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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party of Financial Counsellors
Subject:	PSLF - Updated 4 column table

Delegations will find attached the updated 4 column table on the Public Sector Loan Facility, in view of the Financial Counsellors Working Party meeting on 13 April 2021.

Proposal for a
REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
on the public sector loan facility under the Just Transition Fund (2020/0100(COD))
Dated as of 25 March 2021

Key	
	Articles
	Titles
	Identical
	To be dealt in technical meeting
	To be dealt in trilogue
	4th column for approval in 3rd trilogue
	To be dealt in TM 25/03/21

	Ref.	COM	Council	EP	Compromise
1.		Proposal for a	Proposal for a	Proposal for a	Proposal for a
2.		REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
3.		on the public sector loan facility under the Just Transition Mechanism	on the public sector loan facility under the Just Transition Mechanism	on the public sector loan facility under the Just Transition Mechanism	on the public sector loan facility under the Just Transition Mechanism

4.		THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
5.	Cit. 1	Having regard to the Treaty on the Functioning of the European Union, and in particular the third paragraph of Article 175 and the first paragraph of Article 322 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular the third paragraph of Article 175 and the first paragraph of Article 322 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular the third paragraph of Article 175 and the first paragraph of Article 322 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular the third paragraph of Article 175 and the first paragraph of Article 322 thereof,
6.	Cit. 2	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,
7.	Cit. 3	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,
8.	Cit. 4	Having regard to the opinion of the European Economic and Social Committee ¹ ,	Having regard to the opinion of the European Economic and Social Committee ² ,	Having regard to the opinion of the European Economic and Social Committee ³ ,	Having regard to the opinion of the European Economic and Social Committee ⁴ ,
9.	Cit. 5	Having regard to the opinion of the Committee of the Regions ⁵ ,	Having regard to the opinion of the Committee of the Regions ⁶ ,	Having regard to the opinion of the Committee of the Regions ⁷ ,	Having regard to the opinion of the Committee of the Regions ⁸ ,
10.	Cit. 6	Having regard to the opinion of the Court of Auditors,	Having regard to the opinion of the Court of Auditors,	Having regard to the opinion of the Court of Auditors,	Having regard to the opinion of the Court of Auditors,
11.	Cit. 7	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,
12.		Whereas:	Whereas:	Whereas:	Whereas:

1 OJ C , , p. .

2 OJ C , , p. .

3 OJ C , , p. .

4 OJ C , , p. .

5 OJ C , , p. .

6 OJ C , , p. .

7 OJ C , , p. .

8 OJ C , , p. .

13.	Rec. 1	(1) The Commission adopted a Communication on the European Green Deal on 11 December 2019⁹, drawing its roadmap towards a new growth policy for Europe and setting ambitious objectives to counter climate change and for environmental protection. In line with the objective to achieve climate neutrality in the Union by 2050 in an effective and fair manner, the European Green Deal announced a Just Transition Mechanism to provide means for facing the climate challenge while leaving no one behind. The most vulnerable regions and people are the most exposed to the harmful effects of climate change and environmental degradation.	(1) The Commission adopted a Communication on the European Green Deal on 11 December 2019¹⁰, drawing its roadmap towards a new growth policy for Europe and setting ambitious objectives to counter climate change and for environmental protection. In line with the objective to achieve <u>the Union's 2030 climate targets and</u> climate neutrality in the Union by 2050 in an effective and fair manner, the European Green Deal announced a Just Transition Mechanism to provide means for facing the climate challenge while leaving no one behind. The most vulnerable regions and people are the most exposed to the harmful effects of climate change and environmental degradation.	(1) The Commission adopted a Communication on the European Green Deal on 11 December 2019¹¹, drawing its roadmap towards a new growth policy for Europe and setting ambitious objectives to counter climate change and for environmental protection. In line with the objective <i>of achieving the Union's new 2030 targets for climate and energy as established in Regulation (EU) ... /... of the European Parliament and the Council [establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law)]</i>, and climate neutrality in the Union by 2050 <i>at the latest</i> in an effective and fair manner, <i>while striving for socio-economic sustainability</i>, the European Green Deal announced a Just Transition Mechanism to provide <i>financial</i> means <i>and</i>	05/02/TM - TM 24/02/2021 TM 25/03/21 (1) The Commission adopted a Communication on the European Green Deal on 11 December 2019¹², drawing its roadmap towards a new growth policy for Europe and setting ambitious objectives to counter climate change and for environmental protection. In line with the objective to achieve <u>the Union's 2030 climate targets as established in Regulation (EU) ... /... of the European Parliament and the Council [establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law)]</u>, and climate neutrality in the Union by 2050 <i>at the latest</i> in an effective and <i>socially</i> fair manner, the European Green Deal announced a Just Transition Mechanism to provide means for facing the

⁹ COM(2019) 640 final.

¹⁰ COM(2019) 640 final.

¹¹ COM(2019) 640 final.

¹² COM(2019) 640 final.

		At the same time, managing the transition requires significant structural changes.	At the same time, managing the transition requires significant structural changes.	knowledge for facing the climate challenge while leaving no one behind. The most vulnerable regions and people are the most exposed to the harmful effects of climate change and environmental degradation. At the same time, managing the transition requires significant structural changes <i>both at regional and national level. In order to be successful, the transition should reduce inequalities, create a net employment effect with new high quality jobs, and be fair and socially acceptable for all. Projects and beneficiaries should comply with the Union's Treaty-based fundamental values, the Paris Agreement, and the Union's climate neutrality and biodiversity objective.</i>	climate challenge while leaving no one behind. The most vulnerable regions and people are the most exposed to the harmful effects of climate change and environmental degradation. The transition towards climate neutral economy is the source of new economic opportunities, with a significant potential for job creation, in particular in territories currently dependent on fossil fuels. It can also contribute to enhanced energy security and resilience. On the other hand, the transition may also trigger short term social and economic costs, in territories undergoing heavy decarbonisation process, already weakened by the disruptive economic and social effects of the COVID-19 crisis. Managing the transition will requires significant structural changes <i>both at regional and national level. In order to be successful, the transition should reduce inequalities, create a net employment effect with new high quality jobs, and be fair and socially acceptable for all, while strengthening competitiveness. In this regard, it is critical that the territories impacted, in particular coal mining regions, can be supported to diversify and revitalize their local economies and create sustainable employment</i>
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					<i>opportunities for the impacted workers.</i> Part of horizontal principle package
14.	Rec. (new)	1a		<i>(1a) Achieving the Union's climate objectives requires addressing not only the problem of variable speed transition in the Union as regards climate action, but also the risk of growing socio-economic disparities between regions and the discontent of potentially adversely affected social groups. It is of paramount importance that efforts are concentrated on economic transformation and revitalisation of the territories concerned, for example coal mining regions, rather than relying on workers' mobility and risking the depopulation and stagnation of entire regions. In order to maintain coherence between the objectives of the transition and the priorities and goals of the Union such as boosting jobs, reducing poverty and inequality, effective support should be provided in order to diversify local economies through sound investments and to create sustainable employment to ensure that workers employed in sectors affected by the transition will be re-absorbed into local labour market.</i>	TM 24/02/21 Deleted.

15.	Rec. 2	(2) The Commission adopted a Communication on the European Green Deal Investment Plan¹³ on 14 January 2020, establishing the Just Transition Mechanism which focuses on the regions and sectors that are most affected by the transition given their dependence on fossil fuels, including coal, peat and oil shale or greenhouse gas-intensive industrial processes but have less capacity to finance the necessary investments. The Just Transition Mechanism consists of three pillars: a Just Transition Fund implemented under shared management, a dedicated just transition scheme under InvestEU, and a public sector loan facility to mobilise additional investments to the regions concerned.	(2) The Commission adopted a Communication on the European Green Deal Investment Plan¹⁴ on 14 January 2020, establishing the Just Transition Mechanism which focuses on the regions and sectors that are most affected by the transition given their dependence on fossil fuels, including coal, peat and oil shale or greenhouse gas-intensive industrial processes but have less capacity to finance the necessary investments. The Just Transition Mechanism consists of three pillars: a Just Transition Fund implemented under shared management, a dedicated just transition scheme under InvestEU, and a public sector loan facility to mobilise additional investments to the regions concerned.	(2) The Commission adopted a Communication on the European Green Deal Investment Plan¹⁵ on 14 January 2020, establishing the Just Transition Mechanism which focuses on the regions, <i>people</i> and sectors that are <i>currently</i> most affected by the transition given their dependence on fossil fuels, including coal, peat and oil shale or greenhouse gas-intensive industrial processes but have less capacity to finance the necessary investments. <i>These regions and sectors are the ones identified by the Commission and Members States in the territorial just transition plan established in accordance with Article 7 of Regulation (EU) .../... [JTF Regulation] and approved by the Commission.</i> The Just Transition Mechanism consists of three pillars: a Just Transition Fund implemented under shared management, a dedicated just transition scheme under InvestEU, and a public sector loan facility to mobilise additional investments to the regions concerned. <i>All three pillars complement each other in supporting the implementation of the European Green Deal and</i>	TM 24/02/2021 (2) The Commission adopted a Communication on the European Green Deal Investment Plan¹⁶ on 14 January 2020, establishing the Just Transition Mechanism which focuses on the regions and sectors that are most affected by the transition given their dependence on fossil fuels, including coal, peat and oil shale or greenhouse gas-intensive industrial processes but have less capacity to finance the necessary investments. The creation of a just Transition Mechanism has also been confirmed by the conclusions of the European Council of 21 July 2020. The Just Transition Mechanism consists of three pillars: a Just Transition Fund implemented under shared management, a dedicated just transition scheme under InvestEU, and a public sector loan facility to mobilise additional investments to the regions concerned. The three pillars provide complementary support to these regions, with a view to fostering the take up of the transition towards climate neutral economy by 2050.
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¹³ COM(2020) 21 final.

¹⁴ COM(2020) 21 final.

¹⁵ COM(2020) 21 final.

¹⁶ COM(2020) 21 final.

				<i>address the economic, social and regional challenges and opportunities of the transition to a sustainable, climate-neutral and climate-resilient, resource-efficient, and circular economy by 2050 at the latest.</i>	Part of horizontal principle package
16.	Rec. 2a (new)		<u>(2a) On 17-21 July, the European Council concluded that in order to address the social and economic consequences of the objective of reaching climate neutrality by 2050 and the Union's new 2030 climate targets, which will be updated by the end of 2020, a Just Transition Mechanism, including a Just Transition Fund, should be created. As a general principle, all EU expenditure should be consistent with Paris Agreement objectives. Equality between women and men, as well as rights and equal opportunities for all, and the mainstreaming of these objectives should be taken into account and promoted throughout the preparation, implementation and monitoring of relevant programmes.</u>		18/02/21 TM TM 24/02/2021- Included in row 15 and row 23 Deleted
17.	Rec. 3	(3) The proposal for establishing the Just Transition Fund was adopted by the Commission on 14 January 2020 ¹⁷ .	(3) The proposal for establishing the Just Transition Fund was adopted by the Commission on 14 January 2020 ¹⁸ .	(3) The proposal for establishing the Just Transition Fund was adopted by the	TM 24/02/2021

¹⁷ COM(2020) 22 final

¹⁸ COM(2020) 22 final

		For the better programming and implementation of the Fund, territorial just transition plans are to be adopted, setting out the key steps and timeline of the transition process and identifying the territories most negatively affected by the transition towards a climate neutral economy and with less capacity to deal with the transition challenges.	For the better programming and implementation of the Fund, territorial just transition plans are to be adopted, setting out the key steps and timeline of the transition process and identifying the territories most negatively affected by the transition towards a climate neutral economy and with less capacity to deal with the transition challenges.	Commission on 14 January 2020 ¹⁹ . For the better programming and implementation of the Fund, territorial just transition plans are to be adopted, setting out the key steps and timeline of the transition process <i>towards the achievement the Union 2030 climate targets and a climate-neutral economy by 2050 at the latest, in a way that leaves no one behind</i> , and identifying the territories most negatively affected by the transition towards a climate neutral economy and with less capacity to deal with the transition challenges. <i>The partnership principle applies to the preparation, implementation, monitoring and evaluation of the territorial just transition plans as referred to in Article [7] of Regulation (EU) .../... [JTF Regulation].</i>	TM 25/03/21 <i>New COM proposal:</i> These territorial just transition plans may be amended, together with the corresponding programmes supported by the JTF, in accordance with the provisions of Article 19 of Regulation [new CPR], to include new territories, which would be severely impacted by the climate transition, in a way which were not anticipated at the time of their initial adoption.
18.	Rec. 3a (new)			<i>(3a) The public sector has a particular place in the process of driving the transition to a climate-neutral Union economy. It is necessary to recognise that the components of a climate-neutral economy, such as renewables and wider low-carbon developments, cross-sectorial innovation and</i>	TM 24/02/2021 <i>Deleted.</i>

				<i>social investments, have a value beyond short-term financial returns and need distinct treatment. One of the key roles of the public sector is to step in when the market is failing.</i>	
19.	Rec. 4	(4) A public sector loan facility (the ‘Facility’) should be provided. It constitutes the third pillar of the Just Transition Mechanism, supporting public sector entities in their investments. Such investments should meet the development needs resulting from the transition challenges described in the territorial just transition plans as adopted by the Commission. The activities envisaged for support should be consistent with and complement those supported under the other two pillars of the Just Transition Mechanism.	(4) A public sector loan facility (the ‘Facility’) should be provided. It constitutes the third pillar of the Just Transition Mechanism, supporting public sector entities in their investments. Such investments should meet the development needs resulting from the transition challenges described in the territorial just transition plans as adopted approved by the Commission. The activities envisaged for support should be consistent with and complement those supported under the other two pillars of the Just Transition Mechanism.	(4) A public sector loan facility (the ‘Facility’) should be provided. It constitutes the third pillar of the Just Transition Mechanism, supporting public sector entities in their investments. Such investments should meet the development needs resulting from the <i>social and economic</i> transition challenges described in the territorial just transition plans as <i>approved, after meaningful consultation with all relevant stakeholders at regional level</i> , by the Commission, <i>contribute towards achieving the goals of the European Green Deal and the European Pillar of Social Rights, and be in line with the objective of a climate-neutral Union by 2050 at the latest</i> . The activities envisaged for support should <i>take into account the objectives and criteria, where relevant, of the Regulation (EU) 2020/852 of the European Parliament and of the Council²⁰ [Taxonomy Regulation]</i> and complement <i>and ensure synergies</i>	TM 24/02/2021 TM 25/03/21 MFF standard wording added at the end. (4) A public sector loan facility (the ‘Facility’) should be provided. It constitutes the third pillar of the Just Transition Mechanism, which aims at supporting public sector entities in their investments, given the key role of public sector in addressing market failures . Such investments should meet the development needs resulting from the transition challenges described in the territorial just transition plans as approved by the Commission. The activities envisaged for support should be consistent with and complement those supported under the other two pillars of the Just Transition Mechanism. The Facility should be established for a period of seven years to align its duration with that of the multiannual financial framework laid down in Council

²⁰ Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13).

				<i>with those supported under the other two pillars of the Just Transition Mechanism in order to ensure that all three pillars are working towards the same objectives. The Commission should monitor the complementarity between the three pillars on an ongoing basis and aim to develop synergies where possible. The sectors or regions that are particularly affected by climate transition, but not specifically targeted under the first pillar, should be able to benefit from the Facility. Investments that are inconsistent with the achievement of the Union's climate and environmental objectives should not be eligible for support under this Facility.</i>	Regulation (EU, Euratom) No [reference to the MFF Regulation to be inserted] Part of horizontal principle package
20.	Rec. (new) 4a			<i>(4a) The disruptive economic and social effects of the COVID-19 crisis have weakened public and private investment capacity, thereby limiting the financial resources essential for the transition to a climate-neutral and resource-efficient Union. In that regard and in the framework of Next Generation EU, the Facility should contribute to reducing that gap and enable Member States to undertake the necessary investments to foster the achievement of the Union's long-term sustainability priorities.</i>	TM 24/02/2021 <i>Deleted.</i>

