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*Committee on Economic and Monetary Affairs  
Committee on the Environment, Public Health and Food Safety*

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**2018/0178(COD)**

17.12.2018

# **AMENDMENTS**

## **124 - 385**

**Draft report**

**Bas Eickhout, Sirpa Pietikäinen**  
(PE630.512v01-00)

Establishment of a framework to facilitate sustainable investment

Proposal for a regulation

(COM(2018)0353 – C8-0207/2018 – 2018/0178(COD))



**Amendment 124**  
**Fulvio Martusciello**

**Proposal for a regulation**  
**Title 1**

*Text proposed by the Commission*

Proposal for a  
REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
on the establishment of a framework to  
facilitate sustainable **investment**  
(Text with EEA relevance)

*Amendment*

Proposal for a  
REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
on the establishment of a framework to  
facilitate sustainable **finance**  
(Text with EEA relevance)

Or. en

**Amendment 125**  
**Mireille D'Ornano**

**Proposal for a regulation**  
**Recital 1**

*Text proposed by the Commission*

(1) Article 3(3) of the Treaty on European Union aims to establish an internal market that works for the sustainable development of Europe, based among others on balanced economic growth and a high level of protection and improvement of the quality of the environment.

*Amendment*

(1) Article 3(3) of the Treaty on European Union aims to establish an internal market that works for the sustainable development of Europe, based among others on balanced economic growth and a high level of protection and improvement of the quality of the environment. ***The results achieved in terms of both economic growth and environmental protection are very far removed from the objectives referred to here.***

Or. fr

**Amendment 126**  
**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**  
**Recital 1**

*Text proposed by the Commission*

(1) Article 3(3) of the Treaty on European Union aims to establish an internal market that works for the sustainable development of Europe, based among others on balanced economic growth and a high level of protection and improvement of the quality of the environment.

*Amendment*

(1) Article 3(3) of the Treaty on European Union aims to establish an internal market that works for the sustainable development of Europe, based among others on balanced economic growth, *social progress* and a high level of protection and improvement of the quality of the environment.

Or. en

**Amendment 127**

**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**

**Recital 3 a (new)**

*Text proposed by the Commission*

*Amendment*

*(3 a) In November 2017, the European Parliament, the Council and the Commission proclaimed and signed the European Pillar of Social Rights, in favour of a Europe that tackles unemployment, poverty and discrimination, giving equal opportunities to the young and vulnerable. A comprehensive and deep implementation of the pillar can be facilitated by making financial flows consistent with such a pathway.*

Or. en

**Amendment 128**

**Mireille D'Ornano**

**Proposal for a regulation**

**Recital 4**

*Text proposed by the Commission*

*Amendment*

(4) Sustainability and the transition to a low-carbon and climate resilient, more resource-efficient and circular economy are

(4) Sustainability and the transition to a low-carbon and climate resilient, more resource-efficient and circular economy are

key in ensuring long-term competitiveness of the Union's economy. Sustainability has long been at the heart of the European **Union** project and the Treaties give recognition to its social and environmental dimensions.

key in ensuring long-term competitiveness of the Union's economy. Sustainability has long been at the heart of the European project and the Treaties give recognition to its social and environmental dimensions, *but it remains wishful thinking, considering how disappointing its results are from a social and environmental point of view.*

Or. fr

### **Amendment 129**

**Luigi Morgano**

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

**Recital 4 a (new)**

*Text proposed by the Commission*

*Amendment*

*(4 a) The High-Level Task force on Investing in Social Infrastructure in Europe published in January 2018 its Report, estimating the minimum gap in social infrastructure investment in the EU at EUR 100-150 billion per year, and a total gap of over EUR 1.5 trillion in 2018-2030.*

Or. en

### **Amendment 130**

**Luke Ming Flanagan**

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

**Recital 4 a (new)**

*Text proposed by the Commission*

*Amendment*

*(4 a) Major trade deals such as TTIP, CETA, JEFTA etc and the resultant increased mass transit of goods can have a major negative environmental impact;*

Or. en

**Amendment 131**  
**Stefan Gehrold**

**Proposal for a regulation**  
**Recital 5**

*Text proposed by the Commission*

(5) In December 2016, the Commission mandated a High-Level Expert Group to develop an overarching and comprehensive Union strategy on sustainable finance. The report of the High-Level Expert Group published on 31 January 2018<sup>24</sup> calls for the creation of a technically robust classification system at Union level to establish clarity on which activities are ‘green’ or ‘sustainable’, *starting with* climate change *mitigation*.

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<sup>24</sup> EU High-Level Expert Group on Sustainable Finance Final Report, Financing a Sustainable European Economy, available at:  
[https://ec.europa.eu/info/sites/info/files/180131-sustainable-finance-final-report\\_en.pdf](https://ec.europa.eu/info/sites/info/files/180131-sustainable-finance-final-report_en.pdf).

*Amendment*

(5) In December 2016, the Commission mandated a High-Level Expert Group to develop an overarching and comprehensive Union strategy on sustainable finance. The report of the High-Level Expert Group published on 31 January 2018<sup>24</sup> calls for the creation of a technically robust classification system at Union level to establish clarity on which activities are ‘green’ or ‘sustainable’. ***Activities which help to lessen the human influence on climate change should be classified first.***

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<sup>24</sup> EU High-Level Expert Group on Sustainable Finance Final Report, Financing a Sustainable European Economy, available at:  
[https://ec.europa.eu/info/sites/info/files/180131-sustainable-finance-final-report\\_en.pdf](https://ec.europa.eu/info/sites/info/files/180131-sustainable-finance-final-report_en.pdf).

Or. de

**Amendment 132**  
**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**  
**Recital 6**

*Text proposed by the Commission*

(6) In March 2018, the Commission published its Action Plan 'Financing Sustainable Growth'<sup>25</sup> setting up an ambitious and comprehensive strategy on sustainable finance. One of the objectives set out in that Action Plan is to reorient capital flows towards sustainable investment in order to achieve sustainable and inclusive growth. The establishment of

*Amendment*

(6) In March 2018, the Commission published its Action Plan 'Financing Sustainable Growth'<sup>25</sup> setting up an ambitious and comprehensive strategy on sustainable finance. One of the objectives set out in that Action Plan is to reorient capital flows towards sustainable investment in order to achieve sustainable and inclusive growth. The establishment of

a unified classification system for sustainable activities *is* the most important and urgent action envisaged by the Action Plan. The Action Plan recognises that the shift of capital flows towards more sustainable activities has to be underpinned by a shared understanding of *what 'sustainable' means*. As a first step, clear guidance on activities qualifying as contributing to environmental objectives, should help inform investors about the investments that fund environmentally sustainable economic activities. Further guidance on the activities contributing to *other sustainability objectives, including social objectives, may be developed at a later stage*.

a unified classification system for sustainable activities *and of indicators for identifying the degree of sustainability of activities are* the most important and urgent action envisaged by the Action Plan. The Action Plan recognises that the shift of capital flows towards more sustainable activities has to be underpinned by a shared, *holistic* understanding of *the impact of economic activities and investments in terms of sustainability*. As a first step, clear guidance on activities qualifying as contributing to environmental objectives, should help inform investors about the investments that fund environmentally sustainable economic activities. *In parallel*, further guidance on the activities contributing to social objectives, *are* developed, *recognising that the UN Sustainable Development Goals (SDG) cover all three pillars of sustainability: environmental, social and economic/governance. This also reflects the European Council conclusions of 20 June 2017 that confirmed the commitment of the Union and the Member States to the implementation of the 2030 Agenda in full, coherent, comprehensive, integrated and effective manner.*

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<sup>25</sup> COM(2018) 97 final.

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<sup>25</sup> COM(2018) 97 final.

Or. en

#### *Justification*

*Achieving the SDGs in the European Union requires the channelling of capital flows towards sustainable investments. offering financial products and services which pursue socially sustainable objectives is an effective way of channelling private investments into sustainable activities. To achieve this aim, the SDGs and the European Pillar of Social rights offer a rich and useful basis for building a social taxonomy that complements a taxonomy built on environmental objectives. The SDGs are built on the premise that the environment, society and economic development are interlinked and must be addressed in an integrated manner. Thus, developing taxonomies in parallel woul provide the opportunity to explore those intelinkages*

#### **Amendment 133**

**Elena Gentile**

**Proposal for a regulation  
Recital 6**

*Text proposed by the Commission*

(6) In March 2018, the Commission published its Action Plan 'Financing Sustainable Growth'<sup>25</sup> setting up an ambitious and comprehensive strategy on sustainable finance. One of the objectives set out in that Action Plan is to reorient capital flows towards sustainable investment in order to achieve sustainable and inclusive growth. The establishment of a unified classification system **for** sustainable activities **is** the most important and urgent **action** envisaged by the Action Plan. The Action Plan recognises that the shift of capital flows towards more sustainable activities has to be underpinned by a shared understanding of **what 'sustainable' means**. As a first step, clear guidance on activities qualifying as contributing to environmental objectives, should help inform investors about the investments that **fund environmentally** sustainable economic activities. Further guidance on the activities contributing to other sustainability objectives, including social objectives, may be developed at a later stage.

*Amendment*

(6) In March 2018, the Commission published its Action Plan 'Financing Sustainable Growth'<sup>25</sup> setting up an ambitious and comprehensive strategy on sustainable finance. One of the objectives set out in that Action Plan is to reorient capital flows towards sustainable investment in order to achieve sustainable and inclusive growth. The establishment of a unified classification system **and of indicators for identifying** sustainable activities **are** the most important and urgent **actions** envisaged by the Action Plan. The Action Plan recognises that the shift of capital flows towards more sustainable activities has to be underpinned by a shared, **holistic** understanding of **economic activities and investments on environmental and social sustainability and resource efficiency**. As a first step, clear guidance on activities qualifying as contributing to environmental objectives, should help inform investors about the investments that sustainable economic activities. Further guidance on the activities contributing to other sustainability objectives, including social objectives, may be developed at a later stage.

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<sup>25</sup> COM(2018) 97 final.

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<sup>25</sup> COM(2018) 97 final.

Or. en

**Amendment 134**  
**Anne Sander**

**Proposal for a regulation  
Recital 6**

*Text proposed by the Commission*

(6) In March 2018, the Commission published its Action Plan 'Financing Sustainable Growth'<sup>25</sup> setting up an ambitious and comprehensive strategy on sustainable finance. One of the objectives set out in that Action Plan is to reorient capital flows towards sustainable investment in order to achieve sustainable and inclusive growth. The establishment of a unified classification system **for sustainable** activities is the most important and urgent action envisaged by the Action Plan. The Action Plan recognises that the shift of capital flows towards more sustainable activities has to be underpinned by a shared understanding of what 'sustainable' means. As a first step, clear guidance on activities qualifying as contributing to environmental objectives, should help inform investors about the investments that fund environmentally sustainable economic activities. Further guidance on the activities contributing to other sustainability objectives, including social objectives, may be developed at a later stage.

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<sup>25</sup> COM(2018) 97 final.

*Amendment*

(6) In March 2018, the Commission published its Action Plan 'Financing Sustainable Growth'<sup>25</sup> setting up an ambitious and comprehensive strategy on sustainable finance. One of the objectives set out in that Action Plan is to reorient capital flows towards sustainable investment in order to achieve sustainable and inclusive growth. The establishment of a unified classification system **and indicators assessing the carbon footprint of** **sustainable** activities is the most important and urgent action envisaged by the Action Plan. The Action Plan recognises that the shift of capital flows towards more sustainable activities has to be underpinned by a shared understanding of what 'sustainable' means. As a first step, clear guidance on activities qualifying as contributing to environmental objectives, should help inform investors about the investments that fund environmentally sustainable economic activities. Further guidance on the activities contributing to other sustainability objectives, including social objectives, may be developed at a later stage.

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<sup>25</sup> COM(2018) 97 final.

