporting standards are coherent with relevant Union policy and legislation. Where any of those bodies decide to submit an opinion, they shall do so within two months from the date of being consulted by the Commission. 1. Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84).	standards take account of the views of the Member States of the Union, before adopting the standards the Commission should consult the Member State Expert Group on Sustainable Finance referred to in Article 24 of Regulation (EU) 2020/852 on EFRAG's technical advice. The European Securities and Markets Authority (ESMA) plays a role in drafting regulatory technical standards pursuant to Regulation (EU) 2019/2088 and there needs to be coherence between those regulatory technical standards and sustainability reporting standards. According to Regulation (EU) No 1095/2010 of the European Parliament and of the Council^{1,54}, ESMA also plays a role in promoting supervisory converge in the enforcement of corporate reporting by issuers whose securities are listed on EU regulated markets and who will be required to use these sustainability reporting standards. Therefore, ESMA should be required to provide an opinion on EFRAG's technical advice. This opinion should be provided within two months from the date of receipt of the request from the Commission. In addition, the Commission should consult the European Banking Authority, the European Insurance and Occupational Pensions	receipt of the request from the Commission. In addition, the Commission should consult the ~~European Banking Authority, the European Insurance and Occupational Pensions Authority, the European Environment Agency, the European Union Agency for Fundamental Rights, the European Central Bank, the Committee of European Auditing Oversight Bodies and the Platform on Sustainable Finance~~ to ensure that the sustainability reporting standards are coherent with relevant Union policy and legislation. Where any of those bodies decide to submit an opinion, they shall do so within two months from the date of being consulted by the Commission. 1. [1] Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84).	there needs to be coherence between those regulatory technical standards and sustainability reporting standards. According to Regulation (EU) No 1095/2010 of the European Parliament and of the Council¹, ESMA also plays a role in promoting supervisory converge in the enforcement of corporate reporting by issuers whose securities are listed on EU regulated markets and who will be required to use these sustainability reporting standards. Therefore, ESMA, EBA and EIOPA should be required to provide an opinion on EFRAG's technical advice. These opinions ~~This opinion~~ should be provided within two months from the date of receipt of the request from the Commission. In addition, the Commission should consult ~~the European Banking Authority, the European Insurance and Occupational Pensions Authority,~~ the European Environment Agency, the European Union Agency for Fundamental Rights, the European Central Bank, the Committee of European Auditing Oversight Bodies and the Platform on Sustainable Finance to ensure that the sustainability reporting standards are coherent with relevant Union policy and legislation. Where any of those bodies decide to submit an opinion,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Authority, the European Environment Agency, the European Union Agency for Fundamental Rights, the European Central Bank, the Committee of European Auditing Oversight Bodies and the Platform on Sustainable Finance to ensure that the sustainability reporting standards are coherent with relevant Union policy and legislation. Where any of those bodies decide to submit an opinion, they shall do so within two months from the date of being consulted by the Commission. <i>~~1. Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84).~~</i>		they shall do so within two months from the date of being consulted by the Commission. 1. Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84). Presidency proposal. EP agrees if "appropriately" (balanced) is removed. Text Origin: Commission Proposal
Recital 34a				
44a		<u>(34a) Every year the Commission should consult and associate the relevant Council working groups and European Parliament committees on the EFRAG working programme. In order to foster democratic control, parliamentary scrutiny and transparency, regular exchanges should be held between EFRAG and the relevant European Parliament committees.</u>		(34a) In order to foster democratic control, scrutiny and transparency, the Commission should at least once a year consult the European Parliament, and jointly the Member State Expert Group on Sustainable Finance referred to in Article 24 of Regulation (EU) 2020/852 and the Accounting Regulatory Committee referred to in Article 6 of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Regulation (EU) 1606/2002, on EFRAG's work programme as regards the development of sustainability reporting standards. Presidency proposal. Text Origin: EP Mandate
Recital 35				
45	(35) Sustainability reporting standards should be coherent with other Union legislation. Those standards should in particular be aligned with the disclosure requirements laid down in Regulation (EU) 2019/2088, and they should take account of underlying indicators and methodologies set out in the various delegated acts adopted pursuant to Regulation (EU) 2020/852, disclosure requirements applicable to benchmark administrators pursuant to Regulation (EU) 2016/1011 of the European Parliament and of the Council¹, the minimum standards for the construction of EU climate transition benchmarks and EU Paris-aligned benchmarks; and of any work carried out by the European Banking Authority in the implementation of the Pillar III disclosure requirements of Regulation (EU) No 575/2013.	(35) Sustainability reporting standards should be coherent with other Union legislation. Those standards should in particular be aligned with the disclosure requirements laid down in Regulation (EU) 2019/2088, and they should ~~take account of~~ <u>be consistent with the</u> underlying indicators and methodologies set out in the various delegated acts adopted pursuant to Regulation (EU) 2020/852, disclosure requirements applicable to benchmark administrators pursuant to Regulation (EU) 2016/1011 of the European Parliament and of the Council⁴⁵⁵, the minimum standards for the construction of EU climate transition benchmarks and EU Paris-aligned benchmarks; and of any work carried out by the European Banking Authority in the implementation of the Pillar III disclosure requirements of	(35) Sustainability reporting standards should be coherent with other Union legislation. Those standards should in particular be aligned with the disclosure requirements laid down in Regulation (EU) 2019/2088, and they should take account of underlying indicators and methodologies set out in the various delegated acts adopted pursuant to Regulation (EU) 2020/852, disclosure requirements applicable to benchmark administrators pursuant to Regulation (EU) 2016/1011 of the European Parliament and of the Council¹, the minimum standards for the construction of EU climate transition benchmarks and EU Paris-aligned benchmarks; and of any work carried out by the European Banking Authority in the implementation of the Pillar III disclosure requirements of Regulation (EU) No 575/2013.	(35) Sustainability reporting standards should be coherent with other Union legislation. Those standards should in particular be aligned with the disclosure requirements laid down in Regulation (EU) 2019/2088, and they should take account of underlying indicators and methodologies set out in the various delegated acts adopted pursuant to Regulation (EU) 2020/852, disclosure requirements applicable to benchmark administrators pursuant to Regulation (EU) 2016/1011 of the European Parliament and of the Council¹, the minimum standards for the construction of EU climate transition benchmarks and EU Paris-aligned benchmarks; and of any work carried out by the European Banking Authority in the implementation of the Pillar III disclosure requirements of Regulation (EU) No 575/2013.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Standards should take account of Union environmental legislation, including Directive 2003/87/EC of the European Parliament and of the Council² and Regulation (EC) No 1221/2009 of the European Parliament and of the Council³, and should take account of Commission Recommendation 2013/179/EU⁴ and its annexes, and their updates. Other relevant Union legislation, including Directive 2010/75/EU of the European Parliament and of the Council⁵, and requirements laid down in Union law for undertakings as regards directors' duties and due diligence, should also be taken into account. 1. Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds and amending Directives 2008/48/EC and 2014/17/EU and Regulation (EU) No 596/2014 (OJ L 171, 29.6.2016, p. 1). 2. 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). 3. Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions	Regulation (EU) No 575/2013. Standards should take account of Union environmental legislation, including Directive 2003/87/EC of the European Parliament and of the Council^{2,56} and Regulation (EC) No 1221/2009 of the European Parliament and of the Council^{3,57}, and should take account of Commission Recommendation 2013/179/EU^{4,58} and its annexes, and their updates. Other relevant Union legislation, including Directive 2010/75/EU of the European Parliament and of the Council^{5,59}, and requirements laid down in Union law for undertakings as regards directors' duties and due diligence, should also be taken into account. ~~1. Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds and amending Directives 2008/48/EC and 2014/17/EU and Regulation (EU) No 596/2014 (OJ L 171, 29.6.2016, p. 1).~~ ~~2. 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).~~ ~~3. Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit~~	Standards should take account of Union environmental legislation, including Directive 2003/87/EC of the European Parliament and of the Council² and Regulation (EC) No 1221/2009 of the European Parliament and of the Council³, and should take account of Commission Recommendation 2013/179/EU⁴ and its annexes, and their updates. Other relevant Union legislation, including Directive 2010/75/EU of the European Parliament and of the Council⁵, and requirements laid down in Union law for undertakings as regards directors' duties and due diligence, should also be taken into account. 1. [1] Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds and amending Directives 2008/48/EC and 2014/17/EU and Regulation (EU) No 596/2014 (OJ L 171, 29.6.2016, p. 1). 2. [2] 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). 3. [3] Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit	Standards should take account of Union environmental legislation, including Directive 2003/87/EC of the European Parliament and of the Council² and Regulation (EC) No 1221/2009 of the European Parliament and of the Council³, and should take account of Commission Recommendation 2013/179/EU⁴ and its annexes, and their updates. Other relevant Union legislation, including Directive 2010/75/EU of the European Parliament and of the Council⁵, and requirements laid down in Union law for undertakings as regards directors' duties and due diligence, should also be taken into account. 1. Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds and amending Directives 2008/48/EC and 2014/17/EU and Regulation (EU) No 596/2014 (OJ L 171, 29.6.2016, p. 1). 2. 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). 3. Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1). 4. Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1). 5. Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).	~~scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1).~~ ~~4. Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1).~~ ~~5. Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).~~	scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1). 4. [4] Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1). 5. [5] Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).	2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1). 4. Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1). 5. Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17). Presidency proposal. Text Origin: Commission Proposal
Recital 36				
46	(36) Sustainability reporting standards should take account of the Commission guidelines on non-financial reporting¹ and the Commission guidelines on reporting climate-related information². They should also take account of other reporting requirements in Directive 2013/34/EU not directly related to sustainability, with the aim of providing the users of the reported information with a better understanding of the development, performance, position and impact of the undertaking, by maximising the links between the sustainability information and other information	(36) Sustainability reporting standards should take account of the Commission guidelines on non-financial reporting^{1,60} and the Commission guidelines on reporting climate-related information², <u>including the KPIs of these guidelines⁶¹</u>. They should also take account of other reporting requirements in Directive 2013/34/EU not directly related to sustainability, with the aim of providing the users of the reported information with a better understanding of the development, performance, position and impact of the undertaking, by maximising the	(36) Sustainability reporting standards should take account of the Commission guidelines on non-financial reporting¹ and the Commission guidelines on reporting climate-related information². They should also take account of other reporting requirements in Directive 2013/34/EU not directly related to sustainability, with the aim of providing the users of the reported information with a better understanding of the development, performance, position and impact of the undertaking, by maximising the links between the sustainability information and other information	(36) Sustainability reporting standards should take account of the Commission guidelines on non-financial reporting¹ and the Commission guidelines on reporting climate-related information². They should also take account of other reporting requirements in Directive 2013/34/EU not directly related to sustainability, with the aim of providing the users of the reported information with a better understanding of the development, performance, position and impact of the undertaking, by maximising the links between the sustainability information and other information

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	reported in accordance with Directive 2013/34/EU. 1. 2017/C 215/01. 2. 2019/C 209/01.	links between the sustainability information and other information reported in accordance with Directive 2013/34/EU. ~~1. 2017/C 215/01.~~ ~~2. 2019/C 209/01.~~	reported in accordance with Directive 2013/34/EU. 1. [1] 2017/C 215/01. 2. [2] 2019/C 209/01.	reported in accordance with Directive 2013/34/EU. 1. 2017/C 215/01. 2. 2019/C 209/01.
Recital 37				
47	(37) Sustainability reporting standards should be proportionate, and should not impose unnecessary administrative burden on companies that are required to use them. In order to minimise disruption for undertakings that already report sustainability information, sustainability reporting standards should take account of existing standards and frameworks for sustainability reporting and accounting where appropriate. Those include the Global Reporting Initiative, the Sustainability Accounting Standards Board, the International Integrated Reporting Council, the International Accounting Standards Board, the Task Force on Climate-related Financial Disclosures, the Carbon Disclosure Standards Board, and CDP (formerly the Carbon Disclosure Project). Standards of the European Union should take account of any sustainability reporting	(37) Sustainability reporting standards should be proportionate, and should not impose unnecessary administrative burden on companies that are required to use them. In order to minimise disruption for undertakings that already report sustainability information, sustainability reporting standards should take account of <u>be consistent with</u> existing standards and frameworks for sustainability reporting and accounting where appropriate. Those include the Global Reporting Initiative, the Sustainability Accounting Standards Board, the International Integrated Reporting Council, the International Accounting Standards Board, the Task Force on Climate-related Financial Disclosures, the Carbon Disclosure Standards Board, and CDP (formerly the Carbon Disclosure Project) <u>and the greenhouse gases Protocol in the calculation of greenhouse gases</u>	(37) Sustainability reporting standards should be proportionate, and should not impose unnecessary administrative burden on companies that are required to use them. In order to minimise disruption for undertakings that already report sustainability information, sustainability reporting standards should take account of existing standards and frameworks for sustainability reporting and accounting where appropriate. Those include the Global Reporting Initiative, the Sustainability Accounting Standards Board, the International Integrated Reporting Council, the International Accounting Standards Board, the Task Force on Climate-related Financial Disclosures, the Carbon Disclosure Standards Board, and CDP (formerly the Carbon Disclosure Project). Standards of the European Union should take account of any sustainability reporting	(37) Sustainability reporting standards should be proportionate, and should not impose unnecessary administrative burden on companies that are required to use them. In order to minimise disruption for undertakings that already report sustainability information, sustainability reporting standards should take account of existing standards and frameworks for sustainability reporting and accounting where appropriate. Those include the Global Reporting Initiative, the Sustainability Accounting Standards Board, the International Integrated Reporting Council, the International Accounting Standards Board, the Task Force on Climate-related Financial Disclosures, the Carbon Disclosure Standards Board, and CDP (formerly the Carbon Disclosure Project). Standards of the European Union should take account of any sustainability reporting

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	standards developed under the auspices of International Financial Reporting Standards Foundation. To avoid unnecessary regulatory fragmentation that may have negative consequences for undertakings operating globally, European standards should contribute to the process of convergence of sustainability reporting standards at global level.	<u>emissions, including scope 1, 2 and 3 from undertakings from undertakings, and including emissions generated from industrial livestock production</u> . Standards of the European Union should take account of any sustainability reporting standards developed under the auspices of International Financial Reporting Standards Foundation. To avoid unnecessary regulatory fragmentation that may have negative consequences for undertakings operating globally, European standards should contribute to the process of convergence of sustainability reporting standards at global level <u>by supporting the work of the International Sustainability Standards Board (ISSB)</u> .	standards developed under the auspices of International Financial Reporting Standards Foundation. To avoid unnecessary regulatory fragmentation that may have negative consequences for undertakings operating globally, European standards should contribute to the process of convergence of sustainability reporting standards at global level.	standards developed under the auspices of International Financial Reporting Standards Foundation. To avoid unnecessary regulatory fragmentation that may have negative consequences for undertakings operating globally, European standards should contribute to the process of convergence of sustainability reporting standards at global level, by supporting the work of the International Sustainability Standards Board (ISSB). European standards should reduce the risk of inconsistent reporting requirements on undertakings that operate globally by integrating the content of global baseline standards to be developed by the ISSB, to the extent that the content of the ISSB baseline standards is consistent with the EU's legal framework and the objectives of the European Green Deal. Compromise based on Council Mandate with part of the EP Mandate and some additional text.
	Recital 38			
48	(38) In its communication on the European Green Deal, the European	(38) In its communication on the European Green Deal, the European	(38) In its communication on the European Green Deal, the European	(38) In its communication on the European Green Deal, the European

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Commission committed to support businesses and other stakeholders in developing standardised natural capital accounting practices within the Union and internationally, with the aim of ensuring appropriate management of environmental risks and mitigation opportunities, and reduce related transaction costs. The Transparent Project sponsored under the LIFE programme is developing the first natural capital accounting methodology, which will make existing methods easier to compare and more transparent while lowering the threshold for companies to adopt and use the systems in support of future-proofing their business. The Natural Capital Protocol is also an important reference in this field. While natural capital accounting methods serve principally to strengthen internal management decisions, they should be duly considered when establishing sustainability reporting standards. Some natural capital accounting methodologies seek to assign a monetary value to the environmental impacts of companies' activities, which may help users to better understand those impacts. It is therefore appropriate that sustainability reporting standards should be able to include monetised indicators of sustainability impacts if	Commission committed to support businesses and other stakeholders in developing standardised natural capital accounting practices within the Union and internationally, with the aim of ensuring appropriate management of environmental risks and mitigation opportunities, and reduce related transaction costs. The Transparent Project sponsored under the LIFE programme is developing the first natural capital accounting methodology, which will make existing methods easier to compare and more transparent while lowering the threshold for companies to adopt and use the systems in support of future-proofing their business. The Natural Capital Protocol is also an important reference in this field. While natural capital accounting methods serve principally to strengthen internal management decisions, they should be duly considered when establishing sustainability reporting standards. Some natural capital accounting methodologies seek to assign a monetary value to the environmental impacts of companies' activities, which may help users to better understand those impacts. It is therefore appropriate that sustainability reporting standards should be able to include monetised indicators of sustainability impacts if	Commission committed to support businesses and other stakeholders in developing standardised natural capital accounting practices within the Union and internationally, with the aim of ensuring appropriate management of environmental risks and mitigation opportunities, and reduce related transaction costs. The Transparent Project sponsored under the LIFE programme is developing the first natural capital accounting methodology, which will make existing methods easier to compare and more transparent while lowering the threshold for companies to adopt and use the systems in support of future-proofing their business. The Natural Capital Protocol is also an important reference in this field. While natural capital accounting methods serve principally to strengthen internal management decisions, they should be duly considered when establishing sustainability reporting standards. Some natural capital accounting methodologies seek to assign a monetary value to the environmental impacts of companies' activities, which may help users to better understand those impacts. It is therefore appropriate that sustainability reporting standards should be able to include monetised indicators of sustainability impacts if	Commission committed to support businesses and other stakeholders in developing standardised natural capital accounting practices within the Union and internationally, with the aim of ensuring appropriate management of environmental risks and mitigation opportunities, and reduce related transaction costs. The Transparent Project sponsored under the LIFE programme is developing the first natural capital accounting methodology, which will make existing methods easier to compare and more transparent while lowering the threshold for companies to adopt and use the systems in support of future-proofing their business. The Natural Capital Protocol is also an important reference in this field. While natural capital accounting methods serve principally to strengthen internal management decisions, they should be duly considered when establishing sustainability reporting standards. Some natural capital accounting methodologies seek to assign a monetary value to the environmental impacts of companies' activities, which may help users to better understand those impacts. It is therefore appropriate that sustainability reporting standards should be able to include monetised indicators of sustainability impacts if

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	that is deemed necessary.	that is deemed necessary.	that is deemed necessary.	that is deemed necessary. Text Origin: Commission Proposal
Recital 39				
49	(39) Sustainability reporting standards should also take account of internationally recognised principles and frameworks on responsible business conduct, corporate social responsibility, and sustainable development, including the UN Sustainable Development Goals, the UN Guiding Principles on Business and Human Rights, the OECD Guidelines for Multinational Enterprises, the OECD Due Diligence Guidance for Responsible Business Conduct and related sectoral guidelines, the UN Global Compact, the Tripartite Declaration of Principles of the International Labour Organisation concerning Multinational Enterprises and Social Policy, the ISO 26000 standard on social responsibility, and the UN Principles for Responsible Investment.	(39) Sustainability reporting standards should also take account of internationally recognised principles and frameworks on responsible business conduct, corporate social responsibility, and sustainable development, including the UN Sustainable Development Goals, the UN Guiding Principles on Business and Human Rights, the OECD Guidelines for Multinational Enterprises, the OECD Due Diligence Guidance for Responsible Business Conduct and related sectoral guidelines, the UN Global Compact, the Tripartite Declaration of Principles of the International Labour Organisation concerning Multinational Enterprises and Social Policy, the ISO 26000 standard on social responsibility, and the UN Principles for Responsible Investment.	(39) Sustainability reporting standards should also take account of internationally recognised principles and frameworks on responsible business conduct, corporate social responsibility, and sustainable development, including the UN Sustainable Development Goals, the UN Guiding Principles on Business and Human Rights, the OECD Guidelines for Multinational Enterprises, the OECD Due Diligence Guidance for Responsible Business Conduct and related sectoral guidelines, the UN Global Compact, the Tripartite Declaration of Principles of the International Labour Organisation concerning Multinational Enterprises and Social Policy, the ISO 26000 standard on social responsibility, and the UN Principles for Responsible Investment.	(39) Sustainability reporting standards should also take account of internationally recognised principles and frameworks on responsible business conduct, corporate social responsibility, and sustainable development, including the UN Sustainable Development Goals, the UN Guiding Principles on Business and Human Rights, the OECD Guidelines for Multinational Enterprises, the OECD Due Diligence Guidance for Responsible Business Conduct and related sectoral guidelines, the UN Global Compact, the Tripartite Declaration of Principles of the International Labour Organisation concerning Multinational Enterprises and Social Policy, the ISO 26000 standard on social responsibility, and the UN Principles for Responsible Investment. Text Origin: Commission Proposal
Recital 40				
50				

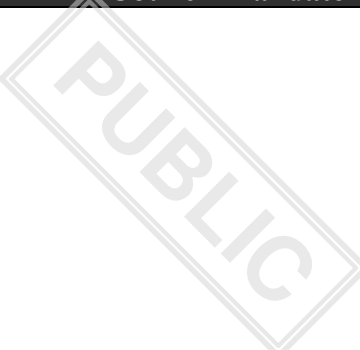
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(40) It should be ensured that the information reported by undertakings in accordance with the sustainability reporting standards meet the needs of users. The reporting standards should therefore specify the information that undertakings are to disclose on all major environmental factors, including their impacts and dependencies on climate, air, land, water and biodiversity. Regulation (EU) 2020/852 provides a classification of the environmental objectives of the Union. For reasons of coherence, it is appropriate to use a similar classification to identify the environmental factors that should be addressed by sustainability reporting standards. The reporting standards should consider and specify any geographical or other contextual information that undertakings should disclose to provide an understanding of their principal impacts on sustainability matters and the principal risks to the undertaking arising from sustainability matters.	(40) It should be ensured that the information reported by undertakings in accordance with the sustainability reporting standards meet the needs of users <u>and do not place a disproportionate burden in effort and costs on those reporting</u>. The reporting standards should therefore specify the information that undertakings are to disclose on all major environmental factors, including their impacts and dependencies on climate, air, land, water and biodiversity. Regulation (EU) 2020/852 provides a classification of the environmental objectives of the Union. For reasons of coherence, it is appropriate to use a similar classification to identify the environmental factors that should be addressed by sustainability reporting standards. The reporting standards should consider and specify any geographical or other contextual information that undertakings should disclose to provide an understanding of their principal impacts on sustainability matters and the principal risks to the undertaking arising from sustainability matters. <u>When specifying the information about environmental factors that undertakings are to disclose, coherence should be ensured with the definitions in Article 2 and the reporting requirements of Article 8</u>	(40) It should be ensured that the information reported by undertakings in accordance with the sustainability reporting standards meet the needs of users. The reporting standards should therefore specify the information that undertakings are to disclose on all major environmental factors, including their impacts and dependencies on climate, air, land, water and biodiversity. Regulation (EU) 2020/852 provides a classification of the environmental objectives of the Union. For reasons of coherence, it is appropriate to use a similar classification to identify the environmental factors that should be addressed by sustainability reporting standards. The reporting standards should consider and specify any geographical or other contextual information that undertakings should disclose to provide an understanding of their principal impacts on sustainability matters and the principal risks to the undertaking arising from sustainability matters.	(40) It should be ensured that the information reported by undertakings in accordance with the sustainability reporting standards meet the needs of users and do not place a disproportionate burden in effort and costs on those reporting and those that are indirectly effected as part of the value chain of those reporting. The reporting standards should therefore specify the information that undertakings are to disclose on all major environmental factors, including their impacts and dependencies on climate, air, land, water and biodiversity. Regulation (EU) 2020/852 provides a classification of the environmental objectives of the Union. For reasons of coherence, it is appropriate to use a similar classification to identify the environmental factors that should be addressed by sustainability reporting standards. The reporting standards should consider and specify any geographical or other contextual information that undertakings should disclose to provide an understanding of their principal impacts on sustainability matters and the principal risks to the undertaking arising from sustainability matters. When specifying the information about environmental factors that undertakings are to disclose,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>in Regulation (EU) 2020/852 and the delegated acts adopted pursuant to that Regulation.</u>		coherence should be ensured with the definitions in Article 2 and the reporting requirements of Article 8 in Regulation (EU) 2020/852 and the delegated acts adopted pursuant to that Regulation. Presidency proposal. Text Origin: EP Mandate
Recital 41				
51	(41) With regard to climate-related information, users are interested in knowing about undertakings' physical and transition risks, and about their resilience to different climate scenarios. They are also interested in the level and scope of greenhouse gas emissions and removals attributed to the undertaking, including the extent to which the undertaking uses offsets and the source of those offsets. Achieving a climate neutral economy requires the alignment of greenhouse gas accounting and offset standards. Users need reliable information regarding offsets that addresses concerns regarding possible double-counting and overestimations, given the risks to the achievement of climate-related targets that double-counting and overestimations can create. The	(41) With regard to climate-related information, users, <u>including consumers</u> , are interested in knowing about undertakings' physical and transition risks, and about their resilience <u>and plans to adapt</u> to different climate scenarios <u>and to the EU's climate neutrality goal</u> . They are also interested in the level and scope of greenhouse gas emissions and removals attributed to the undertaking, including the extent to which the undertaking uses offsets and the source of those offsets. Achieving a climate neutral economy requires the alignment of greenhouse gas accounting and offset standards. Users need reliable information regarding offsets that addresses concerns regarding possible double-counting and ~~overestimations~~ <u>over estimations</u> , given the risks to the achievement of	(41) With regard to climate-related information, users are interested in knowing about undertakings' physical and transition risks, and about their resilience to different climate scenarios. They are also interested in the level and scope of greenhouse gas emissions and removals attributed to the undertaking, including the extent to which the undertaking uses offsets and the source of those offsets. Achieving a climate neutral economy requires the alignment of greenhouse gas accounting and offset standards. Users need reliable information regarding offsets that addresses concerns regarding possible double-counting and overestimations, given the risks to the achievement of climate-related targets that double-counting and overestimations can create. The	(41) With regard to climate-related information, users are interested in knowing about undertakings' physical and transition risks, and about their resilience and plans to adapt to different climate scenarios and to the EU's climate neutrality goal . They are also interested in the level and scope of greenhouse gas emissions and removals attributed to the undertaking, including the extent to which the undertaking uses offsets and the source of those offsets. Achieving a climate neutral economy requires the alignment of greenhouse gas accounting and offset standards. Users need reliable information regarding offsets that addresses concerns regarding possible double-counting and overestimations, given the risks to the achievement of climate-related targets that double-counting and

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	reporting standards should therefore specify the information undertakings should report with regard to those matters.	climate-related targets that double-counting and overestimations can create. <u>These parties are also interested to know the efforts made by companies to effectively reduce absolute GHG emissions as part of their climate mitigation and adaption strategies.</u> The reporting standards should therefore specify the information undertakings should report with regard to those matters.	reporting standards should therefore specify the information undertakings should report with regard to those matters.	overestimations can create. These parties are also interested to know the efforts made by companies to effectively reduce absolute GHG emissions as part of their climate mitigation and adaptation strategies, including scope 1, scope 2 and, where relevant, scope 3 emissions. With regard to scope 3 emissions, a priority for users is to receive information about which categories of scope 3 are significant in the case of the undertaking, and about the emissions in each of those scope 3 categories. The reporting standards should therefore specify the information undertakings should report with regard to those matters. Presidency proposal to add reference to scope 1, 2 and 3 emissions as requested by EP to mirror the provision in row 242p.
Recital 42				
52	(42) Achieving a climate neutral and circular economy and a toxic-free environment requires the full mobilisation of all economic sectors. Reducing energy use and increasing energy efficiency is key in this respect as energy is used across supply chains. Energy aspects	(42) Achieving a climate neutral and circular economy ~~and a toxic-free environment~~ <u>without diffuse pollution</u> requires the full mobilisation of all economic sectors. Reducing energy use and increasing energy efficiency is key in this respect as energy is used across	(42) Achieving a climate neutral and circular economy and a toxic-free environment requires the full mobilisation of all economic sectors. Reducing energy use and increasing energy efficiency is key in this respect as energy is used across supply chains. Energy aspects	(42) Achieving a climate neutral and circular economy without diffuse pollution ~~and a toxic-free environment~~ requires the full mobilisation of all economic sectors. Reducing energy use and increasing energy efficiency is key in this respect as energy is used across

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	should therefore be duly considered in sustainability reporting standards, in particular in relation to environmental matters.	supply chains. Energy aspects should therefore be duly considered in sustainability reporting standards, in particular in relation to environmental <u>and climate related</u> matters.	should therefore be duly considered in sustainability reporting standards, in particular in relation to environmental matters-	supply chains. Energy aspects should therefore be duly considered in sustainability reporting standards, in particular in relation to environmental matters, including climate-related matters.
Recital 43				
53	(43) Sustainability reporting standards should specify the information that undertakings should disclose on social factors, including employee factors and human rights. Such information should cover the impacts of undertakings on people, including on human health. The information that undertakings disclose about human rights should include information about forced labour in their value chains where relevant. Reporting standards that address social factors should specify the information that undertakings should disclose with regard to the principles of the European Pillar of Social Rights that are relevant to businesses, including equal opportunities for all and working conditions. The European Pillar of Social Rights Action Plan adopted in March 2021 calls for stronger requirements on undertakings to report on social issues. The reporting standards should also specify the	(43) <u>(43)</u> Sustainability reporting standards should specify the information that undertakings should disclose on social factors, including ~~employee factors~~ <u>working conditions, workers' rights, social partner involvement, collective bargaining, equality, non-discrimination, prevention of workplace violence and harassment diversity and inclusion</u> , and human rights. Such information should <u>be disclosed country-by country, where relevant, in close consultation with trade unions and workers' representatives and</u> cover the impacts of undertakings on ~~people,~~ <u>including its workers, people and</u> on human health. <u>Where the administrative or management body of the undertaking receives an opinion on the sustainability report from the representatives of workers, it should append that opinion to the sustainability report, if that is provided for under national law</u>	(43) Sustainability reporting standards should specify the information that undertakings should disclose on social factors, including employee factors and human rights. Such information should cover the impacts of undertakings on people, including on human health. The information that undertakings disclose about human rights should include information about forced labour in their value chains where relevant. Reporting standards that address social factors should specify the information that undertakings should disclose with regard to the principles of the European Pillar of Social Rights that are relevant to businesses, including equal opportunities for all and working conditions. The European Pillar of Social Rights Action Plan adopted in March 2021 calls for stronger requirements on undertakings to report on social issues. The reporting standards should also specify the	(43) Sustainability reporting standards should specify the information that undertakings should disclose on social factors, including working conditions, social partner involvement, collective bargaining, equality, non-discrimination, diversity and inclusion , ~~employee factors~~ and human rights. Such information should cover the impacts of ~~undertakings~~ the undertaking on people, including workers, and on human health. The information that undertakings disclose about human rights should include information about forced labour and child labour in their value chains where relevant. Reporting requirements on forced labour should not replace the public authorities' responsibility to address the import of goods, produced as a result of human rights abuses, including forced labour, through trade policy and diplomatic means. Undertakings

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	information that undertakings should disclose with regard to the human rights, fundamental freedoms, democratic principles and standards established in the International Bill of Human Rights and other core UN human rights conventions, the International Labour Organization's Declaration on Fundamental Principles and Rights at Work, the fundamental conventions of the International Labour Organisation, and the Charter of Fundamental Rights of the European Union.	<u>and practices.</u> The information that undertakings disclose about human rights should include information about forced labour <u>and child labour</u> in their value chains where relevant. Reporting <u>requirements on forced labour should not replace the public authorities' responsibility to address the import of goods, produced as a result of human rights abuses, including forced labour, through trade policy and diplomatic means.</u> <u>Undertakings should also be able to report on possible risks and negative trends regarding employment and incomes, due to the absence of a just transition process.</u> Reporting standards that address social factors should specify the information that undertakings should disclose with regard to the <u>20</u> principles of the European Pillar of Social Rights ~~that are relevant to businesses, including,~~ <u>particularly</u> equal opportunities for all and <u>fair</u> working conditions. The European Pillar of Social Rights Action Plan adopted in March 2021 calls for stronger requirements on undertakings to report on social issues. The reporting standards should also specify the information that undertakings should disclose with regard to the human rights, fundamental freedoms, democratic principles and standards established	information that undertakings should disclose with regard to the human rights, fundamental freedoms, democratic principles and standards established in the International Bill of Human Rights and other core UN human rights conventions, the International Labour Organization's Declaration on Fundamental Principles and Rights at Work, the fundamental conventions of the International Labour Organisation, and the Charter of Fundamental Rights of the European Union.	should also be able to report on possible risks and trends regarding employment and incomes. Reporting standards that address social factors should specify the information that undertakings should disclose with regard to the principles of the European Pillar of Social Rights that are relevant to businesses, including equal opportunities for all and working conditions. The European Pillar of Social Rights Action Plan adopted in March 2021 calls for stronger requirements on undertakings to report on social issues. The reporting standards should also specify the information that undertakings should disclose with regard to the human rights, fundamental freedoms, democratic principles and standards established in the International Bill of Human Rights and other core UN human rights conventions, including the UN Convention on the Rights of Persons with Disabilities, the UN Declaration on the Rights of Indigenous Peoples, the UN Convention on the Rights of the Child, the International Labour Organization's Declaration on Fundamental Principles and Rights at Work, the fundamental conventions of the International Labour Organisation, the European Convention of Human Rights, the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		in the International Bill of Human Rights and other core UN human rights conventions, <u>including the UN Convention on the Rights of Persons with Disabilities, the UN Declaration on the Rights of Indigenous Peoples, the UN Convention on the Rights of the Child,</u> the International Labour Organization's Declaration on Fundamental Principles and Rights at Work, the fundamental conventions of the International Labour Organisation, <u>the International Labour Organization's Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy,</u> <u>including the list of relevant standards under its Annex I, the European Convention of Human Rights, the (revised) European Social Charter,</u> ~~and~~ the Charter of Fundamental Rights of the European Union <u>and the OECD Guidelines for Multinational Enterprises.</u> <u>Reporting carried out on social factors should be proportionate to the scope and the goals of this Directive.</u>		(revised) European Social Charter, and the Charter of Fundamental Rights of the European Union. Reporting carried out on social factors, as well as on environmental and governance factors, should be proportionate to the scope and the goals of this Directive. Reporting standards that address gender equality and equal pay for equal work should specify, amongst other things, information to be reported about the gender pay gap, taking account of other relevant EU legislation. Reporting standards that address employment and inclusion of people with disabilities should specify, amongst other things, information to be reported about accessibility measures taken by the undertaking. Reporting standards that address training and skills development should specify, amongst other things, information to be reported about the rate and breakdown of workers participating in training. Reporting standards that address collective bargaining should specify, amongst other things, information to be disclosed about the existence of works councils as well as the existence of collective agreements and the rate of workers covered by such

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				agreements. Reporting standards that address worker participation should specify, amongst other things information to be disclosed about the participation of workers in administrative and supervisory boards.
Recital 44				
54	(44) Users need information about governance factors, including information on the role of an undertaking's administrative, management and supervisory bodies, including with regard to sustainability matters, the composition of such bodies, and an undertaking's internal control and risk management systems, including in relation to the reporting process. Users also need information about undertakings' corporate culture and approach to business ethics, including anti-corruption and anti-bribery, and about their political engagements, including lobbying activities. Information about the management of the undertaking and the quality of relationships with business partners, including payment practices relating to the date or period for payment, the rate of interest for late payment or the compensation for recovery costs	(44) Users need information about governance factors, including information on the role of an undertaking's administrative, management and supervisory bodies <u>and committees</u> , including with regard to sustainability matters, the composition of ~~such~~ <u>those, particularly with regard to workers' and women's participation and gender balance and whether the company has a policy in terms of incentives offered to members of these</u> bodies <u>which are linked to sustainability matters</u> , and an undertaking's internal control and risk management systems, including in relation to the reporting process. Users also need information about undertakings' corporate culture and approach to business ethics, including anti-corruption and anti-bribery, and about their political engagements, including lobbying activities. Information about the	(44) Users need information about governance factors. Governance factors that are most relevant to users are listed by authoritative reporting frameworks such as the Global Reporting Initiative and the Task Force on Climate-related Financial Disclosures, as well as by authoritative global frameworks such as the Global Governance Principles of the International Corporate Governance Network and the G20 OECD principles of Corporate Governance. Sustainability reporting standards should specify the, including information that undertakings should disclose on governance factors. Such information should cover ~~on the role of an undertaking's administrative, management and supervisory bodies, including with regard to sustainability matters, the composition of such bodies, and~~ their access to expertise and skills	(44) Users need information about governance factors. Governance factors that are most relevant to users are listed by authoritative reporting frameworks such as the Global Reporting Initiative and the Task Force on Climate-related Financial Disclosures, as well as by authoritative global frameworks such as the Global Governance Principles of the International Corporate Governance Network and the G20 OECD principles of Corporate Governance. Sustainability reporting standards should specify the, including information that undertakings should disclose on governance factors. Such information should cover ~~on the role of an undertaking's administrative, management and supervisory bodies, including with regard to sustainability matters,~~ expertise and skills to fulfill this role or access to such expertise

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	referred to in Directive 2011/7/EU of the European Parliament and of the Council¹ on late payment in commercial transactions, helps users to understand an undertaking's risks as well as its impacts on sustainability matters. Every year, thousands of businesses, especially SMEs, suffer administrative and financial burdens because they are paid late, or not at all. Ultimately, late payments lead to insolvency and bankruptcy, with destructive effects on entire value chains. Increasing information about payment practices should empower other undertakings to identify prompt and reliable payers, detect unfair payment practices, access information about the businesses they trade with, and negotiate fairer payment terms. 1. Directive 2011/7/EU of the European Parliament and of the Council of 16 February 2011 on combating late payment in commercial transactions (OJ L 48, 23.2.2011, p. 1).	management of the undertaking and the quality of relationships with business partners, including payment practices relating to the date or period for payment, the rate of interest for late payment or the compensation for recovery costs referred to in Directive 2011/7/EU of the European Parliament and of the Council¹⁶² on late payment in commercial transactions, helps users to understand an undertaking's risks as well as its impacts on sustainability matters. Every year, thousands of businesses, especially SMEs, suffer administrative and financial burdens because they are paid late, or not at all. Ultimately, late payments lead to insolvency and bankruptcy, with destructive effects on entire value chains. Increasing information about payment practices should empower other undertakings to identify prompt and reliable payers, detect unfair payment practices, access information about the businesses they trade with, and negotiate fairer payment terms. ~~1. Directive 2011/7/EU of the European Parliament and of the Council of 16 February 2011 on combating late payment in commercial transactions (OJ L 48, 23.2.2011, p. 1).~~	to fulfil this role through their own expertise or through access to the necessary expertise, and information on an undertaking's internal control and risk management systems, including in relation to the sustainability reporting process. Users also need information about undertakings' corporate culture and approach to business ethics, which are recognised elements of authoritative frameworks on corporate governance such as the Global Governance Principles of the International Corporate Governance Network, including information about anti-corruption and anti-bribery, and about ~~the~~the undertaking's political engagements, including lobbying activities. Information about the management of the undertaking and the quality of relationships with ~~business partners,~~ including customers, suppliers and communities affected by the activities of the undertaking helps users to understand an undertaking's risks as well as its impacts on sustainability matters. Information about relationships with suppliers, includes payment practices relating to the date or period for payment, the rate of	and skills, whether the company has a policy in terms of incentives offered to members of these the composition of such bodies which are linked to sustainability matters, and information on , and an undertaking's internal control and risk management systems, including in relation to the sustainability reporting process. Users also need information about undertakings' corporate culture and approach to business ethics, which are recognised elements of authoritative frameworks on corporate governance such as the Global Governance Principles of the International Corporate Governance Network, including information about anti-corruption and anti-bribery, and about ~~the~~the undertaking's political engagements, including lobbying activities. Information about the management of the undertaking and the quality of relationships with ~~business partners,~~ including customers, suppliers and communities affected by the activities of the undertaking, helps users to understand an undertaking's risks as well as its impacts on sustainability matters. Information about relationships with suppliers, includes payment

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			interest for late payment or the compensation for recovery costs referred to in Directive 2011/7/EU of the European Parliament and of the Council¹ on late payment in commercial transactions, ~~helps users to understand an undertaking's risks as well as its impacts on sustainability matters.~~ Every year, thousands of businesses, especially SMEs, suffer administrative and financial burdens because they are paid late, or not at all. Ultimately, late payments lead to insolvency and bankruptcy, with destructive effects on entire value chains. Increasing information about payment practices should empower other undertakings to identify prompt and reliable payers, detect unfair payment practices, access information about the businesses they trade with, and negotiate fairer payment terms. 1. [1] Directive 2011/7/EU of the European Parliament and of the Council of 16 February 2011 on combating late payment in commercial transactions (OJ L 48, 23.2.2011, p. 1).	practices relating to the date or period for payment, the rate of interest for late payment or the compensation for recovery costs referred to in Directive 2011/7/EU of the European Parliament and of the Council¹ on late payment in commercial transactions, ~~helps users to understand an undertaking's risks as well as its impacts on sustainability matters.~~ Every year, thousands of businesses, especially SMEs, suffer administrative and financial burdens because they are paid late, or not at all. Ultimately, late payments lead to insolvency and bankruptcy, with destructive effects on entire value chains. Increasing information about payment practices should empower other undertakings to identify prompt and reliable payers, detect unfair payment practices, access information about the businesses they trade with, and negotiate fairer payment terms. 1. Directive 2011/7/EU of the European Parliament and of the Council of 16 February 2011 on combating late payment in commercial transactions (OJ L 48, 23.2.2011, p. 1).
	Recital 44a			
y	54a		<u>(44a) Diversity on company boards contributes to better decision-</u>	Presidency proposal: delete.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>making, corporate governance and resilience in undertakings. Workers' representatives as well as more women on boards would promote the sustainable development of undertakings.</i></u>		
Recital 45				
55	(45) The reporting standards should promote a more integrated view of all the information published by undertakings in the management report to provide users of that information with a better understanding of the development, performance, position and impact of the undertaking. Those standards should distinguish as necessary between information that undertakings should disclose when reporting at individual level and the information that undertakings should disclose when reporting at consolidated level. Those standards should also contain guidance for undertakings on the process carried out to identify the sustainability information that should be included in the management report.	(45) The reporting standards should promote a more integrated view of all the information published by undertakings in the management report to provide users of that information with a better understanding of the development, performance, position and impact of the undertaking. Those standards should distinguish as necessary between information that undertakings should disclose when reporting at individual level and the information that undertakings should disclose when reporting at consolidated level. Those standards should also contain guidance for undertakings on the process carried out to identify the sustainability information that should be included in the management report.	(45) The reporting standards should promote a more integrated view of all the information published by undertakings in the management report to provide users of that information with a better understanding of the development, performance, position and impact of the undertaking. Those standards should distinguish as necessary between information that undertakings should disclose when reporting at individual level and the information that undertakings should disclose when reporting at consolidated level. Those standards should also contain guidance for undertakings on the process carried out to identify the sustainability information that should be included in the management report, since an undertaking should only be required to disclose the information relevant to understand its impacts on sustainability matters, and the	(45) The reporting standards should promote a more integrated view of all the information published by undertakings in the management report to provide users of that information with a better understanding of the development, performance, position and impact of the undertaking. Those standards should distinguish as necessary between information that undertakings should disclose when reporting at individual level and the information that undertakings should disclose when reporting at consolidated level. Those standards should also contain guidance for undertakings on the process carried out to identify the sustainability information that should be included in the management report, since an undertaking should only be required to disclose the information relevant to understand its impacts on sustainability matters, and the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			information relevant to understand how sustainability matters affect its development, performance and position.	information relevant to understand how sustainability matters affect its development, performance and position. Presidency proposal. Text Origin: Council Mandate
Recital 45a				
55a		<u>(45a) Member States should ensure that sustainability reporting is done in compliance with workers' rights to information and consultation, including when it comes to take part in the design of the reporting system in close relation with administrative, management or supervisory bodies.</u>		(45a) Member States should ensure that sustainability reporting is done in compliance with workers' rights to information and consultation. The management of the undertaking should hence inform workers' representatives at the appropriate level and discuss with them the relevant information and the means of obtaining and verifying sustainability information. This implies for the purpose of this legislation the establishment of dialogue and exchange of views between employees' representatives and central management or any more appropriate level of management, at such time, in such fashion and with such content as enables employees' representatives to express an opinion. Their opinion should be communicated, where applicable, to the relevant

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				administrative, management or supervisory bodies.
Recital 46				
56	(46) Undertakings in the same sector are often exposed to similar sustainability-related risks, and they often have similar impacts on society and the environment. Comparisons between undertakings in the same sector are especially valuable to investors and other users of sustainability information. Sustainability reporting standards adopted by the Commission should therefore specify both information that undertakings in all sectors should disclose and information that undertakings should disclose depending on their sector of activity. Standards should also take account of the difficulties that undertakings may encounter in gathering information from actors throughout their value chain, especially from SME suppliers and from suppliers in emerging markets and economies.	(46) Undertakings in the same sector are often exposed to similar sustainability-related risks, and they often have similar impacts on society and the environment. Comparisons between undertakings in the same sector are especially valuable to investors and other users of sustainability information. Sustainability reporting standards adopted by the Commission should therefore specify both information that undertakings in all sectors should disclose and information that undertakings should disclose depending on their sector of activity. Standards should also take account of the difficulties that undertakings may encounter in gathering information from actors throughout their value chain, especially from SME suppliers and from suppliers in emerging markets and economies.	(46) Undertakings in the same sector are often exposed to similar sustainability-related risks, and they often have similar impacts on society and the environment. Comparisons between undertakings in the same sector are especially valuable to investors and other users of sustainability information. Sustainability reporting standards adopted by the Commission should therefore specify both information that undertakings in all sectors should disclose and information that undertakings should disclose depending on their sector of activity. Standards should also take account of the difficulties that undertakings may encounter in gathering information from actors throughout their value chain, especially from SME suppliers and from suppliers in emerging markets and economies.	(46) Undertakings in the same sector are often exposed to similar sustainability-related risks, and they often have similar impacts on society and the environment. Comparisons between undertakings in the same sector are especially valuable to investors and other users of sustainability information. Sustainability reporting standards adopted by the Commission should therefore specify both information that undertakings in all sectors should disclose and information that undertakings should disclose depending on their sector of activity. Sector-specific standards are especially important in the case of sectors associated with high sustainability risks and/or impacts on the environment, human rights and governance, including sectors listed in Sections A to H and Section L of Annex I to Regulation (EC) No 1893/2006, and the relevant activities within those. When adopting sector specific standards the Commission should ensure this information is proportionate to the scale of the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				risks and impacts related to sustainability matters of each sector, taking account of the fact that the risks and impacts of some sectors are higher than for others. The Commission should also take account of the fact that not all activities within such sectors are necessarily associated with high sustainability risks and/or impacts. For undertakings that operate in sectors particularly relying on natural resources, sector-specific standards would require the disclosure of nature-related impacts on and risks for biodiversity and ecosystems. Standards should also take account of the difficulties that undertakings may encounter in gathering information from actors throughout their value chain, especially from SME suppliers and from suppliers in emerging markets and economies.
	Recital 47			
57	(47) To meet the information needs from users in a timely manner, and in particular given the urgency to meet the information needs of financial market participants subject to the requirements laid down in the delegated acts adopted pursuant to Article 4, paragraphs 6 and 7 of	(47) <u>(47)</u> To meet the information needs from users in a timely manner, and in particular given the urgency to meet the information needs of financial market participants subject to the requirements laid down in the delegated acts adopted pursuant to	(47) To meet the information needs from users in a timely manner, and in particular given the urgency to meet the information needs of financial market participants subject to the requirements laid down in the delegated acts adopted pursuant to Article 4, paragraphs 6 and 7 of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regulation (EU) 2019/2088, the Commission should adopt a first set of reporting standards by 31 October 2022. That set of reporting standards should specify the information that undertakings should disclose with regard to all reporting areas and sustainability matters, and that financial market participants need to comply with the disclosure obligations laid down in Regulation (EU) 2019/2088. The Commission should adopt a second set of reporting standards at the latest by 31 October 2023, specifying complementary information that undertakings should disclose about sustainability matters and reporting areas where necessary, and information that is specific to the sector in which an undertaking operates. The Commission should review the standards every 3 years to take account of relevant developments, including the development of international standards.	Article 4, paragraphs 6 and 7 of Regulation (EU) 2019/2088, the Commission should adopt a first set of reporting standards by ~~31 October 2022~~ <u>30 April 2023</u>. That set of reporting standards should specify the information that undertakings should disclose with regard to all reporting areas and sustainability matters, and that financial market participants need to comply with the disclosure obligations laid down in Regulation (EU) 2019/2088. <u>To comply with those disclosure obligations, financial market participants should be given sufficient time to receive relevant information from undertakings. Financial Market Participants should therefore be required to report on sustainability matters that are specifically needed to comply with the measures laid down in Regulation (EU 2019/2088) on the financial year following the first transposition year of obligations for undertakings within the scope of this Directive. Other information should be reported according to transposition deadlines that apply to undertakings in the scope of the Directive.</u> The Commission should adopt a second set of reporting standards at the latest by 31 ~~October 2023~~ <u>January 2024</u>, specifying complementary information that	Regulation (EU) 2019/2088, the Commission should adopt a first set of reporting standards by 31 October 2022. That set of reporting standards should specify the information that undertakings should disclose with regard to all reporting areas and sustainability matters, and that financial market participants need to comply with the disclosure obligations laid down in Regulation (EU) 2019/2088. The Commission should adopt a second set of reporting standards at the latest by 31 October 2023, specifying complementary information that undertakings should disclose about sustainability matters and reporting areas where necessary, and information that is specific to the sector in which an undertaking operates. The Commission should review the standards, including the standards for SMEs, every 3 years to take account of relevant developments, including the development of international standards.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		undertakings should disclose about sustainability matters and reporting areas where necessary, and information that is specific to the sector in which an undertaking operates. The Commission should review the standards every 3 years to take account of relevant developments, including the development of international standards.	PUBLIC	
Recital 47a				
57a		<u>(47a) (47 a) Undertakings in certain high emitting sectors such as the extractive and fossil fuel industries, should take into account the relevant sectoral guidance from the IPCC and the International Energy Agency. Undertakings active in the extractive industry as defined in Article 41(1) of Directive 2013/34/EU should be subject to additional sustainability disclosure, as they have high sustainability risks and impacts in terms of greenhouse gas emissions, pollution, biodiversity and human health, thereby bringing particular exposure to the climate and energy transformation in terms of their risks and opportunities.</u>		Presidency proposal: delete.
Recital 48				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
58	(48) Directive 2013/34/EU does not require that the financial statements or the management report are provided in a digital format, which hinders the findability and usability of the reported information. Users of sustainability information increasingly expect such information to be findable and machine-readable in digital formats. Digitalisation creates opportunities to exploit information more efficiently and holds the potential for significant cost savings for both users and undertakings. Undertakings should therefore be required to prepare their financial statements and their management report in XHTML format in accordance with Article 3 of Commission Delegated Regulation (EU) 2019/815,¹ and to mark-up sustainability information, including the disclosures required by Article 8 of Regulation (EU) 2020/852, in accordance with that Delegated Regulation. A digital taxonomy to the Union sustainability reporting standards will be necessary to allow for the information reported to be tagged in accordance with those standards. These requirements should feed into the work on digitalisation announced by the Commission in its Communication A European strategy for data² and in	(48) ~~(48)~~ Directive 2013/34/EU does not require that the financial statements or the management report are provided in a digital format, which hinders the findability, <u>accessibility</u> and usability of the reported information. Users of sustainability information increasingly expect such information to be findable, <u>comparable</u> and machine-readable in digital formats <u>and fully accessible, including to persons with disabilities</u>. Digitalisation creates opportunities to exploit information more efficiently and holds the potential for significant cost savings for both users and undertakings. <u>Digitalisation also enables the centralisation at Union and Member State level of data in an open and accessible format that facilitates reading and allows for the comparison of data.</u> Undertakings should therefore be required to prepare <u>and make publicly available</u> their financial statements and their management report in XHTML format in accordance with Article 3 of Commission Delegated Regulation (EU) 2019/815,⁴⁶³ and to mark-up sustainability information, including the disclosures required by Article 8 of Regulation (EU) 2020/852, in	(48) Directive 2013/34/EU does not require that the ~~financial statements or the management report are~~ provided in a digital format, which hinders the findability and usability of the reported information. Users of sustainability information increasingly expect such information to be findable and machine-readable in digital formats. Digitalisation creates opportunities to exploit information more efficiently and holds the potential for significant cost savings for both users and undertakings. Undertakings should therefore be required to prepare their ~~financial statements and their management report in XHTML~~ the format in accordance with referred to in Article 3 of Commission Delegated Regulation (EU) 2019/815,¹ XHTML format, and to mark-up sustainability information, including the disclosures required by Article 8 of Regulation (EU) 2020/852, in accordance with the format referred to in that Delegated Regulation once this is determined. A digital taxonomy to the Union sustainability reporting standards will be necessary to allow for the reported information ~~reported~~ to be tagged in accordance with those standards. These requirements should feed into the	(48) Directive 2013/34/EU does not require that the ~~financial statements or the management report are~~ provided in a digital format, which hinders the findability and usability of the reported information. Users of sustainability information increasingly expect such information to be findable, comparable and machine-readable in digital formats. Member States may require that undertakings subject to Articles 19a and 29a make their management reports available on their web sites free of charge to the public. Digitalisation creates opportunities to exploit information more efficiently and holds the potential for significant cost savings for both users and undertakings. Digitalisation also enables the centralization at Union and Member State level of data in an open and accessible format that facilitates reading and allows for the comparison of data. Undertakings should therefore be required to prepare their ~~financial statements and their management report in XHTML~~ the format in accordance with referred to in Article 3 of Commission Delegated Regulation (EU) 2019/815,¹ XHTML format, and to mark-up sustainability information,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the Digital Finance Strategy for the EU.³ These requirements also complement the creation of a European single access point for public corporate information as envisaged in the capital markets union action plan, which also considers the need for structured data. 1. Commission Delegated Regulation (EU) 2018/815 of 17 December 2018 supplementing Directive 2004/109/EC of the European Parliament and of the Council with regard to regulatory technical standards on the specification of a single electronic reporting format (OJ L 143, 29.5.2019, p. 1). 2. https://ec.europa.eu/digital-single-market/en/european-strategy-data 3. https://ec.europa.eu/info/publications/200924-digital-finance-proposals_en	accordance with that Delegated Regulation. A digital taxonomy to the Union sustainability reporting standards will be necessary to allow for the information reported to be tagged in accordance with those standards. These requirements should feed into the work on digitalisation announced by the Commission in its Communication A European strategy for data²⁶⁴ and in the Digital Finance Strategy for the EU.³⁶⁵ These requirements also complement the creation of a European single access point for public corporate information as envisaged in the capital markets union action plan, which also considers the need for structured data. ~~1. Commission Delegated Regulation (EU) 2018/815 of 17 December 2018 supplementing Directive 2004/109/EC of the European Parliament and of the Council with regard to regulatory technical standards on the specification of a single electronic reporting format (OJ L 143, 29.5.2019, p. 1).~~ ~~2. https://ec.europa.eu/digital-single-market/en/european-strategy-data~~ ~~3. https://ec.europa.eu/info/publications/200924-digital-finance-proposals_en~~	work on digitalisation announced by the Commission in its Communication A European strategy for data² and in the Digital Finance Strategy for the EU.³ These requirements also complement the creation of a European single access point for public corporate information as envisaged in the capital markets union action plan, which also considers the need for structured data. 1. [1] Commission Delegated Regulation (EU) 2018/815 of 17 December 2018 supplementing Directive 2004/109/EC of the European Parliament and of the Council with regard to regulatory technical standards on the specification of a single electronic reporting format (OJ L 143, 29.5.2019, p. 1). 2. [2] https://ec.europa.eu/digital-single-market/en/european-strategy-data 3. [3] https://ec.europa.eu/info/publications/200924-digital-finance-proposals_en	including the disclosures required by Article 8 of Regulation (EU) 2020/852, in accordance with the format referred to in that Delegated Regulation once this is determined. A digital taxonomy to the Union sustainability reporting standards will be necessary to allow for the ~~information~~ reported information to be tagged in accordance with those standards. These requirements should feed into the work on digitalisation announced by the Commission in its Communication A European strategy for data² and in the Digital Finance Strategy for the EU.³ These requirements also complement the creation of a European single access point for public corporate information as envisaged in the capital markets union action plan, which also considers the need for structured data. 1. Commission Delegated Regulation (EU) 2018/815 of 17 December 2018 supplementing Directive 2004/109/EC of the European Parliament and of the Council with regard to regulatory technical standards on the specification of a single electronic reporting format (OJ L 143, 29.5.2019, p. 1). 2. https://ec.europa.eu/digital-single-market/en/european-strategy-data 3. https://ec.europa.eu/info/publications/200924-digital-finance-proposals_en

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Presidency proposal. Text Origin: Council mandate with part of EP amendment.
Recital 49				
59	(49) To allow for the inclusion of the reported sustainability information in the European single access point, Member States should ensure that undertakings publish the duly approved annual financial statements and the management report in the prescribed electronic format, and ensure that management reports containing sustainability reporting are made available, without delay following their publication, to the relevant officially appointed mechanism referred to in Article 21(2) of Directive 2004/109/EC.	(49) (49) To allow for the inclusion of the reported sustainability information in the European single access point, Member States should ensure that undertakings publish the duly approved annual financial statements and the management report in the prescribed machine readable electronic format, and ensure that management reports containing sustainability reporting are made available, ~~without delay~~ following their publication, to the relevant officially appointed mechanism referred to in Article 21(2) of Directive 2004/109/EC.	(49) To allow for the inclusion of the reported sustainability information in the European single access point, Member States should ensure that undertakings ~~publish the duly approved annual financial statements and the~~ with no securities listed in regulated markets publish their management report ~~in the prescribed electronic format, and ensure that management reports containing, including~~ sustainability reporting ~~are made available, without delay following their publication, to the relevant officially appointed mechanism referred to in Article 21(2) of Directive 2004/109/EC, in the electronic format prescribed in Commission Delegated Regulation (EU) 2019/815.~~	(49) To allow for the inclusion of the reported sustainability information in the European single access point, Member States should ensure that undertakings ~~publish the duly approved annual financial statements and the~~ with no securities listed in regulated markets publish their management report ~~in the prescribed electronic format, and ensure that management reports containing, including~~ sustainability reporting ~~are made available, without delay following their publication, to the relevant officially appointed mechanism referred to in Article 21(2) of Directive 2004/109/EC, in the electronic format prescribed in Commission Delegated Regulation (EU) 2019/815.~~ Presidency proposal.
Recital 50				
60	(50) Article 19a(4) of Directive 2013/34/EU enables Member States	(50) (50) Article 19a(4) of Directive 2013/34/EU enables	(50) Article 19a(4) of Directive 2013/34/EU enables Member States	(50) Article 19a(4) of Directive 2013/34/EU enables Member States

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to exempt undertakings from including in the management report the non-financial statement required under Article 19a(1). Member States may do so where the undertaking concerned prepares a separate report that is published together with the management report in accordance with Article 30 of that Directive, or where that report is made publicly available on the undertaking's website within a reasonable period of time not exceeding 6 months, after the balance sheet date, and is referred to in the management report. The same possibility exists for the consolidated non-financial statement referred to in Article 29(a)(4) of Directive 2013/34/EU. Twenty Member States have used that option. The possibility to publish a separate report hinders, however, the availability of information that connects financial and information on sustainability matters. It also hinders the findability and accessibility of information for users, especially investors, who are interested in both financial and sustainability information. Possible different publication times for financial and sustainability information exacerbate this problem. Publication in a separate report can also give the impression, internally and	Member States to exempt undertakings from including in the management report the non-financial statement required under Article 19a(1). Member States may do so where the undertaking concerned prepares a separate report that is published together with the management report in accordance with Article 30 of that Directive, or where that report is made publicly available on the undertaking's website within a reasonable period of time not exceeding 6 months, after the balance sheet date, and is referred to in the management report. The same possibility exists for the consolidated non-financial statement referred to in Article 29(a)(4) of Directive 2013/34/EU. Twenty Member States have used that option. The possibility to publish a separate report hinders, however, the availability of information that connects financial and information on sustainability matters. It also hinders the findability and accessibility of information for users, especially investors, who are interested in both financial and sustainability information. Possible different publication times for financial and sustainability information exacerbate this problem. Publication in a separate report can also give the	to exempt undertakings from including in the management report the non-financial statement required under Article 19a(1). Member States may do so where the undertaking concerned prepares a separate report that is published together with the management report in accordance with Article 30 of that Directive, or where that report is made publicly available on the undertaking's website within a reasonable period of time not exceeding 6 months, after the balance sheet date, and is referred to in the management report. The same possibility exists for the consolidated non-financial statement referred to in Article 29(a)(4) of Directive 2013/34/EU. Twenty Member States have used that option. The possibility to publish a separate report hinders, however, the availability of information that connects financial and information on sustainability matters. It also hinders the findability and accessibility of information for users, especially investors, who are interested in both financial and sustainability information. Possible different publication times for financial and sustainability information exacerbate this problem. Publication in a separate report can also give the impression, internally and	to exempt undertakings from including in the management report the non-financial statement required under Article 19a(1). Member States may do so where the undertaking concerned prepares a separate report that is published together with the management report in accordance with Article 30 of that Directive, or where that report is made publicly available on the undertaking's website within a reasonable period of time not exceeding 6 months, after the balance sheet date, and is referred to in the management report. The same possibility exists for the consolidated non-financial statement referred to in Article 29(a)(4) of Directive 2013/34/EU. Twenty Member States have used that option. The possibility to publish a separate report hinders, however, the availability of information that connects financial and information on sustainability matters. It also hinders the findability and accessibility of information for users, especially investors, who are interested in both financial and sustainability information. Possible different publication times for financial and sustainability information exacerbate this problem. Publication in a separate report can also give the impression, internally and