21.	Rec. 5	(5) In order to enhance the economic diversification of territories impacted by the transition, the Facility should cover a wide range of investments, on condition that they contribute to meet the development needs in the transition towards a climate neutral economy, as described in the territorial just transition plans. The investments supported may cover energy and transport infrastructure, district heating networks, green mobility, smart waste management, clean energy and energy efficiency measures including renovations and conversions of buildings, support to transition to a circular economy, land restoration and decontamination, as well as up- and re-skilling, training and social infrastructure, including social housing. Infrastructure developments may also include solutions leading to their enhanced resilience to withstand disasters.	(5) In order to enhance the economic diversification of territories impacted by the transition, the Facility should cover a wide range of investments, on condition that they contribute to meet the development needs in the transition towards a <u>EU climate neutrality economy by 2050</u>, as described in the territorial just transition plans. The investments supported may cover <u>low-carbon and renewable</u> energy and transport infrastructure, district heating networks, green mobility, smart waste management, clean <u>sustainable</u> energy and energy efficiency measures including renovations and conversions of buildings, support to transition to a circular economy, land restoration and decontamination, as well as up- and re-skilling, training and social infrastructure, including social housing. Infrastructure developments may also include <u>cross-border projects and</u> solutions leading to their enhanced resilience to withstand disasters. Comprehensive investment approach should be favoured in particular for territories with important transition needs. Investments in other sectors could also be supported if they are consistent with the adopted territorial just transition plans. By	(5) In order to enhance <i>regional cohesion and</i> the economic diversification of territories impacted by the transition, the Facility should cover a wide range of <i>sustainable</i> investments, on condition that they contribute to meet the development needs in the transition towards <i>the Union's new 2030 targets for climate and energy, as established in Regulation (EU).../... of the European Parliament and the Council [establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law)] and a climate- and carbon-neutral and circular economy by 2050 at the latest</i>, as described in the territorial just transition plans. The investments supported <i>should not include any of the activities excluded under Article [5] of Regulation (EU) .../... [JTF Regulation] and</i> may cover <i>the decarbonisation of the energy and transport sector, industry and building stock, sustainable district heating networks for coal regions in transition, green and sustainable mobility, investments in green and sustainable research and innovation and digitalisation activities, including in universities and public research institutions,</i>	05/02/TM 08/02/2021 TM TM 24/02/2021 TM 25/03/2021 (check line 58 and addition here) In order to enhance <i>cohesion and</i> the economic diversification of territories impacted by the transition, the Facility should cover a wide range of <i>sustainable</i> investments, on condition that they contribute to meet the development needs in the transition towards <i>the Union's 2030 climate targets, as established in Regulation (EU).../... of the European Parliament and the Council [establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law)] and a EU climate neutrality by 2050 at the latest</i>, as described in the territorial just transition plans-. In order to improve the effectiveness of the Facility, it may support eligible projects which may have started the implementation stage prior to the application. The investments supported <i>should not include any of the activities excluded under Article [5] of Regulation (EU) .../...</i>
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		supporting investments that do not generate sufficient revenues, the Facility aims at providing public sector entities with additional resources necessary to address the social, economic and environmental challenges resulting from the adjustment to climate transition. In order to help identify investments with a high positive environmental impact eligible under the Facility, <u>the EIB should implement its new energy lending policy for the assessment of the projects and all finance partners should use, where applicable,</u> the EU taxonomy on environmentally sustainable economic activities, <u>including the ‘do no significant harm’ principle, to provide for transparency on sustainable projects</u> may be used. Comprehensive investment approach should be favoured in particular for territories with important transition needs. Investments in other sectors could also be supported if they are consistent with the adopted territorial just transition plans. By	<i>the fostering of the transfer of advanced and market-ready technologies, investments in digitalisation, digital innovation and digital connectivity, including digital and precision farming, environmental infrastructure in smart waste management, clean and safe water, water sanitation, the deployment of clean technology for affordable and renewable energy, as well as clean hydrogen, biogas and biomethane in the limits of sustainable availability, energy efficiency and integration measures including renovations and conversions of buildings, urban renewal and regeneration, support to transition to a circular economy, land and ecosystem restoration and decontamination, protection and restoring biodiversity and natural habitats, unless falling within the scope of liabilities for environmental damage in accordance with the polluter pays principle referred to in Article 191 TFEU, as well as up- and re-skilling, new skills development and training with a focus on gender equality, investments in care facilities, and the creation of jobs and social infrastructure, including care facilities and social housing. Infrastructure developments may also include solutions leading to their enhanced resilience to</i>	<i>[JTF Regulation]</i> and may cover <i>renewable</i> energy, green <i>and sustainable</i> mobility <i>including the promotion of green hydrogen, investments in efficient district heating networks, investments in public research, investments in digitalisation, environmental infrastructure in smart waste and water management, sustainable energy and energy efficiency and integration</i> measures including renovations and conversions of buildings, <i>urban renewal and regeneration</i>, support to transition to a circular economy, land <i>and ecosystem</i> restoration and decontamination, <i>taking into account the ‘polluter pays’ principle, support to biodiversity</i>, as well as up- and re-skilling, training and social infrastructure, including <i>care facilities</i> and social housing. Infrastructure developments may also include <i>cross-border projects and</i> solutions leading to enhanced resilience to withstand <i>ecological</i> disasters, <i>in particular those accentuated by climate change</i>. Comprehensive investment approach should be favoured in particular for territories with important transition needs. Investments in other sectors could also be supported if they are consistent with the adopted
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		supporting investments that do not generate sufficient revenues, the Facility aims at providing public sector entities with additional resources necessary to address the social, economic and environmental challenges resulting from the adjustment to climate transition. In order to help identify investments with a high positive environmental impact eligible under the Facility, the EU taxonomy on environmentally sustainable economic activities may be used.		withstand <i>ecological</i> disasters, <i>namely those accentuated by climate change, such as floods, forest fires and changing weather conditions.</i> Comprehensive investment approach should be favoured in particular for territories with important transition needs. Investments in other sectors could also be supported if they are consistent with the adopted territorial just transition plans. By supporting investments that do not generate sufficient revenues, the Facility aims at providing public sector entities with additional resources necessary to address the <i>territorial</i>, social, economic and environmental challenges resulting from the adjustment to climate transition. In order to help identify <i>and assess</i> investments with a high positive environmental impact eligible under the Facility <i>which can make a substantial contribution to the Union's climate and energy targets as well as to the maintaining of biodiversity, while respecting the principle of do no harm, the Commission should take into account</i> the EU taxonomy on environmentally sustainable economic activities <i>Technical</i>	territorial just transition plans. By supporting investments that do not generate sufficient revenues, the Facility aims at providing public sector entities with additional resources necessary to address the <i>territorial</i>, social, economic and environmental challenges resulting from the adjustment to climate transition. In order to help identify investments with a high positive environmental, <i>including in biodiversity</i> impact eligible under the Facility, <i>the Commission should take into account, when carrying out the evaluation of the Facility</i>, the EU taxonomy on environmentally sustainable economic activities. <i>All finance partners should use, where applicable</i> the EU taxonomy on environmentally sustainable economic activities, <i>including the 'do not significant harm' principle to provide for transparency on sustainable projects.</i> <i>Parliament and the Council [establishing the framework for achieving climate neutrality and amending Regulation (EU)</i>
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				and administrative assistance will be available in conjunction with such investments.	2018/1999 (European Climate Law)] and EU climate neutrality by 2050 at the latest, as described in the territorial just transition plans. In order to ensure smooth implementation of the Facility, projects should be mature and may even have started the construction stage when applying to the Facility
22.	Rec. 5a (new)			(5a) <i>The objectives of the Facility should be pursued in the framework of sustainable development and the Union's promotion of the aim of preserving, protecting and improving the quality of the environment as set out in Article 11 and Article 191(1) TFEU, taking into account the polluter pays principle and the commitments agreed under the Paris Agreement.</i>	TM 18/02/21 TM 24/02/2021 <i>Deleted.</i> Part of horizontal principle package
22a			(5a) <u>By addressing investment needs stemming from the transition towards climate neutral economy of the territories the most negatively impacted, the Facility should provide a key</u>		TM 18/02/21

			<u>contribution to mainstream climate actions. Resources from the grant component of the Facility will therefore contribute to the achievement of the climate objectives to the same extent as the Just Transition Fund.</u>		
23.	Rec. (new)	5b		<i>(5b) The horizontal principles as set out in Article 3 of the Treaty on the European Union ('TEU') and in Article 10 TFEU, including the principles of subsidiarity and proportionality as set out in Article 5 TEU should be respected in the implementation of the Facility, taking into account the Charter of Fundamental Rights of the European Union. Member States should also respect the obligations of the UN Convention on the Rights of the Child and of the UN Convention on the Rights of Persons with Disabilities and ensure accessibility in line with its Article 9 and in accordance with the Union law harmonising accessibility requirements for products and services. The Facility should not support actions that contribute to any form of segregation or exclusion, or support infrastructure which is inaccessible to persons with a disability. Member States and the Commission should aim at eliminating inequalities and at promoting equality between men</i>	<i>TM 18/02/21</i> TM 24/02/2021- To be aligned with Article 3a via email. TM 2/03/2021- Council proposal TM 25/03/21 Respect for fundamental rights and compliance with the Charter of Fundamental Rights of the European Union, and in particular, gender equality, should be ensured, as appropriate, throughout the preparation, implementation and evaluation of eligible projects under this Facility. Similarly, beneficiaries and the Commission should also avoid any discrimination based on gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation, implementation, monitoring, reporting and evaluation of eligible projects. The objectives of the Facility

				<i>and women and integrating the gender perspective, as well as at combating discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. The Commission should be able to reject applications that do not respect the Union's fundamental values and fundamental rights, including the principle of non-discrimination and equal opportunities.</i>	should be pursued in line with the UN Sustainable Development Goals, the European Pillar of Social Rights, the polluter pays principle, the Paris climate agreement and the "do no significant harm" principle. Part of horizontal principle package, see Article 4a
24.	Rec. (new)	5c		<i>(5c) Member States and the Commission should ensure that the implementation of the Facility contributes to the respect and the promotion of equality between women and men, to eliminating inequalities and promoting gender equality, and to integrating the gender perspective, in accordance with Article 8 TFEU. Given the disproportionate impact of the transition process as well as that of climate change on women, it is important that gender equality objectives are taken into account in all dimensions and in all stages of the preparation, monitoring, implementation and evaluation of the Facility in a timely and consistent manner. Gender impact assessments, gender budgeting and monitoring of results from a gender perspective should</i>	TM 18/02/21 TM 24/02/2021 <i>Deleted.</i> Part of horizontal principle package

				<i>therefore become part of the programming cycle.</i>	
25.	Rec. 5d (new)			<i>(5d) Transitioning to climate-neutrality also presents new economic opportunities. Transition to a renewables-based economy holds a significant job creation potential that, if properly tapped, could eventually lead to high employment levels in territories currently dependent on fossil fuels. The shift to renewable energy can enable local communities to become active participants in and owners of the energy transition and move from single- to a multi-industry model. In particular, the reconversion of former mine sites to renewable energy generation and storage, and construction of renewable energy infrastructure in such sites or neighbouring areas can provide green jobs to communities. Moreover, such reconversion can contribute to energy security and resilience, based on a decentralised energy system model.</i>	TM 24/02/2021 <i>Deleted.</i>
26.	Rec. 6	(6) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 of the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the	(6) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 of the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the	(6) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 of the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the	TM 24/02/2021 (6) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 of the Treaty on the Functioning of the European Union apply to this

		Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective EU funding.	Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective EU funding <u>other conditionalities to protect the budget.</u> ²¹	Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective EU funding. <i>In the event of a breach of fundamental values in a Member State resulting in the adoption of measures for the protection of the Union budget, the Commission should seek to provide direct support the transition of concerned regions and, with the agreement of the European Parliament and the Council, should temporarily manage funds with the recipients.</i>	Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective EU funding include a general regime of conditionality for the protection of the Union budget.
27.	Rec. 7	(7) The Facility should provide support in the form of grants provided by the Union combined with loans provided by a finance partner. The financial envelope of the grant component, implemented by the Commission in direct	(7) The Facility should provide support in the form of grants provided by the Union combined with loans provided by a finance partner. <u>The loan component should be provided in accordance with the respective rules, policies</u>	(7) The Facility should provide support in the form of grants provided by the Union combined with loans provided by a finance partner. The financial envelope of the grant component, implemented by the Commission in direct	TM 08/02/21 To be aligned with Article 13a TM 24/02/2021 TM 02/03/2021

		management should take the form of financing not linked to costs, in accordance with Article 125 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council (the ‘Financial Regulation’)²². That form of financing should help incentivise project promoters to participate and contribute to the achievement of the Facility’s objectives in an efficient way relative to the size of the loan. The loan component should be provided by the European Investment Bank (‘the EIB’). The Facility may also be extended to other finance partners providing the loan component, where additional resources for the grant component become available or where it is required for the correct implementation.	<u>and procedures of the finance partner.</u> The financial envelope of the grant component, implemented by the Commission in direct management should take the form of financing not linked to costs, in accordance with Article 125 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council (the ‘Financial Regulation’)²³. That form of financing should help incentivise project promoters to participate and contribute to the achievement of the Facility’s objectives in an efficient way relative to the size of the loan. The loan component should be provided by the European Investment Bank (‘the EIB’). The Facility may also be extended to other finance partners providing the loan component, where additional resources for the grant component become available or where it is required for the correct implementation. <u>In this case, the Commission should inform Member States about the intention to extend the Facility and select additional finance partners taking into account their capacity to fulfil the objectives of</u>	management should take the form of financing not linked to costs, in accordance with Article 125 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council (the ‘Financial Regulation’)²⁴. That form of financing should help incentivise project promoters to participate and contribute to the achievement of the Facility’s objectives in an efficient way relative to the size of the loan. The loan component should be provided by the European Investment Bank (‘the EIB’). The Facility may also be extended to other finance partners providing the loan component, where additional resources for the grant component become available or where it is required for the correct implementation.	(7) The Facility should provide support in the form of grants provided by the Union combined with loans provided by a finance partner in accordance with their rules, lending policies and procedures. The financial envelope of the grant component, implemented by the Commission in direct management should take the form of financing not linked to costs, in accordance with Article 125 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council (the ‘Financial Regulation’)²⁵. That form of financing should help incentivise project promoters to participate and contribute to the achievement of the Facility’s objectives in an efficient way relative to the size of the loan. The loan component should be provided by the European Investment Bank (‘the EIB’). The Facility may also be extended to other finance partners providing the loan component, where additional resources for the grant component become available or where it is required for the correct implementation. In this case, the
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22 Regulation (EU Euratom) 2018/1046.

23 Regulation (EU Euratom) 2018/1046.

24 Regulation (EU Euratom) 2018/1046.

25 Regulation (EU Euratom) 2018/1046.

			<u>the Facility, to contribute own resources and to ensure an appropriate geographical coverage.</u>		Commission should inform Member States and the European Parliament about the intention to extend the Facility and select additional finance partners taking into account their capacity to fulfil the objectives of the Facility, to contribute own resources and to ensure an appropriate geographical coverage.
28.	Rec. 7a (new)			<i>(7a) The COVID-19 pandemic has reinforced the importance of the Just Transition Mechanism with regard to the need to rebuild the economies of regions most affected by the climate transition. Given the interdependence between the climate transition and sustainable economic growth, there needs to be sufficient resources as part of the Facility to address the challenges, which have been exacerbated by the COVID-19 pandemic, of the transition to a climate- neutral economy in the Union by 2050.</i>	TM 24/02/2021 Deleted.
	Recital 7a				TM 25/03/21 <i>Administrative agreements should be signed between the Commission and finance partners. These agreements should set out the implementing arrangements for the evaluation and the monitoring</i>

					<i>of projects. They should also set out the respective rights and obligations of each party, including the detailed arrangements on audit, reporting and communications. These latter should include in particular requirement on the publication of information for each individual project or loan scheme receiving support under the Facility.</i>
29.	Rec. 8	(8) EUR [250 000 000] of the grant component of the Facility are expected to be financed from the Union budget in accordance with [new MFF proposal] and should constitute the prime reference amount, within the meaning of point 17 of the Inter-institutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management ²⁶ , for the European Parliament and the Council during the annual budgetary procedure.	(8) EUR [250 000 000] of the grant component of the Facility are expected to be financed from the Union budget in accordance with [new MFF proposal] <u>Council Regulation EU 2020/[new Regulation] laying down the multiannual financial framework for the years 2021 to 2027</u> and should constitute the prime reference amount, within the meaning of point 17 [16] of the Inter-institutional Agreement of 2 December 2013 <u>[date of new Agreement]</u> between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound	(8) EUR [1 760 000 000] of the grant component of the Facility are expected to be financed from the Union budget in accordance with [new MFF proposal] and should constitute the prime reference amount, within the meaning of point 17 of the Inter-institutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management ²⁸ , for the European Parliament and the Council during the annual budgetary procedure.	To be dealt after political agreement

²⁶ OJ C 373, 20.12.2013, p. 1.

http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_2013.373.01.0001.01.ENG&toc=OJ:C:2013:373:TOC

²⁸ OJ C 373, 20.12.2013, p. 1.

http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_2013.373.01.0001.01.ENG&toc=OJ:C:2013:373:TOC

			financial management ²⁷ , for the European Parliament and the Council during the annual budgetary procedure.		
30.	Rec. 9	(9) EUR 275 000 000 of the grant component of the Facility is to be financed by repayments from the financial instruments established by the programmes listed in Annex I to this Regulation. Such revenue stems from terminated programmes independent of the Facility, and should be considered external assigned revenue by derogation to Article 21(3)(f) of the Financial Regulation on the basis of Article 322(1) TFEU.	(9) EUR 275 000 000 of the grant component of the Facility is to be financed by repayments from the financial instruments established by the programmes listed in Annex I to this Regulation. Such revenue stems from terminated programmes independent of the Facility, and should be considered external assigned revenue by derogation to Article 21(3)(f) of the Financial Regulation on the basis of Article 322(1) TFEU.	<i>Deleted</i>	To be dealt after political agreement
31.	Rec. 10	(10) EUR 1 000 000 000 of the grant component of the Facility should be financed by the foreseeable surplus of the provisioning for the EU guarantee established by Regulation (EU) 2015/1017 of the European Parliament and of the Council which also establishes the European fund for strategic investments (the 'EFSI Regulation') ²⁹ . Therefore, a	(10) EUR 1 000 000 000 of the grant component of the Facility should be financed by the foreseeable surplus of the provisioning for the EU guarantee established by Regulation (EU) 2015/1017 of the European Parliament and of the Council which also establishes the European fund for strategic investments (the 'EFSI Regulation') ³⁰ . Therefore, a	<i>Deleted</i>	To be dealt after political agreement

²⁷ **[new reference]** ~~OJ C 373, 20.12.2013, p. 1.~~

~~http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_.2013.373.01.0001.01.ENG&toc=OJ.C:2013:373:TOC~~

²⁹ Regulation (EU) 2015/1017 of the European Parliament and of the Council of 25 June 2015 on the European Fund for Strategic Investments, the European Investment Advisory Hub and the European Investment Project Portal and amending Regulations (EU) No 1291/2013 and (EU) No 1316/2013 — the European Fund for Strategic Investments (OJ L 169, 1.7.2015, p. 1).

³⁰ Regulation (EU) 2015/1017 of the European Parliament and of the Council of 25 June 2015 on the European Fund for Strategic Investments, the European Investment Advisory Hub and the European Investment Project Portal and amending Regulations (EU) No 1291/2013 and (EU) No 1316/2013 — the European Fund for Strategic Investments (OJ L 169, 1.7.2015, p. 1).

		derogation should be made from point a) of Article 213(4) of the Financial Regulation, which envisages an obligation for any surplus of provisions for a budgetary guarantee to be returned to the budget, in order to assign that surplus to the Facility. That assigned revenue should be considered external assigned revenue by derogation to Article 21(3)(f) of the Financial Regulation on the basis of Article 322(1) TFEU.	derogation should be made from point a) of Article 213(4) of the Financial Regulation, which envisages an obligation for any surplus of provisions for a budgetary guarantee to be returned to the budget, in order to assign that surplus to the Facility. That assigned revenue should be considered external assigned revenue by derogation to Article 21(3)(f) of the Financial Regulation on the basis of Article 322(1) TFEU.		
32.	Rec. 11	(11) In accordance with point (c) of Article 12(4) of the Financial Regulation, the appropriations corresponding to external assigned revenue should be automatically carried over to the successive programme or action. That provision allows matching the multiannual schedule of assigned revenue with the implementation path of the projects financed by the Facility.	(11) In accordance with point (c) of Article 12(4) of the Financial Regulation, the appropriations corresponding to external assigned revenue should be automatically carried over to the successive programme or action. That provision allows matching the multiannual schedule of assigned revenue with the implementation path of the projects financed by the Facility.	<i>Deleted</i>	To be dealt after political agreement
33.	Rec. 12	(12) Resources for advisory support should also be provided for in order to promote the preparation, development and implementation of projects.	(12) Resources for advisory support should also be provided for in order to promote the preparation, development and implementation of projects.	(12) Resources for advisory support should also be provided for in order to promote the preparation, development and implementation of projects, <i>including at the application stage</i> .	TM 24/02/2021 (12) Resources for advisory support should also be provided for in order to promote the preparation, development and implementation of eligible projects, as well as the early preparation of projects prior to the application to the Facility