Or. en

**Amendment 135**  
**Dimitrios Papadimoulis**

**Proposal for a regulation**  
**Recital 6**

*Text proposed by the Commission*

(6) In March 2018, the Commission published its Action Plan 'Financing Sustainable Growth'<sup>25</sup> setting up an ambitious and comprehensive strategy on sustainable finance. One of the objectives set out in that Action Plan is to reorient

*Amendment*

(6) In March 2018, the Commission published its Action Plan 'Financing Sustainable Growth'<sup>25</sup> setting up an ambitious and comprehensive strategy on sustainable finance. One of the objectives set out in that Action Plan is to reorient

capital flows towards sustainable investment in order to achieve sustainable and inclusive growth. The establishment of a unified classification system for sustainable activities is the most important and urgent action envisaged by the Action Plan. The Action Plan recognises that the shift of capital flows towards more sustainable activities has to be underpinned by a shared understanding of what 'sustainable' means. As a first step, clear guidance on activities qualifying as contributing to environmental objectives, should help inform investors about the investments that fund environmentally sustainable economic activities. Further guidance on the activities contributing to other sustainability objectives, including social objectives, *may* be developed at a later stage.

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<sup>25</sup> COM(2018) 97 final.

capital flows towards sustainable investment in order to achieve sustainable and inclusive growth. The establishment of a unified classification system for sustainable activities is the most important and urgent action envisaged by the Action Plan. The Action Plan recognises that the shift of capital flows towards more sustainable activities has to be underpinned by a shared understanding of what 'sustainable' means. As a first step, clear guidance on activities qualifying as contributing to environmental objectives, should help inform investors about the investments that fund environmentally sustainable economic activities. Further guidance on the activities contributing to other sustainability objectives, including social *and governance* objectives, *should* be developed *soon afterwards* at a later stage.

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<sup>25</sup> COM(2018) 97 final.

Or. en

### **Amendment 136** **Paul Tang, Pervenche Berès**

#### **Proposal for a regulation Recital 6**

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

(6) In March 2018, the Commission published its Action Plan 'Financing Sustainable Growth'<sup>25</sup> setting up an ambitious and comprehensive strategy on sustainable finance. One of the objectives set out in that Action Plan is to reorient capital flows towards sustainable investment in order to achieve sustainable and inclusive growth. The establishment of a unified classification system for sustainable activities is the most important and urgent action envisaged by the Action Plan. The Action Plan recognises that the shift of capital flows towards more

##### *Amendment*

(6) In March 2018, the Commission published its Action Plan 'Financing Sustainable Growth'<sup>25</sup> setting up an ambitious and comprehensive strategy on sustainable finance. One of the objectives set out in that Action Plan is to reorient capital flows towards sustainable investment in order to achieve sustainable and inclusive growth. The establishment of a unified classification system for sustainable activities is the most important and urgent action envisaged by the Action Plan. The Action Plan recognises that the shift of capital flows towards more

sustainable activities has to be underpinned by a shared understanding of what 'sustainable' means. As a first step, clear guidance on activities qualifying as contributing to environmental objectives, should help inform investors about the investments that fund environmentally sustainable economic activities. Further guidance on the activities contributing to other sustainability objectives, including social objectives, *may* be developed *at a later stage*.

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<sup>25</sup> COM(2018) 97 final.

sustainable activities has to be underpinned by a shared understanding of what 'sustainable' means. As a first step, clear guidance on activities qualifying as contributing to environmental objectives, should help inform investors about the investments that fund environmentally sustainable economic activities. Further guidance on the activities contributing to other sustainability objectives, including social objectives, *should* be developed *in parallel*.

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<sup>25</sup> COM(2018) 97 final.

Or. en

### **Amendment 137** Mireille D'Ornano

#### **Proposal for a regulation Recital 6**

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

(6) In March 2018, the Commission published its Action Plan 'Financing Sustainable Growth'<sup>25</sup> setting up *an ambitious and comprehensive* strategy on sustainable finance. One of the objectives set out in that Action Plan is to reorient capital flows towards sustainable investment in order to achieve sustainable and inclusive growth. The establishment of a unified classification system for sustainable activities is the most important and urgent action envisaged by the Action Plan. The Action Plan recognises that the shift of capital flows towards more sustainable activities has to be underpinned by a shared understanding of what 'sustainable' means. As a first step, clear guidance on activities qualifying as contributing to environmental objectives, should help inform investors about the investments that fund environmentally sustainable economic activities. Further guidance on the activities contributing to

##### *Amendment*

(6) In March 2018, the Commission published its Action Plan 'Financing Sustainable Growth'<sup>25</sup> setting up *a* strategy on sustainable finance. One of the objectives set out in that Action Plan is to reorient capital flows towards sustainable investment in order to achieve sustainable and inclusive growth. The establishment of a unified classification system for sustainable activities is the most important and urgent action envisaged by the Action Plan. The Action Plan recognises that the shift of capital flows towards more sustainable activities has to be underpinned by a shared understanding of what 'sustainable' means. As a first step, clear guidance on activities qualifying as contributing to environmental objectives, should help inform investors about the investments that fund environmentally sustainable economic activities. Further guidance on the activities contributing to other sustainability objectives, including

other sustainability objectives, including social objectives, may be developed at a later stage.

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<sup>25</sup> COM(2018) 97 final.

social objectives, may be developed at a later stage.

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<sup>25</sup> COM(2018) 97 final.

Or. fr

**Amendment 138**  
**Dimitrios Papadimoulis**

**Proposal for a regulation**  
**Recital 7 a (new)**

*Text proposed by the Commission*

*Amendment*

*(7 a) The European Parliament Report on Sustainable Finance of 29 May 2018 lays down essential elements of sustainability indicators and taxonomy, as an incentive for sustainable investment. Consistency should be ensured among relevant legislation.*

Or. en

**Amendment 139**  
**Dimitrios Papadimoulis**

**Proposal for a regulation**  
**Recital 7 b (new)**

*Text proposed by the Commission*

*Amendment*

*(7 b) The importance of maintaining a balance between environmental, social and governance (ESG) dimensions of sustainable finance and investments should be underlined and ensured, enforcing an environmentally sensitive and socially inclusive sustainable growth.*

Or. en

**Amendment 140**  
**Fulvio Martusciello**

**Proposal for a regulation**  
**Recital 8 a (new)**

*Text proposed by the Commission*

*Amendment*

*(8 a) The scale of the challenge requires gradually moving the entire financial system and the economy to a position where they are able to function on a sustainable basis. To that end, sustainable finance needs to be brought into the mainstream, and a consideration needs to be made of sustainability impact in respect of financial products and services marketed as sustainable.*

Or. en

**Amendment 141**  
**Kay Swinburne**

**Proposal for a regulation**  
**Recital 8 a (new)**

*Text proposed by the Commission*

*Amendment*

*(8 a) The scale of the challenge, which entails shifting the entire financial system and economy to a position where they are able to function on a sustainable basis, will require gradual movement and progressive transition over time.*

Or. en

**Amendment 142**  
**Costas Mavrides**

**Proposal for a regulation**  
**Recital 8 a (new)**

*Text proposed by the Commission*

*Amendment*

*(8 a) The scale of the challenge requires*

*gradually moving the entire financial system to support the economy to function on a sustainable basis.*

Or. en

**Amendment 143**  
**Miguel Viegas**

**Proposal for a regulation**  
**Recital 9**

*Text proposed by the Commission*

(9) *Offering financial products which pursue environmentally sustainable objectives is an effective way of channelling private investments into sustainable activities. National requirements for marketing as sustainable investments financial products and corporate bonds, in particular requirements set out to allow the relevant market actors to use a national label, aim to enhance investor confidence, to create visibility and to address concerns about “greenwashing”. Greenwashing refers to the practice of gaining an unfair competitive advantage by marketing a financial product as environment-friendly, when in fact it does not meet basic environmental standards. Currently a few Member States have in place labelling schemes. They build on different taxonomies classifying environmentally sustainable economic activities. Given the political commitments under the Paris Agreement and at Union level, it is likely that more and more Member States will set up labelling schemes or other requirements on market actors in respect of financial products or corporate bonds marketed as environmentally sustainable. In doing so, Member States would be using their own national taxonomies for the purposes of determining which investments qualify as sustainable. If such national requirements are based on different criteria as to which economic*

*Amendment*

(9) *The results announced at the recent 24th UN climate conference in Poland (COP24) reflect the failure of all market instruments implemented to date to resolve this climate change emergency. It is accordingly necessary to break with all environmental policy guidelines imposed until now. A coherent regulatory approach based on the need to ensure public ownership of strategic sectors such as energy, banking and transport must be implemented as a matter of urgency. Unless these conditions are met, CO2 emissions will clearly never diminish sufficiently for achievement of the carbon neutrality indispensable to the survival of our planet.*

*activities qualify as environmentally sustainable, investors will be discouraged from investing across borders, due to difficulties in comparing the different investment opportunities. In addition, economic operators wishing to attract investment from across the Union would have to meet different criteria in the various Member States in order for their activities to qualify as environmentally sustainable for the purposes of the different labels. The absence of uniform criteria will thus increase costs and create a significant disincentive for economic operators, amounting to an impediment to access cross-border capital markets for sustainable investments. The barriers to access to cross-border capital markets for the purposes of raising funds for sustainable projects are expected to grow further. The criteria for determining whether an economic activity is environmentally sustainable should therefore be harmonised at Union level, in order to remove obstacles to the functioning of the internal market and prevent their future emergence. With such harmonisation economic operators will find it easier to raise funding for their green activities across borders, as their economic activities can be compared against uniform criteria in order to be selected as underlying assets for environmentally sustainable investments. It will therefore facilitate attracting investment across borders within the Union.*

Or. pt

#### **Amendment 144**

**Elisabetta Gardini, Fulvio Martusciello, Alberto Cirio, Aldo Patriciello**

#### **Proposal for a regulation Recital 9**

*Text proposed by the Commission*

(9) Offering financial products which  
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*Amendment*

(9) Offering financial products which  
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**EN**

pursue environmentally sustainable objectives is an effective way of channelling private investments into sustainable activities. National requirements for marketing as sustainable investments financial products and corporate bonds, in particular requirements set out to allow the relevant market actors to use a national label, aim to enhance investor confidence, to create visibility and to address concerns about “greenwashing”. ***Greenwashing refers to the practice of gaining an unfair competitive advantage by marketing a financial product as environment-friendly, when in fact it does not meet basic environmental standards.*** Currently a few Member States have in place labelling schemes. They build on different taxonomies classifying environmentally sustainable economic activities. ***Given the political commitments under the Paris Agreement and at Union level, it is likely that more and more Member States will set up labelling schemes or other requirements on market actors in respect of financial products or corporate bonds marketed as environmentally sustainable. In doing so, Member States would be using their own national taxonomies for the purposes of determining which investments qualify as sustainable.*** If such national requirements are based on different criteria as to which economic activities qualify as environmentally sustainable, investors will be discouraged from investing across borders, due to difficulties in comparing the different investment opportunities. In addition, economic operators wishing to attract investment from across the Union would have to meet different criteria in the various Member States in order for their activities to qualify as environmentally sustainable for the purposes of the different labels. The absence of uniform criteria will thus increase costs and create a significant disincentive for economic operators, amounting to an impediment to access cross-border capital markets for sustainable investments. The barriers to access to cross-border capital markets for the

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pursue environmentally ***and economically*** sustainable objectives is an effective way of ***gradually*** channelling private investments into sustainable activities. National requirements for marketing as sustainable investments financial products and corporate bonds, in particular requirements set out to allow the relevant market actors to use a national label, aim to enhance investor confidence, to create visibility and to address concerns about “greenwashing”. Currently a few Member States have in place labelling schemes. They build on different taxonomies classifying environmentally sustainable economic activities. If such national requirements are based on different criteria as to which economic activities qualify as environmentally sustainable, investors will be discouraged from investing across borders, due to difficulties in comparing the different investment opportunities. In addition, economic operators wishing to attract investment from across the Union would have to meet different criteria in the various Member States in order for their activities to qualify as environmentally sustainable for the purposes of the different labels. The absence of uniform criteria will thus increase costs and create a significant disincentive for economic operators, amounting to an impediment to access cross-border capital markets for sustainable investments. The barriers to access to cross-border capital markets for the purposes of raising funds for sustainable projects are expected to grow further. The criteria for determining whether an economic activity is environmentally ***and economically*** sustainable should therefore ***gradually*** be harmonised at Union level, in order to remove obstacles to the functioning of the internal market and prevent their future emergence. With such harmonisation economic operators will find it easier to raise funding for their green activities across borders, as their economic activities can be compared against uniform criteria in order to be selected as underlying assets for environmentally sustainable investments. It

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purposes of raising funds for sustainable projects are expected to grow further. The criteria for determining whether an economic activity is environmentally sustainable should therefore be harmonised at Union level, in order to remove obstacles to the functioning of the internal market and prevent their future emergence. With such harmonisation economic operators will find it easier to raise funding for their green activities across borders, as their economic activities can be compared against uniform criteria in order to be selected as underlying assets for environmentally sustainable investments. It will therefore facilitate attracting investment across borders within the Union.

will therefore facilitate attracting investment across borders within the Union.