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	externally, that sustainability information belongs to a category of less relevant information, which can impact negatively on the perceived reliability of the information. Undertakings should therefore report sustainability information in the management report and Member States should no longer be allowed to exempt undertakings from the obligation to include in the management report information on sustainability matters. Such obligation also helps to clarify the role of national competent authorities in supervising sustainability reporting, as part of the management report, in accordance with Directive 2004/109/EC. In addition, undertakings required to report sustainability information should in no case be exempted from the obligation to publish the management report as it is important to ensure that sustainability information is publically available.	impression, internally and externally, that sustainability information belongs to a category of less relevant information, which can impact negatively on the perceived reliability of the information. Undertakings should therefore report sustainability information in the management report and Member States should no longer be allowed to exempt undertakings from the obligation to include in the management report information on sustainability matters <u>but they should, at consolidated level, be allowed to publish sustainability matters information in a specific section of the management report and in a format equivalent to, and compatible with, that laid down for the publication of the financial statements</u>. Such obligation also helps to clarify the role of national competent authorities in supervising sustainability reporting, as part of the management report, in accordance with Directive 2004/109/EC. In addition, undertakings required to report sustainability information should in no case be exempted from the obligation to publish the management report as it is important to ensure that sustainability information is ~~publically~~ <u>publicly</u> available.	externally, that sustainability information belongs to a category of less relevant information, which can impact negatively on the perceived reliability of the information. Undertakings should therefore report sustainability information in a clearly identifiable dedicated section of the management report and Member States should no longer be allowed to exempt undertakings from the obligation to include in the management report information on sustainability matters. Such obligation also helps to clarify the role of national competent authorities in supervising sustainability reporting, as part of the management report, in accordance with Directive 2004/109/EC. In addition, undertakings required to report sustainability information should in no case be exempted from the obligation to publish the management report as it is important to ensure that sustainability information is publically available.	externally, that sustainability information belongs to a category of less relevant information, which can impact negatively on the perceived reliability of the information. Undertakings should therefore report sustainability information in a clearly identifiable dedicated section of the management report and Member States should no longer be allowed to exempt undertakings from the obligation to include in the management report information on sustainability matters. Such obligation also helps to clarify the role of national competent authorities in supervising sustainability reporting, as part of the management report, in accordance with Directive 2004/109/EC. In addition, undertakings required to report sustainability information should in no case be exempted from the obligation to publish the management report as it is important to ensure that sustainability information is ~~publically~~ publicly available. Presidency proposal. Text Origin: Council text.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 51				
61	(51) Article 20 of Directive 2013/34/EU requires undertakings with securities listed on regulated markets to include a corporate governance statement in their management report, which has to contain among other information a description of the diversity policy applied by the undertaking in relation to its administrative, management and supervisory bodies. Article 20 of Directive 2013/34/EU leaves flexibility to undertakings to decide what aspects of diversity they report on. It does not explicitly oblige undertakings to include information on any particular aspect of diversity. In order progress towards a more gender-balanced participation in economic decision-making, it is necessary to ensure that undertakings with securities listed on regulated markets always report on their gender diversity policies and the implementation thereof. However, to avoid unnecessary administrative burden, those undertakings should have the possibility to report some of the information required by Article 20 of Directive 2013/34/EU alongside other sustainability-related	(51) Article 20 of Directive 2013/34/EU requires undertakings with securities listed on regulated markets to include a corporate governance statement in their management report, which has to contain among other information a description of the diversity policy applied by the undertaking in relation to its administrative, management and supervisory bodies. Article 20 of Directive 2013/34/EU leaves flexibility to undertakings to decide what aspects of diversity they report on. It does not explicitly oblige undertakings to include information on any particular aspect of diversity. In order progress towards a more gender-balanced participation in economic decision-making, it is necessary to ensure that undertakings with securities listed on regulated markets always report on their gender diversity policies, <u>as well as other aspects of policies such as, age, or educational and professional backgrounds or disabilities</u> and the implementation thereof. However, to avoid unnecessary administrative burden, those undertakings should have the possibility to report some of the	(51) Article 20 of Directive 2013/34/EU requires undertakings with securities listed on regulated markets to include a corporate governance statement in their management report, which has to contain among other information a description of the diversity policy applied by the undertaking in relation to its administrative, management and supervisory bodies. Article 20 of Directive 2013/34/EU leaves flexibility to undertakings to decide what aspects of diversity they report on. It does not explicitly oblige undertakings to include information on any particular aspect of diversity. In order to progress towards a more gender-balanced participation in economic decision-making, it is necessary to ensure that undertakings with securities listed on regulated markets always report on their gender diversity policies and the implementation thereof. However, to avoid unnecessary administrative burden, those undertakings should have the possibility to report some of the information required by Article 20 of Directive 2013/34/EU alongside other sustainability-related	(51) Article 20 of Directive 2013/34/EU requires undertakings with securities listed on regulated markets to include a corporate governance statement in their management report, which has to contain among other information a description of the diversity policy applied by the undertaking in relation to its administrative, management and supervisory bodies. Article 20 of Directive 2013/34/EU leaves flexibility to undertakings to decide what aspects of diversity they report on. It does not explicitly oblige undertakings to include information on any particular aspect of diversity. In order to progress towards a more gender-balanced participation in economic decision-making, it is necessary to ensure that undertakings with securities listed on regulated markets always report on their gender diversity policies and the implementation thereof. However, to avoid unnecessary administrative burden, those undertakings should have the possibility to report some of the information required by Article 20 of Directive 2013/34/EU alongside other sustainability-related

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	information.	information required by Article 20 of Directive 2013/34/EU alongside other sustainability-related information.	information. If they decide to do so, the corporate governance statement needs to include a reference to the undertaking's sustainability reporting, and the information compliant with Article 20 of Directive 2013/34/EU should remain subject to the assurance requirements of the corporate governance statement.	information. If they decide to do so, the corporate governance statement needs to include a reference to the undertaking's sustainability reporting, and the information compliant with Article 20 of Directive 2013/34/EU should remain subject to the assurance requirements of the corporate governance statement. Presidency proposal. Text Origin: Council text.
Recital 52				
62	(52) Article 33 of Directive 2013/34/EU requires Member States to ensure that the members of the administrative, management and supervisory bodies of an undertaking have collective responsibility for ensuring that the (consolidated) annual financial statements, the (consolidated) management report and the (consolidated) corporate governance statement are drawn up and published in accordance with the requirements of that Directive. That collective responsibility should be extended to the digitalisation requirements laid down in Delegated Regulation (EU) 2019/815, to the requirement to comply with Union sustainability reporting standards	(52) Article 33 of Directive 2013/34/EU requires Member States to ensure that the members of the administrative, management and supervisory bodies of an undertaking have collective responsibility <u>that is well defined</u> for ensuring that the (consolidated) annual financial statements, the (consolidated) management report and the (consolidated) corporate governance statement are drawn up and published in accordance with the requirements of that Directive. That collective responsibility should be extended to the digitalisation requirements laid down in Delegated Regulation (EU) 2019/815, to the requirement to comply with Union	(52) Article 33 of Directive 2013/34/EU requires Member States to ensure that the members of the administrative, management and supervisory bodies of an undertaking have collective responsibility for ensuring that the (consolidated) annual financial statements, the (consolidated) management report and the (consolidated) corporate governance statement are drawn up and published in accordance with the requirements of that Directive. That collective responsibility should be extended to the digitalisation requirements laid down in Delegated Regulation (EU) 2019/815, to the requirement to comply with Union sustainability reporting standards	(52) Article 33 of Directive 2013/34/EU requires Member States to ensure that the members of the administrative, management and supervisory bodies of an undertaking have collective responsibility for ensuring that the (consolidated) annual financial statements, the (consolidated) management report and the (consolidated) corporate governance statement are drawn up and published in accordance with the requirements of that Directive. That collective responsibility should be extended to the digitalisation requirements laid down in Delegated Regulation (EU) 2019/815, to the requirement to comply with Union sustainability reporting standards

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and to the requirement to mark up sustainability reporting.	sustainability reporting standards and to the requirement to mark up sustainability reporting.	and to the requirement to mark up sustainability reporting.	and to the requirement to mark up sustainability reporting.
Recital 53				
63	(53) The assurance profession distinguishes between limited and reasonable assurance engagements. The conclusion of a limited assurance engagement is usually provided in a negative form of expression by stating that no matter has been identified by the practitioner to conclude that the subject matter is materially misstated. The auditor performs fewer tests than in a reasonable assurance engagement. The amount of work for a limited assurance engagement is therefore less than for reasonable assurance. The work effort in a reasonable assurance engagement entails extensive procedures including consideration of internal controls of the reporting undertaking and substantive testing, and is therefore significantly higher than in a limited assurance engagement. The conclusion of this type of engagement is usually provided in a positive form of expression and states an opinion on the measurement of the subject matter against previously defined	(53) (53) The assurance profession distinguishes between limited and reasonable assurance engagements. The conclusion of a limited assurance engagement is usually provided in a negative form of expression by stating that no matter has been identified by the practitioner to conclude that the subject matter is materially misstated. The auditor performs fewer tests than in a reasonable assurance engagement. The amount of work for a limited assurance engagement is therefore less than for reasonable assurance. The work effort in a reasonable assurance engagement entails extensive procedures including consideration of internal controls of the reporting undertaking and substantive testing, and is therefore significantly higher than in a limited assurance engagement. The conclusion of this type of engagement is usually provided in a positive form of expression and states an opinion on the measurement of the subject matter against previously defined	(53) The assurance profession distinguishes between limited and reasonable assurance engagements. The conclusion of a limited assurance engagement is usually provided in a negative form of expression by stating that no matter has been identified by the practitioner to conclude that the subject matter is materially misstated. The auditor performs fewer tests than in a reasonable assurance engagement. The amount of work for a limited assurance engagement is therefore less than for reasonable assurance. The work effort in a reasonable assurance engagement entails extensive procedures including consideration of internal controls of the reporting undertaking and substantive testing, and is therefore significantly higher than in a limited assurance engagement. The conclusion of this type of engagement is usually provided in a positive form of expression and states an opinion on the measurement of the subject matter against previously defined	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	criteria. Article 19a(5) and Article 29a(5) of Directive 2013/34/EU require Member States to ensure that the statutory auditor or audit firm checks whether the non-financial statement or the separate report has been provided. It does not require that an independent provider of assurance services verifies the information, although it allows Member States to require such verification where they wish to. The absence of an assurance requirement on sustainability reporting, in contrast to the requirement for the statutory auditor to perform a reasonable assurance engagement on financial statements, would threaten the credibility of the sustainability information disclosed, thus failing to meet the needs of the intended users of that information. Although the objective is to have a similar level of assurance for financial and sustainability reporting, the absence of a commonly agreed standard for the assurance of sustainability reporting creates the risk of different understandings and expectations of what a reasonable assurance engagement would consist of for different categories of sustainability information, especially with regard to forward looking and qualitative disclosures. Therefore, a progressive approach to enhance the level of the	criteria. ~~Article 19~~Article 19a(5) and Article 29a(5) of Directive 2013/34/EU require Member States to ensure that the statutory auditor or audit firm checks whether the non-financial statement or the separate report has been provided. It does not require that an independent provider of assurance services verifies the information, although it allows Member States to require such verification where they wish to. The absence of an assurance requirement on sustainability reporting, in contrast to the requirement for the statutory auditor to perform a reasonable assurance engagement on financial statements, would threaten the credibility of the sustainability information disclosed, thus failing to meet the needs of the intended users of that information. Although the objective is to have a similar level of assurance for financial and sustainability reporting, the absence of a commonly agreed standard for the assurance of sustainability reporting creates the risk of different understandings and expectations of what a reasonable assurance engagement would consist of for different categories of sustainability information, especially with regard to forward looking and qualitative disclosures. Therefore, a progressive and conditioned approach to	criteria. Article 19a(5) and Article 29a(5) of Directive 2013/34/EU require Member States to ensure that the statutory auditor or audit firm checks whether the non-financial statement or the separate report has been provided. It does not require that an independent provider of assurance services verifies the information, although it allows Member States to require such verification where they wish to. The absence of an assurance requirement on sustainability reporting, in contrast to the requirement for the statutory auditor to perform a reasonable assurance engagement on financial statements, would threaten the credibility of the sustainability information disclosed, thus failing to meet the needs of the intended users of that information. Although the objective is to have a similar level of assurance for financial and sustainability reporting, the absence of a commonly agreed standard for the assurance of sustainability reporting creates the risk of different understandings and expectations of what a reasonable assurance engagement would consist of for different categories of sustainability information, especially with regard to forward looking and qualitative	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	assurance required for sustainability information should be considered, starting with an obligation on the statutory auditor or audit firm to express an opinion about the compliance of the sustainability reporting with Union requirements based on a limited assurance engagement. This opinion should cover the compliance of the sustainability reporting with Union sustainability reporting standards, the process carried out by the undertaking to identify the information reported pursuant to the sustainability reporting standards and compliance with the requirement to mark-up sustainability reporting. The auditor should also assess whether the undertaking's reporting complies with the reporting requirements of Article 8 of Regulation (EU) 2020/852. To guarantee a common understanding and expectations of what a reasonable assurance engagement would consist of, the statutory auditor or audit firm should be required to express an opinion based on a reasonable assurance engagement about the compliance of the sustainability reporting with Union requirements, should the Commission adopt assurance standards for reasonable assurance of sustainability reporting. This	enhance the level of the assurance required for sustainability information should be considered, starting with an obligation on the statutory auditor or audit firm to express an opinion about the compliance of the sustainability reporting with Union requirements based on a limited assurance engagement. This opinion should cover the compliance of the sustainability reporting with Union sustainability reporting standards, the process carried out by the undertaking to identify the information reported pursuant to the sustainability reporting standards and compliance with the requirement to mark-up sustainability reporting. The auditor should also assess whether the undertaking's reporting complies with the reporting requirements of Article 8 of Regulation (EU) 2020/852. To guarantee a common understanding and expectations of what a reasonable assurance engagement would consist of, the statutory auditor or audit firm should <u>then</u> be required to express an opinion based on a reasonable assurance engagement about the compliance of the sustainability reporting with Union requirements, ~~should~~<u>after</u> the Commission ~~adopt~~<u>adopts</u> assurance standards for reasonable assurance	disclosures. Therefore, a progressive approach to enhance the level of the assurance required for sustainability information should be considered, starting with an obligation on the statutory auditor or audit firm to express an opinion about the compliance of the sustainability reporting with Union requirements based on a limited assurance engagement. This opinion should cover the compliance of the sustainability reporting with Union sustainability reporting standards, the process carried out by the undertaking to identify the information reported pursuant to the sustainability reporting standards and compliance with the requirement to mark-up sustainability reporting. The auditor should also assess whether the undertaking's reporting complies with the reporting requirements of Article 8 of Regulation (EU) 2020/852. To guarantee a common understanding and expectations of what a reasonable assurance engagement would consist of, the statutory auditor or audit firm should be required to express an opinion based on a reasonable assurance engagement about the compliance of the sustainability reporting with	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	would also allow for the progressive development of the assurance market for sustainability information, and of undertakings' reporting practices. Finally, this progressive approach would phase in the increase in costs for reporting undertakings, given that reasonable assurance is more costly than limited assurance.	of sustainability reporting. ~~This would also allow for the progressive development of the assurance market for sustainability information, and of undertakings' reporting practices. Finally, this progressive approach would phase in the increase in costs for reporting undertakings, given that reasonable assurance is more costly than limited assurance~~ <u>and following a positive outcome of the review mechanism and should the co-legislators decide to review the level of assurance compliance. This would also allow for the progressive development of the assurance market for sustainability information, and of undertakings' reporting practices.</u>	Union requirements, ~~should~~ when the Commission adopts assurance standards for reasonable assurance of sustainability reporting six years after the assurance and reporting requirements have applied for the first time. The gradual approach from limited to reasonable assurance. This would also allow for the progressive development of the assurance market for sustainability information, and of undertakings' reporting practices. Finally, this progressive approach would phase in the increase in costs for reporting undertakings, given that reasonable assurance is more costly than limited assurance. Undertakings subject to sustainability reporting requirements can decide to have an opinion on their sustainability reporting based on a reasonable assurance engagement if they wish so, and in this case they would be deemed to have complied with the obligation to have an opinion based on a limited assurance engagement. It should be noted that the reasonable assurance opinion on forward-looking information is only an assurance that such information has been prepared in accordance with applicable standards.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Recital 54			
64	(54) Statutory auditors or audit firms already verify the financial statements and the management report. The assurance of sustainability reporting by the statutory auditors or audit firms would help to ensure the connectivity between, and consistency of, financial and sustainability information, which is particularly important for by users of sustainability information. However, there is a risk of further concentration of the audit market, which could risk the independence of auditors and increase audit or assurance fees. It is therefore desirable to offer undertakings a broader choice of independent assurance service providers for the assurance of sustainably reporting. Member States should therefore be allowed to accredit independent assurance services providers in accordance with Regulation (EC) No 765/2008 of the European Parliament and of the Council¹ to provide an opinion on sustainability reporting, which should be published together with the management report. Member States should set out requirements that ensure consistent outcomes in the assurance of sustainability reporting carried out	(54) ~~(54)~~ Statutory auditors or audit firms already verify the financial statements and the management report. The assurance of sustainability reporting by the statutory auditors or audit firms would help to ensure the connectivity between, and consistency of, financial and sustainability information, which is particularly important for by users of sustainability information. However, there is a risk of further concentration of the audit market, which could risk the independence of auditors and increase audit or assurance fees. It is therefore desirable to offer undertakings a broader choice of independent assurance service providers for the assurance of sustainably reporting. Member States should therefore be allowed to accredit independent assurance services providers in accordance with Regulation (EC) No 765/2008 of the European Parliament and of the Council¹⁶⁶ to provide an opinion on sustainability reporting, which should be published together with the management report. Member States should set out requirements that ensure consistent outcomes in the assurance of sustainability reporting carried out	(54) Statutory auditors or audit firms already verify the financial statements and the management report. The assurance of sustainability reporting by the statutory auditors or audit firms would help to ensure the connectivity between, and consistency of, financial and sustainability information, which is particularly important for by-users of sustainability information. However, there is a risk of further concentration of the audit market, which could risk the independence of auditors and increase audit fees or fees relating to the or assurance fees engagements of sustainability reporting. It is therefore desirable to offer undertakings a broader choice of independent assurance ~~services~~services providers for the assurance of sustainably reporting. Member States should therefore be allowed to accredit independent assurance services providers in accordance with Regulation (EC) No 765/2008 of the European Parliament and of the Council¹ to provide an opinion on sustainability reporting, which should be published together with the management report. In addition, Member States should ~~set out requirements that~~	(54) Statutory auditors or audit firms already verify the financial statements and the management report. The assurance of sustainability reporting by the statutory auditors or audit firms would help to ensure the connectivity between, and consistency of, financial and sustainability information, which is particularly important for by-users of sustainability information. However, there is a risk of further concentration of the audit market, which could risk the independence of auditors and increase audit fees or fees relating to the or assurance fees engagements of sustainability reporting. Considering the key role of statutory auditors when providing assurance on sustainability reporting and ensuring reliable sustainability information, the Commission has announced that it will act to further enhance audit quality and to create a more open and diversified audit market, which are the conditions for a successful application of this Directive. In addition, it is desirable to offer undertakings a broader choice of independent assurance ~~services~~services providers

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	by different assurance service providers. Therefore, all independent assurance services providers should be subject to requirements that are consistent with those set out in Directive 2006/43/EC as regards the assurance of sustainability reporting. This will also guarantee a level playing field among all persons and firms allowed by Member States to provide the opinion on the assurance of sustainability reporting, including statutory auditors. If an undertaking seeks the opinion of an accredited independent assurance services provider other than the statutory auditor on its sustainability reporting, it should not in addition need to request this opinion from the statutory auditor. 1. Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).	by different assurance service providers. Therefore, all independent assurance services providers should be subject to requirements that are ~~consistent with~~ <u>equivalent to</u> those set out in Directive 2006/43/EC as regards the assurance of sustainability reporting. This will also guarantee a level playing field among all persons and firms allowed by Member States to provide the opinion on the assurance of sustainability reporting, including statutory auditors. If an undertaking seeks the opinion of an accredited independent assurance services provider other than the statutory auditor on its sustainability reporting, it should not in addition need to request this opinion from the statutory auditor. <u>Furthermore, a high level of independence should been ensured for sustainability reporting assurance operations by establishing the principle of incompatibility between a statutory audit engagement and an assurance of sustainability reporting engagement being carried out by the same statutory auditor or the same audit firm or network.</u> ~~1. Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and~~	~~ensure consistent outcomes in~~ be given the option to allow a statutory auditor other than the one(s) carrying out the statutory audit of the financial statements to express an opinion on sustainability reporting. Furthermore, if they allow independent assurance service providers to carry out the assurance of sustainability reporting Member States should at the same time allow a statutory auditor other than the one(s) carrying out the statutory audit of the financial statements to express an opinion on sustainability reporting. Member States should set out requirements that ensure the quality of the assurance engagement carried out by different independent assurance services providers and consistent outcomes in the assurance of sustainability reporting. Therefore, all independent assurance services providers should be subject to requirements that are consistent with <u>equivalent to</u> those set out in Directive 2006/43/EC as regards the assurance of sustainability reporting, while being adapted to the characteristics of independent	for the assurance of sustainably reporting. Member States should therefore be allowed to accredit independent assurance services providers in accordance with Regulation (EC) No 765/2008 of the European Parliament and of the Council¹ to provide an opinion on sustainability reporting, which should be published together with the management report. In addition, Member States should ~~set out requirements that ensure consistent outcomes in~~ be given the option to allow a statutory auditor other than the one(s) carrying out the statutory audit of the financial statements to express an opinion on sustainability reporting. Furthermore, if they allow independent assurance service providers to carry out the assurance of sustainability reporting Member States should at the same time allow a statutory auditor other than the one(s) carrying out the statutory audit of the financial statements to express an opinion on sustainability reporting. Member States should set out requirements that ensure the quality of the assurance engagement carried out by different independent assurance services providers and

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		~~repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).~~	assurance services providers which do not carry out statutory audits. In particular, Member States should set out equivalent requirements as regards training and examination, continuing education, quality assurance systems, professional ethics, independence, objectivity confidentiality and professional secrecy, appointment and dismissal, the organisation of the work of the independent assurance services providers, investigations and sanctions, and reporting irregularities. This will also guarantee a level playing field among all persons and firms allowed by Member States to provide the opinion on the assurance of sustainability reporting, including statutory auditors. If an undertaking seeks the opinion of an accredited independent assurance services provider other than the statutory auditor on its sustainability reporting, it should not in addition need to request this opinion from the statutory auditor. Independent assurance services providers that have already been accredited by a Member State for the assurance of sustainability reporting should continue to be allowed to carry out assurance engagements of sustainability reporting. Likewise	consistent outcomes in the assurance of sustainability reporting. Therefore, all independent assurance services providers should be subject to requirements that are ~~consistent with~~ equivalent to those set out in Directive 2006/43/EC as regards the assurance of sustainability reporting, while being adapted to the characteristics of independent assurance services providers which do not carry out statutory audits. In particular, Member States should set out equivalent requirements as regards training and examination, continuing education, quality assurance systems, professional ethics, independence, objectivity confidentiality and professional secrecy, appointment and dismissal, the organisation of the work of the independent assurance services providers, investigations and sanctions, and reporting irregularities. This will also guarantee a level playing field among all persons and firms allowed by Member States to provide the opinion on the assurance of sustainability reporting, including statutory auditors. If an undertaking seeks the opinion of an accredited independent assurance services provider other than the statutory

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Member States should ensure that independent assurance services providers that by the date of the entry into application of the new requirements on training and examination are undergoing their accreditation process, are not subject to these new accreditation requirements provided they finish the process within the following two years. Member States should, however, ensure that all the independent assurance services providers accredited by a Member State for the assurance of sustainability reporting before two years after the entry into application of the new accreditation requirements, acquire the necessary knowledge in sustainability reporting and the assurance of sustainability reporting via continued professional education. 1. [1] Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).	auditor on its sustainability reporting, it should not in addition need to request this opinion from the statutory auditor. Independent assurance services providers that have already been accredited by a Member State for the assurance of sustainability reporting should continue to be allowed to carry out assurance engagements of sustainability reporting. Likewise Member States should ensure that independent assurance services providers that by the date of the entry into application of the new requirements on training and examination are undergoing their accreditation process, are not subject to these new accreditation requirements provided they finish the process within the following two years. Member States should, however, ensure that all the independent assurance services providers accredited by a Member State for the assurance of sustainability reporting before two years after the entry into application of the new accreditation requirements, acquire the necessary knowledge in sustainability reporting and the assurance of sustainability reporting via continued professional education.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				1. Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).
Recital 54a				
64a				(54a) In order to foster the free movement of services, Member States should allow that IASP established in a different MS carry out sustainability assurance engagements in their territory. This would also favour opening up the assurance market even when not all MS allow for the accreditation of IASP in their territory. Where IASP carry out sustainability assurance engagements in the territory of a Host Member State, this Member State may decide to supervise IASPs, given the possibility to leverage on the implemented framework for the supervision of auditors carrying out sustainability assurance engagements.
Recital 55				
65	(55) Directive 2006/43/EC of the European Parliament and of the	(55) Directive 2006/43/EC of the European Parliament and of the	(55) Directive 2006/43/EC of the European Parliament and of the	(55) Directive 2006/43/EC of the European Parliament and of the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Council¹ sets out rules concerning the statutory audit of annual and consolidated financial statements. It is necessary to ensure that consistent rules apply to the audit of financial statements and the assurance of sustainability reporting by the statutory auditor,. Directive 2006/43/EC should apply where the opinion on sustainability reporting is given by the statutory auditor or audit firm carrying out the statutory audit of financial statements. 1. Directive 2006/43/EC of the European Parliament and of the Council of 17 May 2006 on statutory audits of annual accounts and consolidated accounts, amending Council Directives 78/660/EEC and 83/349/EEC and repealing Council Directive 84/253/EEC (OJ L 157, 9.6.2006, p. 87).	Council¹ sets out rules concerning the statutory audit of annual and consolidated financial statements. It is necessary to ensure that consistent rules apply to the audit of financial statements and the assurance of sustainability reporting by the statutory auditor,. Directive 2006/43/EC should apply where the opinion on sustainability reporting is given by the statutory auditor or audit firm carrying out the statutory audit of financial statements. 1. Directive 2006/43/EC of the European Parliament and of the Council of 17 May 2006 on statutory audits of annual accounts and consolidated accounts, amending Council Directives 78/660/EEC and 83/349/EEC and repealing Council Directive 84/253/EEC (OJ L 157, 9.6.2006, p. 87).	Council¹ sets out rules concerning the statutory audit of annual and consolidated financial statements. It is necessary to ensure that consistent rules apply to the audit of financial statements and the assurance of sustainability reporting by the statutory auditor,. Directive 2006/43/EC should apply where the opinion on sustainability reporting is given by ~~the~~a statutory auditor or audit firm ~~carrying out the statutory audit of financial statements.~~ 1. [1] Directive 2006/43/EC of the European Parliament and of the Council of 17 May 2006 on statutory audits of annual accounts and consolidated accounts, amending Council Directives 78/660/EEC and 83/349/EEC and repealing Council Directive 84/253/EEC (OJ L 157, 9.6.2006, p. 87).	Council¹ sets out rules concerning the statutory audit of annual and consolidated financial statements. It is necessary to ensure that consistent rules apply to the audit of financial statements and the assurance of sustainability reporting by the statutory auditor,. Directive 2006/43/EC should apply where the opinion on sustainability reporting is given by ~~the~~a statutory auditor or audit firm ~~carrying out the statutory audit of financial statements.~~ 1. Directive 2006/43/EC of the European Parliament and of the Council of 17 May 2006 on statutory audits of annual accounts and consolidated accounts, amending Council Directives 78/660/EEC and 83/349/EEC and repealing Council Directive 84/253/EEC (OJ L 157, 9.6.2006, p. 87).
Recital 56				
66	(56) The rules on the approval and recognition of statutory auditors and audit firms should ensure that statutory auditors have the necessary level of theoretical knowledge of subjects relevant to the assurance of sustainability reporting and the ability to apply such knowledge in practice. However, statutory auditors that have already been approved or recognised by a Member State should continue to be allowed to	(56) <u>(56)</u> The rules on the approval and recognition of statutory auditors and audit firms should ensure that statutory auditors have the necessary level of theoretical knowledge of subjects relevant to the assurance of sustainability reporting and the ability to apply such knowledge in practice. <u>This knowledge could also be based on previous employment experiences and professional equivalences.</u>	(56) The rules on the approval and recognition of statutory auditors and audit firms should allow for the additional qualification of statutory auditors for the assurance of sustainability reporting. Member States should ensure that statutory auditors who want to qualify for the assurance of sustainability reporting have the necessary level of theoretical knowledge of subjects relevant to	(56) The rules on the approval and recognition of statutory auditors and audit firms should allow for the additional qualification of statutory auditors for the assurance of sustainability reporting. Member States should ensure that statutory auditors who want to qualify for the assurance of sustainability reporting have the necessary level of theoretical knowledge of subjects relevant to

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	carry out statutory audits and should be allowed to carry out assurance engagements of sustainability reporting. Member States should, however, ensure that already approved statutory auditors acquire the necessary knowledge in sustainability reporting and the assurance of sustainability reporting via continued professional education.	However, statutory auditors that have already been approved or recognised by a Member State should continue to be allowed to carry out statutory audits and should be allowed to carry out assurance engagements of sustainability reporting. Member States should, however, ensure that already approved statutory auditors acquire the necessary knowledge in sustainability reporting and the assurance of sustainability reporting via continued professional education.	the assurance of sustainability reporting and the ability to apply such knowledge in practice. However, statutory auditors that have already been approved or recognised by a Member State should continue to be allowed to carry out ~~statutory audits and assurance engagements of sustainability reporting.~~ Likewise ~~Member States should be allowed to carry out~~ ensure that natural persons who are undergoing the approval process by the date of the entry into application of these new requirements for the assurance engagements of sustainability reporting, are not subject to these provided they finish the process within the following two years. Member States should, however, ensure that ~~already~~ statutory auditors approved ~~statutory auditors~~ before two years after the entry into application of the new requirements and who want to carry out assurance engagements of sustainability reporting, acquire the necessary knowledge in sustainability reporting and the assurance of sustainability reporting via continued professional education. Natural persons who decide to be approved as statutory auditors for financial audit only may decide at a later point in time	the assurance of sustainability reporting and the ability to apply such knowledge in practice. Therefore, they should complete a practical training of at least eight months in the assurance of annual and consolidated sustainability reporting or in other sustainability related services, taking account of previous employment experiences. -However, statutory auditors that have already been approved or recognised by a Member State should continue to be allowed to carry out ~~statutory audits and assurance engagements of sustainability reporting.~~ Likewise ~~Member States should be allowed to carry out assurance engagements~~ ensure that natural persons who are undergoing the approval process by the date of the entry into application of these new requirements for the assurance of sustainability reporting, are not subject to these provided they finish the process within the following two years. Member States should, however, ensure that ~~already~~ statutory auditors approved ~~statutory auditors~~ before two years after the entry into application of the new requirements and who want to carry out assurance engagements of sustainability

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			to qualify for the assurance of sustainability reporting. In order to do so, they should meet the necessary requirements set out by Member States to ensure that statutory auditors who want to qualify for the assurance of sustainability reporting have the necessary level of theoretical knowledge of subjects relevant to the assurance of sustainability reporting and the ability to apply such knowledge in practice. Therefore, they should complete at that point in time the required eight months practical training in the assurance of annual and consolidated sustainability reporting or other sustainability related services.	reporting, acquire the necessary knowledge in sustainability reporting and the assurance of sustainability reporting via continued professional education. Natural persons who decide to be approved as statutory auditors for financial audit only may decide at a later point in time to qualify for the assurance of sustainability reporting. In order to do so, they should meet the necessary requirements set out by Member States to ensure that they also have the necessary level of theoretical knowledge of subjects relevant to the assurance of sustainability reporting and the ability to apply such knowledge in practice.
Recital 57				
67	(57) It should be ensured that the requirements imposed on auditors as regards their work on the statutory audit and the assurance of sustainability reporting are consistent. It should therefore be laid down that, where the opinion on sustainability reporting is given by the statutory auditor or audit firm carrying out the statutory audit of financial statements, the key audit	(57) <u>(57)</u> It should be ensured that the requirements imposed on auditors as regards their work on the statutory audit and the assurance of sustainability reporting are consistent. It should therefore be laid down that, where the opinion on sustainability reporting is given by the statutory auditor or audit firm carrying out the statutory audit of financial statements, the key audit	(57) It should be ensured that the requirements imposed on auditors as regards their work on the statutory audit and the assurance of sustainability reporting are consistent. It should therefore be laid down that, ~~where the opinion on sustainability reporting is given by the statutory auditor or audit firm carrying out the statutory audit of financial statements, the key audit~~	(57) It should be ensured that the requirements imposed on auditors as regards their work on the statutory audit and the assurance of sustainability reporting are consistent. It should therefore be laid down that, ~~where the opinion on sustainability reporting is given by the statutory auditor or audit firm carrying out the statutory audit of financial statements, the key audit~~

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	partners are actively involved in conducting the assurance of sustainability reporting. When carrying out the assurance of sustainability reporting, statutory auditors should be required to devote sufficient time to the engagement and assign sufficient resources to enable them to carry out their duties appropriately. Finally, the client account record should specify the fees charged for the assurance of sustainability reporting and the audit file should include information related to the assurance of sustainability reporting.	partners are actively involved in conducting the assurance of sustainability reporting. When carrying out the assurance of sustainability reporting, statutory auditors should be required to devote sufficient time to the engagement and assign sufficient resources <u>and expertise</u> to enable them to carry out their duties appropriately. Finally, the client account record should specify the fees charged for the assurance of sustainability reporting and the audit file should include information related to the assurance of sustainability reporting.	~~partners are~~ there should be at least a key sustainability partner who is actively involved in conducting the assurance of sustainability reporting. When carrying out the assurance of sustainability reporting, statutory auditors should be required to devote sufficient time to the engagement and assign sufficient resources to enable them to carry out their duties appropriately. Finally, the client account record should specify the fees charged for the assurance of sustainability reporting and ~~the audit~~ an assurance file should be created to include information related to the assurance of sustainability reporting. Where the same statutory auditor carries out the statutory audit of annual financial statements and the assurance of sustainability reporting, the assurance file may be included in the audit file. However, requirements imposed on statutory auditors relating to the assurance of sustainability reporting should only apply to statutory auditors that carry out the assurance of sustainability reporting.	~~partners are~~ there should be at least a key sustainability partner who is actively involved in conducting the assurance of sustainability reporting. When carrying out the assurance of sustainability reporting, statutory auditors should be required to devote sufficient time to the engagement and assign sufficient resources and expertise to enable them to carry out their duties appropriately. Finally, the client account record should specify the fees charged for the assurance of sustainability reporting and ~~the audit~~ an assurance file should be created to include information related to the assurance of sustainability reporting. Where the same statutory auditor carries out the statutory audit of annual financial statements and the assurance of sustainability reporting, the assurance file may be included in the audit file. However, requirements imposed on statutory auditors relating to the assurance of sustainability reporting should only apply to statutory auditors that carry out the assurance of sustainability reporting. EP: To align with operative part.
Recital 57a				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
67a		<u>(57a) (57 a) The audit bodies for sustainability reports should have a high level of technical and specialised expertise in the field of sustainability in order to assess the information.</u>		(57a) Statutory auditors or audit firms that carry out the assurance of sustainability reporting should have a high level of technical and specialised expertise in the field of sustainability.
Recital 58				
68	(58) Article 25 of Directive 2006/43/EC requires Member States to put appropriate rules in place to avoid that the fees on the statutory audit are influenced or determined by the provision of additional services to the audited entity or are based on any form of contingency. Articles 21 to 24 of that Directive also require Member States to ensure that statutory auditors carrying out statutory audits comply with the rules on professional ethics, independence, objectivity, confidentiality and professional secrecy. For reasons of coherence, it is appropriate that those rules are extended to the work carried out by statutory auditors on the assurance of sustainability reporting.	(58) Article 25 of Directive 2006/43/EC requires Member States to put appropriate rules in place to avoid that the fees on the statutory audit are influenced or determined by the provision of additional services to the audited entity or are based on any form of contingency. Articles 21 to 24 of that Directive also require Member States to ensure that statutory auditors carrying out statutory audits comply with the rules on professional ethics, independence, objectivity, confidentiality and professional secrecy. For reasons of coherence, it is appropriate that those rules are extended to the work carried out by statutory auditors on the assurance of sustainability reporting.	(58) Article 25 of Directive 2006/43/EC requires Member States to put appropriate rules in place to avoid that the fees on the statutory audit are influenced or determined by the provision of additional services to the audited entity or are based on any form of contingency. Articles 21 to 24 of that Directive also require Member States to ensure that statutory auditors carrying out statutory audits comply with the rules on professional ethics, independence, objectivity, confidentiality and professional secrecy. For reasons of coherence, it is appropriate that those rules are extended to the work carried out by statutory auditors on the assurance of sustainability reporting.	(58) Article 25 of Directive 2006/43/EC requires Member States to put appropriate rules in place to avoid that the fees on the statutory audit are influenced or determined by the provision of additional services to the audited entity or are based on any form of contingency. Articles 21 to 24 of that Directive also require Member States to ensure that statutory auditors carrying out statutory audits comply with the rules on professional ethics, independence, objectivity, confidentiality and professional secrecy. For reasons of coherence, it is appropriate that those rules are extended to the work carried out by statutory auditors on the assurance of sustainability reporting. <u>Text Origin: Commission Proposal</u>
Recital 59				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
69	(59) In order to provide for uniform assurance practices and high quality assurance of sustainability reporting across the Union, the Commission should be empowered to adopt sustainability assurance standards by means of delegated acts. Member States should apply national assurance standards, procedures or requirements as long as the Commission has not adopted an assurance standard covering the same subject matter. These assurance standards should set out the procedures that the auditor shall perform in order to draw its conclusions on the assurance of sustainability reporting.	(59) In order to provide for uniform assurance practices and high quality assurance of sustainability reporting across the Union, the Commission should be empowered to adopt sustainability assurance standards by means of delegated acts. Member States should apply national assurance standards, procedures or requirements as long as the Commission has not adopted an assurance standard covering the same subject matter. These assurance standards should set out the procedures that the auditor shall perform in order to draw its conclusions on the assurance of sustainability reporting.	(59) In order to provide for uniform assurance practices and high quality assurance of sustainability reporting across the Union, the Commission should be empowered to adopt sustainability assurance standards by means of delegated acts. Member States should be given the possibility to apply national assurance standards, procedures or requirements as long as the Commission has not adopted an assurance standard covering the same subject matter. These assurance standards should set out the procedures that the auditor shall perform in order to draw its conclusions on the assurance of sustainability reporting. With a view to facilitating the harmonisation of the assurance of sustainability reporting across Member States, the CEAOB is encouraged to adopt non-binding guidelines to set out the procedures to be performed when expressing an opinion on the sustainability reporting until the Commission adopts an assurance standard covering the same subject-matter.	(59) In order to provide for uniform assurance practices and high quality assurance of sustainability reporting across the Union, the Commission should be empowered to adopt sustainability assurance standards by means of delegated acts. Member States should be given the possibility to apply national assurance standards, procedures or requirements as long as the Commission has not adopted an assurance standard covering the same subject matter. These assurance standards should set out the procedures that the auditor shall perform in order to draw its conclusions on the assurance of sustainability reporting. With a view to facilitating the harmonisation of the assurance of sustainability reporting across Member States, the CEAOB is encouraged to adopt non-binding guidelines to set out the procedures to be performed when expressing an opinion on the sustainability reporting until the Commission adopts an assurance standard covering the same subject-matter. Text Origin: Council Mandate
Recital 60				
70				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(60) Article 27 of Directive 2006/43/EC sets out rules on the statutory audit of a group of undertakings. Those rules should be extended to the assurance of consolidated sustainability reporting, where the statutory auditor performs the statutory audit.	(60) Article 27 of Directive 2006/43/EC sets out rules on the statutory audit of a group of undertakings. Those rules should be extended to the assurance of consolidated sustainability reporting, where the statutory auditor performs the statutory audit.	(60) Article 27 of Directive 2006/43/EC sets out rules on the statutory audit of a group of undertakings. ~~Those~~ Similar rules should be ~~extended to~~ set out for the assurance of consolidated sustainability reporting, ~~where the statutory auditor performs the statutory audit.~~	(60) Article 27 of Directive 2006/43/EC sets out rules on the statutory audit of a group of undertakings. ~~Those~~ Similar rules should be ~~extended to~~ set out for the assurance of consolidated sustainability reporting, ~~where the statutory auditor performs the statutory audit.~~
Recital 61				
71	(61) Article 28 of Directive 2006/43/EC requires statutory auditors or audit firms to present the results of their statutory audit in an audit report. That requirement should be extended to the assurance of sustainability reporting to ensure that the results of the assurance of sustainability reporting are presented in the same audit report.	(61) Article 28 of Directive 2006/43/EC requires statutory auditors or audit firms to present the results of their statutory audit in an audit report. That requirement should be extended to the assurance of sustainability reporting to ensure that the results of the assurance of sustainability reporting are presented in the same audit report.	(61) Article 28 of Directive 2006/43/EC requires statutory auditors or audit firms to present the results of their statutory audit in an audit report. ~~That requirement~~ Similar rules should be ~~extended to~~ set out for the assurance of sustainability reporting. The results of the engagement should be presented in an assurance report. Where the same statutory auditor carries out the statutory audit of annual financial statements and the assurance of sustainability reporting, the information about the assurance engagement of sustainability reporting may be presented in the same audit report.	(61) Article 28 of Directive 2006/43/EC requires statutory auditors or audit firms to present the results of their statutory audit in an audit report. ~~That requirement~~ Similar rules should be ~~extended to~~ set out for the assurance of sustainability reporting. The results of the engagement should be presented in an assurance report. Where the same statutory auditor carries out the statutory audit of annual financial statements and to ensure that the results of the assurance of sustainability reporting, the information about the assurance engagement of sustainability reporting may be presented in the same audit report.
Recital 62				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
72	(62) Article 29 of Directive 2006/43/EC requires Member States to set up a system of quality assurance review of statutory auditors and audit firms. To ensure that quality assurance reviews also take place for the assurance of sustainability reporting and that the persons who carry out quality assurance reviews have appropriate professional education and relevant experience in the assurance of sustainability reporting, that requirement to set up a system of quality assurance review should be extended to the assurance of sustainability reporting.	(62) Article 29 of Directive 2006/43/EC requires Member States to set up a system of quality assurance review of statutory auditors and audit firms. To ensure that quality assurance reviews also take place for the assurance of sustainability reporting and that the persons who carry out quality assurance reviews have appropriate professional education and relevant experience in the assurance of sustainability reporting, that requirement to set up a system of quality assurance review should be extended to the assurance of sustainability reporting.	(62) Article 29 of Directive 2006/43/EC requires Member States to set up a system of quality assurance review of statutory auditors and audit firms. To ensure that quality assurance reviews also take place for the assurance of sustainability reporting and that the persons who carry out quality assurance reviews have appropriate professional education and relevant experience in the assurance of sustainability reporting, that requirement to set up a system of quality assurance review should be extended to the assurance of sustainability reporting. As a transition, until 31 December 2025, the persons who carry out quality assurance reviews relating to the assurance of sustainability reporting should be exempted from the requirement to have relevant experience in the assurance of sustainability reporting and sustainability reporting or other sustainability related services.	(62) Article 29 of Directive 2006/43/EC requires Member States to set up a system of quality assurance review of statutory auditors and audit firms. To ensure that quality assurance reviews also take place for the assurance of sustainability reporting and that the persons who carry out quality assurance reviews have appropriate professional education and relevant experience in the assurance of sustainability reporting, that requirement to set up a system of quality assurance review should be extended to the assurance of sustainability reporting. As a transition, until 31 December 2025, the persons who carry out quality assurance reviews relating to the assurance of sustainability reporting should be exempted from the requirement to have relevant experience in the assurance of sustainability reporting and sustainability reporting or other sustainability related services. Text Origin: Council Mandate
Recital 63				
73	(63) Chapter VII of Directive	(63) Chapter VII of Directive	(63) Chapter VII of Directive	(63) Chapter VII of Directive

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2006/43/EC requires Member States to have in place an investigations and sanctions regime for statutory auditors and audit firms carrying out statutory audits. Chapter VIII of that Directive requires Member States to organise an effective system of public oversight, and to ensure that regulatory arrangements for public oversight systems permit effective cooperation at Union level in respect of Member States' oversight activities. Those requirements should be extended to statutory auditors and audit firms that conduct assurance engagements of sustainability reporting in order to ensure the consistency of the investigations, sanctions and oversight frameworks set up for the auditor's work in the statutory audit and the assurance of sustainability reporting.	2006/43/EC requires Member States to have in place an investigations and sanctions regime for statutory auditors and audit firms carrying out statutory audits. Chapter VIII of that Directive requires Member States to organise an effective system of public oversight, and to ensure that regulatory arrangements for public oversight systems permit effective cooperation at Union level in respect of Member States' oversight activities. Those requirements should be extended to statutory auditors and audit firms that conduct assurance engagements of sustainability reporting in order to ensure the consistency of the investigations, sanctions and oversight frameworks set up for the auditor's work in the statutory audit and the assurance of sustainability reporting.	2006/43/EC requires Member States to have in place an investigations and sanctions regime for statutory auditors and audit firms carrying out statutory audits. Chapter VIII of that Directive requires Member States to organise an effective system of public oversight, and to ensure that regulatory arrangements for public oversight systems permit effective cooperation at Union level in respect of Member States' oversight activities. Those requirements should be extended to statutory auditors and audit firms that conduct assurance engagements of sustainability reporting in order to ensure the consistency of the investigations, sanctions and oversight frameworks set up for the auditor's work in the statutory audit and the assurance of sustainability reporting.	2006/43/EC requires Member States to have in place an investigations and sanctions regime for statutory auditors and audit firms carrying out statutory audits. Chapter VIII of that Directive requires Member States to organise an effective system of public oversight, and to ensure that regulatory arrangements for public oversight systems permit effective cooperation at Union level in respect of Member States' oversight activities. Those requirements should be extended to statutory auditors and audit firms that conduct assurance engagements of sustainability reporting in order to ensure the consistency of the investigations, sanctions and oversight frameworks set up for the auditor's work in the statutory audit and the assurance of sustainability reporting. Text Origin: Commission Proposal
Recital 64				
74	(64) Article 37 and 38 of Directive 2006/43/EC contain rules on the appointment and dismissal of statutory auditors and audit firms carrying out statutory audits. Those rules should be extended to the assurance of sustainability reporting	(64) Article 37 and 38 of Directive 2006/43/EC contain rules on the appointment and dismissal of statutory auditors and audit firms carrying out statutory audits. Those rules should be extended to the assurance of sustainability reporting	(64) Article 37 and 38 of Directive 2006/43/EC contain rules on the appointment and dismissal of statutory auditors and audit firms carrying out statutory audits. Those rules should be extended to the assurance of sustainability reporting	(64) Article 37 and 38 of Directive 2006/43/EC contain rules on the appointment and dismissal of statutory auditors and audit firms carrying out statutory audits. Those rules should be extended to the assurance of sustainability reporting

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to ensure the consistency of the rules imposed on auditors as regards their work on the statutory audit and the assurance of sustainability reporting.	to ensure the consistency of the rules imposed on auditors as regards their work on the statutory audit and the assurance of sustainability reporting.	to ensure the consistency of the rules imposed on auditors as regards their work on the statutory audit and the assurance of sustainability reporting.	to ensure the consistency of the rules imposed on auditors as regards their work on the statutory audit and the assurance of sustainability reporting. Text Origin: Commission Proposal
Recital 65				
75	(65) Article 39 of Directive 2006/43/EC requires Member States to ensure that each public-interest entity has an audit committee, and specifies its tasks with regard to the statutory audit. That audit committee should be assigned with certain tasks with regard to the assurance of sustainability reporting. Those tasks should include the obligation to inform the administrative or supervisory body of the audited entity of the outcome of the assurance of sustainability reporting, and to explain how the audit committee contributed to the integrity of sustainability reporting and what the role of the audit committee was in that process.	(65) <u>(65)</u> Article 39 of Directive 2006/43/EC requires Member States to ensure that each public-interest entity has an audit committee, and specifies its tasks with regard to the statutory audit. That audit committee should be assigned with certain tasks with regard to the assurance of sustainability reporting. Those tasks should include the obligation to inform the administrative or supervisory body of the audited entity of the outcome of the assurance of sustainability reporting, and to explain how the audit committee contributed to the integrity of sustainability reporting and what the role of the audit committee was in that process. <u>Some companies have set up Sustainable Corporate Reporting Committees. Companies may decide to involve both the audit committee and any other committees involved on sustainable reporting.</u>	(65) Article 39 of Directive 2006/43/EC requires Member States to ensure that each public-interest entity has an audit committee, and specifies its tasks with regard to the statutory audit. That audit committee should be assigned with certain tasks with regard to the assurance of sustainability reporting. Those tasks should include the obligation to inform the administrative or supervisory body of the audited entity of the outcome of the assurance of sustainability reporting, and to explain how the audit committee contributed to the integrity of sustainability reporting and what the role of the audit committee was in that process. Member States should be able to allow that the functions assigned to the audit committee relating to sustainability reporting and the assurance of sustainability reporting are performed by the administrative or supervisory	(65) Article 39 of Directive 2006/43/EC requires Member States to ensure that each public-interest entity has an audit committee, and specifies its tasks with regard to the statutory audit. That audit committee should be assigned with certain tasks with regard to the assurance of sustainability reporting. Those tasks should include the obligation to inform the administrative or supervisory body of the audited entity of the outcome of the assurance of sustainability reporting, and to explain how the audit committee contributed to the integrity of sustainability reporting and what the role of the audit committee was in that process. Member States should be able to allow that the functions assigned to the audit committee relating to sustainability reporting and the assurance of sustainability reporting are performed by the administrative or supervisory

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			body as a whole or by a dedicated body established by the administrative or supervisory body.	body as a whole or by a dedicated body established by the administrative or supervisory body. Text Origin: Council Mandate
Recital 66				
76	(66) Article 45 of Directive 2006/43/EC contains requirements for registration and oversight of third-country auditors and audit entities. To ensure that a consistent framework exists for the work of auditors in both the statutory audit and the assurance of sustainability reporting, it is necessary to extend those requirements to the assurance of sustainability reporting.	(66) Article 45 of Directive 2006/43/EC contains requirements for registration and oversight of third-country auditors and audit entities. To ensure that a consistent framework exists for the work of auditors in both the statutory audit and the assurance of sustainability reporting, it is necessary to extend those requirements to the assurance of sustainability reporting.	(66) Article 45 of Directive 2006/43/EC contains requirements for registration and oversight of third-country auditors and audit entities. To ensure that a consistent framework exists for the work of auditors in both the statutory audit and the assurance of sustainability reporting, it is necessary to extend those requirements to the assurance of sustainability reporting.	(66) Article 45 of Directive 2006/43/EC contains requirements for registration and oversight of third-country auditors and audit entities. To ensure that a consistent framework exists for the work of auditors in both the statutory audit and the assurance of sustainability reporting, it is necessary to extend those requirements to the assurance of sustainability reporting. Text Origin: Commission Proposal
Recital 67				
77	(67) Regulation (EU) No 537/2014 of the European Parliament and of the Council ¹ applies to statutory auditors and audit firms carrying out statutory audits of public-interest entities. To ensure the independence of the statutory auditor, Article 5 of that Regulation prohibits the provision of certain non-audit	(67) Regulation (EU) No 537/2014 of the European Parliament and of the Council ¹ applies to statutory auditors and audit firms carrying out statutory audits of public-interest entities. To ensure the independence of the statutory auditor, Article 5 of that Regulation prohibits the provision of certain non-audit	(67) Regulation (EU) No 537/2014 of the European Parliament and of the Council ¹ applies to statutory auditors and audit firms carrying out statutory audits of public-interest entities. To ensure the independence of the statutory auditor when carrying out a statutory audit, that Regulation establishes a limit to	(67) Regulation (EU) No 537/2014 of the European Parliament and of the Council ¹ applies to statutory auditors and audit firms carrying out statutory audits of public-interest entities. To ensure the independence of the statutory auditor when carrying out a statutory audit, that Regulation establishes a limit to

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	services over certain time periods. That independence should also be ensured for the work of statutory auditors and audit firms carrying out statutory audits of public-interest entities on the assurance of sustainability reporting. Consulting services for the preparation of sustainability reporting should therefore be included in the list of prohibited non-audit services. 1. Regulation (EU) No 537/2014 of the European Parliament and of the Council of 16 April 2014 on specific requirements regarding statutory audit of public-interest entities and repealing Commission Decision 2005/909/EC (OJ L 158, 27.5.2014, p. 77).	services over certain time periods. That independence should also be ensured for the work of statutory auditors and audit firms carrying out statutory audits of public-interest entities on the assurance of sustainability reporting. Consulting services for the preparation of sustainability reporting should therefore be included in the list of prohibited non-audit services. 1. Regulation (EU) No 537/2014 of the European Parliament and of the Council of 16 April 2014 on specific requirements regarding statutory audit of public-interest entities and repealing Commission Decision 2005/909/EC (OJ L 158, 27.5.2014, p. 77).	the fees for other services that he or she can obtain. It is important to clarify that the assurance of sustainability reporting should not count in the calculation of that limit. In addition, Article 5 of that Regulation prohibits the provision of certain non-audit services over certain time periods when the statutory auditor is carrying out the financial audit. Services related to the preparation of sustainability reporting, including any consulting services, ~~That independence should also be ensured for the work of statutory auditors and audit firms carrying out~~ considered as prohibited services over the time period prescribed in the Regulation. These prohibitions should apply in all cases where the statutory auditor carries out the statutory audits of public-interest entities on the assurance of sustainability reporting. Consulting audit of financial statements. To ensure the independence of the statutory auditor, certain non-audit services for the preparations should also be prohibited when he or she is carrying out the assurance of sustainability reporting. Article 7 of Regulation (EU) No 537/2014 requires statutory auditors to report irregularities to the audited	the fees for other services that he or she can obtain. It is important to clarify that the assurance of sustainability reporting should not count in the calculation of that limit. In addition, Article 5 of that Regulation prohibits the provision of certain non-audit services over certain time periods when the statutory auditor is carrying out the financial audit. Services related to the preparation of sustainability reporting, including any consulting services, ~~That independence should also be ensured for the work of statutory auditors and audit firms carrying out~~ considered as prohibited services over the time period prescribed in the Regulation. These prohibitions should apply in all cases where the statutory auditor carries out the statutory audits of public-interest entities on the assurance of sustainability reporting. Consulting audit of financial statements. To ensure the independence of the statutory auditor, certain non-audit services for the preparations should also be prohibited when he or she is carrying out the assurance of sustainability reporting. Article 7 of Regulation (EU) No 537/2014 requires statutory auditors to report irregularities to the audited

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			entity and, under certain circumstances, to authorities as designated by the Member States responsible for investigating such irregularities. These obligations should therefore be included in the list of prohibited non-audit services also be extended as appropriate to statutory auditors and audit firms as regards their work on the assurance of sustainability reporting of public-interest entities. 1. [1] Regulation (EU) No 537/2014 of the European Parliament and of the Council of 16 April 2014 on specific requirements regarding statutory audit of public-interest entities and repealing Commission Decision 2005/909/EC (OJ L 158, 27.5.2014, p. 77).	entity and, under certain circumstances, to authorities as designated by the Member States responsible for investigating such irregularities. These obligations should therefore be included in the list of prohibited non-audit services also be extended as appropriate to statutory auditors and audit firms as regards their work on the assurance of sustainability reporting of public-interest entities. 1. Regulation (EU) No 537/2014 of the European Parliament and of the Council of 16 April 2014 on specific requirements regarding statutory audit of public-interest entities and repealing Commission Decision 2005/909/EC (OJ L 158, 27.5.2014, p. 77).
Recital 68				
78	(68) Article 14 of Regulation (EU) No 537/2014 requires statutory auditors and audit firms to inform their competent authority annually of the revenues generated from statutory audits and non-audit services of public-interest entities. Auditors and audit firms should be required to specify which revenues among the revenues from non-audit services are generated from the assurance of sustainability reporting.	(68) Article 14 of Regulation (EU) No 537/2014 requires statutory auditors and audit firms to inform their competent authority annually of the revenues generated from statutory audits and non-audit services of public-interest entities. Auditors and audit firms should be required to specify which revenues among the revenues from non-audit services are generated from the assurance of sustainability reporting.	~~(68) Article 14 of Regulation (EU) No 537/2014 requires statutory auditors and audit firms to inform their competent authority annually of the revenues generated from statutory audits and non-audit services of public-interest entities. Auditors and audit firms should be required to specify which revenues among the revenues from non-audit services are generated from the assurance of sustainability reporting.~~	~~(68) Article 14 of Regulation (EU) No 537/2014 requires statutory auditors and audit firms to inform their competent authority annually of the revenues generated from statutory audits and non-audit services of public-interest entities. Auditors and audit firms should be required to specify which revenues among the revenues from non-audit services are generated from the assurance of sustainability reporting.~~

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Recital 69			
Y	79	(69) ~~(69)~~ According to Article 51 of Directive 2013/34/EU, the enforcement of corporate reporting by undertakings the securities of which are not listed on regulated markets is carried out by Member States. The types of sanctions are, however, not specified, which means that sanctioning regimes can vary widely between Member States, so undermining the single market. To improve sustainability reporting in the internal market and to contribute to the transition towards a fully sustainable and inclusive economic and financial system in which the benefits of growth are broadly shared in accordance with the European Green Deal, Member States should provide for certain sanctions and administrative measures in the case of infringements of sustainability reporting requirements. The sanctioning regime of Directive 2013/34/EU should therefore be strengthened accordingly, whereby Member States are to provide for appropriate sanctions and administrative measures.	(69) ~~(69)~~ According to Article 51 of Directive 2013/34/EU, the enforcement of corporate reporting by undertakings the securities of which are not listed on regulated markets is carried out by Member States. The types of sanctions are, however, not specified, which means that sanctioning regimes can vary widely between Member States, so undermining the single market. To improve sustainability reporting in the internal market and to contribute to the transition towards a fully sustainable and inclusive economic and financial system in which the benefits of growth are broadly shared in accordance with the European Green Deal, Member States should provide for certain ~~types of~~ sanctions and administrative measures in the case of infringements of sustainability reporting requirements. The sanctioning regime of Directive 2013/34/EU should therefore be strengthened accordingly, whereby Member States are to provide for appropriate ~~types of~~ sanctions and administrative measures.	(69) According to Article 51 of Directive 2013/34/EU, the enforcement of corporate reporting by undertakings the securities of which are not listed on regulated markets is carried out by Member States. The types of sanctions are, however, not specified, which means that sanctioning regimes can vary widely between Member States, so undermining the single market. To improve sustainability reporting in the internal market and to contribute to the transition towards a fully sustainable and inclusive economic and financial system in which the benefits of growth are broadly shared in accordance with the European Green Deal, Member States should provide for certain sanctions and administrative measures in the case of infringements of sustainability reporting requirements. The sanctioning regime of Directive 2013/34/EU should therefore be strengthened accordingly, whereby Member States are to provide for appropriate sanctions and administrative measures.
	Recital 69a			
R	79a			R

