



**2021/0214(COD)**

15.2.2022

# **AMENDMENTS**

## **729 - 1028**

**Draft report**  
**Mohammed Chahim**  
(PE697.670v01-00)

Establishing a carbon border adjustment

Proposal for a regulation  
(COM(2021)0564 – C9-0328/2021 – 2021/0214(COD))



**Amendment 729**

**Nicolae Ștefănuță, María Soraya Rodríguez Ramos, Susana Solís Pérez, Jan Huitema, Linea Søgaard-Lidell, Michal Wiezik**

**Proposal for a regulation**

**Article 8 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**1a. The CBAM report submitted by companies shall be verified according to this Article.**

Or. en

**Amendment 730**

**Yannick Jadot**

**Proposal for a regulation**

**Article 8 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. For embedded emissions in goods produced in registered installations in a third country in accordance with Article 10, the authorised declarant may choose to use verified information disclosed to it in accordance with Article 10(7) to fulfil the obligation referred to in paragraph 1.**

**deleted**

Or. en

**Amendment 731**

**Hermann Tertsch, Pietro Fiocchi**

**Proposal for a regulation**

**Article 8 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. For embedded emissions in goods produced in registered installations in a third country in accordance with Article 10, the authorised declarant *may choose to* use verified information disclosed to it in**

**2. For embedded emissions in goods produced in registered installations in a third country in accordance with Article 10, the authorised declarant *shall* use verified information disclosed to it in**

accordance with Article 10(7) to fulfil the obligation referred to in paragraph 1.

accordance with Article 10(7) to fulfil the obligation referred to in paragraph 1.

Or. en

#### **Amendment 732**

**Yannick Jadot**

#### **Proposal for a regulation**

#### **Article 8 – paragraph 3 – subparagraph 1**

##### *Text proposed by the Commission*

The Commission is empowered to adopt implementing acts concerning the principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report.

##### *Amendment*

The Commission is empowered to adopt implementing acts concerning the principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report. ***The possibility to waive the obligation for the verifier to visit the installation where relevant goods are produced may only be used in duly justified circumstances where the installation has a well-known standard profile regarding production and technology, allowing for a reliable estimation of embedded emissions.***

Or. en

#### **Amendment 733**

**Laura Huhtasaari**

#### **Proposal for a regulation**

#### **Article 8 – paragraph 3 – subparagraph 1**

##### *Text proposed by the Commission*

The Commission is empowered to adopt implementing acts concerning the

##### *Amendment*

The Commission is empowered to adopt implementing acts concerning the

principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report.

principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report. ***Waivers shall be seen as exceptions and the competent authority should remain authorized to verify the accuracy of the information provided in the CBAM declaration. Provisions laid down in such implementing acts shall be equivalent to the provisions set in Regulation 2018/2067.***

Or. en

#### **Amendment 734 Ivan David**

#### **Proposal for a regulation Article 8 – paragraph 3 – subparagraph 1**

##### *Text proposed by the Commission*

The Commission is empowered to adopt implementing acts concerning the principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report.

##### *Amendment*

The Commission is empowered to adopt implementing acts concerning the principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report. ***Provisions laid down in such implementing acts shall be equivalent to the provisions set in Regulation 2018/2067.***

Or. en

## *Justification*

*Verification rules for CBAM imports need to be equivalent to the rules applied for EU ETS installations under Regulation 2018/2067.*

### **Amendment 735** **Dolors Montserrat**

#### **Proposal for a regulation** **Article 8 – paragraph 3 – subparagraph 1**

##### *Text proposed by the Commission*

The Commission is empowered to adopt implementing acts concerning the principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report.

##### *Amendment*

The Commission is empowered to adopt implementing acts concerning the principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report. ***The Commission shall ensure that the provisions in these implementing acts are equivalent to those set in the Implementing Regulation (EU) 2018/2067.***

Or. en

### **Amendment 736** **Danilo Oscar Lancini, Elena Lizzi, Catherine Griset, Rosanna Conte, Silvia Sardone, Matteo Adinolfi, Gianantonio Da Re**

#### **Proposal for a regulation** **Article 8 – paragraph 3 – subparagraph 1**

##### *Text proposed by the Commission*

The Commission is empowered to adopt implementing acts concerning the principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit

##### *Amendment*

The Commission is empowered to adopt implementing acts concerning the principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit

the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report.

the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report. ***Provisions laid down in such implementing acts shall be equivalent to the provisions set in Regulation 2018/2067.***

Or. en

**Amendment 737**  
**Alexandr Vondra**

**Proposal for a regulation**  
**Article 8 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

The Commission is empowered to adopt implementing acts concerning the principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report.

*Amendment*

The Commission is empowered to adopt implementing acts concerning the principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report. ***Provisions laid down in such implementing acts shall be equivalent to the provisions set in Regulation 2018/2067.***

Or. en

**Amendment 738**  
**Agnès Evren**

**Proposal for a regulation**  
**Article 8 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

The Commission is empowered to adopt implementing acts concerning the principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report.

*Amendment*

The Commission is empowered to adopt implementing acts concerning the principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report. ***Such implementing acts should be equivalent to the provisions set out in Regulation 2018/2067.***

Or. fr

**Amendment 739**  
**Radan Kanev**

**Proposal for a regulation**  
**Article 8 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

The Commission is empowered to adopt implementing acts concerning the principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report.

*Amendment*

The Commission is empowered to adopt implementing acts concerning the principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report. ***Such implementing acts shall be equivalent to the provisions set in Implementing Regulation (EU) 2018/2067.***

Or. en



## Amendment 740

Hermann Tertsch, Alexandr Vondra, Pietro Fiocchi

### Proposal for a regulation

#### Article 8 – paragraph 3 – subparagraph 1

##### *Text proposed by the Commission*

The Commission is empowered to adopt implementing acts concerning the principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report.

##### *Amendment*

The Commission is empowered to adopt implementing acts concerning the principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report. ***Such implementing acts shall be equivalent to the provisions set in Regulation 2018/2067***

Or. en

## Amendment 741

Rovana Plumb

### Proposal for a regulation

#### Article 8 – paragraph 3 – subparagraph 1

##### *Text proposed by the Commission*

The Commission is empowered to adopt implementing acts concerning the principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report.

##### *Amendment*

The Commission is empowered to adopt implementing acts concerning the principles of verification referred to in paragraph 1 as regards the possibility to waive the obligation for the verifier to visit the installation where relevant goods are produced and the obligation to set thresholds for deciding whether misstatements or non-conformities are material and concerning the supporting documentation needed for the verification report. ***Such implementing acts shall be equivalent to the provisions set in Implementing Regulation (EU)2018/2067.***

*Justification*

*The verification rules applied to goods imported to the EU should mirror those applying to ETS installations under Regulation 2018/67.*

**Amendment 742**

**Pietro Fiocchi**

**Proposal for a regulation****Article 9 – paragraph 1***Text proposed by the Commission*

1. An authorised declarant may claim in its CBAM declaration a reduction in the number of CBAM certificates to be surrendered in order for the carbon price paid in the country of origin for the declared embedded emissions to be taken into account.

*Amendment*

1. An authorised declarant may claim in its CBAM declaration a reduction in the number of CBAM certificates to be surrendered in order for the carbon price paid in the country of origin for the declared embedded emissions to be taken into account. ***The reduction may only be granted to countries operating in a free energy market, so as to ensure a genuine level playing field.***

Or. it

**Amendment 743**

**Luisa Regimenti, Massimiliano Salini, Aldo Patriciello, Fulvio Martusciello, Salvatore De Meo**

**Proposal for a regulation****Article 9 – paragraph 1***Text proposed by the Commission*

1. An authorised declarant may claim in its CBAM declaration a reduction in the number of CBAM certificates to be surrendered in order for the carbon price paid in the country of origin for the declared embedded emissions to be taken into account.

*Amendment*

1. An authorised declarant may claim in its CBAM declaration a reduction in the number of CBAM certificates to be surrendered in order for the carbon price paid in the country of origin for the declared embedded emissions to be taken into account. ***The reduction may only be granted to countries operating in a free energy market, so as to ensure a genuine***

*level playing field.*

Or. it

**Amendment 744**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 9 – paragraph 1**

*Text proposed by the Commission*

1. An authorised declarant may claim in its CBAM declaration a reduction in the number of CBAM certificates to be surrendered in order for the carbon price paid in the country of origin for the declared embedded emissions to be taken into account.

*Amendment*

1. An authorised declarant may claim in its CBAM declaration a reduction in the number of CBAM certificates to be surrendered in order for the carbon price paid in the country of origin for the declared embedded emissions to be taken into account. ***This reduction may also be 100 % if the carbon price paid in the country of origin is totally equivalent to or higher than the EU carbon price.***

Or. cs

**Amendment 745**  
**Ivan David**

**Proposal for a regulation**  
**Article 9 – paragraph 1**

*Text proposed by the Commission*

1. An authorised declarant may claim in its CBAM declaration a reduction in the number of CBAM certificates to be surrendered in order for the carbon price paid in the country of origin for the declared embedded emissions to be taken into account.

*Amendment*

1. An authorised declarant may claim in its CBAM declaration a reduction in the number of CBAM certificates to be surrendered in order for the carbon price paid in the country of origin for the declared embedded emissions to be taken into account, ***if is proved that the carbon price in the country of origin is adequate according tot the EU ETS .***

Or. en

## *Justification*

*Some countries have introduced carbon taxation on the basis of the CBAM notification- The EU ETS is enforced more than 10 years, and 5 years it have been fine-tuned. CBAM will apply from 2023 year or more precisely from 2026 year. CO2 emission taxations systems in other countries may not be an adequate burden at all for the EU ETS.*

### **Amendment 746**

**Ondřej Knotek**

#### **Proposal for a regulation**

#### **Article 9 – paragraph 2**

##### *Text proposed by the Commission*

2. The authorised declarant shall keep records of the documentation, certified by ***an independent person***, required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation on exportation.

##### *Amendment*

2. The authorised declarant shall keep records of the documentation, certified by ***a verifier accredited pursuant to article 18 and in line with the competences established in Article 8 (1) concerning the verification of embedded emissions. The accredited verifier is*** required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation on exportation.

Or. en

### **Amendment 747**

**Alexandr Vondra**

#### **Proposal for a regulation**

#### **Article 9 – paragraph 2**

##### *Text proposed by the Commission*

2. The authorised declarant shall keep records of the documentation, certified by ***an independent person***, required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep

##### *Amendment*

2. The authorised declarant shall keep records of the documentation, certified by ***a verifier accredited pursuant to Article 18 and in line with the competences established in Article 8(1) concerning the verification of embedded emissions. The***

evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation on exportation.

***accredited verifier*** is required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation on exportation.

Or. en

**Amendment 748**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 9 – paragraph 2**

*Text proposed by the Commission*

2. The authorised declarant shall keep records of the documentation, certified by ***an independent person***, required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation on exportation.

*Amendment*

2. The authorised declarant shall keep records of the documentation, certified by ***a verifier accredited pursuant to art. 18 and in line with the competences established in art.8(1) concerning the verification of embedded emissions. The accredited verifier*** is required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation on exportation.

Or. en

**Amendment 749**  
**Ivan David**

**Proposal for a regulation**  
**Article 9 – paragraph 2**

*Text proposed by the Commission*

2. The authorised declarant shall keep records of the documentation, certified by

*Amendment*

2. The authorised declarant shall keep records of the documentation, certified by

*an independent person*, required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation on exportation.

*a verifier accredited pursuant to art. 18 and in line with the competences established in art.8(1) concerning the verification of embedded emissions. The accredited verifier is* required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation on exportation.

Or. en

### *Justification*

*Also the carbon price paid in the country of origin needs to be verified by an accredited verifier in order to ensure the accuracy and reliability of data.*

## **Amendment 750** **Yannick Jadot**

### **Proposal for a regulation** **Article 9 – paragraph 2**

#### *Text proposed by the Commission*

2. The authorised declarant shall keep records of the documentation, certified by *an independent person*, required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation on exportation.

#### *Amendment*

2. The authorised declarant shall keep records of the documentation, certified by *a certifier*, required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation on exportation. *The name and contact details of the certifier shall appear on the documentation. The authorised declarant shall transmit such documentation to the CBAM authority.*

Or. en

**Amendment 751**  
**Antoni Comín i Oliveres**

**Proposal for a regulation**  
**Article 9 – paragraph 2**

*Text proposed by the Commission*

2. The authorised declarant shall keep records of the documentation, certified by ***an independent person***, required to demonstrate that the declared embedded emissions were subject to ***a*** carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation on exportation.

*Amendment*

2. The authorised declarant shall keep records of the documentation, certified by ***a verifier accredited pursuant to article 18 of this Regulation. The accreditation required shall be***, required to demonstrate that the declared embedded emissions were subject to ***an explicit*** carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other ***direct or indirect*** form of compensation on exportation.

Or. en

**Amendment 752**  
**Dolors Montserrat**

**Proposal for a regulation**  
**Article 9 – paragraph 2**

*Text proposed by the Commission*

2. The authorised declarant shall keep records of the documentation, certified by ***an independent person***, required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation ***on exportation***.

*Amendment*

2. The authorised declarant shall keep records of the documentation, certified by ***a verifier accredited pursuant to Article 18***, required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other ***direct or indirect*** form of compensation.

Or. en

## Amendment 753

Radan Kanev

### Proposal for a regulation

#### Article 9 – paragraph 2

*Text proposed by the Commission*

2. The authorised declarant shall keep records of the documentation, certified by ***an independent person***, required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation ***on exportation***.

*Amendment*

2. The authorised declarant shall keep records of the documentation, certified by ***a verifier accredited pursuant to Article 18 of this Regulation. The accredited verifier shall be*** required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other ***direct or indirect*** form of compensation.

Or. en

## Amendment 754

Nicolae Ștefănuță, María Soraya Rodríguez Ramos, Jan Huitema, Linea Sogaard-Lidell, Michal Wiezik

### Proposal for a regulation

#### Article 9 – paragraph 2

*Text proposed by the Commission*

2. The authorised ***declarant*** shall keep records of the documentation, certified by ***an independent person***, required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation on exportation.

*Amendment*

2. The authorised ***declarants*** shall keep records of the documentation, certified by ***a verifier accredited pursuant to Article 18 of this Regulation. The accredited verifier shall be*** required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation on exportation.

Or. en



**Amendment 755**  
**Rovana Plumb**

**Proposal for a regulation**  
**Article 9 – paragraph 2**

*Text proposed by the Commission*

2. The authorised declarant shall keep records of the documentation, certified by ***an independent person***, required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation ***on exportation***.

*Amendment*

2. The authorised declarant shall keep records of the documentation, certified by ***a verifier accredited pursuant to article 18 of this Regulation. The accreditation will be*** required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other ***direct or indirect*** form of compensation.

Or. en

*Justification*

*An accredited verifier should ensure the accuracy and reliability of data when it comes to a carbon price paid in the country of origin. Furthermore, any compensation regime for that carbon price in the country of origin has to be taken into account, not only compensations for exports. This is critical in order to avoid circumvention of the CBAM by introducing carbon price schemes in third countries that are actually compensated by an equivalent reimbursement or reduction of another tax or levy.*

**Amendment 756**  
**Anna Zalewska**

**Proposal for a regulation**  
**Article 9 – paragraph 2**

*Text proposed by the Commission*

2. The authorised declarant shall keep records of the documentation, certified by an independent ***person***, required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have

*Amendment*

2. The authorised declarant shall keep records of the documentation, certified by an independent ***verifier***, required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have

been subject to an export rebate or any other form of compensation on exportation.

been subject to an export rebate or any other form of compensation on exportation.

Or. en

#### **Amendment 757**

**Pietro Fiocchi**

#### **Proposal for a regulation**

##### **Article 9 – paragraph 2**

###### *Text proposed by the Commission*

2. The authorised declarant shall keep records of the documentation, certified by an ***independent person***, required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation ***on exportation***.

###### *Amendment*

2. The authorised declarant shall keep records of the documentation, certified by an ***accredited verifier***, required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price, which should not have been subject to an export rebate or any other form of compensation.

Or. it

#### **Amendment 758**

**Luisa Regimenti, Massimiliano Salini, Aldo Patriciello, Fulvio Martusciello, Salvatore De Meo**

#### **Proposal for a regulation**

##### **Article 9 – paragraph 2**

###### *Text proposed by the Commission*

2. The authorised declarant shall keep records of the documentation, certified by an ***independent person***, required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation ***on***

###### *Amendment*

2. The authorised declarant shall keep records of the documentation, certified by an ***accredited verifier***, required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price, which should not have been subject to an export rebate or

*exportation.*

any other form of compensation.

Or. it

#### **Amendment 759**

**Hermann Tertsch, Alexandr Vondra, Pietro Fiocchi**

#### **Proposal for a regulation**

#### **Article 9 – paragraph 2**

##### *Text proposed by the Commission*

2. The authorised declarant shall keep records of the documentation, certified by an ***independent person***, required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation ***on exportation.***

##### *Amendment*

2. The authorised declarant shall keep records of the documentation, certified by an ***accredited verifier***, required to demonstrate that the declared embedded emissions were subject to a carbon price in the country of origin of the goods and keep evidence of the proof of the actual payment for that carbon price which should not have been subject to an export rebate or any other form of compensation.

Or. en

#### **Amendment 760**

**Anna Zalewska**

#### **Proposal for a regulation**

#### **Article 9 – paragraph 3**

##### *Text proposed by the Commission*

3. The authorised declarant shall keep those records referred to in paragraph 2 until the end of the ***fourth*** year after the year during which the CBAM declaration has been or should have been submitted.

##### *Amendment*

3. The authorised declarant shall keep those records referred to in paragraph 2 until the end of the ***fifth*** year after the year during which the CBAM declaration has been or should have been submitted.

Or. en

#### **Amendment 761**

**Dolors Montserrat**

**Proposal for a regulation**  
**Article 9 – paragraph 4**

*Text proposed by the Commission*

4. The Commission is empowered to adopt implementing acts establishing the methodology for calculating the reduction in the number of CBAM certificates to be surrendered, regarding the conversion of the carbon price paid in foreign currency into euro at yearly average exchange rate in accordance with paragraph 1, **and regarding the qualifications of the independent person certifying the information** as well as elements of proof of the carbon price paid and the absence of export rebates or other forms of compensation **on exportation** being applied as referred to in paragraph 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).

*Amendment*

4. The Commission is empowered to adopt implementing acts establishing the methodology for calculating the reduction in the number of CBAM certificates to be surrendered, regarding the conversion of the carbon price paid in foreign currency into euro at yearly average exchange rate in accordance with paragraph 1, as well as elements of proof of the carbon price paid and the absence of export rebates or other forms of compensation being applied as referred to in paragraph 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).

Or. en

**Amendment 762**

**Salvatore De Meo, Fulvio Martusciello, Aldo Patriciello, Luisa Regimenti**

**Proposal for a regulation**  
**Article 9 – paragraph 4**

*Text proposed by the Commission*

4. The Commission is empowered to adopt implementing acts establishing the methodology for calculating the reduction in the number of CBAM certificates to be surrendered, regarding the conversion of the carbon price paid in foreign currency into euro at yearly average exchange rate in accordance with paragraph 1, and regarding the qualifications of the independent person certifying the information as well as elements of proof of the carbon price paid and the absence of export rebates or other forms of

*Amendment*

4. The Commission is empowered to adopt implementing acts establishing the methodology for calculating the reduction in the number of CBAM certificates to be surrendered, **regarding the verification methodology**, regarding the conversion of the carbon price paid in foreign currency into euro at yearly average exchange rate in accordance with paragraph 1, and regarding the qualifications of the independent person certifying the information as well as elements of proof of the carbon price paid and the absence of

compensation on exportation being applied as referred to in paragraph 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).

export rebates or other forms of compensation on exportation being applied as referred to in paragraph 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).

Or. en

### *Justification*

*The authorised authority should have at its disposal efficient verification mechanisms, to prevent circumvention and to ensure the authenticity of CBAM declaration.*

#### **Amendment 763** **Agnès Evren**

#### **Proposal for a regulation** **Article 9 – paragraph 4**

##### *Text proposed by the Commission*

4. The Commission is empowered to adopt **implementing** acts establishing the methodology for calculating the reduction in the number of CBAM certificates to be surrendered, regarding the conversion of the carbon price paid in foreign currency into euro at yearly average exchange rate in accordance with paragraph 1, and regarding the qualifications of the independent person certifying the information as well as elements of proof of the carbon price paid and the absence of export rebates or other forms of compensation on exportation being applied as referred to in paragraph 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).

##### *Amendment*

4. The Commission is empowered to adopt **delegated** acts, **in accordance with Article 28**, establishing the methodology for calculating the reduction in the number of CBAM certificates to be surrendered, regarding the conversion of the carbon price paid in foreign currency into euro at yearly average exchange rate in accordance with paragraph 1, and regarding the qualifications of the independent person certifying the information as well as elements of proof of the carbon price paid and the absence of export rebates or other forms of compensation on exportation being applied as referred to in paragraph 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).