34.	Rec. 13	(13) In order to ensure that all Member States are granted the possibility to benefit from the grant component, a mechanism should be set up to establish earmarked national shares to be respected during a first stage, based on the distribution key proposed in the Just Transition Fund Regulation. However, in order to reconcile that objective with the need to optimise the economic impact of the Facility and its implementation, such national allocations should not be earmarked after 31 December 2024. Thereafter, the remaining resources available for the grant component should be provided without any pre-allocated national share and on a competitive basis at Union level, while ensuring predictability for investment and following a needs-based and regional convergence approach.	(13) In order to ensure that all Member States are granted the possibility to benefit from the grant component, a mechanism should be set up to establish earmarked national shares to be respected during a first stage, based on the distribution key proposed in the Just Transition Fund Regulation. However, in order to reconcile that objective with the need to optimise the economic impact of the Facility and its implementation, such national allocations should not be earmarked after 31 December 2024. Thereafter, the remaining resources available for the grant component should be provided without any pre-allocated national share and on a competitive basis at Union level, while ensuring predictability for investment and following a needs-based and regional convergence approach.	(13) In order to ensure that all Member States are granted the possibility to benefit from the grant component <i>to the highest level possible, and understanding that it is transition regions that might be mostly financially and socially hit by the transition</i>, a mechanism should be set up to establish earmarked national shares to be respected during a first stage, based on the distribution key proposed in the Just Transition Fund Regulation. <i>The needs of less developed regions as referred to in Article [102(2)] of Regulation .../... [new CPR] should be taken into account.</i> However, in order to reconcile that objective with the need to optimise the economic impact of the Facility and its implementation, such national allocations should not be earmarked after <i>the Multiannual Financial Framework (MFF) 2021-2027</i>. Thereafter, the remaining resources available for the grant component should be provided without any pre-allocated national share and on a competitive basis at Union level, while ensuring predictability for investment and following a needs-based and <i>equitable</i> regional convergence approach <i>and promoting economic, social and territorial cohesion, with an emphasis on those territories most</i>	TM 24/02/2021 25/03/2 TM (13) In order to ensure that all Member States are granted the possibility to benefit from the grant component, a mechanism should be set up to establish earmarked national shares to be respected during a first stage, based on the distribution key proposed as set out in Annex I of the Just Transition Fund Regulation. However, in order to reconcile that objective with the need to optimise the economic impact of the Facility and its implementation, such national allocations should not be earmarked after 31 December 2024. Thereafter, the remaining resources available for the grant component should be provided
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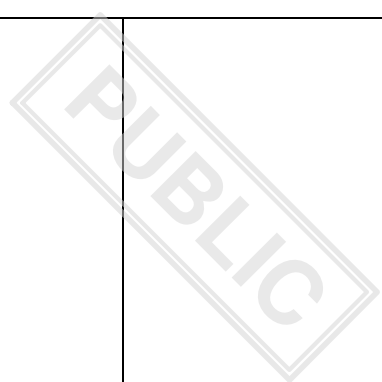
				<i>affected by the climate transition. An interim evaluation report should be published by 1 January 2024 to provide input into allocating the remaining resources.</i>	without any pre-allocated national share and on a competitive basis at Union level, while ensuring predictability for investment and following a needs-based and regional convergence approach.
35.	Rec. 14	(14) Specific eligibility conditions and award criteria should be set out in the work programme and the call for proposals. Those eligibility conditions and award criteria should take into account the relevance of the project in the context of the development needs described in the territorial just transition plans, the overall objective of promoting regional and territorial convergence and the significance of the grant component for the viability of the project. Union Support established by this Regulation should thus only be made available to Member States with at least one territorial just transition plan adopted. The work programme and calls for proposals will also take into account the territorial just transition plans	(14) Specific eligibility conditions and award criteria should be set out in the work programme and the call for proposals. Those eligibility conditions and award criteria should take into account the relevance of the project in the context of the development needs described in the territorial just transition plans, the overall objective of promoting regional and territorial convergence and the significance of the grant component for the viability of the project. Union Support established by this Regulation should thus only be made available to Member States with at least one territorial just transition plan adopted. The work programme and calls for proposals will also take into account the territorial just transition plans	(14) Specific eligibility conditions and award <i>prioritisation</i> criteria, <i>in the event that demand exceeds funding resources under national allocations</i>, should be set out in the work programme and the call for proposals. Those eligibility conditions and <i>prioritisation</i> criteria should take into account the <i>relevant criteria established by the EU Taxonomy for Sustainable Investment and the ‘do no significant harm’ principle</i>, the <i>ability of the project to meet the objectives and</i> development needs described in the territorial just transition plans, <i>the contribution to the climate transition, the possible adoption of a phase-out plan for all fossil fuels by the public sector entity requesting support in a timeframe compatible with the Paris</i>	TM 05/02/ Linked to line 94. 18/02/21 TM TM 24/02/2021- to be finalized once the articles to which it refers are agreed. TM 25/03/21 (14) Specific eligibility conditions and award criteria should be set out in the work programme and the call for proposals. Those eligibility conditions and award criteria should take into account the relevance of the project in the context of the development needs described in the territorial just transition plans, the overall objective of promoting regional and territorial convergence and the significance of the grant component

		submitted by Member States to ensure that coherence and consistency across the different pillars of the mechanism is ensured.	submitted by Member States to ensure that coherence and consistency across the different pillars of the mechanism is ensured.	<i>Agreement goals, the contribution to the achievement of the Union's 2030 climate and energy targets and climate neutrality by 2050, the cost effectiveness of the project,</i> the overall objectives of promoting <i>economic, social</i> and territorial <i>cohesion and addressing the economic and social costs of the transition to a climate-neutral economy in the Union by 2050 at the latest, while ensuring that no one is left behind,</i> and the <i>role</i> of the grant component for the <i>affordability</i> of the project. <i>The Commission should ensure that gender equality and the integration of gender perspective are taken into account and promoted in the work programme.</i> Union Support established by this Regulation should thus only be made available to Member States with at least one territorial just transition plan adopted. The work programme and calls for proposals will also take into account the territorial just transition plans submitted by Member States to ensure that coherence and consistency across the different pillars of the mechanism is ensured.	for the viability of the project. The work programmes should in addition set award criteria in the event that resources would be insufficient to support eligible projects. Priority should in particular be given to projects located in less developed regions, as defined in Article 108(2) of Regulation [new CPR], to projects contributing directly to the Union's climate targets and projects promoted by public entities having endorsed decarbonisation plans. Union Support established by this Regulation should thus only be made available to Member States with at least one territorial just transition plan adopted. The work programme and calls for proposals will also take into account the territorial just transition plans submitted by Member States to ensure that coherence and consistency across the different pillars of the mechanism is ensured. In order to optimise the impact of the Facility, individual projects supported under the Facility should not receive support from other Union programmes, but for the preparation of projects. On the other hand, for operations composed of identifiable separate projects, these can be supported from different Union
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					programmes, in accordance with the applicable eligibility rules.
					Part of horizontal principle package
36.	Rec. 14a (new)			<i>(14a) To protect the Union budget and honour the Union's values, Member States should uphold the Rule of Law and a generalised rule of law deficiency could be subject to the suspension of payments and commitments, reduced funding and a prohibition on concluding new commitments in accordance with the EU regulation of the European Parliament and of the Council on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States.</i>	TM 24/02/2021 Deleted
37.	Rec. 14a bis (new)			<i>(14a) On an ad-hoc basis, and subject to approval by the Commission, the Facility support may be given to regions undergoing an unforeseen business crisis as a result of actions taken to address climate change, in order to provide an adequate response to crisis situations that may arise in the context of the transition. This is to ensure that regions may receive support even if they are not pre-labelled as impacted regions.</i>	TM 24/02/2021 <i>Deleted (agreement reached in line 17)</i>

38.	Rec. 15	(15) Support under this Facility should only be provided to projects that do not generate a sufficient stream of own revenues that would allow them to be financially viable and to be financed solely by loans provided on market terms. Own revenues should correspond to revenues, budgetary transfers excepted, generated directly by the activities carried out by the project, such as sales, fees or tolls and as incremental savings generated by the upgrade of existing assets.	(15) Support under this Facility should only be provided to projects that do not generate a sufficient stream of own revenues that would allow them to be financially viable and to be financed solely by loans provided on market terms cover investment costs . Own revenues should correspond to revenues, budgetary transfers excepted, generated directly by the activities carried out by the project, such as sales, fees or tolls and as incremental savings generated by the upgrade of existing assets.	(15) Support under this Facility should only be provided to projects that <i>address the economic and social costs of the transition to a climate-neutral economy in the Union by 2050</i> , do not generate a sufficient stream of own revenues <i>or secure project funding to the same extent or within the same timeline without the element of grant support from the Union budget, and, as a result, would not be achieved without the financial Union support under this Facility.</i> █ Own revenues should correspond to revenues, budgetary transfers excepted, generated directly by the activities carried out by the project, such as sales, fees or tolls and as incremental savings generated by the upgrade of existing assets.	TM 02/02/21 TM 08/02/21 <i>Additionnality – EP amendments rows 61, 65, 96 and 143</i> (15) In order to optimise the effectiveness of EU assistance and prevent the replacement of potential support and investment from alternative resources , support under this Facility should only be provided to projects that do not generate a sufficient stream of own revenues that would allow them to be financially viable and to be financed solely by loans provided on market terms cover investment costs . Own revenues should correspond to revenues, budgetary transfers excepted, generated directly by the activities carried out by the project, such as sales, fees or tolls and as incremental savings generated by the upgrade of existing assets.
39.	Rec. 15a (new)			<i>(15a) Projects supported under this Facility should aim to be financially viable throughout the lifetime of the project. The Commission, in cooperation with beneficiaries and finance partners, should monitor the financial viability of projects under this Facility on an ongoing basis.</i>	TM 24/02/2021 TM 25/03/21 COM proposal: Delete recital 15a, take text here below and add at the end of recital 15, line 38. . Beneficiaries should secure adequate financing resources for the maintenance and operation of

					eligible projects, to ensure their sustainability.
40.	Rec. 16	(16) Since the grant component should reflect the divergent development needs of regions across Member States, such support should be modulated. Taking into account that public sector entities in less developed regions, as defined in Article 102(2) of Regulation [new CPR], generally experience lower public investment capacity, the grant rates applied to loans provided to such entities should be comparatively higher.	(16) Since the grant component should reflect the divergent development needs of regions across Member States, such support should be modulated. Taking into account that public sector entities in less developed regions, as defined in Article 102(2) of Regulation [new CPR], generally experience lower public investment capacity, the grant rates applied to loans provided to such entities should be comparatively higher.	(16) Since the grant component should reflect the divergent development needs of regions across Member States, such support should be <i>prioritised in those regions</i> . Taking into account that public sector entities in less developed regions, as defined in Article 102(2) of Regulation [new CPR], <i>in the outermost regions, as defined in Article 349 TFEU, and in rural, sparsely populated and depopulated areas</i> generally experience lower public investment capacity, the grant rates applied to loans provided to such entities should be comparatively higher.	TM 24/02/2021 (16) Since the grant component should reflect the divergent development needs of regions across Member States, such support should be modulated, in favor of less developed regions . Taking into account that public sector entities in less developed regions, as defined in Article 102(2) of Regulation [new CPR] , generally experience lower public investment capacity, the grant rates applied to loans provided to such entities should be comparatively higher.
41.	Rec. 17	(17) In order to ensure an effective implementation of the Facility, it may be necessary to provide advisory support for the preparation, development, and implementation of projects. This support should be provided through the InvestEU Advisory Hub.	(17) In order to ensure an effective implementation of the Facility, it may be necessary to provide advisory support for the preparation, development, and implementation of projects. This support should be provided through the InvestEU Advisory Hub.	(17) In order to ensure an effective implementation of the Facility, it may be necessary to provide advisory support for the preparation, development, and implementation of projects. This support should be provided through the InvestEU Advisory Hub <i>and financed from resources from the Union budget.</i>	TM 02/02/2021- EP to check whether the amendment in line 59 can be deleted. <i>Support to project preparation prior to selection and beneficiaries with lower administrative capacity – EP amendments row 65 and 73</i> TM 08/02/2021 TM 18/02/21 new wording TM 24/02/2021 (17) In order to ensure an effective implementation of the Facility, it may be necessary to



					provide advisory support for the preparation, development, and implementation of projects. This support should be provided through the InvestEU Advisory Hub for eligible projects and for the preparation of projects prior to the applications, paying particular attention to beneficiaries with lower administrative capacity or located in less developed regions. Such support may also be granted for the development and preparation of projects, prior to their selection, under other Union programmes.
41a	17a				TM 05/03/21 TM 25/03/21 COM proposes to have points of Article 15 (line 143) on gender treated here. MFF standard wording added at the end. (17a) In order to measure the effectiveness of the Facility, its capacity to meet its objectives and support the preparation of its possible prolongation beyond 2027, the Commission should carry out interim and final evaluations and submit

				the report to the European Parliament and the Council. The interim evaluation may be accompanied by legislative proposal which may include, if appropriate, provisions on gender impact assessment. Pursuant to paragraphs 22 and 23 of the Interinstitutional Agreement of 13 April 2016 on Better Law-Making, this Facility should be evaluated on the basis of information collected in accordance with specific monitoring requirements, while avoiding an administrative burden, in particular on Member States, and overregulation. New EP/COM proposal on 07/04/21: In order to measure the effectiveness of the Facility, its capacity to meet its objectives and support the preparation of its possible prolongation beyond 2027, the Commission should carry out interim and final
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					evaluations, including an assessment of the possibility to include provisions on gender impact assessment, if appropriate , and submit the report to the European Parliament and the Council. The interim evaluation may be accompanied by legislative proposal which may include, if appropriate, provisions on gender impact assessment.
42.	Rec. 18	(18) In order to speed up implementation and ensure that resources are used in a timely fashion, this Regulation should lay down specific safeguards to be included in the grant agreements. In view of that objective, the Commission, in line with the principle of proportionality, should be able to reduce or terminate any Union support in case of serious lack of progress in the implementation of the project. The Financial Regulation lays down rules on the implementation of the Union budget. In order to ensure coherence in the implementation of Union funding programmes, the Financial Regulation should apply to the grant component and to resources for advisory support provided under this Facility.	(18) In order to speed up implementation and ensure that resources are used in a timely fashion, this Regulation should lay down specific safeguards to be included in the grant agreements. In view of that objective, the Commission, in line with the principle of proportionality, should be able to reduce or terminate any Union support in case of serious lack of progress in the implementation of the project. The Financial Regulation lays down rules on the implementation of the Union budget. In order to ensure coherence in the implementation of Union funding programmes, the Financial Regulation should apply to the grant component and to resources for advisory support provided under this Facility.	(18) In order to speed up implementation and ensure that resources are used in a timely fashion, this Regulation should lay down specific safeguards to be included in the grant agreements. In view of that objective, the Commission, in line with the principle of proportionality, should be able to reduce or terminate any Union support in case of serious lack of progress in the implementation of the project. The Financial Regulation lays down rules on the implementation of the Union budget. In order to ensure coherence in the implementation of Union funding programmes, the Financial Regulation should apply to the grant component and to resources for advisory support provided under this Facility.	TM 25/03/21 MFF standard wording was added. (18) In order to speed up implementation and ensure that resources are used in a timely fashion, this Regulation should lay down specific safeguards to be included in the grant agreements. In view of that objective, the Commission, in line with the principle of proportionality, should be able to reduce or terminate any Union support in case of serious lack of progress in the implementation of the project. Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council (the ‘Financial Regulation’) applies to this Facility. The Financial Regulation lays down

					rules on the implementation of the Union budget including the rules on grants, prizes, procurement, indirect management, financial instruments, budgetary guarantees, financial assistance and the reimbursement of external experts. In order to ensure coherence in the implementation of Union funding programmes, the Financial Regulation should apply to the grant component and to resources for advisory support provided under this Facility.
43.	Rec. 18a (new)			<i>(18a) Since the efficiency of this Facility depends on the administrative capacities of the beneficiaries, the Commission should ensure that projects are accompanied by modernisation and digitalisation efforts in public administration and community service delivery, enhancing innovation where necessary by the use of inter alia cohesion policy instruments.</i>	TM 24/02/2021 Deleted
44.	Rec. 19	(19) In accordance with the Financial Regulation and Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council and Council Regulations (Euratom, EC) No 2988/95, (Euratom, EC) No 2185/96 and (EU) 2017/1939, the financial interests of the Union are to be protected through	(19) In accordance with the Financial Regulation and Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council and Council Regulations (Euratom, EC) No 2988/95, (Euratom, EC) No 2185/96 and (EU) 2017/1939, the financial interests of the Union are to be protected through	(19) In accordance with the Financial Regulation and Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council and Council Regulations (Euratom, EC) No 2988/95, (Euratom, EC) No 2185/96 and (EU) 2017/1939, the financial interests of the Union are to be protected through	(19) In accordance with the Financial Regulation and Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council and Council Regulations (Euratom, EC) No 2988/95, (Euratom, EC) No 2185/96 and (EU) 2017/1939, the financial interests of the Union are to be protected through

	proportionate measures, including the prevention, detection, correction and investigation of irregularities, including fraud, the recovery of funds lost, wrongly paid or incorrectly used, and, where appropriate, the imposition of administrative penalties. In particular, in accordance with Regulations (Euratom, EC) No 2185/96 and (EU, Euratom) No 883/2013, the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) may investigate and prosecute offences against the financial interests of the Union, as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the financial interests of the Union, grant the necessary rights and access to the Commission, OLAF, the EPPO in respect of those Member States participating in enhanced cooperation pursuant to	proportionate measures, including the prevention, detection, correction and investigation of irregularities, including fraud, the recovery of funds lost, wrongly paid or incorrectly used, and, where appropriate, the imposition of administrative penalties. In particular, in accordance with Regulations (Euratom, EC) No 2185/96 and (EU, Euratom) No 883/2013, the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) may investigate and prosecute offences against the financial interests of the Union, as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the financial interests of the Union, grant the necessary rights and access to the Commission, OLAF, the EPPO in respect of those Member States participating in enhanced cooperation pursuant to	proportionate measures, including the prevention, detection, correction and investigation of irregularities, including fraud, the recovery of funds lost, wrongly paid or incorrectly used, and, where appropriate, the imposition of administrative penalties. In particular, in accordance with Regulations (Euratom, EC) No 2185/96 and (EU, Euratom) No 883/2013, the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) may investigate and prosecute offences against the financial interests of the Union, as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the financial interests of the Union, grant the necessary rights and access to the Commission, OLAF, the EPPO in respect of those Member States participating in enhanced cooperation pursuant to	proportionate measures, including the prevention, detection, correction and investigation of irregularities, including fraud, the recovery of funds lost, wrongly paid or incorrectly used, and, where appropriate, the imposition of administrative penalties. In particular, in accordance with Regulations (Euratom, EC) No 2185/96 and (EU, Euratom) No 883/2013, the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) may investigate and prosecute offences against the financial interests of the Union, as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the financial interests of the Union, grant the necessary rights and access to the Commission, OLAF, the EPPO in respect of those Member States participating in enhanced cooperation pursuant to
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		Regulation (EU) 2017/1939, and the European Court of Auditors (ECA), and ensure that any third parties involved in the implementation of Union funds grant equivalent rights.	Regulation (EU) 2017/1939, and the European Court of Auditors (ECA), and ensure that any third parties involved in the implementation of Union funds grant equivalent rights.	Regulation (EU) 2017/1939, and the European Court of Auditors (ECA), and ensure that any third parties involved in the implementation of Union funds grant equivalent rights.	Regulation (EU) 2017/1939, and the European Court of Auditors (ECA), and ensure that any third parties involved in the implementation of Union funds grant equivalent rights.
45.	Rec. 20	(20) In order to supplement and amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of delegating further certain implementation tasks to executive agencies as well as of the amendment of the elements contained in Annex II of this Regulation regarding the key performance indicators. It is of particular importance that the Commission can 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 Inter-institutional Agreement of 13 April 2016 on Better Law-Making. 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	(20) In order to supplement and amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of delegating further certain implementation tasks to executive agencies as well as of the amendment of the elements contained in Annex II of this Regulation regarding the key performance indicators. It is of particular importance that the Commission can 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 Inter-institutional Agreement of 13 April 2016 on Better Law-Making. 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	(20) In order to supplement and amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of <i>setting out the national shares of available resources for each Member State with a redistributive factor for less developed regions, developing the gender impact assessment guidelines, establishing work programmes in accordance with the Financial Regulation, setting out the details of eligibility conditions and selection procedures for selecting finance partners other than EIB</i> as well as of the amendment of the elements contained in Annex II of this Regulation regarding the key performance indicators. It is of particular importance that the Commission can 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 Inter-institutional	TM 24/02/2021 TM 25/03/21 (20) In order to supplement and amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of delegating further certain implementation tasks to executive agencies as well as regards the conditions and procedures for selecting finance partners other than EIB and of the amendment of the elements contained in Annex II of this Regulation regarding the key performance indicators. It is of particular importance that the Commission can 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 Inter-institutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the

		groups dealing with the preparation of delegated acts.	groups dealing with the preparation of delegated acts.	Agreement of 13 April 2016 on Better Law-Making. 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.	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.
46.	Rec. 21	(21) In order to set out an appropriate financial framework for the grant component of this Facility until 31 December 2024, implementing powers should be conferred on the Commission to set out the available national allocations expressed as shares of the overall financial envelope of the Facility for each Member State in accordance with the methodology set out in Annex I of Regulation [the JTF Regulation]. The implementing powers should be conferred without comitology procedures given that the shares derive directly from the application of a pre-defined calculation methodology.	(21) In order to set out an appropriate financial framework for the grant component of this Facility until 31 December 2024, implementing powers should be conferred on the Commission to set out the available national allocations expressed as shares of the overall financial envelope of the Facility for each Member State in accordance with the methodology set out in Annex I of Regulation [the JTF Regulation]. The implementing powers should be conferred without comitology procedures given that the shares derive directly from the application of a pre-defined calculation methodology.	(21) In order to set out an appropriate financial framework for the grant component of this Facility after the Multiannual Financial Framework (MFF) 2021-2027, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to set out the available national allocations expressed as shares of the overall financial envelope of the Facility for each Member State in accordance with the methodology set out in Annex I of Regulation [the JTF Regulation]. The implementing powers should be conferred without comitology procedures given that the shares derive directly from the application of a pre-defined calculation methodology.	TM 24/02/2021- Council and EP to check whether the recital can be deleted. TM 02/03/2021 Deleted
47.	Rec. 22	(22) The objective of this Regulation, namely to leverage public investment in territories,	(22) The objective of this Regulation, namely to leverage public investment in territories,	(22) The objective of this Regulation, namely to leverage public investment in territories,	TM 24/02/2021 (22) The objective of this Regulation, namely to leverage

		most impacted by the transition towards climate neutrality by addressing the corresponding development needs, cannot be sufficiently achieved by the Member States alone. The main reasons in this regard are the difficulties for public entities to support investments, which do not generate sufficient streams of own revenues and benefit the territories most negatively impacted by climate transition, without EU grant support and the need for a coherent implementation framework under direct management. Since those objectives can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 TEU. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,	most impacted by the transition towards climate neutrality by addressing the corresponding development needs, cannot be sufficiently achieved by the Member States alone. The main reasons in this regard are the difficulties for public entities to support investments, which do not generate sufficient streams of own revenues to cover investment costs and benefit the territories most negatively impacted by climate transition, without EU grant support and the need for a coherent implementation framework under direct management. Since those objectives can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 TEU. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,	most impacted by the transition towards climate neutrality and a circular economy by addressing the corresponding development needs, cannot be sufficiently achieved by the Member States alone. The main reasons in this regard are the difficulties for public entities to solely support investments which benefit the territories most negatively impacted by climate transition and which do not generate sufficient streams of own revenues without EU grant support and the need for a coherent implementation framework under direct management. Since those objectives can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 TEU. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,	public investment in territories, most impacted by the transition towards climate neutrality by addressing the corresponding development needs, cannot be sufficiently achieved by the Member States alone. The main reasons in this regard are the difficulties for public entities to support investments, which do not generate sufficient streams of own revenues to cover investment costs and benefit the territories most negatively impacted by climate transition, without EU grant support and the need for a coherent implementation framework under direct management. Since those objectives can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 TEU. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,
48.		HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:
49.	Chapter 1 - title	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS	
50.	Art. 1 - title	Article 1 Subject matter and scope	Article 1 Subject matter and scope	Article 1 Subject matter and scope	Article 1 Subject matter and scope

