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INFORMATION NOTE

from:	General Secretariat
to:	Permanent Representatives Committee/Council
Subject:	Proposal for a Regulation of the European Parliament and of the Council on the Cohesion Fund and repealing Council Regulation (EC) No 1084/2006 – Outcome of the European Parliament's first reading (Strasbourg, 18 to 21 November 2013)

I. INTRODUCTION

The Rapporteur, Mr Victor BOȘTINARU (S&D, RO) presented a report on the proposal for a Regulation on behalf of the Committee on Regional Development. The report contained 58 amendments (amendments 1 - 58) to the proposal.

In accordance with the provisions of Article 294 of the TFEU and the joint declaration on practical arrangements for the codecision procedure ¹, a number of informal contacts have taken place between the Council, the European Parliament and the Commission with a view to reaching an agreement on this dossier at first reading, thereby avoiding the need for second reading and conciliation.

¹ OJ C 145, 30.6.2007, p.5

In this context, the Committee presented 5 additional amendments (amendments 59-63) to the proposal for a Regulation. These amendments had been agreed during the informal contacts referred to above and were consequently intended to replace amendments 4, 24, 45 and 47 previously voted by the Committee. One further amendment regarding the legislative resolution (amendment 64) was tabled, covering a joint statement of the European Parliament and the Council. Amendment 6 was withdrawn.

II. VOTE

When it voted on 20 November 2013, the plenary adopted amendments 1-3, 5, 7-23, 25-44, 46, and 48-64 to the proposal for a Regulation. No other amendments were adopted. The Commission's proposal as thus amended constitutes the Parliament's first-reading position which is contained in its legislative resolution as set out in the Annex hereto¹.

The Parliament's position reflects what had been previously agreed between the institutions. The Council should therefore be in a position to approve the Parliament's position.

The act would then be adopted in the wording which corresponds to the Parliament's position.

¹ The version of the Parliament's position in the legislative resolution has been marked up to indicate the changes made by the amendments to the Commission's proposal. Additions to the Commission's text are highlighted in *bold and italics*. The symbol "■" indicates deleted text.

Cohesion Fund ***I

European Parliament legislative resolution of 20 November 2013 on the proposal for a regulation of the European Parliament and of the Council on the Cohesion Fund and repealing Council Regulation (EC) No 1084/2006 (COM(2011)0612 – C7-0325/2011 – 2011/0274(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2011)0612),
 - having regard to Article 294(2) and Article 177 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0325/2011),
 - 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 25 April 2012¹,
 - having regard to the opinion of the Committee of the Regions of 3 May 2012²,
 - having regard to the undertaking given by the Council representative by letter of 18 November 2013 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Regional Development and the opinions of the Committee on Budgets, the Committee on the Environment, Public Health and Food Safety, the Committee on Industry, Research and Energy and the Committee on Transport and Tourism (A7-0270/2013),
1. Adopts its position at first reading hereinafter set out;
 2. Approves the joint statement of the European Parliament and of the Council annexed to this resolution;
 3. 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;
 4. Instructs its President to forward its position to the Council, the Commission and the national

¹ OJ C 191, 29.6.2012, p. 38.

² OJ C 225, 27.7.2012, p. 143.

parliaments.

Amendment 1

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) Article 174 of the Treaty provides that the Union *should* develop and pursue its actions leading to the strengthening of its economic, social and territorial cohesion. The Cohesion Fund should therefore provide a financial contribution to projects in the field of the environment and to trans-European networks in the area of transport infrastructure.

Amendment

(1) Article 174 of the Treaty *on the Functioning of the European Union (TFEU)* provides that the Union *is to* develop and pursue its actions leading to the strengthening of its economic, social and territorial cohesion. The Cohesion Fund *which is established by this Regulation* should therefore provide a financial contribution to projects in the field of the environment and to trans-European networks in the area of transport infrastructure.

Amendment 2

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) Regulation (EU) No [...]/**2012** of [...] laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund covered by the Common Strategic Framework and laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1083/2006 [Common Provisions Regulation - CPR] establishes a new framework for the action of the Structural Funds *and* the Cohesion Fund. It is necessary to specify the objectives of the Cohesion Fund in relation to the new framework for its action and in relation to the purpose assigned to it in the Treaty.