Or. fr

#### **Amendment 764** **Rovana Plumb**

**Proposal for a regulation**  
**Article 9 – paragraph 4**

*Text proposed by the Commission*

4. The Commission is empowered to adopt implementing acts establishing the methodology for calculating the reduction in the number of CBAM certificates to be surrendered, regarding the conversion of the carbon price paid in foreign currency into euro at yearly average exchange rate in accordance with paragraph 1, and regarding the qualifications of the independent person certifying the information as well as elements of proof of the carbon price paid and the absence of export rebates or other forms of compensation ***on exportation*** being applied as referred to in paragraph 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).

*Amendment*

4. The Commission is empowered to adopt implementing acts establishing the methodology for calculating the reduction in the number of CBAM certificates to be surrendered, regarding the conversion of the carbon price paid in foreign currency into euro at yearly average exchange rate in accordance with paragraph 1, and regarding the qualifications of the independent person certifying the information as well as elements of proof of the carbon price paid and the absence of export rebates or other forms of compensation being applied as referred to in paragraph 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).

Or. en

*Justification*

*Any compensation regime for that carbon price in the country of origin has to be taken into account, not only compensations for exports. This is critical in order to avoid circumvention of the CBAM by introducing carbon price schemes in third countries that are actually compensated by an equivalent reimbursement or reduction of another tax or levy*

**Amendment 765**  
**Yannick Jadot**

**Proposal for a regulation**  
**Article 9 – paragraph 4**

*Text proposed by the Commission*

4. The Commission is empowered to adopt implementing acts establishing the methodology for calculating the reduction in the number of CBAM certificates to be surrendered, regarding the conversion of the carbon price paid in foreign currency into euro at yearly average exchange rate in

*Amendment*

4. The Commission is empowered to adopt implementing acts establishing the methodology for calculating the reduction in the number of CBAM certificates to be surrendered, regarding the conversion of the carbon price paid in foreign currency into euro at yearly average exchange rate in

accordance with paragraph 1, and regarding the qualifications of the ***independent person*** certifying the information as well as elements of proof of the carbon price paid and the absence of export rebates or other forms of compensation on exportation being applied as referred to in paragraph 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).

accordance with paragraph 1, and regarding the qualifications of the ***certifier*** certifying the information as well as elements of proof of the carbon price paid and the absence of export rebates or other forms of compensation on exportation being applied as referred to in paragraph 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).

Or. en

#### **Amendment 766**

**Hermann Tertsch, Alexandr Vondra, Pietro Fiocchi**

#### **Proposal for a regulation**

#### **Article 9 – paragraph 4**

##### *Text proposed by the Commission*

4. The Commission is empowered to adopt implementing acts establishing the methodology for calculating the reduction in the number of CBAM certificates to be surrendered, regarding the conversion of the carbon price paid in foreign currency into euro at yearly average exchange rate in accordance with paragraph 1, and regarding the qualifications of the ***independent person*** certifying the information as well as elements of proof of the carbon price paid and the absence of export rebates or other forms of compensation ***on exportation*** being applied as referred to in paragraph 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).

##### *Amendment*

4. The Commission is empowered to adopt implementing acts establishing the methodology for calculating the reduction in the number of CBAM certificates to be surrendered, regarding the conversion of the carbon price paid in foreign currency into euro at yearly average exchange rate in accordance with paragraph 1, and regarding the qualifications of the ***accredited verifier*** certifying the information as well as elements of proof of the carbon price paid and the absence of export rebates or other forms of compensation being applied as referred to in paragraph 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).

Or. en

#### **Amendment 767**

**Radan Kanev**

**Proposal for a regulation**  
**Article 9 – paragraph 4**

*Text proposed by the Commission*

4. The Commission is empowered to adopt implementing acts establishing the methodology for calculating the reduction in the number of CBAM certificates to be surrendered, regarding the conversion of the carbon price paid in foreign currency into euro at yearly average exchange rate in accordance with paragraph 1, and regarding the qualifications of the independent person certifying the information as well as elements of proof of the carbon price paid and the absence of export rebates or other forms of compensation ***on exportation*** being applied as referred to in paragraph 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).

*Amendment*

4. The Commission is empowered to adopt implementing acts establishing the methodology for calculating the reduction in the number of CBAM certificates to be surrendered, regarding the conversion of the carbon price paid in foreign currency into euro at yearly average exchange rate in accordance with paragraph 1, and regarding the qualifications of the independent person certifying the information as well as elements of proof of the carbon price paid and the absence of export rebates or other forms of compensation being applied as referred to in paragraph 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).

Or. en

**Amendment 768**  
**Alexander Bernhuber, Angelika Winzig**

**Proposal for a regulation**  
**Article 9 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 9 a***

***1. An authorised declarant may claim in its CBAM declaration a reduction in the number of CBAM certificates to be surrendered equivalent to the share of the total embedded emissions of imported goods, or products processed from those goods, that were exported outside of the Union at a later date.***

***2. The authorised declarant shall keep records of the documentation required to demonstrate that the goods, or products processed from those goods were exported***



*outside the Union.*

**3. The authorised declarant shall keep those records referred to in paragraph 2 until the end of the fourth year after the year during which the CBAM declaration has been or should have been submitted.**

Or. en

## **Amendment 769**

**Ivan David**

### **Proposal for a regulation**

#### **Article 10 – paragraph 1**

##### *Text proposed by the Commission*

1. The Commission shall, upon request by an operator of an installation located in a third country, register the information on ***that operator*** and on ***its*** installation in a central database referred to in Article 14(4).

##### *Amendment*

1. The Commission shall upon request by an operator of an installation located in a third country register the information on ***operators of installations located in third countries*** and on ***those*** installation in a central database referred to in Article 14(4).

Or. en

##### *Justification*

*In order to ensure robustness and reliability of data underlying the CBAM declarations, the central database shall contain also the information on the installations located in third countries, so that faster checks are allowed.*

## **Amendment 770**

**Agnès Evren**

### **Proposal for a regulation**

#### **Article 10 – paragraph 1**

##### *Text proposed by the Commission*

1. The Commission shall, ***upon request by an operator of an installation*** located in ***a third country, register the information on that operator*** and on ***its installation*** in a central database referred

##### *Amendment*

1. The Commission shall ***register the information on operators of installations*** located in third ***countries*** and on ***their installations*** in a central database referred

to in Article 14(4).

to in Article 14(4).

Or. fr

#### **Amendment 771**

**Hermann Tertsch, Alexandr Vondra, Pietro Fiocchi**

#### **Proposal for a regulation Article 10 – paragraph 1**

##### *Text proposed by the Commission*

1. The Commission shall, ***upon request by an operator of an installation located in a third country***, register the information on ***that operator*** and on ***its installation*** in a central database referred to in Article 14(4).

##### *Amendment*

1. The Commission shall register the information on ***operators of installations located in third countries*** and on ***those installations*** in a central database referred to in Article 14(4).

Or. en

#### **Amendment 772**

**Pietro Fiocchi**

#### **Proposal for a regulation Article 10 – paragraph 1**

##### *Text proposed by the Commission*

1. The Commission shall, ***upon request by an operator of an installation located in a third country***, ***register the information on that operator*** and on ***its installation in a*** central database referred to in Article 14(4).

##### *Amendment*

1. The Commission shall ***register the information on operators of installations located in third countries*** and on ***their installations in the*** central database referred to in Article 14(4).

Or. it

#### **Amendment 773**

**Ondřej Knotek**

#### **Proposal for a regulation Article 10 – paragraph 1**

*Text proposed by the Commission*

1. The Commission shall, ***upon request by an operator of an installation located in a third country***, register the information on ***that operator and on its installation*** in a central database referred to in Article 14(4).

*Amendment*

1. The Commission shall register the information on ***operators of installations located in third countries and those installations*** in a central database referred to in Article 14(4).

Or. en

**Amendment 774**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 10 – paragraph 1**

*Text proposed by the Commission*

1. The Commission shall, ***upon request by an operator of an installation located in a third country***, register the information on ***that operator*** and on ***its installation*** in a central database referred to in Article 14(4).

*Amendment*

1. The Commission shall register the information on ***operators of installations located in third countries*** and on ***those installations*** in a central database referred to in Article 14(4).

Or. en

**Amendment 775**  
**Luisa Regimenti, Massimiliano Salini, Aldo Patriciello, Fulvio Martusciello, Salvatore De Meo**

**Proposal for a regulation**  
**Article 10 – paragraph 1**

*Text proposed by the Commission*

1. The Commission shall, ***upon request by an operator of an installation located in a third country***, ***register the information on that operator*** and on ***its installation*** in a central database referred to in Article 14(4).

*Amendment*

1. The Commission shall ***register the information on operators of installations located in third countries*** and on ***their installations*** in the central database referred to in Article 14(4).

Or. it

#### **Amendment 776**

**Adam Jarubas, Esther de Lange, Ewa Kopacz, Maria Spyraiki, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

#### **Proposal for a regulation**

##### **Article 10 – paragraph 1**

###### *Text proposed by the Commission*

1. The Commission shall, upon request by an operator of an installation located in a third country, register the information on that operator and on its installation in a *central database* referred to in Article 14(4).

###### *Amendment*

1. The Commission shall, upon request by an operator of an installation located in a third country, register the information on that operator and on its installation in a **CBAM registry** referred to in Article 14.

Or. en

#### **Amendment 777**

**Luisa Regimenti, Massimiliano Salini, Aldo Patriciello, Fulvio Martusciello, Salvatore De Meo**

#### **Proposal for a regulation**

##### **Article 10 – paragraph 6**

###### *Text proposed by the Commission*

6. The records referred to in paragraph 5, point (c), shall be sufficiently detailed to enable the verification in accordance with paragraph 5, point (b), and to enable any competent authority to review, in accordance with Article 19(1), the CBAM declaration made by an authorised declarant to whom the relevant information was disclosed in accordance with paragraph 8.

###### *Amendment*

6. The records referred to in paragraph 5, point (c), shall be sufficiently detailed to enable the verification in accordance with paragraph 5, point (b), and to enable any competent authority to **conduct audits and** review, in accordance with Article 19(1), the CBAM declaration made by an authorised declarant to whom the relevant information was disclosed in accordance with paragraph 8.

Or. it

#### **Amendment 778**

**Agnès Evren**

**Proposal for a regulation**  
**Article 10 – paragraph 6**

*Text proposed by the Commission*

6. The records referred to in paragraph 5, point (c), shall be sufficiently detailed to enable the verification in accordance with paragraph 5, point (b), and to enable any competent authority to review, in accordance with Article 19(1), the CBAM declaration made by an authorised declarant to whom the relevant information was disclosed in accordance with paragraph 8.

*Amendment*

6. The records referred to in paragraph 5, point (c), shall be sufficiently detailed to enable the verification in accordance with paragraph 5, point (b), and to enable any competent authority to **verify and to** review, in accordance with Article 19(1), the CBAM declaration made by an authorised declarant to whom the relevant information was disclosed in accordance with paragraph 8.

Or. fr

**Amendment 779**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 10 – paragraph 6**

*Text proposed by the Commission*

6. The records referred to in paragraph 5, point (c), shall be sufficiently detailed to enable the verification in accordance with paragraph 5, point (b), and to enable any competent authority to review, in accordance with Article 19(1), the CBAM declaration made by an authorised declarant to whom the relevant information was disclosed in accordance with paragraph 8.

*Amendment*

6. The records referred to in paragraph 5, point (c), shall be sufficiently detailed to enable the verification in accordance with paragraph 5, point (b), and to enable any competent authority to **verify and to** review, in accordance with Article 19(1), the CBAM declaration made by an authorised declarant to whom the relevant information was disclosed in accordance with paragraph 8.

Or. en

**Amendment 780**  
**Danilo Oscar Lancini, Elena Lizzi, Catherine Griset, Rosanna Conte, Silvia Sardone, Matteo Adinolfi, Gianantonio Da Re**

**Proposal for a regulation**  
**Article 10 – paragraph 6**

*Text proposed by the Commission*

6. The records referred to in paragraph 5, point (c), shall be sufficiently detailed to enable the verification in accordance with paragraph 5, point (b), and to enable any competent authority to review, in accordance with Article 19(1), the CBAM declaration made by an authorised declarant to whom the relevant information was disclosed in accordance with paragraph 8.

*Amendment*

6. The records referred to in paragraph 5, point (c), shall be sufficiently detailed to enable the verification in accordance with paragraph 5, point (b), and to enable any competent authority to **verify and to** review, in accordance with Article 19(1), the CBAM declaration made by an authorised declarant to whom the relevant information was disclosed in accordance with paragraph 8.

Or. en

**Amendment 781**  
**Pietro Fiocchi**

**Proposal for a regulation**  
**Article 10 – paragraph 6**

*Text proposed by the Commission*

6. The records referred to in paragraph 5, point (c), shall be sufficiently detailed to enable the verification in accordance with paragraph 5, point (b), and to enable any competent authority to review, in accordance with Article 19(1), the CBAM declaration made by an authorised declarant to whom the relevant information was disclosed in accordance with paragraph 8.

*Amendment*

6. The records referred to in paragraph 5, point (c), shall be sufficiently detailed to enable the verification in accordance with paragraph 5, point (b), and to enable any competent authority to **conduct audits and** review, in accordance with Article 19(1), the CBAM declaration made by an authorised declarant to whom the relevant information was disclosed in accordance with paragraph 8.

Or. it

**Amendment 782**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 10 – paragraph 6**

*Text proposed by the Commission*

6. The records referred to in paragraph

*Amendment*

6. The records referred to in paragraph

5, point (c), **shall** be sufficiently detailed to enable the verification in accordance with paragraph 5, point (b), and to enable any competent authority to review, in accordance with Article 19(1), the CBAM declaration made by an authorised declarant to whom the relevant information was disclosed in accordance with paragraph 8.

5, point (c), **must** be sufficiently detailed to enable the verification in accordance with paragraph 5, point (b), and to enable any competent authority to review, in accordance with Article 19(1), the CBAM declaration made by an authorised declarant to whom the relevant information was disclosed in accordance with paragraph 8.

Or. cs

#### **Amendment 783**

**Yannick Jadot**

#### **Proposal for a regulation**

#### **Article 10 – paragraph 7**

*Text proposed by the Commission*

**7. An operator may disclose the information on the verification of embedded emissions referred to in paragraph 5 to an authorised declarant. The authorised declarant shall be entitled to avail itself of that disclosed information to fulfil the obligation referred to in Article 8.**

*Amendment*

**deleted**

Or. en

#### **Amendment 784**

**Luisa Regimenti, Massimiliano Salini, Aldo Patriciello, Fulvio Martusciello, Salvatore De Meo**

#### **Proposal for a regulation**

#### **Article 10 – paragraph 7**

*Text proposed by the Commission*

**7. An operator *may* disclose the information on the verification of embedded emissions referred to in paragraph 5 to an authorised declarant. The authorised declarant shall be entitled to avail itself of that disclosed information to**

*Amendment*

**7. An operator *must* disclose the information on the verification of embedded emissions referred to in paragraph 5 to an authorised declarant. The authorised declarant shall be entitled to avail itself of that disclosed information to**

fulfil the obligation referred to in Article 8.

fulfil the obligation referred to in Article 8.

Or. it

#### **Amendment 785**

**Pietro Fiocchi**

#### **Proposal for a regulation**

#### **Article 10 – paragraph 7**

##### *Text proposed by the Commission*

7. An operator **may** disclose the information on the verification of embedded emissions referred to in paragraph 5 to an authorised declarant. The authorised declarant shall be entitled to avail itself of that disclosed information to fulfil the obligation referred to in Article 8.

##### *Amendment*

7. An operator **must** disclose the information on the verification of embedded emissions referred to in paragraph 5 to an authorised declarant. The authorised declarant shall be entitled to avail itself of that disclosed information to fulfil the obligation referred to in Article 8.

Or. it

#### **Amendment 786**

**Adam Jarubas, Esther de Lange, Ewa Kopacz, Maria Spyrali, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

#### **Proposal for a regulation**

#### **Article 10 – paragraph 7**

##### *Text proposed by the Commission*

7. ***An operator may disclose*** the information on ***the verification of*** embedded emissions referred to in paragraph 5 ***to an authorised declarant.*** The authorised declarant shall be entitled to avail itself of that ***disclosed*** information to fulfil the obligation referred to in Article 8.

##### *Amendment*

7. The information on ***verified*** embedded emissions referred to in paragraph 5 ***shall be publicly accessible via the CBAM registry.*** The authorised declarant shall be entitled to avail itself of that information to fulfil the obligation referred to in Article 8.

Or. en

#### **Amendment 787**

**Stanislav Polčák**



**Proposal for a regulation**  
**Article 10 – paragraph 8**

*Text proposed by the Commission*

8. The operator may, at any time, ask to be deregistered from the database.

*Amendment*

8. The operator may, at any time, ask to be deregistered from the database. ***Such a request shall be granted by the Commission without undue delay.***

Or. cs

**Amendment 788**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 10 – paragraph 8**

*Text proposed by the Commission*

8. The operator may, ***at any time***, ask to be deregistered from the database.

*Amendment*

8. The operator may, ***after 10 years***, ask to be deregistered from the database.

Or. en

**Amendment 789**  
**Alexandr Vondra**

**Proposal for a regulation**  
**Article 10 – paragraph 8**

*Text proposed by the Commission*

8. The operator may, ***at any time***, ask to be deregistered from the database.

*Amendment*

8. The operator may, ***after 10 years***, ask to be deregistered from the database.

Or. en

**Amendment 790**  
**Ivan David**

**Proposal for a regulation**  
**Article 10 – paragraph 8**

*Text proposed by the Commission*

8. The operator may, ***at any time***, ask to be deregistered from the database.

*Amendment*

8. The operator may, ***after 10 years***, ask to be deregistered from the database.

Or. en

*Justification*

*In order to ensure robustness and reliability of data underlying the CBAM declarations, the central database shall contain also the information on the installations located in third countries, so that faster checks are allowed. Company records will be registered for at least 10 years.*

**Amendment 791**

**Ondřej Knotek**

**Proposal for a regulation**

**Article 10 – paragraph 8**

*Text proposed by the Commission*

8. The operator may, ***at any time***, ask to be deregistered from the database.

*Amendment*

8. The operator may, ***after 10 years***, ask to be deregistered from the database.

Or. en

**Amendment 792**

**Laura Huhtasaari**

**Proposal for a regulation**

**Article 10 – paragraph 8 a (new)**

*Text proposed by the Commission*

*Amendment*

***8a. The central database should, in so far as possible, mirror the information provided in the ETS database.***

Or. en

**Amendment 793**

**Danilo Oscar Lancini, Elena Lizzi, Catherine Griset, Rosanna Conte, Silvia Sardone,**

**Matteo Adinolfi, Gianantonio Da Re**

**Proposal for a regulation**

**Article 10 – paragraph 8 a (new)**

*Text proposed by the Commission*

*Amendment*

**8a. The central data base should, insofar as possible, mirror the information provided in the ETS database.**

Or. en

**Amendment 794**

**Cristian-Silviu Buşoi, Radan Kanev, Massimiliano Salini, Iuliu Winkler**

**Proposal for a regulation**

**Article 10 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 10a**

***Export adjustment to reduce the risk of carbon leakage and associated increases in global emissions***

***1. An export adjustment shall be granted to operators of installations subject to Directive 2003/87/EC for goods manufactured in the EU listed in Annex I and that are exported to third countries and territories other than those listed in Annex II, Section A.***

***2. The amount of the export adjustment shall be equal to the Euro value of the CBAM certificates published in accordance with Article 22(2) during the calendar week of export of the exported goods, multiplied by default values based on the average emission intensity of the 10 percent best performing Union installations for that type of good, multiplied by tons of goods falling within the scope of paragraph 1 of this Article. That calculation shall take also into account EU ETS benchmarking methodologies already established for***

*which the denominator is not expressed in tons of goods, for example refined products and steam-cracking, as well as other alternative methodologies, to the extent applicable.*

*3. Notwithstanding paragraph 2, where goods within the scope of paragraph 1 are produced in Union installations with an emission intensity that is lower than the default value for that type of product as set pursuant to paragraph 2, the amount of the export adjustment shall be calculated based on the actual embedded emissions per tonne of product calculated in accordance with the methodology of points 2 and 3 of Annex III.*

*4. The export adjustment shall be reduced to reflect the extent to which EU ETS allowances continue to be allocated free of charge in accordance with Article 10a of Directive 2003/87/EC to operators of installations producing the goods listed in Annex I in the Union.*

*5. The Commission is empowered to adopt implementing acts, in accordance with the examination procedure referred to in Article 29(2), establishing methodologies to define the amount of the export adjustment in accordance with paragraph 2 and 3 of this Article.*

*6. The Commission is empowered to adopt delegated acts, in accordance with Article 28, defining the procedures and requirements to grant an export adjustment under paragraph 1 of this Article in accordance with paragraphs 2, 3, and 4 of this Article and the methodologies defined in accordance with paragraph 5 of this Article.*

*7. When drafting the implementing and delegated acts referred to in paragraphs 5 and 6 respectively, the Commission shall give all interested parties and third countries an opportunity to comment.*

*8. The Commission shall regularly assess, on a third country or group of countries basis, whether Union producers continue*

*to require the export adjustment of paragraph 1 in order to prevent the risk of carbon leakage. In doing so, the Commission shall monitor and consult with third countries on the extent to which they adopt carbon prices and equivalent measures comparable to that in the Union, with special attention to interrelated carbon leakage protection measures, taking into account the principle of common but differentiated responsibilities and respective capabilities, in the light of different national circumstances.*

*On the basis of this assessment, by [ end of transitional period] and every five years thereafter, the Commission shall present a report on the progress made by third countries and the extent to which a Union export adjustment continues to be necessary. Where appropriate, the Commission shall present to the European Parliament and to the Council a legislative proposal suspending the export adjustment or introducing any necessary modifications.*

Or. en

#### **Amendment 795**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Agnès Evren, Maria Spyraiki, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

#### **Proposal for a regulation**

#### **Chapter III – title**

*Text proposed by the Commission*

*Amendment*

**Competent authorities**

**CBAM authority**

*(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)*

Or. en

*Justification*

*In order to maintain proper and equal functioning of CBAM, the system shall be centralised. Therefore competent authorities of the Member States shall be replaced by CBAM authority.*

**Amendment 796**

**Yannick Jadot**

**Proposal for a regulation**  
**Chapter III – title**

*Text proposed by the Commission*

*Amendment*

**Competent authorities**

**The CBAM authority**

Or. en

**Amendment 797**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Agnès Evren, Maria Spyraiki, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**  
**Article 11 – title**

*Text proposed by the Commission*

*Amendment*

**Competent authorities**

**Appointment of the CBAM authority**

Or. en

*Justification*

*In order to maintain proper and equal functioning of CBAM, the system shall be centralised. Therefore competent authorities of the Member States shall be replaced by CBAM authority.*

**Amendment 798**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Agnès Evren, Maria Spyraiki, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**  
**Article 11 – paragraph -1 (new)**

*Text proposed by the Commission*

*Amendment*

***-1. The Commission shall appoint the competent authority to perform the obligations referred to in Articles 17 to 24 as the CBAM authority.***

Or. en

**Amendment 799**

**Yannick Jadot**

**Proposal for a regulation**

**Article 11 – title**

*Text proposed by the Commission*

*Amendment*

***Competent authorities***

***Appointment of the CBAM authority***

Or. en

**Amendment 800**

**Laura Huhtasaari**

**Proposal for a regulation**

**Article 11 – title**

*Text proposed by the Commission*

*Amendment*

Competent ***authorities***

Competent ***authority***

Or. en

**Amendment 801**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Maria Spyrali, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**

**Article 11 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

**1. Each Member State shall designate the competent authority to carry out the obligations under this Regulation and inform the Commission thereof.**

**deleted**

***The Commission shall make available to the Member States a list of all competent authorities and publish this information in the Official Journal of the European Union.***

Or. en

#### **Amendment 802**

**Agnès Evren**

#### **Proposal for a regulation**

#### **Article 11 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

**1. Each Member State shall designate the competent authority *to carry* out the obligations under this Regulation and inform the *Commission* thereof.**

**1. The European central CBAM authority shall be responsible for supervising the proper application of the obligations laid down by this Regulation. It shall report to the Commission. An implementing regulation shall be issued setting out its composition and mandate. Each Member State shall designate the *national* competent authority *responsible for cooperating with the European central CBAM authority and carrying* out the obligations under this Regulation and *shall* inform the *European central CBAM authority* thereof.**

Or. fr

#### **Amendment 803**

**Laura Huhtasaari**

#### **Proposal for a regulation**

#### **Article 11 – paragraph 1 – subparagraph 1**



*Text proposed by the Commission*

1. Each Member State shall designate the competent authority to carry out the obligations under this Regulation and inform the Commission **thereof**.