51.	Art. 1 - para. 1 - subpara. 1	This Regulation provides for the public sector loan facility (the 'Facility') in support of public sector entities by combining grants from the Union budget with loans granted by the finance partners and lays down the objectives of the Facility. It lays down rules for the grant component of Union support provided under this Facility covering in particular its budget for the period 2021-2027, the forms of Union support and provisions on eligibility.	This Regulation provides for the public sector loan facility (the 'Facility') in support of public sector entities by combining grants from the Union budget with loans granted by the finance partners and lays down the objectives of the Facility. It lays down rules for the grant component of Union support provided under this Facility covering in particular its budget for the period 2021-2027, the forms of Union support and provisions on eligibility.	This Regulation provides for the public sector loan facility (the 'Facility') in support of public sector entities by combining grants from the Union budget with loans granted by the finance partners <i>in accordance with their rules, lending policies and procedures</i> and lays down the objectives of the Facility. It lays down rules for the grant component of Union support provided under this Facility covering in particular its budget for the period 2021-2027, the forms of Union support and provisions on eligibility.	TM 29/01/21 Check exact wording with recital 7 TM 08/02/21 TM 25/03/21 MFF standard wording added This Regulation provides for establishes the public sector loan facility (the 'Facility') for the period from 1 January 2021 to 31 December 2027 in support of public sector entities by combining grants from the Union budget with loans granted by the finance partners and lays down the objectives of the Facility. It lays down rules for the grant component of Union support provided under this Facility covering in particular its budget for the period 2021-2027 , the forms of Union support and provisions on eligibility.
52.	Art. 1 - para. 1 - subpara. 2	The Facility shall provide support benefitting Union territories facing serious social, environmental and economic challenges deriving from the transition process towards a climate-neutral economy of the Union by 2050.	The Facility shall provide support benefitting Union territories facing serious social, environmental and economic challenges deriving from the transition process towards <u>the Union's 2030 climate targets and the objective of a</u> EU climate neutrality economy of the Union by 2050.	The Facility shall provide support benefitting Union territories facing serious social, environmental and economic challenges deriving from the transition process towards <i>the Union's new 2030 targets for climate and energy and as established in Regulation (EU).../... of the European Parliament and the Council [establishing the framework for achieving climate neutrality and amending Regulation (EU)</i>	18/02/2021 TM The Facility shall provide support benefitting Union territories facing serious social, environmental and economic challenges deriving from the transition process towards <u>the Union's 2030 climate targets and the objective of a</u> EU climate neutrality economy of the Union by 2050.

				<i>2018/1999 (European Climate Law)] and a circular and a climate-neutral economy in the Union by 2050 at the latest. Beneficiaries under this Facility shall comply with the Union's Treaty-based fundamental values.</i>	Linked to agreement on Horizontal principles
53.	Art. 2 - title	Article 2 Definitions	Article 2 Definitions	Article 2 Definitions	Article 2 Definitions
54.	Art. 2 - para. 1 - introd. part	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:
55.	Art. 2 - para. 1 - point 1	1. 'administrative agreement' means the legal instrument establishing the cooperation framework between the Commission and a finance partner setting out the respective tasks and responsibilities for the implementation of the Facility in accordance with the provisions of this Regulation;	1. 'administrative agreement' means the legal instrument establishing the cooperation framework between the Commission and a finance partner setting out the respective tasks and responsibilities for the implementation of the Facility in accordance with the provisions of this Regulation;	1. 'administrative agreement' means the legal instrument establishing the cooperation framework between the Commission and a finance partner setting out the respective tasks and responsibilities for the implementation of the Facility in accordance with the provisions of this Regulation;	1. 'administrative agreement' means the legal instrument establishing the cooperation framework between the Commission and a finance partner setting out the respective tasks and responsibilities for the implementation of the Facility in accordance with the provisions of this Regulation;
56.	Art. 2 - para. 1 - point 2	2. 'beneficiary' means a public sector legal entity established in a Member State as a public law body, or as a body governed by private law entrusted with a public service mission, with whom a grant agreement has been signed under the Facility;	2. 'beneficiary' means a public sector legal entity established in a Member State as a public law body, or as a body governed by private law entrusted with a public service mission, with whom a grant agreement has been signed under the Facility;	2. 'beneficiary' means a public sector legal entity established in a Member State as a public law body, or as a body governed by private law entrusted with a public service mission, or a state-owned enterprise, or a local or regional authority owned enterprise , with whom a grant agreement has been signed under the Facility;	TM 29/01/21 TM 08/02/21 2. 'beneficiary' means a legal entity established in a Member State as a public law body, or as a body governed by private law entrusted with a public service mission, with whom a grant agreement has been signed under the Facility;

57.	Art. 2 - para. 1 - point 3	3. 'finance partners' means the EIB, other international financial institutions, national promotional banks and financial institutions, with which the Commission signs an administrative agreement to cooperate within the Facility;	3. 'finance partners' means the EIB, other international financial institutions, national promotional banks and financial institutions, with which the Commission signs an administrative agreement to cooperate within the Facility;	3. 'finance partners' means the EIB, other international financial institutions, national promotional banks and financial institutions including private ones , with which the Commission signs an administrative agreement to cooperate within the Facility;	TM 29/01/21 TM 08/02/21 3. 'finance partners' means the EIB, other international financial institutions, national promotional banks and financial institutions, including private ones , with which the Commission signs an administrative agreement to cooperate within the Facility;
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58.	Art. 2 - para. 1 - point 4	4. 'project' means any action identified by the Commission as eligible, financially and technically independent, which has a pre-defined objective and a set period during which it must be implemented and finalised;	4. 'project' means any action identified by the Commission as eligible, financially and technically independent, which has a pre-defined objective and a set period during which it must be implemented and finalised;	4. 'project' means any action identified by the Commission as eligible, financially and technically independent, which has a pre-defined objective and a set period during which it must be implemented and finalised, <i>projects that have already started, but could not be completed as a result of lacking financial resources, can also be eligible under the Facility;</i>	TM 05/03/21 4. 'project' means any action identified by the Commission as eligible, financially and technically independent, which has a pre-defined objective and a set period during which it must be implemented and finalised;
59.	Art. 2 - para. 1 - point 5	5 'territorial just transition plan' means a plan established in accordance with Article 7 of Regulation [JTF Regulation] and approved by the Commission;	5 'territorial just transition plan' means a plan established in accordance with Article 7 of Regulation [JTF Regulation] and approved by the Commission;	5 'territorial just transition plan' means a plan established in accordance with Article 7 of Regulation [JTF Regulation] <i>prepared together with the relevant local and regional authorities of the territories concerned and on which the social partners, regional civil society and the private sector representatives have been consulted, in accordance with the partnership principle laid down in Article [6] of Regulation (EU) ... /... [new CPR], and approved by the Commission;</i>	TM 05/03/21 To drop EP AM as covered in line 17 5 'territorial just transition plan' means a plan established in accordance with Article 7 of Regulation [JTF Regulation] and approved by the Commission;
60.	Art. 2 - para. 1 - point 6	6. 'loan scheme' means a loan granted to a beneficiary by finance partners aimed at financing a set of several pre-identifiable projects under the Facility.	6. 'loan scheme' means a loan granted to a beneficiary by finance partners aimed at financing a set of several pre-identifiable projects under the Facility.	6. 'loan scheme' means a loan granted to a beneficiary by finance partners aimed at financing a set of several pre-identifiable projects under the Facility.	6. 'loan scheme' means a loan granted to a beneficiary by finance partners aimed at financing a set of several pre-identifiable projects under the Facility.
61.	Art. 2 - para. 1 - point 6a (new)			<i>6a. 'additionality principle' means the support for projects that do not generate a sufficient stream of own revenues to cover investment costs and secure funding to the same</i>	TM 08/02/21 Deleted

				<i>extent or within the same timeframe without the element of grant support from the Union budget, in line with point (b) of Article 209(2) of the Financial Regulation, and that contribute to the general objectives laid down in Article 3 of this Regulation.</i>	
62.	Art. 3 - title	Article 3 Objectives	Article 3 Objectives	Article 3 Objectives	Article 3 Objectives
63.	Art. 3 - para. 1	1. The general objective of the Facility is to address serious socio-economic challenges deriving from the transition process towards a climate-neutral economy for the benefit of the Union territories identified in the territorial just transition plans prepared by the Member States in accordance with Article 7 of Regulation [JTF Regulation].	1. The general objective of the Facility is to address serious socio-economic challenges deriving from the transition process towards <u>the Union's 2030 climate targets set out in Article 2(11) of Regulation (EU) 2018/1999 [as amended] and the objective of a EU climate neutrality economy by 2050</u> for the benefit of the Union territories identified in the territorial just transition plans prepared by the Member States in accordance with Article 7 of Regulation [JTF Regulation].	1. The general objective of the Facility is to address serious socio-economic challenges deriving from the transition process towards a climate-neutral economy for the benefit of the Union territories identified in the territorial just transition plans prepared by the Member States in accordance with Article 7 of Regulation [JTF Regulation] <i>and to contribute to the Union's policy objectives, in particular the new Union's 2030 targets for climate and energy and the transition towards a climate-neutral economy in the Union by 2050 at the latest, in line with the Union's commitments under the Paris Agreement and Union's objectives and responding to the need to strengthen competitiveness and ensuring that the transition reduces inequalities, creates a net employment effect together with the European Pillar of Social</i>	TM 05/02/21 TM 08/02/21 TM 18/02/21 TM 05/03/21 1. The general objective of the Facility is to address serious socio-economic challenges deriving from the transition process towards <u>the Union's 2030 climate and energy targets and the objective of EU climate-neutrality by 2050 at the latest, set out in Regulation 2021/...</u> [European Climate Law] for the benefit of the Union territories identified in the territorial just transition plans prepared by the Member States in accordance with Article 7 of Regulation [JTF Regulation].

				<i>Rights and the UN Sustainable Development Goals.</i>	
64.	Art. 3 - para. 2	2. The Facility shall have the specific objective of increasing public sector investments, which address the development needs of regions identified in the territorial just transition plans, by facilitating the financing of projects that do not generate a sufficient stream of own revenues and would not be financed without the element of grant support from the Union budget.	2. The Facility shall have the specific objective of increasing public sector investments, which address the development needs of regions identified in the territorial just transition plans, by facilitating the financing of projects that do not generate a sufficient stream of own revenues to cover investment costs and would not be financed without the element of grant support from the Union budget.	2. The Facility shall have the specific objective of increasing public sector investments, which address the development needs of regions identified in the territorial just transition plans, by facilitating the financing of projects that do not generate a sufficient stream of own revenues to cover investment costs within the meaning of the additionality principle as referred to in point (6a) of Article 2.	TM 29/01/21 - TM 08/02/21 2. The Facility shall have the specific objective of increasing public sector investments, which address the development needs of regions identified in the territorial just transition plans, by facilitating the financing of projects that do not generate a sufficient stream of own revenues to cover investment costs, in order to prevent the replacement of potential support and investment from alternative resources.
65.	Art. 3 - para. 3	3. In pursuing the achievement of the specific objective referred to in paragraph 2, this Regulation also aims at providing advisory support for the preparation, development, and implementation of eligible projects where necessary. That advisory support shall be provided in accordance with the rules and implementation methods for the InvestEU Advisory Hub established by Article [20] of Regulation [InvestEU Regulation].	3. In pursuing the achievement of the specific objective referred to in paragraph 2, this Regulation also aims at providing advisory support for the preparation, development, and implementation of eligible projects where necessary. That advisory support shall be provided in accordance with the rules and implementation methods for the InvestEU Advisory Hub established by Article [20] of Regulation [InvestEU Regulation].	3. In pursuing the achievement of the specific objective referred to in paragraph 2, this Regulation also enables the provision of advisory support for the preparation, development, and implementation of eligible projects where necessary, including at the project application stage. That advisory support shall be provided in accordance with the rules and implementation methods for the InvestEU Advisory Hub established by Article [20] of Regulation [InvestEU Regulation].	TM 29/01/2021 TM 08/02/2021 TM 05/03/21 3. In pursuing the achievement of the specific objective referred to in paragraph 2, this Regulation also aims at providing advisory support for the preparation, development, and implementation of eligible projects where necessary[, including for the preparation of projects prior to the application]. That advisory support shall be provided in accordance with the rules and implementation methods for the InvestEU Advisory Hub

					established by Article [20] of Regulation [InvestEU Regulation].
65a					Article 3a new Horizontal principles
65b					<i>To be seen in the context of horizontal compromise package.</i> TM 24/02/2021 TM 25/03/21 1. Respect for fundamental rights and compliance with the Charter of Fundamental Rights of the European Union and, in particular, gender equality shall be ensured, as appropriate, throughout the preparation, implementation and evaluation of eligible projects. 2. Beneficiaries and the Commission shall avoid any discrimination based on gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation, implementation, monitoring, reporting and evaluation of eligible projects. In

					particular, accessibility for persons with disabilities, when relevant, shall be taken into account throughout the preparation and implementation of projects 3. The objectives of the Facility shall be pursued in line with the UN Sustainable Development Goals, the European Pillar of Social Rights, the polluter pays principle, the Paris climate agreement and the "do no significant harm" principle.
66.	Art. 4 - title	Article 4 Budget	Article 4 Budget	Article 4 Budget	Article 4 Budget
67.	Art. 4 - para. 1	1. Without prejudice to additional resources allocated in the Union budget for the period 2021-2027, the grant component of support provided under this Facility shall be financed from:	1. Without prejudice to additional resources allocated in the Union budget for the period 2021-2027, the grant component of support provided under this Facility shall be financed from:	1. Without prejudice to additional resources allocated in the Union budget for the period 2021-2027, the grant component of support provided under this Facility, <i>including the advisory support for the preparation, development, and implementation of projects</i> , shall be financed from resources from the Union budget for an amount of EUR <u>1 760 000 000</u> in current prices. III	18/02/21 TM Commission proposal: take Council as regards global financial allocation plus a 3 partite declaration: “In the event that, [from the year 2025], there is a risk that the resources from assigned revenues would differ substantially from the amount referred to in Article 4(1), the Parliament and the Council, based on a proposal of the Commission, will endeavour

					to identify and allocate to the Facility the complementary resources needed to ensure its effective implementation”. EP suggestion: “Full“ instead of “effective“ and addition at the end: ...without reducing other programmed expenditure” New COM proposal 06/04/21: “In the event that, [from the year 2025], there is a risk that the resources from assigned revenues would differ substantially from the amount referred to in Article 4(1), the Parliament, the Council and the Commission, without prejudice to their institutional prerogatives, will endeavour to identify, in full consistency with the multiannual financial framework and its ceilings, the complementary resources needed to ensure the effective implementation of the Facility.”
68.	Art. 4 - para. 1 point a	(a) resources from the Union budget for an amount of EUR 250 000 000 in current prices, and	(a) resources from the Union budget for an amount of EUR 250 000 000 in current prices, and	Deleted.	
69.	Art. 4 - para. 1 point a	(b) assigned revenue as referred to in paragraph 2 up to a maximum amount of EUR 1 275 000 000 in current prices.	(b) assigned revenue as referred to in paragraph 2 up to a maximum amount of EUR 1 275 000 000 in current prices.	Deleted.	