Amendment

(2) *The provisions common to the European Regional Development Fund (ERDF), the European Social Fund (ESF) and the Cohesion Fund are set out in* Regulation (EU) No [...]/**2013** of [...] laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund covered by the Common Strategic Framework and laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1083/2006 [Common Provisions Regulation - CPR]. *The CPR* establishes a new framework for the action of the *European Structural and Investment* Funds *including* the Cohesion Fund. It is necessary *therefore* to specify

the objectives of the Cohesion Fund in relation to the new framework for its action and in relation to the purpose assigned to it in the Treaty *on the Functioning of the European Union*.

Amendment 3

Proposal for a regulation Recital 3

Text proposed by the Commission

(3) The Union may, through the Cohesion Fund, contribute to actions in pursuit of the Union's environmental objectives specified in Articles 11 and 191 of the *Treaty*.

Amendment

(3) The Union may, through the Cohesion Fund, contribute to actions in pursuit of the Union's environmental objectives specified in Articles 11 and 191 of the *TFEU*, ***namely energy efficiency and renewable energy and, in the transport sector outside the trans-European networks, rail, river and sea transport, intermodal transport systems and their interoperability, management of road, sea and air traffic, clean urban transport and public transport.***

Amendment 59

Proposal for a regulation Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) In order to accelerate the development of infrastructure in transport across the Union, the Cohesion Fund should support transport infrastructure projects of European added value provided for by Regulation (EU) No [...]/2013 of the European Parliament and of the Council of [...] establishing the Connecting Europe Facility (hereinafter referred to as the "CEF Regulation"), for a total amount of EUR 10 000 000 000. Support to be allocated from the Cohesion

Fund should follow the rules established by Article [84 (4)] of Regulation (EU) No [...] /2013 [CPR]. In accordance with the CEF Regulation, support should be available to Member States eligible for funding from the Cohesion Fund only, with the co-financing rates applicable to this Fund.

Amendment 5

Proposal for a regulation Recital 3 b (new)

Text proposed by the Commission

Amendment

(3b) It should be recalled that where measures based on Article 192(1) of the Treaty involve costs deemed disproportionate for the public authorities of a Member State and financial support from the Cohesion Fund is provided in accordance with Article 192(5), the polluter pays principle shall nevertheless apply.

Amendment 7

Proposal for a regulation Recital 5

Text proposed by the Commission

Amendment

(5) Specific provisions concerning the type of activities which may be supported by the Cohesion Fund under the thematic objectives defined in Regulation (EU) No [...] /2012 [CPR] should be laid down. *At the same time, expenditure outside the scope of the Cohesion Fund should be defined and clarified, including as regards the reduction of greenhouse gas emissions in installations falling under Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance*

(5) Specific provisions concerning the type of activities which may be supported by the Cohesion Fund under the thematic objectives defined in Regulation (EU) No [...] /2013 [CPR] should be laid down.

Amendment 8

**Proposal for a regulation
Recital 5 a (new)**

Text proposed by the Commission

Amendment

(5a) Investments to achieve the reduction of greenhouse gas emissions from the activities listed in Annex I to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC should not be eligible for support from the Cohesion Fund as they already benefit financially from the application of that Directive. This exclusion should not restrict the possibility to use the Cohesion Fund to support the activities not listed in Annex I to Directive 2003/87/EC even if implemented by the same economic operators, such as, energy efficiency investments in co-generation of heat and power and in the district heating networks, smart energy distribution, storage and transmission systems, measures aimed at reducing air pollution etc, even if one of their indirect effects is the reduction of greenhouse gas emissions or if they are listed in the national plan referred to in Article 10c(1) of Directive 2003/87/EC.

Amendment 9

Proposal for a regulation Recital 5 b (new)

Text proposed by the Commission

Amendment

(5 b) Investments in housing except for promoting energy efficiency and renewable energy use cannot be eligible for support from the Cohesion Fund as they fall outside the scope of support from the Cohesion Fund as defined in the Treaty on the Functioning of the European Union.

