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#### **INFORMATION NOTE**

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from: General Secretariat of the Council  
to: Permanent Representatives Committee/Council

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Subject: Proposal for a Regulation of the European Parliament and of the Council on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport and amending Regulation (EU) No 525/2013  
– Outcome of the European Parliament's first reading  
(Strasbourg, 14 to 17 April 2014)

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#### **I. INTRODUCTION**

The Committee on the Environment, Public Health and Food Safety submitted 93 amendments to the proposal for a Regulation (amendments 1 - 93).

In addition, Mr Nuno TEIXEIRA (EPP - PT) and at least 39 other MEPs submitted a further amendment (amendment 94).

## II. VOTE

When it voted on 16 April 2014, the plenary adopted 84 amendments (amendments 1-15, 17-24, 26, 28-36, 38-51, 53-71, 73-80, 82-87 and 90-93).

The text of the amendments adopted and the European Parliament's legislative resolution are set out in the Annex hereto.

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## Carbon dioxide emissions from maritime transport \*\*\*I

**European Parliament legislative resolution of 16 April 2014 on the proposal for a regulation of the European Parliament and of the Council on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport and amending Regulation (EU) No 525/2013 (COM(2013)0480 – C7-0201/2013 – 2013/0224(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0480),
  - having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0201/2013),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of 16 October 2013<sup>1</sup>,
  - after consulting the Committee of the Regions,
  - having regard to Rule 55 of its Rules of Procedure,
  - having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinions of the Committee on Industry, Research and Energy and the Committee on Transport and Tourism (A7-0080/2014),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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<sup>1</sup> OJ C 67, 6.3.2014, p. 170.

## Amendment 1

### Proposal for a regulation

#### (1) Title

*Text proposed by the Commission*

Proposal for a regulation of the European Parliament and of the Council on the monitoring, reporting and verification of **carbon dioxide** emissions from maritime transport and amending Regulation (EU) No 525/2013.

*Amendment*

Proposal for a regulation of the European Parliament and of the Council on the monitoring, reporting and verification of **greenhouse gas** emissions from maritime transport and amending Regulation (EU) No 525/2013.

## Amendment 2

### Proposal for a regulation

#### (2) Recital 1 a (new)

*Text proposed by the Commission*

*Amendment*

***(1a) Maritime transport has an impact on the global climate and on air quality, as a result of carbon dioxide (CO<sub>2</sub>) emissions and other emissions, including nitrogen oxides (NO<sub>x</sub>), sulphur oxides (SO<sub>x</sub>), methane (CH<sub>4</sub>), particulate matter (PM) and black carbon (BC).***

## Amendment 3

### Proposal for a regulation

#### (3) Recital 1 b (new)

*Text proposed by the Commission*

*Amendment*

***(1b) International maritime shipping remains the only means of transportation not included in the Union's commitment to reduce greenhouse gas emissions. According to the impact assessment accompanying the proposal for this Regulation, Union-related CO<sub>2</sub> emissions from international shipping increased with 48% between 1990 and 2007.***

## Amendment 4

**Proposal for a regulation**

**(4) Recital 1 c (new)**

*Text proposed by the Commission*

*Amendment*

***(1c) In the light of the rapidly developing scientific understanding of the non-CO<sub>2</sub> impact of maritime transport on the global climate, an updated assessment of that impact should be carried out regularly in the context of this Regulation. Based on its assessments, and taking into account the European Parliament's resolution of 14 September 2011 on a comprehensive approach to non-CO<sub>2</sub> climate-relevant anthropogenic emissions, the Commission should analyse the implications for policies and measures in order to reduce those emissions.***

**Amendment 5**

**Proposal for a regulation**

**(5) Recital 1 d (new)**

*Text proposed by the Commission*

*Amendment*

***(1d) The Commission should also take action to address other activities that lead to emissions of greenhouse gases and air pollutants that are not covered by this Regulation, i.e. the use of refrigerants by fishing boats, and evaporative emissions from the loading-offloading of fuels and bulk goods (e.g. VOCs, PM).***

**Amendment 6**

**Proposal for a regulation**

**(6) Recital 1 e (new)**

*Text proposed by the Commission*

*Amendment*

***(1e) The Commission White Paper "Roadmap to a Single European Transport Area" of 2011 calls for a reduction of emissions from maritime***

*transport by 40% (50% if feasible)  
compared to 2005 levels by 2050, namely  
through the application of the "user  
pays" and "polluter pays" principles.*

## Amendment 7

### Proposal for a regulation

(7) Recital 1 f (new)

*Text proposed by the Commission*

*Amendment*

*(1f) The European Parliament's  
Resolution on the "Roadmap to a Single  
European Transport Area – Towards a  
competitive and resource efficient  
transport system" (2011/2096(INI)) calls  
for a Union-wide uniform 30% reduction  
in emissions of CO<sub>2</sub> and pollutants in  
shipping, to which the IMO agreements  
on the Energy Efficiency Design Index  
and the Ship Energy Efficiency  
Management Plan are to make a  
contribution.*

## Amendment 8

### Proposal for a regulation

(8) Recital 3

*Text proposed by the Commission*

*Amendment*

(3) According to data provided by the IMO, the specific energy consumption and CO<sub>2</sub> emissions of ships could be reduced by **up to 75%** by applying operational measures and implementing existing technologies; a significant part of those measures can be regarded as cost-effective as the reduced fuel costs ensure the pay-back of any operational or investment costs.