*Amendment*

1. Each Member State shall designate the **national** competent authority to carry out the obligations **and cooperate with the EU CBAM authority** under this Regulation and inform the **EU CBAM authority thereof**. **The Commission shall make available to the Member States a list of all competent national authorities and publish this information in the Official Journal of the European Union.**

Or. en

**Amendment 804**

**Yannick Jadot**

**Proposal for a regulation**

**Article 11 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

1. **Each Member State** shall **designate the competent** authority to **carry out** the obligations under this Regulation **and inform the Commission thereof**.

*Amendment*

1. **1. The Commission** shall **appoint the CBAM** authority to **perform** the obligations under this Regulation.

Or. en

**Amendment 805**

**Simona Baldassarre**

**Proposal for a regulation**

**Article 11 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

1. Each Member State shall designate the competent authority to carry out the obligations under this Regulation and inform the Commission thereof.

*Amendment*

1. Each Member State shall designate the competent authority to carry out the obligations under this Regulation and **may** inform the Commission thereof.

Or. it

**Amendment 806**

**Yannick Jadot**

**Proposal for a regulation**

**Article 11 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*The Commission shall make available to the Member States a list of all competent authorities and publish this information in the Official Journal of the European Union.*

*deleted*

Or. en

**Amendment 807**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Maria Spyrali, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**

**Article 11 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*The Commission shall make available to the Member States a list of all competent authorities and publish this information in the Official Journal of the European Union.*

*deleted*

Or. en

**Amendment 808**

**Danilo Oscar Lancini, Elena Lizzi, Catherine Griset, Rosanna Conte, Silvia Sardone, Matteo Adinolfi, Gianantonio Da Re**

**Proposal for a regulation**

**Article 11 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

The Commission shall make available to the Member States a list of all competent authorities and publish this information in the Official Journal of the European Union.

*Amendment*

The Commission shall make available to the Member States a list of all competent ***national*** authorities and publish this information in the Official Journal of the European Union.

Or. en

**Amendment 809**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 11 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. A central CBAM authority at the EU level is established for the purpose of implementing and managing this Regulation. Its composition and task shall be established by way of a separate Regulation.***

Or. en

**Amendment 810**  
**Yannick Jadot**

**Proposal for a regulation**  
**Article 11 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

***2. Member States shall require that competent authorities exchange any information that is essential or relevant to the exercise of their functions and duties.***

***deleted***

Or. en

## Amendment 811

Adam Jarubas

on behalf of the EPP Group

Esther de Lange, Ewa Kopacz, Maria Spyra, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat

### Proposal for a regulation

#### Article 11 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. **Member States shall require that competent authorities exchange any information that is essential or relevant to the exercise of their functions and duties.**

**deleted**

Or. en

## Amendment 812

Agnès Evren

### Proposal for a regulation

#### Article 11 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. Member States shall require that competent authorities exchange any information that is essential or relevant to the exercise of their functions and duties.

2. Member States shall require that ***national*** competent authorities exchange any information that is essential or relevant to the exercise of their functions and duties ***through a network established under the responsibility of the European central CBAM authority.***

Or. fr

## Amendment 813

Laura Huhtasaari

### Proposal for a regulation

#### Article 11 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. Member States shall require that competent authorities exchange any

2. Member States shall require that ***national*** competent authorities exchange

information that is essential or relevant to the exercise of their functions and duties.

any information that is essential or relevant to the exercise of their functions and duties *through a network established under the responsibility of the EU CBAM authority.*

Or. en

**Amendment 814**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 11 – paragraph 2**

*Text proposed by the Commission*

2. Member States shall **require** that competent authorities exchange any information that is essential or relevant to the exercise of their functions and duties.

*Amendment*

2. Member States shall **ensure** that competent authorities exchange any information that is essential or relevant to the exercise of their functions and duties.

Or. cs

**Amendment 815**  
**Yannick Jadot**

**Proposal for a regulation**  
**Article 12**

*Text proposed by the Commission*

**Article 12**

**Commission**

***The Commission shall assist the competent authorities in carrying out their obligations under this Regulation and coordinate their activities.***

*Amendment*

***deleted***

Or. en

**Amendment 816**  
**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Maria Spyrali, Radan Kanev, Liudas Mažylis, Cristian-**

**Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**

**Article 12 – title**

*Text proposed by the Commission*

*Amendment*

**Commission**

***Decisions taken by the CBAM authority***

Or. en

**Amendment 817**

**Laura Huhtasaari**

**Proposal for a regulation**

**Article 12 – title**

*Text proposed by the Commission*

*Amendment*

**Commission**

***Competent authorities***

Or. en

**Amendment 818**

**Yannick Jadot**

**Proposal for a regulation**

**Article 12 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

***The Commission shall assist the competent authorities in carrying out their obligations under this Regulation and coordinate their activities.***

***deleted***

Or. en

**Amendment 819**

**Adam Jarubas**

**on behalf of the EPP Group**

**Esther de Lange, Ewa Kopacz, Agnès Evren, Maria Spyraiki, Radan Kanev, Liudas**

**Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**  
**Article 12 – paragraph 1**

*Text proposed by the Commission*

The Commission shall *assist the competent authorities in carrying out their obligations under this Regulation and coordinate their activities.*

*Amendment*

- 1. The CBAM authority shall, without delay, take any decision that is required to implement this Regulation.*
- 2. Any decision of the CBAM authority shall take effect from the date of its notification to the addressee of the decision.*
- 3. If the CBAM authority considers that it does not have all the necessary information to take a decision, it shall contact the addressee of the decision and specify what additional information is required. The addressee of the decision shall submit the required information to the CBAM authority without delay.*
- 4. The addressee of the decision shall inform the CBAM authority without delay of any changes to the information provided arising after the decision was taken, which may influence its continuation or content. In this case, the CBAM authority shall reassess its decision in light of that information.*
- 5. Any decision taken by the CBAM authority which adversely affects the addressee of the decision shall set out the grounds on which it is based and shall include a reference to the right of appeal provided for in Article 27a. Before the decision is taken, the CBAM authority shall give the addressee of the decision the opportunity to make its point of view known to the CBAM authority within a fixed period of time. Following the expiry of that period, the addressee of the decision shall be notified of the decision in the appropriate form.*
- 6. The CBAM authority may, at any time, annul, revoke or amend its decision upon reasoned request by the addressee of the decision or on its own initiative, if*

*appropriate.*

7. The Commission shall *specify, by means of implementing acts, any further detailed arrangement or procedural rule concerning the decision-making of the CBAM authority. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).*

Or. en

## Amendment 820

Agnès Evren

### Proposal for a regulation

#### Article 12 – paragraph 1

##### *Text proposed by the Commission*

The Commission shall assist the competent authorities in carrying out their obligations under this Regulation and coordinate their activities.

##### *Amendment*

The Commission shall assist the ***European central CBAM authority and the*** competent ***national*** authorities in carrying out their obligations under this Regulation and coordinate their activities. ***In this connection, the Commission shall produce a guide and instructional documentation to assist the national competent authorities. Where applicable, the Commission shall update those documents.***

Or. fr

## Amendment 821

Laura Huhtasaari

### Proposal for a regulation

#### Article 12 – paragraph 1

##### *Text proposed by the Commission*

The ***Commission*** shall ***assist*** the competent authorities in carrying out ***their*** obligations under this Regulation and coordinate their

##### *Amendment*

The ***EU CBAM authority*** shall ***be assisted by*** the competent ***national*** authorities in carrying out ***its*** obligations under this



activities.

Regulation and **shall** coordinate their activities.

Or. en

## Amendment 822

Anna Zalewska

### Proposal for a regulation

#### Article 12 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***By [1 January 2024], the Commission shall publish detailed guidelines setting out the responsibilities of the competent authorities, the sources and principles of funding of their actions to fulfil the obligations imposed by this Regulation as well as a precise description of the responsibilities of and procedures for the national competent authorities in cases of proven breaches of this Regulation.***

Or. en

## Amendment 823

Agnès Evren

### Proposal for a regulation

#### Article 13 – paragraph 1

*Text proposed by the Commission*

*Amendment*

All information acquired by the competent **authority** in the course of performing **its duty** which is by its nature confidential or which is provided on a confidential basis shall be covered by an obligation of professional secrecy. Such information shall not be disclosed by the competent authority without the express permission of the person or authority that provided it. It may be shared with customs authorities, the Commission and the European Public Prosecutors Office and shall be treated in

All information acquired by the **central or national** competent **authorities** in the course of performing **their duties** which is by its nature confidential or which is provided on a confidential basis shall be covered by an obligation of professional secrecy. Such information shall not be disclosed by the competent authority without the express permission of the person or authority that provided it. It may be shared with customs authorities, the Commission and the European Public

accordance with Council Regulation (EC)  
No 515/97.

Prosecutors Office and shall be treated in  
accordance with Council Regulation (EC)  
No 515/97.

Or. fr

**Amendment 824**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 13 – paragraph 1**

*Text proposed by the Commission*

All information acquired by the competent **authority** in the course of performing **its** duty which is by its nature confidential or which is provided on a confidential basis shall be covered by an obligation of professional secrecy. Such information shall not be disclosed by the competent authority without the express permission of the person or authority that provided it. It may be shared with customs authorities, the Commission and the European Public Prosecutors Office and shall be treated in accordance with Council Regulation (**EC**) **No 515/97**.

*Amendment*

All information acquired by the **central and national** competent **authorities** in the course of performing **their** duty which is by its nature confidential or which is provided on a confidential basis shall be covered by an obligation of professional secrecy. Such information shall not be disclosed by the competent authority without the express permission of the person or authority that provided it. It may be shared with customs authorities, the Commission and the European Public Prosecutors Office and shall be treated in accordance with Council Regulation(**EC**) **No 515/97**.

Or. en

**Amendment 825**  
**Yannick Jadot**

**Proposal for a regulation**  
**Article 14 – title**

*Text proposed by the Commission*

**National registries and central database**

*Amendment*

**CBAM registry**

Or. en

#### **Amendment 826**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Maria Spyra, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

#### **Proposal for a regulation**

##### **Article 14 – title**

*Text proposed by the Commission*

*Amendment*

***National registries and central database***

***CBAM Registry***

Or. en

#### **Amendment 827**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Maria Spyra, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

#### **Proposal for a regulation**

##### **Article 14 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. The *competent* authority *of each Member State* shall *establish a national registry of declarants authorised in that Member State in the form of a standardised electronic database containing the data regarding the* CBAM certificates *of those declarants, and to provide for confidentiality* in accordance with the conditions set *out in Article 13*.

1. The ***CBAM*** Authority shall ***set up a CBAM Registry for the execution of processes relating to*** CBAM certificates, in accordance with the conditions set ***in Articles 22 to 26***.

Or. en

#### **Amendment 828**

**Yannick Jadot**

#### **Proposal for a regulation**

##### **Article 14 – paragraph 1**

*Text proposed by the Commission*

1. The **competent** authority **of each Member State** shall establish a **national** registry of **declarants** authorised **in that Member State** in the form of a standardised electronic database containing the data regarding the CBAM certificates of those declarants, and to provide for confidentiality in accordance with the conditions set out in Article 13.

*Amendment*

1. The **CBAM** authority shall establish a registry of authorised **declarants** in the form of a standardised electronic database containing the data regarding the CBAM certificates of those declarants, and to provide for confidentiality in accordance with the conditions set out in Article 13.

Or. en

**Amendment 829**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Maria Spyraiki, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**

**Article 14 – paragraph 2 – introductory part**

*Text proposed by the Commission*

2. The **database referred to in paragraph 1** shall contain **accounts** with information about each authorised declarant, in particular:

*Amendment*

2. The **CBAM registry** shall contain **a database** with information about each authorised declarant, in particular:

Or. en

**Amendment 830**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Maria Spyraiki, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**

**Article 14 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. The CBAM registry shall also contain, in a separate section of the**

*database, the names and additional details of the operator and of the third country installations registered in accordance with Article 10.*

Or. en

**Amendment 831**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 14 – paragraph 3**

*Text proposed by the Commission*

3. The information in the database referred to in paragraph 2 shall be confidential.

*Amendment*

3. The information in the database referred to in paragraph 2 shall be ***made available to the public, unless it is proven that it is business confidential according to the relevant EU legislation.*** ***Confidential information shall include meaningful non-confidential summaries. Information equivalent to the one made publicly available for EU producers under the EU ETS central database shall be made public.***

Or. en

**Amendment 832**  
**Ivan David**

**Proposal for a regulation**  
**Article 14 – paragraph 3**

*Text proposed by the Commission*

3. The information in the database referred to in paragraph 2 shall be confidential.

*Amendment*

3. The information in the database referred to in paragraph 2 shall be ***made available to the public, unless it is proven that it is business confidential according to the relevant EU legislation.*** ***Confidential information shall include meaningful non-confidential summaries. Information equivalent to the one made publicly available for EU producers under***

***the EU ETS central database shall be made public.***

Or. en

*Justification*

*The level of transparency of the CBAM central database shall be equivalent to that of the EU ETS.*

**Amendment 833**  
**Marian-Jean Marinescu**

**Proposal for a regulation**  
**Article 14 – paragraph 3**

*Text proposed by the Commission*

3. The information in the database referred to in paragraph 2 shall be confidential.

*Amendment*

3. The information in the database referred to in paragraph 2 shall be ***available to the public, unless it is deemed as business confidential. Information equivalent to the one made publicly available for EU producers under the EU ETS central database shall be made public.***

Or. en

**Amendment 834**  
**Dolors Montserrat**

**Proposal for a regulation**  
**Article 14 – paragraph 3**

*Text proposed by the Commission*

3. The information in the database referred to in paragraph 2 shall be confidential.

*Amendment*

3. The information in the database referred to in paragraph 2 shall be ***made public, except for those parts that need to be protected as confidential according to the relevant EU legislation, and equivalent to the one made publicly available for EU producers under the EU emission trading database.***

**Amendment 835**

**Nicolae Ștefănuță, Emma Wiesner, Frédérique Ries, María Soraya Rodríguez Ramos, Susana Solís Pérez, Jan Huitema, Linea Søgaaard-Lidell, Michal Wiezik**

**Proposal for a regulation  
Article 14 – paragraph 3**

*Text proposed by the Commission*

3. The information in the database referred to in paragraph 2 shall be confidential.

*Amendment*

3. The information in the database referred to in paragraph 2 shall be ***made available to the public, unless it is deemed as business*** confidential. ***Information equivalent to the one made publicly available for EU producers under the EU ETS central database shall be made public.***

**Amendment 836**

**Radan Kanev**

**Proposal for a regulation  
Article 14 – paragraph 3**

*Text proposed by the Commission*

3. The information in the database referred to in paragraph 2 shall be confidential.

*Amendment*

3. The information in the database referred to in paragraph 2 shall be ***made available to the public, unless it is deemed as business*** confidential. ***Information equivalent to the one made publicly available for EU producers under the EU ETS central database shall be made public.***

**Amendment 837**

**Rovana Plumb**

**Proposal for a regulation**  
**Article 14 – paragraph 3**

*Text proposed by the Commission*

3. The information in the database referred to in paragraph 2 shall be confidential.

*Amendment*

3. The information in the database referred to in paragraph 2 shall be ***made available to the public, unless it is deemed as business confidential. Information equivalent to the one made publicly available for EU producers under the EU ETS central database shall be made public.***

Or. en

*Justification*

*The transparency requirements of the CBAM central database shall be equivalent to that of the EU ETS.*

**Amendment 838**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Maria Spyra, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**  
**Article 14 – paragraph 3**

*Text proposed by the Commission*

3. ***The information in the*** database referred to in paragraph 2 shall be confidential.

*Amendment*

3. ***This*** database shall be confidential. ***Only the names of the authorised declarants and of the operator and of the third country installations included in the database shall be accessible to the public.***

Or. en

**Amendment 839**

**Hermann Tertsch, Alexandr Vondra, Pietro Fiocchi**

**Proposal for a regulation**  
**Article 14 – paragraph 3**



*Text proposed by the Commission*

3. The information in the database referred to in paragraph 2 shall be confidential.

*Amendment*

3. The information in the database referred to in paragraph 2 shall be **public and accessible unless considered as confidential business information**.

Or. en

**Amendment 840**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 14 – paragraph 3**

*Text proposed by the Commission*

3. The information in the database referred to in paragraph 2 shall be confidential.

*Amendment*

3. The information in the database referred to in paragraph 2, with the exception of the name of the approved declarant, shall be confidential.

Or. cs

**Amendment 841**  
**Agnès Evren**

**Proposal for a regulation**  
**Article 14 – paragraph 4**

*Text proposed by the Commission*

4. The **Commission** shall establish a central database accessible to the public containing the names, addresses and contact details of the operators and the location of installations in third countries in accordance with Article 10(2). An operator may choose not to have its name, address and contact details accessible to the public.

*Amendment*

4. The **European central CBAM authority** shall establish a central database accessible to the public containing the names, addresses and contact details of the operators and the location of installations in third countries in accordance with Article 10(2). An operator may choose not to have its name, address and contact details accessible to the public **but reasons must be duly given for this and the national competent authorities shall have this information**.

**Amendment 842**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 14 – paragraph 4**

*Text proposed by the Commission*

4. The **Commission** shall establish a central database accessible to the public containing the names, addresses and contact details of the operators **and the** location of installations in third countries in accordance with Article 10(2). An operator may choose not to have its name, address and contact details accessible to the public.

*Amendment*

4. The **EU CBAM authority** shall establish a central database **at the EU level** accessible to the public containing the names, addresses and contact details of the operators **and the** location of installations in third countries in accordance with Article 10(2). An operator may choose not to have its name, address and contact details accessible to the public. **The central database should in so far as possible, mirror the ETS database.**

Or. en

**Amendment 843**  
**Danilo Oscar Lancini, Elena Lizzi, Catherine Griset, Rosanna Conte, Silvia Sardone, Matteo Adinolfi, Gianantonio Da Re**

**Proposal for a regulation**  
**Article 14 – paragraph 4**

*Text proposed by the Commission*

4. The Commission shall establish a central database accessible to the public containing the names, addresses and contact details of the operators and the location of installations in third countries in accordance with Article 10(2). An operator may choose not to have its name, address and contact details accessible to the public.

