

**Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) 168/2013, (EU) 2018/858, 2018/1724 and (EU) 2019/1020 (Text with EEA relevance) 2023/0079(COD)**

Batch IV: Chapter III- Section 4 (article 18), Chapter VI - Section 3 (articles 31 and 32), Chapter VIII (articles 36 and 37), Chapter IX (articles 38 - 47).

**(183 Lines)**

Comments from MS: SE PL NL SI DK IE SK HR BE FI FR CZ IT DE LT PT AT RO

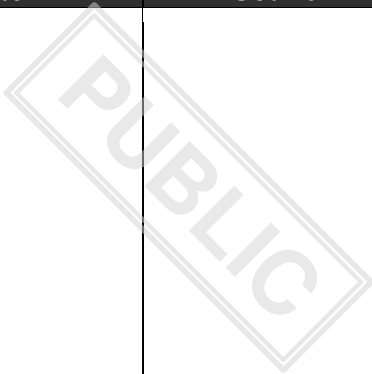
	<b>Commission Proposal</b>	<b>EP Mandate</b>	<b>Council Mandate</b>	<b>Draft Agreement</b>
31	(22) In order to allow citizens and businesses to directly enjoy the benefits of the internal market without incurring an unnecessary additional administrative burden, Regulation (EU) 2018/1724 of the European Parliament and the Council <sup>1</sup> , which established the Single Digital Gateway, provides for general rules for the online provision of information, procedures and assistance services relevant for the functioning of the internal market. The information requirements and procedures covered by this Regulation should comply with the requirements of Regulation (EU) 2018/1724. In particular, it should be ensured that project promoters of Strategic Project can access and complete any procedure related to the permit granting process fully online, in line with Article 6(1) of and Annex II to Regulation (EU)	(22) In order to allow citizens and businesses to directly enjoy the benefits of the internal market without incurring an unnecessary additional administrative burden, Regulation (EU) 2018/1724 of the European Parliament and the Council <sup>1</sup> , which established the Single Digital Gateway, provides for general rules for the online provision of information, procedures and assistance services relevant for the functioning of the internal market. The information requirements and procedures covered by this Regulation should comply with the requirements of Regulation (EU) 2018/1724. In particular, it should be ensured that project promoters of Strategic Project can access and complete any procedure related to the permit granting process fully online, in line with Article 6(1) of and Annex II to Regulation (EU)	(22) In order to allow citizens and businesses to directly enjoy the benefits of the internal market without incurring an unnecessary additional administrative burden, Regulation (EU) 2018/1724 of the European Parliament and the Council <sup>1</sup> , which established the Single Digital Gateway, provides for general rules for the online provision of information, procedures and assistance services relevant for the functioning of the internal market. The information requirements and procedures covered by this Regulation should comply with the requirements of Regulation (EU) 2018/1724. In particular, it should be ensured that project promoters of Strategic Project can access and complete any procedure related to the permit granting process fully online, in line with Article 6(1) of and Annex II to Regulation (EU)	PL: (Comments): No remarks. BE: (Comments):

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	<p>2018/1724.</p> <p>1. Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1-38).</p>	<p>2018/1724.</p> <p>1. Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1-38).</p>	<p>2018/1724.</p> <p>1. [1] Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1-38).</p>	
41	<p>(32) The existing knowledge and mapping of the Union’s raw materials occurrences were developed at a time when ensuring the supply of critical raw materials for the development of strategic technologies was not a priority. To acquire and update information on the critical raw material occurrences, Member States should draw up national programmes for the general exploration of critical raw materials, which should include measure such as mineral mapping, geochemical campaigns, geoscientific surveys as well as the reprocessing of existing geoscientific datasets. The identification of mineral occurrences and the assessment of the technical and economic</p>	<p>(32) The existing knowledge and mapping of the Union’s raw materials occurrences were developed at a time when ensuring the supply of critical raw materials for the development of strategic technologies was not a priority. To acquire and update information on the critical raw material occurrences <b>including the potential of geothermal extraction</b>, Member States should draw up national programmes for the general exploration of critical raw materials <b>and carrier metals which may contain critical raw materials</b>, which should include measure such as mineral mapping, geochemical campaigns, geoscientific surveys as well as the reprocessing of existing</p>	<p>(32) The existing knowledge and mapping of the Union’s raw materials occurrences were developed at a time when ensuring the supply of critical raw materials for the development of strategic technologies was not a priority. <b>A lack of up-to-date geological information on critical raw materials in the Union can undermine the development of extraction projects, thereby weakening efforts to decrease supply risk and safeguard the functioning of the internal market.</b> To acquire and update information on the critical raw material occurrences, Member States should, <b>where relevant given the geological conditions</b>, draw up national <b>mapping</b> programmes for the general</p>	<p>SE: (Comments): SE can support EP additions. PL: (Comments): No remarks. SI: (Comments): SI supports the GA. It is important to stresss the actual problem of the lack of up-to-date geological data/information that we are facing today and we also wish to preserve the reference to the functioning of the internal market. IE: (Comments): Prefer Council Mandate BE: (Comments): OK with addition EP ‘and carrier metals ....’; geothermal extraction was already</p>

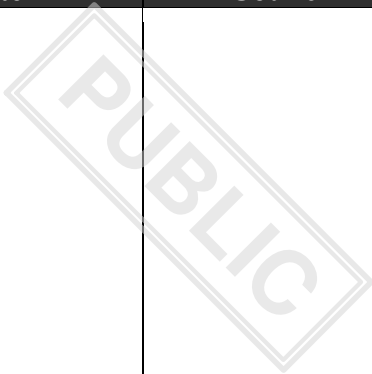
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>viability to extract them involves high financial. To lower that risk and facilitate the development of extraction projects, Member States should make publicly available the information acquired during their respective national exploration programme, where appropriate using the framework of the Infrastructure for Spatial Information established by Directive 2007/2/EC of the European Parliament and the Council<sup>1</sup>.</p> <p>1. Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1-14).</p>	<p>geoscientific datasets. The identification of mineral occurrences and the assessment of the technical and economic viability to extract them involves high financial <b>risk</b>. To lower that risk and facilitate the development of extraction projects, Member States should make publicly available the information acquired during their respective national exploration programme, where appropriate using the framework of the Infrastructure for Spatial Information established by Directive 2007/2/EC of the European Parliament and the Council<sup>1</sup>.</p> <p>1. [1] Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1-14).</p>	<p>exploration of critical raw materials, <del>which and the main minerals that they are extracted together with.</del> <b>This should include measures such as mineralogical mapping, geochemical campaigns, geoscientific surveys as well as the reprocessing of existing geoscientific datasets. <del>The identification of mineral occurrences and the assessment of the technical and economic viability to extract them involves high financial. To lower that risk and</del> This increases the probability of locating new deposits which in turn should stimulate investments in exploration. To facilitate the development of extraction projects, Member States should, upon request, make publicly available the information acquired during their respective national exploration programme, where appropriate using the framework of the Infrastructure for Spatial Information established by Directive 2007/2/EC of the European Parliament and the Council<sup>1</sup>.</b></p> <p>1. [1] Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing</p>	<p>implicitly part of the text, so this is less relevant in our opinion Council:- national <b>mapping</b> programme: the programme consist of more than mapping, so national programme is probably more appropriate - ‘upon request’: the authority responsible for the exploration programme should draw up and decide on a code about data sharing and possible confidentiality as part of the programme, while keeping the objective of increased exploration in mind.proposal: ‘...facilitate the development of extraction projects, <b>the competent authority of</b> Member States should make publicly available the <b>non-confidential</b> information acquired during their respective national exploration programme, ...’FI: (Comments): FI can be flexible but the term “carrier metals” in the EP mandate should be replaced with “carrier minerals”. IT: (Comments): Maintain the council’s proposal. We are flexible to introduce the reference to “including the potential of geothermal extraction” as proposed by PE.</p>

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			<p>an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1-14).</p>	<p>DE: (Comments): Suggest adding “ Where available, environmental and/or social impact assessments should also be published.” at the end of coucil proposal.</p> <p>LT: (Comments): LT supports Parliament Mandate</p> <p>PT: (Comments): We support the Council’s mandate. Clearer language, namely in what concerns the sentence “<i>main minerals that they are extracted together with</i>”, instead of “<i>carrier metals</i>”. The designation of “carrier metals” is not correct, instead should be “carrier minerals”.The EP’s amendment, regarding the inclusion of the sentence “<i>including the potential of geothermal extraction</i>” needs to be clarified.</p> <p>AT: (Comments): We generally advocate maintaining the Council position in this case, but, suggest including the following wording: (32) The existing</p>

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				<p>knowledge and mapping of the Union's raw materials occurrences were developed at a time when ensuring the supply of critical raw materials for the development of strategic technologies was not a priority.</p> <p><b>A lack of up-to-date geological information on critical raw materials in the Union can undermine the development of extraction projects, thereby weakening efforts to decrease supply risk and safeguard the functioning of the internal market.</b> To acquire and update information on the critical raw material occurrences, Member States should, <b>where relevant given the geological conditions</b>, draw up national <b>mapping</b> programmes for the general exploration of critical raw materials, <b>and carrier minerals which may contain critical raw materials and the main minerals that they are extracted together with.</b> This should include <del>measure</del> <b>measures</b> such as <del>mineral</del> <b>geological</b> mapping, geochemical campaigns, geoscientific surveys as well as the reprocessing of existing geoscientific datasets. <del>The identification of mineral</del></p>

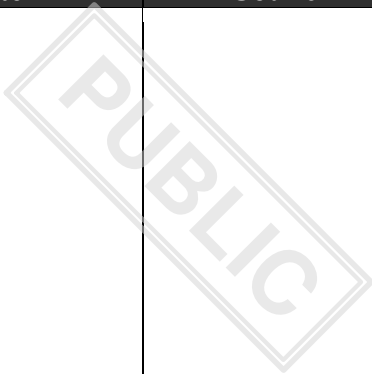


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				<p>occurrences and the assessment of the technical and economic viability to extract them involves high financial. To lower that risk and <b>This increases the probability of locating new deposits which in turn should stimulate investments in exploration.</b> To facilitate the development of extraction projects, Member States should, <b>upon request</b>, make publicly available the information acquired during their respective national exploration programme, where appropriate using the framework of the Infrastructure for Spatial Information established by Directive 2007/2/EC of the European Parliament and the Council<sup>1</sup>. <u>                    </u>1. [1] Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1-14).</p> <p><b>RO:</b>  <b>(Comments):</b>  Agree with EP's text. However, it is not necessary to specify "carrier metals which may contain critical raw materials"</p>



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41a		<p><b>(32a) In order to enable the extraction, processing, and recycling goals, Member States should promote actions to face the Union shortage of geoscientist students and graduates.</b></p>		<p>SE: (Comments): SE can be flexible.</p> <p>PL: (Comments): Support the proposals of the Parliament.</p> <p>SI: (Comments): SI is flexible.</p> <p>DK: (Comments): Important to maintain Council text i.e. not include the proposed text from the EP Education policy is a national competence. A legal obligation to promote actions to address shortage of geoscience students is therefore not appropriate. As a more general point the act does not contain concrete measures to that effect so the recital should not suggest otherwise</p> <p>IE: (Comments): Can accept EP Mandate, as a geoscience skills shortage is a risk to the delivery of the CRMA provisions</p> <p>SK: (Comments): Measures to support capacity building in mining and extraction are crucial for the</p>

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				<p>Union to be able to meet its own needs. Measures to address capacity shortages in these and in all related industries and scientific fields should be supported.</p> <p>HR: (Comments): We can be flexible with the EP amendment.</p> <p>FR: (Comments): France can accept this EP proposal.</p> <p>IT: (Comments): We are flexible to Parliament's proposal. It could be useful to introduce a specific reference to mining students.</p> <p>DE: (Comments): We sympathize with the goal, however these measures are out of scope of this regulation.</p> <p>LT: (Comments): LT supports Parliament Mandate</p> <p>PT: (Comments): We can support the EP's amendment, suggesting the following: .. <i>shortage of students and graduates in geosciences and mining.</i></p>



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				AT: (Comments): We very much support this addition proposed by the Rapporteur. RO: (Comments): Agree with EP's text
42	<p>(33) Space data and services derived from earth observation can support the efforts towards sustainable critical raw materials value chains by providing a continuous flow of information, which could be useful for activities such as monitoring and management of mining areas, the environmental and socio-economic impact assessment, or mineral resource exploration. As earth observation is also able to provide data about remote and inaccessible areas, it should be considered by Member States when drawing up and implementing their national exploration programmes to the extent possible.</p>	<p>(33) Space data and services derived from earth observation <del>and</del> <b>GNSS systems, in particular the ones derived from EU Space Programme, Copernicus, Galileo and EGNOS, should be used to the extent possible</b> to support the efforts towards sustainable critical raw materials value chains by providing a continuous flow of information, which could be useful for activities such as monitoring and management of mining areas, the environmental and socio-economic impact assessment, or mineral resource exploration. As <del>earth observations</del> <b>space data and services</b> is also able to provide data about remote and inaccessible areas, it should be considered by Member States when drawing up and implementing their national exploration programmes to the</p>	<p>(33) Space data and services derived from earth observation can support the efforts towards sustainable critical raw materials value chains by providing a continuous flow of information, which could be useful for activities such as monitoring and management of mining areas, the environmental and socio-economic impact assessment, or mineral resource exploration. As earth observation is also able to provide data about remote and inaccessible areas, it should be considered by Member States when drawing up and implementing their national exploration programmes to the extent possible.</p>	PL: (Comments): No remarks. SI: (Comments): SI is flexible. IE: (Comments): Can show flexibility towards EP Mandate BE: (Comments): Maintain the Council position 'can support' Motivation: 'should be used to the extent possible': the competent authorities in the MS should be able to decide for themselves how and to what extent they use the mentioned data and services. FI: (Comments): FI can support the EP additions. FR: (Comments): France can accept the EP proposal.