(3) According to data provided by the IMO, the specific energy consumption and CO<sub>2</sub> emissions of ships could be reduced by **25-75 %** by applying operational measures and implementing existing technologies; a significant part of those measures can be regarded as cost-effective **and being such that they could offer net benefits to the sector**, as the reduced fuel costs ensure the pay-back of any operational or investment costs.

## Amendment 9

## Proposal for a regulation

### (9) Recital 4

#### *Text proposed by the Commission*

(4) In order to reduce carbon dioxide emissions from shipping at Union level the best possible option remains setting up a system for monitoring, reporting and verification (MRV) of **CO<sub>2</sub>** emissions based on the fuel consumption of ships *as* a first step of a staged approach for the inclusion of maritime transport emissions in the Union's greenhouse gas reduction commitment.

#### *Amendment*

(4) In order to reduce carbon dioxide emissions from shipping at Union level the best possible option remains ***implementing a market based measure, namely, pricing of the emissions or a levy, that requires*** setting up a system for monitoring, reporting and verification (MRV) of ***greenhouse gas*** emissions based on the fuel consumption of ships. ***Collecting data on such emissions is*** a first step of a staged approach, ***justified by the necessity of reducing such emissions,*** for the inclusion of maritime transport emissions in the Union's greenhouse gas reduction commitment. ***Public access to the emissions data will contribute to removing market barriers that prevent the uptake of many cost-negative measures which would reduce emissions from the sector.***

## Amendment 10

## Proposal for a regulation

### (10) Recital 6

#### *Text proposed by the Commission*

(6) The results of the stakeholder consultation and discussions with international partners indicate that a staged approach for the inclusion of maritime transport emissions in the Union's greenhouse gas reduction commitment should be applied with the implementation of a robust MRV system for **CO<sub>2</sub>** emissions from maritime transport as a first step and ***the pricing of these emissions*** at a later stage. This approach facilitates making significant progress at international level on the agreement of greenhouse gas emission reduction targets and further measures to achieve these reductions at minimum cost.

#### *Amendment*

(6) The results of the stakeholder consultation and discussions with international partners indicate that a staged approach for the inclusion of maritime transport emissions in the Union's greenhouse gas reduction commitment should be applied with the implementation of a robust MRV system for ***greenhouse gas*** emissions from maritime transport as a first step and ***the introduction of new policy instruments, namely, pricing of the emissions or a levy,*** at a later stage. This approach facilitates making significant progress at international level on the agreement of greenhouse gas emission reduction targets and further measures to achieve these reductions at minimum cost.

## Amendment 11

### Proposal for a regulation

#### (11) Recital 7

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

(7) The introduction of a Union MRV system is expected to lead to emission reductions ***of up to 2% compared to business-as-usual and aggregated net costs reductions of up to 1.2 billion EUR by 2030*** as it could contribute to the removal of market barriers, ***in particular those related to the lack of information about ship efficiency***. This reduction of transport costs should facilitate international trade. Furthermore, a robust MRV system is a prerequisite for any market-based measure or ***efficiency standard***, whether applied at Union level or globally. It also provides reliable data to set precise emission reduction targets and to assess the progress of maritime transport's contribution towards achieving a low carbon economy.

##### *Amendment*

(7) The introduction of a Union MRV system is expected to lead to emission reductions as it could contribute to the removal of market barriers. This reduction of transport costs should facilitate international trade. Furthermore, a robust MRV system is a prerequisite for any market-based measure or ***other measures aiming at providing a better basis for the "polluter pays" principle***, whether applied at Union level or globally. ***In view of the international nature of shipping, a globally agreed procedure would be the preferred and most effective method of reducing emissions in international maritime transport***. It also provides reliable data to set precise emission reduction targets and to assess the progress of maritime transport's contribution towards achieving a low carbon economy.

## Amendment 12

### Proposal for a regulation

#### (12) Recital 8

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

(8) All intra-Union voyages, all incoming voyages from the last non-Union port to the first Union port of call and all outgoing voyages from a Union port to the next non-Union port of call should be considered relevant for purposes of monitoring. ***CO<sub>2</sub>*** emissions in Union ports including when ships are at berth or move within a port, should be covered as well, in particular as specific measures for their reduction or avoidance are available. These rules should be applied in a non-discriminatory manner to all ships regardless of their flag.

##### *Amendment*

(8) All intra-Union voyages, all incoming voyages from the last non-Union port to the first Union port of call and all outgoing voyages from a Union port to the next non-Union port of call should be considered relevant for purposes of monitoring. ***Greenhouse gas*** emissions in Union ports including when ships are at berth or move within a port, should be covered as well, in particular as specific measures ***and alternative technologies, such as facilities which make it possible for ships to connect to mains electricity while at berth***, for their reduction or avoidance are available. These rules should be applied in



a non-discriminatory manner to all ships regardless of their flag.

## Amendment 13

### Proposal for a regulation (13) Recital 8 a (new)

*Text proposed by the Commission*

*Amendment*

***(8a) In view of the geographical scope and the concomitant need for the monitoring of greenhouse gas emissions outside the jurisdiction of the Member States, and given the inclusion of shipping companies registered all over the world, the Commission should inform third countries in good time and in an appropriate manner in order to secure maximum international acceptance.***

## Amendment 14

### Proposal for a regulation (14) Recital 10

*Text proposed by the Commission*

*Amendment*

(10) A robust ship-specific Union MRV system should be based on the calculation of emissions from fuel consumed on voyages from and to Union ports as fuel sales data could not provide appropriately accurate estimates for the fuel consumption within this specific scope due to the large tank capacities of ships.