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>(69a) (69 a) Non-EU companies would should be required to publish their non-financial sustainability reporting and their due diligence strategy on their website according to sustainability report requirements or requirements which are deemed equivalent by the European Commission. Non-compliant companies would should be publicly notified by the Commission that they failed to comply and be required to provide the necessary information. Tougher sanctions could be envisaged through the review mechanism.</u>		
Recital 70				
80	(70) Article 24 of Directive 2004/109/EC assigns to national supervisors the task of enforcing compliance with corporate reporting requirements by undertakings with securities listed on regulated markets. Article 4 of that Directive specifies the content of the annual financial reports, but lacks an explicit reference to Articles 19a and 29a of Directive 2013/34/EU, which require the preparation of a (consolidated) non-financial statement. This implies that national competent authorities of some Member States have no legal		(70) Article 24 of Directive 2004/109/EC assigns to national supervisors the task of enforcing compliance with corporate reporting requirements by undertakings with securities listed on regulated markets. Article 4 of that Directive specifies the content of the annual financial reports, but lacks an explicit reference to Articles 19a and 29a of Directive 2013/34/EU, which require the preparation of a (consolidated) non-financial statement. This implies that national competent authorities of some Member States have no legal	(70) Article 24 of Directive 2004/109/EC assigns to national supervisors the task of enforcing compliance with corporate reporting requirements by undertakings with securities listed on regulated markets. Article 4 of that Directive specifies the content of the annual financial reports, but lacks an explicit reference to Articles 19a and 29a of Directive 2013/34/EU, which require the preparation of a (consolidated) non-financial statement. This implies that national competent authorities of some Member States have no legal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	mandate to supervise those non-financial statements, especially where those statements are published in a separate report, outside of the annual financial report, which Member States may currently allow. It is therefore necessary to insert into Article 4(5) of Directive 2004/109/EC a reference to sustainability reporting. It is also necessary to require that the persons responsible within the issuer confirm in the annual financial report that, to the best of their knowledge, the management report is prepared in accordance with the sustainability reporting standards. In addition, given the novel character of those reporting requirements, the European Securities and Markets Authority should issue guidelines for national competent authorities to promote convergent supervision of sustainability reporting by issuers subject to Directive 2004/109/EC.		mandate to supervise those non-financial statements, especially where those statements are published in a separate report, outside of the annual financial report, which Member States may currently allow. It is therefore necessary to insert into Article 4(5) of Directive 2004/109/EC a reference to sustainability reporting. It is also necessary to require that the persons responsible within the issuer confirm in the annual financial report that, to the best of their knowledge, the management report is prepared in accordance with the sustainability reporting standards. In addition, given the novel character of those reporting requirements, the European Securities and Markets Authority should issue guidelines for national competent authorities to promote convergent supervision of sustainability reporting by issuers subject to Directive 2004/109/EC. These guidelines should only apply to the supervision of undertakings with securities listed on regulated markets.	mandate to supervise those non-financial statements, especially where those statements are published in a separate report, outside of the annual financial report, which Member States may currently allow. It is therefore necessary to insert into Article 4(5) of Directive 2004/109/EC a reference to sustainability reporting. It is also necessary to require that the persons responsible within the issuer confirm in the annual financial report that, to the best of their knowledge, the management report is prepared in accordance with the sustainability reporting standards. In addition, given the novel character of those reporting requirements, the European Securities and Markets Authority should issue guidelines for national competent authorities to promote convergent supervision of sustainability reporting by issuers subject to Directive 2004/109/EC. These guidelines should only apply to the supervision of undertakings with securities listed on regulated markets. Presidency proposal. Text Origin: Council Mandate
	Recital 71			
y	81			y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(71) Member States are invited to assess the impact of their transposition act on SMEs in order to ensure that they are not disproportionately affected, giving specific attention to micro-enterprises and to the administrative burden, and to publish the results of such assessments. Member States should consider introducing measures to support SMEs in applying the voluntary simplified reporting standards.		(71) Member States are invited to assess the impact of their transposition act on SMEs in order to ensure that they are not disproportionately affected, giving specific attention to micro-enterprises and to the administrative burden, and to publish the results of such assessments. Member States should consider introducing measures to support SMEs in applying the voluntary simplified reporting standards.	~~(71) Member States are invited to assess the impact of their transposition act on SMEs in order to ensure that they are not disproportionately affected, giving specific attention to micro-enterprises and to the administrative burden, and to publish the results of such assessments. Member States should consider introducing measures to support SMEs in applying the voluntary simplified reporting standards.~~ Moved to row 28b as per EP amendment. Text Origin: Commission Proposal
Recital 71a				
81a		<u>(71a) (71 a) The Directive establishes that, by the end of 2026, the Commission shall submit a report on the effectiveness of the new provisions integrated in the present Directive and assess several aspects that were proposed in the negotiation phase. Such a review clause already existed in the NFRD. The review clause in CSRD should assess, in particular the scope enlargement, the level of assurance engagement by auditors, the need to improve European standards on</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>human rights, the added value of expanding the list of activities and high-risk sectors and related economic activities, the development of sanction mechanisms for companies operating in Europe based in third-countries.</u>		
Recital 72				
82	(72) Directive 2013/34/EU, Directive 2004/109/EC, Directive 2006/43/EC and Regulation (EU) No 537/2014 should therefore be amended accordingly,	(72) Directive 2013/34/EU, Directive 2004/109/EC, Directive 2006/43/EC and Regulation (EU) No 537/2014 should therefore be amended accordingly,	(72) Directive 2013/34/EU, Directive 2004/109/EC, Directive 2006/43/EC and Regulation (EU) No 537/2014 should therefore be amended accordingly,	(72) Directive 2013/34/EU, Directive 2004/109/EC, Directive 2006/43/EC and Regulation (EU) No 537/2014 should therefore be amended accordingly,
Formula				
83	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:
Article 1				
84	Article 1 Amendments to Directive 2013/34/EU	Article 1 Amendments to Directive 2013/34/EU	Article 1 Amendments to Directive 2013/34/EU	Article 1 Amendments to Directive 2013/34/EU
Article 1, first paragraph, introductory part				
85	Directive 2013/34/EU is amended as follows:	Directive 2013/34/EU is amended as follows:	Directive 2013/34/EU is amended as follows:	Directive 2013/34/EU is amended as follows:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (1), introductory part			
86	(1) in Article 1, the following paragraph 3 is added:	(1) in Article 1, the following paragraph 3 is added:	(1) in Article 1, the following paragraph 3 is added: paragraphs 3 and 3a are added:	(1) in Article 1, the following paragraph 3 is added: paragraphs 3 and 3a are added: Presidency proposal.
	Article 1, first paragraph, point (1), amending provision, numbered paragraph (3), introductory part			
87	3. The coordination measures prescribed by Articles 19a, 19d, 29a, 30 and 33, Article 34(1), second subparagraph, point (aa), paragraphs 2 and 3 of Article 34, and Article 51 of this Directive shall also apply to the laws, regulations and administrative provisions of the Member States relating to the following undertakings regardless of their legal form:	3. <u>3.</u> The coordination measures prescribed by Articles 19a, 19d, 29a, 30 and 33, Article 34(1), second subparagraph, point (aa), paragraphs 2 and 3 of Article 34, and Article 51 of this Directive shall also apply to the laws, regulations and administrative provisions of the Member States relating to the following undertakings regardless of their legal form:	3. The coordination measures prescribed by Articles 19a, 19d, 29a, 30 and 33, Article 34(1), second subparagraph, point (aa), paragraphs 2 and 3 of Article 34, and Article 51 of this Directive shall also apply to the laws, regulations and administrative provisions of the Member States relating to the following undertakings regardless of their legal form: provided they are large undertakings or small and medium sized undertakings which are undertakings referred to in Article 2, point (1), point (a) of this Directive:	3. The coordination measures prescribed by Articles 19a, 19d, 29a, 30 and 33, Article 34(1), second subparagraph, point (aa), paragraphs 2 and 3 of Article 34, and Article 51 of this Directive shall also apply to the laws, regulations and administrative provisions of the Member States relating to the following undertakings regardless of their legal form: provided they are large undertakings or small and medium sized undertakings which are undertakings referred to in Article 2, point (1), point (a) of this Directive: EP: Second part to be aligned after decision on scope (listed SMEs). Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (1), amending provision, numbered paragraph (3)(a)			
G	88	(a) insurance undertakings within the meaning of Article 2(1) of Council Directive 91/674/EEC* ¹ ;	(a) insurance undertakings within the meaning of Article 2(1) of Council Directive 91/674/EEC* ¹ ;	(a) insurance undertakings within the meaning of Article 2(1) of Council Directive 91/674/EEC* ¹ ;
	Article 1, first paragraph, point (1), amending provision, numbered paragraph (3)(b)			
G	89	(b) credit institutions as defined in Article 4(1), point (1), of Regulation (EU) No 575/2013 of the European Parliament and of the Council* ² .	(b) credit institutions as defined in Article 4(1), point (1), of Regulation (EU) No 575/2013 of the European Parliament and of the Council* ² .	(b) credit institutions as defined in Article 4(1), point (1), of Regulation (EU) No 575/2013 of the European Parliament and of the Council* ² .
	Article 1, first paragraph, point (1), amending provision, numbered paragraph (3)(ba)			
R	89a	<u><i>(ba) for profit legal entities organised as trusts or as similar legal arrangements.</i></u>		Presidency proposal: delete. EP: To be discussed at the fourth trilogue (scope discussion).
	Article 1, first paragraph, point (1), amending provision, numbered paragraph (3), first paragraph			
G	90	Member States may choose not to apply the coordination measures referred to in the first subparagraph to the undertakings listed in Article 2(5), points (2) to (23), of Directive 2013/36/EU of the European Parliament and of the Council* ³ .	Member States may choose not to apply the coordination measures referred to in the first subparagraph to the undertakings listed in Article 2(5), points (2) to (23), of Directive 2013/36/EU of the European Parliament and of the Council* ³ .	Member States may choose not to apply the coordination measures referred to in the first subparagraph to the undertakings listed in Article 2(5), points (2) to (23), of Directive 2013/36/EU of the European Parliament and of the Council* ³ .
	Article 1, first paragraph, point (1), amending provision, numbered paragraph (3), first			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	paragraph a			
90a		<u>By derogation of Article 1 paragraph 3, undertakings referred to in subparagraphs a) and b) shall report information defined in delegated acts referred to in Article 19b paragraph 1 (a) that correspond to the needs of disclosure obligations of Regulation (EU) 2019/2088, on the financial year following the first financial year referred to in Article 5.</u>		EP has withdrawn AMD: to be deleted
	Article 1, first paragraph, point (1), amending provision, numbered paragraph (3), second paragraph			
91				
	Article 1, first paragraph, point (1), amending provision, numbered paragraph (3), third paragraph			
92	*1 Council Directive 91/674/EEC of 19 December 1991 on the annual accounts of insurance undertakings (OJ L 374, 31.12.1991, p. 7).	*1 Council Directive 91/674/EEC of 19 December 1991 on the annual accounts of insurance undertakings (OJ L 374, 31.12.1991, p. 7).	*1 Council Directive 91/674/EEC of 19 December 1991 on the annual accounts of insurance undertakings (OJ L 374, 31.12.1991, p. 7).	*1 Council Directive 91/674/EEC of 19 December 1991 on the annual accounts of insurance undertakings (OJ L 374, 31.12.1991, p. 7).
	Article 1, first paragraph, point (1), amending provision, numbered paragraph (3), fourth paragraph			
93				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	*2 Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1).	*2 Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1).	*2 Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1).	*2 Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1).
	Article 1, first paragraph, point (1), amending provision, numbered paragraph (3), fifth paragraph			
94	*3 Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).;	*3 Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).;	*3 Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).;	*3 Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).;
	Article 1, first paragraph, point (1), amending provision, numbered paragraph (3a)			
94a			3a. The coordination measures prescribed by Articles 19a, 29d and 29a, shall not apply to financial products referred to in Article 2, point 12, points (b) and (f) of Regulation (EU) 2019/2088 of the European Parliament and of the Council, provided the financial	3a. The coordination measures prescribed by Articles 19a, 29d and 29a, shall not apply to financial products referred to in Article 2, point 12, points (b) and (f) of Regulation (EU) 2019/2088 of the European Parliament and of the Council.'

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			product is not self-managed.’	Presidency proposal. To be discussed at the fourth trilogue (scope discussion).
	Article 1, first paragraph, point (1), amending provision, numbered paragraph (3b)			
R	94b			3b. The coordination measures prescribed by Articles 40a to 40e shall also apply to the laws, regulations and administrative provisions of the Member States relating to subsidiaries, branches and permanent establishments of undertakings which are not governed by the law of a Member State but which are of a legal form comparable with the types of undertakings listed in Annex I.
	Article 1, first paragraph, point (2), introductory part			
Y	95	(2) in Article 2, the following points (17) to (20) are added:	(2) in Article 2, the following points (17) to (20) are added: as follows:	(2) in Article 2, the following points (17) to (20) are added: as follows: Presidency proposal. Text Origin: Council Mandate
	Article 1, first paragraph, point (2), amending provision, numbered paragraph			
Y	95a			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			" a) point (5) is replaced by the following:	" a) point (5) is replaced by the following: Presidency proposal. Text Origin: Council Mandate
Article 1, first paragraph, point (2), amending provision, numbered paragraph				
95b			'(5) 'net turnover' means the amounts derived from the sale of products and the provision of services after deducting sales rebates and value added tax and other taxes directly linked to turnover for credit institutions referred to in point (b) of Article 1(3) of this Directive 'net turnover' shall be defined according to point (c) of Article 43(2) of Directive 1986/635 of the Council; for insurance undertakings referred to in point (a) of Article 1(3) of this Directive, 'net turnover' shall be defined according to Article 35 of Directive 1991/674 of the Council'; "	'(5) 'net turnover' means the amounts derived from the sale of products and the provision of services after deducting sales rebates and value added tax and other taxes directly linked to turnover; for credit institutions referred to in point (b) of Article 1(3) of this Directive 'net turnover' shall be defined according to point (c) of Article 43(2) of Directive 1986/635 of the Council; for insurance undertakings referred to in point (a) of Article 1(3) of this Directive, 'net turnover' shall be defined according to Article 35 of Directive 1991/674 of the Council'; where the undertaking is an undertaking as defined in Article 19aa(1), the revenue as defined by or within the meaning of the financial reporting framework on the basis of which the financial statements of the undertaking are prepared;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				" Presidency proposal. Presidency took note of EP's concerns regarding definition of net turnover for non-EU companies. To be discussed. Text Origin: Council Mandate "
Article 1, first paragraph, point (2), amending provision, numbered paragraph (-1)				
95c			b) the following points (17) to (20) are added:	b) the following points (17) to (20) are added: Presidency proposal. Text Origin: Council Mandate
Article 1, first paragraph, point (2), amending provision, numbered paragraph (17)				
96	(17) 'sustainability matters' means sustainability factors as defined in Article 2, point (24) of Regulation (EU) 2019/2088 of the European Parliament and of the Council^{*4}, and governance factors;	(17) 'sustainability matters' means sustainability factors as defined in Article 2, point (24) of Regulation (EU) 2019/2088 of the European Parliament and of the Council^{*4}, and <u>further specified in the standards and delegated acts referred to in Article 4 thereof, as well as</u> governance factors;	'(17) 'sustainability matters' means environmental, social and human rights, and governance factors, including sustainability factors as defined in Article 2, point (24) of Regulation (EU) 2019/2088 of the European Parliament and of the Council^{*4}, and governance factors¹; 1. [1] Regulation (EU) 2019/2088 of the European Parliament and of the Council of 27 November 2019 on sustainability- related disclosures in the	'(17) 'sustainability matters' means environmental, social and human rights, and governance factors, including sustainability factors as defined in Article 2, point (24) of Regulation (EU) 2019/2088 of the European Parliament and of the Council^{*4}, and governance factors¹; 1. [1] Regulation (EU) 2019/2088 of the European Parliament and of the Council of 27 November 2019 on sustainability- related disclosures in the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			financial services sector (OJ L 317, 9.12.2019, p. 1).	financial services sector (OJ L 317, 9.12.2019, p. 1). Text Origin: Council Mandate
Article 1, first paragraph, point (2), amending provision, numbered paragraph (18)				
97	(18) 'sustainability reporting' means reporting information related to sustainability matters in accordance with Articles 19a, 19d and 29a of this Directive;	(18) 'sustainability reporting' means reporting information related to sustainability matters in accordance with Articles 19a, 19d and 29a of this Directive;	(18) 'sustainability reporting' means reporting information related to sustainability matters in accordance with Articles 19a, 19d and 29a and 29d of this Directive;	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (19)				
98	(19) 'intangibles' means non-physical resources that contribute to the undertaking's value creation;	(19) 'intangibles' means non-physical resources that contribute to the undertaking's value creation <u>and are consistent with intangible assets already reported in the financial reporting framework</u> ;	(19) 'intangibles' 'key intangible resources' means non-physical resources ~~that contribute to~~ without physical substance on which the business model of the undertaking's value creation fundamentally depends and that are a source of creation of the value of the undertaking ;	(19) 'intangibles' 'key intangible resources' means non-physical resources ~~that contribute to~~ without physical substance on which the business model of the undertaking's value fundamentally depends and that are a source of creation of the value of the undertaking ; Presidency proposal.
Article 1, first paragraph, point (2), amending provision, numbered paragraph (20), introductory part				
99	(20) 'independent assurance services provider' means a conformity assessment body accredited in accordance with Regulation (EC) No 765/2008 of the	(20) 'independent assurance services provider' means a conformity assessment body accredited in accordance with Regulation (EC) No 765/2008 of the	(20) 'independent assurance services provider' means a conformity assessment body accredited in accordance with Regulation (EC) No 765/2008 of the	(20) 'independent assurance services provider' means a conformity assessment body accredited in accordance with Regulation (EC) No 765/2008 of the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	European Parliament and of the Council* ⁵ for the specific conformity assessment activity referred to in Article 34(1), second subparagraph, point (aa) of this Directive.	European Parliament and of the Council* ⁵ for the specific conformity assessment activity referred to in Article 34(1), second subparagraph, point (aa) of this Directive.	European Parliament and of the Council* ⁵ for the specific conformity assessment activity referred to in Article 34(1), second subparagraph, point (aa) of this Directive.	European Parliament and of the Council* ⁵ for the specific conformity assessment activity referred to in Article 34(1), second subparagraph, point (aa) of this Directive.
Article 1, first paragraph, point (2), amending provision, numbered paragraph (20), first paragraph				
100				
Article 1, first paragraph, point (2), amending provision, numbered paragraph (20), second paragraph				
101	* ⁴ Regulation (EU) 2019/2088 of the European Parliament and of the Council of 27 November 2019 on sustainability- related disclosures in the financial services sector (OJ L 317, 9.12.2019, p. 1).	* ⁴ Regulation (EU) 2019/2088 of the European Parliament and of the Council of 27 November 2019 on sustainability- related disclosures in the financial services sector (OJ L 317, 9.12.2019, p. 1).	* ⁴ Regulation (EU) 2019/2088 of the European Parliament and of the Council of 27 November 2019 on sustainability- related disclosures in the financial services sector (OJ L 317, 9.12.2019, p. 1).	* ⁴ Regulation (EU) 2019/2088 of the European Parliament and of the Council of 27 November 2019 on sustainability- related disclosures in the financial services sector (OJ L 317, 9.12.2019, p. 1).
Article 1, first paragraph, point (2), amending provision, numbered paragraph (20), third paragraph				
102	* ⁵ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the	* ⁵ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the	* ⁵ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the	* ⁵ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).;	marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).;	marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).;	marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).;
	Article 1, first paragraph, point (2), amending provision, numbered paragraph (20a)			
G	102a	<u>20a. ‘Science-based target’ is a target defined on the basis of conclusive scientific evidence and with independent scientific validation, that when achieved by the undertaking ensures that the undertaking’s impacts, as specified in Article 19a, will be aligned with the sustainability goals and criteria of the European Union for the specific sustainability matters.</u>		102a and 102b have switched position.
	Article 1, first paragraph, point (2), amending provision, numbered paragraph (20a)			
Y	102b		(2a) In Article 19, the following subparagraph is inserted:	(2a) In Article 19, the following subparagraph is inserted: Text Origin: Council Mandate
	Article 1, first paragraph, point (2), amending provision, numbered paragraph (20b)			
Y	102c		‘Large undertakings referred to in Article 3 point (4) and small and medium-sized undertakings as defined in Article 3(2) and 3(3) which are undertakings as	20c. ‘Large undertakings referred to in Article 3 point (4) and small and medium-sized undertakings as defined in Article 3(2) and 3(3) which are undertakings as

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			referred to in Article 2, point (1), point (a) shall report information on the key intangible resources on which the business model of the undertaking fundamentally depends, and explain this dependency and how they are a source of value creation for the undertaking’.	referred to in Article 2, point (1), point (a) shall report information on the key intangible resources on which the business model of the undertaking fundamentally depends, and explain this dependency and how they are a source of value creation for the undertaking’. Presidency proposal, to be potentially aligned when final agreement has been reached on the question of the inclusion of listed SMEs within the scope.
	Article 1, first paragraph, point (3), introductory part			
G	103	(3) Article 19a is replaced by the following:	(3) Article 19a is replaced by the following:	(3) Article 19a is replaced by the following:
	Article 1, first paragraph, point (3), amending provision, first paragraph			
G	104	‘ Article 19a	‘ Article 19a	‘ Article 19a
	Article 1, first paragraph, point (3), amending provision, second paragraph			
G	105	Sustainability Reporting	Sustainability Reporting	Sustainability Reporting
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (1)			
R	106			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. Large undertakings and, as of 1 January 2026, small and medium-sized undertakings which are undertakings referred to in Article 2, point (1), point (a), shall include in the management report information necessary to understand the undertaking's impacts on sustainability matters, and information necessary to understand how sustainability matters affect the undertaking's development, performance and position.	1. Large undertakings ~~and, as of 1 January 2026, small and medium-sized undertakings which are undertakings referred to in Article 2, point (1), point (a),~~ shall include in the management report information necessary to understand the undertaking's impacts on sustainability matters, and information necessary to understand how sustainability matters affect the undertaking's development, performance and position.	1. Large undertakings and, as of 1 January 2026, referred to in Article 3 point (4) and small and medium-sized undertakings as defined in Article 3(2) and 3(3) which are undertakings as referred to in Article 2, point (1), point (a) and which are not micro-undertakings as defined in Article 3 (1) , shall include in the management report information necessary to understand the undertaking's impacts on sustainability matters, and information necessary to understand how sustainability matters affect the undertaking's development, performance and position. This information shall be clearly identifiable within the management report, through a dedicated section of the management report.	1. Large undertakings and, as of 1 January 2026, referred to in Article 3 point (4) and small and medium-sized undertakings as defined in Article 3(2) and 3(3) which are undertakings as referred to in Article 2, point (1), point (a) and which are not micro-undertakings as defined in Article 3 (1) , shall include in the management report information necessary to understand the undertaking's impacts on sustainability matters, and information necessary to understand how sustainability matters affect the undertaking's development, performance and position. This information shall be clearly identifiable within the management report, through a dedicated section of the management report. Presidency proposal, to be potentially aligned when final agreement has been reached on the question of the inclusion of listed SMEs within the scope. EP agrees with the separate sections.
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (1a)			
R 106a		<u>1a. Third-country companies which are of a legal form comparable to undertakings</u>		Presidency took note of EP's proposal to include COM's wording on non-EU

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>referred to in Article 19a (1) and that are not established in the territory of the Union when they operate in the internal market selling goods or providing services under implementing measures set out in Article 19b (1) – iic) shall include in the management report information necessary to understand the undertaking's impacts on sustainability matters, and information necessary to understand how sustainability matters affect the undertaking's development, performance and position.</u>	PUBLIC	companies here. To be discussed + location creates confusion (right in the middle of Article 19a).
Article 1, first paragraph, point (3), amending provision, numbered paragraph (2), introductory part				
107	2. The information referred to in paragraph 1 shall contain in particular:	2. The information referred to in paragraph 1 shall contain in particular:	2. The information referred to in paragraph 1 shall contain ~~in~~ particular:	2. The information referred to in paragraph 1 shall contain ~~in~~ particular: Text Origin: Council Mandate
Article 1, first paragraph, point (3), amending provision, numbered paragraph (2)(a), introductory part				
108	(a) a brief description of the undertaking's business model and strategy, including:	(a) a brief description of the undertaking's business model and strategy, including:	(a) a brief description of the undertaking's business model and strategy, including:	(a) a brief description of the undertaking's business model and strategy, including:
Article 1, first paragraph, point (3), amending provision, numbered paragraph (2)(a)(i)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
G	109	(i) the resilience of the undertaking's business model and strategy to risks related to sustainability matters;	(i) the resilience of the undertaking's business model and strategy to risks related to sustainability matters;	(i) the resilience of the undertaking's business model and strategy to risks related to sustainability matters;
Article 1, first paragraph, point (3), amending provision, numbered paragraph (2)(a)(ii)				
G	110	(ii) the opportunities for the undertaking related to sustainability matters;	(ii) the opportunities for the undertaking related to sustainability matters;	(ii) the opportunities for the undertaking related to sustainability matters;
Article 1, first paragraph, point (3), amending provision, numbered paragraph (2)(a)(ia)				
G	110a	<u>(ia) the plans of the undertaking to ensure that its business model and strategy are consistent with securing employment in the EU and promoting fair working conditions as defined in the European Pillar of Social Rights;</u>		Presidency proposal: delete. EP: No EMPL counterproposal on 17/05.
Article 1, first paragraph, point (3), amending provision, numbered paragraph (2)(a)(iii)				
R	111	(iii) the plans of the undertaking to ensure that its business model and strategy are compatible with the transition to a sustainable economy and with the limiting of global warming to 1.5 °C in line with the	(iii) the plans of the undertaking, <u>taking into account the entire value chain, including transition plans with implementing actions and related financial and investment plans, and short-term and medium-</u>	(iii) the plans of the undertaking to ensure that its business model and strategy are compatible with the transition to a sustainable economy and with the limiting of global warming to 1.5 °C in line with the
				(iii) the plans of the undertaking, including implementing actions and related financial and investment plans , to ensure that its business model and strategy are compatible with the transition to a

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Paris Agreement;	<u><i>term absolute emission reduction targets for 2025 and 2030, reviewed every five years up to 2050,</i></u> to ensure that its <u><i>overall</i></u> business model and strategy are compatible with the transition to a sustainable economy and with the limiting of global warming to ~~1.5~~<u>1,5</u> °C in line with the Paris Agreement, <u><i>with no or limited overshoot and pursuant to the latest recommendations of the IPCC and the European Scientific Advisory Board on Climate Change, and that the undertaking's operations within the Union are aligned with the objective to achieve climate neutrality by 2050 at the latest, set out in the European Climate Law; and</i></u> - <u><i>where relevant, the degree of exposure of the undertaking to sectors listed in Divisions 05, 06,09, 19, 35, 46.71, 73.1 of Annex I to Regulation (EC) No1893/2006, insofar as they relate to coal, oil, gas-related activities;</i></u> - <u><i>where relevant, undertakings the activities of which particularly impact natural resources and/or that operate in sectors particularly relying on natural resources, shall disclose the nature-related impacts on and risks for biodiversity and ecosystems that are associated with the undertaking's business model,</i></u>	Paris Agreement;	sustainable economy and with the limiting of global warming to 1.5 °C in line with the Paris Agreement; and the objective of achieving climate neutrality by 2050 as established in Regulation (EU) 2021/1119 (European Climate Law), and where relevant, the exposure of the undertaking to coal, oil and gas-related activities. New EP proposal (last half-sentence). To be discussed.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>and plans by the undertaking to mitigate the loss of nature and restore nature in line with the latest science</u> ;		
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (2)(a)(iv)			
112	(iv) how the undertaking's business model and strategy take account of the interests of the undertaking's stakeholders and of the impacts of the undertaking on sustainability matters;	(iv) how the undertaking's business model and strategy take account of the interests of the undertaking's stakeholders and of the impacts of the undertaking on sustainability matters;	(iv) how the undertaking's business model and strategy take account of the interests of the undertaking's stakeholders and of the impacts of the undertaking on sustainability matters;	(iv) how the undertaking's business model and strategy take account of the interests of the undertaking's stakeholders and of the impacts of the undertaking on sustainability matters;
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (2)(a)(v)			
113	(v) how the undertaking's strategy has been implemented with regard to sustainability matters;	(v) how the undertaking's strategy has been implemented with regard to sustainability matters <u>and science-based targets</u> ;	(v) how the undertaking's strategy has been implemented with regard to sustainability matters;	(v) how the undertaking's strategy has been implemented with regard to sustainability matters; Presidency proposal. Text Origin: Commission Proposal
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (2)(b)			
114	(b) a description of the targets related to sustainability matters set by the undertaking and of the progress the undertaking has made towards achieving those targets;	(b) a description of the <u>time-bound short-term, mid-term and long-term</u> targets related to sustainability matters set by the undertaking <u>with respect to the undertaking's risks</u>	(b) a description of the targets related to sustainability matters set by the undertaking and of the progress ~~of~~ the undertaking ~~has made~~ towards achieving those	(b) a description of the time-bound targets related to sustainability matters set by the undertaking, including where appropriate absolute greenhouse gas emission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>and opportunities and adverse impacts on sustainability matters, whether such targets are science-based</u> and of the progress the undertaking has made towards achieving those targets <u>including a clearly defined path and implementing actions to reach those;</u>	targets;	reduction targets at least for 2030 and 2050, a description ~~and~~ of the progress the undertaking has made towards achieving those targets, and a specification of whether the undertaking's targets related to environmental matters are based on conclusive scientific evidence;
Article 1, first paragraph, point (3), amending provision, numbered paragraph (2)(c)				
115	(c) a description of the role of the administrative, management and supervisory bodies with regard to sustainability matters;	(c) a description of the role <u>and expertise</u> of the administrative, management and supervisory bodies with regard to sustainability matters;	(c) a description of the role of the administrative, management and supervisory bodies with regard to sustainability matters;	(c) a description of the role of the administrative, management and supervisory bodies with regard to sustainability matters, and of their expertise and skills to fulfil this role or access to such expertise and skills;
Article 1, first paragraph, point (3), amending provision, numbered paragraph (2)(d)				
116	(d) a description of the undertaking's policies in relation to sustainability matters;	(d) a description of the undertaking's policies in relation to sustainability matters;	(d) a description of the undertaking's policies in relation to sustainability matters;	(d) a description of the undertaking's policies in relation to sustainability matters;
Article 1, first paragraph, point (3), amending provision, numbered paragraph (2)(da)				
116a		<u>(da) information about the existence of incentive schemes offered to members of the administrative, management and supervisory bodies which are linked</u>		(da) information about the existence of incentive schemes offered to members of the administrative, management and supervisory bodies which are

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>to sustainability matters;</u>		linked to sustainability matters;
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (2)(e), introductory part			
G	117	(e) a description of:	(e) a description of:	(e) a description of:
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (2)(e)(i)			
Y	118	(i) the due diligence process implemented with regard to sustainability matters;	(i) the due diligence process implemented with regard to sustainability matters <u>and, where applicable, pursuant to EU and/or national legislation;</u>	(i) the due diligence process implemented by the undertaking with regard to sustainability matters; and where applicable in line with EU requirements on undertakings to conduct a due diligence process. Current EP proposal.
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (2)(e)(ii)			
Y	119	(ii) the principal actual or potential adverse impacts connected with the undertaking's value chain, including its own operations, its products and services, its business relationships and its supply chain;	(ii) the ~~principal~~ actual or potential adverse impacts connected with the undertaking's value chain, including its own operations, its products and services, its business relationships and its supply chain;	(ii) the principal actual or potential adverse impacts connected with the undertaking's ~~value chain, including its own operations,~~ own operations and with its value chain, including its products and services, its business relationships and its supply chain, actions taken to identify and track these impacts, and other adverse impacts which the undertaking is required to disclose according to

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				other EU requirements on undertakings to conduct the due diligence process; EP: To be discussed in fourth trilogue. Presidency proposal.
Article 1, first paragraph, point (3), amending provision, numbered paragraph (2)(e)(iii)				
120	(iii) any actions taken, and the result of such actions, to prevent, mitigate or remediate actual or potential adverse impacts;	(iii) any actions taken, and the result of such actions, to <u>identify, track, prevent, mitigate, remediate or cease-or-remediate</u> actual or potential adverse impacts;	(iii) any actions taken by the undertaking , and the result of such actions, to prevent, mitigate or remediate actual or potential adverse impacts;	(iii) any actions taken by the undertaking, and the result of such actions, to prevent, mitigate, remediate or bring an end to-or-remediate actual or potential adverse impacts; Presidency proposal. Council Mandate with some EP amendments.
Article 1, first paragraph, point (3), amending provision, numbered paragraph (2)(f)				
121	(f) a description of the principal risks to the undertaking related to sustainability matters, including the undertaking's principal dependencies on such matters, and how the undertaking manages those risks;	(f) a description of the ~~principal~~ risks to the undertaking related to sustainability matters, including the undertaking's principal dependencies on such matters, and how the undertaking manages those risks;	(f) a description of the principal risks to the undertaking related to sustainability matters, including the undertaking's principal dependencies on such matters, and how the undertaking manages those risks;	(f) a description of the principal risks to the undertaking related to sustainability matters, including the undertaking's principal dependencies on such matters, and how the undertaking manages those risks; Presidency proposal.
Article 1, first paragraph, point (3), amending provision, numbered paragraph (2)(g)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
G	122	(g) indicators <u>and time-bound targets</u> relevant to the disclosures referred to in points (a) to (f). <u>based on the guidelines developed by the European Commission.</u>	(g) indicators relevant to the disclosures referred to in points (a) to (f).	(g) indicators relevant to the disclosures referred to in points (a) to (f). Presidency proposal.
Article 1, first paragraph, point (3), amending provision, fifth paragraph				
Y	123	Undertakings shall also disclose information on intangibles, including information on intellectual, human, and social and relationship capital.	Undertakings shall also disclose information on intangibles, including information on intellectual, human, and social and relationship capital.	Undertakings shall also disclose information on intangibles, including information on intellectual, human, and social and relationship capital. Presidency proposal. Text Origin: Council text.
Article 1, first paragraph, point (3), amending provision, sixth paragraph				
G	124	Undertakings shall report the process carried out to identify the information that they have included in the management report in accordance with paragraph 1 and in this process they shall take account of short, medium and long-term horizons.	Undertakings shall report the process carried out to identify the information that they have included in the management report in accordance with paragraph 1 and in this process they shall take account of short, medium and long-term horizons.	Undertakings shall report the process carried out to identify the information that they have included in the management report in accordance with paragraph 1 ~~and in this process they~~ . The information listed under paragraph 2 shall take account of include information related to short, medium and long-term time horizons as applicable.
Article 1, first paragraph, point (3), amending provision, numbered paragraph (3), introductory part				
Y	125			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	3. The information referred to in paragraphs 1 and 2 shall contain forward-looking and retrospective information, and qualitative and quantitative information.	3. The information referred to in paragraphs 1 and 2 shall contain forward-looking and retrospective information, and qualitative and quantitative information.	Moved to row 242ae	Presidency proposal in row 242ae.
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (3), first paragraph			
126	Where appropriate, the information referred to in paragraphs 1 and 2 shall contain information about the undertaking's value chain, including the undertaking's own operations, products and services, its business relationships and its supply chain.	Where ~~appropriate~~ applicable , the information referred to in paragraphs 1 and 2 shall contain information about the undertaking's value chain, including the undertaking's own operations, products and services, its business relationships and its supply chain.	3. Where ~~appropriate~~ applicable , the information referred to in paragraphs 1 and 2 shall contain information about the undertaking's value chain, including the undertaking's own operations, products and services, its business relationships and its supply chain.	Where ~~appropriate~~ applicable , the information referred to in paragraphs 1 and 2 shall contain information about the undertaking's ~~value chain, including the undertaking's own operations~~ own operations, and about its value chain, including products and services, its business relationships and its supply chain. For the first three years of the application of this Directive, in the event that not all the necessary information regarding the value chain is available, the undertaking shall explain the efforts made to obtain the information about its value chain, the reasons why this information could not be obtained, and the plans of the undertaking to obtain such information in the future. Text Origin: EP Mandate with some changes and the addition of the last paragraph moved from row 242af from the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Council mandate with some modifications.
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (3), second paragraph			
127	Where appropriate, the information referred to in paragraphs 1 and 2 shall also contain references to, and additional explanations of, other information included in the management report in accordance with Article 19 and amounts reported in the annual financial statements.	Where ~~appropriate~~ applicable , the information referred to in paragraphs 1 and 2 shall also contain references to, and additional explanations of, other information included in the management report in accordance with Article 19 and amounts reported in the annual financial statements.	Where ~~appropriate~~ applicable , the information referred to in paragraphs 1 and 2 shall also contain references to, and additional explanations of, other information included in the management report in accordance with Article 19 and amounts reported in the annual financial statements.	Where ~~appropriate~~ applicable , the information referred to in paragraphs 1 and 2 shall also contain references to, and additional explanations of, other information included in the management report in accordance with Article 19 and amounts reported in the annual financial statements. Text Origin: EP Mandate
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (3), third paragraph			
128	Member States may allow information relating to impending developments or matters in the course of negotiation to be omitted in exceptional cases where, in the duly justified opinion of the members of the administrative, management and supervisory bodies, acting within the competences assigned to them by national law and having collective responsibility for that opinion, the disclosure of such information would be seriously prejudicial to the commercial	Member States may allow information relating to impending developments or matters in the course of negotiation to be omitted in exceptional cases where, in the duly justified opinion of the members of the administrative, management and supervisory bodies, acting within the competences assigned to them by national law and having collective responsibility for that opinion, the disclosure of such information would be seriously prejudicial to the commercial	Member States may allow information relating to impending ~~developments~~ developments or matters in the course of negotiation to be omitted in ~~exceptional~~ exceptional cases where, in the duly justified opinion of the members of the administrative, management and supervisory bodies, acting within the competences assigned to them by national law and having collective responsibility for that opinion, the disclosure of such information	Member States may allow information relating to impending ~~developments~~ developments or matters in the course of negotiation to be omitted in ~~exceptional~~ exceptional cases where, in the duly justified opinion of the members of the administrative, management and supervisory bodies, acting within the competences assigned to them by national law and having collective responsibility for that opinion, the disclosure of such information

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	position of the undertaking, provided that such omission does not prevent a fair and balanced understanding of the undertaking's development, performance, position and impact of its activity.	position of the undertaking, provided that such omission does not prevent a fair and balanced understanding of the undertaking's development, performance, position and impact of its activity.	would be seriously prejudicial to the commercial position of the undertaking, provided that such omission does not prevent a fair and balanced ~~under-standing~~ understanding of the undertaking's development, performance, position and impact of its activity.	would be seriously prejudicial to the commercial position of the undertaking, provided that such omission does not prevent a fair and balanced ~~under-standing~~ understanding of the undertaking's development, performance, position and impact of its activity. Text Origin: Council Mandate
Article 1, first paragraph, point (3), amending provision, numbered paragraph (4)				
129	4. Undertakings shall report the information referred to in paragraphs 1 to 3 in accordance with the sustainability reporting standards referred to in Article 19b.	4. Undertakings shall report the information referred to in paragraphs 1 to 3 in accordance with the sustainability reporting standards referred to in Article 19b.	4. Undertakings shall report the information referred to in paragraphs 1 to 3 in accordance with the sustainability reporting standards referred to in Article 19b29b.	4. Undertakings shall report the information referred to in paragraphs 1 to 3 in accordance with the sustainability reporting standards referred to in Article 19b29b. Text Origin: Council Mandate
Article 1, first paragraph, point (3), amending provision, numbered paragraph (4a)				
129a		<u>4a. The Commission shall prepare non-binding guidelines, on appropriate methodologies to generate the forward-looking information to be provided in the reporting.</u>		EP has withdrawn the AMD: to be deleted.
Article 1, first paragraph, point (3), amending provision, numbered paragraph (4b)				
129b				4b. The management of the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				undertaking shall inform workers' representatives at the appropriate level and discuss with them the relevant information and the means of obtaining and verifying sustainability information. Their opinion should be communicated, where applicable, to the relevant administrative, management or supervisory bodies. EP to update the EP mandate text in this row.
Article 1, first paragraph, point (3), amending provision, numbered paragraph (5)				
130	5. By way of derogation from Article 19a, paragraphs 1 to 4, small and medium sized undertakings referred to in Article 2, point (1), point (a), may report in accordance with the sustainability reporting standards for small and medium sized undertakings referred to in Article 19c.	5. ~~By way of derogation from Article 19a, paragraphs 1 to 4, small and medium sized undertakings referred to in Article 2, point (1), point (a), may report in accordance with the sustainability reporting standards for small and medium sized undertakings referred to in Article 19c~~<u>In accordance with applicable EU and national legislation and practice, the appropriate worker's representatives shall take part in the design of the reporting system and the outcome should be presented, where applicable, to the relevant administrative, management or supervisory bodies.</u>	5. By way of derogation from Article 19a, paragraphs ~~1~~2 to 4, and without prejudice to paragraphs 7 and 7a, small and ~~medium~~ sized ~~medium-sized~~ undertakings referred to in paragraph 1, small and non-complex institutions as defined in Article 24(1), point (1), point (a), may report in accordance with the sustainability reporting standards for small and medium sized ~~(145)~~ of Regulation (EU) No 575/2013, and captive insurance undertakings as defined in Article 13 (2) of Directive 2009/138/EC and captive reinsurance undertakings referred to as defined in Article ~~19e~~13 (5) of Directive 2009/138/EC may limit their	5. By way of derogation from Article 19a, paragraphs ~~1~~2 to 4, and without prejudice to paragraphs 7 and 7a, small and ~~medium~~ sized ~~medium-sized~~ undertakings referred to in paragraph 1, small and non-complex institutions as defined in Article 24(1), point (1), point (a), may report in accordance with the sustainability reporting standards for small and medium sized ~~(145)~~ of Regulation (EU) No 575/2013, and captive insurance undertakings as defined in Article 13 (2) of Directive 2009/138/EC and captive reinsurance undertakings referred to as defined in Article ~~19e~~13 (5) of Directive 2009/138/EC may limit their

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			sustainability reporting to the following information:	sustainability reporting to the following information: EP proposed to incorporate their amendment in a separate paragraph 4b (see new row 129b above) so as to split the discussion on scope from the discussion on 'internal processes'/role of workers representatives. EP: To be discussed with scope in fourth trilogue.
Article 1, first paragraph, point (3), amending provision, numbered paragraph (5)(a)				
130a			(a) A brief description of the undertaking's business model and strategy;	(a) A brief description of the undertaking's business model and strategy; Presidency proposal, EP: 130a-130f to be discussed in 4th trilogue. Text Origin: Council Mandate
Article 1, first paragraph, point (3), amending provision, numbered paragraph (5)(b)				
130b			(b) A description of the undertaking's policies in relation to sustainability matters;	(b) A description of the undertaking's policies in relation to sustainability matters; Presidency proposal. Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (3), amending provision, numbered paragraph (5)(c)				
130c			(c) The principal actual or potential adverse impacts of the undertaking with regard to sustainability matters, and any actions taken to prevent, mitigate or remediate such actual or potential adverse impacts;	(c) The principal actual or potential adverse impacts of the undertaking with regard to sustainability matters, and any actions taken to identify, monitor, prevent, mitigate or remediate such actual or potential adverse impacts; Presidency proposal Text Origin: Council Mandate
Article 1, first paragraph, point (3), amending provision, numbered paragraph (5)(d)				
130d			(d) The principal risks to the undertaking related to sustainability matters and how the undertaking manages those risks;	(d) The principal risks to the undertaking related to sustainability matters and how the undertaking manages those risks; Presidency proposal. Text Origin: Council Mandate
Article 1, first paragraph, point (3), amending provision, numbered paragraph (5)(e)				
130e			(e) Key indicators necessary to the disclosures referred to in points (a) to (d).	(e) Key indicators necessary to the disclosures referred to in points (a) to (d). Presidency proposal. Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (3), amending provision, numbered paragraph			
130f			Small and medium-sized undertakings, small and non-complex institutions and captive insurance and reinsurance undertakings that use this derogation shall report in accordance with the sustainability reporting standards for small and medium-sized undertakings referred to in Article 29c.	Small and medium-sized undertakings, small and non-complex institutions and captive insurance and reinsurance undertakings that use this derogation shall report in accordance with the sustainability reporting standards for small and medium-sized undertakings referred to in Article 29c. Presidency proposal. Text Origin: Council Mandate
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (5b)			
130g				5a. By way of derogation from paragraph 1 and until 2028, small and medium-sized undertakings which are undertakings referred to in Article 2, point (1), point (a), may decide not to include in their management report the information referred to in paragraph 1. The undertaking shall however provide a statement in its management report explaining the reasons why the sustainability reporting was not provided.
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (6)			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
131	6. Undertakings that comply with the requirements set out in paragraphs 1 to 4 shall be deemed to have complied with the requirement set out in the third subparagraph of Article 19(1).	6. Undertakings that comply with the requirements set out in paragraphs 1 to 4 shall be deemed to have complied with the requirement set out in the third subparagraph of Article 19(1).	6. Undertakings that comply with the requirements set out in paragraphs 1 to 4 and undertakings making use of the derogation in paragraph 5 shall be deemed to have complied with the requirement set out in the third subparagraph of Article 19(1).	
Article 1, first paragraph, point (3), amending provision, numbered paragraph (7), introductory part				
132	7. An undertaking which is a subsidiary undertaking shall be exempted from the obligations set out in paragraphs 1 to 4 if that undertaking and its subsidiary undertakings are included in the consolidated management report of a parent undertaking, drawn up in accordance with Articles 29 and 29a. An undertaking that is a subsidiary undertaking from a parent undertaking that is established in a third country shall also be exempted from the obligations set out in paragraphs 1 to 4 where that undertaking and its subsidiary undertakings are included in the consolidated management report of that parent undertaking and where the consolidated management report is drawn up in a manner that may be considered equivalent, in accordance	7. ~~An undertaking which is a subsidiary undertaking shall be exempted from the obligations set out in paragraphs 1 to 4 if that undertaking and its subsidiary undertakings are included in the consolidated management report of a parent undertaking, drawn up in accordance with Articles 29 and 29a. An undertaking that is a subsidiary undertaking from a parent undertaking that is established in a third country shall also be exempted from the obligations set out in paragraphs 1 to 4 where that undertaking and its subsidiary undertakings are included in the consolidated management report of that parent undertaking and where the consolidated management report is drawn up in a manner that may be~~	7. An undertaking (‘the exempted subsidiary undertaking’) which is a subsidiary undertaking shall be exempted from the obligations set out in paragraphs 1 to 4 if that undertaking and its subsidiary undertakings are included in the consolidated management report of a parent undertaking, drawn up in accordance with Articles 29 and 29a. An undertaking that is a subsidiary undertaking from a parent undertaking that is established in a third country shall also be exempted from the obligations set out in paragraphs 1 to 4 where that undertaking and its subsidiary undertakings are included in the consolidated management report of that parent undertaking and where the consolidated ~~management~~ sustainability reporting is	7. An undertaking (‘the exempted subsidiary undertaking’) which is a subsidiary undertaking shall be exempted from the obligations set out in paragraphs 1 to 4 if that undertaking and its subsidiary undertakings are included in the consolidated management report of a parent undertaking, drawn up in accordance with Articles 29 and 29a. An undertaking that is a subsidiary undertaking from a parent undertaking that is established in a third country shall also be exempted from the obligations set out in paragraphs 1 to 4 where that undertaking and its subsidiary undertakings are included in the ~~consolidated management~~ reportsustainability reporting of that parent undertaking and where this sustainability reporting of the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	with the relevant implementing measures adopted pursuant to Article 23(4), point (i), of Directive 2004/109/EC of the European Parliament and of the Council*⁶, to the manner required by the sustainability reporting standards referred to in Article 19b of this Directive.	~~considered equivalent, in accordance with the relevant implementing measures adopted pursuant to Article 23(4), point (i), of Directive 2004/109/EC of the European Parliament and of the Council*⁶, to the manner required by the sustainability reporting standards referred to in Article 19b of this Directive.~~ <u>deleted</u>	drawn up in a manner that may be considered equivalent, equivalent to sustainability reporting standards adopted pursuant to Articles 29b of this Directive, determined in accordance with the relevant implementing measures adopted pursuant to Article 23(4), first subparagraph, point (i), and Article 23(4), fourth subparagraph of Directive 2004/109/EC of the European Parliament and of the Council*⁶, ~~to the manner required by the sustainability reporting standards referred to in Article 19b of this Directive.~~¹. 1. [1] Directive 2004/109/EC of the European Parliament and of the Council of 15 December 2004 on the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market and amending Directive 2001/34/EC (OJ L 390, 31.12.2004, p. 38).’;	~~parent undertaking the consolidated management report is drawn up in accordance with the sustainability reporting standards adopted pursuant to Article 29b or in a manner that may be considered equivalent,~~equivalent to those sustainability reporting standards determined in accordance with Commission's decisions on the equivalence of sustainability reporting standards~~the relevant implementing measures adopted pursuant to Article 23(4), point (i),~~third subparagraph of Directive 2004/109/EC of the European Parliament and of the Council*⁶, ~~to the manner required by the sustainability reporting standards referred to in Article 19b of this Directive.~~¹. 1. [1] Directive 2004/109/EC of the European Parliament and of the Council of 15 December 2004 on the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market and amending Directive 2001/34/EC (OJ L 390, 31.12.2004, p. 38).’; EP: Pending result discussion on 29a para 7. To be discussed at the fourth trilogue. (Applicable to row 132a to 139a below). Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (7), first paragraph -a, introductory part			
Y	132a		The exemption in subparagraph 1 is subject to the following conditions:	The exemption in subparagraph 1 is subject to the following conditions:
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (7), first paragraph -a(a), introductory part			
Y	132b		(i) the management report of the exempted subsidiary undertaking contains all of the following information: see row 135	(i) the management report of the exempted subsidiary undertaking contains all of the following information:
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (7), first paragraph -a(a)(1)			
Y	132c		(a) the name and registered office of the parent undertaking that reports information at group level in accordance with Articles 29 and 29a of this Directive, or in a manner equivalent to sustainability reporting standards adopted pursuant to Article 29b of this Directive, determined in accordance with the measures adopted pursuant to Article 23(4), first subparagraph, point (i), and	(a) the name and registered office of the parent undertaking that reports information at group level in accordance with this Article, or in a manner equivalent to sustainability reporting standards adopted pursuant to Article 29b of this Directive, determined in accordance with Commission's decisions on equivalence of sustainability reporting standards adopted pursuant to Article 23(4),

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Article 23(4), fourth subparagraph of Directive 2004/109/EC; see row 136	third subparagraph;
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (7), first paragraph -a(a)(2)			
132d			(b) the web links to the consolidated management report of the parent undertaking referred to in the first subparagraph and to the opinion referred to in Article 34(1), second subparagraph, point (aa) of this Directive or the opinion referred to in point (ii) of this subparagraph;	(b) the web links to the consolidated management report of the parent undertaking or to the consolidated sustainability reporting where applicable, referred to in the first subparagraph and to the opinion referred to in Article 34(1), second subparagraph, point (aa) of this Directive or the opinion referred to in point (ii) of this subparagraph;
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (7), first paragraph -a(a)(3)			
132e			(c) the fact that the undertaking is exempted from the obligations set out in paragraphs 1 to 4 of this Article. see row 137	(c) the fact that the undertaking is exempted from the obligations set out in paragraphs 1 to 4 of this Article.
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (7), first paragraph -a(b)			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
132f			(ii) When the parent undertaking referred to in the first subparagraph is established in a third country, its consolidated management report and the opinion based on a limited assurance engagement given by one or more person(s) or firm(s) authorised to give an opinion on the assurance of sustainability reporting under the national law governing the undertaking which drew up that consolidated management report, shall be published in accordance with Article 30, in the manner prescribed by the law of the Member State by which the exempted subsidiary undertaking is governed.	(ii) When the parent undertaking referred to in the first subparagraph is established in a third country, its consolidated sustainability reporting and the opinion based on a limited assurance engagement given by one or more person(s) or firm(s) authorised to give an opinion on the assurance of sustainability reporting under the national law governing the undertaking which drew up that consolidated sustainability reporting or separate report, shall be published in accordance with Article 30, in the manner prescribed by the law of the Member State by which the exempted subsidiary undertaking is governed.
Article 1, first paragraph, point (3), amending provision, numbered paragraph (7), first paragraph -b				
132g			The Member State by which the exempted subsidiary undertaking is governed, may require that the consolidated management report of the parent undertaking is published in a language that it accepts, and that any necessary translation into those languages is certified.	The Member State by which the exempted subsidiary undertaking is governed, may require that the consolidated management report or consolidated sustainability reporting where applicable of the parent undertaking is published in a language that it accepts, and that any necessary translation into those languages is provided. Any

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				translation not certified shall include a statement indicating the translation was not certified. Text Origin: Council Mandate with some changes.
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (7), first paragraph -c			
y	132h		Undertakings which are exempted from preparing a management report according to Article 37 of this Directive, need not to provide the information of points (a), (b) and (c) of point (i) of the second subparagraph, provided they publish the consolidated management report referred to in the first subparagraph of this paragraph in accordance with Article 37 of this Directive.	Undertakings which are exempted from preparing a management report according to Article 37 of this Directive, need not to provide the information of points (a), (b) and (c) of point (i) of the second subparagraph, provided they publish the consolidated management report referred to in the first subparagraph of this paragraph in accordance with Article 37 of this Directive.
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (7), first paragraph -d			
y	132i		For the purposes of the first subparagraph, and where Article 10 of Regulation (EU) No 575/2013 applies, credit institutions referred to in Article 1, point (3), point (b) of this Directive that are permanently affiliated to a central body which supervises them under the conditions laid down in that	For the purposes of the first subparagraph, and where Article 10 of Regulation (EU) No 575/2013 applies, credit institutions referred to in Article 1, point (3), point (b) of this Directive that are permanently affiliated to a central body which supervises them under the conditions laid down in that

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			same article shall be treated as subsidiaries of the central body.	same article shall be treated as subsidiaries of the central body.
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (7), first paragraph -e			
132j			For the purposes of the first subparagraph, insurance undertakings referred to in Article 1(3), point (a) of this Directive that are part of a group on the basis of a relationship referred to in Article 212(1)(c)(ii) of Directive 2009/138/EC which is subject to group supervision in accordance with Article 213(2), points (a), (b) and (c) of that Directive shall be treated as subsidiaries of the parent undertaking of that group.	For the purposes of the first subparagraph, insurance undertakings referred to in Article 1(3), point (a) of this Directive that are part of a group on the basis of a relationship referred to in Article 212(1)(c)(ii) of Directive 2009/138/EC which is subject to group supervision in accordance with Article 213(2), points (a), (b) and (c) of that Directive shall be treated as subsidiaries of the parent undertaking of that group.
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (7), first paragraph			
133	The consolidated management report of the parent undertaking referred to in subparagraph 1 shall be published in accordance with Article 30, in the manner prescribed by the law of the Member State by which the undertaking that is exempted from the obligations set out in paragraphs 1 to 4 is governed.	The consolidated management report of ~~the~~ parent undertaking ~~referred to in subparagraph 1~~ shall be published in accordance with Article 30, in the manner prescribed by the law of the Member State by which the undertaking ~~that is exempted from the obligations set out~~ <u>which meets the requirements referred to</u> in paragraphs 1 to 4 is governed.	~~The consolidated management report of the parent undertaking referred to in subparagraph 1 shall be published in accordance with Article 30, in the manner prescribed by the law of the Member State by which the undertaking that is exempted from the obligations set out in paragraphs 1 to 4 is governed.~~	Presidency proposal: to be deleted (covered by row 132f)

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
Article 1, first paragraph, point (3), amending provision, numbered paragraph (7), second paragraph					
Y	134	The Member State by which the undertaking that is exempted from the obligations set out in paragraphs 1 to 4 is governed, may require that the consolidated management report referred to in the first subparagraph of this paragraph is published in an official language of the Member State or in a language customary in the sphere of international finance, and that any necessary translation into those languages is certified.	The Member State by which the undertaking ~~that is exempted from the obligations set out in paragraphs 1 to 4 is governed,~~ <u>which meets the requirements referred to</u> in paragraphs 1 to 4 is governed, may require that the consolidated management report ~~referred to in the first subparagraph of this paragraph is published in an official language of the Member State or in a language customary in the sphere of international finance,~~ <u>referred to in the first subparagraph of this paragraph of a parent undertaking</u> is published in an official language of the Member State or in a language customary in the sphere of international finance, and that any necessary translation into those languages is certified.	The Member State by which the undertaking that is exempted from the obligations set out in paragraphs 1 to 4 is governed, may require that the consolidated management report referred to in the first subparagraph of this paragraph is published in an official language of the Member State or in a language customary in the sphere of international finance, and that any necessary translation into those languages is certified.	Presidency proposal: to be deleted (covered by row 132g)
Article 1, first paragraph, point (3), amending provision, numbered paragraph (7), third paragraph, introductory part					
Y	135	The management report of an undertaking that is exempted from the obligations set out in paragraphs 1 to 4 shall contain all of the following information:	The management report of an undertaking that is exempted from the obligations set out in paragraphs 1 to 4 shall contain all of the following information:	Moved to row 132b	Presidency proposal: to be deleted (covered by row 132b)
Article 1, first paragraph, point (3), amending provision, numbered paragraph (7), third paragraph(a)					
Y	136	(a) the name and registered office of the parent undertaking that reports information at group level in	(a) the name and registered office of the parent undertaking that reports information at group level in	Moved to row 132c	Presidency proposal: to be deleted (covered by row 132c)

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	accordance with Articles 29 and 29a, or in a manner that may be considered equivalent, in accordance with the implementing measures adopted pursuant to Article 23(4), point (i) of Directive 2004/109/EC, to the manner required by the sustainability reporting standards referred to in Article 19b;	accordance with Articles 29 and 29a, or in a manner that may be considered equivalent, in accordance with the implementing measures adopted pursuant to Article 23(4), point (i) of Directive 2004/109/EC, to the manner required by the sustainability reporting standards referred to in Article 19b;		
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (7), third paragraph(b)			
Y	137 (b) the fact that the undertaking is exempted from the obligations set out in paragraphs 1 to 4 of this Article.	(b) the fact that the undertaking is exempted from the obligations set out in paragraphs 1 to 4 of this Article.	Moved to 132e	Presidency proposal: to be deleted (covered by row 132e)
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (7), fourth paragraph			
G	138 _____ _____ _____	_____ _____ _____ ~~deleted~~		
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (7), fifth paragraph			
G	139 * ⁶ Directive 2004/109/EC of the European Parliament and of the Council of 15 December 2004 on the harmonisation of transparency requirements in relation to	~~*⁶ Directive 2004/109/EC of the European Parliament and of the Council of 15 December 2004 on the harmonisation of transparency requirements in relation to~~		* ⁶ Directive 2004/109/EC of the European Parliament and of the Council of 15 December 2004 on the harmonisation of transparency requirements in relation to

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	information about issuers whose securities are admitted to trading on a regulated market and amending Directive 2001/34/EC (OJ L 390, 31.12.2004, p. 38).;	~~information about issuers whose securities are admitted to trading on a regulated market and amending Directive 2001/34/EC (OJ L 390, 31.12.2004, p. 38).~~ ~~deleted~~		information about issuers whose securities are admitted to trading on a regulated market and amending Directive 2001/34/EC (OJ L 390, 31.12.2004, p. 38).; Text Origin: Commission Proposal
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (7), fifth paragraph a			
139a			7. a The exemption of paragraph 7 shall also apply to public interest entities subject to the requirements of this Article.	7. a The exemption of paragraph 7 shall also apply to public interest entities subject to the requirements of this Article, unless that public-interest entity falls under point (1)(a) of Article 2. Presidency proposal after CRP on 18.5.2022.
	Article 1, first paragraph, point (3), amending provision, numbered paragraph (7a)			
139b		<u>7a. The Commission shall be empowered to adopt delegated acts in accordance with Article 49 to establish and amend a list of activities that shall include economic activities in the following high-risk sectors:</u> <u>- Garment and footwear, including manufacturing of textile,</u>		EP has withdrawn: to be deleted. EP: Pending agreement on 147d.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>- Agriculture, including manufacturing of food and beverage,</u> <u>- Extractive sector (mining, oil and gas industries),</u> <u>- Minerals, including tin, tantalum, tungsten and gold, as well as all other mineral resources.</u> <u>The list should correspond to the European NACE codes and take into account, when possible, the lowest classification level.</u>	PUBLIC	
Article 1, first paragraph, point (4), introductory part				
140	(4) the following Articles 19b, 19c and 19d are inserted:	(4) the following Articles 19b, 19c and 19d are inserted:	~~(4) the following~~ (7)b Articles 19b, 19c and 19d are inserted: 29b and 29c have been added Articles 19b, 19c and 19d moved under 29b, 29c and 29d (from row 242c to 242ba). See row 242c.	~~(4) the following Articles 19b, 19c and 19d are inserted:~~ Presidency compromise proposal moved to row 242c
Article 1, first paragraph, point (4), amending provision, first paragraph				
141	Article 19b	Article 19b	Article ~~19b~~29b Sustainability reporting standards See row 242d.	Article ~~19b~~ Presidency compromise proposal moved to row 242d