*Amendment*

4. The Commission shall establish a central database **at the EU level** accessible to the public containing the names, addresses and contact details of the operators and the location of installations in third countries in accordance with Article 10(2). An operator may choose not to have its name, address and contact details accessible to the public. **The central database should insofar as possible, mirror the ETS database.**

Or. en

## Amendment 844

Ivan David

### Proposal for a regulation

#### Article 14 – paragraph 4

##### *Text proposed by the Commission*

4. The Commission shall establish a central database accessible to the public containing the names, addresses and contact details of the operators and the location of installations in third countries in accordance with Article 10(2). ***An operator may choose not to have its name, address and contact details accessible to the public.***

##### *Amendment*

4. The Commission shall establish a central database accessible to the public containing the names, addresses and contact details of the operators and the location of installations in third countries in accordance with Article 10(2).

Or. en

## Amendment 845

Adam Jarubas

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Maria Spyrali, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolores Montserrat**

### Proposal for a regulation

#### Article 14 – paragraph 4

##### *Text proposed by the Commission*

4. The Commission shall ***establish a central database accessible to the public*** containing the ***names, addresses and contact details of the operators and the location of installations in third countries*** in accordance with Article 10(2). ***An operator may choose not to have its name, address and contact details accessible to the public.***

##### *Amendment*

4. The Commission shall ***adopt implementing acts concerning the infrastructure and specific processes of the CBAM Registry and the electronic databases*** containing the ***information above. Those implementing acts shall be adopted*** in accordance with ***the examination procedure referred to in*** Article 29(2).

Or. en

**Amendment 846**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Maria Spyra, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**

**Article 15**

*Text proposed by the Commission*

*Amendment*

**Article 15**

**deleted**

**Central administrator**

**1. The Commission shall act as central administrator to maintain an independent transaction log recording the purchase of CBAM certificates, their holding, surrender, re-purchase and cancellation and ensure coordination of national registries.**

**2. The central administrator shall carry out risk-based controls on transactions recorded in national registries through an independent transaction log to ensure that there are no irregularities in the purchase, holding, surrender, re-purchase and cancellation of CBAM certificates.**

**3. If irregularities are identified as a result of the controls carried out under paragraph 2, the Commission shall inform the Member State or Member States concerned for further investigation in order to correct the identified irregularities.**

Or. en

*Justification*

*Central CBAM registry is established in place of national registries, therefore there is no need of separate central registry and central administrator.*

**Amendment 847**

**Yannick Jadot**

**Proposal for a regulation**  
**Article 15**

*Text proposed by the Commission*

*Amendment*

**Article 15**

*deleted*

**Central administrator**

- 1. The Commission shall act as central administrator to maintain an independent transaction log recording the purchase of CBAM certificates, their holding, surrender, re-purchase and cancellation and ensure coordination of national registries.**
- 2. The central administrator shall carry out risk-based controls on transactions recorded in national registries through an independent transaction log to ensure that there are no irregularities in the purchase, holding, surrender, re-purchase and cancellation of CBAM certificates.**
- 3. If irregularities are identified as a result of the controls carried out under paragraph 2, the Commission shall inform the Member State or Member States concerned for further investigation in order to correct the identified irregularities.**

Or. en

**Amendment 848**  
**Agnès Evren**

**Proposal for a regulation**  
**Article 15 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. The **Commission** shall act as central administrator to maintain an independent transaction log recording the purchase of CBAM certificates, their holding, surrender, re-purchase and cancellation and ensure coordination of

1. The **European central CBAM authority** shall act as central administrator to maintain an independent transaction log recording the purchase of CBAM certificates, their holding, surrender, re-purchase and cancellation and ensure

national registries.

coordination of national registries.

Or. fr

**Amendment 849**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 15 – paragraph 1**

*Text proposed by the Commission*

1. The **Commission** shall act as central administrator to maintain an independent transaction log recording the purchase of CBAM certificates, their holding, surrender, re-purchase and cancellation and ensure coordination of national registries.

*Amendment*

1. The **EU CBAM authority** shall act as central administrator to maintain an independent transaction log recording the purchase of CBAM certificates, their holding, surrender, re-purchase and cancellation and ensure coordination of national registries.

Or. en

**Amendment 850**  
**Agnès Evren**

**Proposal for a regulation**  
**Article 15 – paragraph 2**

*Text proposed by the Commission*

2. The central administrator shall carry out risk-based controls on transactions recorded in national registries through an independent transaction log to ensure that there are no irregularities in the purchase, holding, surrender, re-purchase and cancellation of CBAM certificates.

*Amendment*

2. The central administrator shall carry out risk-based controls on transactions recorded in national registries through an independent transaction log to ensure that there are no irregularities in the **calculation**, purchase, holding, surrender, re-purchase and cancellation of CBAM certificates.

Or. fr

**Amendment 851**  
**Deirdre Clune**

**Proposal for a regulation**  
**Article 15 – paragraph 2**

*Text proposed by the Commission*

2. The central administrator shall carry out risk-based controls on transactions recorded in national registries through an independent transaction log to ensure that there are no irregularities in the purchase, holding, surrender, re-purchase and cancellation of CBAM certificates.

*Amendment*

2. The central administrator shall carry out risk-based controls on transactions recorded in national registries through an independent transaction log to ensure that there are no irregularities in the **calculation**, purchase, holding, surrender, re-purchase and cancellation of CBAM certificates.

Or. en

**Amendment 852**  
**Alexandr Vondra**

**Proposal for a regulation**  
**Article 15 – paragraph 3**

*Text proposed by the Commission*

3. If irregularities are identified as a result of the controls carried out under paragraph 2, the Commission shall inform the Member State or Member States concerned for further investigation in order to correct the identified irregularities.

*Amendment*

3. If irregularities are identified as a result of the controls carried out under paragraph 2, the Commission shall inform the Member State or Member States concerned for further investigation in order to correct the identified irregularities.  
***Identified irregularities shall be corrected at the latest within one month from the day where they were identified, and, where appropriate, penalties pursuant to Article 27 shall apply.***

Or. en

**Amendment 853**  
**Ivan David**

**Proposal for a regulation**  
**Article 15 – paragraph 3**

*Text proposed by the Commission*

3. If irregularities are identified as a result of the controls carried out under paragraph 2, the Commission shall inform the Member State or Member States concerned for further investigation in order to correct the identified irregularities.

*Amendment*

3. If irregularities are identified as a result of the controls carried out under paragraph 2, the Commission shall inform the Member State or Member States concerned for further investigation in order to correct the identified irregularities.  
***Identified irregularities shall be corrected at the latest within one month from the day where they were identified, and, where appropriate, penalties pursuant to article 27 shall apply.***

Or. en

*Justification*

*Identified irregularities in the central database need to be corrected as soon as possible (one month from their identification) and where appropriate they should be subject to appropriate penalties.*

**Amendment 854**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 15 – paragraph 3**

*Text proposed by the Commission*

3. If irregularities are identified as a result of the controls carried out under paragraph 2, the Commission shall inform the Member State or Member States concerned for further investigation in order to correct the identified irregularities.

*Amendment*

3. If irregularities are identified as a result of the controls carried out under paragraph 2, the Commission shall inform the Member State or Member States concerned for further investigation in order to correct the identified irregularities.  
***Identified irregularities shall be corrected at the latest within one month from the day where they were identified, and, where appropriate, penalties pursuant to article 27 shall apply.***

Or. en



**Amendment 855**

**Yannick Jadot**

**Proposal for a regulation**

**Article 16 – title**

*Text proposed by the Commission*

*Amendment*

Accounts in the *national registries*

Accounts in the *CBAM registry*

Or. en

**Amendment 856**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Maria Spyra, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**

**Article 16 – title**

*Text proposed by the Commission*

*Amendment*

Accounts in the *national registries*

Accounts in the *CBAM Registry*

Or. en

**Amendment 857**

**Laura Huhtasaari**

**Proposal for a regulation**

**Article 16 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. The competent authority shall assign to each authorised declarant a unique CBAM account number.

1. The *national* competent authority shall assign to each authorised declarant a unique CBAM account number *which will be registered with the EU CBAM Authority*.

Or. en

## Amendment 858

Agnès Evren

### Proposal for a regulation

#### Article 16 – paragraph 1

*Text proposed by the Commission*

1. The competent authority shall assign to each authorised declarant a unique CBAM account number.

*Amendment*

1. The ***national*** competent authority shall assign to each authorised declarant a unique CBAM account number ***registered by the European central CBAM authority.***

Or. fr

## Amendment 859

Adam Jarubas

on behalf of the EPP Group

Esther de Lange, Ewa Kopacz, Maria Spyraiki, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat

### Proposal for a regulation

#### Article 16 – paragraph 1

*Text proposed by the Commission*

1. The ***competent*** authority shall assign to each authorised declarant a unique CBAM account number.

*Amendment*

1. The ***CBAM*** authority shall assign to each authorised declarant a unique CBAM account number.

Or. en

## Amendment 860

Adam Jarubas

on behalf of the EPP Group

Esther de Lange, Ewa Kopacz, Maria Spyraiki, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat

### Proposal for a regulation

#### Article 16 – paragraph 2

*Text proposed by the Commission*

2. Each ***authorised*** declarant shall be granted access to its account in the registry.

*Amendment*

2. Each declarant shall be granted access to its account in the ***CBAM*** registry ***to fulfil its obligations pursuant to Article***

**Amendment 861****Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Maria Spyra, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat****Proposal for a regulation****Article 16 – paragraph 4 a (new)***Text proposed by the Commission**Amendment*

**4a. The Commission shall adopt implementing acts laying down procedures concerning the accounts of the CBAM Registry. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).**

**Amendment 862****Agnès Evren****Proposal for a regulation****Article 17 – paragraph 1 – introductory part***Text proposed by the Commission**Amendment*

1. The competent authority shall authorise a declarant who submits an application for authorisation in accordance with Article 5(1), if the following conditions are fulfilled:

1. The **national** competent authority shall authorise a declarant who submits an application for authorisation in accordance with Article 5(1), if the following conditions are fulfilled:

**Amendment 863****Laura Huhtasaari**

## Proposal for a regulation

### Article 17 – paragraph 1 – introductory part

#### *Text proposed by the Commission*

1. The competent authority shall authorise a declarant who submits an application for authorisation in accordance with Article 5(1), if the following conditions are fulfilled:

#### *Amendment*

1. The ***national*** competent authority shall authorise a declarant who submits an application for authorisation in accordance with Article 5(1), if the following conditions are fulfilled:

Or. en

## Amendment 864

Antoni Comín i Oliveres

## Proposal for a regulation

### Article 17 – paragraph 1 – introductory part

#### *Text proposed by the Commission*

1. The competent authority shall authorise a declarant who submits an application for authorisation in accordance with Article 5(1), if the following conditions are fulfilled:

#### *Amendment*

1. The ***CBAM*** competent authority shall authorise a declarant who submits an application for authorisation in accordance with Article 5(1), if the following conditions are fulfilled:

Or. en

## Amendment 865

Laura Huhtasaari

## Proposal for a regulation

### Article 17 – paragraph 1 – point a

#### *Text proposed by the Commission*

(a) the declarant ***has*** not been involved in a serious infringement or repeated infringements of customs legislation, taxation rules and market abuse rules and has no record of serious criminal offences relating to its economic activity during the five years preceding the application;

#### *Amendment*

(a) ***(a) the declarant and the operators of installations located in third countries from whom the declarants sources goods have respectively*** not been involved in a serious infringement or repeated infringements of customs legislation, ***circumvention of antidumping or anti-subsidy duties***, taxation rules and market abuse rules and has no record of serious

criminal offences relating to its economic activity during the five years preceding the application

Or. en

## Amendment 866

Ivan David

### Proposal for a regulation

#### Article 17 – paragraph 1 – point a

##### *Text proposed by the Commission*

(a) the declarant has not been involved in a serious infringement or repeated infringements of customs legislation, taxation rules and market abuse rules and has no record of serious criminal offences relating to its economic activity during the five years preceding the application;

##### *Amendment*

(a) the declarant has ***and the operators of installations located in third countries from whom the declarants sources goods have respectively*** not been involved in a serious infringement or repeated infringements of customs legislation, ***circumvention of antidumping or antisubsidy duties***, taxation rules and market abuse rules and has no record of serious criminal offences relating to its economic activity during the five years preceding the application;

Or. en

##### *Justification*

*The legal conditions for receiving an import authorisation should apply not only to the declarant (i.e. the importer), but also to the third countries' producers that provide their goods to the declarant.*

## Amendment 867

Alexandr Vondra

### Proposal for a regulation

#### Article 17 – paragraph 1 – point a

##### *Text proposed by the Commission*

(a) the declarant ***has*** not been involved in a serious infringement or repeated infringements of customs legislation,

##### *Amendment*

(a) the declarant ***and the operators of installations located in third countries from whom the declarants sources goods***

taxation rules and market abuse rules and has no record of serious criminal offences relating to its economic activity during the five years preceding the application;

*have respectively* not been involved in a serious infringement or repeated infringements of customs legislation, ***circumvention of antidumping or anti-subsidy duties***, taxation rules and market abuse rules and has no record of serious criminal offences relating to its economic activity during the five years preceding the application;

Or. en

#### **Amendment 868**

**Anna Zalewska**

#### **Proposal for a regulation**

#### **Article 17 – paragraph 1 – point a**

##### *Text proposed by the Commission*

(a) the declarant has not been involved in a serious infringement or repeated infringements of customs legislation, taxation rules and market abuse rules and has no record of serious criminal offences relating to its economic activity during the five years preceding the application;

##### *Amendment*

(a) the declarant has not been involved in a serious infringement or repeated infringements of customs legislation, ***circumventing anti-dumping or anti-subsidy duties***, taxation rules and market abuse rules and has no record of serious criminal offences relating to its economic activity during the five years preceding the application;

Or. en

#### **Amendment 869**

**Stanislav Polčák**

#### **Proposal for a regulation**

#### **Article 17 – paragraph 1 – point a**

##### *Text proposed by the Commission*

(a) the declarant has not been involved in a serious infringement or repeated infringements of customs legislation, taxation rules and market abuse rules and has no record of ***serious*** criminal offences relating to ***its*** economic activity during the

##### *Amendment*

(a) the declarant ***or a board member of the declarant*** has not been involved in a serious infringement or repeated infringements of customs legislation, taxation rules and market abuse rules and has no record of criminal offences relating

five years preceding the application;

to ***the declarant's*** economic activity during the five years preceding the application;

Or. cs

**Amendment 870**

**Agnès Evren**

**Proposal for a regulation**

**Article 17 – paragraph 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(aa) the declarant has not been involved in a serious or repeated infringement of this Regulation which has led to the revocation of its authorisation by the national competent authority of another Member State;***

Or. fr

**Amendment 871**

**Yannick Jadot**

**Proposal for a regulation**

**Article 17 – paragraph 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(aa) the declarant has not been involved in repeated infringements of the Regulation which led to the revocation of an authorisation by the competent authorities of other Member States;***

Or. en

**Amendment 872**

**Deirdre Clune**

**Proposal for a regulation**

**Article 17 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) the declarant demonstrates its financial and operational capacity to fulfil its obligations under this Regulation.

*Amendment*

(b) the declarant demonstrates its financial and operational capacity to fulfil its obligations under this Regulation. ***In its annual report in accordance to Article 30 paragraph 3, the Commission shall assess the impact of this criteria on SMEs and micro-enterprises.***

Or. en

#### **Amendment 873**

**Rovana Plumb**

#### **Proposal for a regulation**

**Article 17 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) the declarant has not repeatedly failed to comply with CBAM obligations in accordance to Article 26 and has not been involved in practices of circumvention in accordance to Article 27.***

Or. en

#### *Justification*

*Declarants that have a record of not complying with the CBAM should not be authorised.*

#### **Amendment 874**

**Radan Kanev**

#### **Proposal for a regulation**

**Article 17 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) the declarant has not repeatedly failed to comply with CBAM obligations in accordance to Article 26 and has not been involved in practices of***



*circumvention in accordance to Article 27.*

Or. en

**Amendment 875**  
**Antoni Comín i Oliveres**

**Proposal for a regulation**  
**Article 17 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

*(ba) the declarant has not repeatedly failed to comply with CBAM obligations in accordance to Article 26 and has not been involved in practices of circumvention in accordance to Article 27.*

Or. en

**Amendment 876**  
**Dolors Montserrat**

**Proposal for a regulation**  
**Article 17 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

*(ba) the declarant has not repeatedly been liable for the penalties set in Article 26 and has not been involved in practices of circumvention pursuant to Article 27.*

Or. en

**Amendment 877**  
**Hermann Tertsch, Alexandr Vondra, Pietro Fiocchi**

**Proposal for a regulation**  
**Article 17 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

**(ba) The declarant has not infringed CBAM obligations and has not been involved in practices of circumvention in accordance with Article 27.**

Or. en

**Amendment 878**

**Nicolae Ștefănuță, Nils Torvalds, María Soraya Rodríguez Ramos, Susana Solís Pérez, Jan Huitema, Linea Søgaard-Lidell**

**Proposal for a regulation**

**Article 17 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

**(ba) the declarant has not been involved in practices of circumvention in accordance with Article 27.**

Or. en

**Amendment 879**

**Yannick Jadot**

**Proposal for a regulation**

**Article 17 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**1a. An authorisation is valid for a period of five years.**

Or. en

**Amendment 880**

**Agnès Evren**

**Proposal for a regulation**

**Article 17 – paragraph 2**

*Text proposed by the Commission*

2. Where the competent authority finds that the conditions listed in paragraph 1 are not fulfilled, or where the applicant has failed to provide the information listed in Article 5(3), the authorisation of the declarant shall be refused.

*Amendment*

2. Where the competent ***national*** authority finds that the conditions listed in paragraph 1 are not fulfilled, or where the applicant has failed to provide the information listed in Article 5(3), the authorisation of the declarant shall be refused.

Or. fr

**Amendment 881**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 17 – paragraph 2**

*Text proposed by the Commission*

2. Where the competent authority finds that the conditions listed in paragraph 1 are not fulfilled, or where the applicant has failed to provide the information listed in Article 5(3), the authorisation of the declarant shall be refused.

*Amendment*

2. Where the ***national*** competent authority finds that the conditions listed in paragraph 1 are not fulfilled, or where the applicant has failed to provide the information listed in Article 5(3), the authorisation of the declarant shall be refused.

Or. en

**Amendment 882**  
**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Maria Spyra, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**  
**Article 17 – paragraph 3**

*Text proposed by the Commission*

***3. If the competent authority refuses to authorise a declarant, the declarant requesting the authorisation may, prior to an appeal, object to the relevant authority***

*Amendment*

***deleted***

*under national law, who shall either instruct the national administrator to open the account or uphold the refusal in a reasoned decision, subject to requirements of national law that pursue a legitimate objective compatible with this Regulation and are proportionate.*

Or. en

*Justification*

*Creation of CBAM authority implies creation of separate appeal procedure in articles 27a-27c. As national competent authorities are replaced by CBAM authority there is no place for national appeal procedure.*

**Amendment 883**

**Agnès Evren**

**Proposal for a regulation**

**Article 17 – paragraph 3**

*Text proposed by the Commission*

3. If the competent authority refuses to authorise a declarant, the declarant requesting the authorisation may, prior to an appeal, object to the relevant authority under national law, who shall either instruct the national administrator to open the account or uphold the refusal in a reasoned decision, subject to requirements of national law that pursue a legitimate objective compatible with this Regulation and are proportionate.

*Amendment*

3. If the competent **national** authority refuses to authorise a declarant, the declarant requesting the authorisation may, prior to an appeal, object to the relevant authority under national law, who shall either instruct the national administrator to open the account or uphold the refusal in a reasoned decision, subject to requirements of national law that pursue a legitimate objective compatible with this Regulation and are proportionate.

Or. fr

**Amendment 884**

**Laura Huhtasaari**

**Proposal for a regulation**

**Article 17 – paragraph 3**

*Text proposed by the Commission*

3. If the competent authority refuses to authorise a declarant, the declarant requesting the authorisation may, prior to an appeal, object to the relevant authority under national law, who shall either instruct the national administrator to open the account or uphold the refusal in a reasoned decision, subject to requirements of national law that pursue a legitimate objective compatible with this Regulation and are proportionate.

*Amendment*

3. If the ***national*** competent authority refuses to authorise a declarant, the declarant requesting the authorisation may, prior to an appeal, object to the relevant authority under national law, who shall either instruct the national administrator to open the account or uphold the refusal in a reasoned decision, subject to requirements of national law that pursue a legitimate objective compatible with this Regulation and are proportionate.

Or. en

**Amendment 885**

**Agnès Evren**

**Proposal for a regulation**

**Article 17 – paragraph 4 – introductory part**

*Text proposed by the Commission*

4. A decision of the competent authority authorising a declarant shall contain the following information:

*Amendment*

4. A decision of the competent ***national*** authority authorising a declarant shall contain the following information

Or. fr

**Amendment 886**

**Laura Huhtasaari**

**Proposal for a regulation**

**Article 17 – paragraph 4 – introductory part**

*Text proposed by the Commission*

4. A decision of the competent authority authorising a declarant shall contain the following information

*Amendment*

4. A decision of the competent ***national*** authority authorising a declarant shall contain the following information

Or. en

**Amendment 887**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Maria Spyra, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**

**Article 17 – paragraph 4 – point c**

*Text proposed by the Commission*

(c) the **CBAM** account number.