(10) A robust ship-specific Union MRV system should be based on the calculation of emissions from fuel consumed ***or on the accurate reporting of real emissions*** on voyages from and to Union ports as fuel sales data could not provide appropriately accurate estimates for the fuel consumption within this specific scope due to the large tank capacities of ships.

## Amendment 15

### Proposal for a regulation (15) Recital 11

*Text proposed by the Commission*

*Amendment*

(11) The Union MRV system should also cover other ***climate*** relevant information ***allowing for the determination of ships' efficiency or*** further analyse the drivers for

(11) The Union MRV system should also cover other relevant information ***in order to*** further analyse the drivers for the development of emissions, ***to align*** the

the development of emissions. ***This scope also aligns*** the Union MRV system with international initiatives to introduce efficiency standards for existing ships, also covering operational measures, and ***contributes*** to the removal of market barriers related to the lack of information.

Union MRV system with international initiatives in the IMO to introduce efficiency standards for existing ships, also covering operational measures, and ***to contribute*** to the removal of market barriers related to the lack of information.

#### Amendment 17

##### Proposal for a regulation

(16) Recital 13

*Text proposed by the Commission*

*Amendment*

***(13) To further reduce the administrative effort for ship owners and operators, the monitoring rules should focus on CO2 as the by far most relevant greenhouse gas emitted by maritime transport which contributes to up to 98% of the total greenhouse gas emissions of this sector.***

***deleted***

#### Amendment 18

##### Proposal for a regulation

(17) Recital 16

*Text proposed by the Commission*

*Amendment*

***(16) Other greenhouse gases, climate forcers or air pollutants should not be covered by the Union MRV system at this stage to avoid requirements to install not sufficiently reliable and commercially available measurement equipment, which could impede the implementation of the Union MRV system.***

***(16) The Union MRV system is an opportunity to ensure coherent regulation of the shipping sector with regard to other sectors.***

#### Amendment 19

##### Proposal for a regulation

(18) Recital 16 a (new)

*Text proposed by the Commission*

*Amendment*

***(16a) The MARPOL Convention includes the mandatory application of the Energy Efficiency Design Index (EEDI) to new***

*ships and the use of Ship Efficiency Management Plans (SEEMP) throughout the entire world fleet.*

**Amendment 20**

**Proposal for a regulation**

**(19) Recital 18**

*Text proposed by the Commission*

(18) Verification by accredited verifiers should ensure that monitoring plans and emission reports are correct and in compliance with the requirements defined by this Regulation. As an important element to simplify verification, verifiers should check data credibility by comparing reported data with estimated data based on ship tracking data and characteristics. Such estimates could be provided by the Commission. Verifiers should be independent and competent persons or legal entities and should be accredited by national accreditation bodies established pursuant to Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93<sup>19</sup>.

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<sup>19</sup> OJ L 218, 13.8.2008, p. 30.

*Amendment*

(18) Verification by accredited verifiers should ensure that monitoring plans and emission reports are correct and in compliance with the requirements defined by this Regulation. ***Therefore, competence requirements are essential for a verifier to be able to perform the verification activities under this Regulation.*** As an important element to simplify verification, verifiers should check data credibility by comparing reported data with estimated data based on ship tracking data and characteristics. Such estimates could be provided by the Commission. Verifiers should be independent and competent persons or legal entities and should be accredited by national accreditation bodies established pursuant to Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93<sup>19</sup>.

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<sup>19</sup> OJ L 218, 13.8.2008, p. 30.

**Amendment 21**

**Proposal for a regulation**

**(20) Recital 25**

*Text proposed by the Commission*

(25) In order to make use of the best available practices and scientific evidence, the power to adopt acts in accordance with Article 290 of the Treaty should be

*Amendment*

(25) In order to make use of the best available practices and scientific evidence, the power to adopt acts in accordance with Article 290 of the Treaty should be

delegated to the Commission in respect of reviewing certain technical aspects of monitoring and reporting of **CO<sub>2</sub>** emissions from ships and of further specifying rules for the verification of emission reports and the accreditation of verifiers. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

delegated to the Commission in respect of reviewing certain technical aspects of monitoring and reporting of **greenhouse gas** emissions from ships and of further specifying rules for the verification of emission reports and the accreditation of verifiers. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

## Amendment 22

### Proposal for a regulation

#### (21) Recital 26

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

(26) In order to ensure uniform conditions for the use of automated systems and standard electronic templates for coherent reporting of emissions and other **climate-relevant** information to the Commission and involved States implementing powers should be conferred on the Commission. Those necessary implementing powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers<sup>23</sup>.

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<sup>23</sup> OJ L 251, 18.9.2012, p. 49

##### *Amendment*

(26) In order to ensure uniform conditions for the use of automated systems and standard electronic templates for coherent reporting of emissions and other **relevant** information to the Commission and involved States implementing powers should be conferred on the Commission. Those necessary implementing powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers<sup>23</sup>.