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (4), amending provision, second paragraph			
142	Sustainability reporting standards	Sustainability reporting standards	See row 242d.	Sustainability reporting standards Presidency compromise proposal moved to row 242d
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (1), introductory part			
143	1. The Commission shall adopt delegated acts in accordance with Article 49 to provide for sustainability reporting standards. Those sustainability reporting standards shall specify the information that undertakings are to report in accordance with Articles 19a and 29a and, where relevant, shall specify the structure in which that information shall be reported. In particular:	1. The Commission shall adopt delegated acts in accordance with Article 49 to provide for sustainability reporting standards. Those sustainability reporting standards shall specify the information that undertakings are to report in accordance with Articles 19a and 29a and, where relevant, shall specify the structure in which that information shall be reported. In particular:	1. The Commission shall adopt delegated acts in accordance with Article 49 to provide for sustainability reporting standards. Those sustainability reporting standards shall specify the information that undertakings are to report in accordance with Articles 19a and 29a and, where relevant, shall specify the structure in which that information shall be reported. In particular: Moved to row 242e with no changes.	~~1. The Commission shall adopt delegated acts in accordance with Article 49 to provide for sustainability reporting standards. Those sustainability reporting standards shall specify the information that undertakings are to report in accordance with Articles 19a and 29a and, where relevant, shall specify the structure in which that information shall be reported. In particular:~~ Presidency compromise proposal moved to row 242e
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (1)(a)			
144	(a) by 31 October 2022, the Commission shall adopt delegated acts specifying the information that undertakings are to report in accordance with paragraphs 1 and 2	(a) by ~~31 October 2022~~ <u>30 April 2023</u> , the Commission shall adopt delegated acts specifying the information that undertakings are to report in accordance with paragraphs	(a) by 31 October 2022, the Commission shall adopt delegated acts specifying the information that undertakings are to report in accordance with paragraphs 1 and 2	~~(a) by 31 October 2022, the Commission shall adopt delegated acts specifying the information that undertakings are to report in accordance with paragraphs 1 and 2~~

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of Article 19a, and at least specifying information corresponding to the needs of financial market participants subject to the disclosure obligations of Regulation (EU) 2019/2088.	1 and 2 of Article 19a, and at least specifying information corresponding to the needs of financial market participants subject to the disclosure obligations of Regulation (EU) 2019/2088.	of Article 19a, and paragraphs 1 and 2 of Article 29a where appropriate , and at least specifying information corresponding to the needs of financial market participants subject to the disclosure obligations of Regulation (EU) 2019/2088. Moved to row 242f with the above changes.	of Article 19a, and at least specifying information corresponding to the needs of financial market participants subject to the disclosure obligations of Regulation (EU) 2019/2088.
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1)(b), introductory part				
145	(b) by 31 October 2023, the Commission shall adopt delegated acts specifying:	(b) by ~~31 October 2023~~ <u>1 January 2024</u> , the Commission shall adopt delegated acts specifying:	(b) by 31 October 2023, the Commission shall adopt delegated acts specifying: Moved to row 242g with no changes.	~~(b) by 31 October 2023, the Commission shall adopt delegated acts specifying:~~ Text Origin: Commission Proposal
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1)(b)(i)				
146	(i) complementary information that undertakings shall report with regard to the sustainability matters and reporting areas listed in Article 19a(2), where necessary;	(i) complementary information that undertakings shall report with regard to the sustainability matters and reporting areas listed in Article 19a(2), where necessary;	(i) complementary information that undertakings shall report with regard to the sustainability matters and reporting areas listed in Article 19a(2), where necessary; Moved to row 242h with no changes.	~~(i) complementary information that undertakings shall report with regard to the sustainability matters and reporting areas listed in Article 19a(2), where necessary;~~ Presidency compromise proposal moved to row 242h
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1)(b)(ii)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
G	147	(ii) information that undertakings shall report that is specific to the sector in which they operate. <u>prioritising information in economic activities in high-risk sectors referred to in Article 19a (7a);</u>	(ii) information that undertakings shall report that is specific to the sector in which they operate. Moved to row 242i with no changes.	~~(ii) information that undertakings shall report that is specific to the sector in which they operate.~~ Presidency compromise proposal moved to row 242i
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1)(b)(iia)				
G	147a	<u>(iia) the specific measurable objectives based on scientific evidence set out in Article 2, point(20a);</u>		Agreement: delete.
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1)(ba), introductory part				
G	147b	<u>IIb the criteria and implementing rules for sustainability reporting for undertakings operating economic activities in high-risk sectors referred to in Article 19a (7a);</u>		Agreement: delete.
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1)(ba)(1)				
R	147c	<u>IIc implementing rules and guidelines for sustainability reporting for undertakings referred to in Article 19 a) point 1a which</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>are governed by the law of a third country and are not established in the territory of the Union when they operate in the internal market selling goods or providing services.</u>		
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (1), first paragraph -a			
R	147d			<i>deleted</i> Presidency compromise proposal moved to row 242j.
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (1), first paragraph			
G	148	The Commission shall, at least every three years after its date of application, review any delegated act adopted pursuant to this Article, taking into consideration the technical advice of the European Financial Reporting Advisory Group (EFRAG), and where necessary shall amend such delegated act to take into account relevant developments, including developments with regard to international standards.	The Commission shall, at least every three years after its date of application, review any delegated act adopted pursuant to this Article, taking into consideration the technical advice of the European Financial Reporting Advisory Group (EFRAG), and where necessary shall amend such delegated act to take into account relevant developments, including developments with regard to international standards. Moved to row 242k with no changes. An additional paragraph has been added as in row 242l as follows:	~~The Commission shall, at least every three years after its date of application, review any delegated act adopted pursuant to this Article, taking into consideration the technical advice of the European Financial Reporting Advisory Group (EFRAG), and where necessary shall amend such delegated act to take into account relevant developments, including developments with regard to international standards.~~ Presidency compromise proposal moved to row 242k

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			'The Commission shall, at least once a year, consult jointly the Member State Expert Group on Sustainable Finance referred to in Article 24 of Regulation (EU) 2020/852 and the Accounting Regulatory Committee referred to in Article 6 of Regulation (EU) 1606/2002 on EFRAG's work programme as regards the development of sustainability reporting standards.'	
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), introductory part				
149	2. The sustainability reporting standards referred to in paragraph 1 shall require that the information to be reported is understandable, relevant, representative, verifiable, comparable, and is represented in a faithful manner.	2. The sustainability reporting standards referred to in paragraph 1 shall ~~require that the~~ <u>ensure the quality and relevance of reported information, by requiring that its representative, verifiable, reliable, easily accessible</u> ~~to be reported is understandable, relevant, representative, verifiable,~~ comparable, and is represented in a faithful manner <u>and, where possible, based on specific measurable science-based objectives as described in article 19b) 1 b.iii).</u>	2. The sustainability reporting standards referred to in paragraph 1 shall require that the information to be reported is understandable, relevant, ~~representative~~ , verifiable, comparable, and is represented in a faithful manner. MOVED TO ROW 242m WITH THE ABOVE CHANGES.	~~2. The sustainability reporting standards referred to in paragraph 1 shall require that the information to be reported is understandable, relevant, representative, verifiable, comparable, and is represented in a faithful manner.~~ Presidency compromise proposal moved to row 242m
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph, introductory part				
150	The sustainability reporting standards shall, taking into account the subject matter of a particular	The sustainability reporting standards shall, taking into account the subject matter of a particular	The sustainability reporting standards shall, taking into account the subject matter of a particular	~~The sustainability reporting standards shall, taking into account the subject matter of a particular~~

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	standard:	standard:	standard: Moved to 242n with no changes.	~~standard:~~ Presidency compromise proposal moved to row 242n
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph(a), introductory part				
151	(a) specify the information that undertakings are to disclose about environmental factors, including information about:	(a) specify the information that undertakings are to disclose about environmental factors, including information about:	(a) specify the information that undertakings are to disclose about environmental factors, including information about: MOVED TO ROW 242o WITH THE ABOVE CHANGES.	~~(a) specify the information that undertakings are to disclose about environmental factors, including information about:~~ Presidency compromise proposal moved to row 242o
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph(a)(i)				
152	(i) climate change mitigation;	(i) climate change mitigation <u>including:</u> <u>- emissions on all scopes of greenhouse gas emissions, including Scope 1, 2 and 3 GHG emissions, and other relevant indicators, as appropriate;</u> <u>- transition, financial and investment plans related to GHG emissions and any emission reduction targets of the undertaking and any targeted date to achieve climate neutrality; and</u> <u>- the alignment of the undertaking's business model and</u>	(i) climate change mitigation; Moved to row 242p with no changes.	~~(i) climate change mitigation;~~ Presidency compromise proposal moved to row 242p

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>strategy with the goal of limiting of global warming to well-below 2 °C and pursuing efforts to limit it to 1.5° with no or limited overshoot.</u>		
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph(a)(ii)				
153	(ii) climate change adaptation;	(ii) climate change adaptation;	(ii) climate change adaptation; Moved to row 242q with no changes.	~~(ii) climate change adaptation;~~ Presidency compromise proposal moved to row 242q
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph(a)(iii)				
154	(iii) water and marine resources;	(iii) <u>the sustainable use and protection of</u> water, <u>marine and soil</u> ~~and marine~~ resources;	(iii) water and marine resources; Moved to row 242r with no changes.	~~(iii) water and marine resources;~~ Presidency compromise proposal moved to row 242r
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph(a)(iv)				
155	(iv) resource use and circular economy;	(iv) ~~resource use and~~ <u>the transition to</u> circular economy, <u>including resource use</u> ;	(iv) resource use and circular economy; Moved to row 242s with no changes.	~~(iv) resource use and circular economy;~~ Presidency compromise proposal moved to row 242s
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph(a)(v)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
156	(v) pollution;	(v) pollution <u>prevention and control</u> ;	(v) pollution; Moved to row 242t with no changes.	~~(v) pollution~~ ; Presidency compromise proposal moved to row 242t
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph(a)(vi)				
157	(vi) biodiversity and ecosystems;	(vi) <u>protection and restoration of</u> biodiversity and ecosystems;	(vi) biodiversity and ecosystems; Moved to row 242u with no changes.	~~(vi) biodiversity and ecosystems~~ ; Presidency compromise proposal moved to row 242u
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph(b), introductory part				
158	(b) specify the information that undertakings are to disclose about social factors, including information about:	(b) specify the information that undertakings are to disclose about social factors, including information about:	(b) specify the information that undertakings are to disclose about social factors, including information about and human rights factors : MOVED TO ROW 242v WITH THE ABOVE CHANGES.	~~(b) specify the information that undertakings are to disclose about social factors, including information about:~~ Presidency compromise proposal moved to row 242v
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph(b)(i)				
159	(i) equal opportunities for all, including gender equality and equal pay for equal work, training and skills development, and employment and inclusion of people with	(i) equal <u>treatment and</u> opportunities for all, including gender equality and equal pay for <u>work of</u> equal ~~work~~ <u>value, diversity at all levels as defined under</u>	(i) equal opportunities for all, including gender equality and equal pay for equal work or work of equal value , training and skills development, and employment and	~~(i) equal opportunities for all, including gender equality and equal pay for equal work, training and skills development, and employment and inclusion of people with~~

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	disabilities;	<u>existing EU legislation, pay transparency, measures against violence and harassment</u> , training and skills development, <u>in particular the rate and breakdown of workers participating in training</u> , and employment and inclusion of people with disabilities, <u>specifying information on accessibility measures, on a country-by-country basis</u> ;	inclusion of people with disabilities; MOVED TO ROW 242w WITH THE ABOVE CHANGES.	~~disabilities~~ ; Presidency compromise proposal moved to row 242w
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph(b)(ia)				
Y	159a	<u>(ia) the composition of the workforce disaggregated by sex, on a country-by-country basis</u> ;		Presidency proposal: delete.
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph(b)(ib)				
Y	159b	<u>I Ib existence of collective agreements and the coverage of workers therein, and the existence of work councils, including international work councils, in accordance with applicable law and practice</u> ;		Presidency proposal: delete (covered in 242x)
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph(b)(ii)				
G	160			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(ii) working conditions, including secure and adaptable employment, wages, social dialogue, collective bargaining and the involvement of workers, work-life balance, and a healthy, safe and well-adapted work environment;	(ii) working conditions, including secure <u>employment, adequate and fair wages, working time</u> ~~and adaptable employment, wages,~~ social dialogue, <u>freedom of association,</u> collective bargaining and the ~~involvement~~ <u>information, consultation and participation rights</u> of workers, <u>including with regard to their participation in administrative and supervisory boards,</u> work-life balance, <u>maternity, paternity and parental leave, and health and safety, and the rate of workers injured and sick at work</u> ~~and a healthy, safe and well-adapted work environment;~~	(ii) working conditions, including secure and adaptable employment, wages, social dialogue, collective bargaining and the involvement of workers, work-life balance, and a healthy, safe and well-adapted work environment; Moved to row 242x with no changes.	(ii) ~~working conditions, including secure and adaptable employment, wages, social dialogue, collective bargaining and the involvement of workers, work-life balance, and a healthy, safe and well-adapted work environment;~~ Presidency compromise proposal moved to row 242x
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph(b)(iii)				
161	(iii) respect for the human rights, fundamental freedoms, democratic principles and standards established in the International Bill of Human Rights and other core UN human rights conventions, the International Labour Organization's Declaration on Fundamental Principles and Rights at Work and the ILO fundamental conventions and the Charter of Fundamental Rights of the European Union.	(iii) respect for the human rights, fundamental freedoms, democratic principles and standards established in the International Bill of Human Rights, <u>the UN Guiding Principles on Business and Human Rights</u> and other core UN human rights conventions, <u>including the UN Convention on Persons with Disabilities, the UN Declaration on the Rights of Indigenous Peoples,</u> the International Labour Organization's Declaration on Fundamental Principles and Rights	(iii) respect for the human rights, fundamental freedoms, democratic principles and standards established in the International Bill of Human Rights and other core UN human rights conventions, the International Labour Organization's Declaration on Fundamental Principles and Rights at Work and the ILO fundamental conventions and the Charter of Fundamental Rights of the European Union. Moved to row 242y with no changes.	(iii) ~~respect for the human rights, fundamental freedoms, democratic principles and standards established in the International Bill of Human Rights and other core UN human rights conventions, the International Labour Organization's Declaration on Fundamental Principles and Rights at Work and the ILO fundamental conventions and the Charter of Fundamental Rights of the European Union.~~ Presidency compromise proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		at Work and the ILO fundamental <u>and governance</u> conventions, <u>the International Labour Organization's Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, including the list of relevant standards in Annex I, the European Convention of Human Rights, the revised European Social Charter, and</u> the Charter of Fundamental Rights of the European Union, <u>the OECD Guidelines on Multinational Enterprises and the EU labour law acquis.</u>	PUBLIC	moved to row 242y
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph(c), introductory part				
162	(c) specify the information that undertakings are to disclose about governance factors, including information about:	(c) specify the information that undertakings are to disclose about governance factors, including information about:	(c) specify the information that undertakings are to disclose about governance factors, including information about: MOVED TO ROW 242z WITH THE ABOVE CHANGES.	~~(e) specify the information that undertakings are to disclose about governance factors, including information about:~~ Presidency compromise proposal moved to row 242z
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph(c)(i)				
163	(i) the role of the undertaking's administrative, management and supervisory bodies, including with	(i) the role <u>and expertise</u> of the undertaking's administrative, management and supervisory bodies	(i) the role of the undertaking's administrative, management and supervisory bodies, including with	~~(i) the role of the undertaking's administrative, management and supervisory bodies, including with~~

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	regard to sustainability matters, and their composition;	<u>and committees</u> , including with regard to sustainability matters, and their composition;	regard to sustainability matters, and their composition expertise and skills to fulfill this role or access to such expertise and skills ; MOVED TO ROW 242aa WITH THE ABOVE CHANGES. An additional paragraph has been added as follows (see row 242ab): '(i)a the main features of the undertaking's internal control and risk management systems, in relation to the sustainability reporting process:'	~~regard to sustainability matters, and their composition;~~ Presidency compromise proposal moved to row 242aa
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph(c)(ii)				
164	(ii) business ethics and corporate culture, including anti-corruption and anti-bribery;	(ii) business ethics and corporate culture, including anti-corruption and anti-bribery <u>and internal arrangements within the undertaking for protecting whistle-blowers and animal welfare where applicable</u> ;	(ii) business ethics and corporate culture, including anti-corruption and anti-bribery; Moved to row 242ac with no changes.	~~(ii) business ethics and corporate culture, including anti-corruption and anti-bribery;~~ Presidency compromise proposal moved to row 242ac
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph(c)(iii)				
165	(iii) political engagements of the undertaking, including its lobbying activities;	(iii) political ~~engagements~~ <u>influence</u> of the undertaking, including its lobbying activities <u>and political donations</u> ;	(iii) political engagements of the undertaking, including its lobbying activities; Moved to row 242ad with no changes.	~~(iii) political engagements of the undertaking, including its lobbying activities;~~ Presidency compromise proposal moved to row 242ad

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph(c)(iv)			
166	(iv) the management and quality of relationships with business partners, including payment practices;	(iv) the management and quality of relationships with business partners, including payment practices, <u>especially towards SMEs</u> ;	(iv) the management and quality of relationships with business partners, including payment practices; Moved to row 242ae with no changes.	~~(iv) the management and quality of relationships with business partners, including payment practices;~~ Presidency compromise proposal moved to row 242ae
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph(c)(v)			
167	(v) the undertaking's internal control and risk management systems, including in relation to the undertaking's reporting process.	(v) the undertaking's internal control and risk management systems, including in relation to the undertaking's reporting <u>and decision-making</u> process.	~~(v) the undertaking's internal control and risk management systems, including in relation to the undertaking's reporting process.~~	~~(v) the undertaking's internal control and risk management systems, including in relation to the undertaking's reporting process.~~ Presidency compromise proposal moved to row 242af.
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (2a)			
167a		<u>2a. When specifying the information about environmental factors that undertakings are to disclose, coherence should be ensured with the definitions in Article 2 and the reporting requirements of Article 8 in Regulation (EU) 2020/852 (Taxonomy Regulation) and the delegated acts adopted pursuant to that Regulation.</u>	Two additional paragraphs 2a and 2b have been added as follows (see rows 242ag and 242ah): '2a. The sustainability reporting standards shall specify the forward-looking and retrospective information, and qualitative and quantitative information, as appropriate, to be reported by undertakings. 2b. Standards shall also take account of the difficulties that undertakings may	<i>deleted</i> Deleted compromise text because EP was ok to move text to recitals.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			encounter in gathering information from actors throughout their value chain, especially from those which are not obliged to publish sustainability information pursuant to Article 19a or 29a of Directive 2013/34/EU and from suppliers in emerging markets and economies. They shall specify disclosures on value chains that are proportionate and relevant to the scale and complexity of the activities, and the capacities and characteristics of undertakings in value chains, especially those of undertakings that are not subject to the sustainability reporting obligations of Articles 19a or 29a of this Directive. Furthermore, for the first three years of application of this Directive, in the event that not all the necessary information about the business relationships and the supply chain is available, the undertaking shall include the information in its possession and a statement indicating that the business relationships and the undertakings in its value chain did not make the necessary information available.'	
Article 1, first paragraph, point (4), amending provision, numbered paragraph (3), introductory part				
168	3. When adopting delegated acts pursuant to paragraph 1, the Commission shall take account of:	3. When adopting delegated acts pursuant to paragraph 1, the Commission shall take account of:	3. When adopting delegated acts pursuant to paragraph 1, the Commission shall to the greatest extent possible take account of:	~~3. When adopting delegated acts pursuant to paragraph 1, the Commission shall take account of:~~

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			MOVED TO ROW 242ai WITH THE ABOVE CHANGES.	Presidency compromise proposal moved to row 242ai.
Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)(a)				
169	(a) the work of global standard-setting initiatives for sustainability reporting, and existing standards and frameworks for natural capital accounting, responsible business conduct, corporate social responsibility, and sustainable development;	(a) the work of global standard-setting initiatives for sustainability reporting, and existing standards and frameworks for natural capital accounting, responsible business conduct, corporate social responsibility, and sustainable development;	(a) the work of global standard-setting initiatives for sustainability reporting, and existing standards and frameworks for natural capital accounting and for greenhouse gas accounting , responsible business conduct, corporate social responsibility, and sustainable development; MOVED TO 242aj WITH THE ABOVE CHANGES.	~~(a) the work of global standard-setting initiatives for sustainability reporting, and existing standards and frameworks for natural capital accounting, responsible business conduct, corporate social responsibility, and sustainable development;~~ Presidency compromise proposal moved to row 242aj.
Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)(aa)				
169a		<u>(aa) administrative costs of the reporting for undertakings;</u>		deleted Presidency proposal: Incorporated in row 242m (administrative costs).
Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)(b)				
170	(b) the information that financial market participants need to comply with their disclosure obligations laid down in Regulation (EU) 2019/2088 and the delegated acts adopted	(b) the information that financial market participants need to comply with their disclosure obligations laid down in Regulation (EU) 2019/2088 and the delegated acts adopted	(b) the information that financial market participants need to comply with their disclosure obligations laid down in Regulation (EU) 2019/2088 and the delegated acts adopted	~~(b) the information that financial market participants need to comply with their disclosure obligations laid down in Regulation (EU) 2019/2088 and the delegated acts adopted~~

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	pursuant to that Regulation;	pursuant to that Regulation;	pursuant to that Regulation; Moved to row 242ak with no changes.	~~pursuant to that Regulation;~~ Presidency compromise proposal moved to row 242ak.
Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)(c)				
171	(c) the criteria set out in the delegated acts adopted pursuant to Regulation (EU) 2020/852* ⁷ ;	(c) <u>(c)</u> the criteria, <u>indicators and methodologies</u> set out in the delegated acts adopted pursuant to Regulation (EU) 2020/852* ⁷ ; <u>including inter alia technical screening criteria, criteria for substantial contribution, DNSH criteria.</u>	(c) ~~the criteria set out in the~~ delegated acts adopted pursuant to Regulation (EU) 2020/852* ⁷ ; MOVED TO 242al WITH THE ABOVE CHANGES.	~~(e) the criteria set out in the delegated acts adopted pursuant to Regulation (EU) 2020/852*⁷;~~ Important for ENVI to have a reference to Art. 8 of Taxonomy Regulation (Regulation (EU) 2020/852). COM to streamline. Presidency compromise proposal moved to row 242al.
Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)(d)				
172	(d) the disclosure requirements applicable to benchmarks administrators in the benchmark statement and in the benchmark methodology and the minimum standards for the construction of EU Climate Transition Benchmarks and EU Paris-aligned Benchmarks in accordance with Commission Delegated Regulations (EU) 2020/1816* ⁸ , (EU) 2020/1817* ⁹ and (EU) 2020/1818* ¹⁰ ;	(d) the disclosure requirements applicable to benchmarks administrators in the benchmark statement and in the benchmark methodology and the minimum standards for the construction of EU Climate Transition Benchmarks and EU Paris-aligned Benchmarks in accordance with Commission Delegated Regulations (EU) 2020/1816* ⁸ , (EU) 2020/1817* ⁹ and (EU) 2020/1818* ¹⁰ ;	(d) the disclosure requirements applicable to benchmarks administrators in the benchmark statement and in the benchmark methodology and the minimum standards for the construction of EU Climate Transition Benchmarks and EU Paris-aligned Benchmarks in accordance with Commission Delegated Regulations (EU) 2020/1816* ⁸ , (EU) 2020/1817* ⁹ and (EU) 2020/1818* ¹⁰ ; Moved to row 242am with no changes.	~~(d) the disclosure requirements applicable to benchmarks administrators in the benchmark statement and in the benchmark methodology and the minimum standards for the construction of EU Climate Transition Benchmarks and EU Paris-aligned Benchmarks in accordance with Commission Delegated Regulations (EU) 2020/1816*⁸, (EU) 2020/1817*⁹ and (EU) 2020/1818*¹⁰;~~ Presidency compromise proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				moved to row 242am.
Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)(e)				
173	(e) the disclosures specified in the implementing acts adopted pursuant to Article 434a of Regulation (EU) No 575/2013* ¹¹ ;	(e) the disclosures specified in the implementing acts adopted pursuant to Article 434a of Regulation (EU) No 575/2013* ¹¹ ;	(e) the disclosures specified in the implementing acts adopted pursuant to Article 434a of Regulation (EU) No 575/2013* ¹¹ ; Moved to row 242an with no changes.	~~(e) the disclosures specified in the implementing acts adopted pursuant to Article 434a of Regulation (EU) No 575/2013*¹¹;~~ Presidency compromise proposal moved to row 242an.
Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)(f)				
174	(f) Commission Recommendation 2013/179/EU* ¹² ;	(f) Commission Recommendation 2013/179/EU* ¹² ;	(f) Commission Recommendation 2013/179/EU* ¹² ; Moved to row 242am with no changes.	~~(f) Commission Recommendation 2013/179/EU*¹²;~~ Presidency compromise proposal moved to row 242ao.
Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)(g)				
175	(g) Directive 2003/87/EC of the European Parliament and of the Council* ¹³ ;	(g) ~~Directive 2003/87/EC~~ <u>(g) Regulation (EU) 2021/1119</u> of the European Parliament and of the Council* ¹³ ;	(g) Directive 2003/87/EC of the European Parliament and of the Council* ¹³ ; Moved to row 242ap with no changes.	~~(g) Directive 2003/87/EC of the European Parliament and of the Council*¹³;~~ Presidency compromise proposal moved to row 242ap.
Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)(h), introductory part				
176	(h) Regulation (EC) No 1221/2009	(h) Regulation (EC) No 1221/2009	(h) Regulation (EC) No 1221/2009	~~(h) Regulation (EC) No 1221/2009~~

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of the European Parliament and of the Council* ¹⁴ .	of the European Parliament and of the Council* ¹⁴ .	of the European Parliament and of the Council* ¹⁴ . Moved to row 242aq with no changes.	~~of the European Parliament and of the Council*¹⁴.~~ Presidency compromise proposal moved to row 242aq.
Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)(h), first paragraph -a				
G 176a		<u>(h a) Directive (EU) 2019/1937 of the European Parliament and of the Council.</u>		deleted Presidency compromise proposal moved to row 242aq.
Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)(h), first paragraph				
G 177				
Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)(h), second paragraph				
Y 178	* ⁷ Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13).	* ⁷ Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13).		Reference now in 242al. Alignment to check.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)(h), third paragraph			
179	*8 Commission Delegated Regulation (EU) 2020/1816 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards the explanation in the benchmark statement of how environmental, social and governance factors are reflected in each benchmark provided and published (OJ L 406, 3.12.2020, p. 1).	*8 Commission Delegated Regulation (EU) 2020/1816 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards the explanation in the benchmark statement of how environmental, social and governance factors are reflected in each benchmark provided and published (OJ L 406, 3.12.2020, p. 1).		Reference now in 242am. Alignment to check.
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)(h), fourth paragraph			
180	*9 Commission Delegated Regulation (EU) 2020/1817 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards the minimum content of the explanation on how environmental, social and governance factors are reflected in the benchmark methodology (OJ L 406, 3.12.2020, p. 12).	*9 Commission Delegated Regulation (EU) 2020/1817 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards the minimum content of the explanation on how environmental, social and governance factors are reflected in the benchmark methodology (OJ L 406, 3.12.2020, p. 12).		Reference now in 242am. Alignment to check.
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)(h), fifth paragraph			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
181	*10 Commission Delegated Regulation (EU) 2020/1818 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards minimum standards for EU Climate Transition Benchmarks and EU Paris-aligned Benchmarks (OJ L 406, 3.12.2020, p. 17).	*10 Commission Delegated Regulation (EU) 2020/1818 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards minimum standards for EU Climate Transition Benchmarks and EU Paris-aligned Benchmarks (OJ L 406, 3.12.2020, p. 17).		Reference now in 242am. Alignment to check.
Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)(h), sixth paragraph				
182	*11 Commission Implementing Regulation laying down implementing technical standards with regard to public disclosures by institutions of the information referred to in Titles II and III of Part Eight of Regulation (EU) No 575/2013 of the European Parliament and of the Council (C(2021)1595)	*11 Commission Implementing Regulation laying down implementing technical standards with regard to public disclosures by institutions of the information referred to in Titles II and III of Part Eight of Regulation (EU) No 575/2013 of the European Parliament and of the Council (C(2021)1595)		Reference now in 242an. Alignment to check.
Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)(h), seventh paragraph				
183	*12 Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of	*12 Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of		Reference now in 242ao. Alignment to check.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	products and organisations (OJ L 124, 4.5.2013, p. 1).	products and organisations (OJ L 124, 4.5.2013, p. 1).		
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)(h), eighth paragraph			
Y	184 * ¹³ 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).	* ¹³ 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).		Reference now in 242ap. Alignment to check.
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)(h), ninth paragraph			
Y	185 * ¹⁴ Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1).	* ¹⁴ Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1).		Reference now in 242aq. Alignment to check.
	Article 1, first paragraph, point (4), amending provision, sixth paragraph			
R	186			R

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 19c	Article 19c	Article 19c29c Sustainability reporting standards for SMEs	
	Article 1, first paragraph, point (4), amending provision, seventh paragraph			
R	187	Sustainability reporting standards for SMEs	<u>Voluntary</u> sustainability reporting standards for SMEs	
	Article 1, first paragraph, point (4), amending provision, eighth paragraph			
G	188	The Commission shall adopt delegated acts in accordance with Article 49 to provide for sustainability reporting standards proportionate to the capacities and characteristics of small and medium-sized undertakings. Those sustainability reporting standards shall specify which information referred to in Articles 19a and 29a small and medium-sized undertakings referred to in Article 2, point (1)(a) shall report. They shall take into account the criteria set out in Article 19b, paragraphs 2 and 3. They shall also, where relevant, specify the structure in which that information shall be reported.	<u>The Commission shall adopt delegated acts in accordance with Article 49 to provide for sustainability reporting standards proportionate to the capacities and characteristics of small and medium-sized undertakings. Those sustainability reporting standards shall specify which information referred to in Articles 19a and 29a small and medium-sized undertakings ~~referred to in Article 2, point (1)(a)~~ that choose to use sustainability reporting standards for SMEs on a voluntary basis while meeting the requirements and obligations of this Directive concerning the content, auditing and publication of the management report, shall report. They shall take into account the criteria set out in Article 19b, paragraphs 2 and 3.</u>	The Commission shall adopt ~~delegated acts in accordance with Article 49 to provide for sustainability reporting standards proportionate to the capacities and characteristics of small and medium-sized undertakings. Those sustainability reporting standards shall specify which information referred to in Articles 19a and 29a small and medium-sized undertakings referred to in Article 2, point (1)(a) shall report. They shall take into account the criteria set out in Article 19b, paragraphs 2 and 3. They shall also, where relevant, specify the structure in which that information shall be reported.~~ Presidency compromise proposal moved to rows 242as and 242at.
			The Commission shall adopt delegated acts in accordance with Article 49 to provide for sustainability reporting standards proportionate and relevant to the scale and complexity of the activities, and to the capacities and characteristics of small and medium-sized undertakings. ~~Those~~ These sustainability reporting standards shall specify which information referred to in Articles 19a and 29afor these small and medium-sized undertakings referred to in Article 2, point (1)(a), the information that shall reportbe reported in accordance with Article 19a(5). Reporting standards for small and medium-sized undertakings They	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		They shall also, where relevant, specify the structure in which that information shall be reported.	shall take into account the criteria set out in Article 19b29b, paragraphs 2, 2a, 2b and 3. They shall also, where relevant to the extent possible, specify the structure in which that information shall be reported. MOVED TO ROWS 242as and 242at WITH THE ABOVE CHANGES. AN ADDITIONAL PARAGRAPH HAS BEEN ADDED AS FOLLOWS (ROW 242au): 'The Commission shall, at least every three years after its date of application, review any delegated act adopted pursuant to this Article, taking into consideration the technical advice of the European Financial Reporting Advisory Group (EFRAG), and where necessary, shall amend such delegated act to take into account relevant developments, including developments with regard to international standards.'	
Article 1, first paragraph, point (4), amending provision, eighth paragraph a				
188a		<u>Member States are invited to assess the impact of their transposition acts on SMEs giving specific attention to small enterprises, in particular SMEs indirectly impacted by the Directive obligations, in order to ensure that they are not disproportionately affected, and to publish the results of such assessments. Member States may set up and operate measures,</u>		<i>deleted</i> See Presidency proposal reflecting EP amendment which has been moved to recital 18b (row 28b).

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>such as certified labels or financial support, to help SMEs apply voluntary sustainability reporting standards.</u>		
	Article 1, first paragraph, point (4), amending provision, eighth paragraph b			
R	188b	<u>Voluntary sustainability reporting standards should set a reference for undertakings that are within the scope of the Directive regarding the level of sustainability information that they could reasonably request from SME suppliers and clients in their value chains.</u>		
	Article 1, first paragraph, point (4), amending provision, ninth paragraph			
R	189	The Commission shall adopt those delegated acts at the latest by 31 October 2023.	The Commission shall adopt those delegated acts at the latest by 31 October 2023. Moved to row 242av with no changes.	
	Article 1, first paragraph, point (4), amending provision, tenth paragraph			
Y	190	Article 19d	~~Article 29d~~ Article 19d Moved to row 242az. A new Chapter 6b has been added as follows (rows 242aw and 242ax): 'A new chapter title is inserted' "Chapter 6b – Electronic format"	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (4), amending provision, eleventh paragraph			
191	Single electronic reporting format	Single electronic reporting format	Single electronic reporting format Moved to row 242ba with no changes.	Single electronic reporting format Presidency compromise proposal moved to row 242ba.
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (1)			
192	1. Undertakings subject to Article 19a shall prepare their financial statements and their management report in a single electronic reporting format in accordance with Article 3 of Commission Delegated Regulation (EU) 2019/815* ¹⁵ and shall mark-up their sustainability reporting, including the disclosures laid down in Article 8 of Regulation (EU) 2020/852, in accordance with that Delegated Regulation.	1. <u>1.</u> Undertakings subject to Article 19a shall prepare their financial statements and their management report in a single electronic reporting format in accordance with Article 3 of Commission Delegated Regulation (EU) 2019/815* ¹⁵ and shall mark-up their sustainability reporting, including the disclosures laid down in Article 8 of Regulation (EU) 2020/852, in accordance with that Delegated Regulation. <u>The mark-up must be compatible with the consolidation and re-use of such data in a European single access point as described in Action 1 of the Commission Communication entitled 'A Capital Markets Union for people and businesses – new action plan'.</u>	1. Undertakings subject to Article 19a shall prepare their financial statements and their management report in a single electronic reporting format in accordance with referred to in Article 3 of Commission Delegated Regulation (EU) 2019/815* ¹⁵ and shall mark-up their sustainability reporting, including the disclosures laid down in Article 8 of Regulation (EU) 2020/852, in accordance with the format referred to in that Delegated Regulation. 1. [1] Commission Delegated Regulation (EU) 2019/815 of 17 December 2018 supplementing Directive 2004/109/EC of the European Parliament and of the Council with regard to regulatory technical standards on the specification of a single electronic reporting format (OJ L 143, 29.5.2019, p. 1).;' MOVED TO ROW 242bb WITH THE ABOVE CHANGES.	~~1. Undertakings subject to Article 19a shall prepare their financial statements and their management report in a single electronic reporting format in accordance with Article 3 of Commission Delegated Regulation (EU) 2019/815*¹⁵ and shall mark-up their sustainability reporting, including the disclosures laid down in Article 8 of Regulation (EU) 2020/852, in accordance with that Delegated Regulation.~~ Presidency compromise proposal moved to row 242bb.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1a)				
192a		<u>1a. 1 a. Electronic financial statements and management reports must comply with the relevant access requirements laid down in Directive (EU) 2019/882 on the accessibility requirements for products and services.</u>		deleted Presidency proposes not to incorporate the EP amendment but to make a review clause instead.
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), introductory part				
193	2. Undertakings subject to Article 29a shall prepare their consolidated financial statements and their consolidated management report in a single electronic reporting format in accordance with Article 3 of Delegated Regulation (EU) 2019/815 and shall mark-up sustainability reporting, including the disclosures laid down in Article 8 of Regulation (EU) 2020/852.	2. <u>2.</u> Undertakings subject to Article 29a shall prepare their consolidated financial statements and their consolidated management report in a single electronic reporting format in accordance with Article 3 of Delegated Regulation (EU) 2019/815 and shall mark-up sustainability reporting, including the disclosures laid down in Article 8 of Regulation (EU) 2020/852. <u>The mark-up must be compatible with the format specified in paragraph 1.</u>	2. Parent undertakings subject to Article 29a shall prepare their consolidated financial statements and their consolidated management report in ~~at~~ the single electronic reporting format in accordance with referred to in Article 3 of Delegated Regulation (EU) 2019/815 and shall mark-up sustainability reporting, including the disclosures laid down in Article 8 of Regulation (EU) 2020/852, in accordance with the format referred to in that Delegated Regulation. MOVED TO ROW 242bc WITH THE ABOVE CHANGES.	~~2. Undertakings subject to Article 29a shall prepare their consolidated financial statements and their consolidated management report in a single electronic reporting format in accordance with Article 3 of Delegated Regulation (EU) 2019/815 and shall mark-up sustainability reporting, including the disclosures laid down in Article 8 of Regulation (EU) 2020/852.~~ Presidency compromise proposal moved to row 242bc.
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
194				
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2), second paragraph				
195	* ¹⁵ Commission Delegated Regulation (EU) 2019/815 of 17 December 2018 supplementing Directive 2004/109/EC of the European Parliament and of the Council with regard to regulatory technical standards on the specification of a single electronic reporting format (OJ L 143, 29.5.2019, p. 1).;	* ¹⁵ Commission Delegated Regulation (EU) 2019/815 of 17 December 2018 supplementing Directive 2004/109/EC of the European Parliament and of the Council with regard to regulatory technical standards on the specification of a single electronic reporting format (OJ L 143, 29.5.2019, p. 1).;		* ¹⁵ Commission Delegated Regulation (EU) 2019/815 of 17 December 2018 supplementing Directive 2004/109/EC of the European Parliament and of the Council with regard to regulatory technical standards on the specification of a single electronic reporting format (OJ L 143, 29.5.2019, p. 1).;
Article 1, first paragraph, point (5), introductory part				
196	(5) Article 20(1) is amended as follows:	(5) Article 20(1) is amended as follows:	(5) Article 20(1) is amended as follows:	(5) Article 20(1) is amended as follows:
Article 1, first paragraph, point (5)(a), introductory part				
197	(a) point (g) is replaced by the following:	(a) point (g) is replaced by the following:	(a) point (g) is replaced by the following:	(a) point (g) is replaced by the following:
Article 1, first paragraph, point (5)(a), amending provision, first paragraph				
198				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(g) a description of the diversity policy applied in relation to the undertaking's administrative, management and supervisory bodies with regard to gender and other aspects such as, age, or educational and professional backgrounds, the objectives of that diversity policy, how it has been implemented and the results in the reporting period. If no such policy is applied, the statement shall contain an explanation as to why this is the case.;	(g) <u>(g)</u> a description of the diversity policy applied in relation to the undertaking's administrative, management and supervisory bodies with regard to gender and other aspects such as, age, or educational and professional backgrounds <u>or disabilities</u>, the objectives of that diversity policy, how it has been implemented and the results in the reporting period. If no such policy is applied, the statement shall contain an explanation as to why this is the case.;	(g) a description of the diversity policy applied in relation to the undertaking's administrative, management and supervisory bodies with regard to gender and other aspects, such as, age, or educational and professional backgrounds, the objectives of that diversity policy, how it has been implemented and the results in the reporting period. If no such policy is applied, the statement shall contain an explanation as to why this is the case.';	(g) a description of the diversity policy applied in relation to the undertaking's administrative, management and supervisory bodies with regard to gender and other aspects such as, age, or educational and professional backgrounds or disabilities, the objectives of that diversity policy, how it has been implemented and the results in the reporting period. If no such policy is applied, the statement shall contain an explanation as to why this is the case.;
Article 1, first paragraph, point (5)(b), introductory part				
199	(b) the following subparagraph is added:	(b) the following subparagraph is added:	(b) the following subparagraph is added:	(b) the following subparagraph is added:
Article 1, first paragraph, point (5)(b), amending provision, first paragraph				
200	Undertakings subject to Article 19a may comply with the obligation laid down in points (c), (f) and (g) of the first subparagraph of this Article where they include the information required under those points as part of their sustainability reporting.;	Undertakings subject to Article 19a may comply with the obligation laid down in points (c), (f) and (g) of the first subparagraph of this Article where they include the information required under those points as part of their sustainability reporting.;	‘Undertakings subject to Article 19a may comply with the obligation laid down in ~~points (e), (f) and~~ point (g) of the first subparagraph of this Article where they include the information required under those points as part of their sustainability reporting and a reference is included in the corporate	‘Undertakings subject to Article 19a may comply with the obligation laid down in ~~points (e), (f) and~~ point (g) of the first subparagraph of this Article where they include the information required under those points as part of their sustainability reporting and a reference is included in the corporate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			governance statement.’;	governance statement.’; Text Origin: Council Mandate
Article 1, first paragraph, point (6), introductory part				
201	(6) Article 23 is amended as follows:	(6) Article 23 is amended as follows:	(6) Article 23 is amended as follows:	(6) Article 23 is amended as follows:
Article 1, first paragraph, point (6)(a), introductory part				
202	(a) in paragraph 4, point (b) is replaced by the following:	(a) in paragraph 4, point (b) is replaced by the following:	(a) in paragraph 4, point (b) is replaced by the following:	(a) in paragraph 4, point (b) is replaced by the following:
Article 1, first paragraph, point (6)(a), amending provision, first paragraph				
203	(b) the consolidated financial statements referred to in point (a) and the consolidated management report of the larger body of undertakings are drawn up by the parent undertaking of that body, in accordance with the law of the Member State by which that parent undertaking is governed, in accordance with this Directive, with the exception of the requirements laid down in Article 29a, or in accordance with international accounting standards adopted in accordance with Regulation (EC) No 1606/2002;;	(b) the consolidated financial statements referred to in point (a) and the consolidated management report of the larger body of undertakings are drawn up by the parent undertaking of that body, in accordance with the law of the Member State by which that parent undertaking is governed, in accordance with this Directive, with the exception of the requirements laid down in Article 29a, or in accordance with international accounting standards adopted in accordance with Regulation (EC) No 1606/2002;;	(b) the consolidated financial statements referred to in point (a) and the consolidated management report of the larger body of undertakings are drawn up by the parent undertaking of that body, in accordance with the law of the Member State by which that parent undertaking is governed, in accordance with this Directive, with the exception of the requirements laid down in Article 29a, or in accordance with international accounting standards adopted in accordance with Regulation (EC) No 1606/2002;’;	(b) the consolidated financial statements referred to in point (a) and the consolidated management report of the larger body of undertakings are drawn up by the parent undertaking of that body, in accordance with the law of the Member State by which that parent undertaking is governed, in accordance with this Directive, with the exception of the requirements laid down in Article 29a, or in accordance with international accounting standards adopted in accordance with Regulation (EC) No 1606/2002;;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (6)(b), introductory part			
204	(b) in paragraph 8, point (b)(i) is replaced by the following:	(b) in paragraph 8, point (b)(i) is replaced by the following:	(b) in paragraph 8, point (b)(i) is replaced by the following:	(b) in paragraph 8, point (b)(i) is replaced by the following:
	Article 1, first paragraph, point (6)(b), amending provision, first paragraph			
205	‘ (i) in accordance with this Directive, with the exception of the requirements laid down in Article 29a,; ’	‘ (i) in accordance with this Directive, with the exception of the requirements laid down in Article 29a,; ’	‘ (i) in accordance with this Directive, with the exception of the requirements laid down in Article 29a,; ’	‘ (i) in accordance with this Directive, with the exception of the requirements laid down in Article 29a,; ’
	Article 1, first paragraph, point (6)(c), introductory part			
206	(c) in paragraph 8, (b)(iii) is replaced by the following:	(c) in paragraph 8, (b)(iii) is replaced by the following:	(c) in paragraph 8, (b)(iii) is replaced by the following:	(c) in paragraph 8, (b)(iii) is replaced by the following:
	Article 1, first paragraph, point (6)(c), amending provision, first paragraph			
207	‘ (iii) in a manner equivalent to consolidated financial statements and consolidated management reports drawn up in accordance with this Directive, with the exception of the requirements laid down in Article 29a, or; ’	‘ (iii) in a manner equivalent to consolidated financial statements and consolidated management reports drawn up in accordance with this Directive, with the exception of the requirements laid down in Article 29a, or; ’	‘ (iii) in a manner equivalent to consolidated financial statements and consolidated management reports drawn up in accordance with this Directive, with the exception of the requirements laid down in Article 29a, or’; ’	‘ (iii) in a manner equivalent to consolidated financial statements and consolidated management reports drawn up in accordance with this Directive, with the exception of the requirements laid down in Article 29a, or; ’

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (7), introductory part			
208	(7) Article 29a is replaced by the following:	(7) Article 29a is replaced by the following:	(7) Article 29a is replaced by the following:	(7) Article 29a is replaced by the following:
	Article 1, first paragraph, point (7), amending provision, first paragraph			
209	Article 29a	Article 29a	Article 29a	Article 29a EP: 211-234 To be aligned with 19a. Text Origin: Commission Proposal
	Article 1, first paragraph, point (7), amending provision, second paragraph			
210	Consolidated sustainability reporting	Consolidated sustainability reporting	Consolidated sustainability reporting	Consolidated sustainability reporting
	Article 1, first paragraph, point (7), amending provision, numbered paragraph (1)			
211	1. Parent undertakings of a large group shall include in the consolidated management report information necessary to understand the group's impacts on sustainability matters, and information necessary to understand how sustainability matters affect the group's development, performance and position.	1. <u>1.</u> Parent undertakings of a large group shall include in the consolidated management report information necessary to understand the group's impacts on sustainability matters, and information necessary to understand how sustainability matters affect the group's development, performance and position. <u>This information shall be published in a specific section of</u>	1. Parent undertakings of a large group as referred to in Article 3, point (7) shall include in the consolidated management report information necessary to understand the group's impacts on sustainability matters, and information necessary to understand how sustainability matters affect the group's development, performance and position.	1. Parent undertakings of a large group as referred to in Article 3, point (7) shall include in the consolidated management report information necessary to understand the group's impacts on sustainability matters, and information necessary to understand how sustainability matters affect the group's development, performance and position.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>the management report and in a format equivalent to, and compatible with, that laid down for the publication of the financial statements.</u>	This information shall be clearly identifiable within the consolidated management report, through a dedicated section of the management report.	This information shall be clearly identifiable within the consolidated management report, through a dedicated section of the management report. Presidency proposal.
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2), introductory part				
G	212	2. <u>2.</u> The information referred to in paragraph 1 shall contain in particular: ~~in particular:~~	2. The information referred to in paragraph 1 shall contain in particular:	2. The information referred to in paragraph 1 shall contain in particular: Text Origin: EP Mandate
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)(a), introductory part				
Y	213	(a) <u>(a)</u> a ~~brief~~ description of the group's business model and strategy, including:	(a) a brief description of the group's business model and strategy, including:	(a) a brief description of the group's business model and strategy, including: Presidency proposal.
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)(a)(i)				
G	214	(i) the resilience of the group's business model and strategy to risks related to sustainability matters;	(i) the resilience of the group's business model and strategy to risks related to sustainability matters;	(i) the resilience of the group's business model and strategy to risks related to sustainability matters;
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)(a)(ii)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
215	(ii) the opportunities for the group related to sustainability matters;	(ii) the opportunities for the group related to sustainability matters;	(ii) the opportunities for the group related to sustainability matters;	(ii) the opportunities for the group related to sustainability matters;
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)(a)(iii)				
216	(iii) the plans of the group to ensure that the group's business model and strategy compatible with the transition to a sustainable economy and with the limiting of global warming to 1.5 °C in line with the Paris Agreement;	(iii) <u>(iii) the plans of the ~~group~~ undertaking, taking into account the entire value chain, including transition plans with implementing actions and related financial and investment plans and short-term and medium-term absolute emission reduction targets for 2025 and 2030, reviewed every five years up to 2050, to ensure that the group's overall business model and strategy are compatible with the transition to a sustainable economy and with the limiting of global warming to 1.5 °C in line with the Paris Agreement, with no or limited overshoot and pursuant to the latest recommendations of the IPCC and the European Scientific Advisory Board on Climate Change, and the undertaking's operations within the Union are aligned with the objective to achieve climate neutrality by 2050 at the latest, set out in Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June</u>	(iii) the plans of the group to ensure that the group's business model and strategy are compatible with the transition to a sustainable economy and with the limiting of global warming to 1.5 °C in line with the Paris Agreement;	(iii) the plans of the group, including implementing actions and related financial and investment plans , to ensure that ~~the group's~~ business model and strategy are compatible with the transition to a sustainable economy and with the limiting of global warming to 1.5 °C in line with the Paris Agreement; and the objective of achieving climate neutrality by 2050 as established in Regulation (EU) 2021/1119 (European Climate Law).

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>2021("European Climate Law");</u> <u>and</u>		
	Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)(a)(iv)			
y	217 (iv) how the group's business model and strategy take account of the interests of the group's stakeholders and of the impacts of the group on sustainability matters;	(iv) <u>(iv)</u> how the ~~group~~ <u>undertaking</u> 's business model and strategy take account of the interests of the ~~group~~ <u>undertaking</u> 's stakeholders and of the ~~impacts~~ <u>impact</u> of the ~~group~~ <u>undertaking</u> on sustainability matters;	(iv) how the group's business model and strategy take account of the interests of the group's stakeholders and of the impacts of the group on sustainability matters;	(iv) how the group's business model and strategy take account of the interests of the group's stakeholders and of the impacts of the group on sustainability matters;
	Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)(a)(v)			
y	218 (v) how the group's strategy has been implemented with regard to sustainability matters;	(v) <u>(v)</u> how the ~~group~~ <u>undertaking</u> 's strategy has been implemented with regard to sustainability matters <u>and science-based targets</u> ;	(v) how the group's strategy has been implemented with regard to sustainability matters;	(v) how the group's strategy has been implemented with regard to sustainability matters;
	Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)(b)			
y	219 (b) a description of the targets related to sustainability matters set by the group and of the progress of the undertaking towards achieving them;	(b) <u>(b)</u> a description of the <u>time-bound</u> targets related to sustainability matters set by the ~~group~~ <u>undertaking with respect to the undertaking's risks and opportunities and adverse impacts on sustainability matters, whether</u>	(b) a description of the targets related to sustainability matters set by the group and of the progress of the ~~undertaking~~ <u>group</u> towards achieving ~~them~~ <u>those targets</u> ;	(b) a description of the time-bound targets related to sustainability matters set by the group, including where appropriate absolute greenhouse gas emission reduction targets at least for 2030 and 2050, a description ~~and of the progress of~~

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>such targets are science-based</u> and of the progress ~~of~~ the undertaking <u>has made</u> towards achieving ~~them~~ <u>those targets including a clearly defined path and implementing actions to reach those;</u>		~~the undertaking~~ the group has made towards achieving ~~them~~ those targets, and a specification of whether the group's targets related to environmental matters are based on conclusive scientific evidence.
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)(c)				
220	(c) a description of the role of the administrative, management and supervisory bodies with regard to sustainability matters;	(c) <u>(c)</u> a description of the role <u>and expertise</u> of the administrative, management and supervisory bodies with regard to sustainability matters;	(c) a description of the role of the administrative, management and supervisory bodies with regard to sustainability matters;	(c) a description of the role of the administrative, management and supervisory bodies with regard to sustainability matters, and of their expertise and skills to fulfil this role or access to such expertise and skills;
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)(d)				
221	(d) a description of the group's policies in relation to sustainability matters;	(d) a description of the ~~group~~ <u>undertaking's</u> policies, in relation to sustainability matters;	(d) a description of the group's policies in relation to sustainability matters;	(d) a description of the group's policies in relation to sustainability matters;
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)(da)				
221a		<u>(da) (da) information about the existence of incentive schemes offered to members of the administrative, management and supervisory bodies which are linked to sustainability matters;</u>		(da) information about the existence of incentive schemes offered to members of the administrative, management and supervisory bodies which are linked to sustainability matters;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
	Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)(e), introductory part				
G	222	(e) a description of:	(e) a description of:	(e) a description of:	G
	Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)(e)(i)				
Y	223	(i) the due diligence process implemented with regard to sustainability matters;	(i) <u>(i)</u> the due diligence process implemented with regard to sustainability matters <u>and, where applicable, pursuant to EU and/or national legislation</u> ;	(i) the due diligence process implemented by the group with regard to sustainability matters; where applicable in line with EU requirements on undertakings to conduct such a due diligence process ;	Y
	Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)(e)(ii)				
Y	224	(ii) the principal actual or potential adverse impacts connected with the group's value chain, including its own operations, its products and services, its business relationships and its supply chain;	(ii) <u>(ii)</u> the ~~principal~~ actual or potential adverse impacts connected with the ~~group~~ <u>undertaking</u> 's value chain, including its own operations, its products and services, its business relationships and its supply chain;	(ii) the principal actual or potential adverse impacts connected with the group's ~~value chain, including its own operations~~ , own operations and with its value chain, including its products and services, its business relationships and its supply chain, and actions taken to identify and track these impacts ;	Y
	Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)(e)(iii)				
Y	225	(iii) any actions taken, and the result of such actions, to prevent, mitigate	(iii) <u>(iii)</u> any actions taken, and the result of such actions, to <u>identify</u> ,	(iii) any actions taken by the group , and the result of such actions, to	Y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	or remediate actual or potential adverse impacts;	<u>track</u> , prevent, <u>and</u> mitigate, <u>remediate or cease</u> ~~or remediate~~ actual or potential adverse impacts;	prevent, mitigate or remediate actual or potential adverse impacts;	prevent, mitigate, remediate or bring an end to ~~or remediate~~ actual or potential adverse impacts;
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)(f)				
226	(f) a description of the principal risks to the group related to sustainability matters, including the group's principal dependencies on such factors, and how the group manages those risks;	(f) a description of the principal risks to the group related to sustainability matters, including the group's principal dependencies on such factors, and how the group manages those risks;	(f) a description of the principal risks to the group related to sustainability matters, including the group's principal dependencies on such ~~factors~~ matters , and how the group manages those risks;	(f) a description of the principal risks to the group related to sustainability matters, including the group's principal dependencies on such ~~factors~~ matters , and how the group manages those risks;
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)(g)				
227	(g) indicators relevant to the relevant to the disclosures referred to in points (a) to (f).	(g) <u>(g)</u> indicators ~~relevant to the~~ <u>and time-bound targets</u> relevant to the disclosures referred to in points (a) to (f) <u>based on the guidelines developed by the European Commission</u> .	(g) indicators relevant to the ~~relevant to the~~ disclosures referred to in points (a) to (f).	(g) indicators relevant to the ~~relevant to the~~ disclosures referred to in points (a) to (f).
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2), first paragraph				
228	Parent undertakings shall also report information on intangibles, including information on intellectual, human, and social and relationship capital.	Parent undertakings shall also report information on intangibles, including information on intellectual, human, and social and relationship capital.	~~Parent undertakings shall also report information on intangibles, including information on intellectual, human, and social and relationship capital.~~	~~Parent undertakings shall also report information on intangibles, including information on intellectual, human, and social and relationship capital.~~
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2), second paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Y	229	Parent undertakings shall describe the process carried out to identify the information that they have included in the consolidated management report in accordance with this Article.	Parent undertakings shall ~~describe~~ report the process carried out to identify the information that they have included in the consolidated management report in accordance with paragraph 1 and in this process they shall take account of short, medium and long-term horizons this Article.	Parent undertakings shall ~~describe~~ report the process carried out to identify the information that they have included in the consolidated management report in accordance with ~~this Article~~ paragraph 1. The information listed under paragraph 2 shall include information related to short, medium and long-term time horizons as applicable.
	Article 1, first paragraph, point (7), amending provision, numbered paragraph (3), introductory part			
Y	230	3. <u>3.</u> The information referred to in paragraphs 1 and 2 shall contain forward-looking information and information about past performance, and qualitative and quantitative information. This information shall take into account short, medium and long-term time horizons, where appropriate. ~~horizons~~ <u>objectives, strategies and targets</u> , where appropriate.	3. ~~The information referred to in paragraphs 1 and 2 shall contain forward-looking information and information about past performance, and qualitative and quantitative information. This information shall take into account short, medium and long-term time horizons, where appropriate.~~	3. ~~The information referred to in paragraphs 1 and 2 shall contain forward-looking information and information about past performance, and qualitative and quantitative information. This information shall take into account short, medium and long-term time horizons, where appropriate.~~
	Article 1, first paragraph, point (7), amending provision, numbered paragraph (3), first paragraph			
G	231	The information referred to in paragraphs 1 and 2 shall include information about the group's value	3. Where applicable , the information referred to in paragraphs 1 and 2 shall include information	Where applicable , the information referred to in paragraphs 1 and 2 shall ~~include~~ contain information

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	chain, including its own operations, its products and services, its business relationships and its supply chain, where appropriate.	chain, including its own operations, its products and services, its business relationships and its supply chain, where ~~appropriate~~ <u>applicable</u> .	about the group's value chain, including its own operations, its products and services, its business relationships and its supply chain, ~~where appropriate~~ .	about the group's ~~value chain, including its own operations, its own~~ operations, and about its value chain, including products and services, its business relationships and its supply chain. For the first three years of the application of this Directive, in the event that not all the necessary information regarding the value chain is available, the group shall explain the efforts made to obtain the information about its value chain, the reasons why this information could not be obtained, and the plans of the undertaking to obtain such information in the future, ~~where appropriate~~.
Article 1, first paragraph, point (7), amending provision, numbered paragraph (3), second paragraph				
232	The information referred to in paragraphs 1 and 2 shall also, where appropriate, include references to, and additional explanations of, other information included in the consolidated management report in accordance with Article 29 of this Directive and amounts reported in the consolidated financial statements.	<u>The</u> information referred to in paragraphs 1 and 2 shall also, where ~~appropriate~~ <u>applicable</u> , include references to, and additional explanations of, other information included in the consolidated management report in accordance with Article 29 of this Directive and amounts reported in the consolidated financial statements.	Where applicable , the information referred to in paragraphs 1 and 2 shall also, ~~where appropriate~~ , include references to, and additional explanations of, other information included in the consolidated management report in accordance with Article 29 of this Directive and amounts reported in the consolidated financial statements-	Where applicable , the information referred to in paragraphs 1 and 2 shall also, ~~where appropriate~~ , include references to, and additional explanations of, other information included in the consolidated management report in accordance with Article 29 of this Directive and amounts reported in the consolidated financial statements.
Article 1, first paragraph, point (7), amending provision, numbered paragraph (3),				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	third paragraph			
233	Member States may allow information relating to impending developments or matters in the course of negotiation to be omitted in exceptional cases where, in the duly justified opinion of the members of the administrative, management and supervisory bodies, acting within the competences assigned to them by national law and having collective responsibility for that opinion, the disclosure of such information would be seriously prejudicial to the commercial position of the group, provided that such omission does not prevent a fair and balanced understanding of the group's development, performance, position and impact of its activity.	Member States may allow information relating to impending developments or matters in the course of negotiation to be omitted in exceptional cases where, in the duly justified opinion of the members of the administrative, management and supervisory bodies, acting within the competences assigned to them by national law and having collective responsibility for that opinion, the disclosure of such information would be seriously prejudicial to the commercial position of the group, provided that such omission does not prevent a fair and balanced understanding of the group's development, performance, position and impact of its activity.	Member States may allow information relating to impending developments or matters in the course of negotiation to be omitted in exceptional cases where, in the duly justified opinion of the members of the administrative, management and supervisory bodies, acting within the competences assigned to them by national law and having collective responsibility for that opinion, the disclosure of such information would be seriously prejudicial to the commercial position of the group, provided that such omission does not prevent a fair and balanced understanding of the group's development, performance, position and impact of its activity.	Member States may allow information relating to impending developments or matters in the course of negotiation to be omitted in exceptional cases where, in the duly justified opinion of the members of the administrative, management and supervisory bodies, acting within the competences assigned to them by national law and having collective responsibility for that opinion, the disclosure of such information would be seriously prejudicial to the commercial position of the group, provided that such omission does not prevent a fair and balanced understanding of the group's development, performance, position and impact of its activity. Text Origin: Commission Proposal
	Article 1, first paragraph, point (7), amending provision, numbered paragraph (3), third paragraph a			
233a				3a. Where the reporting undertaking identifies significant differences between the risks or impacts of the group and the risks or impacts of one or more its subsidiaries, the undertaking shall provide an adequate understanding of the risks and