Or. en

#### **Amendment 145**

**Elena Gentile**

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

#### **Recital 9**

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

(9) Offering financial products which pursue environmentally sustainable objectives is an effective way of channelling private investments into sustainable activities. National requirements for marketing as sustainable investments financial products and corporate bonds, in particular requirements set out to allow the relevant market actors to use a national label, aim to enhance investor confidence, to create visibility and to address concerns about “greenwashing”. Greenwashing refers to the practice of gaining an unfair competitive advantage by marketing a financial product as environment-friendly, when in fact it does not meet basic environmental standards. Currently a few Member States have in place labelling schemes. They build on different taxonomies classifying

##### *Amendment*

(9) Offering financial products **and services** which pursue environmentally sustainable objectives is an effective way of channelling **and gradually shifting** private investments into sustainable activities. National requirements for marketing as sustainable investments financial products and corporate bonds, in particular requirements set out to allow the relevant market actors to use a national label, aim to enhance investor confidence, to create visibility and to address concerns about “greenwashing”. Greenwashing refers to the practice of gaining an unfair competitive advantage by marketing a financial product as environment-friendly, when in fact it does not meet basic environmental standards. Currently a few Member States have in place labelling schemes. They build on different

environmentally sustainable economic activities. Given the political commitments under the Paris Agreement and at Union level, it is likely that more and more Member States will set up labelling schemes or other requirements on market actors in respect of financial products or corporate bonds marketed as environmentally sustainable. In doing so, Member States would be using their own national taxonomies for the purposes of determining which investments qualify as sustainable. If such national requirements are based on different criteria as to which economic activities qualify as environmentally sustainable, investors will be discouraged from investing across borders, due to difficulties in comparing the different investment opportunities. In addition, economic operators wishing to attract investment from across the Union would have to meet different criteria in the various Member States in order for their activities to qualify as environmentally sustainable for the purposes of the different labels. The absence of uniform criteria will thus increase costs and create a significant disincentive for economic operators, amounting to an impediment to access cross-border capital markets for sustainable investments. The barriers to access to cross-border capital markets for the purposes of raising funds for sustainable projects are expected to grow further. The criteria for determining whether an economic activity is environmentally sustainable should therefore be harmonised at Union level, in order to remove obstacles to the functioning of the internal market and prevent their future emergence. With such harmonisation economic operators will find it easier to raise funding for their green activities across borders, as their economic activities can be compared against uniform criteria in order to be selected as underlying assets for environmentally sustainable investments. It will therefore facilitate attracting investment across borders within the Union.

taxonomies classifying environmentally sustainable economic activities. Given the political commitments under the Paris Agreement and at Union level, it is likely that more and more Member States will set up labelling schemes or other requirements on market actors in respect of financial products or corporate bonds marketed as environmentally sustainable. In doing so, Member States would be using their own national taxonomies for the purposes of determining which investments qualify as sustainable. If such national requirements are based on different criteria as to which economic activities qualify as environmentally sustainable, investors will be discouraged from investing across borders, due to difficulties in comparing the different investment opportunities. In addition, economic operators wishing to attract investment from across the Union would have to meet different criteria in the various Member States in order for their activities to qualify as environmentally sustainable for the purposes of the different labels. The absence of uniform criteria will thus increase costs and create a significant disincentive for economic operators, amounting to an impediment to access cross-border capital markets for sustainable investments. The barriers to access to cross-border capital markets for the purposes of raising funds for sustainable projects are expected to grow further. The criteria for determining whether an economic activity is environmentally sustainable should therefore be harmonised at Union level, in order to remove obstacles to the functioning of the internal market and prevent their future emergence. With such harmonisation economic operators will find it easier to raise funding for their green activities across borders, as their economic activities can be compared against uniform criteria in order to be selected as underlying assets for environmentally sustainable investments. It will therefore facilitate attracting investment across borders within the Union.

**Amendment 146**  
**Mireille D'Ornano**

**Proposal for a regulation**  
**Recital 9**

*Text proposed by the Commission*

(9) Offering financial products which pursue environmentally sustainable objectives is an effective way of channelling private investments into sustainable activities. National requirements for marketing as sustainable investments financial products and corporate bonds, in particular requirements set out to allow the relevant market actors to use a national label, aim to enhance investor confidence, to create visibility and to address concerns about “greenwashing”. Greenwashing refers to the practice of gaining an unfair competitive advantage by marketing a financial product as environment-friendly, when in fact it does not meet basic environmental standards. Currently a few Member States have in place labelling schemes. They build on different taxonomies classifying environmentally sustainable economic activities. Given the political commitments under the Paris Agreement and at Union level, it is *likely* that more and more Member States will set up labelling schemes or other requirements on market actors in respect of financial products or corporate bonds marketed as environmentally sustainable. In doing so, Member States would be using their own national taxonomies for the purposes of determining which investments qualify as sustainable. If such national requirements are based on different criteria as to which economic activities qualify as environmentally sustainable, investors will be discouraged from investing across borders, due to difficulties in comparing the different investment opportunities. In

*Amendment*

(9) Offering financial products which pursue environmentally sustainable objectives is an effective way of channelling private investments into sustainable activities. National requirements for marketing as sustainable investments financial products and corporate bonds, in particular requirements set out to allow the relevant market actors to use a national label, aim to enhance investor confidence, to create visibility and to address concerns about “greenwashing”. Greenwashing refers to the practice of gaining an unfair competitive advantage by marketing a financial product as environment-friendly, when in fact it does not meet basic environmental standards. Currently a few Member States have in place labelling schemes. They build on different taxonomies classifying environmentally sustainable economic activities. Given the political commitments under the Paris Agreement and at Union level, it is *possible* that more and more Member States will set up labelling schemes or other requirements on market actors in respect of financial products or corporate bonds marketed as environmentally sustainable. In doing so, Member States would be using their own national taxonomies for the purposes of determining which investments qualify as sustainable. If such national requirements are based on different criteria as to which economic activities qualify as environmentally sustainable, investors will be discouraged from investing across borders, due to difficulties in comparing the different investment opportunities. In

addition, economic operators wishing to attract investment from across the Union would have to meet different criteria in the various Member States in order for their activities to qualify as environmentally sustainable for the purposes of the different labels. The absence of uniform criteria will thus increase costs and create a significant disincentive for economic operators, amounting to an impediment to access cross-border capital markets for sustainable investments. The barriers to access to cross-border capital markets for the purposes of raising funds for sustainable projects are expected to grow further. ***The criteria for determining whether an economic activity is environmentally sustainable should therefore be harmonised at Union level, in order to remove obstacles to the functioning of the internal market and prevent their future emergence.*** With such harmonisation economic operators will find it easier to raise funding for their green activities across borders, as their economic activities can be compared against uniform criteria in order to be selected as underlying assets for environmentally sustainable investments. It will therefore facilitate attracting investment across borders within the Union.

addition, economic operators wishing to attract investment from across the Union would have to meet different criteria in the various Member States in order for their activities to qualify as environmentally sustainable for the purposes of the different labels. The absence of uniform criteria will thus increase costs and create a significant disincentive for economic operators, amounting to an impediment to access cross-border capital markets for sustainable investments. The barriers to access to cross-border capital markets for the purposes of raising funds for sustainable projects are expected to grow further. ***In order to remove obstacles to the functioning of the internal market and prevent their future emergence, one possible solution for consideration would be to harmonise the criteria for determining whether an economic activity is environmentally sustainable.*** With such harmonisation economic operators will find it easier to raise funding for their green activities across borders, as their economic activities can be compared against uniform criteria in order to be selected as underlying assets for environmentally sustainable investments. It will therefore facilitate attracting investment across borders within the Union.

Or. fr

### **Amendment 147**

**Anne Sander, Alain Lamassoure**

#### **Proposal for a regulation Recital 9**

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

(9) Offering financial products which pursue environmentally sustainable objectives is an effective way of channelling private investments into sustainable activities. National requirements for marketing as sustainable

PE632.153v01-00

##### *Amendment*

(9) Offering financial products which ***are marketed as and*** pursue environmentally sustainable objectives is an effective way of channelling private investments into sustainable activities. National requirements for marketing as

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**EN**

investments financial products and corporate bonds, in particular requirements set out to allow the relevant market actors to use a national label, aim to enhance investor confidence, to create visibility and to address concerns about “greenwashing”. Greenwashing refers to the practice of gaining an unfair competitive advantage by marketing a financial product as environment-friendly, when in fact it does not meet basic environmental standards. Currently a few Member States have in place labelling schemes. They build on different taxonomies classifying environmentally sustainable economic activities. Given the political commitments under the Paris Agreement and at Union level, it is likely that more and more Member States will set up labelling schemes or other requirements on market actors in respect of financial products or corporate bonds marketed as environmentally sustainable. In doing so, Member States would be using their own national taxonomies for the purposes of determining which investments qualify as sustainable. If such national requirements are based on different criteria as to which economic activities qualify as environmentally sustainable, investors will be discouraged from investing across borders, due to difficulties in comparing the different investment opportunities. In addition, economic operators wishing to attract investment from across the Union would have to meet different criteria in the various Member States in order for their activities to qualify as environmentally sustainable for the purposes of the different labels. The absence of uniform criteria will thus increase costs and create a significant disincentive for economic operators, amounting to an impediment to access cross-border capital markets for sustainable investments. The barriers to access to cross-border capital markets for the purposes of raising funds for sustainable projects are expected to grow further. The criteria for determining whether an economic activity is environmentally sustainable should therefore be harmonised

sustainable investments financial products and corporate bonds, in particular requirements set out to allow the relevant market actors to use a national label, aim to enhance investor confidence, to create visibility and to address concerns about “greenwashing”. Greenwashing refers to the practice of gaining an unfair competitive advantage by marketing a financial product as environment-friendly, when in fact it does not meet basic environmental standards. Currently a few Member States have in place labelling schemes. They build on different taxonomies classifying environmentally sustainable economic activities. Given the political commitments under the Paris Agreement and at Union level, it is likely that more and more Member States will set up labelling schemes or other requirements on market actors in respect of financial products or corporate bonds marketed as environmentally sustainable. In doing so, Member States would be using their own national taxonomies for the purposes of determining which investments qualify as sustainable. If such national requirements are based on different criteria as to which economic activities qualify as environmentally sustainable, investors will be discouraged from investing across borders, due to difficulties in comparing the different investment opportunities. In addition, economic operators wishing to attract investment from across the Union would have to meet different criteria in the various Member States in order for their activities to qualify as environmentally sustainable for the purposes of the different labels. The absence of uniform criteria will thus increase costs and create a significant disincentive for economic operators, amounting to an impediment to access cross-border capital markets for sustainable investments. The barriers to access to cross-border capital markets for the purposes of raising funds for sustainable projects are expected to grow further. The criteria for determining whether an economic activity is environmentally sustainable should therefore be harmonised

at Union level, in order to remove obstacles to the functioning of the internal market and prevent their future emergence. With such harmonisation economic operators will find it easier to raise funding for their green activities across borders, as their economic activities can be compared against uniform criteria in order to be selected as underlying assets for environmentally sustainable investments. It will therefore facilitate attracting investment across borders within the Union.

at Union level, in order to remove obstacles to the functioning of the internal market and prevent their future emergence. With such harmonisation economic operators will find it easier to raise funding for their green activities across borders, as their economic activities can be compared against uniform criteria in order to be selected as underlying assets for environmentally sustainable investments. It will therefore facilitate attracting investment across borders within the Union.