*Amendment*

(c) the account number ***in the CBAM registry.***

Or. en

**Amendment 888**

**Stanislav Polčák**

**Proposal for a regulation**

**Article 17 – paragraph 5**

*Text proposed by the Commission*

5. An authorised declarant may, at any time, ask for its authorisation to be revoked.

*Amendment*

5. An authorised declarant may, at any time, ask for its authorisation to be revoked. ***The competent authority shall comply with the request without undue delay.***

Or. cs

**Amendment 889**

**Agnès Evren**

**Proposal for a regulation**

**Article 17 – paragraph 6 – subparagraph 1**

*Text proposed by the Commission*

The competent authority shall require the provision of a guarantee in order to authorise a declarant in accordance with paragraph 1, if the declarant was not established throughout the two financial years that precede the year when the

*Amendment*

The competent ***national*** authority shall require the provision of a guarantee in order to authorise a declarant in accordance with paragraph 1, if the declarant was not established throughout the two financial years that precede the year when the

application in accordance with Article 5(1)  
was submitted.

application in accordance with Article 5(1)  
was submitted.

Or. fr

**Amendment 890**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 17 – paragraph 6 – subparagraph 1**

*Text proposed by the Commission*

The competent authority shall require the provision of a guarantee in order to authorise a declarant in accordance with paragraph 1, if the declarant was not established throughout the two financial years that precede the year when the application in accordance with Article 5(1) was submitted.

*Amendment*

The competent ***national*** authority shall require the provision of a guarantee in order to authorise a declarant in accordance with paragraph 1, if the declarant was not established throughout the two financial years that precede the year when the application in accordance with Article 5(1) was submitted.

Or. en

**Amendment 891**  
**Agnès Evren**

**Proposal for a regulation**  
**Article 17 – paragraph 6 – subparagraph 2**

*Text proposed by the Commission*

The competent authority shall fix the amount of such guarantee at the maximum amount, as estimated by the competent authority, of the value of the CBAM certificates that the authorised declarant have to surrender, in accordance with Article 22.

*Amendment*

The competent ***national*** authority shall fix the amount of such guarantee at the maximum amount, as estimated by the competent authority, of the value of the CBAM certificates that the authorised declarant have to surrender, in accordance with Article 22.

Or. fr

**Amendment 892**  
**Laura Huhtasaari**

## Proposal for a regulation

### Article 17 – paragraph 6 – subparagraph 2

#### *Text proposed by the Commission*

The competent authority shall fix the amount of such guarantee at the maximum amount, as estimated by the competent authority, of the value of the CBAM certificates that the authorised declarant have to surrender, in accordance with Article 22.

#### *Amendment*

The competent ***national*** authority shall fix the amount of such guarantee at the maximum amount, as estimated by the competent authority, of the value of the CBAM certificates that the authorised declarant have to surrender, in accordance with Article 22.

Or. en

## Amendment 893

Agnès Evren

## Proposal for a regulation

### Article 17 – paragraph 7

#### *Text proposed by the Commission*

7. The guarantee shall be provided as a bank guarantee, payable at first demand, by a financial institution operating in the Union or by another form of guarantee which provides equivalent assurance. Where the competent authority establishes that the guarantee provided does not ensure, or is no longer certain or sufficient to ensure the amount of CBAM obligations, it shall require the authorised declarant either to provide an additional guarantee or to replace the initial guarantee with a new guarantee, according to its choice.

#### *Amendment*

7. The guarantee shall be provided as a bank guarantee, payable at first demand, by a financial institution operating in the Union or by another form of guarantee which provides equivalent assurance. Where the competent ***national*** authority establishes that the guarantee provided does not ensure, or is no longer certain or sufficient to ensure the amount of CBAM obligations, it shall require the authorised declarant either to provide an additional guarantee or to replace the initial guarantee with a new guarantee, according to its choice.

Or. fr

## Amendment 894

Laura Huhtasaari

## Proposal for a regulation

### Article 17 – paragraph 7



*Text proposed by the Commission*

7. The guarantee shall be provided as a bank guarantee, payable at first demand, by a financial institution operating in the Union or by another form of guarantee which provides equivalent assurance. Where the competent authority establishes that the guarantee provided does not ensure, or is no longer certain or sufficient to ensure the amount of CBAM obligations, it shall require the authorised declarant either to provide an additional guarantee or to replace the initial guarantee with a new guarantee, according to its choice.

*Amendment*

7. The guarantee shall be provided as a bank guarantee, payable at first demand, by a financial institution operating in the Union or by another form of guarantee which provides equivalent assurance. Where the competent ***national*** authority establishes that the guarantee provided does not ensure, or is no longer certain or sufficient to ensure the amount of CBAM obligations, it shall require the authorised declarant either to provide an additional guarantee or to replace the initial guarantee with a new guarantee, according to its choice.

Or. en

**Amendment 895**

**Agnès Evren**

**Proposal for a regulation**

**Article 17 – paragraph 8**

*Text proposed by the Commission*

8. The competent authority shall release the guarantee immediately after 31 May of the second year in which the authorised declarant has surrendered CBAM certificates in accordance with Article 22.

*Amendment*

8. The competent ***national*** authority shall release the guarantee immediately after 31 May of the second year in which the authorised declarant has surrendered CBAM certificates in accordance with Article 22.

Or. fr

**Amendment 896**

**Laura Huhtasaari**

**Proposal for a regulation**

**Article 17 – paragraph 8**

*Text proposed by the Commission*

8. The competent authority shall

*Amendment*

8. The competent ***national*** authority

release the guarantee immediately after 31 May of the second year in which the authorised declarant has surrendered CBAM certificates in accordance with Article 22.

shall release the guarantee immediately after 31 May of the second year in which the authorised declarant has surrendered CBAM certificates in accordance with Article 22.

Or. en

#### **Amendment 897**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Maria Spyrali, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

#### **Proposal for a regulation**

#### **Article 17 – paragraph 8 a (new)**

*Text proposed by the Commission*

*Amendment*

**8a. The CBAM authority may verify the accuracy and completeness of the information given by the applicant in accordance with Article 5(3) and the existence, authenticity, accuracy and validity of any supporting document. Such controls may be carried out at the premises of the applicant.**

Or. en

#### **Amendment 898**

**Agnès Evren**

#### **Proposal for a regulation**

#### **Article 17 – paragraph 9**

*Text proposed by the Commission*

*Amendment*

9. The competent authority shall revoke the authorisation for a declarant who no longer meets the conditions laid down in paragraph 1, or who fails to cooperate with that authority.

9. The competent **national** authority shall revoke the authorisation for a declarant who no longer meets the conditions laid down in paragraph 1, or who fails to cooperate with that authority. **The national competent authority shall immediately inform the European central**

Or. fr

**Amendment 899**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 17 – paragraph 9**

*Text proposed by the Commission*

9. The competent authority shall revoke the authorisation for a declarant who no longer meets the conditions laid down in paragraph 1, or who fails to cooperate with that authority.

*Amendment*

9. The competent ***national*** authority shall revoke the authorisation for a declarant who no longer meets the conditions laid down in paragraph 1, or who fails to cooperate with that authority.

Or. en

**Amendment 900**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Deirdre Clune, Maria Spyraiki, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**  
**Article 17 – paragraph 9 a (new)**

*Text proposed by the Commission*

*Amendment*

***9a. The Commission shall adopt, by means of implementing acts, the modalities for the application of the criteria referred to in paragraph 1 and for guarantees referred to in paragraph 6. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).***

Or. en

**Amendment 901**  
**Malin Björk**

**Proposal for a regulation**  
**Article 18 – paragraph 1**

*Text proposed by the Commission*

1. *Any* person accredited pursuant to Implementing Regulation (EU) No 2018/2067 shall be regarded as an accredited verifier under this Regulation.

*Amendment*

1. **1. Any legal** person accredited pursuant to Implementing Regulation (EU) No 2018/2067 shall be regarded as an accredited verifier under this Regulation.

Or. en

**Amendment 902**  
**Hermann Tertsch, Pietro Fiocchi**

**Proposal for a regulation**  
**Article 18 – paragraph 1**

*Text proposed by the Commission*

1. Any person accredited pursuant to Implementing Regulation (EU) No 2018/2067 shall be regarded as an accredited verifier under this Regulation.

*Amendment*

1. Any **legal** person accredited pursuant to Implementing Regulation (EU) No 2018/2067 shall be regarded as an accredited verifier under this Regulation.

Or. en

**Amendment 903**  
**Yannick Jadot**

**Proposal for a regulation**  
**Article 18 – paragraph 1**

*Text proposed by the Commission*

1. Any person accredited pursuant to Implementing Regulation (EU) No 2018/2067 shall be regarded as an accredited verifier under this Regulation.

*Amendment*

1. Any **legal** person accredited pursuant to Implementing Regulation (EU) No 2018/2067 shall be regarded as an accredited verifier under this Regulation.

Or. en

**Amendment 904**  
**Ivan David**

**Proposal for a regulation**  
**Article 18 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. In addition to paragraph 1, a national accreditation body may on request accredit a person as a verifier under this Regulation after checking the documentation attesting its capacity to apply the verification principles referred to Annex V to perform the obligations of control of the embedded emissions established in Articles 8, 10 and 38.** *deleted*

Or. en

*Justification*

*The same conditions used for EU ETS verifiers shall apply also to CBAM verifiers in order to ensure a consistent and robust approach.*

**Amendment 905**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 18 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. In addition to paragraph 1, a national accreditation body may on request accredit a person as a verifier under this Regulation after checking the documentation attesting its capacity to apply the verification principles referred to Annex V to perform the obligations of control of the embedded emissions established in Articles 8, 10 and 38.** *deleted*

Or. en

**Amendment 906**

**Malin Björk**

on behalf of the Committee on the Environment, Public Health and Food Safety

**Proposal for a regulation**

**Article 18 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. In addition to paragraph 1, a national accreditation body may on request accredit a person as a verifier under this Regulation after checking the documentation attesting its capacity to apply the verification principles referred to Annex V to perform the obligations of control of the embedded emissions established in Articles 8, 10 and 38.** **deleted**

Or. en

**Amendment 907**

**Yannick Jadot**

**Proposal for a regulation**

**Article 18 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. In addition to paragraph 1, a national accreditation body may on request accredit a person as a verifier under this Regulation after checking the documentation attesting its capacity to apply the verification principles referred to Annex V to perform the obligations of control of the embedded emissions established in Articles 8, 10 and 38.** **deleted**

Or. en

**Amendment 908**

**Hermann Tertsch, Alexandr Vondra, Pietro Fiocchi**

**Proposal for a regulation**

**Article 18 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. In addition to paragraph 1, a national accreditation body may on request accredit a person as a verifier under this Regulation after checking the documentation attesting its capacity to apply the verification principles referred to Annex V to perform the obligations of control of the embedded emissions established in Articles 8, 10 and 38.** *deleted*

Or. en

**Amendment 909  
Ivan David**

**Proposal for a regulation  
Article 18 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. The Commission is empowered to adopt delegated acts in accordance with Article 28 for the accreditation referred to in paragraph 2, specifying conditions for the control and oversight of accredited verifiers, for the withdrawal of accreditation and for mutual recognition and peer evaluation of the accreditation bodies.** *deleted*

Or. en

*Justification*

*The same conditions used for EU ETS verifiers shall apply also to CBAM verifiers in order to ensure a consistent and robust approach.*

**Amendment 910  
Alexandr Vondra**

**Proposal for a regulation  
Article 18 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3.     *The Commission is empowered to adopt delegated acts in accordance with Article 28 for the accreditation referred to in paragraph 2, specifying conditions for the control and oversight of accredited verifiers, for the withdrawal of accreditation and for mutual recognition and peer evaluation of the accreditation bodies.***     *deleted*

Or. en

**Amendment 911  
Yannick Jadot**

**Proposal for a regulation  
Article 18 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3.     *The Commission is empowered to adopt delegated acts in accordance with Article 28 for the accreditation referred to in paragraph 2, specifying conditions for the control and oversight of accredited verifiers, for the withdrawal of accreditation and for mutual recognition and peer evaluation of the accreditation bodies.***     *deleted*

Or. en

**Amendment 912  
Laura Huhtasaari**

**Proposal for a regulation  
Article 18 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3.     *The Commission is empowered to adopt delegated acts in accordance with Article 28 for the accreditation referred to***     *deleted*



*in paragraph 2, specifying conditions for the control and oversight of accredited verifiers, for the withdrawal of accreditation and for mutual recognition and peer evaluation of the accreditation bodies.*

Or. en

#### **Amendment 913**

**Malin Björk**

on behalf of the Committee on the Environment, Public Health and Food Safety

#### **Proposal for a regulation**

#### **Article 18 – paragraph 3**

##### *Text proposed by the Commission*

3. The Commission is empowered to adopt delegated acts in accordance with Article 28 for the accreditation referred to in paragraph 2, specifying conditions for the control and oversight of accredited verifiers, for the withdrawal of accreditation and for mutual recognition and peer evaluation of the accreditation bodies.

##### *Amendment*

3. The Commission is empowered to adopt delegated acts in accordance with Article 28 for the accreditation referred to in paragraph **1**, specifying conditions for the control and oversight of accredited verifiers, for the withdrawal of accreditation and for mutual recognition and peer evaluation of the accreditation bodies.

Or. en

#### **Amendment 914**

**Yannick Jadot**

#### **Proposal for a regulation**

#### **Article 18 – paragraph 3**

##### *Text proposed by the Commission*

3. The Commission is empowered to adopt delegated acts in accordance with Article 28 for the accreditation referred to in paragraph 2, specifying conditions for the control and oversight of accredited verifiers, for the withdrawal of accreditation and for mutual recognition and peer evaluation of the accreditation

##### *Amendment*

3. The Commission is empowered to adopt delegated acts in accordance with Article 28 for the accreditation referred to in paragraph **1**, specifying conditions for the control and oversight of accredited verifiers, for the withdrawal of accreditation and for mutual recognition and peer evaluation of the accreditation

bodies.

bodies.

Or. en

## Amendment 915

Agnès Evren

### Proposal for a regulation

#### Article 19 – paragraph 1

##### *Text proposed by the Commission*

1. The **competent** authority may review the CBAM declaration within the period ending with the fourth year after the year in which the declaration should have been submitted. The review may consist in verifying the information provided in the CBAM declaration on the basis of the information communicated by the customs authorities in accordance with Article 25(2) and any other relevant evidence, and on the basis of any audit deemed necessary, including at the premises of the authorised declarant.

##### *Amendment*

1. The **European central CBAM** authority **and the national authorities** may review the CBAM declaration within the period ending with the fourth year after the year in which the declaration should have been submitted. The review may consist in verifying the information provided in the CBAM declaration on the basis of the information communicated by the customs authorities in accordance with Article 25(2) and any other relevant evidence, and on the basis of any audit deemed necessary, including at the premises of the authorised declarant.

Or. fr

## Amendment 916

Dolors Montserrat

### Proposal for a regulation

#### Article 19 – paragraph 1

##### *Text proposed by the Commission*

1. The competent authority **may** review the CBAM declaration ***within the period ending with the fourth year after the year in which the declaration should have been submitted.*** The review may consist in verifying the information provided in the CBAM declaration on the basis of the information communicated by the customs authorities in accordance with

##### *Amendment*

1. The competent authority **shall** review the CBAM declaration ***without delay*** after ***its submission according to Article 6(1).*** The review may consist in verifying the information provided in the CBAM declaration on the basis of the information communicated by the customs authorities in accordance with Article 25(2) and any other relevant evidence, and on the

Article 25(2) and any other relevant evidence, and on the basis of any audit deemed necessary, including at the premises of the authorised declarant.

basis of any audit deemed necessary, including at the premises of the authorised declarant.

Or. en

**Amendment 917**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 19 – paragraph 1**

*Text proposed by the Commission*

1. The **competent authority** may review the CBAM declaration within the period ending with the fourth year after the year in which the declaration should have been submitted. The review may consist in verifying the information provided in the CBAM declaration on the basis of the information communicated by the customs authorities in accordance with Article 25(2) and any other relevant evidence, and on the basis of any audit deemed necessary, including at the premises of the authorised declarant.

*Amendment*

1. The **central and national authorities** may review the CBAM declaration within the period ending with the fourth year after the year in which the declaration should have been submitted. The review may consist in verifying the information provided in the CBAM declaration on the basis of the information communicated by the customs authorities in accordance with Article 25(2) and any other relevant evidence, and on the basis of any audit deemed necessary, including at the premises of the authorised declarant.

Or. en

**Amendment 918**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 19 – paragraph 1**

*Text proposed by the Commission*

1. The competent authority may review the CBAM declaration within the period ending with the fourth year after the year in which the declaration should have been submitted. The review may consist in verifying the information provided in the CBAM declaration on the basis of the

*Amendment*

1. The competent authority may review the CBAM declaration within the period ending with the fourth year after the year in which the declaration **was or** should have been submitted. The review may consist in verifying the information provided in the CBAM declaration on the

information communicated by the customs authorities in accordance with Article 25(2) and any other relevant evidence, and on the basis of any audit deemed necessary, including at the premises of the authorised declarant.

basis of the information communicated by the customs authorities in accordance with Article 25(2) and any other relevant evidence, and on the basis of any audit deemed necessary, including at the premises of the authorised declarant.

Or. cs

## **Amendment 919**

**Ivan David**

### **Proposal for a regulation**

#### **Article 19 – paragraph 1**

##### *Text proposed by the Commission*

1. The competent authority may review the CBAM declaration within the period ending with the *fourth* year after the year in which the declaration should have been submitted. The review may consist in verifying the information provided in the CBAM declaration on the basis of the information communicated by the customs authorities in accordance with Article 25(2) and any other relevant evidence, and on the basis of any audit deemed necessary, including at the premises of the authorised declarant.

##### *Amendment*

1. The competent authority may review the CBAM declaration within the period ending with the year after the year in which the declaration should have been submitted. The review may consist in verifying the information provided in the CBAM declaration on the basis of the information communicated by the customs authorities in accordance with Article 25(2) and any other relevant evidence, and on the basis of any audit deemed necessary, including at the premises of the authorised declarant.

Or. en

##### *Justification*

*The review of CBAM declarations represent a key step to secure the robustness and effectiveness of the measure. Therefore, the timeline of the review needs to be as short as possible in order to ensure that any irregularity is identified and corrected timely.*

## **Amendment 920**

**Alexandr Vondra**

### **Proposal for a regulation**

#### **Article 19 – paragraph 1**

*Text proposed by the Commission*

1. The competent authority may review the CBAM declaration within the period ending with the **fourth** year after the year in which the declaration should have been submitted. The review may consist in verifying the information provided in the CBAM declaration on the basis of the information communicated by the customs authorities in accordance with Article 25(2) and any other relevant evidence, and on the basis of any audit deemed necessary, including at the premises of the authorised declarant.

*Amendment*

1. The competent authority may review the CBAM declaration within the period ending with the year after the year in which the declaration should have been submitted. The review may consist in verifying the information provided in the CBAM declaration on the basis of the information communicated by the customs authorities in accordance with Article 25(2) and any other relevant evidence, and on the basis of any audit deemed necessary, including at the premises of the authorised declarant.

Or. en

**Amendment 921**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 19 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. The national competent authority shall inform the EU CBAM authority of the quantity and installation source of the exports. The EU CBAM authority shall inform the Commission of the data received so as to allow the Commission to make adjustments to the allowances to be surrendered for the installation source of the exports***

Or. en

**Amendment 922**  
**Danilo Oscar Lancini, Elena Lizzi, Catherine Griset, Rosanna Conte, Silvia Sardone, Matteo Adinolfi, Gianantonio Da Re**

**Proposal for a regulation**  
**Article 19 – paragraph 2**

*Text proposed by the Commission*

2. Where a CBAM declaration in accordance with Article 6 has not been submitted, the competent authority of the Member State of establishment of the authorised declarant shall assess the CBAM obligations of that declarant on the basis of the information at its disposal and calculate the total number of CBAM certificates due at the latest by the 31 December of the fourth year following that when the CBAM declaration should have been submitted.

*Amendment*

2. Where a CBAM declaration in accordance with Article 6 has not been submitted, the competent authority of the Member State of establishment of the authorised declarant shall assess the CBAM obligations of that declarant on the basis of the information at its disposal and calculate the total number of CBAM certificates due at the latest by the 31 December of the fourth year following that when the CBAM declaration should have been submitted. ***This information shall be submitted to the competent authority.***

Or. en

**Amendment 923**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 19 – paragraph 2**

*Text proposed by the Commission*

2. Where a CBAM declaration in accordance with Article 6 has not been submitted, the competent authority of the Member State of establishment of the authorised declarant shall assess the CBAM obligations of that declarant on the basis of the information at its disposal and calculate the total number of CBAM certificates due at the latest by the 31 December of the *fourth* year following that when the CBAM declaration should have been submitted.

*Amendment*

2. Where a CBAM declaration in accordance with Article 6 has not been submitted, the competent authority of the Member State of establishment of the authorised declarant shall assess the CBAM obligations of that declarant on the basis of the information at its disposal and calculate the total number of CBAM certificates due at the latest by the 31 December of the year following that when the CBAM declaration should have been submitted. ***This information shall be submitted to the competent central authority.***

Or. en

**Amendment 924**  
**Alexandr Vondra**

**Proposal for a regulation**  
**Article 19 – paragraph 2**

*Text proposed by the Commission*

2. Where a CBAM declaration in accordance with Article 6 has not been submitted, the competent authority of the Member State of establishment of the authorised declarant shall assess the CBAM obligations of that declarant on the basis of the information at its disposal and calculate the total number of CBAM certificates due at the latest by the 31 December of the *fourth* year following that when the CBAM declaration should have been submitted.