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		extent possible.		IT: (Comments): we are flexible with the parliament's proposal LT: (Comments): LT supports Parliament Mandate PT: (Comments): We can support the EP's amendment. AT: (Comments): We support the amendments proposed by the Rapporteur. <b>RO:</b> <b>(Comments):</b> <b>Agree with Commission's Proposal and Council's text without additional comments.</b>
61	(52) It should be ensured that responsible operators assess the conformity of their products or materials with requirements to improve the circularity of permanent magnets and on the declaration of the environmental footprint of critical raw materials before placing them on the market and that those requirements are effectively enforced by competent national authorities. The conformity and market	(52) It should be ensured that responsible operators assess the conformity of their products or materials with requirements to improve the circularity of permanent magnets and on the declaration of the environmental footprint of critical raw materials before placing them on the market and that those requirements are effectively enforced by competent national authorities. The conformity and market	(52) It should be ensured that <del>responsible operators assess the</del> conformity of <del>their</del> products or materials with requirements to improve the circularity of permanent magnets and on the declaration of the environmental footprint of critical raw materials <b>is assessed by the responsible manufacturer</b> before <del>placing them</del> <b>they are placed</b> on the market and that those requirements are effectively	PL: (Comments): No remarks. SI: (Comments): SI supports the GA. IE: (Comments): Prefer Council Mandate BE: (Comments): IT: (Comments): Maintain Council

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	surveillance provisions established under Regulation 2019/1020 and Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], are designed to address this challenge and should therefore apply also to those requirements. To further ensure that optimal use is made of existing frameworks, it should be ensured that for products that are subject to type approval under Regulation 2018/858 or Regulation 168/2013, compliance is enforced through the existing type approval system.	surveillance provisions established under Regulation 2019/1020 and Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], are designed to address this challenge and should therefore apply also to those requirements. To further ensure that optimal use is made of existing frameworks, it should be ensured that for products that are subject to type approval under Regulation 2018/858 or Regulation 168/2013, compliance is enforced through the existing type approval system.	enforced by competent national authorities. The conformity and market surveillance provisions established under Regulation 2019/1020 and Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], are designed to address this challenge and should therefore apply also to those requirements. To further ensure that optimal use is made of existing frameworks, it should be ensured that for products that are subject to type approval under Regulation 2018/858 or Regulation 168/2013, compliance is enforced through the existing type approval system.	LT: (Comments): LT supports Council Mandate PT: (Comments): We support the Council's mandate. AT: (Comments): We advocate maintaining the Council position in this case. RO: (Comments): Agree with Commission's Proposal and EP's text.
62	(53) The Commission should, as provided in Article 10(1) of Regulation (EU) No 1025/2012, request one or more European standardisation organisations to draft European standards in support of the objectives of this Regulation.	(53) The Commission should, as provided in Article 10(1) of Regulation (EU) No 1025/2012, request one or more European standardisation organisations to draft European standards in support of the objectives of this Regulation.	(53) The Commission should, as provided in Article 10(1) of Regulation (EU) No 1025/2012, request one or more European standardisation organisations to draft European standards in support of the objectives of this Regulation.	PL: (Comments): No remarks. BE: (Comments):
65	(56) The absence of progress towards the objectives, including the capacity and diversification benchmarks,	(56) The absence of progress towards the objectives, including the capacity and diversification benchmarks,	(56) The absence of progress towards the objectives, including the capacity and diversification benchmarks,	PL: (Comments): No remarks. BE:

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	<p>may indicate the need for adopting additional measures. The Commission should therefore monitor the progress towards those objectives.</p>	<p>may indicate the need for adopting additional measures. The Commission should therefore monitor the progress towards those objectives.</p>	<p>may indicate the need for adopting additional measures. The Commission should therefore monitor the progress towards those objectives.</p>	<p>(Comments):</p>
<p>66</p>	<p>(57) To keep administrative burden put on Member States to a minimum, the different reporting obligations should be streamlined and the Commission should develop a template allowing Member States to fulfil their reporting obligations on projects, exploration, monitoring or strategic stocks within a regularly published single document, that may be confidential or restricted.</p>	<p>(57) To keep administrative burden put on Member States <b>and undertakings, especially SMEs</b>, to a minimum, the different reporting obligations should be streamlined and the Commission should develop a template allowing Member States to fulfil their reporting obligations on projects, exploration, <del>and monitoring of</del> <del>strategic stocks</del> within a regularly published single document, that may be confidential or restricted.</p>	<p>(57) To keep administrative burden put on Member States to a minimum, the different reporting obligations should be streamlined, and the Commission should develop a template allowing Member States to fulfil their reporting obligations on projects, exploration, monitoring or strategic stocks within a regularly published single document, that may be confidential or restricted.</p>	<p>PL: (Comments): Support the proposals of the Parliament. The templates will improve uniform processing of applications and reporting. SI: (Comments): SI can accept reference to SMEs. IE: (Comments): Prefer Council Mandate HR: (Comments): . BE: (Comments): Support to the EP proposal ‘and undertakings, especially SME’s’ IT: (Comments): We are flexible to Parliament’s proposal DE: (Comments): We support EP addition LT: (Comments):</p>

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				LT supports Parliament Mandate PT: (Comments): We can support the EP's amendment. AT: (Comments): We support the amendments proposed by the Rapporteur. Administrative burden should be kept to a minimum for Member States and companies alike. <b>RO:</b> <b>(Comments):</b> <b>Agree with Commission's Proposal and Council's text.</b>
67	<p>(58) In order to ensure trustful and constructive cooperation of competent authorities at Union and national levels, all parties involved in the application of this Regulation should respect the confidentiality of information and data obtained in carrying out their tasks. The Commission and the national competent authorities, their officials, civil servants and other persons working under the supervision of these authorities as well as officials and civil servants of other authorities of the Member States should not</p>	<p>(58) In order to ensure trustful and constructive cooperation of competent authorities at Union and national levels, all parties involved in the application of this Regulation should respect the confidentiality of information and data obtained in carrying out their tasks. The Commission and the national competent authorities, their officials, civil servants and other persons working under the supervision of these authorities as well as officials and civil servants of other authorities of the Member States should not</p>	<p>(58) In order to ensure trustful and constructive cooperation of competent authorities at Union and national levels, all parties involved in the application of this Regulation should respect the confidentiality of information and data obtained in carrying out their tasks. The Commission and the national competent authorities, their officials, civil servants and other persons working under the supervision of these authorities as well as officials and civil servants of other authorities of the Member States should not</p>	PL: (Comments): No remarks. BE: (Comments):

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	disclose information acquired or exchanged by them pursuant to this Regulation and of the kind covered by the obligation of professional secrecy. This should also apply to the European Critical Raw Materials Board. The data should be handled and stored in a secure environment.	disclose information acquired or exchanged by them pursuant to this Regulation and of the kind covered by the obligation of professional secrecy. This should also apply to the European Critical Raw Materials Board. The data should be handled and stored in a secure environment.	disclose information acquired or exchanged by them pursuant to this Regulation and of the kind covered by the obligation of professional secrecy. This should also apply to the European Critical Raw Materials Board. The data should be handled and stored in a secure environment.	
68	(59) When adopting delegated acts pursuant to Article 290 TFEU, 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 <sup>1</sup> . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	(59) When adopting delegated acts pursuant to Article 290 TFEU, 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 <sup>1</sup> . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	(59) When adopting delegated acts pursuant to Article 290 TFEU, 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 <sup>1</sup> . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	PL: (Comments): No remarks. BE: (Comments):

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	1. OJ L123, 12.5. 2016, p. 1.	1. OJ L123, 12.5. 2016, p. 1.	1. [1] OJ L123, 12.5. 2016, p. 1.	
	<p>(60) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards: (a) specifying the templates to be used for applications for recognition of Strategic Projects, progress reports related to Strategic Projects, the national exploration programmes, and the reporting of Member States pertaining to exploration, monitoring, strategic stocks and circularity; (b) specifying which products, components and waste streams shall be considered to have a high critical raw materials recovery potential; and (c) determining the criteria and their application for the recognition of schemes related to the sustainability of critical raw materials. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>1</sup>.</p> <p>1. Regulation (EU) No 182/2011 of the</p>	<p>(60) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards: (a) specifying the templates to be used for applications for recognition of Strategic Projects, progress reports related to Strategic Projects, the national exploration programmes, and the reporting of Member States pertaining to exploration, monitoring, strategic stocks and circularity; (b) specifying which products, components and waste streams shall be considered to have a high critical raw materials recovery potential; and (c) determining the criteria and their application for the recognition of schemes related to the sustainability of critical raw materials. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>1</sup>.</p> <p>1. Regulation (EU) No 182/2011 of the</p>	<p>(60) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards: (a) specifying the templates to be used for applications for recognition of Strategic Projects, progress reports related to Strategic Projects, the national exploration programmes, and the reporting of Member States pertaining to exploration, monitoring, strategic stocks and circularity; (b)– specifying which products, components and waste streams shall be considered to have a high critical raw materials recovery potential; <b>(b1) establishing the calculation and verification of strategic raw materials recovered from waste related to permanent magnets</b>; and (c) determining the criteria and their application for the recognition of schemes related to the sustainability of critical raw materials. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the</p>	<p>PL: (Comments): No remarks.</p> <p>SI: (Comments): SI supports the GA.</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>BE: (Comments):</p> <p>IT: (Comments): Maintain Council</p> <p>LT: (Comments): LT supports Council Mandate</p> <p>PT: (Comments): We support the Council’s mandate.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Agree with Council’s text.</p>

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	European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13-18).	European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13-18).	European Parliament and of the Council <sup>1</sup> .  1. [1] Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13-18).	
70	(61) To ensure that the obligations imposed under this Regulation are complied with, in particular as regards the fact that they comply with ecodesign requirements, companies that do not comply with their obligation, including on risk preparedness, project reporting and recyclability information, should be subject to penalties. It is therefore necessary that Member States lay down effective, proportionate and dissuasive penalties in national law for failure to comply with this Regulation.	(61) To ensure that the obligations imposed under this Regulation are complied with, in particular as regards the fact that they comply with ecodesign requirements, companies that do not comply with their obligation, including on risk preparedness, project reporting and recyclability information, should be subject to penalties. It is therefore necessary that Member States lay down effective, proportionate and dissuasive penalties in national law for failure to comply with this Regulation.	(61) To ensure that the obligations imposed under this Regulation are complied with, <del>in particular as regards the fact that they comply with ecodesign requirements,</del> companies that do not comply with their obligation, including on risk preparedness, project reporting and recyclability information, should be subject to penalties. It is therefore necessary that Member States lay down effective, proportionate and dissuasive penalties in national law for failure to comply with this Regulation.	PL: (Comments): Support the proposals of the Council. IE: (Comments): Prefer Council Mandate LT: (Comments): LT supports Commission proposal AT: (Comments): We advocate maintaining the Council position in this case. RO: (Comments): Agree with Council's text.
71	(62) The Commission should carry out an evaluation of this Regulation. Pursuant to	(62) The Commission should carry out an evaluation of this Regulation. Pursuant to	(62) The Commission should carry out an evaluation of this Regulation. Pursuant to	PL: (Comments): No support for the Council's proposals.

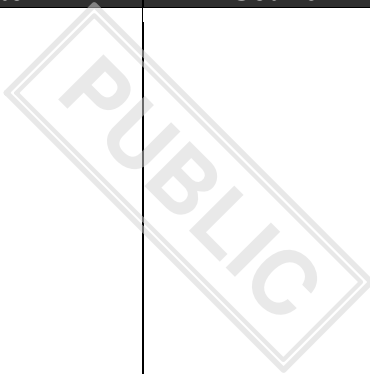
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>paragraph 22 of the Interinstitutional Agreement on Better Law-Making, that evaluation should be based on the five criteria of efficiency, effectiveness, relevance, coherence and EU value added and should provide the basis for impact assessments of possible further measures. The Commission should submit to the European Parliament, to the Council, the European Economic and Social Committee, a report on the implementation of this Regulation and progress towards achieving its objectives, including the capacity and diversification benchmarks. The report should also, based on the implementation of the measures related the transparency of the environmental footprint of critical raw materials, assess the appropriateness of establishing maximum thresholds related to the environmental footprint.</p>	<p>paragraph 22 of the Interinstitutional Agreement on Better Law-Making, that evaluation should be based on the five criteria of efficiency, effectiveness, relevance, coherence and EU value added and should provide the basis for impact assessments of possible further measures. The Commission should submit to the European Parliament, to the Council, the European Economic and Social Committee, a report on the implementation of this Regulation and progress towards achieving its objectives, including the capacity and diversification benchmarks. The report should also, based on the implementation of the measures related the transparency of the environmental footprint of critical raw materials, assess the appropriateness of establishing maximum thresholds related to the environmental footprint.</p>	<p>paragraph 22 of the Interinstitutional Agreement on Better Law-Making, that evaluation should be based on the five criteria of efficiency, effectiveness, relevance, coherence and EU value added and should provide the basis for impact assessments of possible further measures. The Commission should submit to the European Parliament, to the Council, <b>and</b> the European Economic and Social Committee, a report on the implementation of this Regulation and progress towards achieving its objectives, including the capacity and diversification benchmarks. The report should also, based on the implementation of the measures related the transparency of the environmental footprint of critical raw materials, assess the appropriateness of establishing maximum thresholds related to the environmental footprint.  <b>The Commission should also evaluate the need for benchmarks targeting 2040 and 2050 and for individual strategic raw materials.</b></p>	<p>SI:  (Comments):  SI supports the GA.  DK:  (Comments):  We could be flexible and go with the EP text here including not explicitly mentioning any requirement to consider new 2040 and 2050 benchmarks  IE:  (Comments):  Prefer Council Mandate  BE:  (Comments):  FI:  (Comments):  FI supports the council mandate.  IT:  (Comments):  Maintain the council’s proposal  LT:  (Comments):  LT supports Council Mandate  PT:  (Comments):  We support the Council’s mandate.  AT:  (Comments):  We advocate maintaining the Council position in this case.  <b>RO:</b>  <b>(Comments):</b></p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Agree with Commission's Proposal and EP's text.
91	(2) 'critical raw materials' means the raw materials as defined in Article 4;	(2) 'critical raw materials' means the raw materials as defined in Article 4;	(2) 'critical raw materials' means the raw materials as defined in Article 4;	PL: (Comments): No remarks. BE: (Comments):
94	(5) 'exploration' means all activities aimed at identifying and establishing the properties of mineral occurrences;	(5) 'exploration' means all activities aimed at identifying and establishing the properties of mineral occurrences;	(5) 'exploration' means all activities aimed at identifying and establishing the properties of mineral occurrences;	PL: (Comments): No remarks. BE: (Comments):
96a			<b>(7a) 'mineral occurrences' means any single mineral or combination of minerals occurring in a mass or deposit of potential economic interest;</b>	PL: (Comments): It is not truth, that each "mineral occurrence" = "potential economic interest" SI: (Comments): SI supports the GA. IE: (Comments): Retain Council Mandate FI: (Comments): FI likes the addition in the council mandate. LT: (Comments): LT supports Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>PT: (Comments): This definition would benefit from an improved wording as follows: “<i>mineral occurrences</i>’ means any single mineral or combination of minerals occurring in a mass or deposit”. Economic interest is variable according to the market demand.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Not necessary.</p>
97	(8) ‘reserves’ means all mineral occurrences that are economically viable to extract;	(8) ‘reserves’ means all mineral occurrences that are economically viable to extract <b>at a given market context;</b>	(8) ‘reserves’ means all mineral occurrences that are economically viable to extract;	<p>PL: (Comments): It is necessary to define “reserves” in accordance with the CRIRSCO/JORC classification.</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>HR: (Comments): We can be flexible with the EP amendment.</p> <p>BE: (Comments):</p> <p>FI: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				FI can be flexible. IT: (Comments): flexible LT: (Comments): LT supports Parliament Mandate PT: (Comments): We support the Council's mandate. AT: (Comments): We support the inclusion of the wording "at a given market context" as proposed by the Rapporteur. <b>RO:</b> <b>(Comments):</b> <b>Agree with Commission's</b> <b>Proposal and Council's text.</b>
100	(11) 'recycling' means any recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes;	(11) 'recycling' means any recovery operation <b>of both pre-consumer and post-consumer waste</b> by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes;	(11) 'recycling' means <del>any recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes</del> <b>recycling within the meaning of Directive 2008/98/EC;</b>	SE: (Comments): SE does not support EP proposal. Definitions of the Waste Framework Directive are important to keep. PL: (Comments): Support the proposals of the Council. SI: (Comments): SI supports the GA and

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>reference to the directive 2008/98/EC.</p> <p>DK: (Comments): Important to use Council text to ensure harmonized definitions across EU legal acts</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>BE: (Comments): Maintain Council position to safeguard uniformity of definitions in related legislation.</p> <p>FR: (Comments): France strongly supports the Council proposal.</p> <p>CZ: (Comments): CZ prefers Council position.</p> <p>IT: (Comments): Maintain the council's proposal</p> <p>DE: (Comments): We strictly support the Position of the council with its clear reference to the Directive 2008/98/EC.</p> <p>LT: (Comments): LT supports Council Mandate</p> <p>PT: (Comments):</p>