Amendment 10

Proposal for a regulation Recital 5 c (new)

Text proposed by the Commission

Amendment

(5 c) It is important to ensure that, in promoting risk management investments, specific risks at regional, cross border and transnational level are taken into account.

Amendment 11

Proposal for a regulation Recital 5 d (new)

Text proposed by the Commission

Amendment

(5 d) Complementarity and synergies between interventions supported by the Cohesion Fund, the ERDF, the ETC and the CEF should be ensured, in order to avoid duplication of efforts and guarantee the optimal linkage of different types of infrastructure at local, regional and national levels, and across the European Union.

Amendment 12

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) In order to address the specific needs of the Cohesion Fund, and in line with the Europe 2020 strategy that cohesion policy should support the need to deliver smart, sustainable and inclusive growth, it is necessary to set out investment priorities within the scope of the thematic objectives laid down in Regulation (EU) No [...]/2012 [CPR].

Amendment

(6) In order to address the specific needs of the Cohesion Fund, and in line with the Europe 2020 strategy that cohesion policy should support the need to deliver smart, sustainable and inclusive growth, it is necessary to set out investment priorities within the scope of the thematic objectives laid down in Regulation (EU) No [...]/2013 [CPR]. ***These investment priorities should set out detailed objectives, which are not mutually exclusive, to which the Cohesion Fund shall contribute. These investment priorities should form the basis for the definition of specific objectives within operational programmes that take into account the needs and characteristics of the programme area. In order to increase flexibility and reduce administrative burden by allowing joint implementation, the ERDF and the Cohesion Fund investment priorities under the corresponding thematic objectives should be aligned.***

Amendment 13

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) A common set of indicators to assess progress of ***programme*** implementation should be set out ***before the Member States draft their operational programmes***. These indicators should be complemented by programme-specific indicators.

Amendment

(7) A common set of ***output*** indicators to assess ***the aggregated*** progress ***at Union level*** of implementation of ***programmes*** should be set out ***in this Regulation***. ***These should correspond to the investment priority and type of action supported in accordance with this Regulation and the relevant provisions of Regulation (EU) No [...]/2013 [CPR]***. These indicators should

be complemented by programme-specific *result indicators and, where relevant, by programme-specific output* indicators.

Amendment 14

Proposal for a regulation Recital 8

Text proposed by the Commission

(8) This Regulation replaces Council Regulation (EC) No 1084/2006 of 11 July 2006 establishing the Cohesion Fund **and repealing Regulation (EC) No 1164/94. In the interest of clarity**, Regulation (EC) No 1084/2006 should therefore be repealed.

Amendment

(8) This Regulation replaces Council Regulation (EC) No 1084/2006 of 11 July 2006 establishing the Cohesion Fund. **That** Regulation should therefore be repealed. **Nevertheless, this Regulation should not affect either the continuation or modification of assistance approved by the Commission on the basis of Regulation (EC) No 1084/2006 or any other legislation applying to that assistance on 31 December 2013, which should consequently apply thereafter to that assistance or the projects concerned until their closure. Applications to receive assistance made or approved under Regulation (EC) No 1084/2006 should therefore remain valid.**

Amendment 15

Proposal for a regulation Recital 8 a (new)

Text proposed by the Commission

Amendment

(8 a) Since the economic, social and territorial cohesion objectives cannot be sufficiently achieved by the Member States by reason of the extent of the disparities between the levels of development of the various regions and the backwardness of the least favoured regions and the limit on the financial resources of the Member States and regions and can therefore 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 on European Union. 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 16

Proposal for a regulation Article 1 – title and paragraph 1

Text proposed by the Commission

Subject-matter

This Regulation establishes the tasks of the Cohesion Fund and the scope of its support with regard to the Investment for growth and jobs goal referred to in Article 81 of Regulation (EU) No []/2012 [CPR].

Amendment

Establishment and subject-matter of the Cohesion Fund

1. A Cohesion Fund is hereby established for the purpose of strengthening the economic, social and territorial cohesion of the Union in the interests of promoting sustainable development. This Regulation establishes the tasks of the Cohesion Fund and the scope of its support with regard to the Investment for growth and jobs goal referred to in Article 81 of Regulation (EU) No []/2013 [CPR].