Or. en

### **Amendment 148**

**Pavel Poc**

#### **Proposal for a regulation Recital 9 a (new)**

*Text proposed by the Commission*

*Amendment*

**(9 a) The taxonomy framework for investing in sustainable investments should primarily serve to facilitate investment of this type and should not be a tool for forced reallocation of investment from other projects. The taxonomy framework for investing in sustainable investments should not fundamentally affect the availability/costs of other forms of financing. It is necessary to consider what impacts the “sustainable” instruments can have on the “non-sustainable” ones that have been realised earlier. Also it is important to stipulate that this Regulation should only be applicable to new investments to avoid retroactivity effect.**

Or. en

*Justification*

*Too strict sustainability framework could pose a large threat for conventional energy generation assets, which are still in many countries the backbone of energy system and are granting the security of energy supply to customers. If any investment labelled as non-*

*sustainable would be fundamentally disadvantaged, that could lead to significant risk of security of supply failure and higher energy prices for customers. Also reduced cost of capital to hold sustainable investments by banks may result in providing funding for risky projects only because they display sustainable features.*

**Amendment 149**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

**Proposal for a regulation**

**Recital 9 a (new)**

*Text proposed by the Commission*

*Amendment*

*(9 a) In addition, where appropriate, labelling financial products or corporate bonds as environmentally harmful with uniform criteria would provide additional market information with regard to economic activities that significantly harm environmental objectives and would enable the financial market to gradually channel private investments towards environmentally neutral economic activities, which have no specific label, or environmentally sustainable economic activities. It will also enable the Union and Member States to end public financial support for investments that significantly harm environmental objectives.*

Or. en

**Amendment 150**

**Nils Torvalds, Fredrick Federley, Anneli Jäättänenmäki, Jytte Guteland, Ulrike Müller, Elsi Katainen, Petri Sarvamaa**

**Proposal for a regulation**

**Recital 9 a (new)**

*Text proposed by the Commission*

*Amendment*

*(9 a) In order for the Union to reach its environmental and climate commitments, private investments need to be mobilized. Achieving this requires long-term planning as well as regulatory stability*

*and predictability for investors. In order to guarantee a coherent policy framework for sustainable investments, it is therefore important that the provisions of this Regulation build upon existing Union legislation.*

Or. en

### **Amendment 151**

**Christofer Fjellner, Gunnar Hökmark**

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

**Recital 9 a (new)**

*Text proposed by the Commission*

*Amendment*

*(9 a) Achieving the Union's environmental and climate commitments requires private investments. To mobilise private investments it is necessary to guarantee a coherent policy framework for sustainable investments. This requires regulatory stability and predictability for investors in the long-term. Therefore, it is important that the provisions of this Regulation build upon existing Union legislation.*

Or. en

### **Amendment 152**

**Fulvio Martusciello**

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

**Recital 10**

*Text proposed by the Commission*

*Amendment*

(10) Moreover if market participants do not *provide any explanation to investors of* how the activities they invest in contribute to environmental objectives, or if they use different *concepts in their explanation of* what is a 'sustainable' economic activity, investors will find it disproportionately burdensome to check

(10) Moreover if market participants do not *disclose* how the activities they invest in contribute to environmental objectives, or if they use different *metrics and criteria for determining* what is a 'sustainable' economic activity, investors will find it disproportionately burdensome to check and compare these different financial

and compare these different financial products. It has been found that this discourages investors from investing into **green** financial products. Furthermore, the lack of investor confidence has major detrimental effects on the market for sustainable investment. It has further been shown that national rules or market-based initiatives taken to tackle this issue within national borders will lead to fragmenting the internal market. If financial market participants disclose how the financial products they claim are environment-friendly meet environmental objectives, and they use for such disclosures common criteria across the Union of what is an environmentally sustainable economic activity, this will help investors compare **environment-friendly** investment opportunities across borders. Investors will invest in green financial products with higher confidence across the Union, improving the functioning of the internal market.

products. It has been found that this discourages investors from investing into **sustainable** financial products. Furthermore, the lack of investor confidence has major detrimental effects on the market for sustainable investment. It has further been shown that national rules or market-based initiatives taken to tackle this issue within national borders will lead to fragmenting the internal market. If financial market participants disclose how the financial products they claim are environment-friendly meet environmental objectives, and they use for such disclosures common criteria across the Union of what is an environmentally sustainable economic activity, this will help investors compare **the environmental impact of** investment opportunities across borders. Investors will invest in green financial products with higher confidence across the Union, improving the functioning of the internal market.

Or. en

## Amendment 153 Elena Gentile

### Proposal for a regulation Recital 10

#### *Text proposed by the Commission*

(10) Moreover if market participants do not **provide any explanation to investors of** how the activities they invest in contribute to environmental objectives, or if they use different **concepts in their explanation of** what is a ‘sustainable’ economic activity, investors will find it disproportionately burdensome to check and compare these different financial products. It has been found that this discourages investors from investing into **green** financial products. Furthermore, the lack of investor confidence has major detrimental effects on the market for

#### *Amendment*

(10) Moreover if market participants do not **disclose** how the activities they invest in contribute to environmental objectives, or if they use different **metrics and criteria for determining** what is a ‘sustainable’ economic activity, investors will find it disproportionately burdensome to check and compare these different financial products. It has been found that this discourages investors from investing into **sustainable** financial products. Furthermore, the lack of investor confidence has major detrimental effects on the market for sustainable investment. It

sustainable investment. It has further been shown that national rules or market-based initiatives taken to tackle this issue within national borders will lead to fragmenting the internal market. If financial market participants disclose how the financial products they claim are environment-friendly meet environmental objectives, and they use for such disclosures common criteria across the Union of what is an environmentally sustainable economic activity, this will help investors compare environment-friendly investment opportunities across borders. Investors will invest in green financial products with higher confidence across the Union, improving the functioning of the internal market.

has further been shown that national rules or market-based initiatives taken to tackle this issue within national borders will lead to fragmenting the internal market. If financial market participants disclose how the financial products they claim are environment-friendly meet environmental objectives, and they use for such disclosures common criteria across the Union of what is an environmentally sustainable economic activity, this will help investors compare environment-friendly investment opportunities across borders. Investors will invest in green financial products with higher confidence across the Union, improving the functioning of the internal market.

Or. en

#### **Amendment 154**

**Paul Tang, Simona Bonafè, Pervenche Berès**

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

#### **Recital 10**

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

(10) Moreover if market participants do not provide any explanation to investors of how the activities they invest in contribute to environmental objectives, or if they use different concepts in their explanation of what is a ‘sustainable’ economic activity, investors will find it disproportionately burdensome to check and compare these different financial products. It has been found that this discourages investors from investing into green financial products. Furthermore, the lack of investor confidence has major detrimental effects on the market for sustainable investment. It has further been shown that national rules or market-based initiatives taken to tackle this issue within national borders will lead to fragmenting the internal market. If financial market participants disclose how the financial products they claim are

##### *Amendment*

(10) Moreover if market participants do not provide any explanation to investors of how the activities they invest in contribute to environmental objectives, or if they use different concepts in their explanation of what is a ‘sustainable’ economic activity, investors will find it disproportionately burdensome to check and compare these different financial products. It has been found that this discourages investors from investing into green financial products. Furthermore, the lack of investor confidence has major detrimental effects on the market for sustainable investment. It has further been shown that national rules or market-based initiatives taken to tackle this issue within national borders will lead to fragmenting the internal market. If financial market participants disclose how the financial products they claim are

environment-friendly meet environmental objectives, and they use for such disclosures common criteria across the Union of what is an environmentally sustainable economic activity, this will help investors compare environment-friendly investment opportunities across borders. Investors will invest in green financial products with higher confidence across the Union, improving the functioning of the internal market.

environment-friendly meet environmental objectives, and they use for such disclosures common criteria across the Union of what is an environmentally sustainable economic activity, this will help investors compare environment-friendly investment opportunities across borders **and will incentivise investee companies to make their business models more sustainable. Investors will invest in green financial products with higher confidence across the Union, improving the functioning of the internal market.**

Or. en

**Amendment 155**  
**Dariusz Rosati, Andrzej Grzyb**

**Proposal for a regulation**  
**Recital 10**

*Text proposed by the Commission*

(10) Moreover if market participants do not provide any explanation to investors of how the activities they invest in contribute to environmental objectives, or if they use different concepts in their explanation of what is a ‘sustainable’ economic activity, investors will find it disproportionately burdensome to check and compare these different financial products. It has been found that this discourages investors from investing into **green** financial products. Furthermore, the lack of investor confidence has major detrimental effects on the market for sustainable investment. It has further been shown that national rules or market-based initiatives taken to tackle this issue within national borders will lead to fragmenting the internal market. If financial market participants disclose how the financial products they claim are environment-friendly meet environmental objectives, and they use for such disclosures common criteria across the Union of what is an environmentally sustainable economic activity, this will

*Amendment*

(10) Moreover if market participants do not provide any explanation to investors of how the activities they invest in contribute to environmental objectives, or if they use different concepts in their explanation of what is a ‘sustainable’ economic activity, investors will find it disproportionately burdensome to check and compare these different financial products. It has been found that this discourages investors from investing into **sustainable** financial products. Furthermore, the lack of investor confidence has major detrimental effects on the market for sustainable investment. It has further been shown that national rules or market-based initiatives taken to tackle this issue within national borders will lead to fragmenting the internal market. If financial market participants disclose how the financial products they claim are environment-friendly meet environmental objectives, and they use for such disclosures common criteria across the Union of what is an environmentally sustainable economic activity, this will

help investors compare environment-friendly investment opportunities across borders. Investors will invest in *green* financial products with higher confidence across the Union, improving the functioning of the internal market.

help investors compare environment-friendly investment opportunities across borders. Investors will invest in *sustainable* financial products with higher confidence across the Union, improving the functioning of the internal market.

Or. en

**Amendment 156**  
**Mireille D'Ornano**

**Proposal for a regulation**  
**Recital 10**

*Text proposed by the Commission*

(10) Moreover if market participants do not provide any explanation to investors of how the activities they invest in contribute to environmental objectives, or if they use different concepts in their explanation of what is a ‘sustainable’ economic activity, investors will find it disproportionately burdensome to check and compare these different financial products. It has been found that this discourages investors from investing into green financial products. Furthermore, the lack of investor confidence has major detrimental effects on the market for sustainable investment. It has further been shown that national rules or market-based initiatives taken to tackle this issue within national borders will lead to fragmenting the internal market. If financial market participants disclose how the financial products they claim are environment-friendly meet environmental objectives, and they use for such disclosures common criteria across the Union of what is an environmentally sustainable economic activity, this will help investors compare environment-friendly investment opportunities across borders. Investors will invest in green financial products with higher confidence across the Union, improving the functioning of the internal market.