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>We support the the Council’s mandate.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case because of the importance of coherence with the Waste Framework Directive (see relevant line in Batches I-III).</p> <p><b>RO:</b> (Comments): Agree with EP’s text</p>
104	(15) ‘raw material project’ means any planned facility or planned significant extension or repurposing of an existing facility active in extraction, processing or recycling of raw materials;	(15) ‘raw material project’ means any planned facility or planned significant extension or repurposing of an existing facility active in extraction, processing or recycling of raw materials;	(15) ‘raw material project’ means any planned facility or planned significant extension or repurposing of an existing facility active in extraction, processing or recycling of raw materials;	<p>PL: (Comments): No remarks.</p> <p>BE: (Comments):</p>
108	(19) ‘permit granting process’ means a process covering all relevant administrative permits to plan, build and operate the Strategic Projects referred to in Article 5, including building, chemical and grid connection permits and environmental assessments and authorisations where these are required, and encompassing all administrative applications and procedures	(19) ‘permit granting process’ means a process covering all relevant administrative permits to plan, build and operate the Strategic Projects referred to in Article 5, including building, chemical and grid connection permits and environmental assessments and authorisations where these are required, and encompassing all administrative applications and procedures	(19) ‘permit granting process’ means a process covering all relevant <del>administrative</del> permits to <del>plan, build and operate the Strategic Projects referred to in Article 5, including building, chemical and grid connection permits and environmental assessments and authorisations where these are required,</del> <b>critical raw materials projects</b> , and encompassing all <del>administrative</del>	<p>SE: (Comments): SE wants to keep Council mandate.</p> <p>PL: (Comments): Support the proposals of the Council.</p> <p>SI: (Comments): SI supports the GA.</p> <p>IE: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	from the acknowledgment of the validity of the application to the notification of the comprehensive decision on the outcome of the procedure by the responsible national competent authority referred to in Article 8(1);	from the acknowledgment of the validity of the application to the notification of the comprehensive decision on the outcome of the procedure by the responsible national competent authority referred to in Article 8(1);	applications and procedures from the acknowledgment of the validity of the application <del>application</del> <b>that the application is complete</b> to the notification of the comprehensive decision <del>on the outcome of the procedure</del> by the responsible national competent authority referred to in Article 8(1);	Prefer Council Mandate BE: (Comments): FR: (Comments): <b>France strongly supports the Council proposal.</b> IT: (Comments): Maintain the council's proposal LT: (Comments): LT supports Council Mandate PT: (Comments): We support the Council's mandate, including all critical raw materials projects, not only the strategic. AT: (Comments): We advocate maintaining the Council position in this case. <b>RO:</b> <b>(Comments):</b> Agree with Commission's Proposal and EP's text.
109	(20) 'comprehensive decision' means the decision or set of decisions taken by Member State authorities not including courts or tribunals that determines whether or not a project promoter is authorised	(20) 'comprehensive decision' means the decision or set of decisions taken by Member State authorities not including courts or tribunals that determines whether or not a project promoter is authorised	(20) 'comprehensive decision' means the decision or set of decisions taken by Member State authorities <del>not including courts or tribunals</del> that determines whether or not a project promoter is authorised	PL: (Comments): Support the proposals of the Council. IE: (Comments): Prefer Council Mandate BE:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to implement a raw material project, without prejudice to any decision taken in the context of an administrative appeal procedure;	to implement a raw material project, without prejudice to any decision taken in the context of an administrative appeal procedure;	to implement a raw material project, without prejudice to any decision taken in the context of an administrative appeal procedure;	(Comments): IT: (Comments): Maintain Council PT: (Comments): We support the Council's mandate. AT: (Comments): We advocate maintaining the Council position in this case. <b>RO:</b> (Comments): Agree with Commission's Proposal and EP's text.
109a			<b>(20a) 'national programme' means a national programme or a set of programmes prepared and adopted by national and regional authorities;</b>	PL: (Comments): No remarks. IE: (Comments): Retain Council Mandate BE: (Comments): Keep the definition of the Council, but with important suggestion for clarification: "... adopted by the <b>competent</b> national and/or regional authority" IT: (Comments): Maintain the council's proposal LT: (Comments):

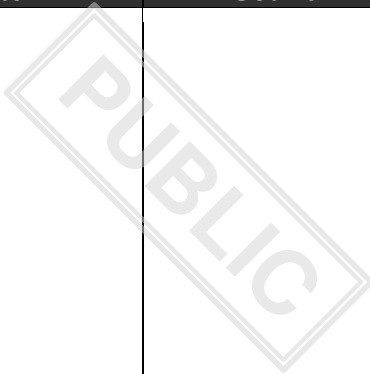
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				LT supports Council Mandate PT: (Comments): We support the Council's mandate. AT: (Comments): We advocate maintaining the Council position in this case. <b>RO:</b> <b>(Comments):</b> <b>Not necessary.</b>
110	(21) 'general exploration' means exploration at national or regional level, not including targeted exploration;	(21) 'general exploration' means exploration at national or regional level, not including targeted exploration;	(21) 'general exploration' means exploration at national or regional level, not including targeted exploration;	PL: (Comments): No remarks. BE: (Comments):
111	(22) 'targeted exploration' means the detailed investigation of an individual mineral occurrence;	(22) 'targeted exploration' means the detailed investigation of an individual mineral occurrence;	(22) 'targeted exploration' means the detailed investigation of an individual mineral occurrence;	PL: (Comments): No remarks. BE: (Comments):
112	(23) 'deep ore deposits' means mineral occurrences that are located deeper in the Earth's crust than conventionally exploited ore occurrences;	(23) 'deep ore deposits' means mineral occurrences that are located deeper in the Earth's crust than conventionally exploited ore occurrences;	(23) <del>'deep ore deposits' means mineral occurrences that are located deeper in the Earth's crust than conventionally exploited ore occurrences;</del>	PL: (Comments): Support the proposals of the Council. IE: (Comments): Prefer Council Mandate BE: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>If this definition would be kept, it should be stated what is “deeper than conventionally exploited”. It seems there’s not a real difference in how these deposits are treated in the CRMA.FI:</p> <p>(Comments): FI likes the definition – for us its not clear anymore why it was deleted but we understand that there might have been a good reason.</p> <p>IT: (Comments): Maintain Council position</p> <p>PT: (Comments): We support the Council’s mandate. What depth is considered when classifying a “<i>deep ore deposit</i>”?</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p><b>RO:</b> (Comments): Agree with Commission’s Proposal and EP’s text.</p>
113	(24) ‘predictive map’ means a map indicating areas that are likely to contain mineral occurrences of a given raw material;	(24) ‘predictive map’ means a map indicating areas that are likely to contain mineral occurrences of a given raw material;	(24) ‘predictive map’ means a map indicating areas that are likely to contain mineral occurrences of a given raw material;	<p>PL: (Comments): No remarks.</p> <p>BE: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
141	(52) 'permanent magnet' means a magnet that retains its magnetism after being removed from an external magnetic field;	(52) 'permanent magnet' means a magnet that retains its magnetism after being removed from an external magnetic field;	(52) 'permanent magnet' means a magnet that retains its magnetism after being removed from an external magnetic field;	PL: (Comments): No remarks. BE: (Comments):
147	(58) 'making available on the market' means any supply of a product for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge;	(58) 'making available on the market' means any supply of a product for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge;	(58) 'making available on the market' means any supply of a product for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge;	PL: (Comments): No remarks. BE: (Comments):
150	(61) 'conformity assessment' means the process demonstrating whether the requirements set out Article 27, 28 or 34 have been fulfilled;	(61) 'conformity assessment' means the process demonstrating whether the requirements set out Article 27, 28 or 34 have been fulfilled;	(61) 'conformity assessment' means the process demonstrating whether the requirements set out Article 27, 28 or 34 have been fulfilled;	PL: (Comments): No remarks. BE: (Comments):
290	Section 4 Exploration	Section 4 Exploration	Section 4 Exploration	BE: (Comments):
291	Article 18 National exploration programmes	Article 18 National exploration programmes	Article 18 National exploration programmes	BE: (Comments): FI: (Comments): As a general comment about the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>whole batch IV FI would like to say that national implementation timelines in the council mandate should be defended.</p>
292	<p>1. Each Member State shall draw up a national programme for general exploration targeted at critical raw materials. Each Member State shall draw up the first such programme by [OP please insert: 1 year after the date of entry into force of this Regulation]. The national programmes shall be reviewed and, if necessary, updated, at least every 5 years.</p>	<p>1. Each Member State shall draw up a national programme for general exploration targeted at critical raw materials,. Each Member State shall draw up the first such programme by [OP please insert: 1 year after the date of entry into force of this Regulation]. The national programmes shall be reviewed and, <del>if necessary,</del> <b>digitally updated, at least with data incorporated from other exploration campaigns for publication</b> every <del>three</del> years.</p>	<p>1. Each Member State shall draw up a national programme for general exploration targeted at critical raw materials <b>and carrier minerals of critical raw materials</b>. Each Member State shall draw up the first such programme by [OP please insert: 1 year after the date of entry into force of this Regulation]. The national programmes shall be reviewed and, if necessary, updated, at least every 5 years.</p>	<p>SE: (Comments): SE wants to keep Council mandate. Q: SE would like to know who owns data from “other” campaigns? If private, it will be complicated.</p> <p>PL: (Comments): Support the proposals of the Council.</p> <p>NL: (Comments): Council mandate</p> <p>SI: (Comments): SI is in favour of the EP amendment and would suggest to combine it with the GA.</p> <p>IE: (Comments): Prefer Council Mandate due to timeline difference of 3 vs 5 years.</p> <p>HR: (Comments): We can be flexible with the EP amendment.</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>BE: (Comments): Council position is preferred Motivation: Three years is very short to update the national exploration programme. It takes time to collect and interpret data and design the next steps. A 5-year period is more realistic..FI:</p> <p>(Comments): FI likes the council mandate here.</p> <p>FR: (Comments): France strongly supports the Council proposal.</p> <p>CZ: (Comments): CZ prefers Council position</p> <p>IT: (Comments): Maintain Council's position.</p> <p>DE: (Comments): We reject the EP addition.</p> <p>LT: (Comments): LT supports Council Mandate with 5 year period (3 years is too short). For a country with no critical raw materials producing national programme each 3 years is administrative burden with little to no substantiation.</p> <p>PT:</p>



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>(Comments): We can support the EP's amendment on what concerns including "<i>digitally updated</i>" and "<i>with data incorporated from other exploration campaigns</i>" but the 3 years update may be too short. The Council's mandate "<i>at least every 5 years</i>" must be kept. AT: (Comments): We advocate maintaining the Council position in this case. Besides, experience shows that an update after 5 years is sufficient. <b>RO:</b> (Comments): Agree with Commission's Proposal.</p>
293	<p>2. The national exploration programmes referred to in paragraph 1 shall include measures to increase available information on the Union's critical raw material occurrences, including deep ore deposits. They shall include, as appropriate, the following measures:</p>	<p>2. The national exploration programmes referred to in paragraph 1 shall include measures to increase available information on the Union's critical raw material occurrences, including deep ore deposits. They shall include, as appropriate, the following measures:</p>	<p>2. The national exploration programmes referred to in paragraph 1 shall include measures to increase available information on the Union's critical raw material occurrences, <del>including deep ore deposits</del>. They shall include, as appropriate, the following measures:</p>	<p>PL: (Comments): Support the proposals of the Council. IE: (Comments): Prefer Council Mandate BE: (Comments): FI: (Comments): For FI not clear anymore why the mention of deep ore deposits was deleted but we</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>understand that there might have been a good reason. Nevertheless we think deep ore deposits should be included. So we can support the EP here.</p> <p>PT: (Comments): We support the Council's mandate. See definition (23), <i>vd</i> line 112, proposed to be eliminated.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p><b>RO:</b> (Comments): Agree with Commission's Proposal and EP's text.</p>
294	(a) mineral mapping at a suitable scale;	(a) mineral mapping at a suitable scale, <b>including the potential of existing tailings</b> ;	(a) mineral mapping at a suitable scale;	<p>SE: (Comments): SE does not support EP and wants to keep Council mandate. Mapping of extractive waste is, and should only be, in art. 26.</p> <p>PL: (Comments): Support the proposals of the Parliament.</p> <p>SI: (Comments): In the case of accepting EP proposal, we suggest to use wider term "mine waste" instead of "tailings".</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>IE: (Comments): Prefer Council Mandate as EP proposal has already been handled in extractive waste provisions.</p> <p>HR: (Comments): EP amendment is not clear, we cannot support it.</p> <p>BE: (Comments):</p> <p>FI: (Comments): FI can be flexible although it seems to us extractive waste is already covered in other parts of the act.</p> <p>FR: (Comments): France can accept the EP proposal.</p> <p>IT: (Comments): Flexible. We propose this reformulation: <b><i>“including mapping of extractive waste facilities”</i></b></p> <p>PT: (Comments): We can agree with the EP’s amendment, but we propose the following text <i>“(a) mineral mapping at a suitable scale, including existing tailings”</i>. It is very difficult to determine</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>potential tailings.            AT:            (Comments):            We advocate maintaining the Council position in this case.            RO:            (Comments):            In general RO agrees with EP's text. For a comprehensive and accurate application of this provision RO supports a proposal for rephrasing this provision as follows:  <b>“mineral mapping at a suitable scale, including the potential of existing tailings (industrial dumps and ponds)”;</b></p>
295	(b) geochemical campaigns, including to establish the chemical compositions of soils, sediments, rocks;	(b) geochemical campaigns, including to establish the chemical compositions of soils, sediments, rocks;	(b) geochemical campaigns, including to establish the chemical compositions of soils, sediments, rocks;	<p>PL:            (Comments):            No remarks.            BE:            (Comments):            IT:            (Comments):            We propose to include geochemical campaigns that include fluid analysis (including geothermal) adding “fluids” dopo rock</p>
296	(c) geoscientific surveys, such as geophysical surveys;	(c) geoscientific surveys, such as geophysical surveys;	(c) geoscientific surveys, such as geophysical surveys;	<p>PL:            (Comments):            No remarks.            BE:</p>

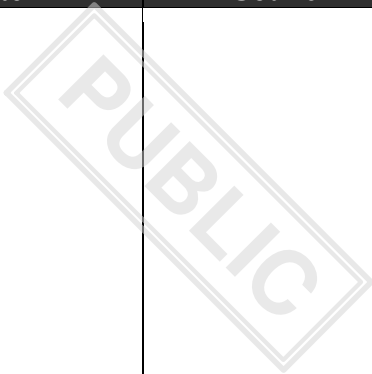
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				(Comments):
297	(d) processing of the data gathered through general exploration, including through the development of predictive maps;	(d) processing of the data gathered through general exploration, including through the development of predictive maps;	(d) processing of the data gathered through general exploration, including through the development of predictive maps;	PL: (Comments): No remarks. BE: (Comments):
298	(e) reprocessing of existing geoscientific survey data to check for unidentified mineral occurrences containing critical raw materials.	(e) reprocessing of existing geoscientific survey data to check for unidentified mineral occurrences containing critical raw materials <b>and carrier metals which may contain critical raw materials.</b>	(e) reprocessing of existing geoscientific survey data to check for unidentified mineral occurrences containing critical raw materials.	SE: (Comments): SE can be flexible. PL: (Comments): No remarks.  SI: (Comments): In case of EP proposal, the term “minerals” is more appropriate than “metals” IE: (Comments): Prefer Council Mandate HR: (Comments): We can be flexible with the EP amendment. BE: (Comments): Flexible with PEFI: (Comments): FI can be flexible here but