70.	Art. 4 - para. 2	2. The resources referred to in paragraph 1(b) shall be provided by repayments stemming from financial instruments established under the programmes listed in Annex I to this Regulation up to a maximum amount of EUR 275 000 000 and from the surplus of the provisioning for the EU guarantee established by the EFSI Regulation up to a maximum amount of EUR 1 000 000 000.	2. The resources referred to in paragraph 1(b) shall be provided by repayments stemming from financial instruments established under the programmes listed in Annex I to this Regulation up to a maximum amount of EUR 275 000 000 and from the surplus of the provisioning for the EU guarantee established by the EFSI Regulation up to a maximum amount of EUR 1 000 000 000.	<i>Deleted.</i>	
71.	Art. 4 - para. 3	3. The resources referred to in paragraph 1 may be complemented by financial contributions from Member States, third countries and from non-Union bodies. These resources shall constitute external assigned revenue within the meaning of Article 21(5) of the Financial Regulation.	3. The resources referred to in paragraph 1 may be complemented by financial contributions from Member States, third countries and from non-Union bodies. These resources shall constitute external assigned revenue within the meaning of Article 21(5) of the Financial Regulation.	3. The resources referred to in paragraph 1 may be complemented by financial contributions from Member States, third countries and from non-Union bodies. These resources shall constitute external assigned revenue within the meaning of Article 21(5) of the Financial Regulation. █	3. The resources referred to in paragraph 1 may be complemented by financial contributions from Member States, third countries and from non-Union bodies. These resources shall constitute external assigned revenue within the meaning of Article 21(5) of the Financial Regulation.
72.	Art. 4 - para. 4	4. By derogation to Article 21(3)(f) of the Financial Regulation, resources stemming from repayments referred to in paragraph 1(b) shall constitute external assigned revenue within the meaning of Article 21(5) of the Financial Regulation. By derogation from point a) of Article 213(4) of the Financial Regulation, the resources stemming from the EFSI provisioning surplus referred to in paragraph 1(b) shall constitute external assigned revenue within	4. {By derogation to Article 21(3)(f) of the Financial Regulation, resources stemming from repayments referred to in paragraph 1(b) shall constitute external assigned revenue within the meaning of Article 21(5) of the Financial Regulation. By derogation from point a) of Article 213(4) of the Financial Regulation, the resources stemming from the EFSI provisioning surplus referred to in paragraph 1(b) shall constitute external assigned revenue within	<i>Deleted.</i>	

		the meaning of Article 21(5) of the Financial Regulation.	the meaning of Article 21(5) of the Financial Regulation.†		
73.	Art. 4 - para. 5	5. An amount up to 2% of the resources referred to in paragraph 1 may be used for technical and administrative assistance for the implementation of the Facility such as preparatory, monitoring, control, audit and evaluation activities including corporate information and technology systems, as well as administrative expenditure and fees of the finance partners.	5. An amount up to 2% of the resources referred to in paragraph 1 may be used for technical and administrative assistance for the implementation of the Facility such as preparatory, monitoring, control, audit and evaluation activities including corporate information and technology systems, as well as administrative expenditure and fees of the finance partners.	5. An amount up to 2% of the resources referred to in paragraph 1 may be used for technical and administrative assistance for the implementation of the Facility such as preparatory, monitoring, control, audit and evaluation activities including corporate information and technology systems, as well as administrative expenditure and fees of the finance partners. <i>Higher amounts of technical and administrative assistance may be made available upon request to beneficiaries who have lower administrative capacities in terms of technological equipment, staff and infrastructure.</i>	<i>TM 02/02/21</i> 5. An amount up to 2% of the resources referred to in paragraph 1 may be used for technical and administrative assistance for the implementation of the Facility such as preparatory, monitoring, control, audit and evaluation activities including corporate information and technology systems, as well as administrative expenditure and fees of the finance partners.
74.	Art. 4 - para. 6	6. Resources up to an amount of EUR 25 000 000 included in those referred to in paragraph 1, shall be provided for activities set out in Article 3(3).	6. Resources up to an amount of EUR 25 000 000 included in those referred to in paragraph 1, shall be provided for activities set out in Article 3(3).	6. Resources up to an amount of EUR <i>50 000 000</i> included in those referred to in paragraph 1, shall be provided for activities set out in Article 3(3).	<i>3rd trilogue</i>
75.	Art. 4 - para. 7	7. Budgetary commitments for actions extending over more than one financial year may be broken down over several years into annual instalments.	7. Budgetary commitments for actions extending over more than one financial year may be broken down over several years into annual instalments.	7. Budgetary commitments for actions extending over more than one financial year may be broken down over several years into annual instalments.	7. Budgetary commitments for actions extending over more than one financial year may be broken down over several years into annual instalments.
76.	Art. 4 a (new)-title			<i>Article 4a</i> <i>Access to the resources</i>	

77.				<i>Access to the Facility shall be conditional on the adoption of a national objective towards the achievement of climate neutrality by 2050. For those Member States, which have not yet committed to a national target for climate neutrality, only 50 % of their national allocation shall be released, while the remaining 50 % shall be made available once they have adopted that target.</i>	3rd trilogue
78.	Chapter 2 - title	CHAPTER II UNION SUPPORT	CHAPTER II UNION SUPPORT	CHAPTER II UNION SUPPORT	CHAPTER II UNION SUPPORT
79.	Art. 5-title	Article 5 Forms of Union support and methods of implementation	Article 5 Forms of Union support and methods of implementation	Article 5 Forms of Union support and methods of implementation	Article 5 Forms of Union support and methods of implementation
80.	Art. 5 - para. 1	1. Union support provided under the Facility shall be provided in the form of grants in accordance with Title VIII of the Financial Regulation.	1. Union support provided under the Facility shall be provided in the form of grants in accordance with Title VIII of the Financial Regulation.	1. Union support provided under the Facility shall be provided in the form of grants in accordance with Title VIII of the Financial Regulation.	1. Union support provided under the Facility shall be provided in the form of grants in accordance with Title VIII of the Financial Regulation.
81.	Art. 5 - para. 2	2. Union support provided under the Facility shall be implemented in direct management in accordance with the Financial Regulation.	2. Union support provided under the Facility shall be implemented in direct management in accordance with the Financial Regulation.	2. Union support provided under the Facility shall be implemented in direct management in accordance with the Financial Regulation.	2. Union support provided under the Facility shall be implemented in direct management in accordance with the Financial Regulation.
82.	Art. 5 - para. 3	3. The Commission may delegate powers to implement tasks of the Union support provided under the Facility to executive agencies in accordance with Article 69 of the Financial Regulation with	3. The Commission may delegate powers to implement tasks of the Union support provided under the Facility to executive agencies in accordance with Article 69 of the Financial Regulation with	3. The Commission may delegate powers to implement tasks of the Union support provided under the Facility to executive agencies in accordance with Article 69 of the Financial Regulation with	TM 25/03/2021 3. The Commission may delegate powers to implement tasks of the Union support provided under the Facility to executive agencies in accordance with Article 69 of the Financial Regulation with

		a view to the optimum management and efficiency of the Facility.	a view to the optimum management and efficiency of the Facility.	a view to the optimum management and efficiency of the Facility.	a view to the optimum management and efficiency of the Facility. Delegation to executive agencies Commission confirms that Article 5(3) should be deleted
83.	Art. 6 - title	Article 6 Availability of resources	Article 6 Availability of resources	Article 6 Availability of resources	Article 6 Availability of resources
84.	Art. 6 - para. 1	1. The resources referred to in Article 4(1), after deduction of a provision for technical and administrative expenditure referred to in Article 4(5), shall be used to finance projects, in accordance with paragraphs 2 and 3.	1. The resources referred to in Article 4(1), after deduction of a provision for technical and administrative expenditure referred to in Article 4(5), shall be used to finance projects, in accordance with paragraphs 2 and 3.	1. The resources referred to in Article 4(1), after deduction of a provision for technical and administrative expenditure referred to in Article 4(5), shall be used to finance projects, in accordance with paragraphs 2 and 3.	TM 25/03/2021 1. The resources referred to in Article 4(1) and in Article 4(3) , after deduction of a provision for technical and administrative expenditure referred to in Article 4(5), shall be used to finance projects, in accordance with paragraphs 2 and 3.
85.	Art. 6 - para. 2	2. For grants awarded pursuant to calls for proposals launched no later than 31 December 2024, Union support awarded to eligible projects in a Member State shall not exceed the national shares set out in the decision to be adopted by the Commission pursuant to paragraph 4.	2. For grants awarded pursuant to calls for proposals launched no later than 31 December 2024, Union support awarded to eligible projects in a Member State shall not exceed the national shares set out in the decision to be adopted by the Commission pursuant to paragraph 4.	2. For grants awarded pursuant to calls for proposals launched no later than <i>the duration of the Multiannual Financial Framework (MFF) 2021-2027</i> , Union support awarded to eligible projects in a Member State shall not exceed the national shares set out in the decision to be adopted by the Commission pursuant to paragraph 4.	<u>Outcome 2nd trilogue:</u> The Commission and the Council could agree to an extension of 1 year for the dates set out in lines 85-86. Parliament suggested June 2026. 3rd trilogue

					2. For grants awarded pursuant to calls for proposals launched no later than [31 December 2025/30 June 2026], Union support awarded to eligible projects in a Member State shall not exceed the national shares set out in Annex I of [JTF Regulation] the decision to be adopted by the Commission pursuant to paragraph 4.
86.	Art. 6 - para. 3	3. For grants awarded pursuant to calls for proposals launched as from 1 January 2025, Union support awarded to eligible projects shall be provided without any pre-allocated national share and on a competitive basis at Union level until exhaustion of remaining resources. The award of such grants shall take into account the need to ensure predictability of investment and the promotion of regional convergence.	3. For grants awarded pursuant to calls for proposals launched as from 1 January 2025, Union support awarded to eligible projects shall be provided without any pre-allocated national share and on a competitive basis at Union level until exhaustion of remaining resources. The award of such grants shall take into account the need to ensure predictability of investment and the promotion of regional convergence.	3. For grants awarded pursuant to calls for proposals launched as from 1 January 2028, Union support awarded to eligible projects shall be provided without any pre-allocated national share and on a competitive basis at Union level until exhaustion of remaining resources. The award of such grants shall place special attention on less developed regions as referred to in Article [102(2)] of Regulation .../... [new CPR] and take into account the need to ensure predictability of investment and the promotion of economic, social and territorial cohesion.	TM 18/02/21 TM 05/03/21 3rd trilogue 3. For grants awarded pursuant to calls for proposals launched as from [1 January 2026/1 July 2026], Union support awarded to eligible projects shall be provided without any pre-allocated national share and on a competitive basis at Union level until exhaustion of remaining resources. The award of such grants shall take into account the need to ensure predictability of

					investment and the promotion of regional convergence, paying special attention to less developed regions. Commission estimates that last sentence not needed anymore as award criteria is tackled in article 13 and less developed regions is an award criteria in Article 13, the addition here could be seen as ambiguous.
87.	Art. 6 - para. 4	4. The Commission shall adopt a decision by means of an implementing act setting out the respective shares for each Member State resulting from the application of the methodology set out in Annex I of Regulation [JTF Regulation] in the form of percentages of the total available resources.	4. The Commission shall adopt a decision by means of an implementing act setting out the respective shares for each Member State in accordance with resulting from the application of the methodology set out in Annex I of Regulation [JTF Regulation] in the form of percentages of the total available resources.	4. The Commission shall adopt a <i>delegated act in accordance with Article 17</i> setting out the respective shares for each Member State resulting from the application of the methodology set out in Annex I of Regulation [JTF Regulation] and the application of a redistributive factor taking into account the need of less developed regions as referred to in Article [102(2)] of Regulation .../... [new CPR] in the form of percentages of the total available resources referred to in Article 4(1) of this Regulation.	05/03/21 deleted
88.	Art. 7 - title	Article 7 Administrative agreements with finance partners	Article 7 Administrative agreements with finance partners	Article 7 Administrative agreements with finance partners	Article 7 Administrative agreements with finance partners

89.	Art. 7 - para. 1	An administrative agreement shall be signed between the Commission and the finance partner prior to the implementation of the Facility with that finance partner. The agreement shall set out the respective rights and obligations of each party to the agreement, including on audit and communication arrangements.	An administrative agreement shall be signed between the Commission and the finance partner prior to the implementation of the Facility with that finance partner. The agreement shall set out the respective rights and obligations of each party to the agreement, including on audit and communication arrangements.	An administrative agreement shall be signed between the Commission and the finance partner prior to the implementation of the Facility with that finance partner. The agreement shall set out the respective rights and obligations of each party to the agreement, including on audit and communication arrangements.	TM 25/03/21 An administrative agreement shall be signed between the Commission and the finance partner prior to the implementation of the Facility with that finance partner. The agreement shall set out the respective rights and obligations of each party to the agreement, including on audit and communication arrangements, as well as publication of information for each project financed through the facility and the scope of loan schemes.
90.	Chapter 3 - title	CHAPTER III ELIGIBILITY	CHAPTER III ELIGIBILITY	CHAPTER III ELIGIBILITY	CHAPTER III ELIGIBILITY
91.	Art. 8 - title	Article 8 Eligible projects	Article 8 Eligible projects	Article 8 Eligible projects	Article 8 Eligible projects
92.	Art. 8 - para. 1 - introd. part	Only projects contributing to the objectives referred to in Article 3 and fulfilling all the conditions set out below shall be eligible for Union support under the Facility:	1. Only projects contributing to the objectives referred to in Article 3 and fulfilling all the conditions set out below shall be eligible for Union support under the Facility:	1. Only projects contributing to the objectives referred to in Article 3 and fulfilling all the conditions set out below shall be eligible for Union support under the Facility:	1. Only projects contributing to the objectives referred to in Article 3 and fulfilling all the conditions set out below shall be eligible for Union support under the Facility:
93.	Art. 8 - para. 1 - point a	(a) the projects achieve measurable impact in addressing serious social, economic or environmental challenges deriving from the transition process towards a climate-neutral economy and	(a) the projects achieve measurable impact in addressing serious social, economic or environmental challenges deriving from the transition process towards the Union's 2030 climate targets and	(a) the projects demonstrate clear and measurable impact and include, where appropriate, output indicators in addressing serious social, economic, geographical or environmental challenges deriving	29/01/2021 TM - 08/02/2021 TM Move circular economy reference in a recital (a) the projects achieve measurable impact and include, where

		benefit territories identified in a territorial just transition plan, even if they are not located in those territories;	<u>the objective of a EU climate neutrality economy by 2050</u> and benefit territories identified in a territorial just transition plan, even if they are not located in those territories;	from the transition process towards <i>the new Union's 2030 targets for climate and energy and a circular and climate-neutral economy in the Union by 2050 at the latest</i> and <i>contribute to the objectives and needs of the</i> territories identified in a territorial just transition plan, even if they are not located in those territories;	<i>appropriate, output indicators</i> in addressing serious social, economic or environmental challenges deriving from the transition process towards <u>the Union's 2030 climate and energy targets and the objective of a EU climate neutrality economy by 2050 at the latest</u> and benefit territories identified in a territorial just transition plan, even if they are not located in those territories;
94.	Art. 8 - para. 1 - point b	(b) the projects do not receive support under any other Union programmes;	(b) the projects do not receive support under any other Union programmes;	(b) the projects do not receive support under any other Union programmes <i>for the same activities</i> ;	TM 29/01 + 05/02/21 (see recital 14) (b) the projects do not receive support under any other Union programmes
95.	Art. 8 - para. 1 - point c	(c) the projects receive a loan by the finance partner under the Facility; and	(c) the projects receive a loan by the finance partner under the Facility; and	(c) the projects receive a loan by the finance partner under the Facility; 1	TM 18/02 (c) the projects receive a loan by the finance partner under the Facility; and
96.	Art. 8 - para. 1 - point d	(d) the projects do not generate a sufficient stream of own revenues allowing them to be financed without Union support.	(d) the projects do not generate a sufficient stream of own revenues <u>to cover investment costs</u> allowing them to be financed without Union support.	(d) the projects 1 <i>comply with the additionality principle as referred to in point (6a) of Article 2.</i>	TM 08/02/21 (d) the projects do not generate a sufficient stream of own revenues that would allow them to cover investment costs, in order to prevent the replacement of potential support and investment from alternative resources ;
97.	Art. 8 - para. 1 - point e (new)			<i>(e) the projects have been subject to a gender impact assessment; and</i>	18/02/21 TM TM 02/03/2021

					<i>Deleted as part of the horizontal package (article 3a plus recital on evaluation)</i>
98.	Art. 8 - para. 1 - point f (new)			<i>(f) the projects do not cause significant harm to one or more environmental objectives referred to in Article 9 of Regulation (EU) 2020/852.</i>	18/02/21 TM TM 02/03/2021 <i>Deleted as part of the horizontal package (article 3a and evaluation)</i>
99.	Art. 8 - para. 1a (new)			<i>1a. By derogation from point (b) of paragraph 1, projects receiving Union support under the Facility may also receive advisory and technical assistance support for their preparation, development and implementation from other Union programmes.</i>	TM 29/01 <i>See Council line 104</i> <i>Drop here</i>
100.	Art. 8 - para. 1b (new)			<i>1b. The Facility shall not support activities which would hamper the development and deployment of low carbon alternatives or which lead in the long run to a lock-in of carbon-intensive assets and that would undermine the achievement of the Union's climate and environment objectives.</i>	18/02/21 TM TM 02/03/2021 <i>Deleted as part of the horizontal package (article 3a and evaluation)</i>
101.				<i>The Facility shall not support activities excluded under Article [5] of Regulation (EU) .../... [JTF Regulation].</i>	TM 29/01 <i>See Council line 105</i> <i>Drop here</i>

102.	Art. 8 - para. 1c (new)			<i>1c. Two years after the entry into force of this Facility, the Commission shall review the eligibility conditions outlined in this Article in order to assess their impact on environmental objectives referred to in Article 9 of Regulation (EU) 2020/852. As part of that review, the Commission shall assess whether the conditions need to be updated to appropriately apply the 'do no harm principle' and other relevant criteria established by Regulation (EU) 2020/852 [Taxonomy Regulation] and take the necessary action.</i>	<i>TM 18/02/21</i> <i>TM 02/03/2021</i> <i>Deleted as part of the horizontal package (article 3a and evaluation)</i>
103.	Art. 8 - para. 1d (new)			<i>1d. The Commission shall adopt delegated acts in accordance with Article 17 to supplement this Article by establishing the guidelines on how to conduct the impact assessment referred to in point (e) of paragraph 1 and to specify the content and format of the information and data to be provided. The Commission shall develop these guidelines in cooperation with the implementing partners and after consulting the relevant experts and stakeholders, in particular national women's organisations from Member States, and shall provide for streamlined provisions with the aim of avoiding excessive administrative burden or delays in the selection process.</i>	<i>TM 18/02/21</i> <i>TM 02/03/2021</i> <i>Deleted as part of the horizontal package (article 3a and evaluation)</i>

104.	Art. 8 - para. 2 (new)		<u>2. By derogation to paragraph 1(b), projects receiving Union support under the Facility may also receive advisory and technical assistance support for their preparation, development and implementation from other Union programmes.</u>		TM 29/01 See EP line 99 2. By derogation to paragraph 1(b), projects receiving Union support under the Facility may also receive advisory and technical assistance support for their preparation, development and implementation from other Union programmes.
105.	Art. 8 - para. 2 (new)		<u>3. The Facility shall not support activities excluded under Article [5] of Regulation [JTF Regulation].</u>		TM 29/01 See EP line 101 3. The Facility shall not support activities excluded under Article [5] of Regulation [JTF Regulation].
106.	Art. 9 - title	Article 9 Eligible persons and entities	Article 9 Eligible persons and entities	Article 9 Eligible persons and entities	Article 9 Eligible persons and entities
107.	Art. 9 - para. 1	Notwithstanding the criteria set out in Article 197 of the Financial Regulation, only public sector legal entities established in a Member State as a public law body, or as a body governed by private law entrusted with a public service mission, are eligible to apply as potential beneficiaries under this Regulation.	Notwithstanding the criteria set out in Article 197 of the Financial Regulation, only public sector legal entities established in a Member State as a public law body, or as a body governed by private law entrusted with a public service mission, are eligible to apply as potential beneficiaries under this Regulation.	Notwithstanding the criteria set out in Article 197 of the Financial Regulation, only public sector legal entities established in a Member State as a public law body, or as a body governed by private law entrusted with a public service mission, are eligible to apply as potential beneficiaries under this Regulation.	TM 08/02/21 Notwithstanding the criteria set out in Article 197 of the Financial Regulation, only public sector legal entities established in a Member State as a public law body, or as a body governed by private law entrusted with a public service mission, are eligible to apply as potential beneficiaries under this Regulation.
108.	Chapter 4 - title	CHAPTER IV GRANTS	CHAPTER IV GRANTS	CHAPTER IV GRANTS	CHAPTER IV GRANTS