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<sup>23</sup> OJ L 251, 18.9.2012, p. 49

## Amendment 23

### Proposal for a regulation

#### (22) Recital 27

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

(27) The objective of the proposed action, namely to monitor, report and verify **CO<sub>2</sub>** emissions from ships as first step of a staged approach to reduce these emissions cannot be sufficiently achieved by the Member States acting individually, due to the international nature of maritime transport and can therefore, by reason of scale and effects of the action, be better achieved at Union level. The Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

##### *Amendment*

(27) The objective of the proposed action, namely to monitor, report and verify **greenhouse gas** emissions from ships as first step of a staged approach to reduce these emissions **and achieve the targets set out in the Commission White Paper "Roadmap to a Single European Transport Area"**, cannot be sufficiently achieved by the Member States acting individually, due to the international nature of maritime transport and can therefore, by reason of scale and effects of the action, be better achieved at Union level. The Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

## Amendment 24

### Proposal for a regulation

#### (23) Article 1

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

This Regulation lays down rules for the accurate monitoring, reporting and verification of **carbon dioxide (CO<sub>2</sub>)** emissions and other **climate** relevant information from ships arriving at, within or departing from ports under the jurisdiction of a Member State in order to promote the reduction of **CO<sub>2</sub>** emissions from maritime transport in a cost effective manner.

##### *Amendment*

This Regulation lays down rules for the accurate monitoring, reporting and verification of **greenhouse gas** emissions and other relevant information from ships arriving at, within or departing from ports under the jurisdiction of a Member State in order to promote the reduction of **greenhouse gas** emissions from maritime transport in a cost effective manner.

## Amendment 26

### Proposal for a regulation

#### (24) Article 2 – paragraph 2

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

2. This Regulation does not apply to warships, naval auxiliaries, ***fish catching or processing ships***, wooden ships of a primitive build, ships not propelled by mechanical means and government ships used for non-commercial purposes.

##### *Amendment*

2. This Regulation does not apply to warships, naval auxiliaries, wooden ships of a primitive build, ships not propelled by mechanical means and government ships used for non-commercial purposes.

## Amendment 28

### Proposal for a regulation

#### (25) Article 3 – point e

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

(e) ‘verifier’ means a legal entity carrying out verification activities that is accredited by a national accreditation body pursuant to Regulation (EC) No 765/2008 of the European Parliament and of the Council<sup>26</sup> and this Regulation;

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<sup>26</sup> OJ L 218, 13.8.2008, p. 30.

##### *Amendment*

(e) ‘verifier’ means a legal entity carrying out verification activities that is accredited by a national accreditation body pursuant to Regulation (EC) No 765/2008 of the European Parliament and of the Council<sup>26</sup> and this Regulation, ***or an agency in charge of a modelling system for the monitoring of ship emissions***;

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<sup>26</sup> OJ L 218, 13.8.2008, p. 30.

## Amendment 29

### Proposal for a regulation

#### (26) Article 3 – point g

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

(g) ‘other ***climate***-relevant information’ means information related to the consumption of fuels, ***transport work*** and energy efficiency of ships which allow for analysing emission trends and ***assessing ships***’ performances;

##### *Amendment*

(g) ‘other relevant information’ means information related to ***the greenhouse gas emissions from*** the consumption of fuels, ***distance sailed, the scope for connecting to mains electricity while at berth*** and energy efficiency of ships which allow for analysing emission trends and ***indicating shipping*** performances;

## Amendment 30

### Proposal for a regulation

#### (27) Article 3 – point j

*Text proposed by the Commission*

(j) ‘conservative’ means that a set of assumptions is defined in order to ensure that no under-estimation of annual emissions or over-estimation of distances *or amounts of cargo carried* occurs;

*Amendment*

(j) ‘conservative’ means that a set of assumptions is defined in order to ensure that no under-estimation of annual emissions or over-estimation of distances occurs;

## Amendment 31

### Proposal for a regulation

#### (28) Article 3 – point k

*Text proposed by the Commission*

(k) ‘tonnes of CO<sub>2</sub>’ means metric tonnes of CO<sub>2</sub>;

*Amendment*

*deleted*

## Amendment 32

### Proposal for a regulation

#### (29) Article 3 – point l a (new)

*Text proposed by the Commission*

*Amendment*

*(la) 'ship at berth' means a ship which is securely moored or anchored in a Union port while it is loading, unloading or hotelling, including the time spent when not engaged in cargo operations;*

## Amendment 33

### Proposal for a regulation

#### (30) Article 3 – point l b (new)

*Text proposed by the Commission*

*Amendment*

*(lb) 'ice class' means the notation assigned to a ship by the administration or by an organization recognized by the administration showing that the ship has been designed for navigation in sea-ice*

*conditions.*

## Amendment 34

### Proposal for a regulation

#### (31) Article 4 – paragraph 1

*Text proposed by the Commission*

1. Companies shall monitor and report for every ship the amount and type of fuel consumed during a *calendar year* within *each port* under the jurisdiction of a Member State and for *each voyage* arriving to and departing from a port located under the jurisdiction of a Member State in accordance with paragraphs 2 to 6.

*Amendment*

1. Companies shall monitor and report for every ship the amount and type of fuel consumed during a *reporting period* within *all ports* under the jurisdiction of a Member State and for *all voyages* arriving to and departing from a port located under the jurisdiction of a Member State in accordance with paragraphs 2 to 6.

## Amendment 35

### Proposal for a regulation

#### (32) Article 4 – paragraph 2

*Text proposed by the Commission*

2. Monitoring and reporting shall be complete and cover *all* emissions from the combustion of fuels. Companies shall apply appropriate measures to prevent any data gaps within the reporting period.

*Amendment*

2. Monitoring and reporting shall be complete and cover *CO<sub>2</sub>* emissions from the combustion of fuels, *while the ship is at sea as well as at berth*. Companies shall apply appropriate measures to prevent any data gaps within the reporting period.