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>replace ‘carrier metals’ by ‘carrier minerals’ in the EP mandate.</p> <p>FR: (Comments):</p> <p>IT: (Comments): Felxible but modify carrier metals con carrier mineralsWe could add “Collection and” before “reprocessing”</p> <p>PT: (Comments): We support the Council’s mandate. The mentioned “<i>carrier metals</i>” in the EP’s amendment are themselves mineral occurrences, which are metallic or non-metallic.</p> <p>AT: (Comments): We generally support the amendment proposed by the Rapporteur. However, we suggest using the wording “carrier minerals” instead of “carrier metals”.</p> <p><b>RO:</b> (Comments): Agree with Commission’s Proposal and Council’s text.</p>
298a			<p><b>2a. Where a Member State’s geological conditions are so that, with a high degree of</b></p>	<p>PL: (Comments): No remarks.</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p><b>certainty, no deposits of critical raw materials or their carrier minerals will be identified through the measures listed in paragraph 2, the national programme referred to in paragraph 1 may consist of scientific evidence to that effect.</b></p>	<p>SI: (Comments): SI supports the GA.</p> <p>DK: (Comments): Important to keep Council text – we must not introduce legal obligations that make no sense for some member states</p> <p>IE: (Comments): Retain Council Mandate</p> <p>HR: (Comments): Important to maintain Council mandate.</p> <p>BE: (Comments): Council mandate to maintain</p> <p>IT: (Comments): Maintain</p> <p>LT: (Comments): LT supports Council Mandate</p> <p>PT: (Comments): We support the Council’s mandate. Although, for coherence of the text, it should be decided if it is used the term “<i>carrier minerals</i>” or “<i>main minerals that they are extracted together with</i>”.</p> <p>AT: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>We advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Agree with Council's text.</p>
299	<p>3. Member States shall communicate to the Commission their national programmes referred to in paragraph 1.</p>	<p>3. Member States shall communicate to the Commission their <b>draft</b> national programmes referred to in paragraph 1. <b>The Commission may issue an opinion with regard to the scope and format of their exploration programmes, to ensure a streamlined Union approach. The Commission may also help Member States in setting up and implementing their national exploration programmes through technical, digital and technological resources.</b></p>	<p>3. Member States shall communicate to the Commission their national programmes referred to in paragraph 1.</p>	<p>SE: (Comments): SE wants to keep Council mandate. It may not be appropriate to have a streamlined approach. Q: is there any money connected to this? It could be an escape for MS who doesn't want to put a budget to this.</p> <p>PL: (Comments): Support the proposal of the Commission and the Council.</p> <p>SI: (Comments): SI supports the GA. The EP amendment imposes a more complex procedure of preparing the national exploration programmes.</p> <p>IE: (Comments): Prefer Council Mandate on the basis that the advice on national exploration programmes will be issued by the mineral exploration subgroup..</p> <p>BE: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>In favor of EP            CZ:            (Comments):            CZ is flexible towards EP position.</p> <p>IT:            (Comments):            Maintain council proposal but we welcome the second part:  <i>“The Commission may also help Member States in setting up and implementing their national exploration programmes through technical, digital and technological resources.”</i></p> <p>DE:            (Comments):            We reject the EP addition of MS sending drafts to the commission, but we are flexible towards the EP addition of the possibility that the COM can issue opinion or help with the regards to the national programme.</p> <p>LT:            (Comments):            LT flexible</p> <p>PT:            (Comments):            We support the EP’s amendment “The Commission may also help Member States in setting up and implementing their national exploration programmes through technical,</p>

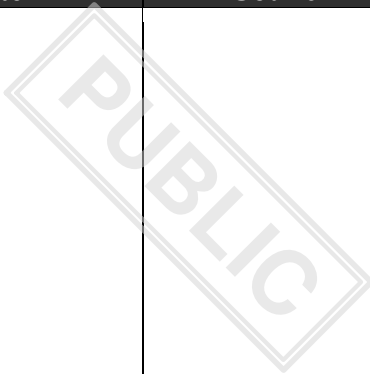


	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>digital and technological resources.”</p> <p>AT: (Comments): How would this proposed support by the Commission be implemented in practice? In any case, it is of utmost importance that the Commission, in its competences, does not go beyond the provisions in this Article.</p> <p>RO: (Comments): Agree with EP's text.</p>
299a		<p><b>The Member States shall communicate to the Commission the finalised national programmes referred to in paragraph 1 of this Article. The Commission shall then forward those programmes to the Board so that they can be discussed in the subgroup referred to in Article 35(6), point (e).</b></p>		<p>PL: (Comments): No support.</p> <p>SI: (Comments): SI is not in favour of the EP amendment. We would also like to hear the opinion of the Commission.</p> <p>IE: (Comments): Can show flexibility towards EP Mandate</p> <p>BE: (Comments): In favor of EP</p> <p>IT: (Comments): Risk of a longer time frame</p> <p>LT:</p>

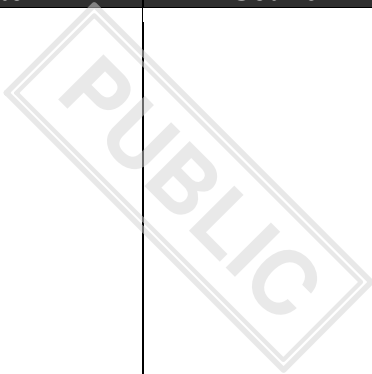
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				(Comments): LT flexible PT: (Comments): What will be the outcome of the referred discussion? Member States must always keep their sovereignty in what concerns national programmes. <b>RO:</b> <b>(Comments):</b> <b>Agree with EP's text.</b>
300	4. Member States shall, as part of the report referred to in Article 43, provide information on progress in the implementation of the measures included in their national programmes.	4. Member States shall, as part of the report referred to in Article 43, provide information on progress in the implementation of the measures included in their national programmes.	4. Member States shall, as part of the report referred to in Article 43, provide information on progress in the implementation of the measures included in their national programmes.	PL: (Comments): No remarks. BE: (Comments):
301	5. Member States shall make the information on their mineral occurrences containing critical raw materials gathered through the measures set out in the national programmes referred to in paragraph 1 publicly available on a free access website. This information shall, where applicable, include the classification of the identified occurrences using the United Nations Framework	5. Member States shall make <b>the updated</b> information on their mineral occurrences containing critical raw materials gathered through the measures set out in the national programmes referred to in paragraph 1 <b>publicly available on a free access website upon reasoned request by academia, national competent authorities, Union or national, regional and local agencies,</b>	5. Member States shall <del>make the information on their mineral occurrences containing critical raw materials gathered through</del> <b>communicate</b> the measures set out in the national programmes referred to in paragraph 1 <del>publicly</del> <b>and make</b> available on a free access website, <b>or upon request, the information from these programmes.</b> This information shall, where applicable, include	SE: (Comments): SE can be flexible on additions but wants to at least keep Council text where deletions have been made etc. PL: (Comments): Support the proposals of the Parliament. SI: (Comments): SI supports the GA.

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	<p>Classification for Resources.</p>	<p><b>national geological institutes or surveys.</b> This information shall, where applicable, include the classification of the identified occurrences using the United Nations Framework Classification for Resources.</p>	<p>the classification of the identified occurrences using the United Nations Framework Classification for Resources.</p>	<p>IE: (Comments): Prefer Council Mandate as free and easy access to data encourages and enhances exploration.</p> <p>HR: (Comments): We can be flexible with EP mandate. Transparency of the procedures and data that are carried out in connection with the exploration and exploitation of mineral raw materials is extremely important.</p> <p>BE: (Comments): See line 41: the authority responsible for the exploration programme should draw up and decide on a code about data sharing and possible confidentiality as part of the programme, while keeping the objective of increased exploration in mind proposal: ‘... facilitate the development of extraction projects, <b>the competent authority of</b> Member States should make publicly available the <b>non-confidential</b> information acquired during their respective national exploration programme, ...’</p> <p>FI: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>FI supports the council mandate here.</p> <p>FR: (Comments): France can accept the EP proposal</p> <p>CZ: (Comments): CZ prefers Council position</p> <p>IT: (Comments): Maintain the Council's proposal but appropriate to be cautious about information dissemination. Many information are sensitive. So flexible on "reasoned request" It would be helpful if international standards commonly used in resource assessment were also considered. It is proposed that the CRIRSCO codes also be added at the end of the text. So add: <b>CRIRSCO international codes and standards.</b></p> <p>DE: (Comments): We suggest to make reference to INPIRE directive (2007/2/EC) Our proposal (in Council version): 5. Member States shall <del>make the information on their mineral occurrences containing critical</del></p>



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>raw materials gathered through <del>publicly</del> <b>communicate</b> the measures set out in the national programmes referred to in paragraph 1 <del>publicly</del> <b>and make</b> available on a free access website, <b>or upon request, the information from these programmes. To this end, where applicable, Member States may use websites that serve publication following Directive 2007/2/EC.</b> This information shall, where applicable, include the classification of the identified occurrences using the United Nations Framework Classification for Resources. <b>Obligations under Directive 2007/2/EC shall remain unaffected by this provision.</b> Justification: Most likely, the national exploration programs would trigger obligations under the INSPIRE directive (2007/2/EC) to make information on minerals/critical raw materials public. Hence, considering Art. 18(5) as well as recital 32, please check potential redundancies with a view to INSPIRE) and explain the envisaged interplay. Please also check the classification system used for INSPIRE.</p> <p>LT:</p>



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>(Comments):            LT supports Council Mandate            PT:            (Comments):            We support the Council's mandate.            AT:            (Comments):            We generally advocate maintaining the Council position in this case, however, suggest the following wording:            5. Member States shall <del>make the information on their mineral occurrences containing critical raw materials gathered through</del><b>communicate</b> the measures set out in the national programmes referred to in paragraph 1 <del>publicly</del><b>and make</b> available on a free access website <b>upon reasoned request by academia, national competent authorities, Union or national, regional and local agencies, national geological institutes or surveys. on a free access website, or upon request, the information from these programmes.</b> This information shall, where applicable, include the classification of the identified occurrences using the United Nations Framework Classification for Resources.  <b>RO:</b></p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>(Comments):            Agree with EP's text. RO understands that the phrasing form EP's mandate refers to the provision of information through certain measures that will be stipulated in the national programs. However, we see the need to clarify the phrasing "reasoned request" in order to avoid any misinterpretation and to bring more clarity to this provision. When or under what circumstances can a request be considered <b>reasoned</b>?</p>
302	<p>The Commission is empowered to adopt implementing acts establishing a template for making available the information referred to in the first subparagraph. The template may indicate how the information referred to in the first subparagraph shall be expressed. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 37(2).</p>	<p>The Commission is empowered to adopt implementing acts establishing a template for making available the information referred to in the first subparagraph. The template may indicate how the information referred to in the first subparagraph shall be expressed. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 37(2).</p>	<p>The Commission is empowered to adopt implementing acts establishing a template for making available the information referred to in the first subparagraph. The template may indicate how the information referred to in the first subparagraph shall be expressed. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 37(2).</p>	<p>PL:            (Comments):            No remarks.            BE:            (Comments):</p>
303	<p>6. Taking into consideration existing cooperation on general exploration, the standing sub-group referred to in Article</p>	<p>6. Taking into consideration existing cooperation on general exploration, the standing sub-group referred to in Article</p>	<p>6. Taking into consideration existing cooperation on general exploration, the standing sub-group referred to in Article</p>	<p>PL:            (Comments):            No remarks.            BE:</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	35(6), point (b) shall discuss the national programmes referred to in paragraph 1 and their implementation, including at least:	35(6), point (b) shall discuss the national programmes referred to in paragraph 1 and their implementation, including at least:	35(6), point (b) shall discuss the national programmes referred to in paragraph 1 and their implementation, including at least:	(Comments):
304	(a) the potential for cooperation, including on exploration of cross-border mineral occurrences and common geological formations;	(a) the potential for cooperation, including on exploration of cross-border mineral occurrences and common geological formations;	(a) the potential for cooperation, including on exploration of cross-border mineral occurrences and common geological formations;	PL: (Comments): No remarks. BE: (Comments):
305	(b) best practices related to the measures listed in paragraph 2;	(b) best practices related to the measures listed in paragraph 2;	(b) best practices related to the measures listed in paragraph 2;	PL: (Comments): No remarks. BE: (Comments):
306	(c) the possibility to create an integrated database for storing the results of the national programmes referred to in paragraph 1.	(c) <del>the possibility to create an integrated database for storing the results</del> <b>integration of the results of the national programmes referred to in paragraph 1 into the spatial data infrastructure referred to in Directive 2007/2/EC of the European Parliament and of the national programmes referred to in paragraph 1</b> <del>and to make this spatial data infrastructure accessible to all national competent authorities to</del>	(c) the possibility to create an integrated database for storing the results of the national programmes referred to in paragraph 1.	SE: (Comments): SE wants to keep Council mandate. PL: (Comments): We support the proposal of the Commission and the Council. NL: (Comments): Support for EP mandate, if “the possibility of” is kept. SI: (Comments): SI is in favour of the GA.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><b>increase data-sharing.</b></p> <p><b>1. Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).</b></p>		<p>IE: (Comments): Prefer Council Mandate</p> <p>BE: (Comments): In case of selection of EP formulation: “to all competent national <b>and regional</b> authorities”.</p> <p>IT: (Comments): Flexible</p> <p>LT: (Comments): LT supports Parliament Mandate</p> <p>AT: (Comments): We support the amendments proposed by the Rapporteur specifically because of references regarding coherence with other existing EU legislation.</p> <p>RO: (Comments): Agree with EP’s text. The European Parliament’s version brings more accuracy because it requires the integration of spatial data in the format of the INSPIRE Directive, which, anyway, is mandatory both by European and national regulations and facilitates interoperability between</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<b>institutions.</b>
306a		<p><b>6a. Member States shall support the technological maturity of exploration technologies for deep and complex deposits of critical raw materials at least by including support actions to that effect under national R&amp;I programmes, while minimising the environmental impact of those technologies.</b></p>		<p>SE: (Comments): SE wants to keep Council mandate. This fits better in the R&amp;I agenda.</p> <p>PL: (Comments): No remarks.</p> <p>NL: (Comments): Council mandate</p> <p>DK: (Comments): Important to keep Council text / i.e. not introduce EP text We would not want to introduce a legal obligation on member states to support the technical maturity of these technologies. Problematic to introduce such a requirement in general, and also problematic since such activities should probably be supported in member states with comparative advantages in the field, not be strictly required of all member states.</p> <p>IE: (Comments): Reject EP Mandate as it is outside scope (technological maturity of exploration technology).</p> <p>IT: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Flexible LT: (Comments): LT supports Parliament Mandate PT: (Comments): We can agree with the EP's amendment. However, the type of <i>support actions</i> should be clarified. AT: (Comments): We very much support the amendments proposed by the Rapporteur. RO: (Comments): Agree with EP's text.
506	Section 3 Free movement, conformity and market surveillance	Section 3 Free movement, conformity and market surveillance	Section 3 Free movement, conformity and market surveillance	PL: (Comments): No remarks. BE: (Comments):
507	Article 31 Free movement	Article 31 Free movement	Article 31 Free movement	PL: (Comments): No remarks. BE: (Comments): LT: (Comments): Overall LT supports Commission proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
508	<p>1. Member States shall not, for reasons relating to information for recycling or recycled content of permanent magnets or for reasons relating to information on the environmental footprint of critical raw material covered by this Regulation, prohibit, restrict or impede the making available on the market or the putting into service of products incorporating permanent magnets or of critical raw materials that comply with this Regulation.</p>	<p>1. Member States shall not, for reasons relating to information for recycling or recycled content of permanent magnets or for reasons relating to information on the environmental footprint of critical raw material covered by this Regulation, prohibit, restrict or impede the making available on the market or the putting into service of products incorporating permanent magnets or of critical raw materials that comply with this Regulation.</p>	<p>1. Member States shall not, for reasons relating to information for recycling or recycled content of permanent magnets or for reasons relating to information on the environmental footprint of critical raw material covered by this Regulation, prohibit, restrict or impede the making available on the market or the putting into service of products incorporating permanent magnets or of critical raw materials that comply with this Regulation.</p>	<p>PL: (Comments): No remarks. BE: (Comments):</p>
509	<p>2. At trade fairs, exhibitions, demonstrations or similar events, Member States shall not prevent the showing of products incorporating permanent magnets or of critical raw materials which do not comply with this Regulation, provided that a visible sign clearly indicates that such products or materials do not comply with this Regulation and that they cannot be made available on the market until they have been brought into conformity.</p>	<p>2. At trade fairs, exhibitions, demonstrations or similar events, Member States shall not prevent the showing of products incorporating permanent magnets or of critical raw materials which do not comply with this Regulation, provided that a visible sign clearly indicates that such products or materials do not comply with this Regulation and that they cannot be made available on the market until they have been brought into conformity.</p>	<p>2. At trade fairs, exhibitions, demonstrations or similar events, Member States shall not prevent the showing of products incorporating permanent magnets or of critical raw materials which do not comply with this Regulation, provided that a visible sign clearly indicates that such products or materials do not comply with this Regulation and that they cannot be made available on the market until they have been brought into conformity.</p>	<p>PL: (Comments): No remarks. BE: (Comments):</p>
510				<p>PL:</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 32 Conformity and market surveillance	Article 32 Conformity and market surveillance	Article 32 Conformity and market surveillance	(Comments): No remarks. NL: (Comments): Council position BE: (Comments): LT: (Comments): Overall LT supports Council Mandate
511	1. Before placing a product covered by Article 27 or 28 on the market, the responsible natural or legal persons shall ensure that the applicable conformity assessment procedure has been carried out and that the required technical documentation has been drawn up. Where compliance of a product with the applicable requirements have been demonstrated by the conformity assessment procedure, the responsible natural or legal persons shall ensure that an EU declaration of conformity has been drawn up and the CE marking has been affixed.	1. Before placing a product covered by Article 27 or 28 on the market, the responsible natural or legal persons shall ensure that the applicable conformity assessment procedure has been carried out and that the required technical documentation has been drawn up. Where compliance of a product with the applicable requirements have been demonstrated by the conformity assessment procedure, the responsible natural or legal persons shall ensure that an EU declaration of conformity has been drawn up and the CE marking has been affixed.	1. Before placing a product covered by Article 27 or 28 on the market, the responsible natural or legal persons shall ensure that the applicable conformity assessment procedure has been carried out and that the required technical documentation has been drawn up. Where compliance of a product with the applicable requirements have been demonstrated by the conformity assessment procedure, the responsible natural or legal persons shall ensure that an EU declaration of conformity has been drawn up and the CE marking has been affixed.	PL: (Comments): No remarks. NL: (Comments): Council position BE: (Comments):
512	2. The conformity assessment procedure for products covered	2. The conformity assessment procedure for products covered	2. The conformity assessment procedure for products covered	PL: (Comments): No remarks.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	by the requirements set out in Article 27 shall be the procedure set out in Annex IV of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], unless those products are also covered by the requirements set out in Article 28, in which case the conformity assessment procedure shall be the procedure set out in the calculation and verification rules adopted pursuant to Article 28(2).	by the requirements set out in Article 27 shall be the procedure set out in Annex IV of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], unless those products are also covered by the requirements set out in Article 28, in which case the conformity assessment procedure shall be the procedure set out in the calculation and verification rules adopted pursuant to Article 28(2).	by the requirements set out in Article 27 shall be the procedure set out in Annex IV of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], unless those products are also covered by the requirements set out in Article 28, in which case the conformity assessment procedure shall be the procedure set out in the calculation and verification rules adopted pursuant to Article 28(2).	NL: (Comments): Council position BE: (Comments):
513	3. Chapter IX and Articles 37, 38 and 39 of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], as well as the corresponding definitions in Article 2 of that Regulation, shall apply with respect to the requirements applicable to products placed on the Union market laid down in Articles 27 and 28.	3. Chapter IX and Articles 37, 38 and 39 of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], as well as the corresponding definitions in Article 2 of that Regulation, shall apply with respect to the requirements applicable to products placed on the Union market laid down in Articles 27 and 28.	3. Chapter IX and Articles 37, 38 and 39 of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], as well as the corresponding definitions in Article 2 of that Regulation, shall apply with respect to the requirements applicable to products placed on the Union market laid down in Articles 27 and 28.	PL: (Comments): No remarks. NL: (Comments): Council position BE: (Comments):
514	4. Regarding market surveillance, the following rules shall apply:	4. Regarding market surveillance, the following rules shall apply:	4. Regarding market surveillance, the following rules shall apply:	PL: (Comments): No remarks. NL: (Comments): Council position