109.	Art. 10 - title	Article 10 Grants	Article 10 Grants	Article 10 Grants	Article 10 Grants
110.	Art. 10 - para. 1	1. Grants shall take the form of financing not linked to costs in accordance with Article 125(1)(a) of the Financial Regulation.	1. Grants shall take the form of financing not linked to costs in accordance with Article 125(1)(a) of the Financial Regulation.	1. Grants shall take the form of financing not linked to costs in accordance with Article 125(1)(a) of the Financial Regulation.	1. Grants shall take the form of financing not linked to costs in accordance with Article 125(1)(a) of the Financial Regulation.
111.	Art. 10 - para. 2	2. The amount of the grant shall not exceed 15% of the amount of the loan provided by the finance partner under this Facility. For projects located in territories in NUTS level 2 regions with a GDP per capita not exceeding 75% of the average GDP of the EU-27 as referred to in Article [102(2)] of Regulation [new CPR], the amount of the grant shall not exceed 20% of the amount of the loan provided by the finance partner.	2. The amount of the grant shall not exceed 15% of the amount of the loan provided by the finance partner under this Facility. For projects located in territories in NUTS level 2 regions with a GDP per capita not exceeding 75% of the average GDP of the EU-27 as referred to in Article [102(2)] of Regulation [new CPR], the amount of the grant shall not exceed 20% of the amount of the loan provided by the finance partner.	2. The amount of the grant shall not exceed 15% of the amount of the loan provided by the finance partner under this Facility. For projects located in territories in NUTS level 2 regions with a GDP per capita not exceeding 75% of the average GDP of the EU-27 as referred to in Article [102(2)] of Regulation [new CPR], the amount of the grant shall not exceed 25 % of the amount of the loan provided by the finance partner.	
112.	Art. 10 - para. 3	3. Payments of an awarded grant may be split into several instalments linked to the progress in implementation as set out in the grant agreement.	3. Payments of an awarded grant may be split into several instalments linked to the progress in implementation as set out in the grant agreement.	3. Payments of an awarded grant may be split into several instalments linked to the progress in implementation as set out in the grant agreement.	3. Payments of an awarded grant may be split into several instalments linked to the progress in implementation as set out in the grant agreement.
113.	Art. 11 - title	Article 11 Reduction or termination of the grants	Article 11 Reduction or termination of the grants	Article 11 Reduction or termination of the grants	Article 11 Reduction or termination of the grants
114.	Art. 11 - para. 1	1. In addition to the grounds specified in Article 131(4) of the Financial Regulation and after consulting the finance partner, the amount of the grant may be reduced or the grant agreement may be terminated, if within two years from	1. In addition to the grounds specified in Article 131(4) of the Financial Regulation and after consulting the finance partner, the amount of the grant may be reduced or the grant agreement may be terminated, if within two years from	1. In addition to the grounds specified in Article 131(4) of the Financial Regulation and after consulting the finance partner, the amount of the grant may be reduced or the grant agreement may be terminated, if within two years from	1. In addition to the grounds specified in Article 131(4) of the Financial Regulation and after consulting the finance partner, the amount of the grant may be reduced or the grant agreement may be terminated, if within two years from

		the date of signature of the grant agreement, the economically most significant supply, works or services contract has not been signed, in cases where the conclusion of such contract is envisaged pursuant to the grant agreement.	the date of signature of the grant agreement, the economically most significant supply, works or services contract has not been signed, in cases where the conclusion of such contract is envisaged pursuant to the grant agreement.	the date of signature of the grant agreement, the economically most significant supply, works or services contract has not been signed, in cases where the conclusion of such contract is envisaged pursuant to the grant agreement.	the date of signature of the grant agreement, the economically most significant supply, works or services contract has not been signed, in cases where the conclusion of such contract is envisaged pursuant to the grant agreement.
115.	Art. 11 - para. 2	2. When Union support is combined with loan schemes and when supply, works or services contracts are not envisaged, paragraph 1 shall not apply.	2. When Union support is combined with loan schemes and/or when supply, works or services contracts are not envisaged, paragraph 1 shall not apply.	2. When Union support is combined with loan schemes and when supply, works or services contracts are not envisaged, paragraph 1 shall not apply.	TM 29/01 2. When Union support is combined with loan schemes and/or when supply, works or services contracts are not envisaged, paragraph 1 shall not apply.
116.	Art. 11 - para. 3	In such cases and after consulting the finance partner, the amount of the grant may be reduced or the grant agreement may be terminated, and any related amounts paid may be recovered, in accordance with the conditions set out in the grant agreement.	In such cases and after consulting the finance partner, the amount of the grant may be reduced or the grant agreement may be terminated, and any related amounts paid may be recovered, in accordance with the conditions set out in the grant agreement.	In such cases and after consulting the finance partner, the amount of the grant may be reduced or the grant agreement may be terminated, and any related amounts paid may be recovered, in accordance with the conditions set out in the grant agreement.	In such cases and after consulting the finance partner, the amount of the grant may be reduced or the grant agreement may be terminated, and any related amounts paid may be recovered, in accordance with the conditions set out in the grant agreement.
117.	Chapter 5 - title	CHAPTER V ADVISORY SUPPORT SERVICES	CHAPTER V ADVISORY SUPPORT SERVICES	CHAPTER V ADVISORY SUPPORT SERVICES	CHAPTER V ADVISORY SUPPORT SERVICES
118.	Art. 12 - title	Article 12 Advisory support services	Article 12 Advisory support services	Article 12 Advisory support services	Article 12 Advisory support services
119.	Art. 12 - para. 1	1. Advisory support under this Regulation shall be implemented in indirect management, in accordance with the rules and implementation methods for the InvestEU Advisory Hub established	1. Advisory support under this Regulation shall be implemented in indirect management, in accordance with the rules and implementation methods for the InvestEU Advisory Hub established	1. Advisory support under this Regulation shall be implemented in indirect management, in accordance with the rules and implementation methods for the InvestEU Advisory Hub established	1. Advisory support under this Regulation shall be implemented in indirect management, in accordance with the rules and implementation methods for the InvestEU Advisory Hub established

		by Article [20] of Regulation [InvestEU Regulation].	by Article [20] of Regulation [InvestEU Regulation].	by Article [20] of Regulation [InvestEU Regulation].	by Article [20] of Regulation [InvestEU Regulation].
120.	Art. 12 - para. 2	2. Activities necessary to support the preparation, development and implementation of projects shall be eligible for advisory support.	2. Activities necessary to support the preparation, development and implementation of projects shall be eligible for advisory support.	2. Activities necessary to support the preparation, development and implementation of projects shall be eligible for advisory support <i>and financed in accordance with Article 4 of this Regulation.</i>	TM 29/01 2. Activities necessary to support the preparation, development and implementation of projects shall be eligible for advisory support <i>and financed in accordance with Article 4, Paragraph 6 of this Regulation.</i>
121.	Chapter 6 - title	CHAPTER VI PROGRAMMING, MONITORING, EVALUATION AND CONTROL	CHAPTER VI PROGRAMMING, MONITORING, EVALUATION AND CONTROL	CHAPTER VI PROGRAMMING, MONITORING, EVALUATION AND CONTROL	CHAPTER VI PROGRAMMING, MONITORING, EVALUATION AND CONTROL
122.	Art. 13 - title	Article 13 Work programmes	Article 13 Work programmes	Article 13 Work programmes	Article 13 Work programmes
123.	Art. 13 - para. 1	The Facility shall be implemented by work programmes established in accordance with Article 110 of the Financial Regulation.	<u>In order to implement</u> The Facility, <u>the Commission</u> shall <u>adopt</u> be implemented by work programmes <u>referred to</u> established in accordance with Article 110 of the Financial Regulation.	The <i>Commission</i> shall <i>adopt delegated acts in accordance with Article 17 to supplement this Article by establishing</i> work programmes in accordance with Article 110 of the Financial Regulation.	For 3rd trilogue EC compromise: The Facility shall be implemented by work programmes established in accordance with Article 110 of the Financial Regulation
123a				<i>Those work programmes shall specify the criteria and conditions for the selection and, in the event that demand exceeds funding resources under national allocations, for the prioritisation of projects, taking into account the relevant criteria laid down by</i>	TM 18/02/21 TM 02/03/2021 <i>The work programmes shall include award criteria, which may be applied whenever the demand</i>

				<i>Regulation (EU) 2020/852 [Taxonomy Regulation], the project's ability to meet the objectives and needs identified in the territorial just transition plans, the contribution to climate transition, while ensuring that no one is left behind, the possible adoption of a decarbonisation plan by the public sector entities requesting financing, including dates for the phase-out of fossil fuels in a timeframe compatible with the Paris Agreement targets, as well as the overall objective of promoting regional and territorial convergence and the grant's contribution to the viability of projects. The Commission shall ensure that gender equality and the integration of gender perspective are taken into account and promoted in the work programme</i>	<i>would exceed the available resources. These criteria shall include preference to projects contributing directly to the achievement of the Union's 2030 climate and energy targets and the objective of EU climate-neutrality by 2050 at the latest, promoted by beneficiaries located in less developed regions and by beneficiaries having adopted decarbonisation plans.</i> <i>Part of horizontal principle compromise</i>
123b		The work programmes shall set out the national shares of resources, including any additional resources, for each Member State in accordance with Articles 4(1) and 6(2) of this Regulation.	The work programmes shall set out the national shares of resources, including any additional resources, for each Member State in accordance with Articles 4(1) and 6(2) of this Regulation.	The work programmes shall set out the national shares of resources, including any additional resources, for each Member State in accordance with Articles 4(1) and 6(2) of this Regulation.	TM 25 March 2021 The work programmes shall set out the national shares of resources, including any additional resources, for each Member State in accordance with Articles 4(1) and 6(2) of this Regulation.

123c			<u>The Commission shall adopt the work programmes by means of an implementing act in accordance with the procedure referred to in Article 5 of Regulation (EU) No 182/2011.</u>		<i>For 3rd trilogue</i>
124.	<i>Art. 13bis/13a (new)-title</i>		<i>Article 13bis</i> <u>Selection of finance partners other than the EIB</u>	<i>Article 13a</i> <i>Selection of finance partners other than the EIB</i>	<i>Article 13a</i> <i>Selection of finance partners other than the EIB</i>
125.	Art. 13bis/13a (new) - para. 1		<u>The Commission shall set out the conditions and procedures for selecting finance partners other than EIB in an implementing act in accordance with the procedure referred to in Article 5 of Regulation (EU) No 182/2011.</u>	<i>1. The Commission shall adopt delegated acts in accordance with Article 17 to supplement this Article in order to set out the details of eligibility conditions and selection procedures for finance partners other than EIB.</i>	<i>For 3rd trilogue</i>
126.	<i>Art. 13bis/13a (new) - para. 2</i>		<u>The eligibility conditions for selecting the finance partners other than the EIB shall reflect the objectives of the Facility.</u> <u>In particular, the capacity of finance partners to contribute own resources and to ensure appropriate geographical coverage of the Facility, shall be taken into account.</u>	<i>2. The eligibility conditions for the finance partners other than the EIB shall reflect the objectives of the Facility.</i>	<i>TM 02/02/21</i> <i>2. The eligibility conditions for the finance partners other than the EIB shall reflect the objectives of the Facility.</i>

127.	Art. 13bis/13a (new) - para. 3		<u>The Commission shall publish the selection results.</u>	<i>3. In particular, when selecting the finance partners, the Commission shall take into account their capacity:</i>	TM 02/02/21 <i>3. In particular, when selecting the finance partners, the Commission shall take into account their capacity in relation to this Facility:</i>
128.	Art. 13bis/13a (new) - para. 3- point a			<i>(a) to ensure that their energy lending policy and standards are comparable to the ones applied by the EIB in relation to this Facility;</i>	TM 02/02/21 - TM 08/02/21 TM 05/03/2021 - 25/3/21 <i>(a) to ensure that their lending policy is consistent with EU environmental and social standards and the Union's 2030 targets for climate and energy and the objective of a climate neutral economy by 2050;</i>
129.	Art. 13bis/13a (new) - para. 3- point b			<i>(b) to maximise the impact of the Union grant through own resources;</i>	TM 02/02/21 <i>(b) to contribute with sufficient own resources to maximise the impact of the Union grant;</i>
130.	Art. 13bis/13a (new) - para. 3- point c			<i>(c) to ensure appropriate geographical diversification of the Facility and allow for the financing of smaller projects;</i>	TM 02/02/21 <i>(c) to ensure appropriate geographical coverage of the Facility and allow for the financing of smaller individual projects;</i>
131.	Art. 13bis/13a (new) - para. 3- point d			<i>(d) to implement thoroughly the requirements set out in Articles 155(2) and 155(3) of the Financial Regulation concerning tax avoidance, tax fraud, tax evasion, money laundering, terrorism financing and non-cooperative jurisdictions;</i>	TM 02/02/21 <i>(d) to implement thoroughly the requirements set out in Articles 155(2) and 155(3) of the Financial Regulation concerning tax avoidance, tax fraud, tax evasion, money laundering, terrorism</i>

					<i>financing and non-cooperative jurisdictions;</i>
132.	Art. 13bis/13a (new) - para. 3-point e			<i>(e) to ensure transparency and public access to information concerning each project;</i>	TM 02/02/21 - TM 08/02/21 <i>(e) to ensure transparency and adequate publicity concerning each project financed;</i>
133.	Art. 13bis/13a (new) - para. 3-point f			<i>(f) to ensure the consistency of their lending policy with the Union's 2030 targets for climate and energy and the objective of a climate neutral economy in the Union by 2050; and</i>	TM 02/02/21 <i>To drop, taken up in (a)</i>
134.	Art. 13bis/13a (new) - para. 3-point g			<i>(g) to integrate the analysis of environmental, climate, social and governance factors in the selection and evaluation of projects.</i>	TM 02/02/21 <i>Suggestion is to drop here and to include some elements under point (a)</i>
135.	Art. 13bis/13a (new) - para. 4		See Council line 127	<i>4. The Commission shall publish the selection results.</i>	TM 02/02/21 <i>4. The Commission shall publish the selection results.</i>
136.	Art. 14 - title	Article 14 Monitoring and reporting	Article 14 Monitoring and reporting	Article 14 Monitoring and reporting	Article 14 Monitoring and reporting
137.	Art. 14 - para. 1	1. Key performance indicators to monitor implementation and progress of the Facility towards the achievement of the objectives set out in Article 3 are established in Annex II.	1. Key performance indicators to monitor implementation and progress of the Facility towards the achievement of the objectives set out in Article 3 are established in Annex II.	1. Key performance indicators to monitor implementation and progress of the Facility towards the achievement of the objectives set out in Article 3 are established in Annex II.	1. Key performance indicators to monitor implementation and progress of the Facility towards the achievement of the objectives set out in Article 3 are established in Annex II.
138.	Art. 14 - para. 2	2. The performance reporting system shall ensure that data regarding the indicators referred to	2. The performance reporting system shall ensure that data regarding the indicators referred to	2. The performance reporting system shall ensure that data regarding the indicators referred to	TM 29/01/2021 TM 08/02/2021

		in paragraph 1 are collected efficiently, effectively and in a timely fashion. Beneficiaries in cooperation with finance partners shall provide to the Commission the data regarding those indicators.	in paragraph 1 are collected efficiently, effectively and in a timely fashion. Beneficiaries in cooperation with finance partners shall provide to the Commission the data regarding those indicators.	in paragraph 1 are collected efficiently, effectively and in a timely fashion. Beneficiaries <i>and</i> finance partners shall provide to the Commission the data regarding those indicators.	2. The performance reporting system shall ensure that data regarding the indicators referred to in paragraph 1 are collected efficiently, effectively and in a timely fashion. Beneficiaries and the finance partners in accordance respectively with the grant and administrative agreements shall provide to the Commission the data regarding those indicators. See line 158
139.	Art. 14 - para. 2a (new)			<i>2a. The Commission shall report annually on the implementation of the Facility in accordance with Article 250 of the Financial Regulation. That report shall provide information on the results and impact of the Facility with respect to its objectives and performance indicators, in particular its contribution to addressing the transition needs and to the Union sustainability objectives including its impact on climate, the environment, the social dimension and gender equality applying, where relevant, the criteria of the Union taxonomy established by Regulation (EU) 2020/852. For that purpose, finance partners and beneficiaries shall provide on an annual basis all the necessary information and</i>	TM 02/02/2021 - TM 08/02/2021 <i>EP LS to double-check article and its coverage.</i> 18/02/21 TM 2a. Starting with the year following the entry into force of that Regulation and by 31 October each year, the Commission shall report annually on the implementation of the Facility in accordance with [Article 41(3)(h)] of the Financial Regulation. This reporting shall provide

				<i>data and regularly report to the Commission on the progress towards the achievement of output indicators in accordance with Article 8.</i>	information on the level of implementation of the Facility with respect to its objectives, conditions and performance indicators
140.	Art. 14 - para. 3	3. The Commission shall be empowered to adopt delegated acts in accordance with Article 17 to amend Annex II by modifying the indicators referred to in paragraph 1.	3. <u>Where the interim evaluation referred to in article 15(2) finds that the the indicators in Annex II do not allow for a proper assessment of the Facility,</u> the Commission shall be empowered to adopt delegated acts in accordance with Article 17 to amend Annex II by modifying the indicators referred to in paragraph 1.	3. The Commission shall be empowered to adopt delegated acts in accordance with Article 17 to amend Annex II by modifying the indicators referred to in paragraph 1.	<i>TM 02/02/2021 TM 08/02/2021</i> 3. <u>Where the interim evaluation referred to in article 15(2) finds that the the indicators in Annex II do not allow for a proper assessment of the Facility,</u> the Commission shall be empowered to adopt delegated acts in accordance with Article 17 to amend Annex II by modifying the indicators referred to in paragraph 1.
141.	Art. 15 - title	Article 15 Evaluation	Article 15 Evaluation	Article 15 Evaluation	Article 15 Evaluation

142.	Art. 15 - para. 1	1. Evaluations on the implementation of the Facility and its capacity to reach the objectives set out in Article 3 shall be carried out in a sufficiently timely manner to feed into the decision-making process.	1. Evaluations on the implementation of the Facility and its capacity to reach the objectives set out in Article 3 shall be carried out in a sufficiently timely manner to feed into the decision-making process.	1. Evaluations on the implementation of the Facility and its capacity to reach the objectives set out in Article 3 shall be carried out in a sufficiently timely manner to feed into the decision-making process.	<i>TM 02/02/2021</i> 1. Evaluations on the implementation of the Facility and its capacity to reach the objectives set out in Article 3 shall be carried out in a sufficiently timely manner to feed into the decision-making process.
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143.	Art. 15 - para. 2	2. The interim evaluation of the Facility shall be performed by 30 June 2025, when sufficient information is expected to be available about the implementation of the Facility. The evaluation shall in particular demonstrate how the Union support provided under the Facility shall have contributed in addressing the needs of territories implementing the territorial just transition plans.	2. The interim evaluation of the Facility shall be performed by 30 June 2025, when sufficient information is expected to be available about the implementation of the Facility. The evaluation shall in particular demonstrate how the Union support provided under the Facility shall have contributed in addressing the needs of territories implementing the territorial just transition plans.	2. The interim evaluation of the Facility shall be performed by <i>1 January 2024 and shall be submitted to the European Parliament and to the Council</i> , when sufficient information is expected to be available about the implementation of the Facility. The evaluation shall in particular demonstrate how the Union support provided under the Facility shall have contributed in addressing the needs of territories implementing the territorial just transition plans, <i>especially with regard to additionality</i> .	TM 05/02/2021 TM 08/02/21 TM 18/02/21 Linked to agreement on Horizontal principles TM 02/03/2021- COM to draft a recital on the focus of the evaluation on gender, see recital 17a TM 05/03/21 2. The interim evaluation of the Facility shall be performed by 30 June 2025 and shall be submitted to the European Parliament and to the Council, when sufficient information is expected to be available about the implementation of the Facility. The evaluation shall in particular demonstrate how the Union support provided under the Facility shall have contributed in addressing the needs of territories implementing the territorial just transition plans, <i>assess how the horizontal principles referred to in Article 3a have been taken into account</i>, assess the application of the eligibility criteria set out in Article 8 <i>and how the publicity obligations have been applied</i>. It shall also evaluate, based on the projects supported, the contribution of the Facility to the environmental objectives laid down in Article 9 of
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				Regulation (EU) 2020/852, taking into account the applicable screening criteria. The interim evaluation report may be accompanied by legislative proposal, taking into account, in particular, possible adjustment to the eligibility criteria /and which may include, if appropriate, provisions on gender impact assessment./ <i>New COM/EP proposal 07/04/21:</i> The evaluation shall in particular demonstrate how the Union support provided under the Facility shall have contributed in addressing the needs of territories implementing the territorial just transition plans, <i>assess how the horizontal principles referred to in Article 3a have been taken into account, including whether it is appropriate to amend the eligibility criteria to include provisions on gender impact assessment,</i> assess the application of the eligibility criteria set out in Article 8 <i>and how the publicity obligations have been applied.</i> It shall also evaluate, based on the projects supported, the contribution of the Facility to the environmental objectives laid down in Article 9 of Regulation (EU) 2020/852, taking into account the applicable screening criteria. The interim
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					evaluation report may be accompanied by legislative proposal, taking into account, in particular, possible adjustment to the eligibility criteria /and which may include, if appropriate, provisions on gender impact assessment./
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144.	Art. 15 - para. 3	3. At the end of the implementation period and no later than 31 December 2031, a final evaluation report on the results and long-term impact of the Facility shall be established.	3. At the end of the implementation period and no later than 31 December 2031, a final evaluation report on the results and long-term impact of the Facility shall be established.	3. At the end of the implementation period and no later than 31 December 2031, <i>the Commission shall submit to the European Parliament and to the Council an independent</i> final evaluation report on the results and long-term impact of the Facility. <i>The finance partners and beneficiaries shall provide to the Commission all documents and information necessary to enable it to perform that evaluation.</i>	TM 02/02/2021 3. At the end of the implementation period and no later than 31 December 2031, <i>the Commission shall submit to the European Parliament and to the Council</i> a final evaluation report on the results and long-term impact of the Facility <i>also covering the scope set out in paragraph 2.</i>
145.				<i>3a. In both the interim and final evaluation the Commission shall assess how the Union support provided under the Facility has contributed to achieving the objectives of the European Pillar of Social Rights and the Union sustainability policy objectives, in particular the Union's new 2030 targets for climate and energy as established in Regulation (EU).../... of the European Parliament and the Council [establishing the framework for achieving climate neutrality and amending Regulation (EU)2018/1999 (European Climate Law), and the transition towards a circular and climate neutral economy in the Union by 2050 at the latest, applying, where relevant, the Union taxonomy established by Regulation (EU) 2020/852 [Taxonomy Regulation].</i>	TM 02/02/2021 TM 05/03/2021 <i>Deleted</i>