Amendment 17

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

Text proposed by the Commission

Amendment

1a. The Cohesion Fund shall be governed by Regulation (EU) No [...]/2013 [CPR] and by this Regulation.

Amendment 18

Proposal for a regulation

Article 2 – paragraph 2 – point a

Text proposed by the Commission

(a) the decommissioning of nuclear power stations;

Amendment

(a) the decommissioning **and the construction** of nuclear power stations;

Amendment 19

Proposal for a regulation

Article 2 – paragraph 2 – point b

Text proposed by the Commission

(b) the reduction of greenhouse gas emissions **in installations** falling under Directive 2003/87/EC;

Amendment

(b) **investment to achieve** the reduction of greenhouse gas emissions **from activities** falling under **Annex I of** Directive 2003/87/EC;

Amendment 20

Proposal for a regulation

Article 2 – paragraph 2 – point c

Text proposed by the Commission

(c) housing.

Amendment

(c) housing **except for promoting energy efficiency and renewable energy use**;

Amendment 21

Proposal for a regulation

Article 2 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) the manufacturing, processing and marketing of tobacco and tobacco products;

Amendment 22

Proposal for a regulation

Article 2 – paragraph 2 – point c b (new)

Text proposed by the Commission

Amendment

(cb) undertakings in difficulties as defined under Union State aid rules;

Amendment 23

Proposal for a regulation

Article 2 – paragraph 2 – point c c (new)

Text proposed by the Commission

Amendment

(cc) investment in airport infrastructure unless related to environmental protection or accompanied by investments necessary to mitigate or reduce its negative environmental impact.

Amendment 60

Proposal for a regulation

Article 2 a (new)

Text proposed by the Commission

Amendment

Article 2a

Support from the Cohesion Fund to transport infrastructure projects under the Connecting Europe Facility

The Cohesion Fund shall support transport infrastructure projects of European added value provided for by Regulation (EU) No[...]/2013 [establishing the Connecting Europe Facility] for an amount of EUR 10 000 000 000 in accordance with Article [84 (4)] of Regulation (EU) No [...]/2013 [CPR].

Amendment 25

Proposal for a regulation

Article 3 – paragraph 1 – introductory part

Text proposed by the Commission

In accordance with Article 16 of Regulation (EU) No [...]/**2012** [CPR], the Cohesion Fund shall support the following investment priorities within the thematic objectives set out in Article 9 of Regulation (EU) No [...]/**2012** [CPR]:

Amendment

In accordance with Article 16 of Regulation (EU) No [...]/**2013** [CPR], the Cohesion Fund shall support the following investment priorities within the thematic objectives set out in Article 9 of Regulation (EU) No [...]/**2013** [CPR] ***taking into account the needs and potentials described in the Partnership Agreement referred to in Article 14(1)(a)(i) of that Regulation:***

Amendment 26

Proposal for a regulation

Article 3 – point a – introductory part

Text proposed by the Commission

(a) supporting the shift towards a low-carbon economy in all sectors ***by***:

Amendment

(a) supporting the shift towards a low-carbon economy in all sectors ***through***:

Amendment 27

Proposal for a regulation

Article 3 – point a – point i

Text proposed by the Commission

(i) promoting the production and distribution of ***renewable*** energy sources;

Amendment

(i) promoting the production and distribution of energy ***derived from renewable*** sources;

Amendment 28

Proposal for a regulation

Article 3 – paragraph 1 – point a – point ii

Text proposed by the Commission

(ii) promoting energy efficiency and renewable energy use in ***small and medium-sized*** enterprises;

Amendment

(ii) promoting energy efficiency and renewable energy use in enterprises;

Amendment 29

Proposal for a regulation

Article 3 – point a – point iii

Text proposed by the Commission

(iii) supporting energy efficiency and renewable energy use in public infrastructures;

Amendment

(iii) supporting energy efficiency, ***smart energy management*** and renewable energy use in public infrastructures, ***including in public buildings, and in the housing sector***;