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				BE: (Comments):
515	(a) Chapter XII of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], as well as the corresponding definitions in Article 2 of that Regulation, shall apply with respect to the requirements applicable to products placed on the Union market laid down in Articles 27, 28 or 30.	(a) Chapter XII of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], as well as the corresponding definitions in Article 2 of that Regulation, shall apply with respect to the requirements applicable to products placed on the Union market laid down in Articles 27, 28 or 30.	(a) Chapter XII of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], as well as the corresponding definitions in Article 2 of that Regulation, shall apply with respect to the requirements applicable to products placed on the Union market laid down in Articles 27, 28 or 30.	PL: (Comments): No remarks. NL: (Comments): Council position BE: (Comments):
516	(b) Member States shall, in addition to the ecodesign requirements set under Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], consider the requirements laid down in Articles 27, 28 and 30 in the context of the action plan referred to in Article 59(1) of that Regulation;	(b) Member States shall, in addition to the ecodesign requirements set under Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], consider the requirements laid down in Articles 27, 28 and 30 in the context of the action plan referred to in Article 59(1) of that Regulation;	(b) Member States shall, in addition to the ecodesign requirements set under Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], consider the requirements laid down in Articles 27, 28 and 30 in the context of the <del>action</del> <b>market surveillance activities</b> referred to in Article 59(1) of that Regulation;	PL: (Comments): We support the proposal of the Commission and Parliament. NL: (Comments): Council position BE: (Comments): IT: (Comments): Maintain the Council's proposal <b>RO:</b> (Comments): Agree with Commission's Proposal and EP's text.
517	(c) Article 60 and 61(1) of Regulation (EU) 2023/xxx [OP:	(c) Article 60 and 61(1) of Regulation (EU) 2023/xxx [OP:	(c) <del>Article 60 and 61(1) of Regulation (EU) 2023/xxx [OP:</del>	NL: (Comments): Council position

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	please insert reference to ESPR] shall also apply for the requirements laid down in Articles 27, 28 and 30;	please insert reference to ESPR] shall also apply for the requirements laid down in Articles 27, 28 and 30;	<del>please insert reference to ESPR] shall also apply for the requirements laid down in Articles 27, 28 and 30;</del>	BE: (Comments): IT: (Comments): Council's proposal <b>RO:</b> (Comments): Agree with Commission's Proposal and EP's text.
518	(d) the Commission shall, in addition to the ecodesign requirements set under Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], include information related to the requirements laid down in Articles 27, 28 and 30 in the report referred to in Article 61(2) and (3) of that Regulation;	(d) the Commission shall, in addition to the ecodesign requirements set under Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], include information related to the requirements laid down in Articles 27, 28 and 30 in the report referred to in Article 61(2) and (3) of that Regulation;	(d) the Commission shall, in addition to the ecodesign requirements set under Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], include information related to the requirements laid down in Articles 27, 28 and 30 in the report referred to in Article 61(2) and (3) of that Regulation;	PL: (Comments): No remarks. NL: (Comments): Council position BE: (Comments):
519	(e) in implementing Article 62 of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], the administrative cooperation group ('ADCO') referred to that Article and the Commission shall also take into account the requirements laid down in Articles 27, 28 and 30.	(e) in implementing Article 62 of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], the administrative cooperation group ('ADCO') referred to that Article and the Commission shall also take into account the requirements laid down in Articles 27, 28 and 30.	(e) in implementing Article 62 of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR], the <del>administrative cooperation group ('ADCO')</del> referred to that Article and the Commission shall also take into account the requirements laid down in Articles 27, 28 and 30.	PL: (Comments): Support the proposals of the Council. NL: (Comments): Council position BE: (Comments): IT: (Comments): Council's proposal

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				RO: (Comments): Agree with Commission's Proposal and EP's text.
520	5. For purposes of paragraphs 3 and 4, the relevant parts of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR] shall be applied as follows:	5. For purposes of paragraphs 3 and 4, the relevant parts of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR] shall be applied as follows:	5. For purposes of paragraphs 3 and 4, the relevant parts of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR] shall be applied as follows:	PL: (Comments): No remarks. NL: (Comments): Council position BE: (Comments):
521	(a) references to 'ecodesign requirements specified in the applicable delegated acts adopted pursuant to Article 4' in Article 37(1), 'requirements laid down in the applicable delegated acts adopted pursuant to Article 4' in Article 63(1) and 'requirements set out in the relevant delegated act adopted pursuant to Article 4' in Article 63(5) of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR] shall be read as references to 'the requirements laid down in Articles Articles 27 and 28 of this Regulation';	(a) references to 'ecodesign requirements specified in the applicable delegated acts adopted pursuant to Article 4' in Article 37(1), 'requirements laid down in the applicable delegated acts adopted pursuant to Article 4' in Article 63(1) and 'requirements set out in the relevant delegated act adopted pursuant to Article 4' in Article 63(5) of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR] shall be read as references to 'the requirements laid down in Articles Articles 27 and 28 of this Regulation';	(a) references to 'ecodesign requirements specified in the applicable delegated acts adopted pursuant to Article 4' in Article 37(1), 'requirements laid down in the applicable delegated acts adopted pursuant to Article 4' in Article 63(1) and 'requirements set out in the relevant delegated act adopted pursuant to Article 4' in Article 63(5) of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR] shall be read as references to 'the requirements laid down in Articles Articles 27 and 28 of this Regulation';	PL: (Comments): No remarks. NL: (Comments): Council position BE: (Comments):
522				PL:

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	(b) references to ‘product covered by a delegated act adopted pursuant to Article 4’ in Article 37(3) and 63(1) of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR] shall be read as a reference to ‘product or materials covered by the requirements laid down in Articles 27 and 28 of this Regulation’;	(b) references to ‘product covered by a delegated act adopted pursuant to Article 4’ in Article 37(3) and 63(1) of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR] shall be read as a reference to ‘product or materials covered by the requirements laid down in Articles 27 and 28 of this Regulation’;	(b) references to ‘product covered by a delegated act adopted pursuant to Article 4’ in Article 37(3) and 63(1) of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR] shall be read as a reference to ‘product or materials covered by the requirements laid down in <del>Articles</del> <b>Articles</b> 27 and 28 of this Regulation’;	(Comments): No remarks. NL: (Comments): Council position BE: (Comments):
523	(c) references to ‘conformity assessment tasks provided for under the delegated acts adopted pursuant to Article 4’ in Article 41 and ‘conformity assessment tasks under the relevant delegated acts adopted pursuant to Article 4’ in Article 45(10) of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR] shall be read as a reference to ‘conformity assessment tasks provided for under the calculation and verification rules adopted pursuant to Article 28(2) of this Regulation’;	(c) references to ‘conformity assessment tasks provided for under the delegated acts adopted pursuant to Article 4’ in Article 41 and ‘conformity assessment tasks under the relevant delegated acts adopted pursuant to Article 4’ in Article 45(10) of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR] shall be read as a reference to ‘conformity assessment tasks provided for under the calculation and verification rules adopted pursuant to Article 28(2) of this Regulation’;	(c) references to ‘conformity assessment tasks provided for under the delegated acts adopted pursuant to Article 4’ in Article 41 and ‘conformity assessment tasks under the relevant delegated acts adopted pursuant to Article 4’ in Article 45(10) of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR] shall be read as a reference to ‘conformity assessment tasks provided for under the calculation and verification rules adopted pursuant to Article 28(2) of this Regulation’;	PL: (Comments): No remarks. NL: (Comments): Council position BE: (Comments):
524	(d) references to ‘conformity assessment procedures provided for under the delegated acts	(d) references to ‘conformity assessment procedures provided for under the delegated acts	(d) references to ‘conformity assessment procedures provided for under the delegated acts	PL: (Comments): No remarks. NL:

