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"I/A" ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Proposal for a Directive of the European Parliament and of the Council on the deployment of alternative fuels infrastructure **(first reading)**
- Adoption of the legislative act **(LA + S)**
= Statements

Statement by the Commission regarding the deadlines for the deployment of LNG

"The Commission very much regrets that the legislator could not agree on the date of 31 December 2020 for deploying LNG infrastructure in maritime ports. This date is critical to help industry to meet the requirements set by Directive 2012/33/EU as regards the sulphur content of marine fuels in SOx Emission Control Areas as of 1 January 2015 and outside SOx Emission Control Areas as of 1 January 2020. Regarding inland waterway ports, the Commission believes that technology is already available now to equip inland waterway vessels with engines fuelled by LNG at reasonable cost. This technology plays an important role in rendering the inland waterway sector more environmental friendly and less dependent on oil. The Commission has therefore called for the deployment of LNG infrastructure in inland ports by 31 December 2025 the very latest".

Statement of the Commission regarding the information of the European Parliament on the preparation and the implementation of delegated acts

"With regard to the possibility of the European Parliament to be invited to meetings, the Commission will implement this recital (61) in accordance with its practice in the implementation of point 15 of the Framework agreement on relations between the European Parliament and the European Commission."

Statement by the Commission on the non-opinion clause

"The Commission underlines that it is contrary to the letter and to the spirit of Regulation 182/2011 to invoke Article 5 § 4, subparagraph 2, point b) in a systematic manner. Recourse to this provision must respond to a specific need to depart from the rule of principle which is that the Commission may adopt a draft implementing act when no opinion is delivered. Given that it is an exception to the general rule established by Article 5 (4) recourse to subparagraph 2, point b), cannot be simply seen as a "discretionary power" of the legislator, but must be interpreted in a restrictive manner and thus must be justified.

While the Commission notes the agreement reached by the European Parliament and the Council on the recourse to this provision it regrets that such justification is not reflected in a recital."