146.	Art. 16 - title	Article 16 Audits	Article 16 Audits	Article 16 Audits	Article 16 Audits
147.	Art. 16 - para. 1	1. Audits on the use of the Union support provided under the Facility carried out by persons or entities, including by other than those mandated by the Union Institutions or bodies, shall form the basis of the overall assurance pursuant to Article 127 of the Financial Regulation.	1. Audits on the use of the Union support provided under the Facility carried out by persons or entities, including by other than those mandated by the Union Institutions or bodies, shall form the basis of the overall assurance pursuant to Article 127 of the Financial Regulation.	1. Audits on the use of the Union support provided under the Facility carried out by persons or entities, including by other than those mandated by the Union Institutions or bodies, shall form the basis of the overall assurance pursuant to Article 127 of the Financial Regulation.	1. Audits on the use of the Union support provided under the Facility carried out by persons or entities, including by other than those mandated by the Union Institutions or bodies, shall form the basis of the overall assurance pursuant to Article 127 of the Financial Regulation.
148.	Art. 16 - para. 2	2. The finance partners shall provide to the Commission and any designated auditors all available documents that are necessary for both these authorities to carry out their obligations.	2. The finance partners shall provide to the Commission and any designated auditors all available documents that are necessary for both these authorities to carry out their obligations.	2. The finance partners <i>and beneficiaries</i> shall provide to the Commission and any designated auditors all available documents that are necessary for both these authorities to carry out their obligations.	TM 29/01 <i>TM 05/03/2021</i> 2. The finance partners <i>and beneficiaries, in accordance with respectively the administrative and grant agreements</i> , shall provide to the Commission and any designated auditors all available documents that are necessary for both these authorities to carry out their obligations.

149.	Art. 16 - para. 2 (new)			<i>2a, External audits on the use of the Union support provided under the Facility shall be carried out by the Court of Auditors in accordance with Article 287 TFEU.</i> <i>The Court of Auditors shall issue a special report on the implementation of the Facility once the rate of implementation of the projects financed reaches at least 60 %, but no later than.... [insert date five years after date of entry into force of this Regulation]. The finance partners and beneficiaries shall provide to the Commission and the Court of Auditors all available documents or information that are necessary for both these authorities to carry out their obligations.</i>	TM 05/02 - TM 08/02 TM 05/03/2021 2a. The external audit of the activities undertaken in accordance with this Regulation on the use of the Union support provided under the Facility is carried out by the Court of Auditors in accordance with Article 287 TFEU. For the purpose of this mission, the Court of Auditors shall, at its request and in accordance with Article 287(3) TFEU, be granted access to any document or information necessary to carry out its auditing tasks, including any information on the evaluations of applications and their outcome.
150.	Art. 17 - title	Article 17 Exercise of the delegation	Article 17 Exercise of the delegation	Article 17 Exercise of the delegation	Article 17 Exercise of the delegation
151.	Art. 17 - para. 1	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
152.	Art. 17 - para. 2	2. The power to adopt delegated acts referred to in Article 14 shall be conferred on the Commission until 31 December 2028.	2. The power to adopt delegated acts referred to in Article 14 shall be conferred on the Commission until 31 December 2027 <u>8</u> .	2. The power to adopt delegated acts referred to in Articles 6, 8, 13, 13a and 14 shall be conferred on the Commission until 31 December 2028.	To be dealt after political agreement

153.	Art. 17 - para. 3	3. The delegation of power referred to in Article 14 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 power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3. The delegation of power referred to in Article 14 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 power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3. The delegation of power referred to in Articles 6, 8, 13, 13a and 14 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 power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	To be dealt after political agreement
154.	Art. 17 - para. 4	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 Inter-institutional Agreement of 13 April 2016 on Better Law-Making.	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 Inter-institutional Agreement of 13 April 2016 on Better Law-Making.	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 Inter-institutional Agreement of 13 April 2016 on Better Law-Making.	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 Inter-institutional Agreement of 13 April 2016 on Better Law-Making.
155.	Art. 17 - para. 5	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.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
156.	Chapter 7 - title	CHAPTER VII TRANSITIONAL AND FINAL PROVISIONS	CHAPTER VII TRANSITIONAL AND FINAL PROVISIONS	CHAPTER VII TRANSITIONAL AND FINAL PROVISIONS	CHAPTER VII TRANSITIONAL AND FINAL PROVISIONS
157.	Art. 18 - title	Article 18 Information, communication and publicity	Article 18 Information, communication and publicity	Article 18 Information, communication and publicity	Article 18 Information, communication and publicity

158.	Art. 18 - para. -1a (new)			<i>-1a. Finance partners shall disclose all relevant financial information and any other pre-defined key non-financial information related to each project financed and shall make that information publicly available on their website after the signature of the relevant loan or loan scheme, as applicable.</i> <i>Such information to be made publicly available shall not contain commercially sensitive information or personal data that are not to be disclosed under Union data protection law.</i>	<i>TM 02/03/2021- COM proposes to delete this line and refer to the publicity requirements in the context of the audits. It will come with a drafting proposal.</i> <i>TM 05/03/2021</i> <i>TM 25/03/21</i> <i>Drop this line here, see solution in Article 7 and recital 7a</i>
159.	Art. 18 - para. 1	1. The beneficiaries and the finance partners shall ensure the visibility of the Union support provided under the Facility, in particular when promoting the projects and their results, by providing targeted information to multiple audiences, including the media and the public.	1. The beneficiaries and the finance partners shall ensure the visibility of the Union support provided under the Facility, in particular when promoting the projects and their results, by providing targeted information to multiple audiences, including the media and the public.	1. The beneficiaries and the finance partners shall ensure, <i>to the highest possible level and in line with their rules, policies and procedures</i> , the visibility of the Union support provided under the Facility, in particular when promoting the projects and their results, by providing targeted information to multiple audiences, including the media and the public.	TM 29/01 1. The beneficiaries and the finance partners shall ensure the visibility of the Union support provided under the Facility, in particular when promoting the projects and their results, by providing targeted information to multiple audiences, including the media and the public.
160.	Art. 18 - para. 1a (new)			<i>1a. The Commission shall submit the opinions it has issued on the projects selected under this Facility to the European Parliament in accordance with Annex II to the Framework Agreement on relations between the European Parliament and the Commission.</i>	<i>Deleted</i>

161.	Art. 18 - para. 2	2. The Commission shall implement information and communication actions relating to the Facility, the funded projects and their results. Financial resources allocated to the Facility shall also contribute to the corporate communication of the political priorities of the Union, as far as they are related to the objectives referred to in Article 3.	2. The Commission shall implement information and communication actions relating to the Facility, the funded projects and their results. Financial resources allocated to the Facility shall also contribute to the corporate communication of the political priorities of the Union, as far as they are related to the objectives referred to in Article 3.	2. The Commission shall implement information and communication actions relating to the Facility, <i>ensure transparency and public access to information concerning</i> the funded projects and their results <i>and shall measure the effectiveness of the messages.</i> Financial resources allocated to the Facility shall also contribute to the corporate communication of the political priorities of the Union, as far as they are related to the objectives referred to in Article 3. <i>The Commission shall ensure that an effective communication campaign be organised at the onset of the selection process and that information about calls for proposals be made directly available to all public authorities across the EU. Information regarding the technical and administrative support provided to applicants should also be actively promoted. The Commission shall regularly update and publish the list of projects that have been selected or refused under this Facility with the description of specific criteria for acceptance or refusal.</i>	TM 02/03/2021- EP to come back on whether they can agree to this wording. COM to incorporate the notion of refused projects in the audit part in line 149 TM 05/03/2021 2. The Commission shall implement information and communication actions relating to the Facility, the funded projects and their results. This includes in particular, informing MS of its intention to open the Facility to finance partners other than the EIB and of the calls made as well as promotion of information regarding the technical and administrative support provided to applicants. Financial resources allocated to the Facility shall also contribute to the communication of the political priorities of the Union, as far as they are related to the objectives referred to in Article 3. The Commission should publish and regularly update the list of projects financed under this Facility.
162.	Art. 19 - title	Article 19 Transitional provisions	Article 19 Transitional provisions	Article 19 Transitional provisions	Article 19 Transitional provisions
163.	Art. 19 - para. 1	Where necessary, appropriations may be entered in the budget	Where If necessary, appropriations may be entered in the budget	Where necessary, appropriations may be entered in the budget	Outcome 2nd trilogue

		beyond 2027 to cover the payment of instalments of grant Union support, provided for in accordance with Article 6(2), to enable the management of actions not completed by 31 December 2027.	beyond 2027 to cover the <u>expenses provided for in Article 4(5),</u> payment of instalments of grant Union support provided for in accordance with Article 6(2), to enable the management of actions not completed by 31 December 2027.	beyond 2027 to cover the payment of instalments of grant Union support, provided for in accordance with Article 6(2), to enable the management of actions not completed by 31 December 2027.	It was agreed to work at the <u>technical level</u> . TM 05/03/2021 TM 25/03/21 Where If necessary, appropriations may be entered in the budget beyond 2027 to cover the <u>expenses provided for in Article 4(5),</u> payment of instalments of grant Union support provided for in accordance with Article 6(2), to enable the management of actions not completed by 31 December 2027.
164.	Art. 20 - title	Article 20 Entry into force	Article 20 Entry into force	Article 20 Entry into force	Article 20 Entry into force
165.	Art. 20 - para. 1	This Regulation shall enter into force on the [...] [twentieth] day following that of its publication in the <i>Official Journal of the European Union</i> .	This Regulation shall enter into force on the [...] [twentieth] day following that of its publication in the <i>Official Journal of the European Union</i> .	This Regulation shall enter into force on the [...] [twentieth] day following that of its publication in the <i>Official Journal of the European Union</i> .	This Regulation shall enter into force on the [...] [twentieth] day following that of its publication in the <i>Official Journal of the European Union</i> .
166.	Art. 20 - para. 2	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.
167.		Done at Brussels,	Done at Brussels,	Done at Brussels,	Done at Brussels,
168.		For the European Parliament For the Council	For the European Parliament For the Council	For the European Parliament For the Council	For the European Parliament For the Council

169.		The President The President	The President The President	The President The President	The President The President
170.	Annex I - title	Annex I	ANNEX I	Deleted	To be dealt after political agreement
171.	Annex I - para. 1	Financial instruments from which repayments may be used for the Facility	Financial instruments from which repayments may be used for the Facility	Deleted	
172.	Annex I - para. 1 - subtitle 1	A. Equity Instruments:	A. Equity Instruments:	Deleted	
173.	Annex I - para. 1 - subtitle 1- point 1	☐ European Technology Facility (ETF98): Council Decision No 98/347/EC of 19 May 1998 on measures of financial assistance for innovative and job-creating small and medium-sized enterprises (SMEs) - the growth and employment initiative (OJ L 155, 29.5.1998, p. 43).	☐ European Technology Facility (ETF98): Council Decision No 98/347/EC of 19 May 1998 on measures of financial assistance for innovative and job-creating small and medium-sized enterprises (SMEs) - the growth and employment initiative (OJ L 155, 29.5.1998, p. 43).	Deleted	
174.	Annex I - para. 1 - subtitle 1- point 2	☐ TTP: Commission decision adopting a complementary financing decision concerning the financing of actions of the activity “Internal market of goods and sectoral policies” of the Directorate-General Enterprises & Industry for 2007 and adopting the framework decision concerning the financing of the preparatory action “The EU assuming its role in a globalised world” and of four pilot projects “Erasmus young entrepreneurs”, “Measures to promote cooperation and partnerships between micro and	☐ TTP: Commission decision adopting a complementary financing decision concerning the financing of actions of the activity “Internal market of goods and sectoral policies” of the Directorate-General Enterprises & Industry for 2007 and adopting the framework decision concerning the financing of the preparatory action “The EU assuming its role in a globalised world” and of four pilot projects “Erasmus young entrepreneurs”, “Measures to promote cooperation and partnerships between micro and	Deleted	

		SMEs”, “Technological Transfer” and “European Destinations of excellence” of the Directorate-General Enterprises & Industry for 2007 (C(2007) 531).	SMEs”, “Technological Transfer” and “European Destinations of excellence” of the Directorate-General Enterprises & Industry for 2007 (C(2007) 531).		
175.	Annex I - para. 1 - subtitle 1- point 3	□ European Technology Facility (ETF01): Council Decision No 2000/819/EC of 20 December 2000 on a multiannual programme for enterprise and entrepreneurship, and in particular for small and medium-sized enterprises (SMEs) (2001-2005) (OJ L 333, 29.12.2000, p. 84).	□ European Technology Facility (ETF01): Council Decision No 2000/819/EC of 20 December 2000 on a multiannual programme for enterprise and entrepreneurship, and in particular for small and medium-sized enterprises (SMEs) (2001-2005) (OJ L 333, 29.12.2000, p. 84).	Deleted	
176.	Annex I - para. 1 - subtitle 1- point 4	□ GIF: Decision No 1639/2006/EC of the European Parliament and of the Council of 24 October 2006 establishing a Competitiveness and Innovation Framework Programme (2007 to 2013) (OJ L 310, 9.11.2006, p. 15).	□ GIF: Decision No 1639/2006/EC of the European Parliament and of the Council of 24 October 2006 establishing a Competitiveness and Innovation Framework Programme (2007 to 2013) (OJ L 310, 9.11.2006, p. 15).	Deleted	
177.	Annex I - para. 1 - subtitle 1- point 5	□ Connecting Europe Facility (CEF): Regulation (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Connecting Europe Facility, amending Regulation (EU) No 913/2010 and repealing Regulations (EC) No 680/2007 and (EC) No 67/2010 (OJ L 348, 20.12.2013, p. 129) as modified by Regulation (EU) 2015/1017 of the European Parliament and of the Council of 25 June 2015 on the European Fund for Strategic	□ Connecting Europe Facility (CEF): Regulation (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Connecting Europe Facility, amending Regulation (EU) No 913/2010 and repealing Regulations (EC) No 680/2007 and (EC) No 67/2010 (OJ L 348, 20.12.2013, p. 129) as modified by Regulation (EU) 2015/1017 of the European Parliament and of the Council of 25 June 2015 on the European Fund for Strategic	Deleted	

		Investments, the European Investment Advisory Hub and the European Investment Project Portal and amending Regulations (EU) No 1291/2013 and (EU) No 1316/2013 — the European Fund for Strategic Investments (OJ L 169, 1.7.2015, p. 1).	Investments, the European Investment Advisory Hub and the European Investment Project Portal and amending Regulations (EU) No 1291/2013 and (EU) No 1316/2013 — the European Fund for Strategic Investments (OJ L 169, 1.7.2015, p. 1).		
178.	Annex I - para. 1 - subtitle 1 - point 6	☐ COSME EFG: Regulation (EU) No 1287/2013 of the European Parliament and of the Council of 11 December 2013 establishing a Programme for the Competitiveness of Enterprises and small and medium-sized enterprises (COSME) (2014 - 2020) and repealing Decision No 1639/2006/EC (OJ L 347, 20.12.2013, p. 33).	☐ COSME EFG: Regulation (EU) No 1287/2013 of the European Parliament and of the Council of 11 December 2013 establishing a Programme for the Competitiveness of Enterprises and small and medium-sized enterprises (COSME) (2014 - 2020) and repealing Decision No 1639/2006/EC (OJ L 347, 20.12.2013, p. 33).	Deleted	
179.	Annex I - para. 1 - subtitle 1 - point 7	☐ InnovFin Equity:	☐ InnovFin Equity:	Deleted	