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	adopted pursuant to Article 4' in Article 53(1) of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR] shall be read as a reference to 'conformity assessment procedures provided for under the calculation and verification rules adopted pursuant to Article 28(2) of this Regulation'.	adopted pursuant to Article 4' in Article 53(1) of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR] shall be read as a reference to 'conformity assessment procedures provided for under the calculation and verification rules adopted pursuant to Article 28(2) of this Regulation'.	adopted pursuant to Article 4' in Article 53(1) of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR] shall be read as a reference to 'conformity assessment procedures provided for under the calculation and verification rules adopted pursuant to Article 28(2) of this Regulation'.	(Comments): Council position BE: (Comments):
525	6. This Article shall not apply to products covered by type approval under Regulation 2018/858 and Regulation 168/2013.	6. This Article shall not apply to products covered by type approval under Regulation 2018/858 and Regulation 168/2013.	6. This Article shall not apply to products covered by type approval under Regulation 2018/858 and Regulation 168/2013.	PL: (Comments): No remarks. NL: (Comments): Council position BE: (Comments):
568	Chapter 8 Delegated powers and committee procedure	Chapter 8 Delegated powers and committee procedure	Chapter 8 Delegated powers and committee procedure	BE: (Comments):
569	Article 36 Exercise of the delegation	Article 36 Exercise of the delegation	Article 36 Exercise of the delegation	BE: (Comments):
570	1. The power to adopt delegated acts is conferred on the Commission subject to the	1. The power to adopt delegated acts is conferred on the Commission subject to the	1. The power to adopt delegated acts is conferred on the Commission subject to the	PL: (Comments): No remarks.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	conditions laid down in this Article.	conditions laid down in this Article.	conditions laid down in this Article.	BE: (Comments):
571	<p>2. The power to adopt delegated acts referred to in Article 3(2), Article 4(2), Article 5(2), Article 27(12), Article 28(2) and Article 30(1) and (5) shall be conferred on the Commission for a period of eight years from [OP please insert: one month after the date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the six-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</p>	<p>2. The power to adopt delegated acts referred to in Article 3(2), Article 4(2), Article 5(2), Article 27(12), Article 28(2) and Article 30(1) and (5) shall be conferred on the Commission for a period of eight years from [OP please insert: one month after the date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the <del>six-year</del><b>eight-year</b> period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</p>	<p>2. The power to adopt delegated acts referred to in Article 3(2), Article 4(2), Article 5(2), Article 27(12); <del>Article 28(2)</del> and Article 30(1) and (5) shall be conferred on the Commission for a period of eight years from [OP please insert: one month after the date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the <del>six-year</del><b>eight-year</b> period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</p>	<p>PL: (Comments): No remarks. SI: (Comments): SI supports the 8 year period. DK: (Comments): Important to keep Council position – This needs to be an implementing, so it must be struck out here BE: (Comments): IT: (Comments): Council’s proposal PT: (Comments): In what concerns the delegated acts on Article 5 (2), will those have impact on a Strategic Project that is being developed and that, eventually, does not meet the new recognition criteria adopted? AT: (Comments): We advocate maintaining the Council position in this case. RO: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Agree with EP's and Council's text.
572	<p>3. The delegation of power referred to in Article 3(2), Article 4(2), Article 5(2), Article 27(12), Article 28(2) and Article 30(1) and (5) 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 on 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.</p>	<p>3. The delegation of power referred to in Article 3(2), Article 4(2), Article 5(2), Article 27(12), Article 28(2) and Article 30(1) and (5) 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 on 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.</p>	<p>3. The delegation of power referred to in Article 3(2), Article 4(2), Article 5(2), Article 27(12), <del>Article 28(2)</del> and Article 30(1) and (5) 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 on 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.</p>	<p>PL: (Comments): No remarks.</p> <p>DK: (Comments): Important to keep Council position – This needs to be an implementing, so it must be struck out here</p> <p>BE: (Comments):</p> <p>RO: (Comments): Agree with Commission's Proposal and EP's text.</p>
573	<p>4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. The consultation of Member States' experts shall take place after the consultation pursuant to Article 14.</p>	<p>4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. The consultation of Member States' experts shall take place after the consultation pursuant to Article 14.</p>	<p>4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. The consultation of Member States' experts shall take place after the consultation pursuant to Article 14.</p>	<p>PL: (Comments): No remarks.</p> <p>BE: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
574	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	PL: (Comments): No remarks. BE: (Comments):
575	6. A delegated act adopted pursuant to Article 3(2), Article 4(2), Article 5(2), Article 27(12), Article 28(2) and Article 30(1) and (5) 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 may be extended by two months at the initiative of the European Parliament or of the Council.	6. A delegated act adopted pursuant to Article 3(2), Article 4(2), Article 5(2), Article 27(12), Article– 28(2) and Article 30(1) and (5) 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 <del>may</del> shall be extended by [two months] at the initiative of the European Parliament or of the Council.	6. A delegated act adopted pursuant to Article 3(2), Article 4(2), Article 5(2), Article 27(12), Article– 28(2) and Article 30(1) and (5) 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 may be extended by two months at the initiative of the European Parliament or of the Council.	PL: (Comments): No remarks. NL: (Comments): Council's proposal is to make Article 28(2) subject to the procedure of Article 37 instead of 36, which has not been consistently implemented in this 6th paragraph.NL text suggestion:6. A delegated act adopted pursuant to Article 3(2), Article 4(2), Article 5(2), Article 27(12), <del>Article 28(2)</del> and Article 30(1) and (5) 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 Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>Commission that they will not object. That period may be extended by two months at the initiative of the European Parliament or of the Council.</p> <p>DK: (Comments): Important to keep Council position We cannot give the EP the power to unilaterally extend the period. Must be a reasoned request to be considered</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>BE: (Comments): FR: (Comments): The reference to Article 28(2) in the Council mandate should be erased because in the Council mandate, Article 28(2) is an implementing act and not a delegated act.</p> <p>IT: (Comments): Maintain the Council's proposal</p> <p>RO: (Comments): Agree with Commission's Proposal and Council's text.</p>
576	Article 37 Committee procedure	Article 37 Committee procedure	Article 37 Committee procedure	<p>BE: (Comments): LT:</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				(Comments): Overall LT supports Commission proposal
577	1. The Commission shall be assisted by the Committee on the implementation of [OP: please insert reference to this act]. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by the Committee on the implementation of [OP: please insert reference to this act]. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by the Committee on the implementation of [OP: please insert reference to this act]. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	PL: (Comments): No remarks. BE: (Comments):
578	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	PL: (Comments): No remarks. BE: (Comments):
579	3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	PL: (Comments): No remarks. BE: (Comments):
580	Chapter 9 Amendments	Chapter 9 Amendments	Chapter 9 Amendments	BE: (Comments):
581	Article 38 Amendment to Regulation (EU)	Article 38 Amendment to Regulation (EU)	Article 38 Amendment to Regulation (EU)	PL: (Comments): No remarks.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2018/1724	2018/1724	2018/1724	BE: (Comments): LT: (Comments): Overall LT supports Commission proposal PT: (Comments): The changes to this regulation result in the presence of CRM projects in the platform «Your Europe», in which there is need to provide adequate information about the procedures, projects, and people rights, related to the projects. As there is a need for a designated point of contact for the grant permitting of CRM Projects, the changes in these regulations might implicate an aggregate workload for competent authorities, on top of the existing one.
582	Regulation (EU) 2018/1724 is amended as follows:	Regulation (EU) 2018/1724 is amended as follows:	Regulation (EU) 2018/1724 is amended as follows:	PL: (Comments): No remarks. BE: (Comments):
583	(1) in Annex I, in the first column, a new row ‘S. Critical raw materials projects’ is added.	(1) in Annex I, in the first column, a new row ‘S. Critical raw materials projects’ is added.	(1) in Annex I, in the first column, a new row ‘S. Critical raw materials projects’ is added.	PL: (Comments): No remarks. BE: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
584	(2) in Annex I, in the second column, in the row 'S. Critical raw materials projects', the following point are added:	(2) in Annex I, in the second column, in the row 'S. Critical raw materials projects', the following point are added:	(2) in Annex I, in the second column, in the row 'S. Critical raw materials projects', the following point are added:	PL: (Comments): No remarks. BE: (Comments):
584a			<p>‘</p> <p><b>-1. the contact points referred to in Article 8 paragraph 1;</b></p> <p>’</p>	PL: (Comments): No remarks. SI: (Comments): SI supports the GA IE: (Comments): Retain Council Mandate IT: (Comments): Maintain council proposal AT: (Comments): We advocate maintaining the Council position in this case (see our comments to Article 8). <b>RO:</b> (Comments): Not necessary.
585	‘ 1. information on the permit-granting process. ’	‘ 1. information on the permit-granting process. ’	1. information on the permit-granting process <b>including information on dispute settlement.</b>	PL: (Comments): No remarks. SI: (Comments): SI supports the GA. BE: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				IT: (Comments): Maintain the Council's proposal PT: (Comments): We have reservations about "including information on dispute settlement", given the complexity and amount of information that may be needed and additional demands on the contact points/Member States. AT: (Comments): We advocate maintaining the Council position in this case. <b>RO:</b> <b>(Comments):</b> <b>Agree with Council's text.</b>
586	‘ 2. information on financing and investment services ’	‘ 2. information on financing and investment services ’	‘ 2. information on financing and investment services ’	PL: (Comments): No remarks. BE: (Comments): PT: (Comments): We would welcome clarification or definition on "investment services".
587	‘ 3. information on funding possibilities at Union or Member State level ’	‘ 3. information on funding possibilities at Union or Member State level ’	‘ 3. information on funding possibilities at Union or Member State level ’	PL: (Comments): No remarks. BE: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
588	4. information on business support services, including but not limited to corporate tax declaration, local tax laws, labour law	4. information on business support services, including but not limited to corporate tax declaration, local tax laws, labour law	4. information on business support services, including but not limited to corporate tax declaration, local tax laws, labour law	PL: (Comments): No remarks. BE: (Comments):
589	(3) in Annex II, in the first column, a new row 'Critical raw materials projects' is added.	(3) in Annex II, in the first column, a new row 'Critical raw materials projects' is added.	(3) in Annex II, in the first column, a new row 'Critical raw materials projects' is added.	PL: (Comments): No remarks. BE: (Comments):
590	(4) in Annex II, in the second column, in the row 'Critical raw materials projects', the following points are added:	(4) in Annex II, in the second column, in the row 'Critical raw materials projects', the following points are added:	(4) in Annex II, in the second column, in the row 'Critical raw materials projects', the following points are added:	PL: (Comments): No remarks. BE: (Comments):
591	Procedure related to all relevant administrative permits to plan, build and operate net-zero technology manufacturing projects, including building, chemical and grid connection permits and environmental assessments and authorisations where these are required, and	Procedure related to all relevant administrative permits to plan, build and operate net-zero technology manufacturing projects, including building, chemical and grid connection permits and environmental assessments and authorisations where these are required, and	Procedure related to all relevant <del>administrative permits to plan, build and operate net-zero technology manufacturing</del> <b>critical raw materials</b> projects, including building, chemical and grid connection permits and <del>environmental assessments and</del>	SE: (Comments): SE wants to keep Council mandate. PL: (Comments): Support the proposals of the Council. SI: (Comments): SI supports the GA.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>encompassing all administrative applications and procedures.</p>	<p>encompassing all administrative applications and procedures.</p>	<p><del>authorisations where these are required, and encompassing all administrative applications and procedures</del> <b>and encompassing all applications and procedures from the acknowledgment that the application is complete to the notification of the comprehensive decision.</b></p>	<p>DK: (Comments): Important to keep Council text Changing “net zero technology manufacturing” to crm projects, followed by a deletion of the subsequent text, is obviously needed and must have been an error on the part of the Commission –</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>BE: (Comments):</p> <p>IT: (Comments): Maintain the Council’s proposal</p> <p>LT: (Comments): LT supports Council Mandate.</p> <p>PT: (Comments): We support the Council’s mandate.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p><b>RO:</b> (Comments): In general, agree with Commission’s Proposal and EP’s text. However, the text is referring to critical raw materials projects. So, “net-zero</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				technology manufacturing” should be removed.
592	(5) in Annex II, in the third column, in the row ‘Critical raw materials projects’, the following point is added:	(5) in Annex II, in the third column, in the row ‘Critical raw materials projects’, the following point is added:	(5) in Annex II, in the third column, in the row ‘Critical raw materials projects’, the following point is added:	PL: (Comments): No remarks. BE: (Comments):
593	‘ All outputs pertaining to the procedures ranging from the acknowledgment of the validity of the application to the notification of the comprehensive decision on the outcome of the procedure by the responsible national competent authority. ,’	‘ All outputs pertaining to the procedures ranging from the acknowledgment of the validity of the application to the notification of the comprehensive decision on the outcome of the procedure by the responsible national competent authority. ,’	‘ All outputs pertaining to the procedures ranging from the acknowledgment of the validity of the application <del>of the application</del> <b>that the application is complete</b> to the notification of the comprehensive decision <del>on the outcome of the procedure by the responsible national competent authority.</del> ,’	SE: (Comments): SE wants to keep Council mandate. PL: (Comments): Support the proposals of the Council, recalling that the contact point is intended to support the promoter in applying for subsequent decisions and is not responsible for issuing a comprehensive decision. IE: (Comments): Prefer Council Mandate BE: (Comments): IT: (Comments): Maintain the Council’s proposal LT: (Comments): LT supports Council Mandate. PT:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				(Comments): We support the Council's mandate. AT: (Comments): We advocate maintaining the Council position in this case. <b>RO:</b> <b>(Comments):</b> <b>Agree with Commission's Proposal and EP's text.</b>
594	(6) in Annex III, the following point is added:	(6) in Annex III, the following point is added:	(6) in Annex III, the following point is added:	PL: (Comments): No remarks. BE: (Comments):
595	‘ (9) The national competent authorities referred to in Article 8(1) of [OP: please insert reference to this proposal]. ,	‘ (9) The national competent authorities referred to in Article 8(1) of [OP: please insert reference to this proposal]. ,	‘ (9) The <del>national competent authorities</del> <b>contact point(s)</b> referred to in Article 8(1) of [OP: please insert reference to this proposal]. ,	PL: (Comments): Support the proposals of the Council. IE: (Comments): Prefer Council Mandate BE: (Comments): IT: (Comments): Council's proposal PT: (Comments): We support the Council's mandate. AT:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				(Comments): We advocate maintaining the Council position in this case (see our comments to Article 8). <b>RO:</b> (Comments): Agree with Commission's Proposal and EP's text.
596	Article 39 Amendment to Regulation (EU) 2019/1020	Article 39 Amendment to Regulation (EU) 2019/1020	Article 39 Amendment to Regulation (EU) 2019/1020	PL: (Comments): No remarks. BE: (Comments):
597	Regulation (EU) 2019/1020 is amended as follows:	Regulation (EU) 2019/1020 is amended as follows:	Regulation (EU) 2019/1020 is amended as follows:	BE: (Comments):
598	(1) in Article 4(5), the text “(EU) 2016/425(35) and (EU) 2016/426(36)” is replaced by the following: “(EU) 2016/425 (*), (EU) 2016/426 (**) and [(EU) [...] [year of adoption of this Regulation]/...(***)];	(1) in Article 4(5), the text “(EU) 2016/425(35) and (EU) 2016/426(36)” is replaced by the following: “(EU) 2016/425 (*), (EU) 2016/426 (**) and [(EU) [...] [year of adoption of this Regulation]/...(***)];	(1) in Article 4(5), the text “(EU) 2016/425(35) and (EU) 2016/426(36)” is replaced by the following: “(EU) 2016/425 (*), (EU) 2016/426 (**) and [(EU) [...] [year of adoption of this Regulation]/...(***)];	PL: (Comments): No remarks. BE: (Comments):
599	(2) in Annex I, the following point is added: ‘X [OP please insert the next consecutive number] Regulation (EU).../... establishing a framework for ensuring a secure and	(2) in Annex I, the following point is added: ‘X [OP please insert the next consecutive number] Regulation (EU).../... establishing a framework for ensuring a secure and	(2) in Annex I, the following point is added: ‘X [OP please insert the next consecutive number] Regulation (EU).../... establishing a framework for ensuring a secure and	PL: (Comments): No remarks. BE: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	sustainable supply of critical raw materials and amending Regulation (EU) 2019/1020 [OP please insert the publication details of this Regulation], in so far as it concerns the requirements set out Articles 27, 28 or 30 of that Regulation.	sustainable supply of critical raw materials and amending Regulation (EU) 2019/1020 [OP please insert the publication details of this Regulation], in so far as it concerns the requirements set out Articles 27, 28 or 30 of that Regulation.	sustainable supply of critical raw materials and amending Regulation (EU) 2019/1020 [OP please insert the publication details of this Regulation], in so far as it concerns the requirements set out Articles 27, 28 or 30 of that Regulation.	
600	Article 40 Amendment to Regulation (EU) 2018/858	Article 40 Amendment to Regulation (EU) 2018/858	Article 40 Amendment to Regulation (EU) 2018/858	BE: (Comments):
601	Annex II to Regulation (EU) 2018/858 is amended as follows:	Annex II to Regulation (EU) 2018/858 is amended as follows:	Annex II to Regulation (EU) 2018/858 is amended as follows:	BE: (Comments): FR: (Comments): France would like to highlight that the modification to the Regulation (EU) 2018/858 do not allow the commission to adopt a delegated/implementation act to give to type approval authority indications on type approval.
602	In Part I, in the table, the following entry is added:	In Part I, in the table, the following entry is added:	In Part I, in the table, the following entry is added:	PL: (Comments): No remarks. BE: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
603	"	"	"	BE: (Comments):
604	[OP Please insert the next consecutive number under heading G]	" [OP Please insert the next consecutive number under heading G]	[OP Please insert the next consecutive number under heading G]	PL: (Comments): No remarks. BE: (Comments):
605	Permanent magnet circularity requirements	Permanent magnet circularity requirements	Permanent magnet circularity requirements	PL: (Comments): No remarks. BE: (Comments):
606	Regulation (EU) XX/XXXX [OP please insert: OJ publication details of this Regulation]	Regulation (EU) XX/XXXX [OP please insert: OJ publication details of this Regulation]	Regulation (EU) XX/XXXX [OP please insert: OJ publication details of this Regulation]	PL: (Comments): No remarks. BE: (Comments):
607	X	X	X	BE: (Comments):
608	X	X	X	BE: (Comments):
609	X	X	X	BE: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
610	X	X	X	BE: (Comments):
611	X	X	X	BE: (Comments):
612	X	X	X	BE: (Comments):
613				BE: (Comments):
614				BE: (Comments):
615				BE: (Comments):
616				BE: (Comments):
617	X	X	X	BE: (Comments):
618	X	X	X	BE: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
619	"		"	BE: (Comments):
620	Article 41 Amendment to Regulation (EU) 168/2013	Article 41 Amendment to Regulation (EU) 168/2013	Article 41 Amendment to Regulation (EU) 168/2013	BE: (Comments): FR: (Comments): France would like to highlight that the modification to the Regulation (EU) 168/2013 do not allow the commission to adopt a delegated/implementation act to give to type approval authority indications on type approval.
621	Annex II to Regulation (EU) 168/2013 is amended as follows:	Annex II to Regulation (EU) 168/2013 is amended as follows:	Annex II to Regulation (EU) 168/2013 is amended as follows:	PL: (Comments): No remarks. BE: (Comments):
622	In Part I, in the table, the following entry is added:	In Part I, in the table, the following entry is added:	In Part I, in the table, the following entry is added:	PL: (Comments): No remarks. BE: (Comments):
623	"		"	BE: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
624	[OP Please insert the next consecutive number under heading C1]	" [OP Please insert the next consecutive number under heading C1]	[OP Please insert the next consecutive number under heading C1]	PL: (Comments): No remarks. BE: (Comments):
625	Permanent magnet circularity requirements	Permanent magnet circularity requirements	Permanent magnet circularity requirements	PL: (Comments): No remarks. BE: (Comments):
626	Regulation (EU) XX/XXXX [OP please insert: OJ publication details of this Regulation]	Regulation (EU) XX/XXXX [OP please insert: OJ publication details of this Regulation]	Regulation (EU) XX/XXXX [OP please insert: OJ publication details of this Regulation]	PL: (Comments): No remarks. BE: (Comments):
627	X	X	X	BE: (Comments):
628	X	X	X	BE: (Comments):
629	X	X	X	BE: (Comments):
630	X	X	X	BE: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
631	X	X	X	BE: (Comments):
632	X	X	X	BE: (Comments):
633	X	X	X	BE: (Comments):
634	X	X	X	BE: (Comments):
635	X	X	X	BE: (Comments):
636	X	X	X	BE: (Comments):
637	X	X	X	BE: (Comments):
638	X	X	X	BE: (Comments):
639	X	X	X	BE: (Comments):
640				BE:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	X	X	X	(Comments):
641	"	"	"	BE: (Comments):
642	Chapter 10 Final provisions	Chapter 10 Final provisions	Chapter 10 Final provisions	BE: (Comments):
643	Article 42 Monitoring progress	Article 42 Monitoring progress	Article 42 Monitoring progress	BE: (Comments):
643a			<b>-1. By [OP please insert 18 months after the date of entry into force of this Regulation], the Commission shall present a report including indicative benchmarks per strategic raw material with a view to meet the benchmarks set in Article 5(0)(a), for 2030.</b>	PL: (Comments): Support the proposals of the Council. NL: (Comments): Council SI: (Comments): SI supports the GA IE: (Comments): Retain Council Mandate SK: (Comments): Support for the Council text – the EC shall present an assessment at an appropriate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>time. FR: (Comments): <b>France strongly supports the Council proposal.</b> IT: (Comments): Council's proposal LT: (Comments): LT supports Council Mandate. PT: (Comments): We support the Council's mandate AT: (Comments): We advocate maintaining the Council position in this case. <b>RO:</b> (Comments): Agree with Council's text.</p>
644	<p>1. The Commission shall, taking into account the advice of the Board, monitor progress towards the objectives set out in Article 1(2) and publish, at least every 3 years, a report detailing the Union's progress towards achieving those objectives.</p>	<p>1. The Commission shall, taking into account the advice of the Board, monitor progress towards the objectives set out in Article 1(2) and publish, at least every 3 years, a report detailing the Union's progress towards achieving those objectives.</p>	<p>1. The Commission shall, taking into account the advice of the Board, monitor progress towards the objectives set out in Article 1(2) and publish, at least every 3 years, a report detailing the Union's progress towards achieving those objectives <b>benchmarks set out pursuant to paragraph 0 and set out in Article 1(2)5(0)</b> and publish, at least every 3 years, a report detailing the Union's progress towards achieving those objectives <b>benchmarks.</b></p>	<p>PL: (Comments): Support the proposals of the Council. SI: (Comments): SI supports the GA. DK: (Comments): We could be flexible here IE: (Comments): Prefer Council Mandate</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>BE: (Comments):</p> <p>IT: (Comments):</p> <p>Maintain the Council’s proposal</p> <p>LT: (Comments):</p> <p>LT supports Council Mandate.</p> <p>PT: (Comments):</p> <p>We support the Council’s mandate.</p> <p>AT: (Comments):</p> <p>We advocate maintaining the Council position in this case. However, to be precise, we can agree with the discussed compromise proposal regarding Article 4a.</p> <p><b>RO:</b> (Comments):</p> <p>Agree with Commission’s Proposal and EP’s text.</p>
645	The first report shall be drawn up by [OP please insert: 4 years after the date of entry into force of this Regulation].	The first report shall be drawn up by [OP please insert: 4 years after the date of entry into force of this Regulation].	The first report shall be drawn up by [OP please insert: 43 years after the date of entry into force of this Regulation].	<p>PL: (Comments):</p> <p>No remarks.</p> <p>IE: (Comments):</p> <p>Prefer Council Mandate</p> <p>BE: (Comments):</p> <p>PT: (Comments):</p> <p>We support the Council’s</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				mandate.
646	2. The report referred to in paragraph 1 shall include quantitative information on the extent of the Union's progress towards the benchmarks set out in Article 1(2), points (a) and (b).	2. The report referred to in paragraph 1 shall include quantitative information on the extent of the Union's progress towards the benchmarks set out in Article 1(2), points (a) and (b).	2. The report referred to in paragraph 1 shall include quantitative information on the extent of the Union's progress towards the benchmarks set out in Article <del>1(2)</del> <b>5(0)</b> , points (a) and (b).	PL: (Comments): No remarks. IE: (Comments): Prefer Council Mandate BE: (Comments):
646a		<b>2a. The monitoring tasks provided for in this Article shall not create any obligations for undertakings or other economic operators in the raw materials value chain to submit any information to the Commission, authorities in the Board or any other authority. Any information that is provided by undertakings pursuant to this Article shall be provided on a purely voluntary basis and shall at all times be treated in accordance with Article 44.</b>		SE: (Comments): Q: How will the monitoring happen if there is no data to monitor? PL: (Comments): Support the proposals of the Parliament. SI: (Comments): SI is flexible. IE: (Comments): Reject EP Mandate - Ireland seeks to retain obligations on economic operators. HR: (Comments): Although we understand the goal that the EP wants to achieve, we believe that the text is too prescriptive, we cannot support EP amendment.