*Amendment*

*(Does not affect the English version.)*

**Amendment 157**  
**Fulvio Martusciello**

**Proposal for a regulation**  
**Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

*(10 a) The indicators should be harmonised based on existing undertakings, such as the work of the Commission, the European Environmental Agency, and the OECD, among others, and should capture environmental impact on CO2 and other emissions, biodiversity, production of waste, the use of energy and renewable energy, raw materials, water, and direct and indirect land use, as laid out in the Commission monitoring framework on the circular economy (COM/2018/29 final), the EU action plan for the Circular Economy (COM/2015/0614 final) and in the European Parliament's resolution of 9 July 2015 on resource efficiency: moving towards a circular economy (2014/2208(INI)). Furthermore the indicators should be designed also taking into account the recommendations of the Support to Circular Economy Financing Expert Group of the European Commission. The Commission should evaluate how to integrate the work of this expert group with the TEG. Indicators should take into account internationally recognized sustainable standards.*

Or. en

**Amendment 158**  
**Elena Gentile**

**Proposal for a regulation**  
**Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

*(10 a) The indicators should be harmonised based on existing undertakings such as developed by the Commission, the European Environmental Agency, and the OECD among others, and should capture environmental impact on CO<sub>2</sub> and other emissions, biodiversity, production of waste, the use of energy, raw materials, water, and direct and indirect land use, as laid out in the Commission monitoring framework on the circular economy (COM/2018/29 final), the EU Action plan for the Circular Economy (COM/2015/0614 final) and the European Parliament's resolution on resource efficiency: moving towards a circular economy (2014/2208(INI)). Furthermore, the indicators should be designed also taking into account the recommendations of the support to Circular Economy Financing Expert Group of the European Commission. The Commission should evaluate how to integrate the work of this expert group with the TEG. Indicators should take into account internationally recognized sustainable standards.*

Or. en

**Amendment 159**

**Othmar Karas, Lukas Mandl**

**Proposal for a regulation**

**Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

*(10 a) In order to deliver an effective environmental and sustainability impact, to decrease unnecessary administrative burden on financial market participants and to facilitate the growth of European financial markets funding sustainable economic activities, the taxonomy should be based on harmonised, comparable and uniform criteria. Any overlap in*

*regulation or pre-emptive legislative action must be avoided which would not be in line with the principles of better regulation and proportionality, the aim to create a consistent terminology and a clear regulatory framework or would lead to an unnecessary burdening of both, authorities and financial institutions.*

Or. en

**Amendment 160**  
**Mireille D'Ornano**

**Proposal for a regulation**  
**Recital 11**

*Text proposed by the Commission*

(11) To address existing obstacles to the functioning of the internal market and to prevent the emergence of such obstacles in the future, Member States **should be required** to use a common concept of environmentally sustainable investment when setting up requirements for market actors for the purpose of labelling financial products or corporate bonds marketed as environmentally sustainable at national level. For the same reasons, fund managers and institutional investors that hold themselves out as pursuing environmental objectives should use the same concept of environmentally sustainable investment when disclosing how they pursue those objectives.

*Amendment*

(11) To address existing obstacles to the functioning of the internal market and to prevent the emergence of such obstacles in the future, Member States **could be invited** to use a common concept of environmentally sustainable investment when setting up requirements for market actors for the purpose of labelling financial products or corporate bonds marketed as environmentally sustainable at national level. For the same reasons, fund managers and institutional investors that hold themselves out as pursuing environmental objectives should use the same concept of environmentally sustainable investment when disclosing how they pursue those objectives.

Or. fr

**Amendment 161**  
**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**  
**Recital 12**

*Text proposed by the Commission*

*Amendment*

(12) *Establishing criteria for environmentally sustainable economic activities may encourage firms to disclose on their websites, on a voluntary basis, information on the environmentally sustainable economic activities they carry out. This information will not only help relevant actors in the financial markets to easily identify which firms carry out environmentally sustainable economic activities, but it will also facilitate for these firms to raise funding for their green activities.*

(12) *The information on the environmental and social impact of activities will help relevant actors in the financial markets to easily determine the degree of sustainability of the economic activities carried out by firms, also facilitating firms to raise funding for their sustainable activities.*

Or. en

### **Amendment 162**

**Dariusz Rosati, Andrzej Grzyb**

#### **Proposal for a regulation Recital 12**

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

(12) Establishing criteria for environmentally sustainable economic activities may encourage firms to disclose on their websites, on a voluntary basis, information on the environmentally sustainable economic activities they carry out. This information will not only help relevant actors in the financial markets to easily identify which firms carry out environmentally sustainable economic activities, but it will also facilitate for these firms to raise funding for their *green* activities.

##### *Amendment*

(12) Establishing criteria for environmentally sustainable economic activities may encourage firms to disclose on their websites, on a voluntary basis, information on the environmentally sustainable economic activities they carry out. This information will not only help relevant actors in the financial markets to easily identify which firms carry out environmentally sustainable economic activities, but it will also facilitate for these firms to raise funding for their *sustainable* activities.

Or. en

### **Amendment 163**

**Elena Gentile**

#### **Proposal for a regulation Recital 12**

*Text proposed by the Commission*

(12) Establishing criteria for environmentally sustainable economic activities may encourage firms to disclose on their websites, on a voluntary basis, information on the environmentally sustainable economic activities they carry out. This information will not only help relevant actors in the financial markets to easily identify which firms carry out environmentally sustainable economic activities, but it will also facilitate for these firms to raise funding for their *green* activities.

*Amendment*

(12) Establishing criteria for environmentally sustainable economic activities may encourage firms to disclose on their websites, on a voluntary basis, information on the environmentally sustainable economic activities they carry out. This information will not only help relevant actors in the financial markets to easily identify which firms carry out environmentally sustainable economic activities, but it will also facilitate for these firms to raise funding for their *sustainable* activities.

Or. en

**Amendment 164**

**Fulvio Martusciello**

**Proposal for a regulation**

**Recital 13**

*Text proposed by the Commission*

(13) *A Union classification of environmentally sustainable* economic activities should enable the development of future Union policies, including Union-wide standards for environmentally sustainable financial products and eventually the establishment of labels that formally recognise compliance with those standards across the Union. Uniform legal requirements for *considering investments as environmentally sustainable* investments, based on uniform criteria for *environmentally sustainable* economic activities, are necessary as a reference for future Union legislation aiming at *enabling those* investments.

*Amendment*

(13) *Union-wide indicators determining the environmental impact of* economic activities should enable the development of future Union policies, including Union-wide standards for environmentally sustainable financial products and eventually the establishment of labels that formally recognise compliance with those standards across the Union. Uniform legal requirements for *assessing the environmental sustainability of* investments, based on uniform criteria for *determining the environmental sustainability of* economic activities *and common indicators for assessing the environmental impact of investments*, are necessary as a reference for future Union legislation aiming at *facilitating the shift from investments with a negative environmental impact to investments with a positive impact*.

Or. en

## **Amendment 165**

**Markus Ferber**

### **Proposal for a regulation**

#### **Recital 13**

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

(13) A Union classification of environmentally sustainable economic activities should enable the development of ***future Union policies, including*** Union-wide standards for environmentally sustainable financial products and eventually the establishment of labels that formally recognise compliance with those standards across the Union. ***Uniform legal requirements for considering investments as environmentally sustainable investments, based on uniform criteria*** for environmentally sustainable economic activities, ***are necessary as a reference for future Union legislation aiming at enabling those investments.***

##### *Amendment*

(13) A Union classification of environmentally sustainable economic activities should enable the development of Union-wide standards for environmentally sustainable financial products and eventually the establishment of labels that formally recognise compliance with those standards across the Union. ***However, those standards*** for environmentally sustainable economic activities ***should not be the basis for prudential requirements such as own funds or capital requirements.***

Or. en

##### *Justification*

*It should be clarified that sustainability considerations must not play any role in setting prudential requirements such as own funds or capital requirements. Prudential requirements should be solely risk-based.*

## **Amendment 166**

**Jakob von Weizsäcker**

### **Proposal for a regulation**

#### **Recital 13**

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

(13) A Union classification of environmentally sustainable economic activities should enable the development of future Union policies, including Union-wide standards for environmentally sustainable financial products and

##### *Amendment*

(13) ***The Platform on Sustainable Finance and the recurring reviews of this Regulation by the Commission should cover whether it is necessary to move from common criteria for classifying economic activities as environmentally sustainable***

eventually the establishment of labels that formally recognise compliance with those standards across the Union. Uniform legal requirements for considering investments as environmentally sustainable investments, based on uniform criteria for environmentally sustainable economic activities, are necessary as a reference for future Union legislation aiming at enabling those investments.

*to a Union classification of environmentally sustainable activities and investments, especially in view of incentives for national governments to more generously classify economic activities as environmentally sustainable in order to attract more investment.* A Union classification of environmentally sustainable economic activities should furthermore enable the development of future Union policies, including Union-wide standards for environmentally sustainable financial products and eventually the establishment of labels that formally recognise compliance with those standards across the Union. Uniform legal requirements for considering investments as environmentally sustainable investments, based on uniform criteria for environmentally sustainable economic activities, are necessary as a reference for future Union legislation aiming at enabling those investments, *including the introduction of a brown-penalising factor into the prudential framework for financial institutions in order to adequately account for climate change risks associated with carbon-intensive assets.*

Or. en

### **Amendment 167**

**Elisabetta Gardini, Fulvio Martusciello, Alberto Cirio, Aldo Patriciello**

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

#### **Recital 13**

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

(13) A Union classification of environmentally sustainable *economic* activities should enable the development of future Union policies, including Union-wide standards for *environmentally* sustainable financial products and eventually the establishment of labels that formally recognise compliance with those standards across the Union. Uniform legal

##### *Amendment*

(13) A Union classification of environmentally *and economically* sustainable activities should *gradually* enable the development of future Union policies, including Union-wide standards for sustainable financial products and eventually the establishment of labels that formally recognise compliance with those standards across the Union. Uniform legal

requirements for considering *investments as environmentally* sustainable investments, based on uniform criteria for *environmentally* sustainable *economic* activities, are necessary as a reference for future Union legislation aiming at enabling those investments.

requirements for considering sustainable investments *as such*, based on uniform criteria for *a certain number of* sustainable activities, are necessary as a reference for future Union legislation aiming at enabling those investments.

Or. en

### **Amendment 168**

**Lieve Wierinck, Thierry Cornillet, Fredrick Federley, Ramon Tremosa i Balcells, Caroline Nagtegaal**

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

##### **Recital 13**

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

(13) A Union classification of environmentally sustainable economic activities should enable the development of future Union policies, including Union-wide standards for environmentally sustainable financial products and eventually the establishment of labels that formally recognise compliance with those standards across the Union. Uniform legal requirements for considering investments as environmentally sustainable investments, based on uniform criteria for environmentally sustainable economic activities, are necessary as a reference for future Union legislation aiming at enabling those investments.

###### *Amendment*

(13) A Union classification of environmentally sustainable economic activities should enable the development of future Union policies *and strategies*, including Union-wide standards for environmentally sustainable financial products and eventually the establishment of labels that formally recognise compliance with those standards across the Union. Uniform legal requirements for considering investments as environmentally sustainable investments, based on uniform criteria for environmentally sustainable economic activities, are necessary as a reference for future Union legislation aiming at enabling those investments.

Or. en

### **Amendment 169**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

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

##### **Recital 13**

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

###### *Amendment*

(13) A Union classification of environmentally sustainable economic activities should enable the development of future Union policies, including Union-wide standards for environmentally sustainable financial products and eventually the establishment of labels that formally recognise compliance with those standards across the Union. Uniform legal requirements for considering investments as environmentally sustainable investments, based on uniform criteria for environmentally sustainable economic activities, are necessary as a reference for future Union legislation aiming at enabling those investments.

(13) A Union classification of environmentally sustainable economic activities should enable the development of future Union policies *and strategies*, including Union-wide standards for environmentally sustainable financial products and eventually the establishment of labels that formally recognise compliance with those standards across the Union. Uniform legal requirements for considering investments as environmentally sustainable investments, based on uniform criteria for environmentally sustainable economic activities, are necessary as a reference for future Union legislation aiming at enabling those investments.