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				impacts, as appropriate, of the subsidiary or subsidiaries concerned. Undertakings shall indicate which subsidiaries included in the consolidation are exempted from individual or consolidated reporting according to Articles 19a(7) or 29a(7) respectively.
Article 1, first paragraph, point (7), amending provision, numbered paragraph (4)				
234	4. Parent undertakings shall report the information referred to in paragraphs 1 to 3 in accordance with the sustainability reporting standards referred to in Article 19b.	4. Parent undertakings shall report the information referred to in paragraphs 1 to 3 in accordance with the sustainability reporting standards referred to in Article 19b.	4. Parent undertakings shall report the information referred to in paragraphs 1 to 3 in accordance with the sustainability reporting standards referred to in Article 19b29b.	4. Parent undertakings shall report the information referred to in paragraphs 1 to 3 in accordance with the sustainability reporting standards referred to in Article 19b29b. Text Origin: Council Mandate
Article 1, first paragraph, point (7), amending provision, numbered paragraph (4a)				
234a		<u>4a. 4 a. The Commission shall prepare non-binding guidelines, on appropriate methodologies to generate the forward-looking information to be provided in the reporting.</u>		EP has withdrawn AMD: to be deleted.
Article 1, first paragraph, point (7), amending provision, numbered paragraph (5)				
235	5. By way of derogation from Article 29a, paragraphs 1-4, parent	5. <u>5.</u> By way of derogation from Article 29a, paragraphs 1-4,	5. By way of derogation from Article 29a, paragraphs 1-4, parent	5. By way of derogation from Article 29a, paragraphs 1-4, parent

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	undertakings that are small and medium sized undertakings referred to in Article 2, point (1), point (a), may report in accordance with the sustainability reporting standards for small and medium sized undertakings referred to in Article 19c.	parent undertakings that are small and medium sized undertakings referred to in Article 2, point (1), point (a), may report in accordance with the sustainability reporting standards for small and medium sized undertakings referred to in Article 19c. <u><i>This derogation does not apply in case parent undertakings of a group referred to in Article 3(7) report the information in a consolidated sustainability report.</i></u>	~~undertakings that are small and medium sized undertakings referred to in Article 2, point (1), point (a), may report in accordance with the sustainability reporting standards for small and medium sized undertakings referred to in Article 19c.~~	~~undertakings that are small and medium sized undertakings referred to in Article 2, point (1), point (a), may report in accordance with the sustainability reporting standards for small and medium sized undertakings referred to in Article 19c.~~ Text Origin: Commission Proposal
	Article 1, first paragraph, point (7), amending provision, numbered paragraph (5a)			
y	235a	<u><i>5a. 5a. In accordance with applicable EU and national legislation and practice, the appropriate worker's representatives shall take part in the design of the reporting system and the outcome should be presented, where applicable, to the relevant administrative, management or supervisory bodies.</i></u>		5a. The management of the group shall inform workers' representatives at the appropriate level and discuss with them the relevant information and the means of obtaining and verifying sustainability information. Their opinion should be communicated, where applicable, to the relevant administrative, management or supervisory bodies.
	Article 1, first paragraph, point (7), amending provision, numbered paragraph (6)			
y	236	6. A parent undertaking that complies with the requirements set out in paragraphs 1 to 4 shall be deemed to have complied with the	6. A parent undertaking that complies with the requirements set out in paragraphs 1 to 4 shall be deemed to have complied with the	6. A parent undertaking that complies with the requirements set out in paragraphs 1 to 4 shall be deemed to have complied with the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	requirements set out in the third subparagraph of Article 19(1), Article 19a and Article 29.	requirements set out in the third subparagraph of Article 19(1), Article 19a and Article 29.	requirements set out in the third subparagraph of Article 19(1); ~~Article 19a~~ and Article ~~29~~ 19a .	requirements set out in the third subparagraph of Article 19(1); ~~Article 19a~~ and Article ~~29~~ 19a .
	Article 1, first paragraph, point (7), amending provision, numbered paragraph (7), introductory part			
237	7. A parent undertaking which is also a subsidiary undertaking shall be exempted from the obligation set out in paragraphs 1 to 4 if that exempted parent undertaking and its subsidiaries are included in the consolidated management report of another undertaking, drawn up in accordance with Article 29 and this Article. A parent undertaking that is a subsidiary undertaking from a parent undertaking that is established in a third country shall also be exempted from the obligations set out in paragraphs 1 to 4 where that undertaking and its subsidiary undertakings are included in the consolidated management report of that parent undertaking and where the consolidated management report is drawn up in a manner that may be considered equivalent, in accordance with the relevant implementing measures adopted pursuant to Article 23(4)(i) of Directive 2004/109/EC, to the manner required by the sustainability reporting standards referred to in Article 19b of this	7. <u>7.</u> A parent undertaking which is also a subsidiary undertaking shall be exempted from the obligation set out in paragraphs 1 ~~to 4 if that exempted parent undertaking and its subsidiaries are included in the consolidated management report of another undertaking, drawn up in accordance with Article 29 and this Article. A parent undertaking that is a subsidiary undertaking from a parent undertaking that is established in a third country shall also be exempted from the~~ <u>and 2, with the exception of obligations set out in paragraph 2) a), b), e), f) and corresponding</u> obligations set out in ~~paragraphs 1 to 4 where that~~ <u>g), if that exempted parent</u> undertaking and its ~~subsidiary undertakings~~ <u>subsidiaries</u> are included in the consolidated management report of ~~that parent~~ <u>another</u> undertaking ~~and where the consolidated management report is,~~ drawn up ~~in a manner that may be considered equivalent,~~ in	7. A parent undertaking ("the exempted parent undertaking") which is also a subsidiary undertaking shall be exempted from the ~~obligation~~ obligations set out in paragraphs 1 to 4 if that exempted parent undertaking and its subsidiaries are included in the consolidated management report of another undertaking, drawn up in accordance with Article 29 and this Article. A parent undertaking that is a subsidiary undertaking ~~from~~ of a parent undertaking that is established in a third country shall also be exempted from the obligations set out in paragraphs 1 to 4 where that undertaking and its subsidiary undertakings are included in the consolidated management report of that parent undertaking and where the consolidated ~~management~~ sustainability reporting is drawn up in a manner that may be considered equivalent equivalent to sustainability reporting standards adopted pursuant to Articles 29b, determined in accordance with the	7. A parent undertaking ("the exempted parent undertaking") which is also a subsidiary undertaking shall be exempted from the ~~obligation~~ obligations set out in paragraphs 1 to 4 if that exempted parent undertaking and its subsidiaries are included in the consolidated management report of another undertaking, drawn up in accordance with Article 29 and this Article. A parent undertaking that is a subsidiary undertaking ~~from~~ of a parent undertaking that is established in a third country shall also be exempted from the obligations set out in paragraphs 1 to 4 where that undertaking and its subsidiary undertakings are included in the ~~consolidated management reports~~ sustainability reporting of that parent undertaking and where ~~the consolidated management report~~ this sustainability reporting is drawn up in a manner that may be considered equivalent, in accordance with the relevant implementing measures adopted pursuant to Article

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Directive.	accordance with ~~the relevant implementing measures adopted pursuant to Article 23(4)(i) of Directive 2004/109/EC, to the manner required by the sustainability reporting standards referred to in Article 19b of this Directive~~ <u>29 and this Article</u> .	relevant ~~implementing~~ measures adopted pursuant to Article 23(4)(i) of Directive 2004/109/EC, to the manner required by the sustainability reporting standards referred to in Article 19b of this Directive 23(4), first subparagraph, point (i), and Article 23(4), fourth subparagraph of Directive 2004/109/EC.	~~23(4)(i) of Directive 2004/109/EC, to the manner required by the~~ accordance with the sustainability reporting standards adopted pursuant to Article 29b or in a manner equivalent to those sustainability reporting standards, determined in accordance with Commission’s decisions on the equivalence of sustainability reporting standards referred to in Article 19b of this Directiveadopted pursuant to Article 23(4), third subparagraph of Directive 2004/109/EC.
Article 1, first paragraph, point (7), amending provision, numbered paragraph (7), first paragraph -a				
G	237a		The exemption in subparagraph 1 is subject to the following conditions: Mirror 19a	The exemption in subparagraph 1 is subject to the following conditions:
Article 1, first paragraph, point (7), amending provision, numbered paragraph (7), first paragraph -b, introductory part				
G	237b		(i) The management report of the exempted parent undertaking contains all of the following information:	(i) The management report of the exempted parent undertaking contains all of the following information:
Article 1, first paragraph, point (7), amending provision, numbered paragraph (7), first				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	paragraph -b(a)			
237c			(a) the name and registered office of the parent undertaking that reports information at group level in accordance with Article 29 and this Article, or in a manner equivalent to sustainability reporting standards adopted pursuant to Article 29b of this Directive, determined in accordance with the measures adopted pursuant to Article 23(4), first subparagraph, point (i) and Article 23(4), fourth subparagraph of Directive 2004/109/EC;	(a) the name and registered office of the parent undertaking that reports information at group level in accordance with this Article, or in a manner equivalent to sustainability reporting standards adopted pursuant to Article 29b of this Directive, determined in accordance with Commission's decisions on equivalence of sustainability reporting standards adopted pursuant to Article 23(4), third subparagraph of Directive 2004/109/EC;
Article 1, first paragraph, point (7), amending provision, numbered paragraph (7), first paragraph -b(b)				
237d			(b) the web links to the consolidated management report of the parent undertaking referred to in the first subparagraph and to the opinion referred to in Article 34(1), second subparagraph, point (aa) of this Directive or the opinion referred to in point (ii) of this subparagraph ;	(b) the web links to the consolidated management report of the parent undertaking or to the consolidated sustainability reporting where applicable, referred to in the first subparagraph and to the opinion referred to in Article 34(1), second subparagraph, point (aa) of this Directive or the opinion referred to in point (ii) of this subparagraph;
Article 1, first paragraph, point (7), amending provision, numbered paragraph (7), first paragraph -b(c)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
G 237e			(c) the fact that the parent undertaking is exempted from the obligations set out in paragraphs 1 to 4 of this Article.	(c) the fact that the parent undertaking is exempted from the obligations set out in paragraphs 1 to 4 of this Article.
Article 1, first paragraph, point (7), amending provision, numbered paragraph (7), first paragraph -c				
G 237f			(ii) when the parent undertaking referred to in the first subparagraph is established in a third country, its consolidated management report and the opinion based on a limited assurance engagement given by one or more person(s) or firm(s) authorised to give an opinion on the assurance of sustainability reporting under the national law governing the undertaking which drew up that consolidated management report, shall be published in accordance with Article 30, in the manner prescribed by the law of the Member State by which the exempted parent undertaking is governed	(ii) when the parent undertaking referred to in the first subparagraph is established in a third country, its consolidated sustainability reporting and the opinion based on a limited assurance engagement given by one or more person(s) or firm(s) authorised to give an opinion on the assurance of sustainability reporting under the national law governing the undertaking which drew up that consolidated sustainability reporting, shall be published in accordance with Article 30, in the manner prescribed by the law of the Member State by which the exempted parent undertaking is governed
Article 1, first paragraph, point (7), amending provision, numbered paragraph (7), first paragraph -d				
G 237g			The Member State by which the	The Member State by which the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			exempted parent undertaking is governed, may require that the consolidated management report of the parent undertaking is published in a language that it accepts, and that any necessary translation into those languages is certified.	exempted parent undertaking is governed, may require that the consolidated management report or consolidated sustainability reporting where applicable of the parent undertaking is published in a language that it accepts, and that any necessary translation into those languages is provided. Any translation not certified shall include a statement indicating the translation was not certified. Text Origin: Council Mandate with some additions.
Article 1, first paragraph, point (7), amending provision, numbered paragraph (7), first paragraph -e				
237h			Parent undertakings which are exempted from preparing a management report according to Article 37 of this Directive, need not provide the information of points (a), (b) and (c) of point (i) of the second subparagraph, provided they publish the consolidated management report referred to in the first subparagraph of this paragraph in accordance with Article 37 of this Directive.	Parent undertakings which are exempted from preparing a management report according to Article 37 of this Directive, need not provide the information of points (a), (b) and (c) of point (i) of the second subparagraph, provided they publish the consolidated management report referred to in the first subparagraph of this paragraph in accordance with Article 37 of this Directive.
Article 1, first paragraph, point (7), amending provision, numbered paragraph (7), first paragraph -f				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
237i			For the purposes of the first subparagraph, and where Article 10 of Regulation (EU) No 575/2013 applies, credit institutions referred to in Article 1, point (3), point (b) of this Directive that are permanently affiliated to a central body which supervises them under the conditions laid down in that same article shall be treated as subsidiaries of the central body.	For the purposes of the first subparagraph, and where Article 10 of Regulation (EU) No 575/2013 applies, credit institutions referred to in Article 1, point (3), point (b) of this Directive that are permanently affiliated to a central body which supervises them under the conditions laid down in that same article shall be treated as subsidiaries of the central body.
Article 1, first paragraph, point (7), amending provision, numbered paragraph (7), first paragraph -g				
237j			For the purposes of the first subparagraph, insurance undertakings referred to in Article 1(3), point (a) of this Directive that are part of a group on the basis of a relationship referred to in Article 212(1)(c)(ii) of Directive 2009/138/EC which is subject to group supervision in accordance with Article 213(2), points (a), (b) and (c) of that Directive shall be treated as subsidiaries of the parent undertaking of that group.	For the purposes of the first subparagraph, insurance undertakings referred to in Article 1(3), point (a) of this Directive that are part of a group on the basis of a relationship referred to in Article 212(1)(c)(ii) of Directive 2009/138/EC which is subject to group supervision in accordance with Article 213(2), points (a), (b) and (c) of that Directive shall be treated as subsidiaries of the parent undertaking of that group. Text Origin: Council Mandate
Article 1, first paragraph, point (7), amending provision, numbered paragraph (7), first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
238	The consolidated management report of the parent undertaking referred to in subparagraph 1 shall be published in accordance with Article 30, in the manner prescribed by the law of the Member State by which the parent undertaking that is exempted from the obligations set out in paragraphs 1 to 4 is governed.	The consolidated management report of the parent undertaking referred to in subparagraph 1 shall be published in accordance with Article 30, in the manner prescribed by the law of the Member State by which the parent undertaking, <u>which meets the requirements referred to in paragraphs 1 and 2 with the exception of -that is exempted from the obligations set out in paragraphs 1 to 4 paragraph 2 a), b), e), f) and corresponding obligations set out in g).</u> is governed.	PUBLIC	Presidency proposal: to be deleted (covered by row 237f).
Article 1, first paragraph, point (7), amending provision, numbered paragraph (7), second paragraph				
239	The Member State by which the parent undertaking that is exempted from the obligations set out in paragraphs 1 to 4 is governed may require that the consolidated management report referred to in in the first subparagraph of this paragraph is published in its official language or in a language customary in the sphere of international finance, and that any necessary translation into those languages is certified.	The Member State by which the parent undertaking, <u>which meets the requirements referred to in paragraphs 1 and 2 with the exception of -that is exempted from the obligations set out in paragraphs 1 to 4 paragraph 2 a), b), e), f) and corresponding obligations set out in g).</u> is governed, may require that the consolidated management report referred to ~~in~~ in the first subparagraph of this paragraph is published in its official language or in a language customary in the sphere of international finance, and that any necessary translation into		Presidency proposal: to be deleted (covered by row 237g).

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		those languages is ~~certified~~ <u>provided</u> .		
Article 1, first paragraph, point (7), amending provision, numbered paragraph (7), third paragraph, introductory part				
240	The consolidated management report of a parent undertaking that is exempted from the obligations set out in paragraphs 1 to 4 shall contain all of the following information:	<u>The consolidated management report of a parent undertaking, which meets the requirements referred to in paragraphs 1 and 2 with the exception of ~~that is~~ exempted from the obligations set out in ~~paragraphs 1 to 4~~ paragraph 2 a), b), e), f) and corresponding obligations set out in g), shall</u> contain all of the following information:		Presidency proposal: to be deleted (covered by row 237b).
Article 1, first paragraph, point (7), amending provision, numbered paragraph (7), third paragraph(a)				
241	(a) the name and registered office of the parent undertaking that reports information at group level in accordance with Articles 29 and this Article, or in a manner that may be considered equivalent, in accordance with the relevant implementing measures adopted pursuant to Article 23(4)(i) of Directive 2004/109/EC, to the manner required by the sustainability standards adopted pursuant to Article 19b;	(a) the name and registered office of the parent undertaking that reports information at group level in accordance with Articles 29 and this Article, or in a manner that may be considered equivalent, in accordance with the relevant implementing measures adopted pursuant to Article 23(4)(i) of Directive 2004/109/EC, to the manner required by the sustainability standards adopted pursuant to Article 19b;		Presidency proposal: to be deleted (covered by row 237c).
Article 1, first paragraph, point (7), amending provision, numbered paragraph (7),				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	third paragraph(b)			
y	242	(b) the fact that the undertaking is exempted from the obligations set out in paragraphs 1 to 4 of this Article.;	(b) <u>(b)</u> the fact that the undertaking is exempted from the obligations set out in ~~paragraphs 1 to 4 of this Article~~ <u>paragraph 2 (c) and (d)</u> ;	Presidency proposal: to be deleted (covered by row 237e).
	Article 1, first paragraph, point (7), amending provision, numbered paragraph (7), third paragraph(ba)			
y	242a		<u>(ba) (b a) the name and address of each consolidated entities.</u>	deleted Presidency proposal: to delete
	Article 1, first paragraph, point (7), amending provision, numbered paragraph (7a)			
y	242b		7.a The exemption of paragraph 7 shall also apply to public interest entities subject to the requirements of this Article.	7a. The exemption of paragraph 7 shall also apply to public interest entities subject to the requirements of this Article, unless that public-interest entity falls under point (1)(a) of Article 2. Presidency proposal after CRP on 18.5.2022.
	Article 1, first paragraph, point (7a), introductory part			
y	242c			(7a) A new chapter title is inserted

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (7a), amending provision			
Y	242d			Chapter 6a 'Sustainability Reporting Standards'
	Article 1, first paragraph, point (7b), introductory part			
G	242e		(7b) Articles 29b and 29c have been added See row 140.	(7b) Articles 29b and 29c have been added
	Article 1, first paragraph, point (7b), amending provision, article			
G	242f		Article 29b "Sustainability reporting standards" See Article 19b (row 141).	Article 29b "Sustainability reporting standards" Rows 242d to 242ao: new Article 29b. Presidency proposes to move Article 19b from its original placement (rows 141-185)
	Article 1, first paragraph, point (7b), amending provision, article, , introductory part			
G	242g		1. The Commission shall adopt delegated acts in accordance with Article 49 to provide for sustainability reporting standards. Those sustainability reporting standards shall specify the	1. The Commission shall adopt delegated acts in accordance with Article 49 to provide for sustainability reporting standards. Those sustainability reporting standards shall specify the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			information that undertakings are to report in accordance with Articles 19a and 29a and, where relevant, shall specify the structure in which that information shall be reported. In particular: See row 143.	information that undertakings are to report in accordance with Articles 19a and 29a and, where relevant, shall specify the structure in which that information shall be reported. In particular: Presidency compromise proposal moved from row 143
	Article 1, first paragraph, point (7b), amending provision, article, point			
R 242h			(a) by 31 October 2022, the Commission shall adopt delegated acts specifying the information that undertakings are to report in accordance with paragraphs 1 and 2 of Article 19a, and paragraphs 1 and 2 of Article 29a where appropriate, and at least specifying information corresponding to the needs of financial market participants subject to the disclosure obligations of Regulation (EU) 2019/2088. See row 144.	(a) The Commission shall adopt delegated acts specifying the information that undertakings are to report in accordance with paragraphs 1 and 2 of Article 19a, and paragraphs 1 and 2 of Article 29a where appropriate, and at least specifying information corresponding to the needs of financial market participants subject to the disclosure obligations of Regulation (EU) 2019/2088: (i) for climate related information by 1st April 2023. (ii) for other sustainability information by 1st June 2023.
	Article 1, first paragraph, point (7b), amending provision, article, point			
R 242i			(b) by 31 October 2023, the	(b) by 1 st June 2024, the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Commission shall adopt delegated acts specifying: See row 145.	Commission shall adopt delegated acts specifying: Text Origin: Council Mandate with a modification of the timeline.
	Article 1, first paragraph, point (7b), amending provision, article, point			
G	242j		(i) complementary information that undertakings shall report with regard to the sustainability matters and reporting areas listed in Article 19a(2), where necessary; See row 146.	(i) complementary information that undertakings shall report with regard to the sustainability matters and reporting areas listed in Article 19a(2), where necessary; Presidency compromise proposal moved from row 146
	Article 1, first paragraph, point (7b), amending provision, article, point			
G	242k		(ii) information that undertakings shall report that is specific to the sector in which they operate. See row 147.	(ii) information that undertakings shall report that is specific to the sector in which they operate. Presidency compromise proposal moved from row 147.
	Article 1, first paragraph, point (7c), amending provision, article, point			
R	242l			When adopting delegated acts to specify the information required under subparagraph 1, letter (b), point (ii), the Commission shall

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			PUBLIC	ensure this information is proportionate to the scale of the risks and impacts related to sustainability matters of each sector, taking account of the fact that risks and impacts are higher for some sectors than for others. Presidency compromise proposal moved from row 147d, with some EP additions. Presidency added new line 242j compared to previous versions (attention: lettering of rows 242 has shifted).
	Article 1, first paragraph, point (7b), amending provision, article, point			
242m			The Commission shall, at least every three years after its date of application, review any delegated act adopted pursuant to this Article, taking into consideration the technical advice of the European Financial Reporting Advisory Group (EFRAG), and where necessary shall amend such delegated act to take into account relevant developments, including developments with regard to international standards. See row 148.	The Commission shall, at least every three years after its date of application, review any delegated act adopted pursuant to this Article, taking into consideration the technical advice of the European Financial Reporting Advisory Group (EFRAG), and where necessary shall amend such delegated act to take into account relevant developments, including developments with regard to international standards. Presidency compromise proposal moved from row 148

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (7b), amending provision, article, point, introductory part			
242n			The Commission shall, at least once a year, consult jointly the Member State Expert Group on Sustainable Finance referred to in Article 24 of Regulation (EU) 2020/852 and the Accounting Regulatory Committee referred to in Article 6 of Regulation (EU) 1606/2002 on EFRAG's work programme as regards the development of sustainability reporting standards.	The Commission shall, at least once a year consult the European Parliament, and jointly the Member State Expert Group on Sustainable Finance referred to in Article 24 of Regulation (EU) 2020/852 and the Accounting Regulatory Committee referred to in Article 6 of Regulation (EU) 1606/2002, on EFRAG's work programme as regards the development of sustainability reporting standards. Presidency compromise proposal, made from original Council mandate
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint			
242o			2. The sustainability reporting standards referred to in paragraph 1 shall require that the information to be reported is understandable, relevant, verifiable, comparable, and is represented in a faithful manner. See row 149.	2. The sustainability reporting standards referred to in paragraph 1 shall ensure the quality and relevance of reported information, by requiring that it is understandable, relevant, verifiable, comparable and is represented in a faithful manner. The standards shall avoid disproportionate administrative burden on undertakings, including by taking account to the greatest extent possible the work of global

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				standard-setting initiatives for sustainability reporting as required by paragraph 3, point (a). Presidency compromise proposal moved from row 149 (taking into account EP amendment in row 169a)
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint			
Y	242p		The sustainability reporting standards shall, taking into account the subject matter of a particular standard: See row 150.	The sustainability reporting standards shall, taking into account the subject matter of a particular standard: Presidency compromise proposal moved from row 150
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint, introductory part			
G	242q		(a) specify the information that undertakings are to disclose about the following environmental factors: See row 151.	(a) specify the information that undertakings are to disclose about the following environmental factors: Presidency compromise proposal moved from row 151
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint,			
G	242r		(i) climate change mitigation;	(i) climate change mitigation, including emissions on scope 1,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			See row 152.	scope 2 and, where relevant, scope 3 greenhouse gas emissions; Presidency compromise proposal moved from row 152
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint,			
242s			(ii) climate change adaptation; See row 153.	(ii) climate change adaptation; Presidency compromise proposal moved from row 153
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint,			
242t			(iii) water and marine resources; See row 154.	(iii) water and marine resources; Presidency compromise proposal moved from row 154
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint,			
242u			(iv) resource use and circular economy; See row 155.	(iv) resource use and circular economy; Presidency compromise proposal moved from row 155
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint,			
242v			(v) pollution; See row 156.	(v) pollution; Presidency compromise proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				moved from row 156
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint,			
G	242w		(vi) biodiversity and ecosystems; See row 157.	(vi) biodiversity and ecosystems; Presidency compromise proposal moved from row 157
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint,			
G	242x		(b) specify the information that undertakings are to disclose about the following social and human rights factors: See row 158.	(b) specify the information that undertakings are to disclose about the following social and human rights factors: Presidency compromise proposal moved from row 158
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint,			
Y	242y		(i) equal opportunities for all, including gender equality and equal pay for equal work or work of equal value, training and skills development, and employment and inclusion of people with disabilities; See row 159.	(i) equal treatment and opportunities for all, including gender equality and equal pay for work of equal value, training and skills development, the employment and inclusion of people with disabilities, measures against violence and harassment in the workplace, and diversity; Presidency compromise proposal moved from row 159

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint,			
Y	242z		(ii) working conditions, including secure and adaptable employment, wages, social dialogue, collective bargaining and the involvement of workers, work-life balance, and a healthy, safe and well-adapted work environment; See row 160.	(ii) working conditions, including secure employment, working time, wages, social dialogue, freedom of association, existence of work councils, collective bargaining, the information, consultation and participation rights of workers, work-life balance and health and safety; Presidency compromise proposal moved from row 160 with changes.
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint,			
G	242aa		(iii) respect for the human rights, fundamental freedoms, democratic principles and standards established in the International Bill of Human Rights and other core UN human rights conventions, the International Labour Organization's Declaration on Fundamental Principles and Rights at Work and the ILO fundamental conventions and the Charter of Fundamental Rights of the European Union. See row 161.	(iii) respect for the human rights, fundamental freedoms, democratic principles and standards established in the International Bill of Human Rights and other core UN human rights conventions, including the UN Convention on Persons with Disabilities, the UN Declaration on the Rights of Indigenous Peoples, the International Labour Organization's Declaration on Fundamental Principles and Rights at Work and the ILO fundamental conventions, the European Convention of Human Rights, the revised European Social Charter, and the Charter of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Fundamental Rights of the European Union. Presidency compromise proposal moved from row 161
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint, , introductory part			
G	242ab		(c) specify the information that undertakings are to disclose about the following governance factors: See row 162.	(c) specify the information that undertakings are to disclose about the following governance factors: Presidency compromise proposal moved from row 162
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint, , first indent			
G	242ac		(i) the role of the undertaking's administrative, management and supervisory bodies with regard to sustainability matters, and their expertise and skills to fulfil this role or access to such expertise and skills; See row 163.	(i) the role of the undertaking's administrative, management and supervisory bodies with regard to sustainability matters, and their composition, and their expertise and skills to fulfil this role or access to such expertise and skills; Presidency compromise proposal moved from row 163
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint, , second indent			
Y	242ad			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(i)a the main features of the undertaking's internal control and risk management systems, in relation to the sustainability reporting process:	(i)a the main features of the undertaking's internal control and risk management systems, in relation to the sustainability reporting process: Presidency compromise proposal, made from original Council mandate
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint, , third indent			
242ae			(ii) business ethics and corporate culture, including anti-corruption and anti-bribery; See row 164.	(ii) business ethics and corporate culture, including anti-corruption and anti-bribery, the protection of whistle-blowers and animal welfare; Presidency compromise proposal moved from row 164
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint, , fourth indent			
242af			(iii) political engagements of the undertaking, including its lobbying activities; See row 165.	(iii) engagement of the undertaking to exert its political influence, including its lobbying activities; Presidency compromise proposal moved from row 165
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint, , fifth indent			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
G	242ag		(iv) the management and quality of relationships with customers, suppliers and communities affected by the activities of the undertaking, including payment practices; See row 166.	(iv) the management and quality of relationships with customers, suppliers and communities affected by the activities of the undertaking, including payment practices, especially with regard to late payment to SMEs; Presidency compromise proposal moved from row 166.
Article 1, first paragraph, point (7c), amending provision, article, pointpoint, , sixth indent				
G	242ah			(v) the main features of the undertaking's internal control and risk management systems, in relation to the sustainability reporting and decision-making process. Presidency compromise proposal moved from row 167. Presidency added new line 242af compared to previous versions (attention: lettering of rows 242 has shifted).
Article 1, first paragraph, point (7b), amending provision, article, , introductory part				
Y	242ai		2a. The sustainability reporting standards shall specify the forward-looking and retrospective	2a. The sustainability reporting standards shall specify the forward-looking and retrospective

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			information, and qualitative and quantitative information, as appropriate, to be reported by undertakings. See row 167a.	information, and qualitative and quantitative information, as appropriate, to be reported by undertakings. Presidency compromise proposal, made from original Council mandate
	Article 1, first paragraph, point (7b), amending provision, article, point, introductory part			
242aj			2b. Standards shall also take account of the difficulties that undertakings may encounter in gathering information from actors throughout their value chain, especially from those which are not obliged to publish sustainability information pursuant to Article 19a or 29a of Directive 2013/34/EU and from suppliers in emerging markets and economies. They shall specify disclosures on value chains that are proportionate and relevant to the scale and complexity of the activities, and the capacities and characteristics of undertakings in value chains, especially those of undertakings that are not subject to the sustainability reporting obligations of Articles 19a or 29a of this Directive. Furthermore, for the first three years of application of this Directive, in the event that	2b. Standards shall also take account of the difficulties that undertakings may encounter in gathering information from actors throughout their value chain, especially from those which are not obliged to report sustainability information pursuant to Article 19a or 29a of this Directive and from suppliers in emerging markets and economies. Standards shall specify disclosures on value chains that are proportionate and relevant to the scale and complexity of the activities, and the capacities and characteristics of undertakings in value chains, especially those of undertakings that are not subject to the sustainability reporting obligations of Articles 19a or 29a of this Directive. Presidency compromise proposal, made

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			not all the necessary information about the business relationships and the supply chain is available, the undertaking shall include the information in its possession and a statement indicating that the business relationships and the undertakings in its value chain did not make the necessary information available. See row 167a.	from original Council mandate, with the last sentence added to mirror the provision in row 118.
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint, introductory part			
G 242ak			3. When adopting delegated acts pursuant to paragraph 1, the Commission shall to the greatest extent possible take account of: See row 168.	3. When adopting delegated acts pursuant to paragraph 1, the Commission shall to the greatest extent possible take account of: Presidency compromise proposal moved from row 168
	Article 1, first paragraph, point (7b), amending provision, article, pointpointpoint			
G 242al			(a) the work of global standard-setting initiatives for sustainability reporting, and existing standards and frameworks for natural capital accounting and for greenhouse gas accounting, responsible business conduct, corporate social	(a) the work of global standard-setting initiatives for sustainability reporting, and existing standards and frameworks for natural capital accounting and for greenhouse gas accounting, responsible business conduct, corporate social

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			responsibility, and sustainable development; See row 169.	responsibility, and sustainable development; Presidency compromise proposal moved from row 169
Article 1, first paragraph, point (7b), amending provision, article, pointpointpoint				
242am			(b) the information that financial market participants need to comply with their disclosure obligations laid down in Regulation (EU) 2019/2088 and the delegated acts adopted pursuant to that Regulation; See row 170.	(b) the information that financial market participants need to comply with their disclosure obligations laid down in Regulation (EU) 2019/2088 and the delegated acts adopted pursuant to that Regulation; Presidency compromise proposal moved from row 170
Article 1, first paragraph, point (7b), amending provision, article, pointpointpoint				
242an			(c) the delegated acts adopted pursuant to Regulation (EU) 2020/852 ¹ ; 1. [1] Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13). See row 171.	(c) the criteria, indicators and methodologies set out in the delegated acts adopted pursuant to Regulation (EU) 2020/852 ¹ , including the technical screening criteria established pursuant to Articles 10(3), 11(3), 12(2), 13(2), 14(2) and 15(2) of that Regulation and the reporting requirements set out in the delegated act adopted pursuant to Article 8 of that Regulation; 1. [1] Regulation (EU) 2020/852 of the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13). Presidency compromise proposal moved from row 171
Article 1, first paragraph, point (7b), amending provision, article, pointpointpoint				
242ao			(d) the disclosure requirements applicable to benchmarks administrators in the benchmark statement and in the benchmark methodology and the minimum standards for the construction of EU Climate Transition Benchmarks and EU Paris-aligned Benchmarks in accordance with Commission Delegated Regulations (EU) 2020/1816¹, (EU) 2020/1817² and (EU) 2020/1818³; 1. [1] Commission Delegated Regulation (EU) 2020/1816 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards the explanation in the benchmark statement of how environmental, social and governance factors are reflected in each benchmark provided and published (OJ L 406, 3.12.2020, p. 1). 2. [2] Commission Delegated Regulation (EU) 2020/1817 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the	(d) the disclosure requirements applicable to benchmarks administrators in the benchmark statement and in the benchmark methodology and the minimum standards for the construction of EU Climate Transition Benchmarks and EU Paris-aligned Benchmarks in accordance with Commission Delegated Regulations (EU) 2020/1816¹, (EU) 2020/1817² and (EU) 2020/1818³; 1. [1] Commission Delegated Regulation (EU) 2020/1816 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards the explanation in the benchmark statement of how environmental, social and governance factors are reflected in each benchmark provided and published (OJ L 406, 3.12.2020, p. 1). 2. [2] Commission Delegated Regulation (EU) 2020/1817 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Council as regards the minimum content of the explanation on how environmental, social and governance factors are reflected in the benchmark methodology (OJ L 406, 3.12.2020, p. 12). 3. [3] Commission Delegated Regulation (EU) 2020/1818 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards minimum standards for EU Climate Transition Benchmarks and EU Paris-aligned Benchmarks (OJ L 406, 3.12.2020, p. 17). See row 172.	Council as regards the minimum content of the explanation on how environmental, social and governance factors are reflected in the benchmark methodology (OJ L 406, 3.12.2020, p. 12). 3. [3] Commission Delegated Regulation (EU) 2020/1818 of 17 July 2020 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council as regards minimum standards for EU Climate Transition Benchmarks and EU Paris-aligned Benchmarks (OJ L 406, 3.12.2020, p. 17). Presidency compromise proposal moved from row 172
Article 1, first paragraph, point (7b), amending provision, article, pointpointpoint				
G 242ap			(e) the disclosures specified in the implementing acts adopted pursuant to Article 434a of Regulation (EU) No 575/2013¹; 1. [1] Commission Implementing Regulation laying down implementing technical standards with regard to public disclosures by institutions of the information referred to in Titles II and III of Part Eight of Regulation (EU) No 575/2013 of the European Parliament and of the Council (C(2021)1595) See row 173.	(e) the disclosures specified in the implementing acts adopted pursuant to Article 434a of Regulation (EU) No 575/2013¹; 1. [1] Commission Implementing Regulation laying down implementing technical standards with regard to public disclosures by institutions of the information referred to in Titles II and III of Part Eight of Regulation (EU) No 575/2013 of the European Parliament and of the Council (C(2021)1595) Presidency compromise proposal moved from row 173
Article 1, first paragraph, point (7b), amending provision, article, pointpointpoint				
G 242aq				G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(f) Commission Recommendation 2013/179/EU¹; 1. [1] Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1). See row 174.	(f) Commission Recommendation 2013/179/EU¹; 1. [1] Commission Recommendation 2013/179/EU of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 124, 4.5.2013, p. 1). Presidency compromise proposal moved from row 174
Article 1, first paragraph, point (7b), amending provision, article, pointpointpoint				
242ar			(g) Directive 2003/87/EC of the European Parliament and of the Council¹; 1. [1] Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32). See row 175.	(g) Directive 2003/87/EC of the European Parliament and of the Council¹; (ga) Regulation (EU) 2021/1119 of the European Parliament and of the Council; 1. [1] Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32). Presidency compromise proposal moved from row 175
Article 1, first paragraph, point (7b), amending provision, article, pointpointpoint				
242as			(h) Regulation (EC) No 1221/2009	(h) Regulation (EC) No 1221/2009

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			of the European Parliament and of the Council¹. 1. [1] Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1). See row 176.	of the European Parliament and of the Council¹. (ha) Directive (EU) 2019/1937 of the European Parliament and of the Council 1. [1] Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1). Presidency compromise proposal moved from rows 176 & 176a
	Article 1, first paragraph, point (7b), amending provision, article			
R	242at		Article 29c Sustainability reporting standards for SMEs See rows 186-187 (Art. 19c)	Rows 242ap to 242at: new Article 29c (Presidency proposes to displace Article 19c)
	Article 1, first paragraph, point (7b), amending provision, article, , introductory part			
G	242au		The Commission shall adopt delegated acts in accordance with Article 49 to provide for sustainability reporting standards proportionate and relevant to the scale and complexity of the	The Commission shall adopt delegated acts in accordance with Article 49 to provide for sustainability reporting standards proportionate and relevant to the scale and complexity of the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			activities, and to the capacities and characteristics of small and medium-sized undertakings. These sustainability reporting standards shall specify for these small and medium-sized undertakings referred to in Article 2, point (1)(a), the information that shall be reported in accordance with Article 19a(5). See row 188.	activities, and to the capacities and characteristics of small and medium-sized undertakings. These sustainability reporting standards shall specify for these small and medium-sized undertakings referred to in Article 2, point (1)(a), the information that shall be reported in accordance with Article 19a(5). Presidency compromise proposal moved from row 188 (partial)
	Article 1, first paragraph, point (7b), amending provision, article, point, introductory part			
G	242av		Reporting standards for small and medium-sized undertakings shall take into account the criteria set out in Article 29b, paragraphs 2, 2a, 2b and 3. They shall also, to the extent possible, specify the structure in which that information shall be reported. See row 188.	Reporting standards for small and medium-sized undertakings shall take into account the criteria set out in Article 29b, paragraphs 2, 2a, 2b and 3. They shall also, to the extent possible, specify the structure in which that information shall be reported. Presidency compromise proposal moved from row 188 (partial)
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint			
R	242aw		The Commission shall, at least every three years after its date of application, review any delegated	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			act adopted pursuant to this Article, taking into consideration the technical advice of the European Financial Reporting Advisory Group (EFRAG), and where necessary, shall amend such delegated act to take into account relevant developments, including developments with regard to international standards. See row 188.	
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint			
R	242ax		The Commission shall adopt those delegated acts at the latest by 31 October 2023.' Row 189.	The Commission shall adopt those delegated acts at the latest by 1 June 2024.' Text based on Council Mandate with a changed timeline. Text Origin: Council Mandate
	Article 1, first paragraph, point (7b), amending provision, article, point, introductory part			
Y	242ay		(7)c A new chapter title is inserted See row 190.	(7)c A new chapter title is inserted Text Origin: Council Mandate
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint			
Y	242az		"Chapter 6b – Electronic format"	"Chapter 6b – Electronic format"

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			See row 190.	Text Origin: Council Mandate
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint			
Y	242ba		(7)d A new article is added	(7)d A new article is added Text Origin: Council Mandate
	Article 1, first paragraph, point (7b), amending provision, article, pointpoint			
Y	242bb		<i>'Article 29d</i> See row 190 (Art. 19d)	<i>'Article 29d</i> Text Origin: Council Mandate
	Article 1, first paragraph, point (7a), amending provision, article, point, introductory part			
G	242bc		Single electronic reporting format See row 191.	Single electronic reporting format Rows 242at to 242ba: new Article 29d (Presidency proposes to displace Article 19d)
	Article 1, first paragraph, point (7a), amending provision, article, point, point			
G	242bd		1. Undertakings subject to Article 19a shall prepare their management report in the electronic reporting format referred to in Article 3 of Commission Delegated Regulation (EU) 2019/815 ¹ and shall mark-up	1. Undertakings subject to Article 19a shall prepare their management report in the electronic reporting format referred to in Article 3 of Commission Delegated Regulation (EU) 2019/815 ¹ and shall mark-up

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			their sustainability reporting, including the disclosures laid down in Article 8 of Regulation (EU) 2020/852, in accordance with the format referred to in that Delegated Regulation. 1. [1] Commission Delegated Regulation (EU) 2019/815 of 17 December 2018 supplementing Directive 2004/109/EC of the European Parliament and of the Council with regard to regulatory technical standards on the specification of a single electronic reporting format (OJ L 143, 29.5.2019, p. 1).; See row 192.	their sustainability reporting, including the disclosures laid down in Article 8 of Regulation (EU) 2020/852, in accordance with the format referred to in that Delegated Regulation. 1. [1] Commission Delegated Regulation (EU) 2019/815 of 17 December 2018 supplementing Directive 2004/109/EC of the European Parliament and of the Council with regard to regulatory technical standards on the specification of a single electronic reporting format (OJ L 143, 29.5.2019, p. 1).; Presidency compromise proposal moved from row 192
Article 1, first paragraph, point (7a), amending provision, article, point, point				
242be			2. Parent undertakings subject to Article 29a shall prepare their consolidated management report in the single electronic reporting format referred to in Article 3 of Delegated Regulation (EU) 2019/815 and shall mark-up sustainability reporting, including the disclosures laid down in Article 8 of Regulation (EU) 2020/852, in accordance with the format referred to in that Delegated Regulation. "	2. Parent undertakings subject to Article 29a shall prepare their consolidated management report in the single electronic reporting format referred to in Article 3 of Delegated Regulation (EU) 2019/815 and shall mark-up sustainability reporting, including the disclosures laid down in Article 8 of Regulation (EU) 2020/852, in accordance with the format referred to in that Delegated Regulation. "

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Row 193.	Presidency compromise proposal moved from row 193
Article 1, first paragraph, point (8), introductory part				
243	(8) Article 30 is amended as follows:	(8) Article 30 is amended as follows:	(8) Article 30 is amended as follows:	(8) Article 30 is amended as follows: Text Origin: Commission Proposal
Article 1, first paragraph, point (8)(a), introductory part				
244	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following: Text Origin: Commission Proposal
Article 1, first paragraph, point (8)(a), amending provision, numbered paragraph (1), introductory part				
245	1. Member States shall ensure that undertakings publish within a reasonable period of time, which shall not exceed 12 months after the balance sheet date, the duly approved annual financial statements and the management report in the format prescribed by Article 19d of this Directive where applicable, together with the opinions and statement submitted by the statutory auditor or audit firm referred to in	1. <u>I.</u> Member States shall ensure that undertakings publish <u>online</u> within a reasonable period of time, which shall not exceed 12 months after the balance sheet date, the duly approved annual financial statements and the management report in the format prescribed by Article 19d of this Directive where applicable, together with the opinions and statement submitted by the statutory auditor or audit firm	1. Member States shall ensure that undertakings publish within a reasonable period of time, which shall not exceed 12 months after the balance sheet date, the duly approved annual financial statements and the management report in the format prescribed by Article 19d29d of this Directive where applicable, together with the opinions and statement submitted by the statutory auditor or audit firm referred to in	1. Member States shall ensure that undertakings publish within a reasonable period of time, which shall not exceed 12 months after the balance sheet date, the duly approved annual financial statements and the management report in the format prescribed by Article 19d29d of this Directive where applicable, together with the opinions and statement submitted by the statutory auditor or audit firm referred to in

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 34 of this Directive, as laid down by the laws of each Member State in accordance with Chapter 3 of Directive (EU) 2017/1132 of the European Parliament and of the Council ^{*16} .	referred to in Article 34 of this Directive, as laid down by the laws of each Member State in accordance with Chapter 3 of Directive (EU) 2017/1132 of the European Parliament and of the Council ^{*16} .	Article 34 of this Directive, as laid down by the laws of each Member State in accordance with Title 1 , Chapter 3III of Directive (EU) 2017/1132 of the European Parliament and of the Council ^{*16} . ²	Article 34 of this Directive, as laid down by the laws of each Member State in accordance with Title 1 , Chapter 3III of Directive (EU) 2017/1132 of the European Parliament and of the Council ^{*16} . Member States may require undertakings subject to Articles 19a and 29a to make the management report available on their website free of charge. Member States may require that, if the undertaking does not have a website, it shall make a written copy of its management report available upon request. Presidency proposal.
Article 1, first paragraph, point (8)(a), amending provision, numbered paragraph (1), first paragraph				
246	‘Where an independent assurance services provider gives the opinion referred to in point (aa) of Article 34(1), this opinion shall be published together with the reports referred to in the first subparagraph.	‘Where an independent assurance services provider gives the opinion referred to in point (aa) of Article 34(1), this opinion shall be published together with the reports referred to in the first subparagraph.	‘Where an independent assurance services provider gives the opinion referred to in Article 34(1), second subparagraph , point (aa) of ~~Article 34(1)~~ , this opinion shall be published together with the ~~reports~~ documents referred to in the first subparagraph.	‘Where an independent assurance services provider gives the opinion referred to in Article 34(1), second subparagraph , point (aa) of ~~Article 34(1)~~ , this opinion shall be published together with the ~~reports~~ documents referred to in the first subparagraph.
Article 1, first paragraph, point (8)(a), amending provision, numbered paragraph (1), second paragraph				
247				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Member States may, however, exempt undertakings from the obligation to publish the management report where a copy of all or part of any such report can be easily obtained upon request at a price not exceeding its administrative cost. ¹	Member States may, however, exempt undertakings from the obligation to publish the management report where a copy of all or part of any such report can be easily obtained upon request at a price not exceeding its administrative cost. ¹	Member States may, however, exempt undertakings from the obligation to publish the management report where a copy of all or part of any such report can be easily obtained upon request at a price not exceeding its administrative cost. ²	Member States may, however, exempt undertakings from the obligation to publish the management report where a copy of all or part of any such report can be easily obtained upon request at a price not exceeding its administrative cost. ¹ Text Origin: Commission Proposal
Article 1, first paragraph, point (8)(a), amending provision, numbered paragraph (1), third paragraph				
248	The exemption laid down in the third subparagraph shall not apply to undertakings subject to Articles 19a and 29a. ¹ ;	The exemption laid down in the third subparagraph shall not apply to undertakings subject to Articles 19a and 29a. ¹ ;	The exemption laid down in the third subparagraph shall not apply to undertakings subject to Articles 19a and 29a. ¹ ;	The exemption laid down in the third subparagraph shall not apply to undertakings subject to Articles 19a and 29a. ¹ ; Text Origin: Commission Proposal
Article 1, first paragraph, point (8)(a), amending provision, numbered paragraph (1), fourth paragraph				
249	_____	_____	_____	_____ Text Origin: Commission Proposal
Article 1, first paragraph, point (8)(a), amending provision, numbered paragraph (1), fifth paragraph				
250				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	*16 Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law (OJ L 169, 30.6.2017, p. 46).	*16 Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law (OJ L 169, 30.6.2017, p. 46).	*16 Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law (OJ L 169, 30.6.2017, p. 46).	*16 Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law (OJ L 169, 30.6.2017, p. 46).
Article 1, first paragraph, point (8)(b), introductory part				
251	(b) the following paragraph 1a is inserted:	(b) the following paragraph 1a is inserted:	~~(b) the following paragraph 1a is inserted:~~	(b) the following paragraph 1a is inserted:
Article 1, first paragraph, point (8)(b), amending provision, first paragraph, introductory part				
252	1a. Member States shall ensure that management reports containing sustainability reporting drawn up by undertakings subject to Articles 19a and 29a are also made available to the relevant officially appointed mechanism referred to in Article 21(2) of Directive 2004/109/EC without delay following their publication.	1a. Member States shall ensure that management reports containing sustainability reporting drawn up by undertakings subject to Articles 19a and 29a are also made available to the relevant officially appointed mechanism referred to in Article 21(2) of Directive 2004/109/EC without delay following their publication.	~~1a. Member States shall ensure that management reports containing sustainability reporting drawn up by undertakings subject to Articles 19a and 29a are also made available to the relevant officially appointed mechanism referred to in Article 21(2) of Directive 2004/109/EC without delay following their publication.~~	1a. Member States shall ensure that management reports containing sustainability reporting drawn up by undertakings subject to Articles 19a and 29a are also made available to the relevant officially appointed mechanism referred to in Article 21(2) of Directive 2004/109/EC without delay following their publication.
Article 1, first paragraph, point (8)(b), amending provision, first paragraph, first paragraph				
253	Where the undertaking drawing up the management report is not subject to Directive 2004/109/EC, the	Where the undertaking drawing up the management report is not subject to Directive 2004/109/EC, the	~~Where the undertaking drawing up the management report is not subject to Directive 2004/109/EC, the~~	Where the undertaking drawing up the management report is not subject to Directive 2004/109/EC, the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	relevant officially appointed mechanism shall be one of the officially appointed mechanisms of the Member State where the undertaking has its registered office.;	relevant officially appointed mechanism shall be one of the officially appointed mechanisms of the Member State where the undertaking has its registered office.;	relevant officially appointed mechanism shall be one of the officially appointed mechanisms of the Member State where the undertaking has its registered office.;	relevant officially appointed mechanism shall be one of the officially appointed mechanisms of the Member State where the undertaking has its registered office.;
				Alignment?
Article 1, first paragraph, point (9), introductory part				
254	(9) in Article 33, paragraph 1 is replaced by the following:	(9) in Article 33, paragraph 1 is replaced by the following:	(9) in Article 33, paragraph 1 is replaced by the following:	(9) in Article 33, paragraph 1 is replaced by the following: Text Origin: Commission Proposal
Article 1, first paragraph, point (9), amending provision, numbered paragraph (1), introductory part				
255	1. Member States shall ensure that the members of the administrative, management and supervisory bodies of an undertaking, acting within the competences assigned to them by national law, have collective responsibility for ensuring that the following documents are drawn up and published in accordance with the requirements of this Directive and, where applicable, with the international accounting standards adopted in accordance with Regulation (EC) No 1606/2002, with	1. <u>1.</u> Member States shall ensure that the members of the ~~adminis-trative~~ administrative, management and supervisory bodies of an undertaking, acting within the competences assigned to them by national law, have collective responsibility <u>that is clearly defined</u> for ensuring that the following documents are drawn up and published in accordance with the requirements of this Directive and, where applicable, with the international accounting standards	1. Member States shall ensure that the members of the ~~adminis-trative~~ administrative, management and supervisory bodies of an undertaking, acting within the competences assigned to them by national law, have collective responsibility for ensuring that the following documents are drawn up and published in accordance with the requirements of this Directive and, where applicable, with the international accounting standards adopted in accordance with	1. Member States shall ensure that the members of the ~~adminis-trative~~ administrative, management and supervisory bodies of an undertaking, acting within the competences assigned to them by national law, have collective responsibility for ensuring that the following documents are drawn up and published in accordance with the requirements of this Directive and, where applicable, with the international accounting standards adopted in accordance with

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Delegated Regulation 2019/815, with the sustainability reporting standards referred to in Article 19b of this Directive, and with the requirements of Article 19d of this Directive:	adopted in accordance with Regulation (EC) No 1606/2002, with Delegated Regulation 2019/815, with the sustainability reporting standards referred to in Article 19b of this Directive, and with the requirements of Article 19d of this Directive:	Regulation (EC) No 1606/2002, with Delegated Regulation 2019/815, with the sustainability reporting standards referred to in Article ~~19b~~ 29b, or Article 29c where applicable , of this Directive, and with the requirements of Article ~~19d~~ 29d of this Directive:	Regulation (EC) No 1606/2002, with Delegated Regulation 2019/815, with the sustainability reporting standards referred to in Article ~~19b~~ 29b, or Article 29c where applicable , of this Directive, and with the requirements of Article ~~19d~~ 29d of this Directive: Presidency proposal. Text Origin: Council Mandate
Article 1, first paragraph, point (9), amending provision, numbered paragraph (1)(a)				
G 256	(a) the annual financial statements, the management report and the corporate governance statement when provided separately;	(a) the annual financial statements, the management report and the corporate governance statement when provided separately;	(a) the annual financial statements, the management report and the corporate governance statement when provided separately;	(a) the annual financial statements, the management report and the corporate governance statement when provided separately;
Article 1, first paragraph, point (9), amending provision, numbered paragraph (1)(b)				
G 257	(b) the consolidated financial statements, the consolidated management reports and the consolidated corporate governance statement when provided separately.;	(b) the consolidated financial statements, the consolidated management reports and the consolidated corporate governance statement when provided separately.;	(b) the consolidated financial statements, the consolidated management reports and the consolidated corporate governance statement when provided separately.;	(b) the consolidated financial statements, the consolidated management reports and the consolidated corporate governance statement when provided separately.;
Article 1, first paragraph, point (9a), introductory part				
Y 257a			(9a) Chapter 8 is amended as follows:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (9a), amending provision, numbered paragraph			
Y	257b		" Auditing and assurance of sustainability reporting "	Y
	Article 1, first paragraph, point (10), introductory part			
G	258	(10) Article 34 is amended as follows:	(10) Article 34 is amended as follows:	(10) Article 34 is amended as follows: G
	Article 1, first paragraph, point (10)(a), introductory part			
G	259	(a) in paragraph 1, the second subparagraph is amended as follows:	(a) in paragraph 1, the second subparagraph is amended as follows:	(a) in paragraph 1, the second subparagraph is amended as follows: G
	Article 1, first paragraph, point (10)(a)(i), introductory part			
G	260	(i) point (a)(ii) is replaced by the following:	(i) point (a)(ii) is replaced by the following:	(i) point (a)(ii) is replaced by the following: G
	Article 1, first paragraph, point (10)(a)(i), amending provision, first paragraph			
G	261	(ii) whether the management report has been prepared in accordance with the applicable legal requirements, excluding the requirements on sustainability reporting laid down in Article 19a;;	(ii) 'whether the management report has been prepared in accordance with the applicable legal requirements, excluding the requirements on sustainability reporting laid down in Article 19a;';	(ii) whether the management report has been prepared in accordance with the applicable legal requirements, excluding the requirements on sustainability reporting laid down in Article 19a;; G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	,	,	,	,
Article 1, first paragraph, point (10)(a)(ii), introductory part				
262	(ii) the following point (aa) is inserted:	(ii) the following point (aa) is inserted:	(ii) the following point (aa) is inserted:	(ii) the following point (aa) is inserted:
Article 1, first paragraph, point (10)(a)(ii), amending provision, first paragraph				
263	‘ (aa) where applicable, express an opinion based on a limited assurance engagement as regards the compliance of the sustainability reporting with the requirements of this Directive, including the compliance of the sustainability reporting with the reporting standards adopted pursuant to Article 19b, the process carried out by the undertaking to identify the information reported pursuant to those reporting standards, and the compliance with the requirement to mark-up sustainability reporting in accordance with Article 19d, and as regards the compliance with the reporting requirements of Article 8 of Regulation (EU) 2020/852.;’	‘ (aa) <u>(aa)</u> where applicable, express an opinion based on a limited assurance engagement as regards the compliance of the sustainability reporting with the requirements <u>and scope</u> of this Directive, including the compliance of the sustainability reporting with the reporting standards adopted pursuant to Article 19b, the process carried out by the undertaking to identify the information reported pursuant to those reporting standards, and the compliance with the requirement to mark-up sustainability reporting in accordance with Article 19d, and as regards the compliance with the reporting requirements of Article 8 of Regulation (EU) 2020/852.;’	‘ (aa) where applicable, express an opinion based on a limited assurance engagement as regards the compliance of the sustainability reporting with the requirements of this Directive, including the compliance of the sustainability reporting with the reporting standards adopted pursuant to Article ~~19b~~ 29b or Article 29c , the process carried out by the undertaking to identify the information reported pursuant to those reporting standards, and the compliance with the requirement to mark-up sustainability reporting -in accordance with Article ~~19d~~ 29d , and as regards the compliance with the reporting requirements of Article 8 of Regulation (EU) 2020/852. ’;	LL will do alignment .
Article 1, first paragraph, point (10)(b), introductory part				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
264	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following:
Article 1, first paragraph, point (10)(b), amending provision, numbered paragraph (3)				
265	3. Member States may allow an independent assurance services provider to express the opinion referred to in paragraph 1, second subparagraph, point (aa), provided that it is subject to requirements that are consistent with those set out in Directive 2006/43/EC as regards the assurance of sustainability reporting as defined in Article 2(1), point (r) of that Directive.	3. <u>3.</u> Member States ~~may~~shall allow an independent assurance services provider to express the opinion referred to in paragraph 1, second subparagraph, point (aa), provided that it is subject to requirements that are ~~consistent~~equivalent with those set out in Directive 2006/43/EC as regards the assurance of sustainability reporting as defined in Article 2(1), point (r) of that Directive. <u>Member States shall allow proper equivalence of those requirements in the European Union by involving relevant national authorities. Member States shall specify such requirements applying to independent service providers produce identical effects in terms of the quality of the audit of sustainability information, while being adapted to an assurance provider which does not conduct a statutory audit on financial information.</u>	3. Member States may allow a statutory auditor or an audit firm other than the one(s) carrying out the statutory audit of financial statementsan independent assurance services provider to express the opinion referred to in paragraph 1, second subparagraph, point (aa); ~~provided that it is subject to requirements that are consistent with those set out in Directive 2006/43/EC as regards the assurance of sustainability reporting as defined in Article 2(1), point (r) of that Directive.~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (10)(b), amending provision, numbered paragraph (3a)			
R	265a		3a. Member States may allow an independent assurance services provider to express the opinion referred to in paragraph 1, second subparagraph, point (aa), provided that such independent assurance services provider is subject to requirements that are equivalent to those set out in Directive 2006/43/EC of the European Parliament and of the Council¹as regards the assurance of sustainability reporting as defined in Article 2, point 22 of that Directive, in particular with requirements on: 1. [1] Directive 2006/43/EC of the European Parliament and of the Council of 17 May 2006 on statutory audits of annual accounts and consolidated accounts, amending Council Directives 78/660/EEC and 83/349/EEC and repealing Council Directive 84/253/EEC (OJ L 157, 9.6.2006, p. 87).	3a. Member States may allow an independent assurance services provider established in their territory to express the opinion referred to in paragraph 1, second subparagraph, point (aa), provided that such independent assurance services provider is subject to requirements that are equivalent to those set out in Directive 2006/43/EC of the European Parliament and of the Council¹as regards the assurance of sustainability reporting as defined in Article 2, point 22 of that Directive, in particular with requirements on: 1. [1] Directive 2006/43/EC of the European Parliament and of the Council of 17 May 2006 on statutory audits of annual accounts and consolidated accounts, amending Council Directives 78/660/EEC and 83/349/EEC and repealing Council Directive 84/253/EEC (OJ L 157, 9.6.2006, p. 87). Text Origin: Council Mandate
	Article 1, first paragraph, point (10)(b), amending provision, numbered paragraph (3c)			
G	265b		(i) training and examination, ensuring that independent	(i) training and examination, ensuring that independent

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			assurance services providers acquire the necessary expertise on sustainability reporting and the assurance of sustainability reporting;	assurance services providers acquire the necessary expertise on sustainability reporting and the assurance of sustainability reporting;
	Article 1, first paragraph, point (10)(b), amending provision, numbered paragraph (3e)			
G	265c		(ii) continuing education;	(ii) continuing education;
	Article 1, first paragraph, point (10)(b), amending provision, numbered paragraph (3b)			
G	265d		(iii) quality assurance systems;	(iii) quality assurance systems;
	Article 1, first paragraph, point (10)(b), amending provision, numbered paragraph (3d)			
G	265e		(iv) professional ethics, independence, objectivity, confidentiality and professional secrecy;	(iv) professional ethics, independence, objectivity, confidentiality and professional secrecy;
	Article 1, first paragraph, point (10)(b), amending provision, numbered paragraph (3f)			
G	265f		(v) appointment and dismissal;	(v) appointment and dismissal;
	Article 1, first paragraph, point (10)(b), amending provision, numbered paragraph (3g)			
G	265g			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(vi) investigations and sanctions	(vi) investigations and sanctions
	Article 1, first paragraph, point (10)(b), amending provision, numbered paragraph (3h)			
G	265h		(vii) the organisation of the work of the independent assurance services provider, in particular in terms of sufficient resources and personnel and the maintenance of client account records and files; and	(vii) the organisation of the work of the independent assurance services provider, in particular in terms of sufficient resources and personnel and the maintenance of client account records and files; and
	Article 1, first paragraph, point (10)(b), amending provision, numbered paragraph (3i)			
G	265i		(viii) reporting irregularities.	(viii) reporting irregularities.
	Article 1, first paragraph, point (10)(b), amending provision, numbered paragraph (3j)			
Y	265j		Where an independent assurance services provider gives the opinion referred to in paragraph 1, second subparagraph, point (aa), Member States shall ensure that this opinion is prepared in accordance with Articles 26a, 27a and 28a of Directive 2006/43/EC and that, where applicable, the audit committee or a dedicated committee, reviews and monitors the independence of the independent assurance services provider in accordance with	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Article 39 paragraph 6 point (e) of Directive 2006/43/EC.	
Article 1, first paragraph, point (10)(b), amending provision, numbered paragraph (3k)				
265k			Member States shall ensure that independent assurance services providers accredited before 1 January 2024 for the assurance of sustainability reporting in accordance with Regulation (EC) No 765/2008, are not subject to the training and examination requirements referred to in the first subparagraph, point i).	
Article 1, first paragraph, point (10)(b), amending provision, numbered paragraph (3l)				
265l			Member States shall ensure that independent assurance services providers that on 1 January 2024 are undergoing the accreditation process in accordance with the relevant national requirements are not subject to the training and examination requirements referred to in the first subparagraph, point (i) as regards the assurance of sustainability reporting provided they finish the process by 1 January 2026.	
Article 1, first paragraph, point (10)(b), amending provision, numbered paragraph (3m)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Y	265m		Member States shall ensure that the independent assurance services providers referred to in the third and fourth subparagraphs acquire the necessary knowledge in sustainability reporting and the assurance of sustainability reporting via the continuing education requirement referred to in the first subparagraph, point ii).'	
	Article 1, first paragraph, point (10)(b), amending provision, numbered paragraph (3n), introductory part			
R	265n		If a Member State makes use of the option to allow an independent assurance services provider to express the opinion referred to in paragraph 1, second subparagraph, point (aa), it shall also allow a statutory auditor other than the one(s) doing the statutory audit of financial statements, to do so.	Related to may-shall wording in 265a
	Article 1, first paragraph, point (10)(b), amending provision, numbered paragraph (3n)(a)			
R	265o		(b)a The following paragraph is inserted:	(b)a The following paragraph is inserted:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (10)(b), amending provision, numbered paragraph (3j)(b)			
R 265p				3b. As from year X [publication office – please insert 4 years after entry into force] a Member State (Host Member State) that has made use of the option of paragraph 3a shall allow independent assurance services providers established in another Member State (Home Member State) to carry out the assurance of sustainability reporting. The Home Member State shall be responsible for the supervision of the independent assurance services providers established in its territory, unless the Host Member State decides to supervise the assurance engagement of sustainability reporting carried out by independent assurance services providers in its territory. If the Host Member State decides to supervise the assurance engagements of sustainability reporting carried out in its territory by independent assurance services providers registered in another Member State, the Host Member State: i) shall not impose more stringent requirements or liability on such IASP than those required