*Amendment*

2. Where a CBAM declaration in accordance with Article 6 has not been submitted, the competent authority of the Member State of establishment of the authorised declarant shall assess the CBAM obligations of that declarant on the basis of the information at its disposal and calculate the total number of CBAM certificates due at the latest by the 31 December of the year following that when the CBAM declaration should have been submitted.

Or. en

**Amendment 925**  
**Ivan David**

**Proposal for a regulation**  
**Article 19 – paragraph 2**

*Text proposed by the Commission*

2. Where a CBAM declaration in accordance with Article 6 has not been submitted, the competent authority of the Member State of establishment of the authorised declarant shall assess the CBAM obligations of that declarant on the basis of the information at its disposal and calculate the total number of CBAM certificates due at the latest by the 31 December of the *fourth* year following that when the CBAM declaration should have been submitted.

*Amendment*

2. Where a CBAM declaration in accordance with Article 6 has not been submitted, the competent authority of the Member State of establishment of the authorised declarant shall assess the CBAM obligations of that declarant on the basis of the information at its disposal and calculate the total number of CBAM certificates due at the latest by the 31 December of the year following that when the CBAM declaration should have been submitted.

Or. en

*Justification*

*The review of CBAM declarations represent a key step to secure the robustness and effectiveness of the measure. Therefore, the timeline of the review needs to be as short as*

*possible in order to ensure that any irregularity is identified and corrected timely.*

**Amendment 926**  
**Dolors Montserrat**

**Proposal for a regulation**  
**Article 19 – paragraph 2**

*Text proposed by the Commission*

2. Where a CBAM declaration in accordance with Article 6 has not been submitted, the competent authority of the Member State of establishment of the authorised declarant shall assess the CBAM obligations of that declarant on the basis of the information at its disposal and calculate the total number of CBAM certificates due at the latest by the 31 December of the *fourth year following that* when the CBAM declaration should have been submitted.

*Amendment*

2. Where a CBAM declaration in accordance with Article 6 has not been submitted, the competent authority of the Member State of establishment of the authorised declarant shall assess the CBAM obligations of that declarant on the basis of the information at its disposal and calculate the total number of CBAM certificates due at the latest by the 31 December of the *year* when the CBAM declaration should have been submitted.

Or. en

**Amendment 927**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 19 – paragraph 3**

*Text proposed by the Commission*

3. Where the competent *authority has* established that the declared number of CBAM certificates to be surrendered is incorrect, or that no CBAM declaration has been submitted pursuant to paragraph 2, it shall adjust the number of CBAM certificates due by the authorised declarant. The competent *authority* shall notify the authorised declarant of the adjustment and request that the authorised declarant shall surrender the additional CBAM certificates within one month.

*Amendment*

3. Where the competent *central or national authorities have* established that the declared number of CBAM certificates to be surrendered is incorrect, or that no CBAM declaration has been submitted pursuant to paragraph 2, it shall adjust the number of CBAM certificates due by the authorised declarant. The competent *central or national authorities* shall notify the authorised declarant of the adjustment and request that the authorised declarant shall surrender the additional CBAM certificates within one month.



**Amendment 928**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Maria Spyra, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**

**Article 19 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

**4. The recipient of the notification referred to in paragraph 3 may lodge an appeal of the notification. The recipient of the notification shall be provided with information regarding the procedure to be followed in the event of an appeal.** **deleted**

Or. en

*Justification*

*Creation of CBAM authority implies creation of separate appeal procedure in articles 27a-27c. As national competent authorities are replaced by CBAM authority there is no place for national appeal procedure.*

**Amendment 929**

**Laura Huhtasaari**

**Proposal for a regulation**

**Article 19 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

**5. Where CBAM certificates have been surrendered in excess of the number due, the competent authority shall, without delay, reimburse the authorised declarant the value of CBAM certificates surrendered in excess, calculated at the average price paid for CBAM certificates by the authorised declarant during the year of import.**

**5. Where CBAM certificates have been surrendered in excess of the number due, the competent *central or national* authority shall, without delay, reimburse the authorised declarant the value of CBAM certificates surrendered in excess, calculated at the average price paid for CBAM certificates by the authorised declarant during the year of import.**

**Amendment 930**  
**Mohammed Chahim**

**Proposal for a regulation**  
**Article 19 – paragraph 5**

*Text proposed by the Commission*

5. Where CBAM certificates have been surrendered in excess of the number due, the competent authority shall, without delay, reimburse the authorised declarant the value of CBAM certificates surrendered in excess, calculated at the **average** price paid **for CBAM certificates** by the authorised declarant **during the year of import**.

*Amendment*

5. Where CBAM certificates have been surrendered in excess of the number due, the competent authority shall, without delay, reimburse the authorised declarant the value of CBAM certificates surrendered in excess, calculated at the price paid by the authorised declarant **for those certificates at the time of purchase**.

**Amendment 931**  
**Agnès Evren**

**Proposal for a regulation**  
**Article 19 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 19a**

***Information portal for authorised declarants***

***1. On the date of entry into force of this Regulation, the Commission shall set up a web portal to support authorised declarants, especially SMEs and micro-enterprises, in declaring the information required by this Regulation.***

***2. The portal mentioned in paragraph 1 shall provide information on:***

***(i) the CO<sub>2</sub> price charged in the third countries as referenced in Article 9;***

***(ii) any agreement concluded by the***

*Union with a third country which affects the CBAM certificates to be surrendered for imports from that third country and how the CBAM certificates are affected;*

*(iii) answers to specific questions from companies on how to correctly fill out their declarations;*

*(iv) the national competent authorities of each Member State.*

*3. The Commission shall regularly assess the possibility of improving the information and assistance provided by the web portal.*

Or. fr

**Amendment 932**

**Adam Jarubas**

on behalf of the EPP Group

**Ewa Kopacz, Maria Spyrali, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**  
**Article 19 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 19a**

**Revenues**

*The revenues generated by the sale of CBAM certificates shall constitute internal assigned revenue in accordance with Article 21(3) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council. They shall be assigned to cover the costs of the operation and maintenance of the CBAM Authority. Any revenue remaining after covering these costs shall be assigned to the Union budget.*

Or. en

**Amendment 933**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 20 – title**

*Text proposed by the Commission*

Sale of CBAM certificates

*Amendment*

Sale of CBAM **import** certificates

Or. en

**Amendment 934**  
**Danilo Oscar Lancini, Elena Lizzi, Catherine Griset, Rosanna Conte, Silvia Sardone,**  
**Matteo Adinolfi, Gianantonio Da Re**

**Proposal for a regulation**  
**Article 20 – paragraph 2 – point 1 (new)**

*Text proposed by the Commission*

*Amendment*

- (1) 1. Part of the revenues generated by CBAM needs to be used to support research and innovation in carbon-reducing technologies such as renewable hydrogen uptake, storage, and other types of zero carbon industrial innovation, as well as to spur decarbonisation effort in CBAM sectors through financing to companies operating in exporting both developing and least developed countries.**
- 2. The revenues generated from the sale of CBAM certificates, or the equivalent in financial value of these revenues, shall be used to help European industries in decarbonising their production and in deploying low-carbon technologies, since they are facing higher production costs due to the ambitious objectives set by the European Green Deal, as well as to cover the cost of administration of the CBAM.**
- 3. To ensure transparency of the use of revenues generated from the sale of CBAM certificates the Commission shall, on a yearly basis, report to the European Parliament and the Council on how the revenues from the sale of CBAM**

*certificates, or the equivalent in financial value of these revenues, from the previous year has been used.*

Or. en

**Amendment 935**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 20 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 20a*

***CBAM Export certificates***

***1. The competent authority shall register the export of goods listed in Annex I by the declarant.***

***2 For those export of goods listed in Annex I, the competent authority shall grant adjustment allowances certificates for goods produced in EU installations subject to the EU ETS and exported from the customs territory of the Union to third countries which have not yet limited or priced GHG emissions at the same level as the EU to calibrate the regulatory obligation and the net regulatory burden imposed under the CBAM. The adjustment allowances for the emissions embedded in the good exported mentioned in the certificate shall be deducted in accordance with Article 5 from the annual amount of allowances above the benchmark, or by default, the amount of allowances not covered by the fallback benchmarks to be surrendered to the competent authority.***

***3. The Commission is empowered to adopt implementing acts concerning the procedure to be followed by the competent authority when issuing the amounts referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination***

*procedure referred to in Article 29(2).*

Or. en

**Amendment 936**

**Danilo Oscar Lancini, Elena Lizzi, Catherine Griset, Rosanna Conte, Silvia Sardone, Matteo Adinolfi, Gianantonio Da Re**

**Proposal for a regulation**

**Article 20 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 20a**

**CBAM Export certificates**

***1. Member States may apply administrative or criminal sanctions for failure to comply with the CBAM legislation in accordance with their national rules in addition to penalties referred to in paragraphs 2 and 4a. Such sanctions shall be effective, proportionate and dissuasive.***

***2. For those export of goods listed in Annex I, the competent authority shall grant adjustment allowances certificates for goods produced in EU installations subject to the EU ETS and exported from the customs territory of the Union to third countries which have not yet limited or priced GHG emissions at the same level as the EU to calibrate the regulatory obligation and the net regulatory burden imposed under the CBAM. The adjustment allowances for the emissions embedded in the good exported mentioned in the certificate shall be deducted in accordance with Article 5 from the annual amount of allowances above the benchmark, or by default, the amount of allowances not covered by the fallback benchmarks to be surrendered to the competent authority.***

Or. en

**Amendment 937**

**Danilo Oscar Lancini, Elena Lizzi, Catherine Griset, Rosanna Conte, Silvia Sardone, Matteo Adinolfi, Gianantonio Da Re**

**Proposal for a regulation**

**Article 21 – title**

*Text proposed by the Commission*

Price of CBAM certificates

*Amendment*

Price of CBAM **import** certificates

Or. en

**Amendment 938**

**Laura Huhtasaari**

**Proposal for a regulation**

**Article 21 – title**

*Text proposed by the Commission*

Price of CBAM certificates

*Amendment*

Price of CBAM **import** certificates

Or. en

**Amendment 939**

**Yannick Jadot**

**Proposal for a regulation**

**Article 21 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

The Commission shall calculate the price of CBAM certificates as the average price of the closing prices of EU ETS allowances on the common auction platform in accordance with the procedures laid down in Commission Regulation (EU) No 1031/2010<sup>54</sup> for each calendar week.

*Amendment*

The Commission shall calculate the price of CBAM certificates as ***the sum of the price of direct and indirect emissions. The price of direct emissions shall correspond to*** the average price of the closing prices of EU ETS allowances on the common auction platform in accordance with the procedures laid down in Commission Regulation (EU) No 1031/2010<sup>54</sup> for each calendar week.

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<sup>54</sup> Commission Regulation (EU) No 1031/2010 of 12 November 2010 on the timing, administration and other aspects of auctioning of greenhouse gas emission allowances pursuant to Directive 2003/87/EC (OJ L 302, 18.11.2010, p. 1).

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<sup>54</sup> Commission Regulation (EU) No 1031/2010 of 12 November 2010 on the timing, administration and other aspects of auctioning of greenhouse gas emission allowances pursuant to Directive 2003/87/EC (OJ L 302, 18.11.2010, p. 1).

Or. en

**Amendment 940**  
**Yannick Jadot**

**Proposal for a regulation**  
**Article 21 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

For those calendar weeks in which there are no auctions scheduled on the common auction platform, the price of **CBAM certificates** shall be the average price of the closing prices of EU ETS allowances of the last week in which auctions on the common auction platform took place.

*Amendment*

For those calendar weeks in which there are no auctions scheduled on the common auction platform, the price of **direct emissions** shall be the average price of the closing prices of EU ETS allowances of the last week in which auctions on the common auction platform took place.

Or. en

**Amendment 941**  
**Simona Baldassarre**

**Proposal for a regulation**  
**Article 21 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**1a. The competent authority of each Member State shall sell the CBAM certificates to authorised declarants in that Member State at the price calculated in accordance with Article 1.**

Or. it



## **Amendment 942**

**Malin Björk**

on behalf of the Committee on the Environment, Public Health and Food Safety

### **Proposal for a regulation**

#### **Article 21 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. 2a. A price floor of 50 euro per tonne shall be set for the CBAM certificates.**

Or. en

## **Amendment 943**

**Yannick Jadot**

### **Proposal for a regulation**

#### **Article 21 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. The Commission is empowered to adopt implementing acts to further define the methodology to calculate the average price of CBAM certificates and practical arrangements for the publication of the price. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).

**3. The price of indirect emissions shall be determined in the delegated acts referred to in Article 7 (7a).** The Commission is *also* empowered to adopt implementing acts to further define the methodology to calculate the average price of CBAM certificates and practical arrangements for the publication of the price. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).

Or. en

## **Amendment 944**

**Alexander Bernhuber**

### **Proposal for a regulation**

#### **Article 21 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3a.** *The revenues generated by the sale of CBAM certificates shall be assigned to cover the costs following the implementation of the CBAM mechanism, particularly to mitigate negative economic effects within the Union.*

Or. en

**Amendment 945**  
**Alexander Bernhuber**

**Proposal for a regulation**  
**Article 21 – paragraph 3 b (new)**

*Text proposed by the Commission*

*Amendment*

**3b.** *The revenue from the pricing of fertilisers and certain agricultural basic commodities shall be earmarked and used exclusively for agricultural support measures or allocated to the CAP budget.*

Or. en

**Amendment 946**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 22 – title**

*Text proposed by the Commission*

*Amendment*

Surrender of CBAM certificates

Surrender of CBAM **import** certificates

Or. en

**Amendment 947**  
**Danilo Oscar Lancini, Elena Lizzi, Catherine Griset, Rosanna Conte, Silvia Sardone, Matteo Adinolfi, Gianantonio Da Re**

**Proposal for a regulation**  
**Article 22 – title**

*Text proposed by the Commission*

Surrender of CBAM certificates

*Amendment*

Surrender of CBAM **import** certificates

Or. en

**Amendment 948**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 22 – paragraph 3**

*Text proposed by the Commission*

3. Where the competent authority finds that the number of CBAM certificates in the account of an authorised declarant is not in compliance with the obligations pursuant to paragraph 2, second sentence, that authority shall notify the adjustment and request that the authorised declarant surrenders the additional CBAM certificates within one month.

*Amendment*

3. Where the competent authority finds that the number of CBAM certificates in the account of an authorised declarant is not in compliance with the obligations pursuant to paragraph 2, second sentence, that authority shall ***promptly*** notify the ***necessary*** adjustment and request that the authorised declarant surrenders the additional CBAM certificates within one month.

Or. cs

**Amendment 949**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Maria Spyra, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**  
**Article 22 – paragraph 4**

*Text proposed by the Commission*

4. ***The recipient of the notification referred to in paragraph 3 may lodge an appeal of the notification. The recipient of the notification shall be provided with information regarding the procedure to be***

*Amendment*

***deleted***

*followed in the event of an appeal.*

Or. en

*Justification*

*Creation of CBAM authority implies creation of separate appeal procedure in articles 27a-27c. As national competent authorities are replaced by CBAM authority there is no place for national appeal procedure.*

**Amendment 950**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 23 – title**

*Text proposed by the Commission*

*Amendment*

Re-purchase of CBAM certificates

Re-purchase of CBAM ***import*** certificates

Or. en

**Amendment 951**  
**Danilo Oscar Lancini, Elena Lizzi, Catherine Griset, Rosanna Conte, Silvia Sardone, Matteo Adinolfi, Gianantonio Da Re**

**Proposal for a regulation**  
**Article 23 – title**

*Text proposed by the Commission*

*Amendment*

Re-purchase of CBAM certificates

Re-purchase of CBAM ***import*** certificates

Or. en

**Amendment 952**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 24 – title**

*Text proposed by the Commission*

*Amendment*

Cancellation of CBAM certificates

Cancellation of CBAM ***import*** certificates

**Amendment 953**

**Danilo Oscar Lancini, Elena Lizzi, Catherine Griset, Rosanna Conte, Silvia Sardone, Matteo Adinolfi, Gianantonio Da Re**

**Proposal for a regulation**

**Article 24 – title**

*Text proposed by the Commission*

Cancellation of CBAM certificates

*Amendment*

Cancellation of CBAM **import** certificates

Or. en

**Amendment 954**

**Stanislav Polčák**

**Proposal for a regulation**

**Article 24 – paragraph 1**

*Text proposed by the Commission*

By 30 June of each year, the competent authority of each Member State shall cancel any CBAM certificates that were purchased during the year before the previous calendar year and that remained in the accounts in the national registry of the declarants authorised in that Member State.

*Amendment*

By 30 June of each year, the competent authority of each Member State shall cancel any CBAM certificates that were purchased during the year before the previous calendar year and that remained in the accounts in the national registry of the declarants authorised in that Member State **and shall inform the declarants concerned of this without undue delay.**

Or. cs

**Amendment 955**

**Hermann Tertsch, Alexandr Vondra, Pietro Fiocchi**

**Proposal for a regulation**

**Article 24 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***The revenues generated by the sale of***

*CBAM certificates shall constitute internal assigned revenue in accordance with Article 21 (3) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council. They shall be assigned to cover the costs of the operation and maintenance of the CBAM scheme and to support European industries through the creations of sectoral funds to tackle competitive disadvantages triggered by CBAM.*

Or. en

**Amendment 956**

**Catherine Griset, Danilo Oscar Lancini, Aurélia Beigneux, Joëlle Mélin, Mathilde Androuët**

**Proposal for a regulation**

**Article 24 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*The revenues generated from the sale of CBAM certificates shall be allocated to Member States to be used for the decarbonisation of European industries and the deployment of low-carbon technologies, as they face higher production costs as a result of the ambitious targets set under the European Green Deal, as well as to cover the administrative costs of the CBAM.*

Or. fr

**Amendment 957**

**Delara Burkhardt, Tiemo Wölken**

**Proposal for a regulation**

**Article 24 a (new)**

***Article 24a***

***Revenues generated by the sale of CBAM certificates***

***1. The revenues generated by the sale of CBAM certificates shall constitute internal assigned revenue in accordance with Article 21(3) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council<sup>1a</sup>. They shall be assigned to cover the costs of the operation and maintenance of the CBAM authority. Any revenue remaining after covering those costs shall be assigned to the Union budget.***

***2. To meet Union objectives and international commitments, such as those under WTO agreements and the Paris Agreement, financial support shall be provided to support least developed countries' efforts towards the de-carbonisation and transformation of their manufacturing industries, under the condition of the full implementation and enforcement of internationally recognised labour and social rights such as the ILO core labour standards in the recipient country, including through reinforcing climate spending in the Union budget's Instrument for Pre-Accession Assistance III and the relevant geographic and thematic programmes of the Neighbourhood, Development and International Cooperation Instrument. The additional financial support shall be at least equivalent in financial value to the revenues generated by the sale of CBAM certificates.***

***3. To ensure transparency of the use of revenues generated by the sale of CBAM certificates the Commission shall, on a yearly basis, report to the European Parliament and to the Council on how the equivalent in financial value of those revenues from the previous year has been used and how this has contributed to***

*tackling climate change in the least developed countries.*

Or. en

**Amendment 958**

**Malin Björk**

on behalf of the Committee on the Environment, Public Health and Food Safety

**Proposal for a regulation**

**Article 24 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 24a**

***Revenues generated by the sale of CBAM certificates***

***1. The revenues generated by the sale of CBAM certificates shall constitute internal assigned revenue in accordance with Article 21(3) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council<sup>1a</sup>. They shall be assigned to cover the costs of the operation and maintenance of the CBAM authority. Any revenue remaining after covering those costs shall be assigned to the Union budget.***

***2. To meet Union objectives and international commitments, such as those under WTO agreements and the Paris Agreement, financial support shall be provided to support developing countries' efforts towards the de- carbonisation of their manufacturing industries, including through reinforcing the EU contribution in international climate finance for adaptation (UNFCC Adaptation Fund) and a specific new fund in the Neighbourhood, Development and International Cooperation Instrument to support the low- and middle-income countries that are most affected by the CBAM. The new financial support should comply with the development effectiveness principles, should be additional to existing***



*aid and shall be at least equivalent in financial value to the revenues generated by the sale of CBAM certificate.*

*3. To ensure transparency of the use of revenues generated by the sale of CBAM certificates the Commission shall, on a yearly basis, report to the European Parliament and to the Council on how the equivalent in financial value of those revenues from the previous year has been used and how this has contributed to tackling climate change in the developing countries.*

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*<sup>1a</sup> Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU)*

Or. en

**Amendment 959**

**Yannick Jadot**

**Proposal for a regulation**

**Article 24 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 24a*

*Use of revenues from the sale of CBAM certificates and establishment of the European Fund for International Climate Action*

*1. To fulfil the Union's climate objectives and international commitments, revenues generated from the sales of CBAM certificates shall allow for an increase in the Union's contribution to international climate finance in favour of Least Developed Countries.*

*2. For the purpose of paragraph 1, the European Fund for International Climate*

*Action is hereby established.*

*3. Until the year 2030, the European Fund for International Climate Action shall be endowed with resources equivalent to the resources generated by the sale of CBAM certificates.*