Or. en

**Amendment 170**  
**Othmar Karas, Lukas Mandl**

**Proposal for a regulation**  
**Recital 13 a (new)**

*Text proposed by the Commission*

*Amendment*

*(13 a) To ensure effective and efficient legislative action without creating potential overlaps, bureaucratic burden or additional costs for the real economy, the scope and use of the technical screening criteria as well as the link to other initiatives should be clearly defined before the taxonomy and pertaining criteria enter into force.*

Or. en

**Amendment 171**  
**Nils Torvalds, Fredrick Federley, Anneli Jäätteenmäki, Jytte Guteland, Ulrike Müller, Elsi Katainen, Petri Sarvamaa**

**Proposal for a regulation**  
**Recital 13 a (new)**

*Text proposed by the Commission*

*Amendment*

**(13 a) Setting harmonised criteria for environmentally sustainable economic activities should not undermine the division of competences between Member States and the Union in different policy areas.**

Or. en

**Amendment 172**

**Christofer Fjellner, Gunnar Hökmark**

**Proposal for a regulation**

**Recital 13 a (new)**

*Text proposed by the Commission*

*Amendment*

**(13 a) Setting harmonised criteria for environmentally sustainable economic activities should not undermine the division of competences between Member States and the Union.**

Or. en

**Amendment 173**

**Stefan Gehrold**

**Proposal for a regulation**

**Recital 14**

*Text proposed by the Commission*

*Amendment*

(14) In the context of achieving SDGs in the Union, policy choices such as the creation of a European Fund for Strategic Investment, have proven to be effective in contributing to channel private investment alongside public spending towards sustainable investments. Regulation (EU) 2015/1017 of the European Parliament and of the Council<sup>27</sup> specifies a 40% climate investment target for infrastructure and innovation projects under the European Fund for Strategic Investment. Common

(14) In the context of achieving SDGs in the Union, policy choices such as the creation of a European Fund for Strategic Investment, have proven to be effective in contributing to channel private investment alongside public spending towards sustainable investments. Regulation (EU) 2015/1017 of the European Parliament and of the Council<sup>27</sup> specifies a 40% climate investment target for infrastructure and innovation projects **designed to lessen the human influence on climate change** under

criteria for the sustainability of economic activities could underpin future similar initiatives of the Union supporting investment pursuing climate-related or other environmental objectives.

the European Fund for Strategic Investment. Common criteria for the sustainability of economic activities could underpin future similar initiatives of the Union supporting investment pursuing climate-related or other environmental objectives.

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<sup>27</sup> Regulation (EU) 2017/2396 of the European Parliament and of the Council of 13 December 2017 amending Regulations (EU) No 1316/2013 and (EU) 2015/1017 as regards the extension of the duration of the European Fund for Strategic Investments as well as the introduction of technical enhancements for that Fund and the European Investment Advisory Hub (OJ L 345, 27.12.2017, p. 34).

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<sup>27</sup> Regulation (EU) 2017/2396 of the European Parliament and of the Council of 13 December 2017 amending Regulations (EU) No 1316/2013 and (EU) 2015/1017 as regards the extension of the duration of the European Fund for Strategic Investments as well as the introduction of technical enhancements for that Fund and the European Investment Advisory Hub (OJ L 345, 27.12.2017, p. 34).

Or. de

#### **Amendment 174** Othmar Karas

#### **Proposal for a regulation** **Recital 14**

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

(14) In the context of achieving SDGs in the Union, policy choices such as the creation of a European Fund for Strategic Investment, have proven to be effective in contributing to **channel** private investment alongside public spending **towards** sustainable investments. Regulation (EU) 2015/1017 of the European Parliament and of the Council<sup>27</sup> specifies a 40% climate investment target for infrastructure and innovation projects under the European Fund for Strategic Investment. Common criteria for the sustainability of economic activities **could** underpin future similar initiatives of the Union **supporting** investment pursuing climate-related or other environmental objectives.

##### *Amendment*

(14) In the context of achieving SDGs in the Union, policy choices such as the creation of a European Fund for Strategic Investment, have proven to be effective in contributing to **mobilise** private investment alongside public spending **in** sustainable investments. Regulation (EU) 2015/1017 of the European Parliament and of the Council<sup>27</sup> specifies a 40% **horizontal** climate investment target for infrastructure and innovation projects under the European Fund for Strategic Investment. Common criteria for the sustainability of economic activities **may** underpin future similar initiatives of the Union **mobilising** investment pursuing climate-related or other environmental objectives.

<sup>27</sup> Regulation (EU) 2017/2396 of the European Parliament and of the Council of 13 December 2017 amending Regulations (EU) No 1316/2013 and (EU) 2015/1017 as regards the extension of the duration of the European Fund for Strategic Investments as well as the introduction of technical enhancements for that Fund and the European Investment Advisory Hub (OJ L 345, 27.12.2017, p. 34).

<sup>27</sup> Regulation (EU) 2017/2396 of the European Parliament and of the Council of 13 December 2017 amending Regulations (EU) No 1316/2013 and (EU) 2015/1017 as regards the extension of the duration of the European Fund for Strategic Investments as well as the introduction of technical enhancements for that Fund and the European Investment Advisory Hub (OJ L 345, 27.12.2017, p. 34).

Or. en

**Amendment 175**  
**Elena Gentile**

**Proposal for a regulation**  
**Recital 15**

*Text proposed by the Commission*

(15) To avoid market fragmentation as well as harm to consumer interests due to divergent notions of environmentally sustainable economic activities, national requirements that market actors should comply with when they wish to market financial products or corporate bonds as being environmentally sustainable, should build on the uniform criteria for environmentally sustainable economic activities. Those market actors include financial market participants offering “green” financial products and non-financial companies issuing “green” corporate bonds.

*Amendment*

(15) To avoid market fragmentation as well as harm to consumer interests due to divergent notions of *the* environmentally sustainable *of* economic activities, national requirements that market actors should comply with when they wish to market financial products or corporate bonds as *defined in this Regulation* being environmentally sustainable, should build on the uniform criteria for environmentally sustainable economic activities. Those market actors include financial market participants offering *sustainable* financial products *or services* and non-financial companies issuing *sustainable* corporate bonds.

Or. en

**Amendment 176**  
**Dariusz Rosati, Andrzej Grzyb**

**Proposal for a regulation**  
**Recital 15**

*Text proposed by the Commission*

(15) To avoid market fragmentation as well as harm to consumer interests due to divergent notions of environmentally sustainable economic activities, national requirements that market actors should comply with when they wish to market financial products or corporate bonds as being environmentally sustainable, should build on the uniform criteria for environmentally sustainable economic activities. Those market actors include financial market participants offering “green” financial products and non-financial companies issuing “green” corporate bonds.

*Amendment*

(15) To avoid market fragmentation as well as harm to consumer interests due to divergent notions of environmentally sustainable economic activities, national requirements that market actors should comply with when they wish to market financial products or corporate bonds as being environmentally sustainable, should build on the uniform criteria for environmentally sustainable economic activities. Those market actors include financial market participants offering **sustainable** financial products and non-financial companies issuing **sustainable** corporate bonds.

Or. en

**Amendment 177**  
**Mireille D'Ornano**

**Proposal for a regulation**  
**Recital 15**

*Text proposed by the Commission*

(15) To avoid market fragmentation as well as harm to consumer interests due to divergent notions of environmentally sustainable economic activities, national requirements that market actors should comply with when they wish to market financial products or corporate bonds as being environmentally sustainable, **should** build on the uniform criteria for environmentally sustainable economic activities. Those market actors include financial market participants offering “green” financial products and non-financial companies issuing “green” corporate bonds.

*Amendment*

(15) To avoid market fragmentation as well as harm to consumer interests due to divergent notions of environmentally sustainable economic activities, national requirements that market actors should comply with when they wish to market financial products or corporate bonds as being environmentally sustainable, **could** build on the uniform criteria for environmentally sustainable economic activities. Those market actors include financial market participants offering “green” financial products and non-financial companies issuing “green” corporate bonds.

Or. fr

**Amendment 178**

**Othmar Karas**

**Proposal for a regulation  
Recital 15 a (new)**

*Text proposed by the Commission*

*Amendment*

**(15 a) In line with the principle of proportionality the requirements of this Regulation should not apply to small and non-complex institutions as defined under [PO insert reference to relevant Article of Regulation (EU) 575/2013].**

Or. en

**Amendment 179**

**Markus Ferber**

**Proposal for a regulation  
Recital 16**

*Text proposed by the Commission*

*Amendment*

(16) To avoid harming consumer interests, fund managers and institutional investors offering financial products as environmentally sustainable, should disclose **how and to what extent the criteria for environmentally sustainable economic activities are used to determine the environmental sustainability of the investments. The information disclosed should enable investors to understand the share of the investment funding environmentally sustainable economic activities as a percentage of all economic activities and thus the degree of environmental sustainability of the investment. The Commission should specify the information that needs to be disclosed for that purpose. That information should enable national competent authorities to verify compliance with the disclosure obligation easily, and to enforce that obligation in accordance with applicable national law.**

(16) To avoid harming consumer interests, fund managers and institutional investors offering financial products as environmentally sustainable, should disclose **relevant information in line with the provisions outlined in the Regulation on disclosures relating to sustainable investments and sustainability risks and amending Directive (EU)2016/2341;**

Or. en

## *Justification*

*All disclosure obligations are outlined in the Regulation on disclosures relating to sustainable investments and sustainability risks and amending Directive (EU) 2016/2341. Introducing a second sustainable finance disclosure regime is not necessary.*

### **Amendment 180**

**Sirpa Pietikäinen**

### **Proposal for a regulation**

#### **Recital 16**

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

(16) To **avoid harming consumer interests**, fund managers and institutional investors offering financial products as environmentally sustainable, should disclose **how and to what extent the criteria for environmentally sustainable economic activities are used to determine the environmental sustainability of the investments**. The information disclosed should enable investors to understand the **share of the investment funding environmentally sustainable economic activities as a percentage of all economic activities and thus** the degree of environmental sustainability of the investment. The Commission should specify the information that needs to be disclosed for that purpose. **That** information should enable national competent authorities to verify compliance with the disclosure obligation easily, and to enforce that obligation in accordance with applicable national **law**.

##### *Amendment*

(16) To **inform retail investors and ensure consumer protection**, fund managers and institutional investors offering financial products as environmentally sustainable, should disclose **the degree of environmental sustainability of the investments and their environmental impact**. The information disclosed should enable investors to understand the **criteria and indicators used for identifying the environmental impact**, the degree of environmental sustainability of the investment **as well as the percentage of investee companies' turnover supporting activities that qualify as environmentally sustainable or with negative environmental impact**. The Commission should specify the information that needs to be disclosed **in audited annual and management reports** for that purpose **and to be audited by independent auditors as part of integrated reporting**. **That audited and verified** information should enable national competent authorities, **and when necessary to the ESAs**, to verify compliance with the disclosure obligation easily, and to enforce that obligation in accordance with applicable national **and Union law**. **The disclosure requirements should be in line with global disclosure requirement initiatives such as the Global Reporting Initiative and the UN Principles for Responsible Investment**. **The independent auditors should be subject to**

*authorisation by the ESAs.*

Or. en

## **Amendment 181**

**Elena Gentile**

### **Proposal for a regulation**

#### **Recital 16**

*Text proposed by the Commission*

(16) To **avoid harming** consumer **interests**, fund managers and institutional investors offering financial products as environmentally sustainable, should disclose **how and to what extent the criteria for environmentally sustainable economic activities are used to determine the environmental sustainability of the investments**. The information disclosed should enable investors to understand the **share of the investment funding environmentally sustainable economic activities as a percentage of all economic activities and thus the degree of environmental sustainability of the investment**. The Commission should specify the information that needs to be disclosed for that purpose. **That information should enable national competent authorities to verify compliance with the disclosure obligation easily, and to enforce that obligation in accordance with applicable national law.**

*Amendment*

(16) To **inform retail investors and ensure consumer protection**, fund managers and institutional investors offering financial products as environmentally sustainable, should disclose environmental sustainability **aspect** of investments **including ESG selection criteria and their environmentally impact**. The information disclosed should enable investors to understand the **criteria and indicators used for identifying the environmental impact, the environmental sustainability aspects of the investment**. The Commission should specify the information that needs to be disclosed for that purpose. The disclosure requirements should build on the work of the Global Reporting Initiative and the UN Principles for Responsible Investment.