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			PUBLIC	for assurance of sustainability reporting services by the national laws for the IASPs or auditors established in that Host Member State; and ii) shall inform other Member States about its decision to supervise the assurance engagements carried out by IASP established in other Member States.
	Article 1, first paragraph, point (10)(b), amending provision, numbered paragraph (3n)(b)			
R 265q			'3aa. When the Commission adopts standards for reasonable assurance according to Article 26a(2), second subparagraph of Directive 2006/43/EU, following an assessment to determine if reasonable assurance is feasible for auditors and for undertakings, the opinion referred to in Article 34(1), second subparagraph, point (aa) shall be based on a reasonable assurance engagement';	<i>deleted</i> <i>To be deleted (see row 384q)</i>
	Article 1, first paragraph, point (10a)			
R 265r				(10a) A new chapter title is inserted

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (10a), amending provision			
R	265s			"Chapter 9a – Reporting of third country undertakings"
	Article 1, first paragraph, point (10b)			
R	265t			(10b) The following Articles 40a, 40b, 40c, 40d and 40e are inserted:
	Article 1, first paragraph, point (10b)			
R	265u			‘Article 40a <i>Sustainability reporting of third country undertakings</i>
	Article 1, first paragraph, point (10b)			
R	265v			" 1. Member States shall require that a medium-sized or large subsidiary undertaking of an undertaking formed in accordance with the legislation of a third country (the ‘third country undertaking’) publish and make accessible a sustainability report covering at the consolidated level of the third country undertaking the information specified in Article 29a, paragraph 2, points

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				(a)(iii) to (e), and where appropriate point (g) of this Directive. Member States shall require that a branch of an undertaking formed in accordance with the legislation of a third country (the ‘third country undertaking’) publish and make accessible a sustainability report covering at the consolidated level of the third country undertaking the information specified in Article 29a, paragraph 2, points (a)(iii) to (e), and where appropriate point (g) of this Directive. This rule applies only to a branch where the third-country undertaking does not have a medium-sized or large subsidiary undertaking as referred to in subparagraph 1. Subparagraphs 1 and 2 shall only apply to subsidiaries or branches of third-country undertakings, where the latter, at consolidated level, generated a net turnover of more than EUR 150 million in the Union the preceding financial year. Member States may require subsidiaries or branches referred to in subparagraphs 1 to 3 to send them information about the net

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				turnover generated in their territory and in the Union by the third country undertakings. If the undertakings formed in accordance with the legislation of a third country is an intermediate parent undertaking with a parent undertaking subject to the requirements of subparagraphs 1 to 3, the intermediate parent undertaking shall be exempted from the reporting obligations of subparagraphs 1 to 3. 2. Member States shall require that the sustainability report communicated by the subsidiary or branch as referred to in paragraph 1 is drawn up in accordance with the standards adopted pursuant to Article 40b. By way of derogation from subparagraph 1, the sustainability report referred to in paragraph 1 may be drawn up according to the sustainability reporting standards adopted pursuant to Article 29b or in a manner equivalent to those sustainability reporting standards, determined in accordance with Commission's decisions adopted pursuant to Article 23(4), third subparagraph of Directive 2004/109/EC.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Where the information required in subparagraphs 1 and 2 is not available, the subsidiary or branch referred to in paragraph 1 shall request the ultimate parent undertaking to provide them with all information necessary to enable them to meet their obligations. In the event that not all the required information is provided, the subsidiary or branch referred to in paragraph 1 shall draw up, publish and make accessible the sustainability report referred to in paragraph 1, containing all information in their possession, obtained or acquired, and a statement indicating that the ultimate parent undertaking did not make the necessary information available. 3. Member States shall require that the sustainability report referred to in paragraph 1 is published alongside an assurance opinion by one or more person(s) or firm(s) authorized to give an opinion on the assurance of sustainability reporting under the national law of the third country undertaking or of a Member State. 4. In the event where a third

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				country undertaking has multiple subsidiaries or branches in the Union, only one of these has to provide the sustainability report specified in paragraphs 1 and 2.
	Article 1, first paragraph, point (10b)			
R 265w				‘Article 40b Sustainability reporting standards for third country undertakings ”
	Article 1, first paragraph, point (10b)			
R 265x				‘The Commission shall adopt by 31 June 2024 a delegated act in accordance with Article 49 to provide for sustainability reporting standards that specify the information that shall be included in the sustainability reports referred to in Article 40a.’
	Article 1, first paragraph, point (10b)			
R 265y				” ‘Article 40c Responsibility for drawing up, publishing and making accessible the report of Article 40a

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (10b)			
R	265z		PUBLIC	Member States shall provide that the branches are responsible for ensuring, to the best of their knowledge and ability, that the sustainability report referred to in Article 40a is drawn up in accordance with Article 40a, and that it is published and made accessible in accordance with Article 40d. Member States shall provide that the members of the administrative, management and supervisory bodies of subsidiaries referred to in Article 40a, have collective responsibility for ensuring, to the best of their knowledge and ability, that the report referred to in Article 40a is drawn up in accordance with Article A, and that it is published and made accessible in accordance with Article 40d.
	Article 1, first paragraph, point (10b)			
R	265aa			‘Article 40d Publication
	Article 1, first paragraph, point (10b)			
R	265ab			The sustainability report referred

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			PUBLIC	to in Article 40a shall be published on the website of the subsidiary or branch, or directly on the website of the third country undertaking, covering the previous financial year, within 12 months of the balance sheet date of the financial year for which the report is drawn up as provided for by each Member State in accordance with Articles 14 to 28 of Directive (EU) 2017/1132. To allow for comparisons over time, the sustainability reports shall remain accessible for at least five consecutive years on the undertaking's website. The sustainability report referred to in Article 40a shall be published in a language customary in the sphere of international finance.
	Article 1, first paragraph, point (10b)			
R	265ac			Article 40e Data and designation of Member States supervising reporting by undertakings of Article 40a
	Article 1, first paragraph, point (10b)			
R	265ad			The Member State responsible for supervising the subsidiary or

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				branch referred to in Article 40a, shall be the one in which the third country undertaking generated the largest proportion of its net turnover in the Union in the financial year preceding the last financial year, unless otherwise agreed between Member States for reasons of continuity in the supervision of a specific subsidiary or branch where there are changes in the net turnover generated by the non-EU undertaking at consolidated level in different Member States from one financial year to the following that would imply a change of the Member State responsible for supervision. Member States, coordinated by the Commission, shall provide mutual assistance to determine which third country companies have to report at consolidated level their sustainability information pursuant to Article 40a, and in which Member State each of these undertakings generated the largest proportion of its net turnover in the Union in the financial year preceding the last financial year. Member States shall share with the Commission the information on the turnover generated by third

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				country undertakings with a subsidiary or a branch in their territory. Member States shall inform the Commission on an annual basis of the subsidiaries or branches of third country undertakings that did not publish on their website, or on the website of the branch, the report referred to in Article 40a, and of the cases where a report was published but where the branch or subsidiary has made use of Article 40a, fourth subparagraph. The European Commission shall publish a list of these third country undertakings on its website. By derogation of Article 51 of this Directive, Member States shall take measures in case of non-compliance of the undertakings referred to in Articles 40a, 40c, 40d and 40e and may provide for dissuasive penalties. "
Article 1, first paragraph, point (10c), introductory part				
265ae				(10c) The title of Chpatr 11 is amended as follows:
Article 1, first paragraph, point (10c), amending provision				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
265af				"Chapter 11 - Transition and final provisions"
Article 1, first paragraph, point (10d), introductory part				
265ag				(10d) The following Article 48a is inserted:
Article 1, first paragraph, point (10d), amending provision				
265ah				'Article 48a Transitional provisions'
Article 1, first paragraph, point (10d), amending provision				
265ai				1. Until year X [publication office: 7 years from the date of entry into force of this Directive], Member States shall permit that an EU subsidiary undertaking which is subject to Article 19a or 29a and which belongs to a group that has an ultimate parent undertaking not governed by the law of a Member State, prepares a consolidated sustainability report in accordance with the requirements of Article 29a, including all EU subsidiary undertakings of the referred ultimate parent undertaking which are subject to Article 19a or

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				29a. 2. The EU subsidiary undertaking referred to in the first subparagraph shall be one of the EU subsidiaries of the group that generated the greatest amount of turnover in the Union in at least one of the preceding five financial years, where applicable, on a consolidated basis. 3. The consolidated sustainability report referred to in paragraph 1 shall be published in the manner set out in Article 30. 4. For the purpose of the exemption of articles 19a(7) and 29a(7), reporting according to paragraph 1 shall be considered as reporting by a parent undertaking at consolidated level with respect to the undertakings included in the consolidation.
	Article 1, first paragraph, point (11), introductory part			
266	(11) Article 49 is amended as follows:	(11) Article 49 is amended as follows:	(11) Article 49 is amended as follows:	(11) Article 49 is amended as follows:
	Article 1, first paragraph, point (11)(a), introductory part			
267	(a) paragraphs 2 and 3 are replaced	(a) paragraphs 2 and 3 are replaced	(a) paragraphs 2 and 3 are replaced	(a) paragraphs 2 and 3 are replaced

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	by the following:	by the following:	by the following:	by the following:
Article 1, first paragraph, point (11)(a), amending provision, numbered paragraph (2)				
268	2. The power to adopt delegated acts referred to in Article 1(2), Article 3(13), Article 46(2), Article 19b and Article 19c shall be conferred on the Commission for an indeterminate period of time.	2. <u>2.</u> The power to adopt delegated acts referred to in Article 1(2), Article 3(13), Article 46(2), Article 19b and Article 19c shall be conferred on the Commission for <u>4 years from the entry into force of the basic legislative act or any other date set by the co-legislators tacitly. The delegation of power shall be extended for periods of an identical duration, unless the European Parliament or the Council revoke such delegation of power</u>~~an indeterminate period of time.~~ <u>The Commission shall draw up a report in respect of the delegation of power no later than nine months before the end of the four-year period.</u>	2. The power to adopt delegated acts referred to in Article 1(2), Article 3(13), Article 46(2), Article ~~19b~~29b and Article ~~19c~~29c shall be conferred on the Commission for an indeterminate period of time.	2. 2. The power to adopt delegated acts referred to in Article 1(2), Article 3(13), Article 46(2), Article ~~19b~~29b and Article ~~19c~~29c shall be conferred on the Commission for 4 years from the entry into force of the basic legislative act or any other date set by the co-legislators tacitly. The delegation of power shall be extended for periods of an identical duration, unless the European Parliament or the Council revoke such delegation of power~~an indeterminate period of time.~~ To be checked by LL and LEGI.
Article 1, first paragraph, point (11)(a), amending provision, numbered paragraph (3)				
269	3. The delegation of power referred to in Article 1(2), Article 3(13), Article 46(2), Article 19b and Article 19c may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of	3. The delegation of power referred to in Article 1(2), Article 3(13), Article 46(2), Article 19b and Article 19c may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of	3. The delegation of power referred to in Article 1(2), Article 3(13), Article 46(2), Article ~~19b~~29b and Article ~~19c~~29c may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the	LL to do alignment.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the power specified in that decision. It shall take effect the day following the publication of that decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.;	the power specified in that decision. It shall take effect the day following the publication of that decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.;	delegation of the power specified in that decision. It shall take effect the day following the publication of that decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.';	
Article 1, first paragraph, point (11)(b), introductory part				
270	(b) the following paragraph 3a is inserted:	(b) the following paragraph 3a is inserted:	(b) the following paragraph 3a is inserted:	(b) the following paragraph 3a is inserted:
Article 1, first paragraph, point (11)(b), amending provision, first paragraph, introductory part				
271	3a. When adopting delegated acts pursuant to Articles 19b and 19c, the Commission shall take into consideration technical advice from EFRAG, provided such advice has been developed with proper due process, public oversight and transparency and with the expertise of relevant stakeholders, and is accompanied by cost-benefit analyses that include analyses of the impacts of the technical advice on sustainability matters.	3a. <u>3a.</u> When adopting delegated acts pursuant to Articles 19b and 19c, the Commission shall take into consideration technical advice from EFRAG, provided <u>EFRAG receives sufficient public funding that is representing at least 75% of the budget dedicated to the work on sustainability matters and that</u> such advice has been developed with proper <u>transparent</u> due process, <u>and</u> public oversight, <u>with sufficient independence and transparency</u> and with the <u>expertise of relevant stakeholders, balanced participation</u>	3a. When adopting delegated acts pursuant to Articles ~~19b and 19c~~ 29b and 29c , the Commission shall take into consideration technical advice from EFRAG, provided such advice has been developed with proper due process, public oversight and transparency and with the expertise of relevant stakeholders, and is accompanied by cost-benefit analyses that include analyses of the impacts of the technical advice on sustainability matters.:	3a. When adopting delegated acts pursuant to Articles ~~19b and 19c~~ 29b and 29c , the Commission shall take into consideration technical advice from EFRAG, provided such advice has been developed with proper due process, public oversight and transparency and with the expertise of relevant stakeholders, and is accompanied by cost-benefit analyses that include analyses of the impacts of the technical advice on sustainability matters. that Presidency proposal.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>of preparers, investors, civil society organisations and trade unions</u> and is accompanied by cost-benefit analyses that include ~~analyses of~~ the impacts of the technical advice on sustainability matters. <u>Participation in the independent technical advisory group shall be based on expertise on matters outlined in articles 19a and 19b and shall not be conditional to any financial contribution.</u>	PUBLIC	
	Article 1, first paragraph, point (11)(b), amending provision, first paragraph, first paragraph -a			
G	271a		a) has been developed with proper due process, public oversight and transparency and with the expertise of relevant stakeholders,	a) such advice has been developed with proper due process, public oversight and transparency, with the expertise and balanced participation of relevant stakeholders, and with sufficient public funding to ensure its independence, and on the basis of a work programme on which the Commission has been consulted; Ep agrees if "appropriately" (balanced) is removed.
	Article 1, first paragraph, point (11)(b), amending provision, first paragraph, first paragraph -a			
Y	271b	<u>The Commission shall, at least</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>once a year, associate and consult jointly the Member State Expert Group on Sustainable Finance referred to in Article 24 of Regulation (EU) 2020/852, the Accounting Regulatory Committee referred to in Article 6 of Regulation (EU) 1606/2002 and the competent committee of the European Parliament on EFRAG's work programme as regards the development of sustainability reporting standards.</u>		Presidency: Exact wording and location to be discussed.
	Article 1, first paragraph, point (11)(b), amending provision, first paragraph, first paragraph -b			
271c			b) is accompanied by cost-benefit analyses that include analyses of the impacts of the technical advice on sustainability matters, and	b) such advice is accompanied by cost-benefit analyses that include analyses of the impacts of the technical advice on sustainability matters; Presidency proposal.
	Article 1, first paragraph, point (11)(b), amending provision, first paragraph, first paragraph -d			
271d			c) is accompanied by an explanation of how it takes account of the initiatives and legislation listed in Article 29b(3).	c) such advice is accompanied by an explanation of how it takes account of the initiatives and legislation listed in Article 29b(3); d) participation in the EFRAG

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				work at technical level is based on expertise in sustainability reporting and is not conditional on any financial contribution. Presidency proposal.
Article 1, first paragraph, point (11)(b), amending provision, first paragraph, first paragraph -e				
271e			The accompanying documents to the EFRAG technical advice shall be submitted together with such technical advice.	Points (a) and (d) are without prejudice to the participation of public bodies and national standard setting organisations in the technical work of EFRAG. The accompanying documents to the EFRAG technical advice shall be submitted together with such technical advice. Presidency proposal.
Article 1, first paragraph, point (11)(b), amending provision, first paragraph, first paragraph				
272	The Commission shall consult the Member State Expert Group on Sustainable Finance referred to in Article 24 of Regulation (EU) 2020/852 on the technical advice provided by EFRAG prior to the adoption of the delegated acts referred to in Articles 19b and 19c.	The Commission shall consult the Member State Expert Group on Sustainable Finance referred to in Article 24 of Regulation (EU) 2020/852 on the technical advice provided by EFRAG prior to the adoption of the delegated acts referred to in Articles 19b and 19c.	The Commission shall consult jointly the Member State Expert Group on Sustainable Finance referred to in Article 24 of Regulation (EU) 2020/852 ~~on the technical advice provided by EFRAG prior to the adoption of the~~ and the Accounting Regulatory	The Commission shall consult jointly the Member State Expert Group on Sustainable Finance referred to in Article 24 of Regulation (EU) 2020/852 ~~on the technical advice provided by EFRAG prior to the adoption of the~~ and the Accounting Regulatory

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Committee referred to in Article 6 of Regulation (EU) 1606/2002 on the draft delegated acts prior to their adoption as referred to in in Articles 19b and 19e29b and 29c.	Committee referred to in Article 6 of Regulation (EU) 1606/2002 on the draft delegated acts prior to their adoption as referred to in in Articles 19b and 19e29b and 29c. Presidency proposal.
Article 1, first paragraph, point (11)(b), amending provision, first paragraph, second paragraph				
273	The Commission shall request the opinion of the European Securities and Markets Authority on the technical advice provided by EFRAG, in particular with regard to its consistency with Regulation (EU) 2019/2088 and its delegated acts. The European Securities and Markets Authority shall provide its opinion within two months from the date of receipt of the request from the Commission.	The Commission shall request the opinion of the European Securities and Markets Authority on the technical advice provided by EFRAG, in particular with regard to its consistency with Regulation (EU) 2019/2088 and its delegated acts. The European Securities and Markets Authority shall provide its opinion within two months from the date of receipt of the request from the Commission.	The Commission shall request the opinion of the European Securities and Markets Authority, the European Banking Authority and the European Insurance and Occupational Pensions Authority on the technical advice provided by EFRAG, in particular with regard to its consistency with Regulation (EU) 2019/2088 and its delegated acts. The European Securities and Markets Authority, the European Banking Authority and the European Insurance and Occupational Pensions Authority shall provide its opinion within two months from the date of receipt of the request from the Commission.	The Commission shall request the opinion of the European Securities and Markets Authority, the European Banking Authority and the European Insurance and Occupational Pensions Authority on the technical advice provided by EFRAG, in particular with regard to its consistency with Regulation (EU) 2019/2088 and its delegated acts. The European Securities and Markets Authority, the European Banking Authority and the European Insurance and Occupational Pensions Authority shall provide ~~its opinion~~ their opinions within two months from the date of receipt of the request from the Commission. Presidency proposal.
Article 1, first paragraph, point (11)(b), amending provision, first paragraph, third paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Y	274	The Commission shall also consult the European Banking Authority, the European Insurance and Occupational Pensions Authority, the European Environment Agency, the European Union Agency for Fundamental Rights, the European Central Bank, the Committee of European Auditing Oversight Bodies and the Platform on Sustainable Finance established pursuant to Article 20 of Regulation (EU) 2020/852 on the technical advice provided by EFRAG prior to the adoption of delegated acts referred to in Articles 19b and 19c. Where any of those bodies decide to submit an opinion, they shall do so within two months from the date of being consulted by the Commission.;	The Commission shall also consult the European Banking Authority, the European Insurance and Occupational Pensions Authority, the European Environment Agency, the European Union Agency for Fundamental Rights, the European Central Bank, the Committee of European Auditing Oversight Bodies and the Platform on Sustainable Finance established pursuant to Article 20 of Regulation (EU) 2020/852 on the technical advice provided by EFRAG prior to the adoption of delegated acts referred to in Articles 19b and 19c. Where any of those bodies decide to submit an opinion, they shall do so within two months from the date of being consulted by the Commission.;	The Commission shall also consult the European Banking Authority, the European Insurance and Occupational Pensions Authority, the European Environment Agency, the European Union Agency for Fundamental Rights, the European Central Bank, the Committee of European Auditing Oversight Bodies and the Platform on Sustainable Finance established pursuant to Article 20 of Regulation (EU) 2020/852 on the technical advice provided by EFRAG prior to the adoption of delegated acts referred to in Articles 19b and 19c. Where any of those bodies decide to submit an opinion, they shall do so within two months from the date of being consulted by the Commission.; Presidency proposal.
	Article 1, first paragraph, point (11)(c), introductory part			
G	275	(c) paragraph 5 is replaced by the following:	(c) paragraph 5 is replaced by the following:	(c) paragraph 5 is replaced by the following:
	Article 1, first paragraph, point (11)(c), amending provision, numbered paragraph (5)			
R	276			R

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	5. A delegated act adopted pursuant to Article 1(2), Article 3(13), Article 46(2), Article 19b and Article 19c shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.	5. <u>5.</u> A delegated act adopted pursuant to Article-1(2), Article 3(13), Article 46(2), Article 19b and Article 19c shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of ~~two~~<u>three</u> months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by ~~two~~<u>three</u> months at the initiative of the European Parliament or the Council.	5. A delegated act adopted pursuant to Article 1(2), Article 3(13), Article 46(2), Article ~~19b~~<u>29b</u> and Article ~~19c~~<u>29c</u> shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.’;	
Article 1, first paragraph, point (12), introductory part				
277	(12) Article 51 is replaced by the following:	(12) Article 51 is replaced by the following:	(12) ~~Article 51 is replaced by the following:~~	(12) ~~Article 51 is replaced by the following:~~ Presidency proposal.
Article 1, first paragraph, point (12), amending provision, first paragraph				
278	Article 51	Article 51	~~Article 51~~	~~Article 51~~ Presidency proposal.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (12), amending provision, second paragraph			
279	Penalties	Penalties	Penalties	Penalties Presidency proposal.
	Article 1, first paragraph, point (12), amending provision, numbered paragraph (1)			
280	1. Without prejudice to paragraph 2, Member States shall provide for penalties applicable to infringements of the national provisions adopted in accordance with this Directive and shall take all the measures necessary to ensure that those penalties are enforced. The penalties provided for shall be effective, proportionate and dissuasive.'	1. Without prejudice to paragraph 2, Member States shall provide for penalties applicable to infringements of the national provisions adopted in accordance with this Directive and shall take all the measures necessary to ensure that those penalties are enforced. The penalties provided for shall be effective, proportionate and dissuasive.'	~~1. Without prejudice to paragraph 2, Member States shall provide for penalties applicable to infringements of the national provisions adopted in accordance with this Directive and shall take all the measures necessary to ensure that those penalties are enforced. The penalties provided for shall be effective, proportionate and dissuasive.'~~	1. Without prejudice to paragraph 2, Member States shall provide for penalties applicable to infringements of the national provisions adopted in accordance with this Directive and shall take all the measures necessary to ensure that those penalties are enforced. The penalties provided for shall be effective, proportionate and dissuasive.'
	Article 1, first paragraph, point (12), amending provision, numbered paragraph (2), introductory part			
281	2. In case of a breach of the national provisions transposing Articles 19a, 19d and 29a, Member States shall provide for at least the following administrative measures and sanctions:	2. In case of a breach of the national provisions transposing Articles 19a, 19d and 29a, Member States shall provide for at least the following administrative measures and sanctions:	~~2. In case of a breach of the national provisions transposing Articles 19a, 19d and 29a, Member States shall provide for at least the following administrative measures and sanctions:~~	2. In case of a breach of the national provisions transposing Articles 19a, 19d and 29a, Member States shall provide for at least the following administrative measures and sanctions:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (12), amending provision, numbered paragraph (2)(a)			
282	(a) a public statement indicating the natural person or the legal entity responsible and the nature of the infringement;	(a) <u>(a)</u> a public statement indicating the ~~natural~~ responsible person or the legal entity responsible and the nature of the infringement;	(a) a public statement indicating the natural person or the legal entity responsible and the nature of the infringement;	(a) a public statement indicating the natural person or the legal entity responsible and the nature of the infringement; Presidency proposal.
	Article 1, first paragraph, point (12), amending provision, numbered paragraph (2)(b)			
283	(b) an order requiring the natural person or the legal entity responsible to cease the conduct constituting the infringement and to desist from any repetition of that conduct;	(b) <u>(b)</u> an order requiring the ~~natural~~ responsible person or the legal entity responsible to cease the conduct constituting the infringement and to desist from any repetition of that conduct;	(b) an order requiring the natural person or the legal entity responsible to cease the conduct constituting the infringement and to desist from any repetition of that conduct;	(b) an order requiring the natural person or the legal entity responsible to cease the conduct constituting the infringement and to desist from any repetition of that conduct; Presidency proposal.
	Article 1, first paragraph, point (12), amending provision, numbered paragraph (2)(c)			
284	(c) administrative pecuniary sanctions.	(c) administrative pecuniary sanctions.	~~(e) administrative pecuniary sanctions.~~	(c) administrative pecuniary sanctions. Presidency proposal.
	Article 1, first paragraph, point (12), amending provision, numbered paragraph (3), introductory part			
285	3. Member States shall ensure that, when determining the type and level of penalties, administrative sanctions	3. Member States shall ensure that, when determining the type and level of penalties, administrative sanctions	~~3. Member States shall ensure that, when determining the type and level of penalties, administrative sanctions~~	3. Member States shall ensure that, when determining the type and level of penalties, administrative sanctions

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	or measures referred to in paragraph 2, all relevant circumstances are taken into account, including:	or measures referred to in paragraph 2, all relevant circumstances are taken into account, including:	or measures referred to in paragraph 2, all relevant circumstances are taken into account, including:	or measures referred to in paragraph 2, all relevant circumstances are taken into account, including: Presidency proposal.
Article 1, first paragraph, point (12), amending provision, numbered paragraph (3)(a)				
286	(a) the gravity and the duration of the breach;	(a) the gravity and the duration of the breach;	(a) the gravity and the duration of the breach;	(a) the gravity and the duration of the breach; Presidency proposal.
Article 1, first paragraph, point (12), amending provision, numbered paragraph (3)(b)				
287	(b) the degree of responsibility of the natural person or legal entity responsible;	(b) <u>(b)</u> the degree of responsibility of the ~~natural~~ responsible person or legal entity responsible;	(b) the degree of responsibility of the natural person or legal entity responsible;	(b) the degree of responsibility of the natural person or legal entity responsible; Presidency proposal.
Article 1, first paragraph, point (12), amending provision, numbered paragraph (3)(c)				
288	(c) the financial strength of the natural person or legal entity responsible;	(c) <u>(c)</u> the financial strength of the ~~natural~~ responsible person or legal entity responsible;	(c) the financial strength of the natural person or legal entity responsible;	(c) the financial strength of the natural person or legal entity responsible; Presidency proposal.
Article 1, first paragraph, point (12), amending provision, numbered paragraph (3)(d)				
289	(d) the importance of profits gained or losses avoided by the natural	(d) the importance of profits gained or losses avoided by the natural	(d) the importance of profits gained or losses avoided by the natural	(d) the importance of profits gained or losses avoided by the natural

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	person or legal entity responsible, in so far as such profits or losses can be determined;	person or legal entity responsible, in so far as such profits or losses can be determined;	person or legal entity responsible, in so far as such profits or losses can be determined;	person or legal entity responsible, in so far as such profits or losses can be determined; Presidency proposal.
Article 1, first paragraph, point (12), amending provision, numbered paragraph (3)(e)				
290	(e) the losses sustained by third parties as a result of the breach, in so far as those losses can be determined;	(e) the losses sustained by third parties as a result of the breach, in so far as those losses can be determined;	(e) the losses sustained by third parties as a result of the breach, in so far as those losses can be determined;	(e) the losses sustained by third parties as a result of the breach, in so far as those losses can be determined; Presidency proposal.
Article 1, first paragraph, point (12), amending provision, numbered paragraph (3)(f)				
291	(f) the level of cooperation of the natural person or legal entity responsible with the competent authority;	(f) <u>(f)</u> the level of cooperation of the ~~natural~~ <u>responsible</u> person or legal entity responsible with the competent authority;	(f) the level of cooperation of the natural person or legal entity responsible with the competent authority;	(f) the level of cooperation of the natural person or legal entity responsible with the competent authority; Presidency proposal.
Article 1, first paragraph, point (12), amending provision, numbered paragraph (3)(g)				
292	(g) previous infringements by the natural person or legal entity responsible.?’	(g) <u>(g)</u> previous infringements by the ~~natural~~ <u>responsible</u> person or legal entity responsible.?’	(g) previous infringements by the natural person or legal entity responsible.?’	(g) previous infringements by the natural person or legal entity responsible.?’ Presidency proposal.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 1, first paragraph, point (12), amending provision, numbered paragraph (3a)			
Y	292a	<u>3 a. Member States shall ensure that, when determining the type and level of penalties, administrative sanctions or measures referred to in paragraph 2, they also provide for an effective redress mechanism based on national law</u>	PUBLIC	Presidency proposal: delete.
	Article 1, first paragraph, point (12), amending provision, numbered paragraph (3)(gb)			
R	292b	<u>3 b. If an undertaking referred to in Article 19a (1), that is governed by the law of a third country and that is not established in the territory of the Union when it operates in the internal market selling goods or providing services, fails to report according to implementing measures referred to Article 19b (1) – iic) the European Commission shall ensure compliance of reporting obligations within the internal market, publish and send a formal writing notification to the undertaking for failure to comply that include at least:</u> <u>- a request for the undertaking to comply with its reporting obligation within a reasonable deadline</u> <u>- a request to provide information</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>on why the undertaking did not comply with its reporting obligations.</u>		
Article 2				
293	Article 2 Amendments to Directive 2004/109/EC	Article 2 Amendments to Directive 2004/109/EC	Article 2 Amendments to Directive 2004/109/EC	Article 2 Amendments to Directive 2004/109/EC <u>Text Origin: Commission Proposal</u>
Article 2, first paragraph, introductory part				
294	Directive 2004/109/EC is amended as follows:	Directive 2004/109/EC is amended as follows:	Directive 2004/109/EC is amended as follows:	Directive 2004/109/EC is amended as follows:
Article 2, first paragraph, point (1), introductory part				
295	(1) in Article 2(1) the following point (r) is added:	(1) in Article 2(1) the following point (r) is added:	(1) in Article 2(1) the following point (r) is added:	(1) in Article 2(1) the following point (r) is added:
Article 2, first paragraph, point (1), amending provision, first paragraph, introductory part				
296	(r) ‘sustainability reporting’ means sustainability reporting as defined in Article 2(18) of Directive 2013/34/EU of the European Parliament and of the Council* ¹⁸ .’ ;	(r) ‘sustainability reporting’ means sustainability reporting as defined in Article 2(18) of Directive 2013/34/EU of the European Parliament and of the Council* ¹⁸ .’ ;	(r) ‘sustainability reporting’ means sustainability reporting as defined in Article 2(18) of Directive 2013/34/EU of the European Parliament and of the Council* ¹⁸ .’ ;	(r) ‘sustainability reporting’ means sustainability reporting as defined in Article 2(18) of Directive 2013/34/EU of the European Parliament and of the Council* ¹⁸ .’ ;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 2, first paragraph, point (1), amending provision, first paragraph, first paragraph			
297				
	Article 2, first paragraph, point (1), amending provision, first paragraph, second paragraph			
298	* ¹⁸ Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19).	* ¹⁸ Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19).	* ¹⁸ Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19).	* ¹⁸ Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19).
	Article 2, first paragraph, point (2), introductory part			
299	(2) Article 4 is amended as follows:	(2) Article 4 is amended as follows:	(2) Article 4 is amended as follows:	(2) Article 4 is amended as follows:
	Article 2, first paragraph, point (2)(a), introductory part			
300	(a) in paragraph 2, point (c) is replaced by the following:	(a) in paragraph 2, point (c) is replaced by the following:	(a) in paragraph 2, point (c) is replaced by the following:	(a) in paragraph 2, point (c) is replaced by the following:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 2, first paragraph, point (2)(a), amending provision, first paragraph			
301	(c) statements made by the persons responsible within the issuer, whose names and functions shall be clearly indicated, to the effect that, to the best of their knowledge, the financial statements prepared in accordance with the applicable set of accounting standards give a true and fair view of the assets, liabilities, financial position and profit or loss of the issuer and the undertakings included in the consolidation taken as a whole and that the management report includes a fair review of the development and performance of the business and the position of the issuer and the undertakings included in the consolidation taken as a whole, together with a description of the principal risks and uncertainties that they face and, where appropriate, that it is prepared in accordance with sustainability reporting standards referred to in Article 19b of Directive 2013/34/EU.;	(c) statements made by the persons responsible within the issuer, whose names and functions shall be clearly indicated, to the effect that, to the best of their knowledge, the financial statements prepared in accordance with the applicable set of accounting standards give a true and fair view of the assets, liabilities, financial position and profit or loss of the issuer and the undertakings included in the consolidation taken as a whole and that the management report includes a fair review of the development and performance of the business and the position of the issuer and the undertakings included in the consolidation taken as a whole, together with a description of the principal risks and uncertainties that they face and, where appropriate, that it is prepared in accordance with sustainability reporting standards referred to in Article 19b of Directive 2013/34/EU.;	(c) statements made by the persons responsible within the issuer, whose names and functions shall be clearly indicated, to the effect that, to the best of their knowledge, the financial statements prepared in accordance with the applicable set of accounting standards give a true and fair view of the assets, liabilities, financial position and profit or loss of the issuer and the undertakings included in the consolidation taken as a whole and that the management report includes a fair review of the development and performance of the business and the position of the issuer and the undertakings included in the consolidation taken as a whole, together with a description of the principal risks and uncertainties that they face and, where appropriate, that it is prepared in accordance with sustainability reporting standards referred to in ~~Article 19b~~ Articles 29b and 29c of Directive 2013/34/EU.’;	To be aligned by LL.
	Article 2, first paragraph, point (2)(b), introductory part			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
G	302	(b) paragraphs 4 and 5 are replaced by the following:	(b) paragraphs 4 and 5 are replaced by the following:	(b) paragraphs 4 and 5 are replaced by the following:
	Article 2, first paragraph, point (2)(b), amending provision, numbered paragraph (4), introductory part			
Y	303	4. The financial statements shall be audited in accordance with Article 34 of Directive 2013/34/EU and Article 28 of Directive 2006/43/EC.	4. The financial statements shall be audited in accordance with Article 34 of Directive 2013/34/EU and Article 28 of Directive 2006/43/EC.	4. The financial statements shall be audited in accordance with Article 34 of Directive 2013/34/EU 34(1), first subparagraph and Article ~~28~~ 34 (2) of Directive ~~2006/43/EC~~ 2013/34/EU .
	Article 2, first paragraph, point (2)(b), amending provision, numbered paragraph (4), first paragraph -a			
Y	303a		The statutory auditor shall express the opinion and statement on the management report referred to in Article 34(1), second subparagraph, points (a) and (b) and in Article 34(2) of Directive 2013/34/EU.	
	Article 2, first paragraph, point (2)(b), amending provision, numbered paragraph (4), first paragraph			
Y	304	The audit report, signed by the person or persons responsible for carrying out the work set out in paragraphs 1 and 2 of Article 34 of	The audit report referred to in Article 28 of Directive 2006/43/EC , signed by the person or persons responsible for carrying out the work	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Directive 2013/34/EU shall be disclosed in full to the public together with the annual financial report.	Directive 2013/34/EU shall be disclosed in full to the public together with the annual financial report.	set out in paragraphs 1 and 2 of Article 34 of Directive 2013/34/EU shall be disclosed in full to the public together with the annual financial report-	
	Article 2, first paragraph, point (2)(b), amending provision, numbered paragraph (4), first paragraph a			
Y	304a		Where applicable, sustainability reporting shall be assured in accordance with Article 34(1), second subparagraph, point (aa), Article 34(2), Article 34(3), Article 34(3a), Article 34(3aa) of Directive 2013/34/EU.	To be aligned by LL.
	Article 2, first paragraph, point (2)(b), amending provision, numbered paragraph (4), first paragraph b			
Y	304b		The assurance report on sustainability reporting referred to in Article 28a of Directive 2006/43/EC shall be disclosed in full to the public together with the annual financial report	
	Article 2, first paragraph, point (2)(b), amending provision, numbered paragraph (5), introductory part			
G	305	5. The management report shall be drawn up in accordance with Articles 19, 19a, 19d(1) and 20 of	5. The management report shall be drawn up in accordance with Articles 19, 19a, 19d(1) and 20 of	To be aligned by LL.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Directive 2013/34/EU, when drawn-up by undertakings referred to in those provisions.	Directive 2013/34/EU, when drawn-up by undertakings referred to in those provisions.	Directive 2013/34/EU, when drawn-up by undertakings referred to in those provisions. provided that the size thresholds prescribed in those provisions are met.	
Article 2, first paragraph, point (2)(b), amending provision, numbered paragraph (5), first paragraph				
306	Where the issuer is required to prepare consolidated accounts, the consolidated management report shall be drawn up in accordance with Article 19d(2), 29 and 29a of Directive 2013/34/EU, when drawn-up by undertakings referred to in those provisions.;	Where the issuer is required to prepare consolidated accounts, the consolidated management report shall be drawn up in accordance with Article 19d(2), 29 and 29a of Directive 2013/34/EU, when drawn-up by undertakings referred to in those provisions.;	Where the issuer is required to prepare consolidated accounts, the consolidated management report shall be drawn up in accordance with ~~Article 19~~ Articles 29 d(2), 29 and 29a of Directive 2013/34/EU, ~~when drawn-up by undertakings referred to in those provisions~~ provided that the size thresholds prescribed in those provisions are met. ;	To be aligned by LL.
Article 2, first paragraph, point (3), introductory part				
307	(3) in Article 23(4), the third and fourth subparagraphs are replaced by the following:	(3) in Article 23(4), the third and fourth subparagraphs are replaced by the following:	(3) in Article 23(4), the third and fourth subparagraphs are replaced by the following:	(3) ~~in Article 23(4), the third and fourth subparagraphs are replaced by the following:~~ is modified as follows: Presidency proposal: technical alignment due to the addition of a fifth subparagraph (cf. 309a-309e).
Article 2, first paragraph, point (3), amending provision, first paragraph -a				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
307a				‘ (a) the third and fourth subparagraphs are replaced by the following: Presidency proposal: add 307a.
Article 2, first paragraph, point (3), amending provision, first paragraph				
308	‘ The Commission shall, in accordance with the procedure referred to in Article 27(2), take the necessary decisions on the equivalence of accounting standards and on the equivalence of sustainability reporting standards as referred to in Article 19b of Directive 2013/34/EU which are used by third-country issuers under the conditions set out in Article 30(3). If the Commission decides that the accounting standards or the sustainability reporting standards of a third country are not equivalent, it may allow the issuers concerned to continue using such accounting standards during an appropriate transitional period.	‘ The Commission shall, in accordance with the procedure referred to in Article 27(2), take the necessary decisions on the equivalence of accounting standards and on the equivalence of sustainability reporting standards as referred to in Article 19b of Directive 2013/34/EU which are used by third-country issuers under the conditions set out in Article 30(3). If the Commission decides that the accounting standards or the sustainability reporting standards of a third country are not equivalent, it may allow the issuers concerned to continue using such accounting standards during an appropriate transitional period.	‘ The Commission shall, in accordance with the procedure referred to in Article 27(2), take the necessary decisions on the equivalence of accounting standards under the conditions set out in Article 30(3) and on the equivalence of sustainability reporting standards as referred to in Article 19b of Directive 2013/34/EU which are used by third-country issuers ~~under the conditions set out in Article 30(3)~~. If the Commission decides that the accounting standards or the sustainability reporting standards of a third country are not equivalent, it may allow the issuers concerned to continue using such ~~accounting~~ standards during an appropriate transitional period.	To be aligned by LL (29d-19b).
Article 2, first paragraph, point (3), amending provision, second paragraph				
309				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	In the context of the third subparagraph, the Commission shall also adopt, by means of delegated acts adopted in accordance with paragraphs 2a, 2b and 2c of Article 27, and subject to the conditions laid down in Articles 27a and 27b, measures aimed at establishing general equivalence criteria regarding accounting standards and sustainability reporting standards relevant to issuers of more than one country.;	In the context of the third subparagraph, the Commission shall also adopt, by means of delegated acts adopted in accordance with paragraphs 2a, 2b and 2c of Article 27, and subject to the conditions laid down in Articles 27a and 27b, measures aimed at establishing general equivalence criteria regarding accounting standards and sustainability reporting standards relevant to issuers of more than one country.;	In the context of the third subparagraph, the Commission shall also adopt, by means of delegated acts adopted in accordance with paragraphs 2a, 2b and 2c of Article 27, and subject to the conditions laid down in Articles 27a and 27b, measures aimed at establishing general equivalence criteria regarding accounting standards and sustainability reporting standards relevant to issuers of more than one country.';	In the context of the third subparagraph, the Commission shall also adopt, by means of delegated acts adopted in accordance with paragraphs 2a, 2b and 2c of Article 27, and subject to the conditions laid down in Articles 27a and 27b, measures aimed at establishing general equivalence criteria regarding accounting standards and sustainability reporting standards relevant to issuers of more than one country.;
	Article 2, first paragraph, point (3a), introductory part			
309a				(b) a fifth subparagraph is added: Presidency proposal: add 309a.
	Article 2, first paragraph, point (3a), amending provision, first paragraph			
309b				" The criteria that the Commission shall use when assessing the equivalence of sustainability reporting standards used by third-country issuers as provided in subparagraph 4 shall at least include the following: Presidency proposal: add 309b.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 2, first paragraph, point (3a), amending provision, second paragraph			
309c				(i) The sustainability reporting standards require undertakings to disclose information on environmental, social and governance matters, " Presidency proposal: add 309c.
	Article 2, first paragraph, point (3b)			
309d				(ii) The sustainability reporting standards require undertakings to disclose information necessary to understand the undertaking's impacts on sustainability matters, and information necessary to understand how sustainability matters affect the undertaking's development, performance and position. Presidency proposal: add 309d.
	Article 2, first paragraph, point (4), introductory part			
310	(4) the following Article 28(d) is inserted:	(4) the following Article 28(d) is inserted:	(4) the following Article 28(d) is inserted:	(4) the following Article 28(d) is inserted:
	Article 2, first paragraph, point (4), amending provision, first paragraph			
311				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 28d	Article 28d	Article 28d	Article 28d
Article 2, first paragraph, point (4), amending provision, second paragraph				
312	ESMA guidelines	ESMA guidelines	ESMA guidelines	ESMA guidelines
Article 2, first paragraph, point (4), amending provision, third paragraph				
313	After consulting the European Environment Agency and the European Union Agency for Fundamental Rights, ESMA shall issue guidelines in accordance with Article 16 of Regulation 1095/2010 on the supervision of sustainability reporting by national competent authorities.	After consulting the European Environment Agency ~~and~~ the European Union Agency for Fundamental Rights <u>and the European Labour Authority</u> , ESMA shall issue guidelines in accordance with Article 16 of ~~Regulation 1095/2010~~ <u>Regulation (EU) No 1095/2010</u> on the supervision of sustainability reporting by national competent authorities <u>within a reasonable timeframe</u> .	After consulting the European Environment Agency and the European Union Agency for Fundamental Rights, ESMA shall issue guidelines in accordance with Article 16 of Regulation 1095/2010 on the supervision of sustainability reporting by national competent authorities.'	After consulting the European Environment Agency and the European Union Agency for Fundamental Rights, ESMA shall issue guidelines in accordance with Article 16 of Regulation 1095/2010 on the supervision of sustainability reporting by national competent authorities.' Presidency proposal.
Article 2, first paragraph, point (4a)				
313a		<u>(4a) Article 28d</u> <u>ESMA guidelines</u> <u>After consulting the European Environment Agency and the European Union Agency for Fundamental Rights, ESMA shall issue guidelines in accordance with Article 16 of Regulation 1095/2010</u>		Row to be deleted (Problem of consolidation in the 4CT).

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>on the supervision of sustainability reporting standards by competent national authorities.</u>		
	Article 3			
314	Article 3 Amendments to Directive 2006/43/EC	Article 3 Amendments to Directive 2006/43/EC	Article 3 Amendments to Directive 2006/43/EC	Article 3 Amendments to Directive 2006/43/EC
	Article 3, first paragraph, introductory part			
315	Directive 2006/43/EC is amended as follows:	Directive 2006/43/EC is amended as follows:	Directive 2006/43/EC is amended as follows:	Directive 2006/43/EC is amended as follows:
	Article 3, first paragraph, point (1), introductory part			
316	(1) Article 1 is replaced by the following:	(1) Article 1 is replaced by the following:	(1) Article 1 is replaced by the following:	(1) Article 1 is replaced by the following:
	Article 3, first paragraph, point (1), amending provision, first paragraph			
317	‘ Article 1	‘ Article 1	‘ Article 1	‘ Article 1
	Article 3, first paragraph, point (1), amending provision, second paragraph			
318	Subject matter	Subject matter	Subject matter	Subject matter

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3, first paragraph, point (1), amending provision, third paragraph			
Y	319 This Directive establishes rules concerning the statutory audit of annual and consolidated accounts and the assurance of annual and consolidated sustainability reporting, where this is performed by the statutory auditor or audit firm carrying out the statutory audit of financial statements.;	This Directive establishes rules concerning the statutory audit of annual and consolidated accounts and the assurance of annual and consolidated sustainability reporting, where this is performed by the statutory auditor or audit firm carrying out the statutory audit of financial statements.;	This Directive establishes rules concerning the statutory audit of annual and consolidated accounts and the assurance of annual and consolidated sustainability reporting, ~~where this is performed by the statutory auditor or audit firm carrying out the statutory audit of financial statements.;~~	To be aligned by LL.
	Article 3, first paragraph, point (2), introductory part			
G	320 (2) Article 2 is amended as follows:	(2) Article 2 is amended as follows:	(2) Article 2 is amended as follows:	(2) Article 2 is amended as follows:
	Article 3, first paragraph, point (2)(a), introductory part			
Y	321 (a) points 2 and 3 are replaced by the following:	(a) points 2 and 3 are replaced by the following:	(a) points 2 ~~and 3~~ to 6 are replaced by the following:	
	Article 3, first paragraph, point (2)(a), amending provision, numbered paragraph (2)			
G	322 , 2. ‘statutory auditor’ means a natural person who is approved in accordance with this Directive by the competent authorities of a Member State to carry out statutory audits and assurance engagements of sustainability reporting;	, 2. ‘statutory auditor’ means a natural person who is approved in accordance with this Directive by the competent authorities of a Member State to carry out statutory audits and assurance engagements of sustainability reporting;	, 2. ‘statutory auditor’ means a natural person who is approved in accordance with this Directive by the competent authorities of a Member State to carry out statutory audits and, where applicable , assurance engagements of sustainability reporting;	, 2. ‘statutory auditor’ means a natural person who is approved in accordance with this Directive by the competent authorities of a Member State to carry out statutory audits and, where applicable , assurance engagements of sustainability reporting;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Council Mandate
	Article 3, first paragraph, point (2)(a), amending provision, numbered paragraph (3)			
G	323 3. ‘audit firm’ means a legal person or any other entity, regardless of its legal form, that is approved in accordance with this Directive by the competent authorities of a Member State to carry out statutory audits and assurance engagements of sustainability reporting;	3. ‘audit firm’ means a legal person or any other entity, regardless of its legal form, that is approved in accordance with this Directive by the competent authorities of a Member State to carry out statutory audits and assurance engagements of sustainability reporting;	3. ‘audit firm’ means a legal person or any other entity, regardless of its legal form, that is approved in accordance with this Directive by the competent authorities of a Member State to carry out statutory audits and, where applicable , assurance engagements of sustainability reporting;’	3. ‘audit firm’ means a legal person or any other entity, regardless of its legal form, that is approved in accordance with this Directive by the competent authorities of a Member State to carry out statutory audits and, where applicable , assurance engagements of sustainability reporting;’ Text Origin: Council Mandate
	Article 3, first paragraph, point (2)(a), amending provision, numbered paragraph (3a)			
Y	323a		4 ‘third-country audit entity’ means an entity, regardless of its legal form, which carries out audits of the annual or consolidated financial statements, or, where applicable, the assurance of sustainability reporting of a company incorporated in a third country, other than an entity which is registered as an audit firm in any Member State as a consequence of approval in accordance with Article 3;	EP: Green if without prejudice of addition on Transitional measure for consolidated reporting.
	Article 3, first paragraph, point (2)(a), amending provision, numbered paragraph (3b)			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Y	323b		5 'third-country auditor' means a natural person who carries out audits of the annual or consolidated financial statements, or, where applicable, the assurance of sustainability reporting of a company incorporated in a third country, other than a person who is registered as a statutory auditor in any Member State as a consequence of approval in accordance with Articles 3 and 44;	EP: Green if without prejudice of addition on Transitional measure for consolidated reporting.
Article 3, first paragraph, point (2)(a), amending provision, numbered paragraph (3c)				
G	323c		6 'group auditor' means the statutory auditor(s) or audit firm(s) carrying out the statutory audit of the consolidated financial statements or, where applicable, the assurance engagements of consolidated sustainability reporting;	6 'group auditor' means the statutory auditor(s) or audit firm(s) carrying out the statutory audit of the consolidated financial statements or, where applicable, the assurance engagements of consolidated sustainability reporting; Text Origin: Council Mandate
Article 3, first paragraph, point (2)(aa), introductory part				
G	323d		(aa) The following point 16a is added:	(aa) The following point 16a is added: Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3, first paragraph, point (2)(aa), amending provision, numbered paragraph			
323e			" '16 a. 'key sustainability partner(s)' means:	" '16 a. 'key sustainability partner(s)' means: Text Origin: Council Mandate
	Article 3, first paragraph, point (2)(aa), amending provision, numbered paragraph			
323f			(a) the statutory auditor(s) designated by an audit firm for a particular assurance engagement of sustainability reporting as being primarily responsible for carrying out the assurance engagement of sustainability reporting on behalf of the audit firm; or	(a) the statutory auditor(s) designated by an audit firm for a particular assurance engagement of sustainability reporting as being primarily responsible for carrying out the assurance engagement of sustainability reporting on behalf of the audit firm; or Text Origin: Council Mandate
	Article 3, first paragraph, point (2)(aa), amending provision, numbered paragraph			
323g			(b) in the case of the assurance of consolidated sustainability reporting at least the statutory auditor(s) designated by an audit firm as being primarily responsible for carrying out the assurance engagement of sustainability reporting at the level of the group and the statutory auditor(s) designated as being	(b) in the case of the assurance of consolidated sustainability reporting at least the statutory auditor(s) designated by an audit firm as being primarily responsible for carrying out the assurance engagement of sustainability reporting at the level of the group and the statutory auditor(s) designated as being

