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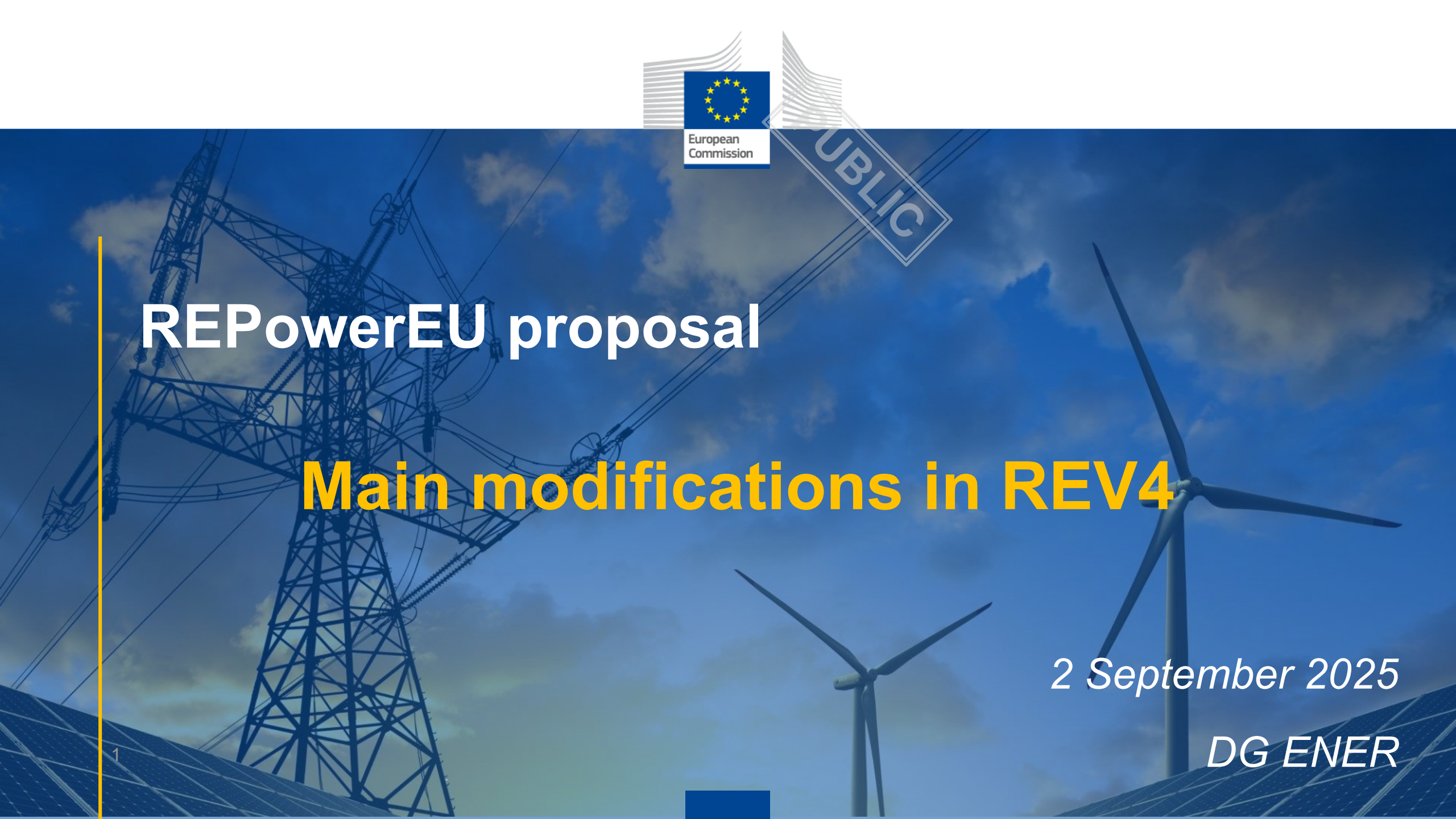
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MEETING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Energy
Subject:	REPowerEU proposal: Main modifications in REV4 - presentation

Delegations will find attached the presentation on the REPowerEU proposal.



REPowerEU proposal

Main modifications in REV4

2 September 2025

DG ENER

Content

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    6. “Blending” - treatment of mixtures

New definition of import

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New definition in Article 2

(6b) **'import' means the placing of goods under release for free circulation, as referred to in Article 201 of the Union Customs Code, including where goods are considered to have been brought into the EU customs territory with the intention to be released or have them released for free circulation at a future point in time, either directly, or indirectly;**

⇒ Justification: addresses MS request to provide more clarity

⇒ 2nd part – *anti abuse clause*: Clarification that "import" is an objective concept – it does not depend on what is declared in the customs declaration (e.g. "transit" or warehousing" can in reality be import)

Clarification of ‘importer’ definition

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Modification in Article 2

(7) ‘importer’ means the natural or legal person that is the declarant in the relevant customs declaration as defined in Article 5, point (15), of Regulation (EU) No 952/2013 of the European Parliament and of the Council, or otherwise a natural or legal person, including affiliated undertakings, that brings the good into the EU customs territory with the intention to release or have them released into free circulation at a future point in time, either directly or indirectly;

⇒ Justification: adjustment to clarify following MS comments.