## Amendment 36

### Proposal for a regulation

#### (33) Article 4 – paragraph 6 a (new)

*Text proposed by the Commission*

*Amendment*

*6a. Companies shall take account of the recommendations included in the verification reports issued pursuant to Article 13 in their consequent monitoring and reporting.*

## Amendment 38



**Proposal for a regulation**

**(34) Article 5 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*Where an international agreement to monitor greenhouse gas emissions from maritime transport is reached, the Commission shall review the methods set out in Annex I and shall be empowered to adopt delegated acts in accordance with Article 24, concerning, if appropriate, amendments to that Annex in order to specify the use of flow meters for applicable combustion processes and direct emission measurements.*

**Amendment 39**

**Proposal for a regulation**

**(35) Article 6 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. By 31 August 2017, companies shall submit to the verifiers a monitoring plan indicating the method chosen to monitor and report emissions and other *climate*-relevant information for each of their ships above **5000 GT**.

1. By 31 August 2017, companies shall submit to the verifiers a monitoring plan indicating the method chosen to monitor and report emissions and other relevant information for each of their ships above **400 GT**.

**Amendment 40**

**Proposal for a regulation**

**(36) Article 6 – paragraph 3 – point a**

*Text proposed by the Commission*

*Amendment*

(a) the identification and type of the ship including the name of the ship, its International Maritime Organisation (IMO) registration number, its port of registry or home port and the name of the ship owner;

(a) the identification and type of the ship including the name of the ship, its International Maritime Organisation (IMO) registration number, its port of registry or home port, **the ice class of the ship**, and the name of the ship owner;

## Amendment 41

### Proposal for a regulation

#### (37) Article 6 – paragraph 3 – point c

*Text proposed by the Commission*

(c) a description of the emission sources *on board of the ship such as main engines, auxiliary engines, boilers and inert gas generators and the fuel types used;*

*Amendment*

(c) a description of the *following* emission sources *and their associated fuel types on board of the ship as follows:*

*(i) main engine(s)*

*(ii) auxiliary engine(s)*

*(iii) boiler(s)*

*(iv) inert gas generator(s);*

## Amendment 42

### Proposal for a regulation

#### (38) Article 6 – paragraph 3 – point d

*Text proposed by the Commission*

(d) a description of procedures, systems and responsibilities used to update the completeness of the list of emission sources over the monitoring *year* for the purpose of ensuring the completeness of monitoring and reporting of the emissions of the ship;

*Amendment*

(d) a description of procedures, systems and responsibilities used to update the completeness of the list of emission sources over the monitoring *period* for the purpose of ensuring the completeness of monitoring and reporting of the emissions of the ship;

## Amendment 43

### Proposal for a regulation

#### (39) Article 6 – paragraph 3 – point h – subpoint ii

*Text proposed by the Commission*

*(ii) the procedures, responsibilities, formulae and data sources for determining and recording the cargo carried and the number of passengers as applicable;*

*Amendment*

*deleted*

## Amendment 44

### Proposal for a regulation

#### (40) Article 6 – paragraph 3 – point h a (new)

*Text proposed by the Commission*

*Amendment*

*(ha) the procedures, responsibilities, formulae and data sources for determining and recording the distance travelled and the time spent when navigating through ice;*

#### **Amendment 45**

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

**(41) Article 6 – paragraph 3 – point j**

*Text proposed by the Commission*

*Amendment*

*(j) the date of the latest modification to the monitoring plan.*

*deleted*

#### **Amendment 46**

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

**(42) Article 6 – paragraph 3 – point j a (new)**

*Text proposed by the Commission*

*Amendment*

*(ja) a revision record sheet to record all details of the revision history;*

#### **Amendment 47**

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

**(43) Article 6 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. Companies shall use standardised monitoring plans based on templates. Technical rules establishing the templates for the monitoring plans referred to in paragraph 1 *shall be determined by means of implementing acts*. Those *implementing acts* shall be adopted by the Commission in accordance with the procedure referred to in Article 25(2) of this Regulation.

4. Companies shall use standardised monitoring plans based on templates. *The Commission shall be empowered to adopt delegated acts in accordance with Article 24 in order to determine* technical rules establishing the templates for the monitoring plans referred to in paragraph 1. *Those templates shall be as simple as possible and shall not entail needless bureaucracy.*

## Amendment 48

### Proposal for a regulation

#### (44) Article 7 – paragraph 2 – introductory part

*Text proposed by the Commission*

A company shall modify the monitoring plan in any of the **following** situations:

*Amendment*

A company shall modify the monitoring plan in any of the **situations set out in points (a) to (e). The monitoring plan shall be modified only in respect of the specific changes that have occurred as a result of those** situations.

## Amendment 49

### Proposal for a regulation

#### (45) Article 7 – paragraph 2 – point a

*Text proposed by the Commission*

(a) where a change of ownership of ships occurs;

*Amendment*

(a) where a change of ownership of ships, **or change of DOC holder or of flag** occurs;

## Amendment 50

### Proposal for a regulation

#### (46) Article 8 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

**Monitoring may be suspended during periods during which a ship is engaged in emergency situations including life-saving activities.**

## Amendment 51

### Proposal for a regulation

#### (47) Article 9 – point b

*Text proposed by the Commission*

(b) amount and emission factor for each type of fuel consumed in total **and differentiated between fuel used inside and outside emission control areas;**

*Amendment*

(b) amount and emission factor for each type of fuel consumed in total;