Or. en

## **Amendment 182**

**Fulvio Martusciello**

### **Proposal for a regulation**

#### **Recital 16**

*Text proposed by the Commission*

(16) To **avoid harming** consumer

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*Amendment*

(16) To **inform retail investors and**

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**EN**

*interests*, fund managers and institutional investors offering financial products as environmentally sustainable, should disclose **how and to what extent the criteria for environmentally sustainable economic activities are used to determine the environmental sustainability of the investments**. The information disclosed should enable investors to understand the **share of the investment funding environmentally sustainable economic activities as a percentage of all economic activities and thus the degree of environmental sustainability of the investment**. The Commission should specify the information that needs to be disclosed for that purpose. **That information should enable national competent authorities to verify compliance with the disclosure obligation easily, and to enforce that obligation in accordance with applicable national law.**

*ensure consumer protection*, fund managers and institutional investors offering financial products as environmentally sustainable, should disclose environmental sustainability aspect of investments **including the ESG selection criteria and their environmental impact**. The information disclosed should enable investors to understand the **criteria and indicators used for identifying the environmental impact, the environmental sustainability aspects** of the investment. The Commission should specify the information that needs to be disclosed for that purpose. The disclosure requirements should build on the work of the Global Reporting Initiative and the UN Principles for Responsible Investments.

Or. en

### Amendment 183

Elisabetta Gardini, Fulvio Martusciello, Alberto Cirio, Aldo Patriciello

#### Proposal for a regulation Recital 16

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

(16) To avoid harming consumer interests, fund managers and institutional investors offering financial products as environmentally sustainable, **should** disclose how and to what extent the criteria for **environmentally** sustainable economic activities are used to determine the **environmental** sustainability of the investments. The information disclosed **should** enable investors to understand the share of the investment funding **environmentally** sustainable economic activities as a percentage of all economic activities and thus the degree of **environmental** sustainability of the investment. **The Commission should**

##### *Amendment*

(16) To avoid harming consumer interests, fund managers and institutional investors offering financial products as environmentally sustainable, **may choose to** disclose how and to what extent the criteria for sustainable economic activities are used to determine the sustainability of the investments. The information disclosed **could** enable investors to understand the share of the investment funding sustainable economic activities as a percentage of all economic activities and thus the degree of sustainability of the investment.

*specify the information that needs to be disclosed for that purpose. That information should enable national competent authorities to verify compliance with the disclosure obligation easily, and to enforce that obligation in accordance with applicable national law.*

Or. en

**Amendment 184**

**Kay Swinburne**

**Proposal for a regulation  
Recital 16**

*Text proposed by the Commission*

(16) To avoid harming consumer interests, fund managers and institutional investors offering financial products as environmentally sustainable, should disclose how and to what extent the criteria for environmentally sustainable economic activities are used to determine the environmental sustainability of the investments. The information disclosed should enable investors to understand the share of the investment funding environmentally sustainable economic activities as a percentage of all economic activities and thus the degree of environmental sustainability of the investment. The Commission should specify the information that needs to be disclosed for that purpose. That information should enable national competent authorities to verify compliance with the disclosure obligation easily, and to enforce that obligation in accordance with applicable national law.

*Amendment*

(16) To avoid harming consumer interests, fund managers and institutional investors offering financial products as environmentally sustainable, should disclose how and to what extent the criteria for environmentally sustainable economic activities are used to determine the environmental sustainability of the investments. The information disclosed should enable investors to understand the share of the investment funding environmentally sustainable economic activities as a percentage of all economic activities and thus the degree of environmental sustainability of the investment. The Commission should specify the information that needs to be disclosed for that purpose *as well as the frequency, format and recipients of the disclosure*. That information should enable national competent authorities to verify compliance with the disclosure obligation easily, and to enforce that obligation in accordance with applicable national law.  
*The Commission should ensure that any new disclosure requirements complement those already required under existing legislation and do not lead to unnecessary duplication of reporting.*

Or. en

**Amendment 185**

**Christofer Fjellner, Gunnar Hökmark**

**Proposal for a regulation**

**Recital 16 a (new)**

*Text proposed by the Commission*

*Amendment*

*(16 a) To further innovation, research and development in the area of climate change, where a high level of long-term investments are required, this Regulation should be aligned with other Union legislation. Thus, providing long-term stability in the regulatory framework without worsening the possibility for long-term investments.*

Or. en

**Amendment 186**

**Nils Torvalds, Fredrick Federley, Anneli Jäätteenmäki, Jytte Guteland, Ulrike Müller, Elsi Katainen, Petri Sarvamaa**

**Proposal for a regulation**

**Recital 16 a (new)**

*Text proposed by the Commission*

*Amendment*

*(16 a) To avoid harming the innovation climate in the EU and the Member States, this Regulation should be aligned with other Union legislation incentivising innovation, research and development, especially in the area of climate change, where a high level of long-term investments are required.*

Or. en

**Amendment 187**

**Markus Ferber, Christophe Hansen**

**Proposal for a regulation**  
**Recital 17**

*Text proposed by the Commission*

*Amendment*

(17) *To avoid circumvention of the disclosure obligation, that obligation should also apply where financial products are offered as having similar characteristics as environmentally sustainable investments, including those having as their target environmental protection in a broad sense. Financial market participants should not be required to invest only in environmentally sustainable economic activities determined in accordance with the technical screening criteria set out in this Regulation. They should be encouraged to inform the Commission if they consider that an economic activity that does not meet the technical screening criteria, or for which such criteria have not been established yet, should be considered environmentally sustainable, to help the Commission to evaluate the appropriateness of complementing or updating the technical screening criteria.*

*deleted*

Or. en

*Justification*

*All disclosure obligations are outlined in the Regulation on disclosures relating to sustainable investments and sustainability risks and amending Directive (EU) 2016/2341. Introducing a second sustainable finance disclosure regime is not necessary.*

**Amendment 188**

**Anne Sander**

**Proposal for a regulation**  
**Recital 17**

*Text proposed by the Commission*

*Amendment*

(17) To avoid circumvention of the disclosure obligation, that obligation should also apply where financial products are offered as having similar characteristics

(17) To avoid circumvention of the disclosure obligation, that obligation should also apply where financial products are offered as having similar characteristics

as environmentally sustainable investments, including those having as their target environmental protection in a broad sense. Financial market participants should not be required to invest only in environmentally sustainable economic activities determined in accordance with the technical screening criteria set out in this Regulation. They should be encouraged to inform the Commission if they consider that an economic activity that does not meet the technical screening criteria, or for which such criteria have not been established yet, should be considered environmentally sustainable, to help the Commission to evaluate the appropriateness of complementing or updating the technical screening criteria.

as environmentally sustainable investments, including those having as their target environmental protection in a broad sense. Financial market participants should not be required to invest only in environmentally sustainable economic activities determined in accordance with the technical screening criteria set out in this Regulation. They should be encouraged to inform the Commission if they consider that an economic activity that does not meet the technical screening criteria, or for which such criteria have not been established yet, should be considered environmentally sustainable, to help the Commission to evaluate the appropriateness of complementing or updating the technical screening criteria. *Similarly, financial market participants should continue to be allowed to pursue sustainable investment approaches with broader characteristics than mere allocation of capital to the areas defined in this regulation. Sustainable investment approaches should be allowed to include inter alia, ESG integration, screening, best in class, stewardship, engagement and voting;*

Or. en

### **Amendment 189**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

#### **Proposal for a regulation Recital 17**

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

(17) To avoid circumvention of the disclosure obligation, that obligation should *also* apply where financial products *are offered as having similar characteristics as environmentally sustainable investments, including those having as their target environmental protection in a broad sense*. Financial market participants should not be required to invest only in environmentally

##### *Amendment*

(17) To avoid circumvention of the disclosure obligation, that obligation should apply to *all* financial products. Financial market participants should not be required to invest only in environmentally sustainable economic activities determined in accordance with the technical screening criteria set out in this Regulation.

*Financial market participants and other actors* should be encouraged to inform the

sustainable economic activities determined in accordance with the technical screening criteria set out in this Regulation. **They** should be encouraged to inform the Commission if they consider that an economic activity **that does not meet** the technical screening criteria, or for which such criteria have not been established yet, **should be considered environmentally sustainable**, to help the Commission to evaluate the appropriateness of complementing or updating the technical screening criteria.

Commission if they consider that an economic activity **is incorrectly considered to fulfil or not fulfil** the technical screening criteria, or for which such criteria have not been established yet, to help the Commission to evaluate the appropriateness of complementing or updating the technical screening criteria.

Or. en

**Amendment 190**  
**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**  
**Recital 18**

*Text proposed by the Commission*

(18) For the purposes of determining whether an economic activity is environmentally sustainable, an exhaustive list of environmental objectives should be laid down.

*Amendment*

(18) For the purposes of determining whether an economic activity is environmentally **or socially** sustainable, an exhaustive list of environmental **and social** objectives **based on indicators measuring the environmental and social impact** should be laid down.

Or. en

**Amendment 191**  
**Nils Torvalds, Fredrick Federley, Anneli Jäätteenmäki, Jytte Guteland, Elsi Katainen, Christofer Fjellner, Gunnar Hökmark, Petri Sarvamaa**

**Proposal for a regulation**  
**Recital 18**

*Text proposed by the Commission*

(18) For the purposes of determining whether an economic activity is environmentally sustainable, an exhaustive list of environmental objectives should be

*Amendment*

(18) For the purposes of determining whether an economic activity is environmentally sustainable, an exhaustive list of environmental objectives should be

laid down.

laid down, *ensuring coherence with existing Union legislation, such as the Clean Energy Package.*

Or. en

### **Amendment 192**

**Françoise Grossetête, Alain Lamassoure, Anne Sander**

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

#### **Recital 18**

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

(18) For the purposes of determining whether an economic activity is environmentally sustainable, an exhaustive list of environmental objectives should be laid down.

##### *Amendment*

(18) For the purposes of determining whether an economic activity is environmentally sustainable, an exhaustive list of environmental objectives should be laid down, *taking into account its impact on the entire industrial value chain.*

Or. fr

### **Amendment 193**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

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

#### **Recital 18**

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

(18) For the purposes of determining whether an economic activity is environmentally sustainable, an exhaustive list of environmental objectives should be laid down.

##### *Amendment*

(18) For the purposes of determining whether an economic activity is environmentally sustainable *or environmentally harmful*, an exhaustive list of environmental objectives should be laid down.

Or. en

### **Amendment 194**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

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

#### **Recital 20**

*Text proposed by the Commission*

(20) For each environmental objective, uniform criteria for considering economic activities to be substantially contributing to that objective should be laid down. ***One*** element of the uniform criteria should be ***to avoid significant harm to*** any of the environmental objectives set out in this Regulation. ***This is in order to avoid that investments are considered environmentally sustainable although the economic activities benefitting from those investments cause harm to the environment to an extent outweighing their contribution to an environmental objective.*** The conditions for substantial contribution and for ***not*** causing significant harm should enable investments into environmentally sustainable economic activities to make a real contribution to the environmental objectives.