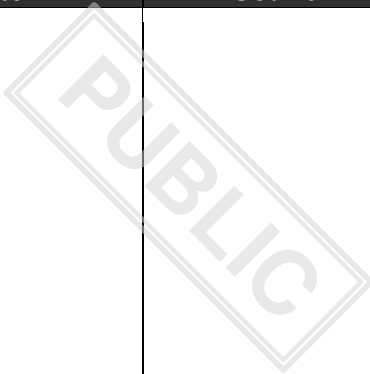
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>IT: (Comments): Maintain the Council's proposal ( DE: (Comments): We reject the EP addition. LT: (Comments): LT supports Parliament Mandate AT: (Comments): We have underlined several times throughout the previous discussions, the importance of correct handling of sensitive data. We therefore support this addition proposed by the Rapporteur (see also line 650a). RO: (Comments): Agree with EP's text.</p>
646b		<p><b>2b. The Commission shall continuously monitor the implementation of this Regulation in order to prevent any inconsistency of other Union law with and this Regulation. For this purpose, the Commission shall publish, within [OJ please insert: 1 year after the date of entry into force of this Regulation], a report on the consistency of</b></p>		<p>SE: (Comments): Q: Isn't it important that it's consistent already from the start? One year may also be too short to see how it interacts with other EU regulations. PL: (Comments): No remarks. SI: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><b>this Regulation with other Union law.</b></p>		<p>SI is flexible.  DK:  (Comments):  We should keep the Council position (i.e. not introduce the EP text)The regulation already provides for reports / evaluations of implementation, no need to add a requirement to write an annual report on top of that. Also excessively burdensome.  HR:  (Comments):  We consider the proposed amendment unnecessarily burdensome for the Commission, we cannot support it.  IT:  (Comments):  flexible  LT:  (Comments):  LT supports Parliament Mandate  AT:  (Comments):  We support this addition proposed by the Rapporteur.  <b>RO:</b>  (Comments):  Agree with EP's text.</p>
646c			<p><b>2a. Where, based on the report referred to in</b></p>	<p>PL:  (Comments):</p>

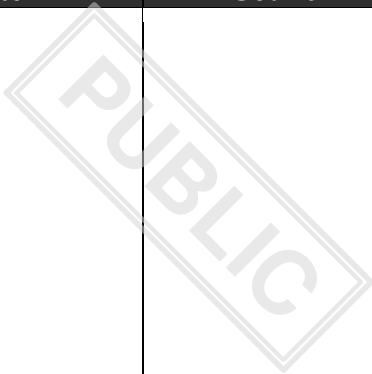
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p><b>Paragraph 1, the Commission concludes that the Union is likely not to achieve the benchmarks set out in Article 5(0), it shall assess the feasibility and proportionality of proposing measures in order to ensure the achievement of those benchmarks.</b></p>	<p>Support the proposals of the Council.  SI:  (Comments):  SI supports the GA.  DK:  (Comments):  We can be flexible here – we see no need to insist on adding in this text as the Commission can always decide to propose new measures in any case  IE:  (Comments):  Retain Council Mandate  IT:  (Comments):  Maintain the Council’s proposal  LT:  (Comments):  LT supports Council Mandate.  PT:  (Comments):  We support the Council’s mandate.  AT:  (Comments):  We advocate maintaining the Council position in this case.  <b>RO:</b>  <b>(Comments):</b>  <b>Not necessary.</b></p>
647	Article 43 Reporting of Member States	Article 43 Reporting of Member States	Article 43 Reporting of Member States	BE: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
648	<p>1. Member States shall each year send a report to the Commission containing the information referred to in Article 18(4), Article 20(1) and (2), Article 21(1), Article 22(5) and Article 25(6). The first report shall be sent [OP please insert: one year after the date of entry into force of this Regulation].</p>	<p>1. Member States shall each year send a report to the Commission containing the information referred to in Article 18(4), Article 20(1) and (2), Article 21(1), Article 22(5) and Article 25(6). The first report shall be sent [OP please insert: one year after the date of entry into force of this Regulation].</p>	<p>1. Member States shall each year send a report to the Commission containing the information referred to in Article 18(4), Article 20(1) and (2), Article 21(1), Article 22(5) and Article 25(6). The first report shall be sent [OP please insert: <del>one year</del>two years after the date of entry into force of this Regulation].</p>	<p>SE: (Comments): SE wants to keep Council mandate. It's important that all timelines are working together.</p> <p>PL: (Comments): We support the Council's proposal.</p> <p>NL: (Comments): Council mandate</p> <p>SI: (Comments): SI supports 2 years period.</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>BE: (Comments): Keep Council position</p> <p>FI: (Comments): FI prefers the council mandate.</p> <p>FR: (Comments): France strongly supports the Council proposal, sending the first report one year after the entry into force of this Regulation is too early.</p> <p>CZ: (Comments): CZ prefers Council position</p> <p>IT:</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>(Comments): Maintain the Council's proposal</p> <p>LT: (Comments): LT supports Council Mandate</p> <p>PT: (Comments): We support the Council's mandate. One year will be too short for the first report, not only in what concerns the national exploration programs but especially in what concern the strategic stocks. PT does not have yet strategic stocks. How will Member States provide to the Commission information about their strategic stocks, whether they are operated by public authorities or by economic operators on the behalf of the Member States, if there is no obligations to build up or coordinate their strategic stocks ahead of a supply disruption? Have any financing measures/instruments been considered to support "(...) incentives for private operators, which rely on strategic raw materials as inputs, to constitute their own stocks or to take other measures to manage their exposure to supply risks"? The report of the information referred in Article 20(2) seems problematic mainly due to the</p>



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>difficulty of articulating all the information throughout the raw materials supply chain, both at the level of operators and at the level of the competent authorities. The template for the reports, must be carefully thought out and customized, as much as possible, to the organizational models of the member states. At least must allow some flexibility to accommodate the specificity of the countries. Also, the report of the information referred in Article 22(5) seems a little controversial. Since the Commission (taking account of the views of the Board) issue non-binding opinions addressed to Member States on matters concerning the level of strategic stocks, its allocation and distribution, the reporting on whether these non-binding opinions have been implemented, should not be required.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Agree with Council's text.</p>
649				PL:



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2. The Commission is empowered to adopt implementing acts setting out a template for the reports referred to in paragraph 1. The template may indicate how the information referred to in paragraph 1 shall be expressed. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 37(2).	2. The Commission is empowered to adopt implementing acts setting out a template for the reports referred to in paragraph 1. The template may indicate how the information referred to in paragraph 1 shall be expressed. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 37(2).	2. The Commission is empowered to adopt implementing acts setting out a template for the reports referred to in paragraph 1. The template may indicate how the information referred to in paragraph 1 shall be expressed. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 37(2).	(Comments): No remarks. BE: (Comments):
650	3. The information contained in the reports referred to in paragraph 1 shall be treated in accordance with Article 44.	3. The information contained in the reports referred to in paragraph 1 shall be treated in accordance with Article 44.	3. The information contained in the reports referred to in paragraph 1 shall be treated in accordance with Article 44.	PL: (Comments): No remarks. BE: (Comments):
650a		<b>3a. The reporting provided for in this Article shall not create any obligations for undertakings or other economic operators in the raw materials value chain to submit any information to the Commission, authorities in the Board or any other authority. Any information that is provided by undertakings pursuant to this Article shall be provided on a purely voluntary basis and shall at all times be treated in</b>		SE: (Comments): SE finds it very hard to do any monitoring if information is lacking... PL: (Comments): Support the proposals of the Parliament. SI: (Comments): SI is flexible. DK: (Comments): We are skeptical of this proposal from the EPWhile