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			primarily responsible at the level of material subsidiaries; or	primarily responsible at the level of material subsidiaries; or " Text Origin: Council Mandate
	Article 3, first paragraph, point (2)(aa), amending provision, numbered paragraph			
Y	323h		(c) the statutory auditor(s) who sign(s) the assurance report referred to in Article 28a of this directive;'	"
	Article 3, first paragraph, point (2)(b), introductory part			
Y	324	(b) the following points 21 and 22 are added:	(b) the following points 21, 22 and 23 and 22 are added:	
	Article 3, first paragraph, point (2)(b), amending provision, numbered paragraph (21)			
G	325	21. 'sustainability reporting' means sustainability reporting as defined in Article 2, point (18), of Directive 2013/34/EU;	21. 'sustainability reporting' means sustainability reporting as defined in Article 2, point (18), of Directive 2013/34/EU;	21. 'sustainability reporting' means sustainability reporting as defined in Article 2, point (18), of Directive 2013/34/EU;
	Article 3, first paragraph, point (2)(b), amending provision, numbered paragraph (22)			
Y	326	22. 'assurance of sustainability reporting' means the opinion expressed by the statutory auditor or audit firm in accordance with Article	22. 'assurance (engagement) of sustainability reporting' means the opinion expressed by the statutory auditor or audit firm in accordance	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	34(1), second subparagraph, point (aa) and Article 34(2) of Directive 2013/34/EU .;	34(1), second subparagraph, point (aa) and Article 34(2) of Directive 2013/34/EU .;	with Article 34(1), second subparagraph, point (aa) and Article 34(2) of Directive 2013/34/EU .’;	
	Article 3, first paragraph, point (2)(b), amending provision, numbered paragraph (22a)			
G	326a		23 ‘independent assurance services provider’ means a conformity assessment body accredited in accordance with Regulation (EC) No 765/2008 of the European Parliament and of the Council[1]*5 for the specific conformity assessment activity referred to in Article 34(1), second subparagraph, point (aa) of Directive 2013/34/EU.’	23 ‘independent assurance services provider’ means a conformity assessment body accredited in accordance with Regulation (EC) No 765/2008 of the European Parliament and of the Council[1]*5 for the specific conformity assessment activity referred to in Article 34(1), second subparagraph, point (aa) of Directive 2013/34/EU.’ Text Origin: Council Mandate
	Article 3, first paragraph, point (3), introductory part			
Y	327	(3) Articles 6 and 7 are replaced by the following:	(3) Articles 6 and 7 are replaced by the following:	(3) ~~Articles 6 and 7 are~~ Article 6 is replaced by the following:
	Article 3, first paragraph, point (3), amending provision, first paragraph			
G	328	‘ Article 6	‘ Article 6	‘ Article 6
	Article 3, first paragraph, point (3), amending provision, second paragraph			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
329	Educational qualifications	Educational qualifications	Educational qualifications	Educational qualifications
Article 3, first paragraph, point (3), amending provision, third paragraph				
330	Without prejudice to Article 11, a natural person may be approved to carry out a statutory audit and an assurance engagement of sustainability reporting only after having attained university entrance or equivalent level, then completed a course of theoretical instruction, undergone practical training and passed an examination of professional competence of university final or equivalent examination level, organised or recognised by the Member State concerned.	Without prejudice to Article 11, a natural person may be approved to carry out a statutory audit and an assurance engagement of sustainability reporting only after having attained university entrance or equivalent level, then completed a course of theoretical instruction, undergone practical training and passed an examination of professional competence of university final or equivalent examination level, organised or recognised by the Member State concerned.	1. Without prejudice to Article 11, a natural person may be approved to carry out a statutory audit ~~and an assurance engagement of sustainability reporting~~ only after having attained university entrance or equivalent level, then completed a course of theoretical instruction, undergone practical training and passed an examination of professional competence of university final or equivalent examination level, organised or recognised by the Member State concerned.	1. Without prejudice to Article 11, a natural person may be approved to carry out a statutory audit ~~and an assurance engagement of sustainability reporting~~ only after having attained university entrance or equivalent level, then completed a course of theoretical instruction, undergone practical training and passed an examination of professional competence of university final or equivalent examination level, organised or recognised by the Member State concerned. Text Origin: Council Mandate
Article 3, first paragraph, point (3), amending provision, third paragraph a				
330a			2 A natural person may in addition be approved to carry out assurance engagements of sustainability reporting when the additional specific requirements of Articles 7(2), 8(3), 10(1) second subparagraph and 14(2), fourth subparagraph of this Directive are met.	2 A natural person may in addition be approved to carry out assurance engagements of sustainability reporting when the additional specific requirements of Articles 7(2), 8(3), 10(1) second subparagraph and 14(2), fourth subparagraph of this Directive are met.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Council Mandate
Article 3, first paragraph, point (3), amending provision, fourth paragraph				
331	The competent authorities referred to in Article 32 shall cooperate with each other with a view to achieving a convergence of the requirements set out in this Article. When engaging in such cooperation, those competent authorities shall take into account developments in auditing and in the audit profession and, in particular, convergence that has already been achieved by the profession. They shall cooperate with the Committee of European Auditing Oversight Bodies (CEAOB) and the competent authorities referred to in Article 20 of Regulation (EU) No 537/2014 in so far as such convergence relates to the statutory audit and assurance of sustainability reporting of public-interest entities.	The competent authorities referred to in Article 32 shall cooperate with each other with a view to achieving a convergence of the requirements set out in this Article. When engaging in such cooperation, those competent authorities shall take into account developments in auditing and in the audit profession and, in particular, convergence that has already been achieved by the profession. They shall cooperate with the Committee of European Auditing Oversight Bodies (CEAOB) and the competent authorities referred to in Article 20 of Regulation (EU) No 537/2014 in so far as such convergence relates to the statutory audit and assurance of sustainability reporting of public-interest entities.	3 The competent authorities referred to in Article 32 shall cooperate with each other with a view to achieving a convergence of the requirements set out in this Article. When engaging in such cooperation, those competent authorities shall take into account developments in auditing and in the audit profession and, in particular, convergence that has already been achieved by the profession. They shall cooperate with the Committee of European Auditing Oversight Bodies (CEAOB) and the competent authorities referred to in Article 20 of Regulation (EU) No 537/2014 in so far as such convergence relates to the statutory audit and assurance of sustainability reporting of public-interest entities.’;	The competent authorities referred to in Article 32 shall cooperate with each other with a view to achieving a convergence of the requirements set out in this Article. When engaging in such cooperation, those competent authorities shall take into account developments in auditing and in the audit profession and, in particular, convergence that has already been achieved by the profession. They shall cooperate with the Committee of European Auditing Oversight Bodies (CEAOB) and the competent authorities referred to in Article 20 of Regulation (EU) No 537/2014 in so far as such convergence relates to the statutory audit and assurance of sustainability reporting of public-interest entities. Same text. Check numbering depending on agreement on this article.
Article 3, first paragraph, point (3), amending provision, fifth paragraph				
332	Article 7	Article 7	~~Article 7~~ Deleted. Article 7 of Directive	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			2006/43/EC remains the same. An additional paragraph has been added as in rows 334a and 334b.	
	Article 3, first paragraph, point (3), amending provision, sixth paragraph			
Y	333 Examination of professional competence	Examination of professional competence	Examination of professional competence Deleted as explained above.	Y
	Article 3, first paragraph, point (3), amending provision, seventh paragraph			
Y	334 The examination of professional competence referred to in Article 6 shall guarantee the necessary level of theoretical knowledge of subjects relevant to statutory audit and assurance of sustainability reporting and the ability to apply such knowledge in practice. Part at least of that examination shall be written.;	The examination of professional competence referred to in Article 6 shall guarantee the necessary level of theoretical knowledge of subjects relevant to statutory audit and assurance of sustainability reporting and the ability to apply such knowledge in practice. Part at least of that examination shall be written.;	~~The examination of professional competence referred to in Article 6 shall guarantee the necessary level of theoretical knowledge of subjects relevant to statutory audit and assurance of sustainability reporting and the ability to apply such knowledge in practice. Part at least of that examination shall be written.;~~ Deleted as explained above.	Y
	Article 3, first paragraph, point (3a), introductory part			
Y	334a		(3a) in Article 7, paragraph 2 is added:	Y
	Article 3, first paragraph, point (3a), amending provision, first paragraph			
G	334b			G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			" 2. In order for the statutory auditor to also be approved to carry out assurance engagements of sustainability reporting, the examination of professional competence referred to in Article 6 shall guarantee the necessary level of theoretical knowledge of subjects relevant to the assurance of sustainability reporting and the ability to apply such knowledge in practice. Part at least of that examination shall be written. "	" 2. In order for the statutory auditor to also be approved to carry out assurance engagements of sustainability reporting, the examination of professional competence referred to in Article 6 shall guarantee the necessary level of theoretical knowledge of subjects relevant to the assurance of sustainability reporting and the ability to apply such knowledge in practice. Part at least of that examination shall be written. " Text Origin: Council Mandate
	Article 3, first paragraph, point (4), introductory part			
y	335	(4) Article 8(1) is amended as follows:	~~(4) Article 8(1) is amended as follows:~~ Deleted. Article 8(1) of Directive 2006/43/EC remains the same. A new paragraph 3 has been added as in rows 347a and 347b.	
	Article 3, first paragraph, point (4)(a), introductory part			
y	336	(a) the following point (bb) is inserted:	~~(a) the following point (bb) is inserted:~~ Deleted as explained above.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3, first paragraph, point (4)(a), amending provision, first paragraph			
337	‘ (bb) legal requirements and standards relating to the preparation of annual and consolidated sustainability reporting;; ,	‘ (bb) legal requirements and standards relating to the preparation of annual and consolidated sustainability reporting;; ,	‘ ~~(bb) legal requirements and standards relating to the preparation of annual and consolidated sustainability reporting;;~~ , Deleted as explained above.	
	Article 3, first paragraph, point (4)(b), introductory part			
338	(b) the following point (cc) is inserted:	(b) the following point (cc) is inserted:	~~(b) the following point (cc) is inserted:~~ Deleted as explained above.	
	Article 3, first paragraph, point (4)(b), amending provision, first paragraph			
339	‘ (cc) sustainability reporting standards;; ,	‘ (cc) sustainability reporting standards;; ,	‘ ~~(cc) sustainability reporting standards;;~~ , Deleted as explained above.	
	Article 3, first paragraph, point (4)(c), introductory part			
340	(c) the following point (dd) is inserted:	(c) the following point (dd) is inserted:	~~(c) the following point (dd) is inserted:~~ Deleted as explained above.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3, first paragraph, point (4)(c), amending provision, first paragraph			
Y	341 (dd) sustainability analysis;;	(dd) sustainability analysis;;	(dd) sustainability analysis;; Deleted as explained above.	Y
	Article 3, first paragraph, point (4)(d), introductory part			
Y	342 (d) the following point (ff) is inserted:	(d) the following point (ff) is inserted:	(d) the following point (ff) is inserted: Deleted as explained above.	Y
	Article 3, first paragraph, point (4)(d), amending provision, first paragraph			
Y	343 (ff) due diligence processes with regard to sustainability matters;;	(ff) due diligence processes with regard to sustainability matters;;	(ff) due diligence processes with regard to sustainability matters;; Deleted as explained above.	Y
	Article 3, first paragraph, point (4)(e), introductory part			
Y	344 (e) the following point (ii) is inserted:	(e) the following point (ii) is inserted:	(e) the following point (ii) is inserted: Deleted as explained above.	Y
	Article 3, first paragraph, point (4)(e), amending provision, first paragraph			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
345	‘ (ii) sustainability assurance standards as referred to in Article 26a;; ’	‘ (ii) sustainability assurance standards as referred to in Article 26a;; ’	‘ ~~(ii) sustainability assurance standards as referred to in Article 26a;;~~ ’ Deleted as explained above.	
Article 3, first paragraph, point (4)(f), introductory part				
346	(f) point (h) is replaced by the following:	(f) point (h) is replaced by the following:	~~(f) point (h) is replaced by the following:~~ Deleted as explained above.	
Article 3, first paragraph, point (4)(f), amending provision, first paragraph				
347	‘ (h) legal requirements and professional standards relating to statutory audit and assurance of sustainability reporting and statutory auditors;; ’	‘ (h) legal requirements and professional standards relating to statutory audit and assurance of sustainability reporting and statutory auditors;; ’	‘ ~~(h) legal requirements and professional standards relating to statutory audit and assurance of sustainability reporting and statutory auditors;;~~ ’ Deleted as explained above.	
Article 3, first paragraph, point (4)(f), amending provision, introductory part				
347a			" (4) in Article 8, paragraph 3 is added:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3, first paragraph, point (4)(f), amending provision, numbered paragraph			
G	347b		3. In order for the statutory auditor to also be approved to carry out assurance engagements of sustainability reporting, it shall also cover at least the following subjects: a) legal requirements and reporting standards relating to the preparation of annual and consolidated sustainability reporting; b) sustainability analysis; c) due diligence processes with regard to sustainability matters; d) legal requirements and assurance standards for sustainability reporting as referred to in Article 26(a);	" 3. In order for the statutory auditor to also be approved to carry out assurance engagements of sustainability reporting, it shall also cover at least the following subjects: a) legal requirements and reporting standards relating to the preparation of annual and consolidated sustainability reporting; b) sustainability analysis; c) due diligence processes with regard to sustainability matters; d) legal requirements and assurance standards for sustainability reporting as referred to in Article 26(a); " Text Origin: Council Mandate
	Article 3, first paragraph, point (5), introductory part			
Y	348	(5) in Article 10, paragraph 1 is replaced by the following:	(5) in Article 10, paragraph 1 is replaced by the following:	Article 10 is amended as per rows 349a and 349b.
	Article 3, first paragraph, point (5), amending provision, numbered paragraph (1)			
Y	349	‘ 1. In order to ensure the ability to	‘ 1. <u>I.</u> In order to ensure the	See above comment.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	apply theoretical knowledge in practice, a test of which is included in the examination, a trainee shall complete a minimum of three years' practical training in, inter alia, the auditing of annual financial statements, consolidated financial statements or similar financial statements and the assurance of annual and consolidated sustainability reporting. At least two thirds of such practical training shall be completed with a statutory auditor or an audit firm approved in any Member State.;	ability to apply theoretical knowledge in practice, a test of which is included in the examination, a trainee shall complete ~~a minimum of three years'~~ practical training in, inter alia, the auditing of annual financial statements, consolidated financial statements or similar financial statements and the assurance of annual and consolidated sustainability reporting. <u>Assessments of the ability to apply theoretical knowledge in practice should take into account previous employment experiences and professional equivalences. Member States shall decide on the duration of the practical training, which must be equivalent in all Member States.</u> At least two thirds of such practical training shall be completed with a statutory auditor or ~~an~~ audit firm approved in any Member State.;		
Article 3, first paragraph, point (5), amending provision, numbered paragraph (1a)				
349a			(5) in Article 10, paragraph 1, the following subparagraph is added:	
Article 3, first paragraph, point (5), amending provision, numbered paragraph (1b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Y	349b		In order for the statutory auditor or the trainee to also be approved to carry out assurance engagements of sustainability reporting, at least eight months of such practical training shall be in the assurance of annual and consolidated sustainability reporting or other sustainability related services.'	Y
Article 3, first paragraph, point (6), introductory part				
Y	350	(6) in Article 11, point (a) is replaced by the following:	~~(6) in Article 11, point (a) is replaced by the following:~~	Y
Article 3, first paragraph, point (6), amending provision, first paragraph				
Y	351	(a) that he or she has, for 15 years, engaged in professional activities which have enabled him or her to acquire sufficient experience in the fields of finance, law and accountancy, and sustainability reporting and has passed the examination of professional competence referred to in Article 7, or;	~~(a) that he or she has, for 15 years, engaged in professional activities which have enabled him or her to acquire sufficient experience in the fields of finance, law and accountancy, and sustainability reporting and has passed the examination of professional competence referred to in Article 7, or;~~	Y
Article 3, first paragraph, point (6a), introductory part				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Y	351a		(6a) Article 12 is replaced by the following:	Y
Article 3, first paragraph, point (6a), amending provision, first paragraph				
Y	351b		" Article 12 Combination of practical training and theoretical instruction 1. Member States may provide that periods of theoretical instruction in the fields referred to in Article 8, paragraphs 1 and 2, shall count towards the periods of professional activity referred to in Article 11, provided that such instruction is attested by an examination recognised by the State. Such instruction shall not last less than one year, nor may it reduce the period of professional activity by more than four years. 2. The period of professional activity and practical training shall not be shorter than the course of theoretical instruction together with the practical training required in Article 10(1), first subparagraph.'	EP: Agreement at technical level possible with line 349.
Article 3, first paragraph, point (6a), amending provision, second paragraph				
Y	351c		1. Member States may provide	Y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			that periods of theoretical instruction in the fields referred to in Article 8, paragraphs 1 and 2, shall count towards the periods of professional activity referred to in Article 11, provided that such instruction is attested by an examination recognised by the State. Such instruction shall not last less than one year, nor may it reduce the period of professional activity by more than four years.	
	Article 3, first paragraph, point (6a), amending provision, third paragraph			
y	351d		2. The period of professional activity and practical training shall not be shorter than the course of theoretical instruction together with the practical training required in Article 10(1), first subparagraph.'	
	Article 3, first paragraph, point (7), introductory part			
y	352	(7) in Article 14, paragraph 2, third subparagraph is replaced by the following:	(7) in Article 14, paragraph 2, third subparagraph is replaced by the following: Deleted and modified as per rows 353a, 353b.	
	Article 3, first paragraph, point (7), amending provision, first paragraph			
y	353	,	,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	The aptitude test shall be conducted in one of the languages permitted by the language rules applicable in the host Member State concerned. It shall cover only the statutory auditor's adequate knowledge of the laws and regulations of that host Member State in so far as it is relevant to statutory audits and assurance engagements of sustainability reporting.;	The aptitude test shall be conducted in one of the languages permitted by the language rules applicable in the host Member State concerned. It shall cover only the statutory auditor's adequate knowledge of the laws and regulations of that host Member State in so far as it is relevant to statutory audits and assurance engagements of sustainability reporting.;	Same as above.	
	Article 3, first paragraph, point (7), amending provision, first paragraph(a)			
353a			(7) in Article 14, paragraph 2, the following subparagraph is added	
	Article 3, first paragraph, point (7), amending provision, first paragraph a			
353b			'In order for the statutory auditor to also be approved to carry out assurance engagements of sustainability reporting, the aptitude test referred to in the first subparagraph shall cover the statutory auditor's adequate knowledge of the laws and regulations of that host Member State in so far as it is relevant to the assurance of sustainability reporting.';	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3, first paragraph, point (8), introductory part			
G	354	(8) the following Article 14a is inserted:	(8) the following Article 14a is inserted:	(8) the following Article 14a is inserted:
	Article 3, first paragraph, point (8), amending provision, first paragraph			
Y	355	Article 14a Statutory auditors approved or recognised before 1 January 2023	Article 14a Statutory auditors approved or recognised before 1 January 2023 2024 and persons undergoing the approval process for statutory auditors on 1 January 2024	
	Article 3, first paragraph, point (8), amending provision, second paragraph			
G	356	Member States shall ensure that statutory auditors that are approved or recognised to carry out statutory audits before 1 January 2023 are not subject to the requirements of Articles 6, 7, 10, 11 and 14 of this Directive.	Member States shall ensure that statutory auditors ~~that are approved or recognised to carry out statutory audits before 1 January 2023 are not subject to the requirements of Articles 6, 7, 10, 11 and 14 of this Directive~~ <u>approved before 1 January 2023 acquire the necessary knowledge in sustainability reporting and the assurance of sustainability reporting via the continuing education requirement of Article 13.</u> ; Member States shall	Member States shall ensure that statutory auditors that are approved or recognised to carry out statutory audits before 1 January ~~2023~~ 2024 are not subject to the requirements of Articles ~~6, 7, 10, 11 and 14~~ (2), 8(3), 10(1) second subparagraph and 14(2), fourth subparagraph of this Directive. Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>ensure that the audit bodies for sustainability reports have a high level of technical and specialised expertise in the field of sustainability in order to assess the information.</u> ’;		
Article 3, first paragraph, point (8), amending provision, second paragraph a				
356a			Member States shall ensure that persons that are undergoing the approval process foreseen in Articles 6 to 14 on 1 January 2024, are not subject to the requirements of Articles 7(2), 8(3), 10(1), second subparagraph and 14(2), fourth subparagraph of this Directive, provided they finish the process by 1 January 2026.	Member States shall ensure that persons that are undergoing the approval process foreseen in Articles 6 to 14 on 1 January 2024, are not subject to the requirements of Articles 7(2), 8(3), 10(1), second subparagraph and 14(2), fourth subparagraph of this Directive, provided they finish the process by 1 January 2026. Text Origin: Council Mandate
Article 3, first paragraph, point (8), amending provision, third paragraph				
357	Member States shall ensure that statutory auditors approved before 1 January 2023 acquire the necessary knowledge in sustainability reporting and the assurance of sustainability reporting via the continuing education requirement of Article 13.;	Member States shall ensure that statutory auditors approved before 1 January 2023 acquire the necessary knowledge in sustainability reporting and the assurance of sustainability reporting via the continuing education requirement of Article 13.;	Member States shall ensure that statutory auditors approved before 1 January 20232026 who want to carry out assurance engagements of sustainability reporting , acquire the necessary knowledge ~~in~~ of sustainability reporting and the assurance -of sustainability reporting, including of the subjects listed in Article 8(3) , via the continuing education requirement of	Member States shall ensure that statutory auditors approved before 1 January 20232026 who want to carry out assurance engagements of sustainability reporting , acquire the necessary knowledge ~~in~~ of sustainability reporting and the assurance -of sustainability reporting, including of the subjects listed in Article 8(3) , via the continuing education requirement of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Article 13.?’ ‘	Article 13.?’ ‘ Text Origin: Council Mandate
	Article 3, first paragraph, point (8a), introductory part			
Y	357a		(8a) Article 16 is amended as follows:	
	Article 3, first paragraph, point (8a)(a), introductory part			
Y	357b		(a) in subparagraph 1, the following point (bb) is inserted:	
	Article 3, first paragraph, point (8a)(a), amending provision, numbered paragraph			
Y	357c		" (bb) whether the statutory auditor is also approved for carrying out the assurance of sustainability reporting.’ "	
	Article 3, first paragraph, point (8a)(b), introductory part			
Y	357d		(b) in subparagraph 1, point (c) is replaced by the following:	
	Article 3, first paragraph, point (8a)(b), amending provision, numbered paragraph			
Y	357e		"	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(c) all other registration(s) as statutory auditor with the competent authorities of other Member States and as auditor with third countries, including the name(s) of the registration authority(ies), and, if applicable, the registration number(s), and an indication of whether the registration concerns the financial audit, the assurance of sustainability reporting, or both. "	
	Article 3, first paragraph, point (8a)(c), introductory part			
Y	357f		(c) in paragraph 2, the following subparagraph is added:	
	Article 3, first paragraph, point (8a)(c), amending provision, numbered paragraph			
G	357g		" The register shall indicate whether such third-country auditors are registered for carrying out the financial audit, the assurance of sustainability reporting, or both. "	" The register shall indicate whether such third-country auditors are registered for carrying out the financial audit, the assurance of sustainability reporting, or both. " Text Origin: Council Mandate
	Article 3, first paragraph, point (8b), introductory part			
Y	357h		(8b) Article 17 is amended as	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			follows:	
	Article 3, first paragraph, point (8b)(a), introductory part			
357i			(a) In paragraph 1, subparagraphs (e) and (i) are replaced by the following :	(a) In paragraph 1, subparagraphs (e) and (i) are replaced by the following : Text Origin: Council Mandate
	Article 3, first paragraph, point (8b)(a), amending provision, numbered paragraph			
357j			" (e) name and registration number of all statutory auditors employed by, or associated as partners or otherwise with, the audit firm, and an indication of whether they are also approved for carrying out the assurance of sustainability reporting;	" (e) name and registration number of all statutory auditors employed by, or associated as partners or otherwise with, the audit firm, and an indication of whether they are also approved for carrying out the assurance of sustainability reporting; Text Origin: Council Mandate
	Article 3, first paragraph, point (8b)(a), amending provision, numbered paragraph			
357k			(i) all other registration(s) as audit firm with the competent authorities of other Member States and as audit entity with third countries, including the name(s) of the registration authority(ies), and, if applicable, the registration number(s), and an	(i) all other registration(s) as audit firm with the competent authorities of other Member States and as audit entity with third countries, including the name(s) of the registration authority(ies), and, if applicable, the registration number(s), and an

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			indication of whether the registration concerns the financial audit, the assurance of sustainability reporting, or both.';"	indication of whether the registration concerns the financial audit, the assurance of sustainability reporting, or both.';" Text Origin: Council Mandate
	Article 3, first paragraph, point (8b)(b), introductory part			
G 357l			(b) in paragraph 2, the following subparagraph is added:	(b) in paragraph 2, the following subparagraph is added: Text Origin: Council Mandate
	Article 3, first paragraph, point (8b)(b), amending provision, numbered paragraph			
G 357m			" The register shall indicate whether such third-country audit entities are registered for carrying out the financial audit, the assurance of sustainability reporting, or both.;"	" The register shall indicate whether such third-country audit entities are registered for carrying out the financial audit, the assurance of sustainability reporting, or both.;" Text Origin: Council Mandate
	Article 3, first paragraph, point (9), introductory part			
G 358	(9) Article 24b is amended as follows:	(9) Article 24b is amended as follows:	(9) Article 24b is amended as follows:	(9) Article 24b is amended as follows:
	Article 3, first paragraph, point (9)(a), introductory part			
G 359				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:
Article 3, first paragraph, point (9)(a), amending provision, numbered paragraph (1), introductory part				
360	1. Member States shall ensure that, when the statutory audit and the assurance of sustainability reporting is carried out by an audit firm, that audit firm designates at least one key audit partner. The audit firm shall provide the key audit partner(s) with sufficient resources and with personnel that have the necessary competence and capabilities to carry out his, her or its duties appropriately.	1. Member States shall ensure that, when the statutory audit and the assurance of sustainability reporting is carried out by an audit firm, that audit firm designates at least one key audit partner. The audit firm shall provide the key audit partner(s) with sufficient resources and with personnel that have the necessary competence and capabilities to carry out his, her or its duties appropriately.	1. Member States shall ensure that, when the statutory audit ~~and the assurance of sustainability reporting~~ is carried out by an audit firm, that audit firm designates at least one key audit partner. The audit firm shall provide the key audit partner(s) with sufficient resources and with personnel that have the necessary competence and capabilities to carry out his, her or its duties appropriately. Text Origin: Council Mandate	1. Member States shall ensure that, when the statutory audit ~~and the assurance of sustainability reporting~~ is carried out by an audit firm, that audit firm designates at least one key audit partner. The audit firm shall provide the key audit partner(s) with sufficient resources and with personnel that have the necessary competence and capabilities to carry out his, her or its duties appropriately.
Article 3, first paragraph, point (9)(a), amending provision, numbered paragraph (1), first paragraph -a				
360a			Member States shall ensure that, when the assurance of sustainability reporting is carried out by an audit firm, that audit firm designates at least one key sustainability partner, who can be (one of) the key audit partner(s). The audit firm shall provide the key sustainability partner(s) with sufficient resources and with	Member States shall ensure that, when the assurance of sustainability reporting is carried out by an audit firm, that audit firm designates at least one key sustainability partner, who can be (one of) the key audit partner(s). The audit firm shall provide the key sustainability partner(s) with sufficient resources and with

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			personnel that have the necessary competence and capabilities to carry out his, her or its duties appropriately.	personnel that have the necessary competence and capabilities to carry out his, her or its duties appropriately. Text Origin: Council Mandate
Article 3, first paragraph, point (9)(a), amending provision, numbered paragraph (1), first paragraph				
361	Securing audit quality, independence and competence shall be the main criteria when the audit firm selects the key audit partner(s) to be designated. The key audit partner(s) shall be actively involved in the carrying-out of the statutory audit and the assurance of sustainability reporting.;	Securing audit quality, independence and competence shall be the main criteria when the audit firm selects the key audit partner(s) to be designated. The key audit partner(s) shall be actively involved in the carrying-out of the statutory audit and the assurance of sustainability reporting.;	Securing audit quality, independence and competence shall be the main criteria when the audit firm selects the key audit partner(s) and, where applicable, the key sustainability partner(s) to be designated. The key audit partner(s) shall be actively involved in the carrying-out of the statutory audit. The key sustainability partner shall be actively involved in the carrying-out of and the assurance of sustainability reporting.;	Securing audit quality, independence and competence shall be the main criteria when the audit firm selects the key audit partner(s) and, where applicable, the key sustainability partner(s) to be designated. The key audit partner(s) shall be actively involved in the carrying-out of the statutory audit. The key sustainability partner shall be actively involved in the carrying-out of and the assurance of sustainability reporting.;
Article 3, first paragraph, point (9)(b), introductory part				
362	(b) the following paragraph 2a is inserted:	(b) the following paragraph 2a is inserted:	(b) the following paragraph 2a is inserted:	(b) the following paragraph 2a is inserted:
Article 3, first paragraph, point (9)(b), amending provision, first paragraph				
363				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2a. When carrying out the assurance of sustainability reporting, the statutory auditor shall devote sufficient time to the engagement and shall assign sufficient resources to enable him or her to carry out his or her duties appropriately.;	2a. When carrying out the assurance of sustainability reporting, the statutory auditor shall devote sufficient time to the engagement and shall assign sufficient resources to enable him or her to carry out his or her duties appropriately.;	2a. When carrying out the assurance of sustainability reporting, the statutory auditor shall devote sufficient time to the engagement and shall assign sufficient resources to enable him or her to carry out his or her duties appropriately.’;	2a. When carrying out the assurance of sustainability reporting, the statutory auditor shall devote sufficient time to the engagement and shall assign sufficient resources to enable him or her to carry out his or her duties appropriately.;
Article 3, first paragraph, point (9)(c), introductory part				
364	(c) in paragraph 4, point (c) is replaced by the following:	(c) in paragraph 4, point (c) is replaced by the following:	(c) in paragraph 4, ~~point (c) is~~ points (b) and (c) are replaced by the following:	(c) in paragraph 4, ~~point (c) is~~ points (b) and (c) are replaced by the following: Text Origin: Council Mandate
Article 3, first paragraph, point (9)(c), amending provision, first paragraph -a				
364a			‘(b) in the case of an audit firm, the name(s) of the key audit partner(s) and, where applicable, the name(s) of the key sustainability partner(s);’	
Article 3, first paragraph, point (9)(c), amending provision, first paragraph				
365	(c) the fees charged for the statutory audit, for the assurance of sustainability reporting and the fees charged for other services in any	(c) the fees charged for the statutory audit, for the assurance of sustainability reporting and the fees charged for other services in any	(c) the fees charged for the statutory audit, for the assurance of sustainability reporting and the fees charged for other services in any financial year.’;	(c) the fees charged for the statutory audit, for the assurance of sustainability reporting and the fees charged for other services in any

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	financial year.;	financial year.;		financial year.;
	Article 3, first paragraph, point (9)(d), introductory part			
Y	366	(d) paragraph 5 is replaced by the following:	Deleted. A new paragraph 5a is added as per rows 367a to 367d.	Y
	Article 3, first paragraph, point (9)(d), amending provision, numbered paragraph (5)			
Y	367	5. A statutory auditor or an audit firm shall create an audit file for each statutory audit. The audit file shall also include information related to the assurance of sustainability reporting, where applicable.;	Same as above.	Y
	Article 3, first paragraph, point (9)(da), introductory part			
Y	367a		(e) paragraph 5a is added:	Y
	Article 3, first paragraph, point (9)(da), amending provision, numbered paragraph			
Y	367b		5a. A statutory auditor or an audit firm shall create an assurance file for each assurance engagement of sustainability reporting. The statutory auditor or the audit	Y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			firm shall document at least the data recorded pursuant to Article 22b as regards the assurance of sustainability reporting. The statutory auditor or the audit firm shall retain any data and documents that are of importance in support of the report referred to in Article 28a of this Directive and for monitoring compliance with this Directive and other applicable legal requirements as regards the assurance of sustainability reporting. The assurance file shall be closed no later than 60 days after the date of signature of the assurance report referred to in Article 28a of this Directive; Where the same statutory auditor carries out the statutory audit of annual financial statements and the assurance of sustainability reporting, the assurance file may be included in the audit file; "	
	Article 3, first paragraph, point (9)(db), introductory part			
y	367c		(f) paragraph 6 is replaced by the following:	y
	Article 3, first paragraph, point (9)(db), amending provision, numbered paragraph			
G	367d			G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			" The statutory auditor or the audit firm shall keep records of any complaints made in writing about the performance of the statutory audits and the assurance engagements of sustainability reporting carried out. " Text Origin: Council Mandate	" The statutory auditor or the audit firm shall keep records of any complaints made in writing about the performance of the statutory audits and the assurance engagements of sustainability reporting carried out. "
Article 3, first paragraph, point (10), introductory part				
G	368	(10) Article 25 is replaced by the following:	(10) Article 25 is replaced by the following:	(10) Article 25 is replaced by the following:
Article 3, first paragraph, point (10), amending provision, first paragraph				
G	369	‘ Article 25	‘ Article 25	‘ Article 25
Article 3, first paragraph, point (10), amending provision, second paragraph				
Y	370	Audit fees	Audit fees	Audit and assurance fees
Article 3, first paragraph, point (10), amending provision, third paragraph, introductory part				
G	371	Member States shall ensure that adequate rules are in place which provide that fees for statutory audits and the assurance of sustainability	Member States shall ensure that adequate rules are in place which provide that fees for statutory audits and the assurance of sustainability	Member States shall ensure that adequate rules are in place which provide that fees for statutory audits and the assurance of sustainability

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	reporting:	reporting:	reporting:	reporting:
	Article 3, first paragraph, point (10), amending provision, third paragraph(a)			
Y	372 (a) are not influenced or determined by the provision of additional services to the audited entity;	(a) are not influenced or determined by the provision of additional services to the audited entity;	(a) are not influenced or determined by the provision of additional services to the audited entity being subject to statutory audit or assurance of sustainability reporting;	
	Article 3, first paragraph, point (10), amending provision, third paragraph(b)			
G	373 (b) cannot be based on any form of contingency.;	(b) cannot be based on any form of contingency.;	(b) cannot be based on any form of contingency.;	(b) cannot be based on any form of contingency.;
	Article 3, first paragraph, point (11), introductory part			
G	374 (11) the following Article 25b is inserted:	(11) the following Article 25b is inserted:	(11) the following Article 25b is inserted:	(11) the following Article 25b is inserted:
	Article 3, first paragraph, point (11), amending provision, first paragraph			
G	375 , Article 25b	, Article 25b	, Article 25b	, Article 25b
	Article 3, first paragraph, point (11), amending provision, second paragraph			
G	376 Professional Ethics, Independence, Objectivity, Confidentiality and Professional Secrecy as regards the	Professional Ethics, Independence, Objectivity, Confidentiality and Professional Secrecy as regards the	Professional Ethics, Independence, Objectivity, Confidentiality and Professional Secrecy as regards the	Professional Ethics, Independence, Objectivity, Confidentiality and Professional Secrecy as regards the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	assurance of sustainability reporting	assurance of sustainability reporting	assurance of sustainability reporting	assurance of sustainability reporting ,
	Article 3, first paragraph, point (11), amending provision, third paragraph			
Y	377 The requirements of Articles 21 to 24a as regards the statutory audit of financial statements shall apply to the assurance of sustainability reporting.;	The requirements of Articles 21 to 24a as regards the statutory audit of financial statements shall apply to the assurance of sustainability reporting.;	The requirements of Articles 21 to 24a as regards the statutory audit of financial statements shall apply mutatis mutandis to the assurance of sustainability reporting.;	
	Article 3, first paragraph, point (11a), introductory part			
Y	377a		(11a) the following Article 25c is inserted:	
	Article 3, first paragraph, point (11a), amending provision, first paragraph			
G	377b		" Article 25c	" Article 25c Text Origin: Council Mandate
	Article 3, first paragraph, point (11a), amending provision, second paragraph			
G	377c		Prohibited non-audit services where the statutory auditor carries out the assurance of sustainability reporting of a public-interest entity	Prohibited non-audit services where the statutory auditor carries out the assurance of sustainability reporting of a public-interest entity Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3, first paragraph, point (11a), amending provision, numbered paragraph, introductory part			
G 377d			1. A statutory auditor or an audit firm carrying out the assurance of sustainability reporting of a public-interest entity, or any member of the network to which the statutory auditor or the audit firm belongs, shall not directly or indirectly provide to the audited entity, to its parent undertaking or to its controlled undertakings within the Union the services referred to in Article 5(1), second subparagraph, points (b), (c), (e), (f), (g), (h), (i), (j) and (k) of Regulation (EU) No 537/2014 in: Text Origin: Council Mandate	1. A statutory auditor or an audit firm carrying out the assurance of sustainability reporting of a public-interest entity, or any member of the network to which the statutory auditor or the audit firm belongs, shall not directly or indirectly provide to the audited entity, to its parent undertaking or to its controlled undertakings within the Union the services referred to in Article 5(1), second subparagraph, points (b), (c), (e), (f), (g), (h), (i), (j) and (k) of Regulation (EU) No 537/2014 in: Text Origin: Council Mandate
	Article 3, first paragraph, point (11a), amending provision, numbered paragraph, first paragraph			
G 377e			(a) the period between the beginning of the period subject to assurance of sustainability reporting and the issuing of the assurance report; and Text Origin: Council Mandate	(a) the period between the beginning of the period subject to assurance of sustainability reporting and the issuing of the assurance report; and Text Origin: Council Mandate
	Article 3, first paragraph, point (11a), amending provision, numbered paragraph, second paragraph			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
377f			(b) the financial year immediately preceding the period referred to in point (a) in relation to the services referred to in Article 5(1), second subparagraph, point (e) of Regulation (EU) No 537/2014.	(b) the financial year immediately preceding the period referred to in point (a) in relation to the services referred to in Article 5(1), second subparagraph, point (e) of Regulation (EU) No 537/2014. Text Origin: Council Mandate
Article 3, first paragraph, point (11a), amending provision, numbered paragraph, introductory part				
377g			(2) A statutory auditor or an audit firm carrying out assurance engagements of sustainability reporting of public-interest entities and, where the statutory auditor or the audit firm belongs to a network, any member of such network, may provide to the entity subject to assurance of sustainability reporting, to its parent undertaking or to its controlled undertakings non-audit services other than the prohibited non-audit services referred to in paragraph 1, or if applicable, referred to in Article 5 (1) or (2) of Regulation (EU) No 537/2014, subject to the approval of the audit committee after it has properly assessed threats of independence and the safeguards applied in accordance with Article 22b of this Directive.	(2) A statutory auditor or an audit firm carrying out assurance engagements of sustainability reporting of public-interest entities and, where the statutory auditor or the audit firm belongs to a network, any member of such network, may provide to the entity subject to assurance of sustainability reporting, to its parent undertaking or to its controlled undertakings non-audit services other than the prohibited non-audit services referred to in paragraph 1, or if applicable, referred to in Article 5 (1) or (2) of Regulation (EU) No 537/2014, subject to the approval of the audit committee after it has properly assessed threats of independence and the safeguards applied in accordance with Article 22b of this Directive.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Council Mandate
	Article 3, first paragraph, point (11a), amending provision, numbered paragraph, first paragraph			
377h			(3) When a member of a network to which the statutory auditor or the audit firm carrying out an assurance engagement of sustainability reporting of a public-interest entity belongs provides the non-audit services referred to in paragraph 1 of this Article, to an undertaking incorporated in a third country which is controlled by the public-interest entity subject to assurance of sustainability reporting, the statutory auditor or the audit firm concerned shall assess whether his, her or its independence would be compromised by such provision of services by the member of the network. If his, her or its independence is affected, the statutory auditor or the audit firm shall apply safeguards where applicable in order to mitigate the threats caused by such provision of services in a third country. The statutory auditor or the audit firm may continue to carry out the assurance of sustainability reporting of the public-interest	(3) When a member of a network to which the statutory auditor or the audit firm carrying out an assurance engagement of sustainability reporting of a public-interest entity belongs provides the non-audit services referred to in paragraph 1 of this Article, to an undertaking incorporated in a third country which is controlled by the public-interest entity subject to assurance of sustainability reporting, the statutory auditor or the audit firm concerned shall assess whether his, her or its independence would be compromised by such provision of services by the member of the network. If his, her or its independence is affected, the statutory auditor or the audit firm shall apply safeguards where applicable in order to mitigate the threats caused by such provision of services in a third country. The statutory auditor or the audit firm may continue to carry out the assurance of sustainability reporting of the public-interest

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			entity only if he, she or it can justify, in accordance with Article 22b of this Directive, that such provision of services does not affect his, her or its professional judgement and the assurance report.	entity only if he, she or it can justify, in accordance with Article 22b of this Directive, that such provision of services does not affect his, her or its professional judgement and the assurance report. Text Origin: Council Mandate
	Article 3, first paragraph, point (11b), introductory part			
377i			(11b) Article 25d is inserted:	(11b) Articles 25d and 25e are inserted: Text Origin: Council Mandate
	Article 3, first paragraph, point (11b), amending provision, first paragraph			
377j			" Article 25d	" Article 25d Text Origin: Council Mandate
	Article 3, first paragraph, point (11b), amending provision, second paragraph			
377k			Irregularities	Irregularities Text Origin: Council Mandate
	Article 3, first paragraph, point (11b), amending provision, numbered paragraph			
377l			Article 7 of Regulation (EU) No	Article 7 of Regulation (EU) No

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			537/2014 shall apply mutatis mutandis to a statutory auditor or an audit firm carrying out assurance engagements of sustainability reporting of a public-interest entity.'	537/2014 shall apply mutatis mutandis to a statutory auditor or an audit firm carrying out assurance engagements of sustainability reporting of a public-interest entity.'
			"	Text Origin: Council Mandate
	Article 3, first paragraph, point (11b), amending provision, numbered paragraph			
377m				Article 25e Engagement quality control review
	Article 3, first paragraph, point (11b), amending provision, numbered paragraph			
377n				1. Before the assurance report referred to in Article 28a of a public interest entity is issued, an engagement quality control review (in this Article hereinafter referred to as: review) shall be performed to assess whether the statutory auditor or the key sustainability partner could reasonably have come to the opinion and conclusions expressed in the draft of this report. 2. The review shall be performed by an engagement quality control reviewer (in this Article hereinafter referred to as: reviewer). The reviewer shall be a

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				statutory auditor who is not involved in the performance of the assurance of sustainability reporting to which the review relates. 3. By way of derogation from paragraph 2, where the assurance of sustainability reporting is carried out by an audit firm and all the statutory auditors were involved in the carrying-out of the assurance engagement, or where the assurance of sustainability reporting is carried out by a statutory auditor and the statutory auditor is not a partner or employee of an audit firm, he, she or it shall arrange for another statutory auditor to perform a review. The disclosure of documents or information to the independent reviewer for the purposes of this Article shall not constitute a breach of professional secrecy. Documents or information disclosed to the reviewer for the purposes of this Article shall be subject to professional secrecy. 4. When performing the review, the reviewer shall record at least the following: (a) the oral and written information provided by the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				statutory auditor or the key sustainability partner to support the significant judgements as well as the main findings of the assurance procedures carried out and the conclusions drawn from those findings, whether or not at the request of the reviewer; (b) the opinion of the statutory auditor or the key sustainability partner, as expressed in the draft of the report referred to in Article 28a; 5. The review shall at least assess the following elements: (a) the independence of the statutory auditor or the audit firm from the assured entity; (b) the significant risks which are relevant to the assurance of sustainability reporting and which the statutory auditor or the key sustainability partner has identified during the performance of the assurance of sustainability reporting and the measures that he or she has taken to adequately manage those risks; (c) the reasoning of the statutory auditor or the key audit partner, in particular with regard to the level of materiality and the significant risks referred to in point (b); (d) any request for advice to

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				external experts and the implementation of such advice; (e) the subjects discussed with the audit committee and the management and/or supervisory bodies of the assured entity; (f) the subjects discussed with competent authorities and, where applicable, with other third parties; (g) whether the documents and information selected from the file by the reviewer support the opinion of the statutory auditor or the key sustainability partner as expressed in the draft of the report referred to in Article 28a. 6. The reviewer shall discuss the results of the review with the statutory auditor or the key sustainability partner. The audit firm shall establish procedures for determining the manner in which any disagreement between the key audit partner and the reviewer are to be resolved. 7. The statutory auditor or the audit firm and the reviewer shall keep a record of the results of the review, together with the considerations underlying those results. "

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3, first paragraph, point (12), introductory part			
G	378	(12) the following Article 26a is inserted:	(12) the following Article 26a is inserted:	(12) the following Article 26a is inserted:
	Article 3, first paragraph, point (12), amending provision, first paragraph			
G	379	‘ Article 26a	‘ Article 26a	‘ Article 26a
	Article 3, first paragraph, point (12), amending provision, second paragraph			
G	380	Assurance standards for sustainability reporting	Assurance standards for sustainability reporting	Assurance standards for sustainability reporting
	Article 3, first paragraph, point (12), amending provision, numbered paragraph (1), introductory part			
Y	381	1. Member States shall require statutory auditors and audit firms to carry out the assurance of sustainability reporting in compliance with assurance standards adopted by the Commission in accordance with paragraph 2.	1. Member States shall require statutory auditors and audit firms to carry out the assurance of sustainability reporting in compliance with assurance standards adopted by the Commission in accordance with paragraph 2.	1. Member States shall require statutory auditors and audit firms to carry out the assurance of sustainability reporting in compliance with assurance standards adopted by the Commission in accordance with paragraph 23.
	Article 3, first paragraph, point (12), amending provision, numbered paragraph (1), first paragraph			
Y	382	Member States shall apply national assurance standards, procedures or requirements as long as the	Member States shall apply national assurance standards, procedures or requirements as long as the	2. Member States ~~shall~~ may apply national assurance standards, procedures or requirements as long

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Commission has not adopted an assurance standard covering the same subject-matter.	Commission has not adopted an assurance standard covering the same subject-matter.	as the Commission has not adopted an assurance standard covering the same subject-matter.	
Article 3, first paragraph, point (12), amending provision, numbered paragraph (1), second paragraph				
383	Member States shall communicate the assurance procedures or requirements to the Commission at least three months before their entry into force.	Member States shall communicate the assurance procedures or requirements to the Commission at least three months before their entry into force.	Member States shall communicate the assurance procedures or requirements to the Commission at least three months before their entry into force.	Member States shall communicate the assurance procedures or requirements to the Commission at least three months before their entry into force.
Article 3, first paragraph, point (12), amending provision, numbered paragraph (2), introductory part				
384	2. The Commission shall be empowered to adopt, by means of delegated acts in accordance with Article 48a, the assurance standards referred to in paragraph 1 in order to set out the procedures that the auditor shall perform in order to draw its conclusions on the assurance of sustainability reporting, including engagement planning, risk consideration and response to risks and type of conclusions to be included in the audit report.	2. <u>2.</u> The Commission shall be empowered to adopt, by means of delegated acts in accordance with Article 48a, ~~the limited~~ assurance standards ~~referred to in paragraph 1~~ <u>before 1 October 2023 and reasonable assurance standards before 1 January 2026</u> in order to set out the procedures that the auditor shall perform in order to draw its conclusions on the assurance of sustainability reporting, including engagement planning, risk consideration and response to risks and type of conclusions to be included in the audit report.	~~22.~~ 23. The Commission shall be empowered to adopt, by means of delegated acts in accordance with Article 48a, the assurance standards referred to in paragraph 1 in order to set out the procedures that the auditor shall perform in order to draw its conclusions on the assurance of sustainability reporting, including engagement planning, risk consideration and response to risks and type of conclusions to be included in the audit report.	2. The Commission shall be empowered to adopt, by means of delegated acts in accordance with Article 48a, ~~the limited~~ assurance standards before 1 October 2026 ~~referred to in paragraph 1~~ in order to set out the procedures that the auditor shall perform in order to draw its conclusions on the assurance of sustainability reporting, including engagement planning, risk consideration and response to risks and type of conclusions to be included in the audit report.
Article 3, first paragraph, point (12), amending provision, numbered paragraph (2),				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
first paragraph, introductory part -a				
Y	384a		The Commission shall adopt assurance standards for reasonable assurance no later than six years after the entry into force of the CSRD¹. 1. Publication office to replace by a specific date.	The Commission shall adopt assurance standards for reasonable assurance no later than 1 October 2028, following an assessment to determine if reasonable assurance is feasible for auditors and for undertakings. Taking into account the results of this assessment and if appropriate, the delegated act shall specify when the opinion referred to in Article 34(1), second subparagraph, point (aa) shall be based on a reasonable assurance engagement based on these assurance standards. Text Origin: Council Mandate with some changes regarding the timeline.
Article 3, first paragraph, point (12), amending provision, numbered paragraph (2), first paragraph, introductory part				
G	385	The Commission may adopt the assurance standards only where they:	The Commission may adopt the assurance standards only where they:	The Commission may adopt the assurance standards only where they:
Article 3, first paragraph, point (12), amending provision, numbered paragraph (2), first paragraph(a)				
G	386	(a) have been developed with proper due process, public oversight and transparency;	(a) have been developed with proper due process, public oversight and transparency ;	(a) have been developed with proper due process, public oversight and transparency;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3, first paragraph, point (12), amending provision, numbered paragraph (2), first paragraph(b)			
G	387	(b) contribute a high level of credibility and quality to the annual or consolidated sustainability reporting;	(b) contribute a high level of credibility and quality to the annual or consolidated sustainability reporting;	(b) contribute a high level of credibility and quality to the annual or consolidated sustainability reporting;
	Article 3, first paragraph, point (12), amending provision, numbered paragraph (2), first paragraph(c)			
G	388	(c) are conducive to the Union public good.'	(c) are conducive to the Union public good.'	(c) are conducive to the Union public good.'
	Article 3, first paragraph, point (12), amending provision, numbered paragraph (2), first paragraph(ca)			
Y	388a		(d) do not amend any of the requirements of this Directive or supplement any of its requirements apart from those set out in Articles 25b, 27a and 28a.	
	Article 3, first paragraph, point (12), amending provision, numbered paragraph (3)			
Y	389	3. <u>3.</u> Where the Commission adopts standards for reasonable assurance, <u>following a positive outcome of the review mechanism referred to in Article 5a,</u> the opinion	3. ~~Where the Commission adopts standards for reasonable assurance,~~ the opinion referred to in Article 34(1), second subparagraph, point (aa) of Directive 2013/34/EU shall	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	be based on a reasonable assurance engagement.’;	referred to in Article 34(1), second subparagraph, point (aa) of Directive 2013/34/EU shall be based on a reasonable assurance engagement <u>for the financial years following the adoption application of the delegated act referred to in paragraph 2.</u> ’;	be based on a reasonable assurance engagement.’;	
Article 3, first paragraph, point (13), introductory part				
G	390	(13) the following Article 27a is inserted:	(13) the following Article 27a is inserted:	(13) the following Article 27a is inserted:
Article 3, first paragraph, point (13), amending provision, first paragraph				
G	391	Article 27a	Article 27a	Article 27a
Article 3, first paragraph, point (13), amending provision, second paragraph				
G	392	Assurance of consolidated sustainability reporting	Assurance of consolidated sustainability reporting	Assurance of consolidated sustainability reporting
Article 3, first paragraph, point (13), amending provision, third paragraph				
Y	393	The requirements of Article 27 as regards the audit of consolidated financial statements shall apply mutatis mutandis to the assurance of	~~The requirements of Article 27 as regards the audit of consolidated financial statements shall apply mutatis mutandis to the assurance of~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	consolidated sustainability reporting.;	consolidated sustainability reporting.;	consolidated sustainability reporting.;	
			Deleted and replaced by the following paragraphs as per rows 393a to 393l.	
	Article 3, first paragraph, point (13), amending provision, third paragraph a			
Y	393a		1. Member States shall ensure that in the case of an assurance engagement of consolidated sustainability reporting of a group of undertakings:	EP: To be aligned with decision on L 407.
	Article 3, first paragraph, point (13), amending provision, third paragraph b			
Y	393b		(a) in relation to the consolidated sustainability reporting, the group auditor bears the full responsibility for the assurance report referred to in Article 28a of this Directive;	
	Article 3, first paragraph, point (13), amending provision, third paragraph c			
Y	393c		(b) the group auditor evaluates the assurance work performed by any independent assurance services provider(s) or third-country auditor(s) or statutory auditor(s) or third-country audit entity(ies), or audit firm(s) for the purpose of assurance engagement of consolidated sustainability	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			reporting and documents the nature, timing and extent of the work performed by those auditors, including, where applicable, the group auditor's review of relevant parts of those auditors' assurance documentation;	
	Article 3, first paragraph, point (13), amending provision, third paragraph d			
Y	393d		(c) the group auditor reviews the assurance work performed by independent assurance services provider(s), third-country auditor(s) or statutory auditor(s) and third-country audit entity(ies) or audit firm(s) for the purpose of the assurance engagement of consolidated sustainability reporting and documents it.	Y
	Article 3, first paragraph, point (13), amending provision, third paragraph e			
Y	393e		The documentation retained by the group auditor shall be such as to enable the relevant competent authority to review the work of the group auditor.	EP: To be aligned with decision on L 407. Y
	Article 3, first paragraph, point (13), amending provision, third paragraph c			
Y	393f		For the purposes of point (c) of the first subparagraph of this	Y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			paragraph, the group auditor shall request the agreement of the independent assurance services provider(s), third-country auditor(s), statutory auditor(s), third-country audit entity(ies) or audit firm(s) concerned to the transfer of relevant documentation during the conduct of the assurance engagement of consolidated sustainability reporting, as a condition of the reliance by the group auditor on the work of those independent assurance services provider(s), third-country auditor(s), statutory auditor(s), third-country audit entity(ies) or audit firm(s).	
	Article 3, first paragraph, point (13), amending provision, third paragraph d			
Y	393g		2. Where the group auditor is unable to comply with point (c) of the first subparagraph of paragraph 1, he, she or it shall take appropriate measures and inform the relevant competent authority.	EP: To be aligned with decision on L 407.
	Article 3, first paragraph, point (13), amending provision, third paragraph d			
Y	393h		Such measures shall, as appropriate, include carrying out additional assurance work, either	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			directly or by outsourcing such tasks, in the relevant subsidiary.	
	Article 3, first paragraph, point (13), amending provision, third paragraph e			
393i			3. Where the group auditor is subject to a quality assurance review or an investigation concerning the assurance engagement of consolidated sustainability reporting of a group of undertakings, the group auditor shall, when requested, make available to the competent authority the relevant documentation he, she or it retains concerning the assurance work performed by the respective independent assurance services provider(s), third-country auditor(s), statutory auditor(s), third-country audit entity(ies) or audit firm(s) for the purpose of the assurance engagement of consolidated sustainability reporting, including any working papers relevant to the assurance engagement of consolidated sustainability reporting.	EP: To be aligned with decision on L 407.
	Article 3, first paragraph, point (13), amending provision, third paragraph e			
393j			The competent authority may request additional documentation	EP: To be aligned with decision on L

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			on the assurance work performed by any statutory auditor(s) or audit firm(s) for the purpose of the assurance engagement of consolidated sustainability reporting from the relevant competent authorities pursuant to Article 36.	407.
Article 3, first paragraph, point (13), amending provision, third paragraph f				
y 393k			Where the assurance of sustainability reporting of a parent undertaking or a subsidiary undertaking of a group of undertakings is carried out by an auditor or auditor(s) or an audit entity(ies) from a third country, the competent authority may request additional documentation on the assurance work performed by any third-country auditor(s) or third country audit entity(ies) from the relevant competent authorities from third countries through the working arrangement.	
Article 3, first paragraph, point (13), amending provision, third paragraph g				
y 393l			By way of derogation from the third subparagraph, where an independent assurance services provider, an auditor or auditors or	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			an audit entity or entities from a third country that have no working arrangements, carried out the assurance of sustainability reporting of a parent undertaking or a subsidiary undertaking of a group of undertakings, the group auditor shall, when requested, also be responsible for ensuring proper delivery of the additional documentation of the assurance work performed by such independent assurance services provider(s), third-country auditor(s) or audit entity(ies), including the working papers relevant to the assurance engagement of consolidated sustainability reporting. In order to ensure such delivery, the group auditor shall retain a copy of such documentation, or alternatively agree with the independent assurance services provider(s), third-country auditor(s) or audit entity(ies) that he, she or it is to be given unrestricted access to such documentation upon request, or take any other appropriate action. Where assurance working papers cannot, for legal or other reasons, be passed from a third country to the group auditor, the documentation retained by the group auditor shall include evidence that he or she has	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			undertaken the appropriate procedures in order to gain access to the audit documentation, and in the case of impediments other than legal ones arising from the legislation of the third country concerned, evidence supporting the existence of such impediments.’;	
	Article 3, first paragraph, point (14), introductory part			
394	(14) Article 28 is amended as follows:	(14) Article 28 is amended as follows:	(14) In Article 28, paragraph 2, point (e) is replaced by the following is amended as follows: Article 28 remains broadly the same and has been modified only as regards paragraph 2 point (e) as per row 403. The assurance reports on sustainability reporting are addressed by a new Article 28a (see rows 409a to 409m).	
	Article 3, first paragraph, point (14)(a), introductory part			
395	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	~~(a) paragraph 1 is replaced by the following:~~	
	Article 3, first paragraph, point (14)(a), amending provision, numbered paragraph (1)			
396	1. The statutory auditor(s) or the audit firm(s) shall present the results	1. The statutory auditor(s) or the audit firm(s) shall present the results	~~1. The statutory auditor(s) or the audit firm(s) shall present the results~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of the statutory audit and, where applicable, of the assurance of sustainability reporting in an audit report. The report shall be prepared in accordance with the requirements of auditing standards adopted by the Union or Member State concerned, as referred to in Article 26 and with the requirements of assurance standards adopted by the Commission or Member State concerned, as referred to in Article 26a.;	of the statutory audit and, where applicable, of the assurance of sustainability reporting in an audit report. The report shall be prepared in accordance with the requirements of auditing standards adopted by the Union or Member State concerned, as referred to in Article 26 and with the requirements of assurance standards adopted by the Commission or Member State concerned, as referred to in Article 26a.;	~~of the statutory audit and, where applicable, of the assurance of sustainability reporting in an audit report. The report shall be prepared in accordance with the requirements of auditing standards adopted by the Union or Member State concerned, as referred to in Article 26 and with the requirements of assurance standards adopted by the Commission or Member State concerned, as referred to in Article 26a.;~~	
Article 3, first paragraph, point (14)(b), introductory part				
397	(b) paragraph 2 is amended as follows:	(b) paragraph 2 is amended as follows:	~~(b) paragraph 2 is amended as follows:~~	
Article 3, first paragraph, point (14)(b)(i), introductory part				
398	(i) the following point (aa) is inserted:	(i) the following point (aa) is inserted:	~~(i) the following point (aa) is inserted:~~	
Article 3, first paragraph, point (14)(b)(i), amending provision, first paragraph				
399	(aa) specify the annual or consolidated sustainability reporting and the date and period they cover; and identify the sustainability reporting framework that has been	(aa) specify the annual or consolidated sustainability reporting and the date and period they cover; and identify the sustainability reporting framework that has been	~~(aa) specify the annual or consolidated sustainability reporting and the date and period they cover; and identify the sustainability reporting framework that has been~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	applied in their preparation;;	applied in their preparation;;	applied in their preparation;;	
	Article 3, first paragraph, point (14)(b)(ii), introductory part			
400	(ii) the following point (bb) is inserted:	(ii) the following point (bb) is inserted:	~~(ii) the following point (bb) is inserted:~~	
	Article 3, first paragraph, point (14)(b)(ii), amending provision, first paragraph			
401	(bb) include a description of the scope of the assurance of sustainability reporting which shall, as a minimum, identify the assurance standards in accordance with which the assurance of sustainability reporting was conducted;;	(bb) include a description of the scope of the assurance of sustainability reporting which shall, as a minimum, identify the assurance standards in accordance with which the assurance of sustainability reporting was conducted;;	~~(bb) include a description of the scope of the assurance of sustainability reporting which shall, as a minimum, identify the assurance standards in accordance with which the assurance of sustainability reporting was conducted;;~~	
	Article 3, first paragraph, point (14)(c), introductory part			
402	(c) in paragraph 2, point (e) is replaced by the following:	(c) in paragraph 2, point (e) is replaced by the following:	~~(e) in paragraph 2, point (e) is replaced by the following:~~	
	Article 3, first paragraph, point (14)(c), amending provision, first paragraph			
403	(e) include the opinions and statement, which shall be based on the work undertaken in the course of the audit, referred to in the second	(e) include the opinions and statement, which shall be based on the work undertaken in the course of the audit, referred to in the second	~~(e) include the opinions~~ an opinion and statement, both of which shall be based on the work undertaken in the course of the audit, referred to in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	subparagraph of Article 34(1) of Directive 2013/34/EU, where applicable;;	subparagraph of Article 34(1) of Directive 2013/34/EU, where applicable;;	~~the Article 34(1), second subparagraph, points (a) and (b) of Article 34(1) of Directive 2013/34/EU, where applicable;;~~	
	Article 3, first paragraph, point (14)(d), introductory part			
Y	404	(d) in paragraph 3, the following subparagraph is added:	~~(d) in paragraph 3, the following subparagraph is added:~~	Y
	Article 3, first paragraph, point (14)(d), amending provision, first paragraph			
Y	405	‘ The requirements of the first subparagraph as regards the statutory audit shall apply to the assurance of sustainability reporting.;	~~‘ The requirements of the first subparagraph as regards the statutory audit shall apply to the assurance of sustainability reporting.;~~	Y
	Article 3, first paragraph, point (14)(e), introductory part			
Y	406	(e) in paragraph 4 the first subparagraph is replaced by the following:	~~(e) in paragraph 4 the first subparagraph is replaced by the following:~~	Y
	Article 3, first paragraph, point (14)(e), amending provision, first paragraph			
R	407	‘ The audit report shall be signed and dated by the statutory auditor. Where an audit firm carries out the statutory	~~‘ The audit report shall be signed and dated by the statutory auditor. Where an audit firm carries out the statutory~~ <u>and by the statutory auditor or the audit</u>	R

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	audit and, where applicable, the assurance of sustainability reporting, the audit report shall bear the signature of at least the statutory auditor(s) carrying out the statutory audit and the assurance of sustainability reporting on behalf of the audit firm. Where more than one statutory auditor or audit firm have been simultaneously engaged, the audit report shall be signed by all statutory auditors or at least by the statutory auditors carrying out the statutory audit and the assurance of sustainability reporting on behalf of every audit firm. In exceptional circumstances Member States may provide that such signature(s) need not be disclosed to the public if such disclosure could lead to an imminent and significant threat to the personal security of any person.;	<u><i>firm carrying out the assurance of sustainability reporting.</i></u> Where an audit firm carries out the statutory audit ~~and/or~~, where applicable, the assurance of sustainability reporting, the audit report shall bear the signature of at least the statutory auditor(s) carrying out the statutory audit and the assurance of sustainability reporting on behalf of the audit firm. <u><i>The statutory auditor(s) and the audit firm(s) carrying out the assurance of sustainability reporting cannot belong to the same audit firm nor be a member of the same network.</i></u> Where more than one statutory auditor or audit firm have been simultaneously engaged, the audit report shall be signed by all statutory auditors or at least by the statutory auditors carrying out the statutory audit and the assurance of sustainability reporting on behalf of every audit firm. In exceptional circumstances Member States may provide that such signature(s) need not be disclosed to the public if such disclosure could lead to an imminent and significant threat to the personal security of any person.;	~~audit and, where applicable, the assurance of sustainability reporting, the audit report shall bear the signature of at least the statutory auditor(s) carrying out the statutory audit and the assurance of sustainability reporting on behalf of the audit firm. Where more than one statutory auditor or audit firm have been simultaneously engaged, the audit report shall be signed by all statutory auditors or at least by the statutory auditors carrying out the statutory audit and the assurance of sustainability reporting on behalf of every audit firm. In exceptional circumstances Member States may provide that such signature(s) need not be disclosed to the public if such disclosure could lead to an imminent and significant threat to the personal security of any person.;~~	
Article 3, first paragraph, point (14)(f), introductory part				
408				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(f) paragraph 5 is replaced by the following:	(f) paragraph 5 is replaced by the following:	(f) paragraph 5 is replaced by the following:	
Article 3, first paragraph, point (14)(f), amending provision, numbered paragraph (5)				
409	5. The report of the statutory auditor or the audit firm on the consolidated financial statements and, where applicable, on the consolidated sustainability reporting shall comply with the requirements set out in paragraphs 1 to 4. In reporting on the consistency of the management report and the financial statements as required by paragraph 2, point (e), the statutory auditor or the audit firm shall consider the consolidated financial statements and the consolidated management report. Where the annual financial statements of the parent undertaking are attached to the consolidated financial statements, the reports of the statutory auditors or the audit firms required by this Article may be combined.	5. The report of the statutory auditor or the audit firm on the consolidated financial statements and, where applicable, on the consolidated sustainability reporting shall comply with the requirements set out in paragraphs 1 to 4. In reporting on the consistency of the management report and the financial statements as required by paragraph 2, point (e), the statutory auditor or the audit firm shall consider the consolidated financial statements and the consolidated management report. Where the annual financial statements of the parent undertaking are attached to the consolidated financial statements, the reports of the statutory auditors or the audit firms required by this Article may be combined.	5. ~~The report of the statutory auditor or the audit firm on the consolidated financial statements and, where applicable, on the consolidated sustainability reporting shall comply with the requirements set out in paragraphs 1 to 4. In reporting on the consistency of the management report and the financial statements as required by paragraph 2, point (e), the statutory auditor or the audit firm shall consider the consolidated financial statements and the consolidated management report. Where the annual financial statements of the parent undertaking are attached to the consolidated financial statements, the reports of the statutory auditors or the audit firms required by this Article may be combined.~~	
Article 3, first paragraph, point (14a), introductory part				
409a			(14a) Article 28a is added:	
Article 3, first paragraph, point (14a)(a), introductory part				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
Y	409b		Article 28a		Y
Article 3, first paragraph, point (14a)(a), amending provision, first paragraph					
Y	409c		" Assurance report on sustainability reporting		Y
Article 3, first paragraph, point (14a)(a), amending provision, second paragraph					
G	409d		1. The statutory auditor(s) or the audit firm(s) shall present the results of the assurance of sustainability reporting in an assurance report on sustainability reporting. The report shall be prepared in accordance with the requirements of assurance standards adopted by the Commission or by Member States until the Commission adopts the assurance standards referred to in Article 26a.	" 1. The statutory auditor(s) or the audit firm(s) shall present the results of the assurance of sustainability reporting in an assurance report on sustainability reporting. The report shall be prepared in accordance with the requirements of assurance standards adopted by the Commission or by Member States until the Commission adopts the assurance standards referred to in Article 26a. Text Origin: Council Mandate	G
Article 3, first paragraph, point (14a)(a), amending provision, third paragraph					
G	409e		2. The assurance report on sustainability reporting shall be in writing and shall:	2. The assurance report on sustainability reporting shall be in writing and shall:	G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Council Mandate
	Article 3, first paragraph, point (14a)(a), amending provision, fourth paragraph			
G	409f		(a) identify the entity whose annual or consolidated sustainability reporting are the subject of the assurance engagement;	(a) identify the entity whose annual or consolidated sustainability reporting are the subject of the assurance engagement; Text Origin: Council Mandate
	Article 3, first paragraph, point (14a)(a), amending provision, fifth paragraph			
G	409g		(b) specify the annual or consolidated sustainability reporting and the date and period they cover; and identify the sustainability reporting framework that has been applied in their preparation;	(b) specify the annual or consolidated sustainability reporting and the date and period they cover; and identify the sustainability reporting framework that has been applied in their preparation; Text Origin: Council Mandate
	Article 3, first paragraph, point (14a)(a), amending provision, sixth paragraph			
G	409h		(c) include a description of the scope of the assurance of sustainability reporting which shall, as a minimum, identify the assurance standards in accordance with which the assurance of sustainability reporting was conducted;	(c) include a description of the scope of the assurance of sustainability reporting which shall, as a minimum, identify the assurance standards in accordance with which the assurance of sustainability reporting was conducted;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Council Mandate
	Article 3, first paragraph, point (14a)(a), amending provision, seventh paragraph			
G 409i			(d) Include the opinion based on the work undertaken in the course of the assurance of sustainability reporting referred to in Article 34a(1), second subparagraph, point (aa) of Directive 2013/34/EU.	(d) Include the opinion based on the work undertaken in the course of the assurance of sustainability reporting referred to in Article 34a(1), second subparagraph, point (aa) of Directive 2013/34/EU. Text Origin: Council Mandate
	Article 3, first paragraph, point (14a)(a), amending provision, eighth paragraph			
G 409j			3. Where the assurance on sustainability reporting was carried out by more than one statutory auditor or audit firm, the statutory auditor(s) or the audit firm(s) shall agree on the results of the assurance engagement on sustainability reporting and submit a joint report and opinion. In the case of disagreement, each statutory auditor or audit firm shall submit his, her or its opinion in a separate paragraph of the assurance report on sustainability reporting and shall state the reason for the disagreement.	3. Where the assurance on sustainability reporting was carried out by more than one statutory auditor or audit firm, the statutory auditor(s) or the audit firm(s) shall agree on the results of the assurance engagement on sustainability reporting and submit a joint report and opinion. In the case of disagreement, each statutory auditor or audit firm shall submit his, her or its opinion in a separate paragraph of the assurance report on sustainability reporting and shall state the reason for the disagreement. "Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3, first paragraph, point (14a)(a), amending provision, ninth paragraph			
409k			4. The assurance report on sustainability reporting shall be signed and dated by the statutory auditor. Where an audit firm carries out the assurance of sustainability reporting, the assurance report on sustainability reporting shall bear the signature of at least the statutory auditor(s) carrying out the assurance of sustainability reporting on behalf of the audit firm. Where more than one statutory auditor or audit firm have been simultaneously engaged, the assurance report on sustainability reporting shall be signed by all statutory auditors or at least by the statutory auditors carrying out the assurance of sustainability reporting on behalf of every audit firm. In exceptional circumstances Member States may provide that such signature(s) need not be disclosed to the public if such disclosure could lead to an imminent and significant threat to the personal security of any person. In any event, the name(s) of the person(s) involved shall be known to the relevant competent	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
			authorities.		
	Article 3, first paragraph, point (14a)(a), amending provision, tenth paragraph				
Y	409l		5. Member States may require that, where the same statutory auditor carries out the statutory audit of annual financial statements and the assurance of sustainability reporting, the assurance report may be included as a separate section of the audit report.		Y
	Article 3, first paragraph, point (14a)(a), amending provision, eleventh paragraph				
Y	409m		6. The report of the statutory auditor or the audit firm on the consolidated sustainability reporting shall comply with the requirements set out in paragraphs 1 to 5.' "		Y
	Article 3, first paragraph, point (15), introductory part				
G	410	(15) Article 29 is amended as follows:	(15) Article 29 is amended as follows:	(15) Article 29 is amended as follows:	G
	Article 3, first paragraph, point (15)(a), introductory part				
G	411	(a) in paragraph 1, point (d) is	(a) in paragraph 1, point (d) is	(a) in paragraph 1, point (d) is	G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	replaced by the following:	replaced by the following:	replaced by the following:	replaced by the following:
Article 3, first paragraph, point (15)(a), amending provision, first paragraph				
Y	412	‘ (d) the persons who carry out quality assurance reviews shall have appropriate professional education and relevant experience in statutory audit and financial reporting and in the assurance of sustainability reporting and sustainability reporting combined with specific training on quality assurance reviews;; ’	‘ (d) the persons who carry out quality assurance reviews shall have appropriate professional education and relevant experience in statutory audit and financial reporting and, where applicable, in the assurance of sustainability reporting and sustainability reporting or other sustainability related services combined with specific training on quality assurance reviews;’; ’	
Article 3, first paragraph, point (15)(aa), introductory part				
Y	412a		(aa) in paragraph 1, point (f) is replaced by the following:	
Article 3, first paragraph, point (15)(aa), amending provision, first paragraph				
G	412b		” ‘(f) the scope of the quality assurance review, supported by adequate testing of selected audit files and, where applicable assurance files, shall include an assessment of compliance with applicable auditing standards and,	” ‘(f) the scope of the quality assurance review, supported by adequate testing of selected audit files and, where applicable assurance files, shall include an assessment of compliance with applicable auditing standards and,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			where applicable, assurance standards and independence requirements, of the quantity and quality of resources spent, of the audit fees and fees charged for the assurance of sustainability reporting charged and of the internal quality control system of the audit firm;’	where applicable, assurance standards and independence requirements, of the quantity and quality of resources spent, of the audit fees and fees charged for the assurance of sustainability reporting charged and of the internal quality control system of the audit firm;’ Text Origin: Council Mandate
Article 3, first paragraph, point (15)(b), introductory part				
413	(b) in paragraph 1, point (h) is replaced by the following:	(b) in paragraph 1, point (h) is replaced by the following:	(b) in paragraph 1, point (h) is replaced by the following:	(b) in paragraph 1, point (h) is replaced by the following:
Article 3, first paragraph, point (15)(b), amending provision, first paragraph				
414	‘ (h) quality assurance reviews shall take place on the basis of an analysis of the risk and, in the case of statutory auditors and audit firms carrying out statutory audits as defined in Article 2, point (1)(a), and, where applicable, carrying out assurance engagements of sustainability reporting, at least every six years;; ,	‘ (h) quality assurance reviews shall take place on the basis of an analysis of the risk and, in the case of statutory auditors and audit firms carrying out statutory audits as defined in Article 2, point (1)(a), and, where applicable, carrying out assurance engagements of sustainability reporting, at least every six years;; ,	‘ (h) quality assurance reviews shall take place on the basis of an analysis of the risk and, in the case of statutory auditors and audit firms carrying out statutory audits as defined in Article 2, point (1)(a), and, where applicable, carrying out assurance engagements of sustainability reporting, at least every six years;; ,	‘ (h) quality assurance reviews shall take place on the basis of an analysis of the risk and, in the case of statutory auditors and audit firms carrying out statutory audits as defined in Article 2, point (1)(a), and, where applicable, carrying out assurance engagements of sustainability reporting, at least every six years;; ,
Article 3, first paragraph, point (15)(c), introductory part				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Y	415	(c) in paragraph 2, point (a) is by the following:	(c) in paragraph 2, point (a) is replaced by the following:	
	Article 3, first paragraph, point (15)(c), amending provision, first paragraph			
Y	416	(a) reviewers shall have appropriate professional education and relevant experience in statutory audit and financial reporting and in the assurance of sustainability reporting and sustainability reporting combined with specific training on quality assurance reviews;;	(a) reviewers shall have appropriate professional education and relevant experience in statutory audit and financial reporting and, where applicable , in the assurance of sustainability reporting and sustainability reporting combined with specific training on quality assurance reviews;;	
	Article 3, first paragraph, point (15)(ca), introductory part			
Y	416a		(d) Paragraph 2a is inserted:	
	Article 3, first paragraph, point (15)(ca), amending provision, first paragraph			
G	416b		" (2a) Member States may exempt, until 31 December 2025, the persons who carry out quality assurance reviews relating to the assurance of sustainability reporting from the requirement to have relevant experience in the assurance of sustainability	" (2a) Member States may exempt, until 31 December 2025, the persons who carry out quality assurance reviews relating to the assurance of sustainability reporting from the requirement to have relevant experience in the assurance of sustainability