### Amendment 53

#### Proposal for a regulation (48) Article 9 – point f

*Text proposed by the Commission*

*Amendment*

*(f) cargo carried;*

*deleted*

### Amendment 54

#### Proposal for a regulation (49) Article 9 – point f a (new)

*Text proposed by the Commission*

*Amendment*

*(fa) energy efficiency as determined in Annex II;*

### Amendment 55

#### Proposal for a regulation (50) Article 9 – point g

*Text proposed by the Commission*

*Amendment*

*(g) transport work*

*deleted*

### Amendment 56

#### Proposal for a regulation (51) Article 9 – point g a (new)

*Text proposed by the Commission*

*Amendment*

*(ga) date and time of the start and finish of periods during which monitoring was suspended due to emergency situations such as life-saving activities, along with a description of the same;*

### Amendment 57

#### Proposal for a regulation (52) Article 9 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***For deep sea shipping calling a series of Union ports, the European leg should be considered as one voyage.***

## **Amendment 58**

### **Proposal for a regulation**

**(53) Article 9 – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***By way of derogation from the first paragraph, vessels exclusively operating within the scope of this Regulation and performing multiple voyages per day are exempted from monitoring emissions on a per-voyage basis.***

## **Amendment 59**

### **Proposal for a regulation**

**(54) Article 10**

*Text proposed by the Commission*

*Amendment*

Article 10

Article10

Monitoring on a yearly basis

Monitoring on a yearly basis

Based on the monitoring plan approved in accordance to Article 13(1), for each ship and for each calendar year, the company shall monitor in accordance with part A of Annex I and Annex II the following parameters:

Based on the monitoring plan approved in accordance to Article 13(1), for each ship and for each calendar year, the company shall monitor in accordance with part A of Annex I and Annex II the following parameters:

- (a) amount and emission factor for each type of fuel consumed in total ***and differentiated between fuel used inside and outside emission control areas;***
- (b) total CO<sub>2</sub> emitted;
- (c) aggregated CO<sub>2</sub> emissions from all voyages between ports under a Member State's jurisdiction;
- (d) aggregated CO<sub>2</sub> emissions from all voyages which departed from ports under a

- (a) amount and emission factor for each type of fuel consumed in total;
- (b) total CO<sub>2</sub> emitted;
- (c) aggregated CO<sub>2</sub> emissions from all voyages between ports under a Member State's jurisdiction;
- (d) aggregated CO<sub>2</sub> emissions from all voyages which departed from ports under a

Member State's jurisdiction;  
(e) aggregated CO<sub>2</sub> emissions from all voyages to ports under a Member State's jurisdiction;  
(f) CO<sub>2</sub> emissions which occurred within ports under a Member State's jurisdiction at berth;  
(g) total distance travelled;  
(h) total time spent at sea;  
**(i) total transport work;**  
(j) average energy efficiency.

Member State's jurisdiction;  
(e) aggregated CO<sub>2</sub> emissions from all voyages to ports under a Member State's jurisdiction;  
(f) CO<sub>2</sub> emissions which occurred within ports under a Member State's jurisdiction at berth;  
(g) total distance travelled;  
(h) total time spent at sea **and at berth;**  
(j) average energy efficiency.

## Amendment 60

### Proposal for a regulation

**(55) Article 11 – paragraph 3 – point a – subpoint iii a (new)**

*Text proposed by the Commission*

*Amendment*

**(iiia) the ice class of the ship,**

## Amendment 61

### Proposal for a regulation

**(56) Article 11 – paragraph 3 – point a - subpoint iv**

*Text proposed by the Commission*

*Amendment*

(iv) technical efficiency of the ship (the Energy Efficiency Design Index (EEDI) **or the Estimated Index Value (EIV) in accordance with IMO Resolution MEPC.215 (63),** where applicable):

(iv) **certified** technical efficiency of the ship **expressed by** the Energy Efficiency Design Index (EEDI) where applicable **to the relevant ship type:**

## Amendment 62

### Proposal for a regulation

**(57) Article 11 – paragraph 3 – point a – subpoint ix**

*Text proposed by the Commission*

*Amendment*

(ix) address, telephone, **fax** and e-mail details for a contact person;

(ix) address, telephone and e-mail details for a contact person;

## Amendment 63

### Proposal for a regulation

(58) Article 11 – paragraph 3 – point c a (new)

*Text proposed by the Commission*

*Amendment*

***(ca) details of suspended monitoring periods due to emergency situations and life-saving.***

## Amendment 64

### Proposal for a regulation

(59) Article 13 – paragraph 5

*Text proposed by the Commission*

*Amendment*

5. In particular the verifier shall ensure that the emissions and other ***climate-relevant*** information included in the emission report have been determined in accordance with Articles 8, 9 and 10 and the monitoring plan referred to in Article 6. The verifier shall also ensure that the emissions and other ***climate-relevant*** information declared in the reports are consistent with data calculated from other sources in accordance with Annexes I and II.

5. In particular the verifier shall ensure that the emissions and other ***relevant*** information included in the emission report have been determined in accordance with Articles 8, 9 and 10 and the monitoring plan referred to in Article 6. The verifier shall also ensure that the emissions and other ***relevant*** information declared in the reports are consistent with data calculated from other sources in accordance with Annexes I and II.