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p>accordance with Article 44.</p>		<p>measures to keep burdens on companies down should be viewed positively, this could restrict what member states can do on their own accord, and potentially be used to block national initiatives that would increase our knowledge of the raw materials value chain.</p> <p>IE: (Comments): Reject EP Mandate as it undermines previous references on retaining obligations on economic operators.</p> <p>SK: (Comments): Agree with the EP text – utmost care must be given not to place additional not necessary administrative burden on relevant private subjects, especially on SMEs.</p> <p>HR: (Comments): We believe that the text is too prescriptive, we cannot support EP amendment.</p> <p>FR: (Comments): <b>France is opposed to the voluntary basis of the transmission of information. In order to provide an analysis of the supply risks as referred to in article 19, MS need information from</b></p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p><b>economic operators. If these economic operators are free to ignore the information requests from Member States, then the monitoring would be inefficient.</b></p> <p>IT: (Comments): Flexible</p> <p>DE: (Comments): We reject the EP addition.</p> <p>LT: (Comments): LT supports Parliament Mandate</p> <p>AT: (Comments): See line 646a. We very much support this addition proposed by the Rapporteur.</p> <p><b>RO:</b> <b>(Comments):</b> <b>Agree with EP's text.</b></p>
651	Article 44 Treatment of confidential information	Article 44 Treatment of confidential information	Article 44 Treatment of confidential information	<p>NL: (Comments): Preference for Council position in this whole article.</p> <p>BE: (Comments):</p> <p>LT: (Comments): Overall LT supports Council Mandate.</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
652	1. Information acquired in the course of implementing this Regulation shall be used only for the purposes of this Regulation and shall be protected by the relevant Union and national legislation.	1. Information acquired in the course of implementing this Regulation shall be used only for the purposes of this Regulation and shall be protected by the relevant Union and national legislation.	1. Information acquired in the course of implementing this Regulation shall be used only for the purposes of this Regulation and shall be protected by the relevant Union and national legislation.	PL: (Comments): No remarks. NL: (Comments): Preference for Council position BE: (Comments):
653	2. Member States and the Commission shall ensure the protection of trade and business secrets and other sensitive, confidential and classified information acquired and generated in application of this Regulation, including recommendations and measures to be taken, in accordance with Union and the respective national law.	2. Member States and the Commission shall ensure the protection of trade and business secrets and other sensitive, confidential and classified information acquired and generated in application of this Regulation, including recommendations and measures to be taken, in accordance with Union and the respective national law.	2. Member States and the Commission shall ensure the protection of trade and business secrets and other sensitive, confidential and classified information acquired and generated in application of this Regulation, including recommendations and measures to be taken, in accordance with Union and the respective national law.	PL: (Comments): No remarks. NL: (Comments): Preference for Council position BE: (Comments):
654	3. Member States and the Commission shall ensure that classified information provided or exchanged under this Regulation is not downgraded or declassified without the prior written consent of the originator.	3. Member States and the Commission shall ensure that classified information provided or exchanged under this Regulation is not downgraded or declassified without the prior written consent of the originator.	3. Member States and the Commission shall ensure that classified information provided or exchanged under this Regulation is not downgraded or declassified without the prior written consent of the originator <b>in accordance with relevant national or Union law.</b>	SE: (Comments): SE wants to keep Council mandate. PL: (Comments): Support the proposals of the Council. NL: (Comments): Preference for Council position SI:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>(Comments): SI supports the GA. Reference to relevant national or EU law should remain in the regulation.</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>BE: (Comments):</p> <p>IT: (Comments): Maintain the Council's proposal</p> <p>PT: (Comments): We support the Council's mandate.</p> <p>AT: (Comments): In terms of coherence with relevant EU legislation, we advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Agree with Commission's Proposal and EP's text.</p>
655	4. If a Member State assesses that the presentation of aggregated information in the context of Article 21 may nonetheless compromise its national security interest, it may object to the Commission's presentation through a justified	4. If a Member State assesses that the presentation of aggregated information in the context of Article 21 may nonetheless compromise its national security interest, it may object to the Commission's presentation through a justified	4. If a Member State assesses that the presentation of aggregated information in the context of Article 21 may nonetheless compromise its national security interest, it may object to the Commission's presentation through a justified	<p>PL: (Comments): No remarks.</p> <p>NL: (Comments): Preference for Council position</p> <p>BE: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	notice.	notice.	notice.	
656	<p>5. The Commission and the national authorities, their officials, employees and other persons working under the supervision of these authorities shall ensure the confidentiality of information obtained in carrying out their tasks and activities. This obligation also applies to all representatives of Member States, observers, experts and other participants attending meetings of the Board pursuant to Article 35.</p>	<p>5. The Commission and the national authorities, their officials, employees and other persons working under the supervision of these authorities shall ensure the confidentiality of information obtained in carrying out their tasks and activities. This obligation also applies to all representatives of Member States, observers, experts and other participants attending meetings of the Board pursuant to Article 35.</p>	<p>5. The Commission and the national authorities, their officials, employees and other persons working under the supervision of these authorities shall ensure the confidentiality of information obtained in carrying out their tasks and activities <b>in accordance with relevant national or Union law</b>. This obligation also applies to all representatives of Member States, observers, experts and other participants attending meetings of the Board pursuant to Article 35.</p>	<p>SE: (Comments): SE wants to keep Council mandate.</p> <p>PL: (Comments): Support the proposals of the Council.</p> <p>NL: (Comments): Preference for Council position</p> <p>SI: (Comments): SI supports the GA.</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>BE: (Comments):</p> <p>IT: (Comments): Maintain the Council's proposal</p> <p>PT: (Comments): We support the Council's mandate.</p> <p>AT: (Comments): In terms of coherence with relevant EU legislation, we advocate maintaining the Council position in this case.</p> <p><b>RO:</b></p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>(Comments):            Agree with Commission's Proposal and EP's text.</p>
656a			<p><b>5a. The Commission shall provide for standardised and secure means for the collection, processing and storage of the information acquired pursuant to this Regulation.</b></p>	<p>SE:            (Comments):            SE wants to keep Council mandate.            PL:            (Comments):            Support the proposals of the Council.            NL:            (Comments):            Preference for Council position            SI:            (Comments):            SI supports the GA.            IE:            (Comments):            Retain Council Mandate            IT:            (Comments):            Maintain the Council's proposal            DE:            (Comments):            We strongly support the Council mandate here            PT:            (Comments):            We support the Council's mandate.            AT:            (Comments):            As we have underlined several times throughout the previous</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				discussions, we strongly advocate maintaining the Council position in this case. <b>RO:</b> <b>(Comments):</b> <b>Agree with Council's text.</b>
656b			<b>5b. Any obligations on sharing information pursuant to this Regulation shall not apply to data that concerns national security or defence.</b>	SE: (Comments): SE finds it important to keep Council mandate. PL: (Comments): Support the proposals of the Council. NL: (Comments): Preference for Council position SI: (Comments): SI supports the GA. IE: (Comments): Retain Council Mandate HR: (Comments): It is important to preserve the Council's mandate in this part. FR: (Comments): France strongly supports the Council proposal IT: (Comments): Maintain the Council's proposal DE:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>(Comments): We strongly support the Council mandate here</p> <p>PT: (Comments): We support the Council's mandate.</p> <p>AT: (Comments): As we have underlined several times throughout the previous discussions, we strongly advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Agree with Council's text.</p>
657	Article 45 Penalties	Article 45 Penalties	Article 45 Penalties	<p>NL: (Comments): Preference for Council position</p> <p>BE: (Comments):</p>
658	By 12 months after entry into force of the Regulation, Member States shall lay down rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, without	By 12 months after entry into force of the Regulation, Member States shall lay down rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, without	<del>By 12</del> <b>No later than 18</b> months after entry into force of the Regulation, Member States shall lay down rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive.	<p>PL: (Comments): Support the proposals of the Council.</p> <p>NL: (Comments): Preference for Council position, because MS need time to implement new EU regulations.</p> <p>SI: (Comments):</p>

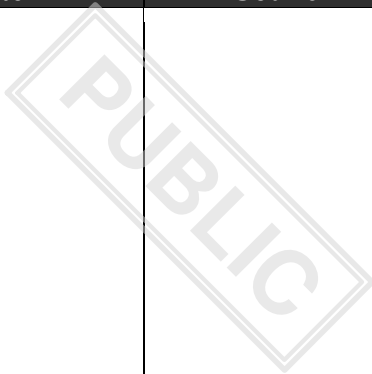
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>delay, notify the Commission of those rules and of those measures and shall notify it, without delay, of any subsequent amendment affecting them.</p>	<p>delay, notify the Commission of those rules and of those measures and shall notify it, without delay, of any subsequent amendment affecting them.</p>	<p>Member States shall, without delay, notify the Commission of those rules and of those measures and shall notify it, without delay, of any subsequent amendment affecting them.</p>	<p>SI supports the GA.  IE:  (Comments):  Strongly prefer Council Mandate – timeline of 18 months for penalties establishment.  HR:  (Comments):  It is important to preserve the Council's mandate in this part (18 months).  BE:  (Comments):  FI:  (Comments):  FI supports the council mandate.  FR:  (Comments):  France supports the Council proposal. 12 months is a too short period to lay down rules on penalties.  IT:  (Comments):  Maintain the Council's proposal  LT:  (Comments):  LT supports Council Mandate.  PT:  (Comments):  We support the Council's mandate. 12 months is too short a time limit. To avoid internal</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				market distortions and ensuring a level playing field across the Union there should be a common ground on which penalties are “effective, proportionate and dissuasive”. RO: (Comments): Agree with Council’s text.
659	Article 46 Evaluation	Article 46 Evaluation	Article 46 Evaluation	BE: (Comments): LT: (Comments): Overall LT supports Parliament Mandate.
660	1. By [OP please insert: 5 years after the date of entry into force of this Regulation], the Commission shall carry out an evaluation of this Regulation in light of the objectives that it pursues and shall present a report thereon to the European Parliament, to the Council and to the European Economic and Social Committee.	1. By [OP please insert: 5 years after the date of entry into force of this Regulation], the Commission shall carry out an evaluation of this Regulation in light of the objectives that it pursues and shall present a report thereon to the European Parliament, to the Council and to the European Economic and Social Committee.	1. By [OP please insert: <del>5</del> 4 years after the date of entry into force of this Regulation], the Commission shall carry out an evaluation of this Regulation in light of the objectives that it pursues and shall present a report thereon, to the European Parliament, to the Council and to the European Economic and Social Committee.	PL: (Comments): No remarks. IE: (Comments): Prefer Council Mandate SK: (Comments): Preference for a shorter timeframe of 4 years (as per the Council text) - the CRM markets and projects can be dynamic and need to be assessed at appropriate timeframes that are not too long, to provide an effective assessment of the situation. HR: (Comments): In this part we can show

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>flexibility regarding deadline, although we prefer Council mandate.</p> <p>BE: (Comments):</p> <p>FR: (Comments):</p> <p><b>France strongly supports the Council proposal, 5 years after the date of entry into force of this Regulation would be in 2029, which is too close to 2030.</b></p> <p>IT: (Comments):</p> <p>Maintain the Council's proposal</p> <p>PT: (Comments):</p> <p>Flexible.</p> <p><b>RO:</b> (Comments): Agree with Council's text.</p>
661	<p>2. The report referred to in paragraph shall at least assess the appropriateness of establishing maximum environmental footprint thresholds for critical raw materials for which calculation and verification rules have been adopted.</p>	<p>2. The report referred to in paragraph shall at least assess the appropriateness of establishing maximum environmental footprint thresholds for critical raw materials for which calculation and verification rules have been adopted <b>as well as the need to further strengthen the critical raw materials supply chains after 2030.</b></p>	<p>2. The report referred to in paragraph <b>1</b> shall at least assess :</p> <ul style="list-style-type: none"> <li>- the appropriateness of establishing maximum environmental footprint thresholds for critical raw materials for which calculation and verification rules have been adopted-;</li> </ul>	<p>PL: (Comments):</p> <p>No remarks.</p> <p>IE: (Comments):</p> <p>Prefer Council Mandate</p> <p>BE: (Comments):</p> <p>In favor of EP</p> <p>IT: (Comments):</p> <p>flexible</p> <p>PT:</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>(Comments):  This paragraph should be coherent with Recital (62):  “The Commission should submit to the European Parliament, to the Council, and the European Economic and Social Committee, <b>a report on the implementation of this Regulation and <u>progress towards achieving its objectives, including the capacity and diversification benchmarks.</u></b>”. Progress towards capacity and diversification benchmarks should also be assessed.</p> <p>AT:  (Comments):  We generally advocate maintaining the Council position in this case, but, suggest including the following wording: 2. The report referred to in paragraph 1 shall at least assess:- the appropriateness of establishing maximum environmental footprint thresholds for critical raw materials for which calculation and verification rules have been adopted <b>as well as the need to further strengthen the critical raw materials supply chains after 2030;</b></p> <p>RO:  (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Agree with EP's text.
661a			<p>- the appropriateness of establishing benchmarks targeting 2040 and 2050 on aggregated level and per strategic raw material;</p>	<p>PL: (Comments): No remarks.</p> <p>NL: (Comments): Council mandate</p> <p>SI: (Comments): SI supports the GA.</p> <p>DK: (Comments): We can be flexible here and go with the EP position - i.e. we do not consider it important to insist on language concerning future benchmarks</p> <p>IE: (Comments): Retain Council Mandate</p> <p>BE: (Comments): Keep Council amendment</p> <p>FR: (Comments): <b>France strongly supports the Council proposal. It is necessary to implement the CRM Act on the long term and to establish benchmark for 2040 and 2050 in order to achieve the carbon neutrality.</b></p> <p>IT: (Comments): Maintain Council's proposal</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>LT: (Comments): LT supports Council Mandate</p> <p>PT: (Comments): We support the Council's mandate.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p><b>RO:</b> (Comments): Not necessary</p>
661b			<p>- <b>the consistency between the Union environmental legislation and this regulation, in particular in relation to the priority status of the strategic projects;</b></p>	<p>PL: (Comments): No remarks.</p> <p>NL: (Comments): Council mandate</p> <p>SI: (Comments): SI supports the GA.</p> <p>IE: (Comments): Retain Council Mandate</p> <p>IT: (Comments): Maintain Council's proposal</p> <p>LT: (Comments): LT supports Council Mandate</p> <p>PT: (Comments): We support the Council's</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				mandate. AT: (Comments): We advocate maintaining the Council position in this case. RO: (Comments): Agree with Council's text.
661c			- <b>the impact of the Joint purchasing system set up pursuant to Article 24 on competition in the internal market.</b>	PL: (Comments): No remarks. NL: (Comments): Council mandate  <b>[ADD] – the appropriateness to establish criteria for process efficiency (using in the Best Available Techniques) for Strategic Projects and to develop an indicator for material efficiency (as suggested by EP in recital 9)</b> SI: (Comments): SI supports the GA. DK: (Comments): Important to maintain Council position We will need to ex post evaluation of the Joint purchasing system. As we pointed out during the working group meetings such a system will break new grounds and is

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>viewed as controversial.</p> <p>IE: (Comments): Retain Council Mandate</p> <p>IT: (Comments): Maintain Council's proposal</p> <p>LT: (Comments): LT supports Council Mandate</p> <p>PT: (Comments): If the joint purchasing system is subject to a prior assessment (Council mandate, Article 24 1a.), there is a possibility that the system may not be set up, or 4 years after the date of entry into force of this Regulation may be too early to carry out an evaluation of this point.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Not necessary</p>
662	Article 47 Entry into force	Article 47 Entry into force	Article 47 Entry into force	<p>NL: (Comments): In the BNC fiche, we indicated that given the implementation requirements, we would like to have a separate (longer) implementation period</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				BE: (Comments): LT: (Comments): LT supports Commission proposal
663	<p>This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p>	<p>This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p>	<p>This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p>	PL: (Comments): No remarks. NL: (Comments): The current proposal does not provide for a general implementation deadline and uses a deadline of twenty days after publication of the proposal with regard to entry into force. The NL considers this deadline insufficient in view of the fact that the regulation (in its current form) in any event requires the adaptation of national legislation, and decentralized regulations, in view of the provisions relating to the granting of permits and the need to designate a supervisor. Under Article 8, the regulation includes a three-month deadline for having a single point of contact for licensing operational. Regardless of desirability, establishing this involves a fundamental systemic overhaul that is not feasible within this timeframe.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>Under Article 18, member states are given one year to prepare a national exploration program. Under Article 25, member states are given three years to establish national programs related to circularity. Under Article 45(1), member states are given a 12-month period to draw up penalties related to the regulation. The Dutch government therefore considers the addition of an adequate implementation period necessary to be able to transpose the regulation into national legislation where necessary and to take other necessary measures that contribute to the implementation of the regulation.</p> <p>BE: (Comments):</p>
664	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	<p>PL: (Comments): No remarks.</p> <p>BE: (Comments):</p>
665	Done at Brussels,	Done at Brussels,	Done at Brussels,	<p>BE: (Comments):</p>

	<b>Commission Proposal</b>	<b>EP Mandate</b>	<b>Council Mandate</b>	<b>Draft Agreement</b>
666	For the European Parliament	For the European Parliament	For the European Parliament	BE: (Comments):
667	The President	The President	The President	BE: (Comments):
668	For the Council	For the Council	For the Council	BE: (Comments):
669	The President	The President	The President	BE: (Comments):



Council of the European Union  
General Secretariat

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**Interinstitutional files:  
2023/0079 (COD)**

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**Brussels, 31 October 2023**

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**WORKING DOCUMENT**

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From:	Presidency
To:	Working Party on Competitiveness and Growth (Industry)
Subject:	Critical Raw Materials Act: 4-Column Table with Member State comments on the European Parliament's position: batch IV

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