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			reporting and sustainability reporting or other sustainability related services. "	reporting and sustainability reporting or other sustainability related services. " Text Origin: Council Mandate
Article 3, first paragraph, point (15a), introductory part				
416c			(15a) in Article 30, paragraphs 1 and 2 are replaced by the following:	(15a) in Article 30, paragraphs 1 and 2 are replaced by the following: Text Origin: Council Mandate
Article 3, first paragraph, point (15a), amending provision, first paragraph				
416d			" 1. Member States shall ensure that there are effective systems of investigations and sanctions to detect, correct and prevent inadequate execution of the statutory audit and the assurance of sustainability reporting.	" 1. Member States shall ensure that there are effective systems of investigations and sanctions to detect, correct and prevent inadequate execution of the statutory audit and the assurance of sustainability reporting. Text Origin: Council Mandate
Article 3, first paragraph, point (15a), amending provision, second paragraph				
416e			2. Without prejudice to Member States' civil liability regimes, Member States shall provide for effective, proportionate and dissuasive sanctions in respect of	2. Without prejudice to Member States' civil liability regimes, Member States shall provide for effective, proportionate and dissuasive sanctions in respect of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			statutory auditors and audit firms, where statutory audits and assurance engagements of sustainability reporting are not carried out in conformity with the provisions adopted in the implementation of this Directive, and, where applicable, Regulation (EU) No 537/2014.	statutory auditors and audit firms, where statutory audits and assurance engagements of sustainability reporting are not carried out in conformity with the provisions adopted in the implementation of this Directive, and, where applicable, Regulation (EU) No 537/2014. Text Origin: Council Mandate
	Article 3, first paragraph, point (15a), amending provision, third paragraph			
416f			Member States may decide not to lay down rules for administrative sanctions for infringements which are already subject to national criminal law. In that event, they shall communicate to the Commission the relevant criminal law provisions.'	Member States may decide not to lay down rules for administrative sanctions for infringements which are already subject to national criminal law. In that event, they shall communicate to the Commission the relevant criminal law provisions.'
	Article 3, first paragraph, point (15b), introductory part			
416g			(15aa) in Article 30a, paragraph 1, point (cc) is inserted:	(15aa) in Article 30a, paragraph 1, point (cc) is inserted: Text Origin: Council Mandate
	Article 3, first paragraph, point (15b), amending provision, first paragraph			
416h				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			" (cc) a temporary prohibition, of up to three years' duration, banning the statutory auditor, the audit firm or the key sustainability partner from carrying out the assurance of sustainability reporting and/or signing assurance reports.' " Text Origin: Council Mandate	" (cc) a temporary prohibition, of up to three years' duration, banning the statutory auditor, the audit firm or the key sustainability partner from carrying out the assurance of sustainability reporting and/or signing assurance reports.' " Text Origin: Council Mandate
Article 3, first paragraph, point (15c), introductory part				
G	416i		(15b) in Article 30a, paragraph 1, point (dd) is inserted: Text Origin: Council Mandate	(15b) in Article 30a, paragraph 1, point (dd) is inserted: Text Origin: Council Mandate
Article 3, first paragraph, point (15c), amending provision, first paragraph				
G	416j		" (dd) a declaration that the assurance report does not meet the requirements of Article 28a of this Directive;' " Text Origin: Council Mandate	" (dd) a declaration that the assurance report does not meet the requirements of Article 28a of this Directive;' " Text Origin: Council Mandate
Article 3, first paragraph, point (16), introductory part				
Y	417	(16) the following Article 30(g) is inserted:	~~(16) the following Article 30(g) is inserted:~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3, first paragraph, point (16), amending provision, first paragraph			
Y	418 Article 30g	Article 30g	Article 30g	Y
	Article 3, first paragraph, point (16), amending provision, second paragraph			
Y	419 Investigations and Sanctions as regards the Assurance of Sustainability Reporting	Investigations and Sanctions as regards the Assurance of Sustainability Reporting	Investigations and Sanctions as regards the Assurance of Sustainability Reporting	Y
	Article 3, first paragraph, point (16), amending provision, third paragraph			
Y	420 The requirements of Articles 30 to 30f as regards the statutory audit of financial statements shall apply to the assurance of sustainability reporting.;	The requirements of Articles 30 to 30f as regards the statutory audit of financial statements shall apply to the assurance of sustainability reporting.;	~~The requirements of Articles 30 to 30f as regards the statutory audit of financial statements shall apply to the assurance of sustainability reporting.;~~	Y
	Article 3, first paragraph, point (16a), introductory part			
G	420a		(16a) Article 32 is amendment as follows:	G (16a) Article 32 is amendment as follows: Text Origin: Council Mandate
	Article 3, first paragraph, point (16a), amending provision, first paragraph			
Y	420b		" (a) in paragraph 3, subparagraph	Y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			1 is replaced by the following:	
	Article 3, first paragraph, point (16a), amending provision, second paragraph			
G	420c		3. The competent authority shall be governed by non-practitioners who are knowledgeable in the areas relevant to statutory audit, and where applicable, to the assurance of sustainability reporting. They shall be selected in accordance with an independent and transparent nomination procedure.'	" 3. The competent authority shall be governed by non-practitioners who are knowledgeable in the areas relevant to statutory audit, and where applicable, to the assurance of sustainability reporting. They shall be selected in accordance with an independent and transparent nomination procedure.' Text Origin: Council Mandate
	Article 3, first paragraph, point (16a), amending provision, third paragraph			
Y	420d		(b) paragraph 4, point b is replaced by the following:	
	Article 3, first paragraph, point (16a), amending provision, fourth paragraph			
G	420e		(b) the adoption of standards on professional ethics, internal quality control of audit firms, auditing and the assurance of sustainability reporting, except where those standards are adopted or approved by other Member State authorities;' "	(b) the adoption of standards on professional ethics, internal quality control of audit firms, auditing and the assurance of sustainability reporting, except where those standards are adopted or approved by other Member State authorities;' "

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Council Mandate
	Article 3, first paragraph, point (17), introductory part			
Y	421	(17) the following Article 36(a) is inserted:	(17) the following Article 36(a) is inserted:	Y
	Article 3, first paragraph, point (17), amending provision, first paragraph			
Y	422	Article 36a	Article 36a	Y
	Article 3, first paragraph, point (17), amending provision, second paragraph			
Y	423	Public Oversight and Regulatory Arrangements between Member States as regards the assurance of sustainability reporting	Public Oversight and Regulatory Arrangements between Member States as regards the assurance of sustainability reporting	Y
	Article 3, first paragraph, point (17), amending provision, third paragraph			
Y	424	The requirements of Articles 32, 33, 34 and 36 as regards the statutory audit of financial statements shall apply <i>mutatis mutandis</i> to the assurance of sustainability reporting.;	The requirements of Articles 32, 33, 34 and 36 as regards the statutory audit of financial statements shall apply <i>mutatis mutandis</i> to the assurance of sustainability reporting.;	Y
	Article 3, first paragraph, point (17a), introductory part			
Y	424a			Y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(17a) In Article 37, paragraph 1, the second subparagraph is inserted: Modifications introduced in relation to the deletion of Article 38a (see row below).	
	Article 3, first paragraph, point (17a), amending provision, first paragraph			
G	424b		" ‘The provisions of the first subparagraph shall apply to the appointment of the statutory auditor or audit firm for the purpose of the assurance of sustainability reporting.’ "	" ‘The provisions of the first subparagraph shall apply to the appointment of the statutory auditor or audit firm for the purpose of the assurance of sustainability reporting.’ " Text Origin: Council Mandate
	Article 3, first paragraph, point (17b), introductory part			
Y	424c		(17b) In Article 37, paragraph 2, the second subparagraph is inserted:	
	Article 3, first paragraph, point (17b), amending provision, first paragraph			
G	424d		" ‘The provisions of the first subparagraph shall apply to the appointment of the statutory auditor or audit firm for the	" ‘The provisions of the first subparagraph shall apply to the appointment of the statutory auditor or audit firm for the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			purpose of the assurance of sustainability reporting.' "	purpose of the assurance of sustainability reporting.' " Text Origin: Council Mandate
	Article 3, first paragraph, point (17c), introductory part			
Y	424e		(18a) in Article 37, paragraph 3 is replaced by the following:	
	Article 3, first paragraph, point (17c), amending provision, first paragraph			
G	424f		" ‘3. Any contractual clause restricting the choice by the general meeting of shareholders or members of the audited entity pursuant to paragraph 1 to certain categories or lists of statutory auditors or audit firms as regards the appointment of a particular statutory auditor or audit firm to carry out the statutory audit and, where applicable, the assurance of sustainability reporting of that entity shall be prohibited. Any such existing clauses shall be null and void.’ "	" ‘3. Any contractual clause restricting the choice by the general meeting of shareholders or members of the audited entity pursuant to paragraph 1 to certain categories or lists of statutory auditors or audit firms as regards the appointment of a particular statutory auditor or audit firm to carry out the statutory audit and, where applicable, the assurance of sustainability reporting of that entity shall be prohibited. Any such existing clauses shall be null and void.’ " Text Origin: Council Mandate
	Article 3, first paragraph, point (18), introductory part			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
G	425	(18) the following Article 38a is inserted:	(18) the following Article 38a is inserted: Article 38a has been deleted as the Council has modified Articles 37 (see rows 424a to 424f) and 38 (see rows 428a to 428c) instead.	
	Article 3, first paragraph, point (18), amending provision, first paragraph			
Y	426	Article 38a	Article 38a	
	Article 3, first paragraph, point (18), amending provision, second paragraph			
Y	427	Appointment and dismissal as regards the assurance of sustainability reporting	Appointment and dismissal as regards the assurance of sustainability reporting	
	Article 3, first paragraph, point (18), amending provision, third paragraph			
Y	428	The requirements of Articles 37 and 38 as regards the statutory audit of financial statements shall apply to the assurance of sustainability reporting.;	The requirements of Articles 37 and 38 as regards the statutory audit of financial statements shall apply to the assurance of sustainability reporting.;	
	Article 3, first paragraph, point (18a), introductory part			
G	428a		(18b) in Article 38, paragraph 1 is replaced by the following:	(18b) in Article 38, paragraph 1 is replaced by the following:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Council Mandate
	Article 3, first paragraph, point (18a), amending provision, first paragraph			
G 428b			" 1. Member States shall ensure that statutory auditors or audit firms may be dismissed only where there are proper grounds. Divergence of opinions on accounting treatments, audit procedures or where applicable on sustainability reporting or assurance procedures shall not be proper grounds for dismissal.' "	" 1. Member States shall ensure that statutory auditors or audit firms may be dismissed only where there are proper grounds. Divergence of opinions on accounting treatments, audit procedures or where applicable on sustainability reporting or assurance procedures shall not be proper grounds for dismissal.' " Text Origin: Council Mandate
	Article 3, first paragraph, point (18b)			
G 428c			(18c) In Article 38, paragraph 2, the second subparagraph is inserted:	(18c) In Article 38, paragraph 2, the second subparagraph is inserted: Text Origin: Council Mandate
	Article 3, first paragraph, point (18c)			
G 428d			'The information obligation referred to in the first subparagraph shall also apply to the assurance engagement of sustainability reporting.'	'The information obligation referred to in the first subparagraph shall also apply to the assurance engagement of sustainability reporting.'

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Council Mandate
	Article 3, first paragraph, point (18d)			
Y	428e			(18d) In Article 38, paragraph 3, a third subparagraph is inserted: 'Subparagraphs 1 and 2 shall also apply to the assurance engagement of sustainability reporting.'
	Article 3, first paragraph, point (18d), introductory part			
Y	428f		(19) Article 39 is amended as follows:	(19) Article 39 is amended as follows: Text Origin: Council Mandate
	Article 3, first paragraph, point (18d), amending provision, first paragraph			
Y	428g		" (a) Paragraph 4a is added:	" (a) a paragraph 4a is added: Text Origin: Council Mandate
	Article 3, first paragraph, point (18d), amending provision, second paragraph			
G	428h		4a. Member States may allow the functions assigned to the audit committee relating to sustainability reporting and the assurance of sustainability reporting to be performed by the administrative or supervisory	4a. Member States may allow the functions assigned to the audit committee relating to sustainability reporting and the assurance of sustainability reporting to be performed by the administrative or supervisory

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			body as a whole or by a dedicated body established by the administrative or supervisory body.	body as a whole or by a dedicated body established by the administrative or supervisory body. Text Origin: Council Mandate
Article 3, first paragraph, point (19), introductory part				
429	(19) in Article 39(6), points (a) to (e) are replaced by the following:	(19) in Article 39(6), points (a) to (e) are replaced by the following:	~~(19)(b) in Article 39(6)~~ , points (a) to (e) are replaced by the following:	~~(19)(b) in Article 39(6)~~ paragraph 6 , points (a) to (e) are replaced by the following: Text Origin: Council Mandate
Article 3, first paragraph, point (19), amending provision, first paragraph				
430	(a) inform the administrative or supervisory body of the audited entity of the outcome of the statutory audit and of the outcome of the assurance of sustainability reporting and explain how the statutory audit and the assurance of sustainability reporting contributed to the integrity of financial and sustainability reporting and what the role of the audit committee was in that process;	(a) <u>(a)</u> inform the administrative or supervisory body of the audited entity of the outcome of the statutory audit and of the outcome of the assurance of sustainability reporting and explain how the statutory audit and the assurance of sustainability reporting contributed to the integrity of financial and sustainability reporting and what the role of the audit committee <u>and any other committee that undertook an equivalent role</u> was in that process;	(a) inform the administrative or supervisory body of the audited entity of the outcome of the statutory audit and, where applicable , of the outcome of the assurance of sustainability reporting and explain how the statutory audit and the assurance of sustainability reporting contributed to the integrity of financial and sustainability reporting respectively , and what the role of the audit committee was in that process;	(a) inform the administrative or supervisory body of the audited entity of the outcome of the statutory audit and, where applicable , of the outcome of the assurance of sustainability reporting and explain how the statutory audit and the assurance of sustainability reporting contributed to the integrity of financial and sustainability reporting respectively , and what the role of the audit committee was in that process; Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3, first paragraph, point (19), amending provision, second paragraph			
y	431 (b) monitor the financial and sustainability reporting process, including the digital reporting process referred to in Article 19d and the process carried out by the undertaking to identify the information reported according to the standards adopted pursuant to Article 19b of Directive 2013/34/EU, and submit recommendations or proposals to ensure its integrity;	(b) monitor the financial and sustainability reporting process, including the digital reporting process referred to in Article 19d and the process carried out by the undertaking to identify the information reported according to the standards adopted pursuant to Article 19b of Directive 2013/34/EU, and submit recommendations or proposals to ensure its integrity;	(b) monitor the financial and, where applicable , sustainability reporting process, including the digital reporting process referred to in Article ~~19d~~ 29d of Directive 2013/34/EU and the process carried out by the undertaking to identify the information reported according to the standards adopted pursuant to Article ~~19b~~ 29b of Directive 2013/34/EU, and submit recommendations or proposals to ensure its integrity;	y
	Article 3, first paragraph, point (19), amending provision, third paragraph			
y	432 (c) monitor the effectiveness of the undertaking's internal quality control and risk management systems and, where applicable, its internal audit, regarding the financial and sustainability reporting of the audited entity, including its digital reporting as referred to in Article 19d, without breaching its independence;'	(c) monitor the effectiveness of the undertaking's internal quality control and risk management systems and, where applicable, its internal audit, regarding the financial and sustainability reporting of the audited entity, including its digital reporting as referred to in Article 19d, without breaching its independence;'	(c) monitor the effectiveness of the undertaking's internal quality control and risk management systems and, where applicable, its internal audit, regarding the financial and, where applicable , sustainability reporting of the audited entity, including its digital reporting as referred to in Article ~~19d~~ 29d of Directive 2013/34/EU , without breaching its independence;'	y
	Article 3, first paragraph, point (19), amending provision, fourth paragraph			
y	433 (d) monitor the statutory audit of the annual and consolidated financial	(d) monitor the statutory audit of the annual and consolidated financial	(d) monitor the statutory audit of the annual and consolidated financial	y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	statements and the assurance of the annual and consolidated sustainability reporting, in particular, its performance, taking into account any findings and conclusions by the competent authority pursuant to Article 26(6) of Regulation (EU) No 537/2014;	statements and the assurance of the annual and consolidated sustainability reporting, in particular, its performance, taking into account any findings and conclusions by the competent authority pursuant to Article 26(6) of Regulation (EU) No 537/2014;	statements and, where applicable , the assurance of the annual and consolidated sustainability reporting, in particular, its performance, taking into account any findings and conclusions by the competent authority pursuant to Article 26(6) of Regulation (EU) No 537/2014;	
Article 3, first paragraph, point (19), amending provision, fifth paragraph				
434	(e) review and monitor the independence of the statutory auditors or the audit firms in accordance with Articles 22, 22a, 22b, 24a, 24b and 25b of this Directive and Article 6 of Regulation (EU) No 537/2014, and in particular the appropriateness of the provision of non-audit services to the audited entity in accordance with Article 5 of that Regulation;'	(e) review and monitor the independence of the statutory auditors or the audit firms in accordance with Articles 22, 22a, 22b, 24a, 24b and 25b of this Directive and Article 6 of Regulation (EU) No 537/2014, and in particular the appropriateness of the provision of non-audit services to the audited entity in accordance with Article 5 of that Regulation;'	(e) review and monitor the independence of the statutory auditors or the audit firms in accordance with Articles 22, 22a, 22b, 24a, 24b and 25b, 25c and 25d of this Directive and with Article 6 of Regulation (EU) No 537/2014, and in particular the appropriateness of the provision of non-audit services to the audited entity in accordance with Article 5 of that Regulation;'	
Article 3, first paragraph, point (20), introductory part				
435	(20) Article 45 is amended as follows:	(20) Article 45 is amended as follows:	(20) Article 45 is amended as follows:	(20) Article 45 is amended as follows: Text Origin: Council Mandate
Article 3, first paragraph, point (20)(a), introductory part				
436				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:
Article 3, first paragraph, point (20)(a), amending provision, numbered paragraph (1), introductory part				
437	‘ 1. The competent authorities of a Member State shall, in accordance with Articles 15, 16 and 17, register every third-country auditor and audit entity, where that third-country auditor or audit entity provides an audit report concerning the annual or consolidated financial statements and, where applicable, concerning annual or consolidated sustainability reporting of an undertaking incorporated outside the Union whose transferable securities are admitted to trading on a regulated market of that Member State within the meaning of Article 4(1), point (14), of Directive 2004/39/EC, except where the undertaking in question exclusively issues outstanding debt securities for which one of the following applies:	‘ 1. The competent authorities of a Member State shall, in accordance with Articles 15, 16 and 17, register every third-country auditor and audit entity, where that third-country auditor or audit entity provides an audit report concerning the annual or consolidated financial statements and, where applicable, concerning annual or consolidated sustainability reporting of an undertaking incorporated outside the Union whose transferable securities are admitted to trading on a regulated market of that Member State within the meaning of Article 4(1), point (14), of Directive 2004/39/EC, except where the undertaking in question exclusively issues outstanding debt securities for which one of the following applies:	‘ 1. The competent authorities of a Member State shall, in accordance with Articles 15, 16 and 17, register every third-country auditor and audit entity, where that third-country auditor or audit entity provides an audit report concerning the annual or consolidated financial statements, or ~~and~~, where applicable, an assurance report concerning annual or consolidated sustainability reporting of an undertaking incorporated outside the Union whose transferable securities are admitted to trading on a regulated market of that Member State within the meaning of Article 4(1), point (14), of Directive 2004/39/EC, except where the undertaking in question exclusively issues outstanding debt securities for which one of the following applies:	
Article 3, first paragraph, point (20)(a), amending provision, numbered paragraph (1)(a)				
438	(a) those securities have been admitted to trading on a regulated	(a) those securities have been admitted to trading on a regulated	(a) those securities have been admitted to trading on a regulated	‘ (a) those securities have been

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	market in a Member State within the meaning of Article 2(1), point (c), of Directive 2004/109/EC of the European Parliament and of the Council* ¹⁹ prior to 31 December 2010 and the denomination per unit of which is, at the date of issue, at least EUR 50 000 or, in the case of debt securities denominated in another currency, equivalent, at the date of issue, to at least EUR 50 000;	market in a Member State within the meaning of Article 2(1), point (c), of Directive 2004/109/EC of the European Parliament and of the Council* ¹⁹ prior to 31 December 2010 and the denomination per unit of which is, at the date of issue, at least EUR 50 000 or, in the case of debt securities denominated in another currency, equivalent, at the date of issue, to at least EUR 50 000;	market in a Member State within the meaning of Article 2(1), point (c), of Directive 2004/109/EC of the European Parliament and of the Council* ¹⁹¹ prior to 31 December 2010 and the denomination per unit of which is, at the date of issue, at least EUR 50 000 or, in the case of debt securities denominated in another currency, equivalent, at the date of issue, to at least EUR 50 000; 1. [1] Directive 2004/109/EC of the European Parliament and of the Council of 15 December 2004 on the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market and amending Directive 2001/34/EC (OJ L 390, 31.12.2004, p. 38).’;	admitted to trading on a regulated market in a Member State within the meaning of Article 2(1), point (c), of Directive 2004/109/EC of the European Parliament and of the Council* ¹⁹ prior to 31 December 2010 and the denomination per unit of which is, at the date of issue, at least EUR 50 000 or, in the case of debt securities denominated in another currency, equivalent, at the date of issue, to at least EUR 50 000; Same text. Check footnote number.
Article 3, first paragraph, point (20)(a), amending provision, numbered paragraph (1)(b)				
439	(b) those securities are admitted to trading on a regulated market in a Member State within the meaning of Article 2(1), point (c), of Directive 2004/109/EC from 31 December 2010 and the denomination per unit of which is, at the date of issue, at least EUR 100 000 or, in case of debt securities denominated in another currency, equivalent, at the date of issue, to at least EUR 100 000.;	(b) those securities are admitted to trading on a regulated market in a Member State within the meaning of Article 2(1), point (c), of Directive 2004/109/EC from 31 December 2010 and the denomination per unit of which is, at the date of issue, at least EUR 100 000 or, in case of debt securities denominated in another currency, equivalent, at the date of issue, to at least EUR 100 000.;	(b) those securities are admitted to trading on a regulated market in a Member State within the meaning of Article 2(1), point (c), of Directive 2004/109/EC from 31 December 2010 and the denomination per unit of which is, at the date of issue, at least EUR 100 000 or, in case of debt securities denominated in another currency, equivalent, at the date of issue, to at least EUR 100 000.’;	(b) those securities are admitted to trading on a regulated market in a Member State within the meaning of Article 2(1), point (c), of Directive 2004/109/EC from 31 December 2010 and the denomination per unit of which is, at the date of issue, at least EUR 100 000 or, in case of debt securities denominated in another currency, equivalent, at the date of issue, to at least EUR 100 000.;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3, first paragraph, point (20)(aa), introductory part			
Y	439a		(aa) paragraph 4 is replaced by the following:	Y
	Article 3, first paragraph, point (20)(aa), amending provision, first paragraph			
Y	439b		" 4. Without prejudice to Article 46, audit reports concerning annual accounts or consolidated accounts or, where applicable, the assurance reports concerning annual or consolidated sustainability reporting referred to in paragraph 1 of this Article issued by third-country auditors or audit entities that are not registered in the Member State shall have no legal effect in that Member State. "	Y
	Article 3, first paragraph, point (20)(b), introductory part			
Y	440	(b) in paragraph 5, the following point (dd) is inserted:	(b) ~~in paragraph 5, the following point (dd) is inserted~~ is replaced by the following:	Y
	Article 3, first paragraph, point (20)(b), amending provision, first paragraph			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Y	441	(dd) the assurance of the annual or consolidated sustainability reporting referred to in paragraph 1 are carried out in accordance with assurance standards as referred to in Article 26a, as well as the requirements laid down in Articles 22, 22b, 25 and 25b;;	(dd) ~~the assurance of the annual or consolidated sustainability reporting referred to in paragraph 1 are carried out in accordance with assurance standards as referred to in Article 26a, as well as the requirements laid down in Articles 22, 22b, 25 and 25b;;~~	
	Article 3, first paragraph, point (20)(b), amending provision, first paragraph a			
Y	441a		5. A Member State may register a third-country audit entity for the purpose of the audit of financial statements only if:	
	Article 3, first paragraph, point (20)(b), amending provision, first paragraph b			
Y	441b		(a) the majority of the members of the administrative or management body of the third-country audit entity meet requirements which are equivalent to those laid down in Articles 4 to 10, with the exception of Articles 7(2), 8(3), 10(1) second subparagraph;	
	Article 3, first paragraph, point (20)(b), amending provision, first paragraph c			
Y	441c			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(b) the third-country auditor carrying out the audit on behalf of the third-country audit entity meets requirements which are equivalent to those laid down in Articles 4 to 10, with the exception of Articles 7(2), 8(3), 10(1) second subparagraph;	
	Article 3, first paragraph, point (20)(b), amending provision, first paragraph d			
441d			(c) the audits of the annual or consolidated financial statements referred to in paragraph 1 are carried out in accordance with international auditing standards as referred to in Article 26, as well as the requirements laid down in Articles 22, 22b and 25, or with equivalent standards and requirements;	
	Article 3, first paragraph, point (20)(b), amending provision, first paragraph e			
441e			(d) it publishes on its website an annual transparency report which includes the information referred to in Article 13 of Regulation (EU) No 537/2014 or it complies with equivalent disclosure requirements;	
	Article 3, first paragraph, point (20)(b), amending provision, numbered paragraph			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Y	441f		" A Member State may register a third-country audit entity for the purpose of the assurance of sustainability reporting only if:	Y
Article 3, first paragraph, point (20)(b), amending provision, numbered paragraph				
Y	441g		(a) the majority of the members of the administrative or management body of the third-country audit entity meet requirements which are equivalent to those laid down in Articles 4 to 10;	Y
Article 3, first paragraph, point (20)(b), amending provision, numbered paragraph				
Y	441h		(b) the third-country auditor carrying out the audit on behalf of the third-country audit entity meets requirements which are equivalent to those laid down in Articles 4 to 10;	Y
Article 3, first paragraph, point (20)(b), amending provision, numbered paragraph				
Y	441i		(c) the assurance of the annual or consolidated sustainability reporting referred to in paragraph 1 are carried out in accordance with assurance standards as	Y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			referred to in Article 26a, as well as the requirements laid down in Articles 22, 22b, 25 and 25b, or with equivalent standards and requirements;';	
	Article 3, first paragraph, point (20)(b), amending provision, numbered paragraph			
Y	441j		(d) it publishes on its website an annual transparency report which includes the information referred to in Article 13 of Regulation (EU) No 537/2014 or it complies with equivalent disclosure requirements.	Y
	Article 3, first paragraph, point (20)(c), introductory part			
G	442	(c) paragraph 5a is replaced by the following:	(c) paragraph 5a is replaced by the following:	(c) paragraph 5a is replaced by the following:
	Article 3, first paragraph, point (20)(c), amending provision, first paragraph, introductory part			
Y	443	5a. A Member State may register a third-country auditor only if he or she meets the requirements set out in paragraph 5, points (c), (d), (dd) and (e).	5a. A Member State may register a third-country auditor only if he or she meets the requirements set out in paragraph 5, points (c), (d), (dd) and (e).	5a. A Member State may register a third-country auditor for the purpose of the audit of financial statements only if he or she meets the requirements set out in points (b), (c) and (d) of paragraph 5, first subparagraph of this Article.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			A Member State may register a third-country auditor for the purpose of the assurance for sustainability reporting only if he or she meets the requirements set out in points (c), (d), (dd) and (e)(b), (c) and (d) of paragraph 5, second subparagraph of this Article.	
Article 3, first paragraph, point (20)(c), amending provision, first paragraph, first paragraph				
444				
Article 3, first paragraph, point (20)(c), amending provision, first paragraph, foot note				
445	* ¹⁹ Directive 2004/109/EC of the European Parliament and of the Council of 15 December 2004 on the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market and amending Directive 2001/34/EC (OJ L 390, 31.12.2004, p. 38).;	* ¹⁹ Directive 2004/109/EC of the European Parliament and of the Council of 15 December 2004 on the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market and amending Directive 2001/34/EC (OJ L 390, 31.12.2004, p. 38).;		* ¹⁹ Directive 2004/109/EC of the European Parliament and of the Council of 15 December 2004 on the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market and amending Directive 2001/34/EC (OJ L 390, 31.12.2004, p. 38).;
				Same text for the footnote. See row

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				438.
	Article 3, first paragraph, point (20)(ca), introductory part			
Y	445a		(ca) paragraph 6 is replaced by the following:	Y
	Article 3, first paragraph, point (20)(ca), amending provision, first paragraph, introductory part			
Y	445b		" ‘6. In order to ensure uniform conditions of application of point (d), first subparagraph and point (d) second subparagraph of paragraph 5 of this Article, the Commission shall be empowered to decide upon the equivalence referred to therein by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2). Member States may assess the equivalence referred to in point (d) , first subparagraph and point (d), second subparagraph of paragraph 5 of this Article as long as the Commission has not taken any such decision.	Y
	Article 3, first paragraph, point (20)(ca), amending provision, first paragraph, first paragraph			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Y	445c		The Commission shall be empowered to adopt delegated acts in accordance with Article 48a for the purpose of establishing the general equivalence criteria to be used in assessing whether the audits of the financial statements and, where applicable, the assurance of sustainability reporting referred to in paragraph 1 of this Article are carried out in accordance with international auditing standards as referred to in Article 26 and with assurance standards as referred to in Article 26a, respectively, and with the requirements laid down in Articles 22, 24 and 25. Such criteria, which are applicable to all third countries, shall be used by Member States when assessing equivalence at national level.’. "	Y
Article 3, first paragraph, point (21), introductory part				
G	446	(21) Article 48a is amended as follows:	(21) Article 48a is amended as follows:	(21) Article 48a is amended as follows:
Article 3, first paragraph, point (21)(a), introductory part				
G	447	(a) in paragraph 2 the following subparagraph is added:	(a) in paragraph 2 the following subparagraph is added:	(a) in paragraph 2 the following subparagraph is added:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3, first paragraph, point (21)(a), amending provision, first paragraph			
448	‘ The power to adopt delegated acts referred to in Article 26a(2) shall be conferred on the Commission for an indeterminate period of time.; ’	‘ The power to adopt delegated acts referred to in Article 26a(2) shall be conferred on the Commission for an indeterminate period of time.; ’	‘ The power to adopt delegated acts referred to in Article 26a(2) shall be conferred on the Commission for an indeterminate period of time.; ’	‘ The power to adopt delegated acts referred to in Article 26a(2) shall be conferred on the Commission for an indeterminate period of time.; ’
	Article 3, first paragraph, point (21)(b), introductory part			
449	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following:
	Article 3, first paragraph, point (21)(b), amending provision, numbered paragraph (3)			
450	‘ 3. The delegation of power referred to in Articles 26(3), 26a(2), 45(6), 46(2) and 47(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.; ’	‘ 3. The delegation of power referred to in Articles 26(3), 26a(2), 45(6), 46(2) and 47(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.; ’	‘ 3. The delegation of power referred to in Articles 26(3), 26a(2), 45(6), 46(2) and 47(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.’; ’	‘ 3. The delegation of power referred to in Articles 26(3), 26a(2), 45(6), 46(2) and 47(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.; ’

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3, first paragraph, point (21)(c), introductory part			
451	(c) paragraph 5 is replaced by the following:	(c) paragraph 5 is replaced by the following:	(c) paragraph 5 is replaced by the following:	(c) paragraph 5 is replaced by the following:
	Article 3, first paragraph, point (21)(c), amending provision, numbered paragraph (5)			
452	5. A delegated act adopted pursuant to Articles 26(3), 26a(2), 45(6), 46(2) and 47(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of four months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	5. A delegated act adopted pursuant to Articles 26(3), 26a(2), 45(6), 46(2) and 47(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of four months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	5. A delegated act adopted pursuant to Articles 26(3), 26a(2), 45(6), 46(2) and 47(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of four months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.’.	5. A delegated act adopted pursuant to Articles 26(3), 26a(2), 45(6), 46(2) and 47(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of four months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
	Article 4			
453	Article 4 Amendments to Regulation (EU) No 537/2014	Article 4 Amendments to Regulation (EU) No 537/2014	Article 4 Amendments to Regulation (EU) No 537/2014	Article 4 Amendments to Regulation (EU) No 537/2014

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 4, first paragraph, introductory part			
G	454	Regulation (EU) No 537/2014 is amended as follows:	Regulation (EU) No 537/2014 is amended as follows:	Regulation (EU) No 537/2014 is amended as follows:
	Article 4, first paragraph, point (-1), introductory part			
Y	454a		(1-a) Article 4 paragraph 2, second subparagraph is replaced by the following:	
	Article 4, first paragraph, point (-1), amending provision, numbered paragraph			
Y	454b		" ‘For the purposes of the limits specified in the first subparagraph, assurance engagements of sustainability reporting and non-audit services, other than those referred to in Article 5(1), required by Union or national legislation, shall be excluded.’ "	
	Article 4, first paragraph, point (1), introductory part			
G	455	(1) Article 5 is amended as follows:	(1) Article 5 is amended as follows:	(1) Article 5 is amended as follows:
	Article 4, first paragraph, point (1)(a), introductory part			
G	456			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(a) paragraph 1 is amended as follows:	(a) paragraph 1 is amended as follows:	(a) paragraph 1, second subparagraph, point (c) is replaced by the following is amended as follows:	(a) paragraph 1, second subparagraph, point (c) is replaced by the following is amended as follows: Text Origin: Council Mandate
Article 4, first paragraph, point (1)(a)(-i)				
456a			‘bookkeeping and preparing accounting records and financial statements as well as preparing sustainability reporting;’	‘bookkeeping and preparing accounting records and financial statements as well as preparing sustainability reporting;’ Text Origin: Council Mandate
Article 4, first paragraph, point (1)(a)(i), introductory part				
457	(i) the first subparagraph is replaced by the following:	(i) the first subparagraph is replaced by the following:	~~(i) the first subparagraph is replaced by the following:~~	
Article 4, first paragraph, point (1)(a)(i), amending provision, numbered paragraph (1), introductory part				
458	‘ 1. A statutory auditor or an audit firm carrying out the statutory audit and, where applicable, the assurance of sustainability reporting of a public-interest entity, or any member of the network to which the statutory auditor or the audit firm belongs, shall not directly or indirectly provide to the audited entity, to its	‘ 1. A statutory auditor or an audit firm carrying out the statutory audit and, where applicable, the assurance of sustainability reporting of a public-interest entity, or any member of the network to which the statutory auditor or the audit firm belongs, shall not directly or indirectly provide to the audited entity, to its	~~1. A statutory auditor or an audit firm carrying out the statutory audit and, where applicable, the assurance of sustainability reporting of a public-interest entity, or any member of the network to which the statutory auditor or the audit firm belongs, shall not directly or indirectly provide to the audited entity, to its parent undertaking or to its~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	parent undertaking or to its controlled undertakings within the Union any prohibited non-audit services in:	parent undertaking or to its controlled undertakings within the Union any prohibited non-audit services in:	~~controlled undertakings within the Union any prohibited non-audit services in:~~	
Article 4, first paragraph, point (1)(a)(i), amending provision, numbered paragraph (1)(a)				
459	(a) the period between the beginning of the period audited and the issuing of the audit report; and	(a) the period between the beginning of the period audited and the issuing of the audit report; and	~~(a) the period between the beginning of the period audited and the issuing of the audit report; and~~	
Article 4, first paragraph, point (1)(a)(i), amending provision, numbered paragraph (1)(b)				
460	(b) the financial year immediately preceding the period referred to in point (a) in relation to the services listed in point (e) of the second subparagraph.;	(b) the financial year immediately preceding the period referred to in point (a) in relation to the services listed in point (e) of the second subparagraph.;	~~(b) the financial year immediately preceding the period referred to in point (a) in relation to the services listed in point (e) of the second subparagraph.;~~	
Article 4, first paragraph, point (1)(a)(ii), introductory part				
461	(ii) in the second subparagraph, the following point (l) is added:	(ii) in the second subparagraph, the following point (l) is added:	~~(ii) in the second subparagraph, the following point (l) is added:~~	
Article 4, first paragraph, point (1)(a)(ii), amending provision, first paragraph				
462	(l) consulting services for the preparation of sustainability	(l) consulting services for the preparation of sustainability	~~(l) consulting services for the preparation of sustainability reporting, where the statutory~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	reporting, where the statutory auditor or audit firm carries out the assurance of sustainability reporting.;	reporting, where the statutory auditor or audit firm carries out the assurance of sustainability reporting.;	~~auditor or audit firm carries out the assurance of sustainability reporting.;~~	
	Article 4, first paragraph, point (1)(aa), introductory part			
Y	462a		(b) paragraph 4, second subparagraph is inserted:	
	Article 4, first paragraph, point (1)(aa)(i)			
G	462b		‘The approval of the audit committee referred to in the first subparagraph shall not be needed for the provision of assurance engagements of sustainability reporting.’;	‘The approval of the audit committee referred to in the first subparagraph shall not be needed for the provision of assurance engagements of sustainability reporting.’; Text Origin: Council Mandate
	Article 4, first paragraph, point (1)(b), introductory part			
Y	463	(b) the following paragraph 6 is added:	~~(b) the following paragraph 6 is added:~~	
	Article 4, first paragraph, point (1)(b), amending provision, numbered paragraph (6)			
Y	464	‘ 6. Paragraphs 4 and 5 referring to the statutory audit of financial statements shall apply to the	~~6. Paragraphs 4 and 5 referring to the statutory audit of financial statements shall apply to the assurance of sustainability reporting.~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	assurance of sustainability reporting, where applicable.	assurance of sustainability reporting, where applicable.	where applicable.	
Article 4, first paragraph, point (2), introductory part				
465	(2) in Article 14, point (b) is replaced by the following:	(2) in Article 14, point (b) is replaced by the following:	~~(2) in Article 14, point (b) is replaced by the following:~~	
Article 4, first paragraph, point (2), amending provision, first paragraph				
466	(b) revenues from non-audit services other than those referred to in Article 5(1) which are required by Union or national legislation, specifying the revenues from the assurance of sustainability reporting; and,	(b) revenues from non-audit services other than those referred to in Article 5(1) which are required by Union or national legislation, specifying the revenues from the assurance of sustainability reporting; and,	~~(b) revenues from non-audit services other than those referred to in Article 5(1) which are required by Union or national legislation, specifying the revenues from the assurance of sustainability reporting; and,~~	
Article 5				
467	Article 5 Transposition	Article 5 Transposition	Article 5 Transposition	Article 5 Transposition
Article 5(1), introductory part				
468	1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles 1 to 3 of this	1. <u>I.</u> Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles 1	1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles 1 to 3 of this	1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles 1 to 3 of this

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Directive by 1 December 2022. They shall immediately inform the Commission thereof.	to 3 of this Directive by 1 December ~~2022~~ <u>2023</u> . They shall immediately inform the Commission thereof.	Directive by ~~1 December 2022~~ [Publications Office - set the date = eighteen months after entry into force] . They shall immediately inform the Commission thereof.	Directive by ~~1 December 2022~~ [Publications Office - set the date = eighteen months after entry into force] . They shall immediately inform the Commission thereof. Text Origin: Council Mandate
Article 5(1), first paragraph				
469	Member States shall provide that the provisions referred to in the first subparagraph shall apply for financial years starting on or after 1 January 2023	Member States shall provide that the provisions referred to in the first subparagraph shall apply for financial years starting on <u>1 January 2024, or later the same year, for large undertakings.</u> ~~or after 1 January 2023~~	Member States shall provide that the provisions of Article 1 referred to in the first subparagraph shall apply ~~for~~ financial years starting on or after 1 January 2023:	Member States shall provide that the provisions of Article 1 referred to in the first subparagraph shall apply ~~for~~ financial years starting on or after 1 January 2023: Text Origin: Council Mandate
Article 5(1), first paragraph, point (a), introductory part				
469a			(a) for financial years starting on or after 1 January 2024: i) to large undertakings as defined in Article 3(4) of Directive 2013/34/EU which are public-interest entities as defined in Article 2, point (1) of that Directive exceeding on their balance sheet dates the criterion of the average number of 500 employees during the financial year; ii) to public-interest entities as defined in Article 2, point (1) of Directive 2013/34/EU which are	(a) for financial years starting on or after 1 January 2024: i) to large undertakings as defined in Article 3(4) of Directive 2013/34/EU which are public-interest entities as defined in Article 2, point (1) of that Directive exceeding on their balance sheet dates the criterion of the average number of 500 employees during the financial year; ii) to public-interest entities as defined in Article 2, point (1) of Directive 2013/34/EU which are

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			parent undertakings of a large group as defined in Article 3(7) of Directive 2013/34/EU exceeding on its balance sheet dates, on a consolidated basis, the criterion of the average number of 500 employees during the financial year;	parent undertakings of a large group as defined in Article 3(7) of Directive 2013/34/EU exceeding on its balance sheet dates, on a consolidated basis, the criterion of the average number of 500 employees during the financial year; Text Origin: Council Mandate
	Article 5(1), first paragraph, point (a)(1), introductory part			
469b			(b) for financial years starting on or after 1 January 2025: i) to large undertakings as defined in Article 3(4) of Directive 2013/34/EU other than those referred to in point (a), point (i); ii) to parent undertakings of a large group as defined in Article 3(7) of Directive 2013/34/EU other than those referred to in point (a), point (ii);	(b) for financial years starting on or after 1 January 2025: i) to large undertakings as defined in Article 3(4) of Directive 2013/34/EU other than those referred to in point (a), point (i); ii) to parent undertakings of a large group as defined in Article 3(7) of Directive 2013/34/EU other than those referred to in point (a), point (ii); Text Origin: Council Mandate
	Article 5(1), first paragraph, point (a)(1)(i), introductory part			
469c			(c) for financial years starting on or after 1 January 2026: (i) to small and medium-sized undertakings as defined in Article 3(2) and 3(3) of Directive 2013/34/EU which are	(c) for financial years starting on or after 1 January 2026: (i) to small and medium-sized undertakings as defined in Article 3(2) and 3(3) of Directive 2013/34/EU which are

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			undertakings referred to in Article 2, point (1), point (a) of that Directive and which are not micro-undertakings as defined in Article 3 (1) of that Directive; (ii) to small and non-complex institutions provided they are large undertakings referred to in Article 3 point (4) of Directive 2013/34/EU or that they are small and medium sized undertakings as defined in Article 3(2) and 3(3) which are undertakings referred to in Article 2, point (1), point (a) of that Directive and which are not micro-undertakings as defined in Article 3 (1) of that Directive; (iii) to captive insurance undertakings and captive reinsurance undertakings provided that they are large undertakings referred to in Article 3 point (4) of Directive 2013/34/EU or that they are small and medium sized undertakings as defined in Article 3(2) and 3(3) which are undertakings referred to in Article 2, point (1), point (a) of that Directive and which are not micro-undertakings as defined in Article 3 (1) of that Directive.	undertakings referred to in Article 2, point (1), point (a) of that Directive and which are not micro-undertakings as defined in Article 3 (1) of that Directive; (ii) to small and non-complex institutions provided they are large undertakings referred to in Article 3 point (4) of Directive 2013/34/EU or that they are small and medium sized undertakings as defined in Article 3(2) and 3(3) which are undertakings referred to in Article 2, point (1), point (a) of that Directive and which are not micro-undertakings as defined in Article 3 (1) of that Directive; (iii) to captive insurance undertakings and captive reinsurance undertakings provided that they are large undertakings referred to in Article 3 point (4) of Directive 2013/34/EU or that they are small and medium sized undertakings as defined in Article 3(2) and 3(3) which are undertakings referred to in Article 2, point (1), point (a) of that Directive and which are not micro-undertakings as defined in Article 3 (1) of that Directive. Text Origin: Council Mandate
	Article 5(1), first paragraph, point (a)(1)(i), first indent			
y	469d			y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Member States shall provide that the provisions of Article 2 referred to in the first subparagraph shall apply:	Member States shall provide that the provisions of Article 2 referred to in the first subparagraph shall apply: Text Origin: Council Mandate
Article 5(1), first paragraph, point (a)(2), introductory part				
469e			(a) for financial years starting on or after 1 January 2024 i) to issuers as defined in point (d) of Article 2(1) of Directive 2004/109/EC which are large undertakings as defined in Article 3(4) of Directive 2013/34/EU exceeding on their balance sheet dates the criterion of the average number of 500 employees during the financial year; ii) to issuers as defined in point (d) of Article 2(1) of Directive 2004/109/EC which are parent undertakings of a large group as defined in Article 3(7) of Directive 2013/34/EU exceeding on its balance sheet dates, on a consolidated basis, the criterion of the average number of 500 employees during the financial year;	(a) for financial years starting on or after 1 January 2024 i) to issuers as defined in point (d) of Article 2(1) of Directive 2004/109/EC which are large undertakings as defined in Article 3(4) of Directive 2013/34/EU exceeding on their balance sheet dates the criterion of the average number of 500 employees during the financial year; ii) to issuers as defined in point (d) of Article 2(1) of Directive 2004/109/EC which are parent undertakings of a large group as defined in Article 3(7) of Directive 2013/34/EU exceeding on its balance sheet dates, on a consolidated basis, the criterion of the average number of 500 employees during the financial year; Text Origin: Council Mandate
Article 5(1), first paragraph, point (a)(2)(i), introductory part				

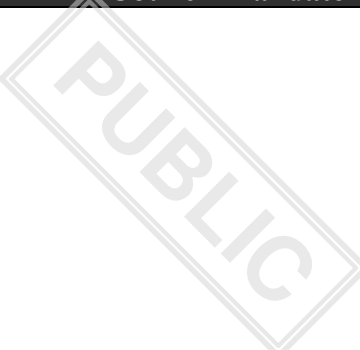
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
469f			(b) for financial years starting on or after 1 January 2025 i) to issuers as defined in point (d) of Article 2(1) of Directive 2004/109/EC which are large undertakings as defined in Article 3(4) of Directive 2013/34/EU other than those referred to in point (a), point (i); ii) to issuers as defined in point (d) of Article 2(1) of Directive 2004/109/EC which are parent undertakings of a large group as defined in Article 3(7) of Directive 2013/34/EU other than those referred to in point (a), point (ii);	(b) for financial years starting on or after 1 January 2025 i) to issuers as defined in point (d) of Article 2(1) of Directive 2004/109/EC which are large undertakings as defined in Article 3(4) of Directive 2013/34/EU other than those referred to in point (a), point (i); ii) to issuers as defined in point (d) of Article 2(1) of Directive 2004/109/EC which are parent undertakings of a large group as defined in Article 3(7) of Directive 2013/34/EU other than those referred to in point (a), point (ii); Text Origin: Council Mandate
Article 5(1), first paragraph, point (a)(2)(i), first indent				
469g			(c) for financial years starting on or after 1 January 2026: (i) to issuers as defined in point (d) of Article 2(1) of Directive 2004/109/EC which are small and medium-sized undertakings as defined in Article 3(2) and 3(3) of Directive 2013/34/EU and which are not micro-undertakings as defined in Article 3 (1) of that Directive; (ii) to issuers defined as small and non-complex institutions provided they are large	(c) for financial years starting on or after 1 January 2026: (i) to issuers as defined in point (d) of Article 2(1) of Directive 2004/109/EC which are small and medium-sized undertakings as defined in Article 3(2) and 3(3) of Directive 2013/34/EU and which are not micro-undertakings as defined in Article 3 (1) of that Directive; (ii) to issuers defined as small and non-complex institutions provided they are large

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			undertakings referred to in Article 3 point (4) of Directive 2013/34/EU or that they are small and medium sized undertakings as defined in Article 3(2) and 3(3) which are undertakings referred to in Article 2, point (1), point (a) of that Directive and which are not micro-undertakings as defined in Article 3 (1) of that Directive; (iii) to issuers defined as captive insurance undertakings or captive reinsurance undertakings provided that they are large undertakings referred to in Article 3 point (4) of Directive 2013/34/EU or that they are small and medium sized undertakings as defined in Article 3(2) and 3(3) which are undertakings referred to in Article 2, point (1), point (a) of that Directive and which are not micro-undertakings as defined in Article 3 (1) of that Directive.	undertakings referred to in Article 3 point (4) of Directive 2013/34/EU or that they are small and medium sized undertakings as defined in Article 3(2) and 3(3) which are undertakings referred to in Article 2, point (1), point (a) of that Directive and which are not micro-undertakings as defined in Article 3 (1) of that Directive; (iii) to issuers defined as captive insurance undertakings or captive reinsurance undertakings provided that they are large undertakings referred to in Article 3 point (4) of Directive 2013/34/EU or that they are small and medium sized undertakings as defined in Article 3(2) and 3(3) which are undertakings referred to in Article 2, point (1), point (a) of that Directive and which are not micro-undertakings as defined in Article 3 (1) of that Directive. Text Origin: Council Mandate
Article 5(1), first paragraph, point (b), introductory part				
469h			Member States shall provide that the provisions of Article 3 referred to in the first subparagraph shall apply for financial years starting on or after 1 January 2024. When Member States adopt those provisions, they shall contain a	Member States shall provide that the provisions of Article 3 referred to in the first subparagraph shall apply for financial years starting on or after 1 January 2024. When Member States adopt those provisions, they shall contain a

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			reference to this Directive or be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.	reference to this Directive or be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States. Text Origin: Council Mandate
	Article 5(1), first paragraph, point (b)(1)			
y	469i			Member States shall provide that the provisions of paragraphs (10a) and (10b) of Article 1 of this Directive apply to financial years starting on 1 January 2028 apply.
	Article 5(2), first paragraph, point (b)(1), introductory part			
y	469j		(2) Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.	deleted Editorial mistake - same content to be found in 471
	Article 5(1), first paragraph a			
y	469k	<u>Member States shall provide that the provisions referred to in the first subparagraph shall apply for financial years starting on 1 January 2026, or later the same year, for small medium-size undertakings which choose to use</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>sustainability reporting standards for SMEs on a voluntary basis.</u>		
	Article 5(1), first paragraph b			
y	4691	<u>By derogation to Article 5, reporting requirements laid down in the delegated acts referred to in Articles 19b and 19c shall not enter into force earlier than six months after their adoption by the Commission.</u>		By derogation to Article 5, reporting requirements laid down in the delegated acts referred to in Articles 19b and 19c shall not enter into force earlier than four months after their adoption by the Commission. Text Origin: EP Mandate
	Article 5(1), second paragraph			
y	470	When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.	When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.	When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States. Text Origin: Commission Proposal
	Article 5(2)			
y	471	2. Member States shall communicate to the Commission the text of the main provisions of	2. Member States shall communicate to the Commission the text of the main provisions of	2. Member States shall communicate to the Commission the text of the main provisions of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	national law which they adopt in the field covered by this Directive.	national law which they adopt in the field covered by this Directive.	national law which they adopt in the field covered by this Directive.	national law which they adopt in the field covered by this Directive. Text Origin: Commission Proposal
Article 5(2a)				
471a		<u>2a. Article 5 a</u> <u>Review and report</u> <u>The Commission shall submit a report to the European Parliament and to the Council on the implementation of this Directive, including, among other aspects:</u> - an assessment of the possible extension of its scope to small and medium-sized undertakings which are undertakings referred to in Article 2, point (1), point (a) and small and medium-sized undertakings referred to in Article 3(2) and 3(3) which operate in one or more economic activities in high-risk sectors referred to in 19a (7a), and on whether extending the scope to those undertakings would facilitate the implementation of the SFDR and an assessment of the progress of the EU's social and environmental goals, - an assessment of the number of SMEs using voluntary reporting standards referred to in article 19c - the added value of expanding		Article 5 a Review and report 1) The Commission shall submit a report to the European Parliament and to the Council on the implementation of this Directive, including, among other aspects: - an assessment of the achievement of the goals of this Directive, including the convergence of reporting practices between Member States; - an assessment of the number of SMEs using voluntary reporting standards referred to in article 29c; - an assessment of whether and how the scope should be further extended, in particular in relation to SMEs and to third-country undertakings; - an assessment of whether and how to ensure the accessibility for people with disabilities to the sustainability reports published by undertakings under the scope of this Directive.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>the list of activities and high-risk sectors referred to in 19a (7a)</u> <u>- the application, effectiveness and the level of guidance and methods provided,</u> <u>- the convergence of reporting practises between Member States,</u> <u>- the progress with non-financial reporting throughout the world,</u> <u>- the convergence of the practices of data providers and users and of the level of guidance and methods provided,</u> <u>- the feasibility of applying standards for reasonable assurance,- the effectiveness of reporting standards related to human rights,</u> <u>- the possibility of developing specific measures to complete the formal notification for failure to comply with reporting obligations as referred to in Article 51 (4) of Directive 2013/34/EU.</u> <u>- An impact assessment on human rights carried out by the relevant public authorities</u> <u>The report shall be published by 31 December 2026 and every three years thereafter, and shall be accompanied, if appropriate, by legislative proposals.</u>		The report shall be published by 30 April 2029, and shall be accompanied, if appropriate, by legislative proposals. The Commission shall publish an evaluation report every three years thereafter, taking into account the conclusions of the previous reports. 2) By December 2028, the Commission shall review and report on the level of concentration of the sustainability assurance market. The review shall take into account the national regimes applicable to independent assurance services providers and assess whether and to what extent these national regimes contribute to opening the assurance market. By December 2028, the Commission shall assess possible legal measures to ensure sufficient diversification of the sustainability assurance market and appropriate sustainability reporting quality. The Commission shall review measures of paragraph X of Article 34 [paragraph to be determined] and assess the need to extend them to other large undertakings.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			PUBLIC	The report shall be transmitted to the European Parliament and the Council by December 2028 and be accompanied, if appropriate, by legislative proposals." Partial Presidency compromise focused on SMEs and disability issues.
	Article 6			
G	472	Article 6 Date of application of Article 4	Article 6 Date of application of Article 4	Article 6 Date of application of Article 4
	Article 6, first paragraph			
Y	473	Article 4 of this Directive shall apply to financial years starting on or after 1 January 2023.	Article 4 of this Directive shall apply to financial years starting on or after 1 January ~~2023~~ 2024.	Article 4 of this Directive shall apply to financial years ~~starting on or after 1 January 2023~~ according to Article 5(1), fourth subparagraph.
	Article 7			
G	474	Article 7 Entry into force	Article 7 Entry into force	Article 7 Entry into force
	Article 7, first paragraph			
G	475	This Directive shall enter into force on the twentieth day following that of its publication in the Official	This Directive shall enter into force on the twentieth day following that of its publication in the Official	This Directive shall enter into force on the twentieth day following that of its publication in the Official

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Journal of the European Union.	Journal of the European Union.	Journal of the European Union.	Journal of the European Union.
	Article 8			
476	Article 8 Addressees	Article 8 Addressees	Article 8 Addressees	Article 8 Addressees
	Article 8, first paragraph			
477	This Directive is addressed to the Member States. Article 4 shall, however, be binding in its entirety and directly applicable in all Member States.	This Directive is addressed to the Member States. Article 4 shall, however, be binding in its entirety and directly applicable in all Member States.	This Directive is addressed to the Member States. Article 4 shall, however, be binding in its entirety and directly applicable in all Member States.	This Directive is addressed to the Member States. Article 4 shall, however, be binding in its entirety and directly applicable in all Member States.
	Formula			
478	Done at Brussels,	Done at Brussels,	Done at Brussels,	Done at Brussels,
	Formula			
479	For the European Parliament	For the European Parliament	For the European Parliament	For the European Parliament
	Formula			
480	The President	The President	The President	The President
	Formula			
481	For the Council	For the Council	For the Council	For the Council

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
G 482	The President	The President	The President	The President G