⇒ 2nd part - anti-abuse clause: Clarification that “importer” is an objective concept; for example, even if goods are brought into the Union under alleged ‘transit’, a person can be “importer” if the objective intention is release into free circulation.

New *ex ante* authorisation procedure

Presentation of 24 July 2025:

Clarification of processes: authorisation (1/2)

- **Issue:** How to ensure smooth customs operations?
- Possible solution: **Authorisation process**
- **Description:**
  - Obligation to request an authorisation (e.g. at the latest 1 months before import)
  - Checks of the information carried out and authorisation granted by **regulators** or **competent authorities** – MS to decide



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New *ex ante* authorisation procedure

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Clarification of *ex ante* process in REV 4:

Art. 7 (2):

(…) Imports to which the information requirements pursuant to subparagraph 1 apply shall be subject to prior authorisation by the authorising authorities. The required information shall be submitted to the authorising authority no later than 1 month before the planned import.

New recital in Art. 2 (8a):

'authorising authority' means the authority designated by a Member State, in accordance with Article 10, which is competent to examine the authorisation requests made pursuant to Articles 7(1) and 7(2) and notifications under Article 7(5);

Art. 10(1) - designation of authorisation authorities:

No later than four weeks after entry into force of this Regulation, Member States shall determine the authorising authority competent to decide on the authorisation requests pursuant to Article 7(1) and (2).

Simplified process for non-RU gas

Presentation of 24.7.25:



European Commission

Simplified process *for non-RU gas*

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Article 7 REV4

Authorisation and submission of relevant information by importers

2. **For imports of natural gas produced in other countries than Russia, the authorising authorities as referred to in Article 10 shall be provided with evidence to establish the country of production of the natural gas, unless the gas is imported from a partner country. […]**

=> Slim documentation (one document)

=> No full documentation as for those invoking exemption

Further process simplification for countries applying sanctions

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Definition in Article 2

(6a) 'partner country' means a country that has banned the import of Russian gas or that is applying restrictive measures concerning Russian gas, as identified by way of a decision of the Commission pursuant to Article 7

Process of definition/adaptation of list of affected countries in Article 7(2):

(2) (…) No later than 5 days after entry into force of this Regulation, the Commission shall via an implementing decision draw up the list of such partner countries who have banned the import of Russian gas or who apply restrictive measures concerning Russian gas and update the list as necessary.

⇒ Concept used in Sanctions Regulation 833/2014

⇒ Justification: addressing MS request for simplification

3rd countries currently applying sanctions

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Condition:
Ban on imports *or* applying restrictive measures concerning Russian gas

Third-countries meeting the condition:

- THE UNITED STATES OF AMERICA
- CANADA
- UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
- AUSTRALIA
- […]

Presumption of RU origin: Simplification

Article 7 (4) – REV4

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4. Natural gas entering ~~*to*~~ the Union through **borders or** interconnection points **between the Union and Russia or Belarus and through the interconnection point Strandzha 2 / Malkoclar (Turkstream)** shall be presumed to be exported, directly or indirectly, from the Russian Federation, unless **unambiguous evidence can be provided** to **the authorising authorities as referred to in Article 10** that the imported natural gas was produced in a country other than the Russian Federation and has been in transit through the Russian Federation.

=> List of interconnection points: replaced by more flexible approach

=> Anti-circumvention safeguard: default assumption for RU origin for certain points and borders - Art. 7(4)

Specific control of transports *under transit regime* through the EU

Article 7 (5) – REV4

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5. In case natural gas is transported through the EU under a transit regime, the authorising authority shall be informed no later than 1 month before the planned transit about:

(a) the country of production of the natural gas to be transited;

(b) the planned or actual nomination schedules specifying volume, timing, and entry and exit points of the gas in transit;

(c) information on volumes and destination points in the gas supply contracts; and

(d) information about the contract between the supplier or purchase and the transit operator, where applicable.

Authorising authorities shall verify the consistency of the data and share the information received with customs authorities without delays.

=> Anti-circumvention safeguard: strengthening the monitoring of transits through the Union to a third country

Blending – Treatment of mixtures

Presentation of 24.7.25:

Avoid hidden Russian volumes in imports from mixed origin ("blending")



- **Current practice** under customs legislation:
  Only one single origin is indicated – "origin" is where the majority of blended gas volumes comes from (or country of processing)
- **Problem**: Possibility to "hide" 49%, e.g. in LNG cargos
  - **Option 1: Prohibit import of mixtures containing RU share**
  - **Option 2: Allow "pro rata" imports** – non-RU part can be imported, if sufficient proof (e.g. for LNG: what has been added where)
- **Problem**: change in the origin of the gas via processing
  - Art 7 (2)(e) requires information on country where gas was further processed

Possible implementation:

- Add paragraph in Art. 7 on treatment of mixtures+ [guidance?/recital?]

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Blending – Treatment of mixtures

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Pro rata rule in Article 3:

3. Paragraphs 1 and 2 shall also apply to LNG which originates in or is exported, directly or indirectly, from the Russian Federation contained in mixtures.

New definition in Article 2

(3a) 'mixtures' means mixtures of LNG volumes from different countries of origin;

New information requirement in case of exemptions under Article 7(1)

(ea) in the case of LNG mixtures, documentation proving the respective quantities of Russian and non-Russian gas in the mixture and on the mixing process

=> Anti-circumvention safeguard by clarifying treatment of mixtures of LNG

Thank you





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