180.	Annex I - para. 1 - subtitle 1 - point 8	– Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC (OJ L 347, 20.12.2013, p. 104);	– Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC (OJ L 347, 20.12.2013, p. 104);	Deleted	
181.	Annex I - para. 1 - subtitle 1 - point 9	– Regulation (EU) No 1290/2013 of the European Parliament and of the Council of 11 December 2013 laying down the rules for participation and dissemination in “Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020)” and repealing Regulation (EC) No 1906/2006 (OJ L 347, 20.12.2013, p. 81);	– Regulation (EU) No 1290/2013 of the European Parliament and of the Council of 11 December 2013 laying down the rules for participation and dissemination in “Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020)” and repealing Regulation (EC) No 1906/2006 (OJ L 347, 20.12.2013, p. 81);	Deleted	
182.	Annex I - para. 1 - subtitle 1 - point 10	– Council Decision No 2013/743/EU of 3 December 2013 establishing the specific programme implementing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decisions 2006/971/EC, 2006/972/EC, 2006/973/EC, 2006/974/EC and 2006/975/EC (OJ L 347, 20.12.2013, p. 965).	– Council Decision No 2013/743/EU of 3 December 2013 establishing the specific programme implementing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decisions 2006/971/EC, 2006/972/EC, 2006/973/EC, 2006/974/EC and 2006/975/EC (OJ L 347, 20.12.2013, p. 965).	Deleted	
183.	Annex I - para. 1 -	☐ EaSI Capacity Building Investments Window: Regulation (EU) No 1296/2013 of the European Parliament and of the	☐ EaSI Capacity Building Investments Window: Regulation (EU) No 1296/2013 of the European Parliament and of the	Deleted	

	subtitle 1 - point 11	Council of 11 December 2013 on a European Union Programme for Employment and Social Innovation ("EaSI") and amending Decision No 283/2010/EU establishing a European Progress Microfinance Facility for employment and social inclusion (OJ L 347, 20.12.2013, p. 238).	Council of 11 December 2013 on a European Union Programme for Employment and Social Innovation ("EaSI") and amending Decision No 283/2010/EU establishing a European Progress Microfinance Facility for employment and social inclusion (OJ L 347, 20.12.2013, p. 238).		
184.	Annex I - para. 1 - subtitle 2	B. Guarantee Instruments:	B. Guarantee Instruments:	Deleted	
185.	Annex I - para. 1 - subtitle 2 - point 1	☐ SME Guarantee Facility '98 (SMEG98): Council Decision No 98/347/EC of 19 May 1998 on measures of financial assistance for innovative and job-creating small and medium-sized enterprises (SMEs) - the growth and employment initiative (OJ L 155, 29.5.1998, p. 43).	☐ SME Guarantee Facility '98 (SMEG98): Council Decision No 98/347/EC of 19 May 1998 on measures of financial assistance for innovative and job-creating small and medium-sized enterprises (SMEs) - the growth and employment initiative (OJ L 155, 29.5.1998, p. 43).	Deleted	
186.	Annex I - para. 1 - subtitle 2 - point 1	☐ SME Guarantee Facility '01 (SMEG01): Council Decision No 2000/819/EC of 20 December 2000 on a multiannual programme for enterprise and entrepreneurship, and in particular for small and medium-sized enterprises (SMEs) (2001-2005) (OJ L 333, 29.12.2000, p. 84).	☐ SME Guarantee Facility '01 (SMEG01): Council Decision No 2000/819/EC of 20 December 2000 on a multiannual programme for enterprise and entrepreneurship, and in particular for small and medium-sized enterprises (SMEs) (2001-2005) (OJ L 333, 29.12.2000, p. 84).	Deleted	
187.	Annex I - para. 1 - subtitle 2 - point 1	☐ SME Guarantee Facility '07 (SMEG07): Decision No 1639/2006/EC of the European Parliament and of the Council of 24 October 2006 establishing a	☐ SME Guarantee Facility '07 (SMEG07): Decision No 1639/2006/EC of the European Parliament and of the Council of 24 October 2006 establishing a	Deleted	

		Competitiveness and Innovation Framework Programme (2007 to 2013) (OJ L 310, 9.11.2006, p. 15).	Competitiveness and Innovation Framework Programme (2007 to 2013) (OJ L 310, 9.11.2006, p. 15).		
188.	Annex I - para. 1 - subtitle 2-point 1	☐ European Progress Microfinance Facility – Guarantee (EPMF-G): Decision No 283/2010/EU of the European Parliament and of the Council of 25 March 2010 establishing a European Progress Microfinance Facility for employment and social inclusion (OJ L 87, 7.4.2010, p. 1).	☐ European Progress Microfinance Facility – Guarantee (EPMF-G): Decision No 283/2010/EU of the European Parliament and of the Council of 25 March 2010 establishing a European Progress Microfinance Facility for employment and social inclusion (OJ L 87, 7.4.2010, p. 1).	Deleted	
189.	Annex I - para. 1 - subtitle 2-point 1	☐ RSI:	☐ RSI:	Deleted	
190.	Annex I - para. 1 - subtitle 2-point 1	– Decision No 1982/2006/EC of the European Parliament and of the Council of 18 December 2006 concerning the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007-2013) Statements by the Commission (OJ L 412, 30.12.2006, p. 1);	– Decision No 1982/2006/EC of the European Parliament and of the Council of 18 December 2006 concerning the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007-2013) Statements by the Commission (OJ L 412, 30.12.2006, p. 1);	Deleted	

191.	Annex I - para. 1 - subtitle 2- point 2	– Council Decision No 2006/971/EC of 19 December 2006 concerning the Specific Programme Cooperation implementing the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007 to 2013) (OJ L 400, 30.12.2006, p. 86);	– Council Decision No 2006/971/EC of 19 December 2006 concerning the Specific Programme Cooperation implementing the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007 to 2013) (OJ L 400, 30.12.2006, p. 86);	Deleted	
192.	Annex I - para. 1 - subtitle 2- point 3	– Council Decision No 2006/974/EC of 19 December 2006 on the Specific Programme: Capacities implementing the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007 to 2013) (OJ L 400, 30.12.2006, p. 299).	– Council Decision No 2006/974/EC of 19 December 2006 on the Specific Programme: Capacities implementing the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007 to 2013) (OJ L 400, 30.12.2006, p. 299).	Deleted	
193.	Annex I - para. 1 - subtitle 2- point 4	☐ EaSI-Guarantee: Regulation (EU) No 1296/2013 of the European Parliament and of the Council of 11 December 2013 on a European Union Programme for Employment and Social Innovation (“EaSI”) and amending Decision No 283/2010/EU establishing a European Progress Microfinance Facility for employment and social inclusion (OJ L 347, 20.12.2013, p. 238).	☐ EaSI-Guarantee: Regulation (EU) No 1296/2013 of the European Parliament and of the Council of 11 December 2013 on a European Union Programme for Employment and Social Innovation (“EaSI”) and amending Decision No 283/2010/EU establishing a European Progress Microfinance Facility for employment and social inclusion (OJ L 347, 20.12.2013, p. 238).	Deleted	
194.	Annex I - para. 1 -	☐ COSME Loan Guarantee Facility (COSME LGF): Regulation (EU) No 1287/2013 of the European Parliament and of the	☐ COSME Loan Guarantee Facility (COSME LGF): Regulation (EU) No 1287/2013 of the European Parliament and of the	Deleted	

	subtitle 2-point 5	Council of 11 December 2013 establishing a Programme for the Competitiveness of Enterprises and small and medium-sized enterprises (COSME) (2014 - 2020) and repealing Decision No 1639/2006/EC (OJ L 347, 20.12.2013, p. 33).	Council of 11 December 2013 establishing a Programme for the Competitiveness of Enterprises and small and medium-sized enterprises (COSME) (2014 - 2020) and repealing Decision No 1639/2006/EC (OJ L 347, 20.12.2013, p. 33).		
195.	Annex I - para. 1 - subtitle 2-point 6	☐ InnovFin Debt:	☐ InnovFin Debt:	Deleted	
196.	Annex I - para. 1 - subtitle 2-point 7	– Regulation (EU) No 1290/2013 of the European Parliament and of the Council of 11 December 2013 laying down the rules for participation and dissemination in “Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020)” and repealing Regulation (EC) No 1906/2006 (OJ L 347, 20.12.2013, p. 81);	– Regulation (EU) No 1290/2013 of the European Parliament and of the Council of 11 December 2013 laying down the rules for participation and dissemination in “Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020)” and repealing Regulation (EC) No 1906/2006 (OJ L 347, 20.12.2013, p. 81);	Deleted	
197.	Annex I - para. 1 - subtitle 2-point 8	– Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC (OJ L 347, 20.12.2013, p. 104);	– Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC (OJ L 347, 20.12.2013, p. 104);	Deleted	
198.	Annex I - para. 1 -	– Council Decision No 2013/743/EU of 3 December	– Council Decision No 2013/743/EU of 3 December 2013	Deleted	

	subtitle 2-point 9	2013 establishing the specific programme implementing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decisions 2006/971/EC, 2006/972/EC, 2006/973/EC, 2006/974/EC and 2006/975/EC (OJ L 347, 20.12.2013, p. 965).	establishing the specific programme implementing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decisions 2006/971/EC, 2006/972/EC, 2006/973/EC, 2006/974/EC and 2006/975/EC (OJ L 347, 20.12.2013, p. 965).		
199.	Annex I - para. 1 - subtitle 2-point 10	☐ Cultural and Creative Sectors Guarantee Facility (CCS GF): Regulation (EU) No 1295/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Creative Europe Programme (2014 to 2020) and repealing Decisions No 1718/2006/EC, No 1855/2006/EC and No 1041/2009/EC (OJ L 347, 20.12.2013, p. 221).	☐ Cultural and Creative Sectors Guarantee Facility (CCS GF): Regulation (EU) No 1295/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Creative Europe Programme (2014 to 2020) and repealing Decisions No 1718/2006/EC, No 1855/2006/EC and No 1041/2009/EC (OJ L 347, 20.12.2013, p. 221).	Deleted	
200.	Annex I - para. 1 - subtitle 2-point 11	☐ Student Loan Guarantee Facility (SLGF): Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing 'Erasmus+': the Union programme for education, training, youth and sport and repealing Decisions No 1719/2006/EC, No 1720/2006/EC and No 1298/2008/EC (OJ L 347, 20.12.2013, p. 50).	☐ Student Loan Guarantee Facility (SLGF): Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing 'Erasmus+': the Union programme for education, training, youth and sport and repealing Decisions No 1719/2006/EC, No 1720/2006/EC and No 1298/2008/EC (OJ L 347, 20.12.2013, p. 50).	Deleted	

201.	Annex I - para. 1 - subtitle 2- point 12	☐ Private Finance for Energy Efficiency (PF4EE): Regulation (EU) No 1293/2013 of the European Parliament and of the Council of 11 December 2013 on the establishment of a Programme for the Environment and Climate Action (LIFE) and repealing Regulation (EC) No 614/2007 (OJ L 347, 20.12.2013, p. 185).	☐ Private Finance for Energy Efficiency (PF4EE): Regulation (EU) No 1293/2013 of the European Parliament and of the Council of 11 December 2013 on the establishment of a Programme for the Environment and Climate Action (LIFE) and repealing Regulation (EC) No 614/2007 (OJ L 347, 20.12.2013, p. 185).	Deleted	
202.	Annex I - para. 1 - subtitle 3	C. Risk-Sharing Instruments:	C. Risk-Sharing Instruments:	Deleted	
203.	Annex I - para. 1 - subtitle 3- point 1	☐ InnovFin:	☐ InnovFin:	Deleted	
204.	Annex I - para. 1 - subtitle 3- point 1	– Regulation (EU) No 1290/2013 of the European Parliament and of the Council of 11 December 2013 laying down the rules for participation and dissemination in “Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020)” and repealing Regulation (EC) No 1906/2006 (OJ L 347, 20.12.2013, p. 81);	– Regulation (EU) No 1290/2013 of the European Parliament and of the Council of 11 December 2013 laying down the rules for participation and dissemination in “Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020)” and repealing Regulation (EC) No 1906/2006 (OJ L 347, 20.12.2013, p. 81);	Deleted	
205.	Annex I - para. 1 - subtitle 3- point 2	– Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 - the Framework Programme for Research and	– Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 - the Framework Programme for Research and	Deleted	

		Innovation (2014-2020) and repealing Decision No 1982/2006/EC (OJ L 347, 20.12.2013, p. 104).	Innovation (2014-2020) and repealing Decision No 1982/2006/EC (OJ L 347, 20.12.2013, p. 104).		
206.	Annex I - para. 1 - subtitle 3- point 3	☐ Connecting Europe Facility Debt Instrument (CEF DI): Regulation (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Connecting Europe Facility, amending Regulation (EU) No 913/2010 and repealing Regulations (EC) No 680/2007 and (EC) No 67/2010 (OJ L 348, 20.12.2013, p. 129).	☐ Connecting Europe Facility Debt Instrument (CEF DI): Regulation (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Connecting Europe Facility, amending Regulation (EU) No 913/2010 and repealing Regulations (EC) No 680/2007 and (EC) No 67/2010 (OJ L 348, 20.12.2013, p. 129).	Deleted	
207.	Annex I - para. 1 - subtitle 3- point 4	☐ Natural Capital Financing Facility (NCFF): Regulation (EU) No 1293/2013 of the European Parliament and of the Council of 11 December 2013 on the establishment of a Programme for the Environment and Climate Action (LIFE) and repealing Regulation (EC) No 614/2007 (OJ L 347, 20.12.2013, p. 185).	☐ Natural Capital Financing Facility (NCFF): Regulation (EU) No 1293/2013 of the European Parliament and of the Council of 11 December 2013 on the establishment of a Programme for the Environment and Climate Action (LIFE) and repealing Regulation (EC) No 614/2007 (OJ L 347, 20.12.2013, p. 185).	Deleted	
208.	Annex I - para. 1 - subtitle 4	D. Dedicated Investment Vehicles:	D. Dedicated Investment Vehicles:	Deleted	
209.	Annex I - para. 1 - subtitle 4- point 1	☐ European Progress Microfinance Facility – Fonds commun de placements – fonds d'investissements spécialisés (EPMF FCP-FIS): Decision No 283/2010/EU of the European Parliament and of the Council of	☐ European Progress Microfinance Facility – Fonds commun de placements – fonds d'investissements spécialisés (EPMF FCP-FIS): Decision No 283/2010/EU of the European Parliament and of the Council of	Deleted	

		25 March 2010 establishing a European Progress Microfinance Facility for employment and social inclusion (OJ L 87, 7.4.2010, p. 1).	25 March 2010 establishing a European Progress Microfinance Facility for employment and social inclusion (OJ L 87, 7.4.2010, p. 1).		
210.	Annex I - para. 1 - subtitle 4 - point 2	☐ Marguerite:	☐ Marguerite:	Deleted	
211.	Annex I - para. 1 - subtitle 4 - point 3	– Regulation (EC) No 680/2007 of the European Parliament and of the Council of 20 June 2007 laying down general rules for the granting of Community financial aid in the field of the trans-European transport and energy networks (OJ L 162, 22.6.2007, p. 1);	– Regulation (EC) No 680/2007 of the European Parliament and of the Council of 20 June 2007 laying down general rules for the granting of Community financial aid in the field of the trans-European transport and energy networks (OJ L 162, 22.6.2007, p. 1);	Deleted	
212.	Annex I - para. 1 - subtitle 4 - point 4	– Commission Decision of 25.2.2010 on European Union participation in the 2020 European Fund for Energy, Climate Change and Infrastructure (the Marguerite Fund) (C(2010) 941).	– Commission Decision of 25.2.2010 on European Union participation in the 2020 European Fund for Energy, Climate Change and Infrastructure (the Marguerite Fund) (C(2010) 941).	Deleted	

213.	Annex I- para. 1 - subtitle 4- point 5	☐ European <i>Energy</i> Efficiency Fund (EEEF): Regulation (EU) No 1233/2010 of the European Parliament and of the Council of 15 December 2010 amending Regulation (EC) No 663/2009 establishing a programme to aid economic recovery by granting Community financial assistance to projects in the field of energy (OJ L 346, 30.12.2010, p. 5).	☐ European Energy Efficiency Fund (EEEF): Regulation (EU) No 1233/2010 of the European Parliament and of the Council of 15 December 2010 amending Regulation (EC) No 663/2009 establishing a programme to aid economic recovery by granting Community financial assistance to projects in the field of energy (OJ L 346, 30.12.2010, p. 5).	Deleted	
214.	Annex II- title	ANNEX II	ANNEX II	■ ANNEX II	ANNEX II <u>Outcome 2nd trilogue</u> <u>The European Parliament explained that it would be open to drop some of the indicators, but would like to maintain the reference to decarbonisation and environmental objectives and to employment. It was agreed to continue the discussion at technical level.</u>
215.	Annex II - subtitle	Key performance indicators	Key performance indicators	Key performance indicators ³¹	Key performance indicators
216.	Annex II - subtitle- point 1	1. Volume of grants awarded	1. Volume of grants awarded	1. Volume of grants awarded	1. Volume of grants awarded

³¹ All indicators shall be broken down by region, where relevant. All personal data shall be broken down by gender, where relevant.

217.	Annex II - subtitle-point 2	2. Volume of loans signed	2. Volume of loans signed	2. Volume of loans signed	2. Volume of loans signed
218.	Annex II - subtitle-point 2.1	2.1 Individual loans	2.1 Individual loans	2.1 Individual loans	2.1 Individual loans
219.	Annex II - subtitle-point 2.2	2.2 Loan schemes	2.2 Loan schemes	2.2 Loan schemes	2.2 Loan schemes
220.	Annex II - subtitle-point 3	3. Overall investment mobilised, divided as follows	3. Overall investment mobilised, divided as follows	3. Overall investment mobilised, divided as follows	3. Overall investment mobilised, divided as follows
221.	Annex II - subtitle-point 3.1	3.1 Amount of private financing mobilised	3.1 Amount of private financing mobilised	3.1 Amount of private financing mobilised	3.1 Amount of private financing mobilised
222.	Annex II - subtitle-point 3.2	3.2 Amount of public financing mobilised	3.2 Amount of public financing mobilised	3.2 Amount of public financing mobilised	3.2 Amount of public financing mobilised
223.	Annex II - subtitle-point 4	4. Number of projects receiving support, including geographical coverage	4. Number of projects receiving support, including geographical coverage	4. Number of projects receiving support, including geographical coverage	4. Number of projects receiving support, including geographical coverage
224.	Annex II - subtitle-point 4.1	4.1 Country	4.1 Country	4.1 Country	4.1 Country
225.	Annex II - subtitle-point 4.2	4.2 NUTS 2 region	4.2 NUTS 2 region	4.2 NUTS 2 region	4.2 NUTS 2 region
226.	Annex II - subtitle-point 4.3	4.3 Just transition territory supported	4.3 Just transition territory supported	4.3 Just transition territory supported	4.3 Just transition territory supported

227.	Annex II - subtitle-point 5	5. Number of projects receiving financing under the Facility	5. Number of projects receiving financing under the Facility	5. Number of projects receiving financing under the Facility	5. Number of projects receiving financing under the Facility
228.	Annex II - subtitle-point 6	6. Number of projects by sector	6. Number of projects by sector	6. Number of projects by sector	6. Number of projects by sector
229.	Annex II - subtitle-point 6.1	6.1 Transport	6.1 Transport	6.1 Transport	6.1 Transport
230.	Annex II - subtitle-point 6.2	6.2 Social infrastructure	6.2 Social infrastructure	6.2 Social infrastructure	6.2 Social infrastructure
231.	Annex II - subtitle-point 6.3	6.3 Public utilities (water, wastewater, district heating, energy, waste management)	6.3 Public utilities (water, wastewater, district heating, energy, waste management)	6.3 Public utilities (water, wastewater, district heating, energy, waste management)	6.3 Public utilities (water, wastewater, district heating, energy, waste management)
232.	Annex II - subtitle-point 6.4	6.4 Direct support to transition (renewable energy, energy efficiency)	6.4 Direct support to transition (renewable energy, energy efficiency)	6.4 Direct support to <i>climate transition, decarbonisation (renewable energy, energy efficiency) and other environmental objectives</i>	TM 05/03/2021 6.4 Direct support to <i>climate transition, (renewable energy, energy efficiency)</i>
233.	Annex II - subtitle-point 6.5	6.5 Environmental protection	6.5 Environmental protection	6.5 Environmental protection	TM 05/03/2021 6.5 Environmental objectives
234.	Annex II - subtitle-point 6.6	6.6 Urban infrastructure (including housing)	6.6 Urban infrastructure (including housing)	6.6 Urban infrastructure (including housing)	TM 05/03/2021 6.6 Urban infrastructure and housing
235.	Annex II - subtitle-point 6.6a (new)			6.6.a Quality of housing (including energy efficiency)	TM 05/03/2021 deleted

236.	Annex II - subtitle-point 6.7	6.7 Others	6.7 Others	6.7 Others	6.7 Others
237.	Annex II - subtitle-point 7	7. Greenhouse gas emission reduced	7. Greenhouse gas emission reduced	7. Greenhouse gas emission reduced, <i>where relevant</i>	TM 05/03/21 7. Greenhouse gas emission reduced, <i>where relevant</i>
238.	Annex II - subtitle-point 7a			7a. Employment and unemployment rate	TM 05/03/2021 Job creation, where relevant
239.	Annex II - subtitle-point 7b			7b. Depopulation rate	TM 05/03/2021 Deleted
240.	Annex II - subtitle-point 7c			7c. Population of regions/territories benefitting from projects carried out under the Facility	TM 05/03/2021 Deleted