## Amendment 65

### Proposal for a regulation

(60) Article 13 – paragraph 7 a (new)

*Text proposed by the Commission*

*Amendment*

***7a. Where the verifier has identified areas for improvement in the company's performance related to the monitoring and reporting of emissions, including in relation to achieving higher accuracy and enhancing efficiency in the monitoring and reporting, it shall include in the verification report recommendations for improvement.***



## Amendment 66

### Proposal for a regulation

#### (61) Article 15 – paragraph 1

*Text proposed by the Commission*

*Amendment*

*1. The verifier shall identify potential risks related to the monitoring and reporting process by comparing reported emissions with estimated data based on ship tracking data and characteristics such as the installed engine power. Where significant deviations are found, the verifier shall carry out further analyses.*

*deleted*

## Amendment 67

### Proposal for a regulation

#### (62) Article 19 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

*3a. During the course of visits and inspections undertaken by EMSA to monitor the implementation of Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on Port State Control, EMSA will also monitor the application of paragraphs 1, 2, and 3 by the competent authorities of Member States and report to the Commission.*

## Amendment 68

### Proposal for a regulation

#### (63) Article 20 – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. Member States shall lay down a system of penalties for failure to comply with the monitoring and reporting requirements set out in Articles 8 to 12 and shall take all the measures necessary to ensure that those penalties are applied. The penalties provided for shall be *no less stringent than those foreseen under national legislation*

1. Member States shall lay down a system of penalties for failure to comply with the monitoring and reporting requirements set out in Articles 8 to 12 and shall take all the measures necessary to ensure that those penalties are applied. The penalties provided for shall be effective, proportionate and dissuasive. Member

*on greenhouse gas emissions in case of non-compliance with reporting obligations by operators and be* effective, proportionate and dissuasive. Member States shall notify these provisions to the Commission by 1 July 2017, and shall notify any subsequent amendments affecting these provisions to the Commission without delay.

States shall notify these provisions to the Commission by 1 July 2017, and shall notify any subsequent amendments affecting these provisions to the Commission without delay.

## Amendment 69

### Proposal for a regulation

#### (64) Article 21 – paragraph 1

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

1. By 30 June each year, the Commission shall make publicly available the emissions reported in accordance with Article 11 *and information on the company's compliance with the monitoring and reporting requirements set out in Articles 11 and 17.*

##### *Amendment*

1. By 30 June each year, the Commission shall make publicly available the yearly emissions reported in accordance with Article 11, *respecting the confidentiality of commercial information to protect a legitimate economic interest pursuant to Articles 3 and 4 of Directive 2003/4/EC<sup>1</sup> of the European Parliament and of the Council.*

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<sup>1</sup> *Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information (OJ L 41, 14.2.2003, p. 26)*

## Amendment 70

### Proposal for a regulation

#### (65) Article 21 – paragraph 2 – point a

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

(a) the identity of the ship (name, IMO registration number *and* port of registry or home port);

##### *Amendment*

(a) the identity of the ship (name, IMO registration number, port of registry or home port *and the ice class of the ship*);

## Amendment 71

**Proposal for a regulation**

**(66) Article 21 – paragraph 2 – point c**

*Text proposed by the Commission*

(c) technical efficiency of the ship (EEDI or EIV where applicable);

*Amendment*

(c) technical efficiency of the ship (EEDI where applicable **to the relevant ship type**);

**Amendment 73**

**Proposal for a regulation**

**(67) Article 21 – paragraph 2 – point g**

*Text proposed by the Commission*

**(g) annual average fuel consumption and greenhouse gas emissions per distance travelled and cargo carried on voyages falling within the scope of this Regulation;**

*Amendment*

**deleted**

**Amendment 74**

**Proposal for a regulation**

**(68) Article 21 – paragraph 2 – point h**

*Text proposed by the Commission*

**(h) annual total time spent at sea in voyages falling within the scope of this Regulation;**

*Amendment*

**deleted**

**Amendment 75**

**Proposal for a regulation**

**(69) Article 21 – paragraph 3**

*Text proposed by the Commission*

3. The Commission shall publish an annual report on emissions and other **climate-**relevant information from maritime transport.

*Amendment*

3. The Commission shall publish an annual report on emissions and other relevant information from maritime transport.

**Amendment 76**

**Proposal for a regulation**

**(70) Article 22 – paragraph 3**

*Text proposed by the Commission*

3. Where an international agreement on global measures to reduce greenhouse gas emissions from maritime transport is reached, the Commission shall review this Regulation and *may, if appropriate, propose amendments to this Regulation.*

*Amendment*

3. Where an international agreement on global measures to reduce greenhouse gas emissions from maritime transport is reached, the Commission shall review this Regulation and ***ensure alignment with the relevant international regulations set by the IMO.***

**Amendment 77**

**Proposal for a regulation**

**(71) Article 23**

*Text proposed by the Commission*

Article 23

Delegation of powers

The power to adopt delegated acts in order to supplement and amend the provisions of Annexes I and II to take into account up-to-date scientific evidence available, as well as the relevant ***data available on board of ships and the relevant international rules and internationally accepted standards, to identify*** the most accurate and efficient methods for monitoring of emissions, and ***to improve*** the accuracy of the information requested related to the monitoring and reporting of emissions is conferred on the Commission subject to the conditions laid down under Article 24 to the extent it concerns non-essential elements of this Regulation.

*Amendment*

Article 23

Delegation of powers

The power to adopt delegated acts in order to supplement and amend the provisions of Annexes I and II ***shall be conferred on the Commission in order*** to take into account up-to-date scientific evidence available, as well as ***to align the Annexes with the relevant international regulations as agreed by the IMO, with the aim of ensuring conformity with international regulations, identifying*** the most accurate and efficient methods for monitoring of emissions, and ***improving*** the accuracy of the information requested related to the monitoring and reporting of emissions. ***This power*** is conferred on the Commission subject to the conditions laid down under Article 24 ***only*** to the extent it concerns non-essential elements of this Regulation.