Amendment 30

Proposal for a regulation

Article 3 – point a – point iv

Text proposed by the Commission

(iv) developing smart distribution systems at low voltage levels;

Amendment

(iv) developing ***and implementing*** smart distribution systems at low ***and medium*** voltage levels;

Amendment 31

Proposal for a regulation

Article 3 – point a – point v

Text proposed by the Commission

(v) promoting low-carbon strategies for urban areas;

Amendment

(v) promoting low-carbon strategies ***for all types of territories, in particular*** for urban areas, ***including the promotion of sustainable multi-modal urban mobility and mitigation relevant adaptation measures***;

Amendment 32

Proposal for a regulation

Article 3 – point a – point v a (new)

Text proposed by the Commission

Amendment

(va) promoting the use of high efficiency cogeneration of heat and power based on useful heat demand;

Amendment 33

Proposal for a regulation

Article 3 – point b – introductory part

Text proposed by the Commission

Amendment

(b) promoting climate change adaptation, risk prevention and management **by**:

(b) promoting climate change adaptation, risk prevention and management **through**:

Amendment 34

Proposal for a regulation

Article 3 – point b – point i

Text proposed by the Commission

Amendment

(i) supporting **dedicated** investment for adaptation to climate change;

(i) supporting investment for adaptation to climate change **including eco-system based approaches**;

Amendment 35

Proposal for a regulation

Article 3 – point c – introductory part

Text proposed by the Commission

Amendment

(c) protecting the environment and promoting resource efficiency **by**:

(c) **preserving and** protecting the environment and promoting resource efficiency **through**:

Amendment 36

Proposal for a regulation Article 3 – point c – point i

Text proposed by the Commission

(i) ***addressing the significant needs for investment*** in the waste sector to meet the requirements of the Union's environmental acquis;

Amendment

(i) ***investing*** in the waste sector to meet the requirements of the Union's environmental acquis ***and to address needs identified by the Member States for investment going beyond those requirements;***

Amendment 37

Proposal for a regulation Article 3 – point c – point ii

Text proposed by the Commission

(ii) ***addressing the significant needs for investment*** in the water sector to meet the requirements of the Union's environmental acquis;

Amendment

(ii) ***investing*** in the water sector to meet the requirements of the Union's environmental acquis ***and to address needs identified by the Member States for investment going beyond those requirements;***

Amendment 38

Proposal for a regulation Article 3 – point c – point iii

Text proposed by the Commission

(iii) protecting and restoring biodiversity, including through green infrastructures;

Amendment

(iii) protecting and restoring biodiversity, ***soil protection and restoration and promoting ecosystem services*** including through ***NATURA 2000 and*** green infrastructures;

Amendment 39

Proposal for a regulation

Article 3 – point c – point iv

Text proposed by the Commission

(iv) **improving** the urban environment, **including** regeneration of brownfield sites **and** reduction of air pollution;

Amendment

(iv) **action to improve** the urban environment, **revitalisation of cities**, regeneration **and decontamination** of brownfield sites (**including conversion areas**), reduction of air pollution **and promotion of noise-reduction measures**;

Amendment 40

Proposal for a regulation

Article 3 – point d – introductory part

Text proposed by the Commission

(d) promoting sustainable transport and removing bottlenecks in key network infrastructures, **by**:

Amendment

(d) promoting sustainable transport and removing bottlenecks in key network infrastructures, **through**:

Amendment 41

Proposal for a regulation

Article 3 – point d – point i

Text proposed by the Commission

(i) supporting a multi-modal Single European Transport Area by investing in the Trans-European Transport Network;

Amendment

(i) supporting a multi-modal Single European Transport Area by investing in the Trans-European Transport (**TEN-T**) Network;

Amendment 42

Proposal for a regulation

Article 3 – point d – point ii

Text proposed by the Commission

(ii) developing environment-friendly and low-carbon transport systems including ***promoting*** sustainable ***urban*** mobility;

Amendment

(ii) developing ***and improving*** environment-friendly (***including low-noise***) and low-carbon transport systems including ***inland waterways and maritime transport, ports, multimodal links and airport infrastructure, in order to promote*** sustainable ***regional and local*** mobility;

Amendment 43

Proposal for a regulation

Article 3 – point d – point iii

Text proposed by the Commission

(iii) developing comprehensive, high quality and interoperable railway systems;

Amendment

(iii) developing ***and rehabilitating*** comprehensive, high quality and interoperable railway systems, ***and promoting noise-reduction measures***;

Amendment 44

Proposal for a regulation

Article 3 – point e

Text proposed by the Commission

(e) enhancing institutional capacity and an efficient public administration by strengthening of institutional capacity and the efficiency of public administrations and public services related to implementation of the Cohesion Fund.