*5. Besides covering the costs of administering the CBAM, the resources of the European Fund of International Climate Action shall be used for climate mitigation and adaptation in Least Developed Countries, in particular for the decarbonisation of the industries in these countries.*

*6. To ensure transparency of the use of revenues generated from the sale of CBAM certificates, the Commission shall, on a yearly basis, report to the European Parliament and the Council on how the resources allocated to the European Fund for International Climate Action have been used and how they have contributed to tackling climate change the previous year.*

Or. en

**Amendment 960**  
**Dolors Montserrat**

**Proposal for a regulation**  
**Article 24 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 24a*

*Measures to address downstream carbon leakage*

*Before the end of the comprehensive transition period, a centralised arrangement at Union level shall be adopted to compensate downstream sectors or sub-sectors which are exposed to the risk of carbon leakage due to significant costs that are actually incurred from greenhouse gas emission costs*

*passed on as a consequence of the gradual phase-out of free allocation in favour of the obligation to surrender CBAM certificates.*

*Compensation shall be proportionate to greenhouse gas emission costs actually passed through in price increase of goods covered by this Regulation in order to avoid negative effects on the internal market as well as overcompensation of costs incurred. Where the amount of compensation available is not sufficient to compensate eligible costs for downstream operators, the amount of compensation available for all eligible installations shall be reduced in a uniform manner.*

*The Commission is empowered to adopt a delegated act in accordance with Article 28 to supplement this Regulation for the purpose referred to in this Article.*

Or. en

#### *Justification*

*Account needs to be taken when designing the CBAM of the cost increase that will be passed on to downstream users of intermediate goods that incorporate goods included in the CBAM. These downstream sectors will see their costs increased, while the costs in third countries remain the same.*

#### **Amendment 961**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Deirdre Clune, Maria Spyraiki, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi**

#### **Proposal for a regulation**

#### **Article 24 a (new)**

*Text proposed by the Commission*

*Amendment*

#### *Article 24a*

*Measures to address downstream carbon leakage*

*Before the end of the comprehensive transition period, a centralised*

*arrangement at Union level shall be adopted to compensate sectors or sub-sectors which are exposed to a genuine risk of carbon leakage due to significant costs that are actually incurred from greenhouse gas emission costs passed on as a consequence of the gradual phase-out of free allocation in favour of the obligation to surrender CBAM certificates. Compensation shall be proportionate to greenhouse gas emission costs actually passed through in price increase of goods covered by this Regulation in order to avoid negative effects on the internal market as well as overcompensation of costs incurred. Where the amount of compensation available is not sufficient to compensate eligible costs for downstream operators, the amount of compensation available for all eligible installations shall be reduced in a uniform manner.*

*The Commission is empowered to adopt a delegated act in accordance with Article 28 to supplement this Directive for the purpose referred to in this paragraph.*

Or. en

#### **Amendment 962**

**Pascal Canfin, Catherine Chabaud, Martin Hojsik, Chrysoula Zacharopoulou**

#### **Proposal for a regulation**

#### **Article 24 a (new)**

*Text proposed by the Commission*

*Amendment*

#### *Article 24a*

#### **Engagement with Least Developed Countries**

*The Union shall enhance its support to least developed countries' efforts toward decarbonisation of their industries impacted by the CBAM by reinforcing climate spending through the relevant instruments in the Union budget. The*

*financial support shall be additional and shall be equivalent in financial value to the revenues generated by the sale of CBAM certificates stemming from least developed countries , and shall not be a simple reallocation of existing budgetary lines.*

Or. en

**Amendment 963**  
**Christophe Hansen**

**Proposal for a regulation**  
**Article 24 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 24a**

*Revenues generated by CBAM shall be used according to the interinstitutional agreement between the European Parliament, the Council of the European Union and the European Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources of the 16th of December 2020 and in line with Council Regulation (EU) 2020/2094.*

Or. en

**Amendment 964**  
**Nicolae Ștefănuță, Susana Solís Pérez**

**Proposal for a regulation**  
**Article 24 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 24a**

*Revenues generated by the sale of CBAM certificates*

*The revenues generated by the sale of CBAM certificates shall not constitute assigned revenue. This Regulation shall not prevent revenues generated by the sale of CBAM certificates from being defined as own resources in accordance with Article 311 TFEU and entered in the Union budget as general income.*

Or. en

**Amendment 965**  
**Petros Kokkalis**

**Proposal for a regulation**  
**Article 24 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 24a*

*Financial aid shall be provided to support the decarbonisation of the power sector of low-income countries from which the EU imports electricity. The financial aid shall be at least equivalent in value to the revenues generated by the sale of CBAM certificates to electricity importers.*

Or. en

**Amendment 966**  
**Catherine Griset, Danilo Oscar Lancini, Aurélia Beigneux, Joëlle Mélin, Mathilde Androuët**

**Proposal for a regulation**  
**Article 25 – paragraph 5 – point a (new)**

*Text proposed by the Commission*

*Amendment*

*(a) The Commission shall report annually to the European Parliament and the Council, with a view to drawing up an exhaustive list of unfair practices and fraud and circumvention practices related to the MACF in third countries.*

**Amendment 967**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Deirdre Clune, Maria Spyraiki, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**

**Article 25 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***5a. As of the initiation of investigations under Articles 26 and 27 and having informed the Member States in due time, the Commission may direct the customs authorities to take the appropriate steps to register imports, so that measures may subsequently be applied against those imports from the date of such registration. Imports shall be made subject to registration following a request, from the Union industry, which contains sufficient evidence to justify such action. Imports may also be made subject to registration on the Commission's own initiative. Registration shall be introduced by Commission regulation. Such regulation shall specify the purpose of the action and, if appropriate, the estimated amount of possible future liability. Imports shall not be made subject to registration for a period longer than nine months.***

Or. en

**Amendment 968**

**Laura Huhtasaari**

**Proposal for a regulation**

**Article 25 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 25a**

***Procedures at the border when goods are exported***

***The national competent authority shall not issue export certificates and the corresponding amount of adjustment allowances resulting from exports unless the export has been realised by a declarant registered according to the procedure referred to in Article 3.***

Or. en

**Amendment 969**

**Danilo Oscar Lancini, Elena Lizzi, Catherine Griset, Rosanna Conte, Silvia Sardone, Matteo Adinolfi, Gianantonio Da Re**

**Proposal for a regulation**

**Article 26 – title**

*Text proposed by the Commission*

*Amendment*

Penalties

Penalties ***in relation to imports of goods***

Or. en

**Amendment 970**

**Laura Huhtasaari**

**Proposal for a regulation**

**Article 26 – title**

*Text proposed by the Commission*

*Amendment*

Penalties

Penalties ***in relation to imports of goods***

Or. en

**Amendment 971**

**Yannick Jadot**



**Proposal for a regulation**  
**Article 26 – paragraph 1**

*Text proposed by the Commission*

1. An authorised declarant who fails to surrender, by 31 May of each year, a number of CBAM certificates corresponding to the emissions embedded in goods imported during the previous year shall be liable to a penalty identical to the excess emissions penalty set out in Article 16(3) of Directive 2003/87/EC, increased pursuant to Article 16(4) of that Directive, in the year of importation of the goods, for each CBAM certificate that the authorised declarant should have surrendered.

*Amendment*

1. An authorised declarant who fails to surrender, by 31 May of each year, a number of CBAM certificates corresponding to the emissions embedded in goods imported during the previous year ***or submits to the CBAM authority false information related to embedded emissions with a view to obtain a favourable individual treatment*** shall be liable to a penalty identical to the excess emissions penalty set out in Article 16(3) of Directive 2003/87/EC, increased pursuant to Article 16(4) of that Directive, in the year of importation of the goods, for each CBAM certificate that the authorised declarant should have surrendered.

Or. en

**Amendment 972**  
**Anna Zalewska**

**Proposal for a regulation**  
**Article 26 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. The penalty referred to in paragraph 1 shall apply mutatis mutandis to the authorised declarant who, within the time limit specified in Article 19 paragraph 3, fails to surrender CBAM certificates corresponding to the number indicated on the basis of this provision.***

Or. en

**Amendment 973**  
**Yannick Jadot**

**Proposal for a regulation**  
**Article 26 – paragraph 2**

*Text proposed by the Commission*

2. Any person other than an authorised declarant, introducing goods into the customs territory of the Union without surrendering CBAM certificates according to this Regulation shall be liable to the penalty referred to in paragraph 1 in the year of introduction of the goods, for each CBAM certificate that the **person** should have surrendered.

*Amendment*

2. Any person other than an authorised declarant, introducing goods into the customs territory of the Union without surrendering CBAM certificates according to this Regulation shall be liable to ***administrative or criminal sanctions set by the Member State into which the goods have been introduced, as well as to*** the penalty referred to in paragraph 1 in the year of introduction of the goods, for each CBAM certificate that the ***authorised declarant*** should have surrendered.

Or. en

**Amendment 974**  
**Agnès Evren**

**Proposal for a regulation**  
**Article 26 – paragraph 4 – introductory part**

*Text proposed by the Commission*

4. If the competent authority determines that an authorised declarant has failed to comply with the obligation to surrender CBAM certificates as specified in paragraph 1, or that a person has introduced goods into the customs territory of the Union as specified in paragraph 2, the competent authority shall impose the penalty and notify the authorised declarant or, in the situation under paragraph 2, the person:

*Amendment*

4. If the competent ***national*** authority determines that an authorised declarant has failed to comply with the obligation to surrender CBAM certificates as specified in paragraph 1, or that a person has introduced goods into the customs territory of the Union as specified in paragraph 2, the competent authority shall impose the penalty and notify the authorised declarant or, in the situation under paragraph 2, the person:

Or. fr

**Amendment 975**  
**Danilo Oscar Lancini, Elena Lizzi, Catherine Griset, Rosanna Conte, Silvia Sardone, Matteo Adinolfi, Gianantonio Da Re**

**Proposal for a regulation**  
**Article 26 – paragraph 4 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(aa) In case of repeated failure to surrender a number of CBAM certificates corresponding to the emissions embedded in goods imported during the previous year, or in case of submission of false information in the CBAM declaration, an authorized declarant, and any of its related parties, may be automatically excluded from the register for a period of 3 years from the date of exclusion. The respective verifier – and any of its related parties - who has certified the accuracy of the information in the CBAM declaration has its certification withdrawn by the competent authority.***

Or. en

**Amendment 976**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Maria Spyrali, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**

**Article 26 – paragraph 4 – point f**

*Text proposed by the Commission*

*Amendment*

***(f) of the right of the authorised declarant or of the person to appeal under national rules.*** ***deleted***

Or. en

*Justification*

*Creation of CBAM authority implies creation of separate appeal procedure in articles 27a-27c. As national competent authorities are replaced by CBAM authority there is no place for national appeal procedure.*

**Amendment 977**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 26 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**4a. In case of repeated failure to surrender a number of CBAM certificates corresponding to the emissions embedded in goods imported during the previous year, or in case of submission of false information in the CBAM declaration, an authorized declarant, and any of its related parties, may be automatically excluded from the register for a period of 3 years from the date of exclusion. The respective verifier – and any of its related parties - who has certified the accuracy of the information in the CBAM declaration has its certification withdrawn by the competent authority.**

Or. en

**Amendment 978**  
**Hermann Tertsch, Alexandr Vondra, Pietro Fiocchi**

**Proposal for a regulation**  
**Article 26 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**4a. In case of repeated failure to surrender a number of CBAM certificates corresponding to the emissions embedded in goods imported during the previous year, or in case of submission of false or inaccurate information in the CBAM declaration, an authorized declarant, and any of its related parties, may be automatically excluded from the register for a period of 3 years from the date of exclusion. The respective verifier who has certified the accuracy of the information in the CBAM declaration has its certification withdrawn by the issuing**

*national authority.*

Or. en

**Amendment 979**

**Agnès Evren**

**Proposal for a regulation**

**Article 26 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**4a. In the event of repeated failure by an authorised declarant to meet the obligations of this Regulation, the national competent authorities in the Member States concerned shall withdraw the declarant's import authorisation and shall inform the European central CBAM authority of this fact.**

Or. fr

**Amendment 980**

**Yannick Jadot**

**Proposal for a regulation**

**Article 26 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

5. Member States **may apply administrative or criminal** sanctions **for failure to comply with the CBAM legislation in accordance with their national rules in addition to penalties** referred to in paragraph 2. **Such sanctions** shall be effective, proportionate and dissuasive.

5. **The** Member States' sanctions referred to in paragraph 2 shall be effective, proportionate and dissuasive.

Or. en

**Amendment 981**

**Agnès Evren**

**Proposal for a regulation**  
**Article 26 – paragraph 5**

*Text proposed by the Commission*

5. ***Member States may apply administrative or criminal*** sanctions for failure to comply with the CBAM legislation ***in accordance with their national rules*** in addition to penalties referred to in paragraph 2. Such sanctions shall be effective, proportionate and dissuasive.

*Amendment*

5. ***The national competent authorities may apply*** sanctions for failure to comply with the CBAM legislation in addition to penalties referred to in paragraph 2. Such sanctions shall be effective, proportionate and dissuasive.

Or. fr

**Amendment 982**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 26 – paragraph 5**

*Text proposed by the Commission*

5. Member States may apply administrative or criminal sanctions for failure to comply with the CBAM legislation in accordance with their national rules in addition to penalties referred to in paragraph 2. Such sanctions shall be effective, proportionate and dissuasive.

*Amendment*

5. Member States may apply administrative or criminal sanctions for failure to comply with the CBAM legislation in accordance with their national rules in addition to penalties referred to in paragraph 2 ***and 4a***. Such sanctions shall be effective, proportionate and dissuasive.

Or. en

**Amendment 983**  
**Danilo Oscar Lancini, Elena Lizzi, Catherine Griset, Rosanna Conte, Silvia Sardone, Matteo Adinolfi, Gianantonio Da Re**

**Proposal for a regulation**  
**Article 26 – paragraph 5**

*Text proposed by the Commission*

5. Member States may apply

*Amendment*

5. Member States may apply

administrative or criminal sanctions for failure to comply with the CBAM legislation in accordance with their national rules in addition to penalties referred to in **paragraph 2**. Such sanctions shall be effective, proportionate and dissuasive.

administrative or criminal sanctions for failure to comply with the CBAM legislation in accordance with their national rules in addition to penalties referred to in **paragraphs 2 and 4a**. Such sanctions shall be effective, proportionate and dissuasive.

Or. en

**Amendment 984**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 26 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

**5a. Taking into account the significant Union interest in the effective and fair functioning of the mechanism, the Member State shall, no later than 31 May of the following year, submit a report to the Commission and to the CBAM Committee on all measures imposed under paragraphs 1, 2 and 5. That report shall contain, as a minimum, information on the manner and extent of the infringement committed by the declarant or by a person who is not an authorised declarant, the number of infringements committed by that person and the type and amount of the penalty imposed.**

Or. cs

**Amendment 985**  
**Agnès Evren**

**Proposal for a regulation**  
**Article 26 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

**5a. The European central CBAM authority shall provide the national**

*competent authorities with guidelines aimed at fostering an effective, proportionate and dissuasive harmonised system of sanctions.*

Or. fr

**Amendment 986**  
**Anna Zalewska**

**Proposal for a regulation**  
**Article 27 – paragraph 1**

*Text proposed by the Commission*

1. The Commission shall take action, based on relevant and objective data, in accordance with this Article, to address practices of circumvention of this Regulation.

*Amendment*

1. The Commission shall take action *in close consultation with Member States and, where applicable, on the initiative of Member States*, based on relevant and objective data, in accordance with this Article, to address practices of circumvention of this Regulation.

Or. en

**Amendment 987**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 27 – paragraph 1**

*Text proposed by the Commission*

1. The Commission shall take action, based on relevant and objective data, in accordance with this Article, to address practices *of* circumvention of this Regulation.

*Amendment*

1. The Commission shall take action, based on relevant and objective data, in accordance with this Article, to address practices *that may lead to the* circumvention of this Regulation.

Or. cs

**Amendment 988**  
**Antoni Comín i Oliveres**



**Proposal for a regulation**  
**Article 27 – paragraph 2**

*Text proposed by the Commission*

2. Practices of circumvention include situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation and consist in replacing those goods with slightly modified products, which are not included in the list of goods in Annex I but belong to a sector included in the scope of this Regulation.

*Amendment*

2. Practices of circumvention include situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation and **may** consist in:

*(a) replacing those goods with slightly modified products, which are not included in the list of goods in Annex I but belong to a sector included in the scope of this Regulation.*

*(b) replacing these goods by goods with a lower carbon content than those normally produced in the exporting country, exclusively for the purpose of exporting to the Customs Union, for instance via practices of resource shuffling. For the purposes of this article, resource shuffling shall be defined as any practice, processor work that that have insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation, or undermining their effects, without delivering environmental benefits on global greenhouse gas emissions;*

*(c) shipping goods to an intermediary country before being exported to the internal market in order to avoid the obligations laid down in this Regulation.*

Or. en

**Amendment 989**  
**Hermann Tertsch, Alexandr Vondra, Pietro Fiocchi**

**Proposal for a regulation**  
**Article 27 – paragraph 2**

*Text proposed by the Commission*

2. Practices of circumvention include situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation **and consist in replacing those goods with slightly modified products, which are not included in the list of goods in Annex I but belong to a sector** included in the scope of this Regulation.

*Amendment*

2. Practices of circumvention include **a wide range of** situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation. **This regulation prohibits practices of circumvention where a change in the pattern of trade between third countries and the Union or between individual companies or within the same undertaking in relation with** products included in the scope of this regulation, **whether slightly modified or not, stems from a practice, process or work that have insufficient due cause or economic justification other than avoiding obligations as laid down in this regulation.**

Or. en

**Amendment 990**  
**Ondřej Knotek**

**Proposal for a regulation**  
**Article 27 – paragraph 2**

*Text proposed by the Commission*

2. Practices of circumvention include situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation and consist in replacing those goods with slightly modified products, which are not included in the list of goods in Annex I but belong to a sector included in the scope of this Regulation.

*Amendment*

2. Practices of circumvention include situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation, **whether slightly modified or not, stems from a practice, process or work** has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation and consist in replacing those goods with slightly modified products, which are not included in the list of goods in Annex I but belong to a sector included

in the scope of this Regulation ***or undermining their effects, including on overall GHG emissions and on prices of the like products.***

Or. en

## Amendment 991

Agnès Evren

### Proposal for a regulation Article 27 – paragraph 2

#### *Text proposed by the Commission*

2. Practices of circumvention include situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation and ***consist in replacing those goods with slightly modified products, which*** are not included in the list of goods in Annex I but belong to a sector included in the scope of this Regulation.

#### *Amendment*

2. Practices of circumvention include situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation and ***include, but*** are not ***limited*** to:

Or. fr

## Amendment 992

Danilo Oscar Lancini, Elena Lizzi, Catherine Griset, Rosanna Conte, Silvia Sardone, Matteo Adinolfi, Gianantonio Da Re

### Proposal for a regulation Article 27 – paragraph 2

#### *Text proposed by the Commission*

2. Practices of circumvention include situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation ***and consist in replacing those goods with slightly modified***

#### *Amendment*

2. Practices of circumvention include situations where a change in the pattern of trade ***between third countries and the Union or between third countries themselves or between individual companies or within the same undertaking*** in relation to goods included in the scope of this Regulation , ***whether***

*products, which are not included in the list of goods in Annex I but belong to a sector included in the scope of this Regulation.*

*slightly modified or not, stems from a practice, process or work that has insufficient due cause or economic justification other than avoiding obligations **or seeking benefits** as laid down in this Regulation **or undermining their effects, including on overall GHG emissions and on prices of the goods concerned.***

Or. en

**Amendment 993**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 27 – paragraph 2**

*Text proposed by the Commission*

2. Practices of circumvention include situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation **and consist in replacing those goods with slightly modified products, which are not included in the list of goods in Annex I but belong to a sector included in the scope of this Regulation.**

*Amendment*

2. Practices of circumvention include situations where a change in the pattern of trade **between third countries and the Union or between third countries themselves or between individual companies or within the same undertaking** in relation to goods included in the scope of this Regulation , **whether slightly modified or not, stems from a practice, process or work that** has insufficient due cause or economic justification other than avoiding obligations **or seeking benefits** as laid down in this Regulation **or undermining their effects, including on overall GHG emissions and on prices of the goods concerned..**

Or. en

**Amendment 994**  
**Radan Kanev**

**Proposal for a regulation**  
**Article 27 – paragraph 2**

*Text proposed by the Commission*

2. Practices of circumvention include situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation and consist in ***replacing those goods with slightly modified products, which are not included in the list of goods in Annex I but belong to a sector included in the scope of this Regulation.***

*Amendment*

2. Practices of circumvention include situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation and ***may*** consist in:

Or. en

**Amendment 995**

**Yannick Jadot**

**Proposal for a regulation  
Article 27 – paragraph 2**

*Text proposed by the Commission*

2. Practices of circumvention ***include situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation has insufficient*** due cause or economic justification other than avoiding obligations as laid down in this Regulation and consist ***in replacing those goods with slightly modified products, which*** are not ***included in the list of goods in Annex I but belong to a sector included in the scope of this Regulation.***

*Amendment*

2. Practices of circumvention ***are any measures that have the objective of avoiding the obligations laid down in*** this Regulation. ***These are situations which stem from a practice, process or work within sufficient*** due cause or economic justification other than avoiding ***or mitigating*** obligations as laid down in this Regulation and consist ***of, but*** are not ***limited to:***

Or. en

**Amendment 996**

**Dan-Ștefan Motreanu**

**Proposal for a regulation  
Article 27 – paragraph 2**

*Text proposed by the Commission*

2. Practices of circumvention include situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation ***and consist in replacing those goods with slightly modified products, which are not included in the list of goods in Annex I but belong to a sector included in the scope of this Regulation.***

*Amendment*

2. Practices of circumvention include situations where a change in the pattern of trade in relation to ***Practices of circumvention include situations where a change*** goods included in the scope of this Regulation, ***whether slightly modified or not, stems from a practice, process or work*** has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation, ***or undermining their effects, including on overall GHG emissions and on prices of the like*** products.