**Amendment 78**

**Proposal for a regulation**

**(72) Article 24 – paragraph 1**

*Text proposed by the Commission*

1. The power to adopt delegated acts

*Amendment*

1. The power to adopt delegated acts

referred to in Articles 15, 16 and 23 shall be conferred on the Commission for a period of five years from **1 July 2015**.

referred to in **paragraph 1a of Article 5, Article 6(4)**, Articles 15, 16 and 23 shall be conferred on the Commission for a period of five years from *[date of entry into force of this Regulation]*. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.**

## Amendment 79

### Proposal for a regulation

#### (73) Article 24 – paragraph 2

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

2. The delegation of power referred to in Article 23 may be revoked at any time by the European Parliament or by the Council. A decision **of revocation** shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

##### *Amendment*

2. The delegation of power referred to in **paragraph 1a of Article 5, Article 6(4)**, Articles **15, 16 and 23** may be revoked at any time by the European Parliament or by the Council. A decision **to revoke** shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

## Amendment 80

### Proposal for a regulation

#### (74) Article 24 – paragraph 4

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

4. A delegated act adopted pursuant to Article 23 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the

##### *Amendment*

4. A delegated act adopted pursuant to **paragraph 1a of Article 5, Article 6(4)**, Articles **15, 16 and 23** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the

Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

## Amendment 82

### Proposal for a regulation

(75) Article 26 – paragraph 2

Regulation (EU) No 525/2013

Article 21 a – paragraph 3 a (new)

*Present text*

*Amendment*

***(3a) The Commission shall biennially assess the maritime transport sector's overall impact on the global climate including through non-CO<sub>2</sub> emissions or effects, based on the emission data provided by Member States pursuant to Article 7 and/or provided under Regulation (EU) No XXXX/XXXX and improve that assessment by reference to scientific advancements and maritime traffic data.***

## Amendment 83

### Proposal for a regulation

(76) Annex I – part B – paragraph 3 – point d a (new)

*Text proposed by the Commission*

*Amendment*

***(da) Modelling with ship movement information (AIS) and ship specific data.***

## Amendment 84

### Proposal for a regulation

(77) ANNEX I – point B – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

***Any combination of the above methods, approved by the verifier may be used if it enhances the overall accuracy of the***

*measurement.*

## Amendment 85

### Proposal for a regulation

(78) Annex I – part B – point 1 – paragraph 3

*Text proposed by the Commission*

***This approach shall not be used when BDN are not available on board of ships, especially when cargo is used as a fuel, for example, liquefied natural gas (LNG) boil-off.***

*Amendment*

***Where BDNs are not available on board of ships, especially when cargo is used as a fuel, for example, liquefied natural gas (LNG) boil-off, the stock takes of fuel tanks and bunker fuel tank readings shall be used only.***

## Amendment 86

### Proposal for a regulation

(79) ANNEX I – point B – point 1 – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

***Where BDNs are not available on board ships, especially where cargo is used as a fuel, for example, liquefied natural gas (LNG) boil-off, only the stock takes of fuel tanks and bunker fuel tank readings shall be used.***

## Amendment 87

### Proposal for a regulation

(80) Annex I – part B – point 2 – paragraph 5 – point b a (new)

*Text proposed by the Commission*

*Amendment*

***(ba) the density measured in a test analysis conducted in an accredited fuel test laboratory, where available.***

## Amendment 90

### Proposal for a regulation

(81) Annex I – part B – point 4 a (new)

*Text proposed by the Commission*

*Amendment*

**4a. Method Da: Modelling with ship movement information (AIS) and ship specific data.**

***The agency in charge of the modelling system makes a written agreement with the ship-owner of the ship in question. At the end of the monitoring period, the calculated CO2 emissions are compared to ship oil record book and BDNs in order to find and correct any discrepancies.***

## **Amendment 91**

### **Proposal for a regulation**

**(82) Annex II – point A – paragraph 4**

*Text proposed by the Commission*

*Amendment*

***For passenger ships, the number of passengers shall be used to express cargo carried. For all other categories of ships, the amount of cargo carried shall be expressed as metric tonnes and cubic meters of cargo.***

***deleted***

## **Amendment 92**

### **Proposal for a regulation**

**(83) Annex II – point A – paragraph 5**

*Text proposed by the Commission*

*Amendment*

***Transport work shall be determined by multiplying the distance travelled with the amount of cargo carried.***

***deleted***

## **Amendment 93**

### **Proposal for a regulation**

**(84) Annex II – point B – paragraph 3**

*Text proposed by the Commission*

*Amendment*

Average energy efficiency shall be monitored by using ***at least four*** indicators,

Average energy efficiency shall be monitored by using ***two*** indicators, fuel



fuel consumption per distance, *the fuel consumption per transport work*, the CO<sub>2</sub> emissions per distance *and the CO<sub>2</sub> emissions per transport work*, which shall be calculated as follows:

Fuel consumption per distance = total annual fuel consumption / total distance travelled

*Fuel consumption per transport work = total annual fuel consumption / total transport work*

CO<sub>2</sub> emissions per distance = total annual CO<sub>2</sub> emissions / total distance travelled

*CO<sub>2</sub> emissions per transport work = total annual CO<sub>2</sub> emissions / total transport work*

consumption per distance *and* the CO<sub>2</sub> emissions per distance which shall be calculated as follows:

Fuel consumption per distance = total annual fuel consumption / total distance travelled

CO<sub>2</sub> emissions per distance = total annual CO<sub>2</sub> emissions / total distance travelled