Amendment

(e) enhancing institutional capacity ***of public authorities and stakeholders*** and an efficient public administration by strengthening of institutional capacity and the efficiency of public administrations and public services related to implementation of the Cohesion Fund.

Amendment 61

Proposal for a regulation

Article 4

Text proposed by the Commission

1. Common indicators, as set out in the Annex to this Regulation, shall be used **where relevant and** in accordance with Article 24(3) of Regulation (EU) No [...]/**2012** [CPR]. **For common indicators, baselines shall be set at zero and cumulative targets shall be set for 2022.**
2. For programme-specific output indicators, baselines shall be set at zero **and** cumulative **targets** shall be fixed for **2022**.
3. For programme-specific result indicators, baselines shall use the latest available data and targets shall be fixed for **2022, but** may be expressed in quantitative or qualitative terms.

Amendment

1. Common **output** indicators, as set out in the Annex to this Regulation, **programme-specific result indicators and, where relevant, programme-specific output indicators** shall be used in accordance with Article 24(3) **and Article 87(2)(b)(ii) and (iv)** of Regulation (EU) No [...]/**2013** [CPR].
2. For **common and** programme-specific output indicators, baselines shall be set at zero. Cumulative **quantified target values for these indicators** shall be fixed for **2023**.
3. For programme-specific result indicators, **which relate to investment priorities**, baselines shall use the latest available data and targets shall be fixed for **2023. Targets** may be expressed in quantitative or qualitative terms.
3a. The Commission shall be empowered to adopt a delegated act in accordance with Article 5a to amend the list of common output indicators in the Annex to this Regulation, in order to make adjustments, where justified to ensure effective assessment of progress in programme implementation.

Amendment 62

Proposal for a regulation

Article 5 – paragraph 1

Text proposed by the Commission

1. This Regulation shall not affect either the continuation or modification, including the total or partial cancellation, of assistance approved by the Commission on the basis of Regulation (EC) No 1084/2006

Amendment

1. This Regulation shall not affect either the continuation or modification, including the total or partial cancellation, of assistance approved by the Commission on the basis of Regulation (EC) No 1084/2006

or any other legislation applying to that assistance on 31 December 2013, which shall consequently apply thereafter to that assistance or the *projects* concerned until their closure.

or any other legislation applying to that assistance on 31 December 2013, which shall consequently apply thereafter to that assistance or the *operations* concerned until their closure. ***For the purposes of this paragraph assistance shall cover operational programmes and major projects.***

Amendment 46

Proposal for a regulation Article 5 – paragraph 2

Text proposed by the Commission

2. Applications to receive assistance made under Regulation (EC) No 1084/2006 shall remain valid.

Amendment

2. Applications to receive assistance made ***or approved*** under Regulation (EC) No 1084/2006 shall remain valid.

Amendment 63

Proposal for a regulation Article 5 a (new)

Text proposed by the Commission

Amendment

Article 5 a

Exercise of the delegation

- 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.***
- 2. The power to adopt delegated acts referred to in Article 4(3a) shall be conferred on the Commission from the date of entry into force of this Regulation until 31 December 2020.***
- 3. The delegation of power referred to in Article 4(3a) 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.

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5. A delegated act adopted pursuant to Article 4(3a) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or the Council.

Amendment 48

Proposal for a regulation Article 6

Text proposed by the Commission

Regulation (EC) No 1084/2006 is hereby repealed.

References to the repealed Regulation shall be construed as references to this Regulation.

Amendment

Without prejudice to the provisions laid down in Article 5, Regulation (EC) No 1084/2006 is hereby repealed with effect from 1 January 2014.