Or. en

**Amendment 997**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Deirdre Clune, Maria Spyraiki, Pernille Weiss, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

**Proposal for a regulation**

**Article 27 – paragraph 2**

*Text proposed by the Commission*

2. Practices of circumvention include situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation ***and consist in replacing those goods with slightly modified products, which are not included in the list of goods in Annex I but belong to a sector included in the scope of this Regulation.***

*Amendment*

2. Practices of circumvention include situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation, ***whether slightly modified or not, stems from a practice, process or work that have*** has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation, ***or undermining their effects, including on overall GHG emissions and on prices of the like*** products.

Or. en

**Amendment 998**  
**Jessica Polfjärd**

**Proposal for a regulation**  
**Article 27 – paragraph 2**

*Text proposed by the Commission*

2. Practices of circumvention include situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation ***and consist in replacing those goods with slightly modified products, which are not included in the list of goods in Annex I but belong to a sector included in the scope of this Regulation.***

*Amendment*

2. Practices of circumvention include situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation, ***whether slightly modified or not, stems from a practice, process or work that have*** has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation, ***or undermining their effects, including on overall GHG emissions and on prices of the like*** products.

Or. en

**Amendment 999**  
**Ivan David**

**Proposal for a regulation**  
**Article 27 – paragraph 2**

*Text proposed by the Commission*

2. Practices of circumvention include situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation ***and consist in replacing those goods with slightly modified products, which are not included in the list of goods in Annex I but belong to a sector included in the scope of this Regulation.***

*Amendment*

2. Practices of circumvention include situations where a change in the pattern of trade in relation to goods included in the scope of this Regulation, ***whether slightly modified or not, stems from a practice, process or work*** has insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation ***or undermining their effects, including on overall GHG emissions and on prices of the like*** products.

Or. en



## *Justification*

*The definition of circumvention should cover all practices that undermine the CBAM directly or indirectly. The amendment proposes to extend the article to all circumvention practices that are defined in article 13 of Regulation 2016/1036 on antidumping as well as the practice of resource shuffling, which also undermines the environmental benefits of the CBAM because it reduces the CBAM obligation on importers without any positive impact on global emissions.*

### **Amendment 1000**

**Adam Jarubas**

on behalf of the EPP Group

**Esther de Lange, Ewa Kopacz, Deirdre Clune, Maria Spyra, Pernille Weiss, Radan Kanev, Liudas Mažylis, Cristian-Silviu Buşoi, Dolors Montserrat**

### **Proposal for a regulation**

#### **Article 27 – paragraph 2 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*The practice, processor work referred to in the first subparagraph include, inter alia:*

*(a) the slight modification of a product to make it fall under another customs code which is not subject to the obligations of this Regulation;*

*(b) false declarations regarding identity of the producer, the product concerned, the nature of the product concerned or the production process;*

*(c) the consignment of the product concerned via third countries where no or more favourable obligations apply;*

*(d) the reorganisation by exporters or producers of their patterns and channels of sales in order to avoid obligations under this Regulation, or undermine their effects, for instance via practices of resource shuffling or excessive imports before the end of the comprehensive transitional period; resource shuffling are defined as any practice, process or work that that have insufficient due cause or economic justification other than avoiding obligations as laid down in this*



*Regulation, or undermining their effects, without delivering environmental benefits on global GHG emissions; if the distortions in trade patterns point at the possibility of circumvention of the Regulation by excessive importation before the end of comprehensive transition period, the CBAM authority shall apply the obligation to surrender CBAM certificates for the emissions from excessive imports in the first year after the end of comprehensive transition period;*

*(e) in the circumstances indicated in paragraph 2, the assembly of parts by an assembly operation in the Union or a third country.*

Or. en

#### **Amendment 1001**

**Yannick Jadot**

#### **Proposal for a regulation**

#### **Article 27 – paragraph 2 – point a (new)**

*Text proposed by the Commission*

*Amendment*

*(a) direct or indirect subsidies, such as favourable tax arrangements, or energy pricing, or export rebates or other form of compensation on exportation, for goods covered by the CBAM, to absorb parts or the entirety of the costs linked to a CO<sub>2</sub> price paid in the third country or to absorb parts or the entirety if the CBAM price;*

Or. en

#### **Amendment 1002**

**Agnès Evren**

#### **Proposal for a regulation**

#### **Article 27 – paragraph 2 – point a (new)**

*Text proposed by the Commission*

*Amendment*

*(a) situations that consist in replacing those goods with slightly modified products, which are not included in the list of goods in Annex I but belong to a sector included in the scope of this Regulation;*

Or. fr

**Amendment 1003**

**Radan Kanev**

**Proposal for a regulation**

**Article 27 – paragraph 2 – point a (new)**

*Text proposed by the Commission*

*Amendment*

*(a) replacing those goods with slightly modified products, which are not included in the list of goods in Annex I but belong to a sector included in the scope of this Regulation.*

Or. en

**Amendment 1004**

**Jessica Polfjärd**

**Proposal for a regulation**

**Article 27 – paragraph 2 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*The practice referred to in the first subparagraph shall include, inter alia:*

*(a) the slight modification of a product to make it fall under another customs code which are not subject to the obligations of this Regulation;*

*b) false declarations regarding identity of the producer, the product concerned, the nature of the product concerned or the*

*production process;*

*(c) the consignment of the product concerned via third countries where no or more favourable obligations apply;*

*(d) the reorganisation by exporters or producers of their patterns and channels of sales in order to avoid obligations of this Regulation, or undermine their effects, for instance via practices of resource shuffling. Resource shuffling shall be defined as any practice, process or work that that have insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation, or undermining their effects, without delivering environmental benefits on global GHG emissions;*

*(e) in the circumstances indicated in paragraph 2, the assembly of parts by an assembly operation in the Union or a third country.*

Or. en

**Amendment 1005**  
**Radan Kanev**

**Proposal for a regulation**  
**Article 27 – paragraph 2 – point b (new)**

*Text proposed by the Commission*

*Amendment*

*(b) replacing these goods by goods with a lower carbon content than those normally produced in the exporting country, exclusively for the purpose of exporting to the Customs Union, for instance via practices of resource shuffling. For the purposes of this Article, resource shuffling shall be defined as any practice, process or work that that have insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation, or undermining their effects, without delivering environmental benefits*

*on global greenhouse gas emissions;*

Or. en

**Amendment 1006**

**Agnès Evren**

**Proposal for a regulation**

**Article 27 – paragraph 2 – point b (new)**

*Text proposed by the Commission*

*Amendment*

***(b) situations that consist in replacing these goods with goods with a lower carbon content than that of the products normally produced in the exporting country, with the sole aim of export to the European Union;***

Or. fr

**Amendment 1007**

**Yannick Jadot**

**Proposal for a regulation**

**Article 27 – paragraph 2 – point b (new)**

*Text proposed by the Commission*

*Amendment*

***(b) a CO<sub>2</sub> price paid in a third country placed only on goods to be exported to the Union;***

Or. en

**Amendment 1008**

**Agnès Evren**

**Proposal for a regulation**

**Article 27 – paragraph 2 – point c (new)**

*Text proposed by the Commission*

*Amendment*

***(c) situations that consist in sending***

*these goods to a country or region referred to in Article 2(3) of this Regulation or to any other intermediate country or region prior to their importation to the EU market, with the aim of avoiding or reducing the obligations of this Regulation.*

Or. fr

**Amendment 1009**  
**Yannick Jadot**

**Proposal for a regulation**  
**Article 27 – paragraph 2 – point c (new)**

*Text proposed by the Commission*

*Amendment*

*(c) replacing goods with slightly modified products, which are not included in the list of goods in Annex I but belong to a sector included in the scope of this Regulation, provided that the modification does not alter the essential characteristics of the good;*

Or. en

**Amendment 1010**  
**Radan Kanev**

**Proposal for a regulation**  
**Article 27 – paragraph 2 – point c (new)**

*Text proposed by the Commission*

*Amendment*

*(c) shipping goods to an intermediary country before being exported to the internal market in order to avoid the obligations laid down in this Regulation.*

Or. en

**Amendment 1011**

**Yannick Jadot**

**Proposal for a regulation**

**Article 27 – paragraph 2 – point d (new)**

*Text proposed by the Commission*

*Amendment*

***(d) declaring the origin of goods from a country referred to under Article 2(3) or from any other intermediary third country or region where the goods have been transhipped before export to the Union, or shifting production or assembly of goods to those countries or regions, or, in the case of assembly, to the Union, in order to avoid or mitigate the obligations laid down in this Regulation.***

Or. en

**Amendment 1012**

**Dan-Ştefan Motreanu**

**Proposal for a regulation**

**Article 27 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. The practice, process or work referred to in the first subparagraph include, inter alia:***

***(a) the slight modification of the product concerned to make it fall under customs codes which are normally not subject to the obligations of this Regulation, provided that the modification does not alter its essential characteristics;***

***(b) false declarations as to the identity of the producer of the product concerned or of the nature of the product concerned or the production process involved in making it;***

***(c) the consignment of the product concerned via third countries to which no or more favourable obligations apply;***

*(d) there organisation by exporters or producers of their patterns and channels of sales in order to eventually avoid obligations as laid down in this Regulation, or undermine their effects, including on overall GHG emissions and on prices of the like products, for instance via practices of resource shuffling. For the purposes of this sub-point, resource shuffling shall be defined as any practice, process or work that that have insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation, or undermining their effects, without delivering environmental benefits on global GHG emissions;*

*(e) in the circumstances indicated in paragraph 2, the assembly of parts by an assembly operation in the Union or a third country;*

*(f) Any other measure to eventually avoid 6 or evade obligations as laid down in this Regulation, or undermine their effects, including on overall GHG;*

Or. en

#### *Justification*

*The definition of circumvention should cover all practices that undermine the CBAM directly or indirectly. The amendment proposes to extend the article to all circumvention practices that are defined in article 13 of Regulation 2016/1036 on antidumping as well as the practice of resource shuffling, which also undermines the environmental benefits of the CBAM because it reduces the CBAM obligation on importers without any positive impact on global emissions.*

**Amendment 1013**  
**Ivan David**

**Proposal for a regulation**  
**Article 27 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. The practice, process or work referred to in the first subparagraph include, inter alia:**

- (a) the slight modification of the product concerned to make it fall under customs codes which are normally not subject to the obligations of this Regulation, provided that the modification does not alter its essential characteristics;*
- (b) false declarations as to the identity of the producer of the product concerned or of the nature of the product concerned or the production process involved in making it;*
- (c) the consignment of the product concerned via third countries to which no or more favourable obligations apply;*
- (d) the reorganisation by exporters or producers of their patterns and channels of sales in order to eventually avoid obligations as laid down in this Regulation, or undermine their effects, including on overall GHG emissions and on prices of the like products, for instance via practices of resource shuffling. For the purposes of this sub-point, resource shuffling shall be defined as any practice, process or work that that have insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation, or undermining their effects, without delivering environmental benefits on global GHG emissions;*
- (e) in the circumstances indicated in paragraph 2, the assembly of parts by an assembly operation in the Union or a third country.*
- (f) Any other measure to eventually avoid 6 or evade obligations as laid down in this Regulation, or undermine their effects, including on overall GHG.*

Or. en

#### *Justification*

*The definition of circumvention should cover all practices that undermine the CBAM directly or indirectly. The amendment proposes to extend the article to all circumvention practices that are defined in article 13 of Regulation 2016/1036 on antidumping as well as the practice of resource shuffling, which also undermines the environmental benefits of the CBAM*



*because it reduces the CBAM obligation on importers without any positive impact on global emissions.*

**Amendment 1014**  
**Ondřej Knotek**

**Proposal for a regulation**  
**Article 27 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. The practice, processor work referred to in the first subparagraph include, inter alia:**

**(a) the slight modification of the product concerned to make it fall under customs codes which are normally not subject to the obligations of this Regulation, provided that the modification does not alter its essential characteristics;**

**(b) false declarations as to the identity of the producer of the product concerned or of the nature of the product concerned or the production process involved in making it;**

**(c) the consignment of the product concerned via third countries to which no or more favourable obligations apply;**

**(d) the reorganisation by exporters or producers of their patterns and channels of sales in order to eventually avoid obligations as laid down in this Regulation, or undermine their effects, including on overall GHG emissions and on prices of the like products, for instance via practices of resource shuffling. For the purposes of this sub-point, resource shuffling shall be defined as any practice, process or work that that have insufficient due cause or economic justification other than avoiding obligations as laid down in this Regulation, or undermining their effects, without delivering environmental benefits on global GHG emissions;**

**(e) in the circumstances indicated in paragraph 2, the assembly of parts by an**

*assembly operation in the Union or a third country;*

*(f) Any other measure to eventually avoid 6 or evade obligations as laid down in this Regulation, or undermine their effects, including on overall GHG.*

Or. en

#### **Amendment 1015**

**Danilo Oscar Lancini, Elena Lizzi, Catherine Griset, Rosanna Conte, Silvia Sardone, Matteo Adinolfi, Gianantonio Da Re**

#### **Proposal for a regulation**

#### **Article 27 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. The practice, process or work referred to in paragraph 2 include, inter alia:**

**(a) the slight modification of the goods included in the scope of this Regulation to make it fall under customs codes which are normally not subject to the obligations of this Regulation, provided that the modification does not alter its essential characteristics;**

**(b) false declarations as to the identity of the producer of the goods or of the nature of the goods or the production process involved to product these goods;**

**(c) the consignment of the goods via third countries to which more favourable obligations apply;**

**(d) the reorganisation by exporters or producers of their patterns and channels of sales in order to avoid obligations as laid down in this Regulation, or undermine their effects, including on overall GHG emissions and on prices of the goods, for instance via practices of resource shuffling.**

**(e) the assembly of parts by an assembly operation in the Union or a third country**

*to avoid obligations as laid down in this Regulation.*

Or. en

**Amendment 1016**

**Laura Huhtasaari**

**Proposal for a regulation**

**Article 27 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. The practice, process or work referred to in paragraph 2 include, inter alia: (a) the slight modification of the goods included in the scope of this Regulation to make it fall under customs codes which are normally not subject to the obligations of this Regulation, provided that the modification does not alter its essential characteristics; (b) false declarations as to the identity of the producer of the goods or of the nature of the goods or the production process involved to product these goods; (c) the consignment of the goods via third countries to which more favourable obligations apply; (d) the reorganisation by exporters or producers of their patterns and channels of sales in order to avoid obligations as laid down in this Regulation, or undermine their effects, including on overall GHG emissions and on prices of the goods, for instance via practices of resource shuffling. (e) the assembly of parts by an assembly operation in the Union or a third country to avoid obligations as laid down in this Regulation.**

Or. en

**Amendment 1017**

**Simona Bonafè**

**Proposal for a regulation**  
**Article 27 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. The practices referred to in the second paragraph shall include, *inter alia*:**

**(a) the slight modification of a product to make it fall under customs codes which are normally not subject to the obligations of this Regulation;**

**(b) false declaration about the identity of the producer, the nature of the product or the production process;**

**(c) the shipment of the products via third countries to which no or more favourable obligations apply;**

**(d) the reorganisation by exporters or producers of their patterns and channels of sales in order to avoid obligations laid down in this Regulation.**

Or. en

**Amendment 1018**  
**Agnès Evren**

**Proposal for a regulation**  
**Article 27 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. Where the Commission identifies cases of circumvention as described in paragraph 2 of this Article, it shall notify the national competent authorities with the aim of adopting, where appropriate, the penalties provided for in Article 26 of this Regulation.**

Or. fr

**Amendment 1019**  
**Anna Zalewska**

**Proposal for a regulation**  
**Article 27 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a.** *Circumvention could also be considered, where appropriate, also the exporting countries using their cleanest industrial plants for export to the EU, and more polluting plants for production on the domestic or global market.*

Or. en

**Amendment 1020**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 27 – paragraph 2 b (new)**

*Text proposed by the Commission*

*Amendment*

**2b.** *The practice, process or work referred to in paragraph 2 include, inter alia: (a) the slight modification of the goods included in the scope of this Regulation to make it fall under customs codes which are normally not subject to the obligations of this Regulation, provided that the modification does not alter its essential characteristics;(b) false declarations as to the identity of the producer of the goods or of the nature of the goods or the production process involved to product these goods;(c) the consignment of the goods via third countries to which more favourable obligations apply; (d) the reorganisation by exporters or producers of their patterns and channels of sales in order to avoid obligations as laid down in this Regulation, or undermine their effects, including on overall GHG emissions and on prices of the goods, for instance via practices of resource shuffling.(e) the*

*assembly of parts by an assembly operation in the Union or a third country to avoid obligations as laid down in this Regulation.*

Or. en

**Amendment 1021**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 27 – paragraph 2 c (new)**

*Text proposed by the Commission*

*Amendment*

*2c. Following a complaint made by any party, or at the request of Member States or on its own initiative, the Commission may decide, following an investigation, to extend obligations laid down in this regulation, in whatever way is necessary to prevent future circumvention of the present Regulation, when circumvention of the measures in force is taking place. This includes the possibility for the Commission to impose a penalty on an authorised Declarant involved in the circumvention, if this is proportionate, from the date of registration of imports. Given the circumstances of the individual case, the Commission may also decide to ban those imports from entering the Union territory during a certain period or to prevent the authorized Declarant and any of its related parties to import goods subject to the present Regulation into the Union for a certain period.*

Or. en

**Amendment 1022**  
**Laura Huhtasaari**

**Proposal for a regulation**  
**Article 27 – paragraph 2 d (new)**

*Text proposed by the Commission*

*Amendment*

**2d. Decisions referred to in paragraph 2c shall be subject to an appeal procedure.**

Or. en

**Amendment 1023  
Laura Huhtasaari**

**Proposal for a regulation  
Article 27 – paragraph 2 e (new)**

*Text proposed by the Commission*

*Amendment*

**2e. Investigations shall be initiated pursuant to this Article on the initiative of the Commission or at the request of a Member State or of any interested party on the basis of sufficient evidence regarding possible circumvention practices as defined in paragraphs 2 and 2a. Initiations shall be made by means of a Commission regulation which shall also instruct customs authorities of Member States to subject imports to registration in accordance with Article 27(5). The Commission shall provide information to the Member States once a party or a Member State has submitted a request to initiate an investigation and the Commission has completed its analysis thereof, or where the Commission has itself determined that there is a need to initiate an investigation.**

Or. en

**Amendment 1024  
Laura Huhtasaari**

**Proposal for a regulation  
Article 27 – paragraph 2 f (new)**

*Text proposed by the Commission*

*Amendment*

**2f. Investigations shall be carried out by the Commission. The Commission may be assisted by customs authorities and the investigation shall be concluded within 4 months.**

Or. en

**Amendment 1025**

**Laura Huhtasaari**

**Proposal for a regulation**

**Article 27 – paragraph 2 g (new)**

*Text proposed by the Commission*

*Amendment*

**2g. Where the facts as finally ascertained justify the extension of obligations, this shall be done by the Commission adopting delegated acts.**

Or. en

**Amendment 1026**

**Laura Huhtasaari**

**Proposal for a regulation**

**Article 27 – paragraph 2 h (new)**

*Text proposed by the Commission*

*Amendment*

**2h. A Member State or any party affected or benefitted by the situations described in paragraphs 2 to 2g.**

Or. en

**Amendment 1027**

**Radan Kanev**



**Proposal for a regulation**  
**Article 27 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. A Member State or any party affected or benefitted by the situations described in paragraph 2 may notify the Commission if it is confronted, over a two-month period compared with the same period in the preceding year with a significant decrease in the volume of imported goods included in the scope of this Regulation and an increase of volume of imports of slightly modified products, which are not included in the list of goods in Annex I. The Commission shall continually monitor any significant change of pattern of trade of goods and slightly modified products at Union level.**

**deleted**

Or. en

**Amendment 1028**  
**Dan-Ștefan Motreanu**

**Proposal for a regulation**  
**Article 27 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. A Member State or any party affected or benefitted by the situations described in paragraph 2 may notify the Commission if it is confronted, over a two-month period compared with the same period in the preceding year with a significant decrease in the volume of imported goods included in the scope of this Regulation and an increase of volume of imports of slightly modified products, which are not included in the list of goods in Annex I. The Commission shall continually monitor any significant change of pattern of trade of goods and slightly modified products at Union level.**

**3. Following a complaint from an interested party or on its own initiative, the Commission may decide, following an investigation, to extend obligations laid down in this regulation, in whatever way is necessary to prevent future circumvention of the Mechanism, when circumvention of the measures in force is taking place.**

Or. en