References to the repealed Regulation shall be construed as references to this Regulation ***and shall be read in accordance with the correlation table set out in Annex X.***

Amendment 49

Proposal for a regulation Article 7

Text proposed by the Commission

The European Parliament and the Council shall review this Regulation by **31 December 2022**, in accordance with Article 177 of the Treaty.

Amendment

The European Parliament and the Council shall review this Regulation by **31 December 2020** in accordance with Article 177 of the Treaty **on the Functioning of the European Union**.

Amendment 50

Proposal for a regulation Annex – heading 1 – subheading 1

Text proposed by the Commission

	UNIT	NAME
Solid waste	<i>tons</i>	Additional waste recycling capacity

Amendment

	UNIT	NAME
Solid waste	<i>tonnes/year</i>	Additional waste recycling capacity

Amendment 51

Proposal for a regulation Annex – heading 1 – subheading 2 – row 2

Text proposed by the Commission

	UNIT	NAME
	m^3	<i>Estimated reduction of leakage in water distribution network</i>

Amendment

	UNIT	NAME
	<i>deleted</i>	<i>deleted</i>

Amendment 52

Proposal for a regulation

Annex – heading 1 – subheading 4 – row 2

Text proposed by the Commission

	UNIT	NAME
Risk prevention and management	persons	Population benefiting from forest fire protection and other protection measures

Amendment

	UNIT	NAME
Risk prevention and management	persons	Population benefiting from forest fire protection measures

Amendment 53

Proposal for a regulation

Annex – heading 1 – subheading 6

Text proposed by the Commission

	UNIT	NAME
Soil sealing	hectares	Change in land sealed due to development

Amendment

	UNIT	NAME
<i>deleted</i>	<i>deleted</i>	<i>deleted</i>

Amendment 54

Proposal for a regulation

Annex – heading 1 – subheading 7

Text proposed by the Commission

	UNIT	NAME
Nature and biodiversity	hectares	Surface area of habitats in better conservation status

Amendment

	UNIT	NAME
Nature and biodiversity	hectares	Surface area of habitats <i>supported to attain a</i> better conservation status

Amendment 55

Proposal for a regulation
Annex – heading 2 – subheading 2 - row 2

Text proposed by the Commission

	UNIT	NAME
	kWh/year	Decrease of primary energy consumption of public buildings

Amendment

	UNIT	NAME
	kWh/year	Decrease of <i>annual</i> primary energy consumption of public buildings

Amendment 56

Proposal for a regulation
Annex – heading 2 – subheading 3

Text proposed by the Commission

	UNIT	NAME
GHG reduction	tons of CO ₂ eq	Estimated decrease of GHG <i>in CO₂ equivalents</i>

Amendment

	UNIT	NAME
GHG reduction	tons of CO ₂ eq	Estimated <i>annual</i> decrease of GHG

Amendment 57

Proposal for a regulation

Annex – heading 3 – subheading 3

Text proposed by the Commission

	UNIT	NAME
Urban transport	<i>passenger trips</i>	<i>Increase of passenger trips using supported urban transport service</i>

Amendment

	UNIT	NAME
Urban transport	<i>km</i>	<i>Total length of new or improved tram and metro lines</i>

Amendment 58

Proposal for a regulation

Annex – heading 3 – subheading 4

Text proposed by the Commission

	UNIT	NAME
Inland waterways	<i>tonne-km</i>	<i>Increase of cargo transported on improved inland waterways</i>

Amendment

	UNIT	NAME
Inland waterways	<i>km</i>	<i>Total length of improved or created inland waterway</i>

Joint statement of the European Parliament and of the Council concerning the application of Article 6 of the ERDF Regulation, Article 15 of the ETC Regulation and Article 4 of the Cohesion Fund Regulation

The European Parliament and the Council note the assurance provided by the Commission to the EU legislature that the common output indicators for the ERDF Regulation, the ETC Regulation and the Cohesion Fund Regulation to be included in an annex to, respectively, each regulation, are the outcome of a lengthy preparatory process involving the evaluation experts of both the Commission and the Member States and, in principle, are expected to remain stable.