*Amendment*

(20) For each environmental objective, uniform criteria for considering economic activities to be substantially contributing to that objective should be laid down. ***Another*** element of the uniform criteria should be ***identifying economic activities that significantly harm*** any of the environmental objectives set out in this Regulation. The conditions for substantial contribution and for causing significant harm should enable investments into environmentally sustainable economic activities to make a real contribution to the environmental objectives ***and should enable to gradually shift investments away from environmentally harmful economic activities.***

Or. en

**Amendment 195**

**Markus Ferber, Christophe Hansen**

**Proposal for a regulation**

**Recital 20**

*Text proposed by the Commission*

(20) For each environmental objective, uniform criteria for considering economic activities to be substantially contributing to that objective should be laid down. One element of the uniform criteria should be to avoid significant harm to any of the environmental objectives set out in this Regulation. This is in order to avoid that investments are considered environmentally sustainable although the economic activities benefitting from those investments cause harm to the environment to an extent outweighing their contribution to an environmental objective. The conditions for substantial contribution and

*Amendment*

(20) For each environmental objective, uniform criteria for considering economic activities to be substantially contributing to that objective should be laid down. One element of the uniform criteria should be to avoid significant harm to any of the environmental objectives set out in this Regulation. This is in order to avoid that investments are considered environmentally sustainable although the economic activities benefitting from those investments cause harm to the environment to an extent outweighing their contribution to an environmental objective. The conditions for substantial contribution and

for not causing significant harm should enable investments into environmentally sustainable economic activities to make a real contribution to the environmental objectives.

for not causing significant harm should enable investments into environmentally sustainable economic activities to make a real contribution to the environmental objectives. ***However, the establishment of the criterion to avoid significant harm to any of the environmental objectives should not lead to the creation of a black list or brown list.***

Or. en

**Amendment 196**  
**Mireille D'Ornano**

**Proposal for a regulation**  
**Recital 20**

*Text proposed by the Commission*

(20) For each environmental objective, uniform criteria for considering economic activities to be substantially contributing to that objective should be laid down. One element of the uniform criteria should be to avoid significant harm to any of the environmental objectives set out in this Regulation. This is in order to avoid that investments are considered environmentally sustainable although the economic activities benefitting from those investments cause harm to the environment to an extent outweighing their contribution to an environmental objective. The conditions for substantial contribution and for not causing significant harm should enable investments into environmentally sustainable economic activities to make a real contribution to the environmental objectives.

*Amendment*

(20) For each environmental objective, uniform ***and precise*** criteria for considering economic activities to be substantially contributing to that objective should be laid down. One element of the uniform criteria should be to avoid significant harm to any of the environmental objectives set out in this Regulation. This is in order to avoid that investments are considered environmentally sustainable although the economic activities benefitting from those investments cause harm to the environment to an extent outweighing their contribution to an environmental objective. The conditions for substantial contribution and for not causing significant harm should enable investments into environmentally sustainable economic activities to make a real contribution to the environmental objectives.

Or. fr

**Amendment 197**  
**Paul Tang, Simona Bonafè, Pervenche Berès**

**Proposal for a regulation**  
**Recital 21**

*Text proposed by the Commission*

(21) Recalling the joint commitment of the European Parliament, the Council and the Commission to pursue the principles enshrined in the European Pillar of Social Rights in support of sustainable and inclusive growth and recognising the relevance of international minimum human and labour rights and standards, compliance with minimum safeguards should be a condition for economic activities to qualify as environmentally sustainable. For that reason economic activities should only qualify as environmentally sustainable where they are carried out observing the International Labour Organisation's ('ILO') declaration on Fundamental Rights and Principles at Work and the eight ILO core conventions. The ILO core conventions define human and labour rights that companies are due to respect. Several of these international standards are also enshrined the Charter of Fundamental Rights of the European Union, in particular the prohibition of slavery and forced labour and the principle of non-discrimination. Those minimum safeguards are without prejudice to the application of more stringent requirements on environment, health and safety and social sustainability set out in Union law, where applicable.

*Amendment*

(21) Recalling the joint commitment of the European Parliament, the Council and the Commission to pursue the principles enshrined in the European Pillar of Social Rights in support of sustainable and inclusive growth and recognising the relevance of international minimum human and labour rights and standards, compliance with minimum safeguards should be a condition for economic activities to qualify as environmentally sustainable. For that reason economic activities should only qualify as environmentally sustainable where they are carried out observing, *firstly*, the International Labour Organisation's ('ILO') declaration on Fundamental Rights and Principles at Work and the eight ILO core conventions. The ILO core conventions define human and labour rights that companies are due to respect. Several of these international standards are also enshrined the Charter of Fundamental Rights of the European Union, in particular the prohibition of slavery and forced labour and the principle of non-discrimination. *Secondly, the UN Principles for Responsible Investment - Reporting Framework should be observed. Thirdly, investors should take in account the OECD Due Diligence Guidance for Responsible Business Conduct (2018). Due diligence in this context means the procedures undertakings carry out to identify, prevent, mitigate and account for sustainability risks as defined in [PO insert reference to Regulation on disclosures relating to sustainable investments and sustainability risks and its Annex I].* Those minimum safeguards are without prejudice to the application of more stringent requirements on environment, health and safety and social sustainability set out in Union law, where applicable.

**Amendment 198**

**Markus Ferber**

**Proposal for a regulation**

**Recital 21**

*Text proposed by the Commission*

(21) Recalling the joint commitment of the European Parliament, the Council and the Commission to pursue the principles enshrined in the European Pillar of Social Rights in support of sustainable and inclusive growth and recognising the relevance of international minimum human and labour rights and standards, compliance with minimum safeguards should be a condition for economic activities to qualify as environmentally sustainable. For that reason economic activities should only qualify as environmentally sustainable where they are carried out observing the International Labour Organisation's ('ILO') declaration on Fundamental Rights and Principles at Work and the eight ILO core conventions. The ILO core conventions define human and labour rights that companies are due to respect. Several of these international standards are also enshrined the Charter of Fundamental Rights of the European Union, in particular the prohibition of slavery and forced labour and the principle of non-discrimination. Those minimum safeguards are without prejudice to the application of more stringent requirements on environment, health and safety and social sustainability set out in Union law, where applicable.

*Amendment*

(21) Recalling the joint commitment of the European Parliament, the Council and the Commission to pursue the principles enshrined in the European Pillar of Social Rights in support of sustainable and inclusive growth and recognising the relevance of international minimum human and labour rights and standards, compliance with minimum safeguards should be a condition for economic activities to qualify as environmentally sustainable. For that reason economic activities should only qualify as environmentally sustainable where they are carried out observing the International Labour Organisation's ('ILO') declaration on Fundamental Rights and Principles at Work and the eight ILO core conventions. The ILO core conventions define human and labour rights that companies are due to respect ***and therefore serve as a sufficient yardstick for sustainable economic activity.*** Several of these international standards are also enshrined the Charter of Fundamental Rights of the European Union, in particular the prohibition of slavery and forced labour and the principle of non-discrimination. Those minimum safeguards are without prejudice to the application of more stringent requirements on environment, health and safety and social sustainability set out in Union law, where applicable.

### *Justification*

*The ILO standards are sufficient to determine if an economic activity can be considered sustainable.*

#### **Amendment 199** **Dimitrios Papadimoulis**

#### **Proposal for a regulation** **Recital 21 a (new)**

*Text proposed by the Commission*

*Amendment*

**(21 a) The European Investment Bank (EIB) has an extensive experience in green bonds through mainly the Climate Awareness bond, which contributed to green bonds of 18 billion euro and 160 projects related to renewable energy, which unfortunately were distributed regionally in an uneven way without the appropriate long-term and regionally balanced planning. Nevertheless, public sector bodies such as the EIB and the ESAs, could monitor key developments to ensure the progressive scale-up and adaptability of the EU sustainability taxonomy.**

Or. en

#### **Amendment 200** **Elena Gentile**

#### **Proposal for a regulation** **Recital 22**

*Text proposed by the Commission*

*Amendment*

(22) Given the specific technical details needed to assess the environmental impact of an economic activity and the fast-changing nature of both science and technology, the criteria of **environmentally sustainable** economic activities should be adapted regularly to those changes. For the criteria to be up to date, based on scientific

(22) Given the specific technical details needed to assess the environmental impact of an economic activity and the fast-changing nature of both science and technology, the criteria **relevant for determining the environmental sustainability** of economic activities should be adapted regularly to those

evidence and input from experts as well as relevant stakeholders, the conditions for substantial contribution and significant harm should be specified with more granularity for different economic activities and should be updated regularly. To that purpose, granular and calibrated technical screening criteria for the different economic activities should be laid down by the Commission, on the basis of the technical input of a multi-stakeholders Platform on Sustainable Finance.

changes. For the criteria *and indicators* to be up to date, based on scientific evidence and input from experts as well as relevant stakeholders, the conditions for substantial contribution and significant harm should be specified with more granularity for different economic activities and should be updated regularly. To that purpose, granular and calibrated technical screening criteria *and a set of harmonised indicators* for the different economic activities should be laid down by the Commission, on the basis of the technical input of a multi-stakeholders Platform on Sustainable Finance.

Or. en

**Amendment 201**  
**Jo Leinen**

**Proposal for a regulation**  
**Recital 23**

*Text proposed by the Commission*

(23) Some economic activities have a negative impact on the environment, and a substantial contribution to one or more environmental objectives can be achieved by reducing that negative impact. For those economic activities, it is appropriate to set out technical screening criteria that require a substantial improvement in environmental performance compared to, *inter alia*, the industry average. Those criteria should consider also the long term impact of a specific economic activity.

*Amendment*

(23) Some economic activities have a negative impact on the environment, and a substantial contribution to one or more environmental objectives can be achieved by reducing that negative impact. For those economic activities, it is appropriate to set out technical screening criteria that require a substantial improvement in environmental performance compared to, *inter alia*, the industry average. Those criteria should consider also the long term impact of a specific economic activity, *in particular the environmental benefits of products and services and the contribution of intermediate products, and thus provide an assessment of the impact of all the phases of manufacturing and use throughout the value chain and life cycle*.

Or. de

**Amendment 202**  
**Bas Eickhout**

**Proposal for a regulation**  
**Recital 23**

*Text proposed by the Commission*

(23) Some economic activities have a negative impact on the environment, and a substantial contribution to one or more environmental objectives can be achieved by reducing that negative impact. For those economic activities, it is appropriate to set out technical screening criteria that require a substantial improvement in environmental performance compared to, inter alia, the industry average. Those criteria should consider also the long term impact of a specific economic activity.

*Amendment*

(23) Some economic activities have a negative impact on the environment, and a substantial contribution to one or more environmental objectives can be achieved by reducing that negative impact. For those economic activities, it is appropriate to set out technical screening criteria that require a substantial improvement in environmental performance compared to, inter alia, the industry average *in order to consider whether that the activity may deliver a substantial contribution to one or more environmental objectives*. Those criteria should consider also the long term impact of a specific economic activity *and should ensure that economic activities contributing to carbon intensive lock-in effects are not considered sustainable economic activities*.

Or. en

**Amendment 203**  
**Luke Ming Flanagan**

**Proposal for a regulation**  
**Recital 23**

*Text proposed by the Commission*

(23) Some economic activities have a negative impact on the environment, and a substantial contribution to one or more environmental objectives can be achieved by reducing that negative impact. For those economic activities, it is appropriate to set out technical screening criteria that require a substantial improvement in environmental performance compared to, inter alia, the industry average. Those criteria should consider also the long term

*Amendment*

(23) Some economic activities - *such as major trade deals* - have a negative impact *not just on local manufacturers, who often cannot compete with lower-cost production bases from outside the European Union, but also* on the environment, and a substantial contribution to one or more environmental objectives can be achieved by reducing that negative impact. For those economic activities, it is appropriate to set out technical screening

impact of a specific economic activity.

criteria that require a substantial improvement in environmental performance compared to, *inter alia*, the industry average. Those criteria should consider also the long term impact of a specific economic activity.

Or. en

#### **Amendment 204**

**Elena Gentile**

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

#### **Recital 23**

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

(23) Some economic activities have a negative impact on the environment, and a substantial contribution to one or more environmental objectives can be achieved by reducing that negative impact. For those economic activities, it is appropriate to set out technical screening criteria that require a substantial improvement in environmental performance compared to, *inter alia*, the industry average. Those criteria should consider also the long term impact of a specific economic activity.

##### *Amendment*

(23) Some economic activities have a negative impact on the environment, and a substantial contribution to one or more environmental objectives can be achieved by reducing that negative impact. For those economic activities, it is appropriate to set out technical screening criteria that require a substantial improvement in environmental performance compared to, *inter alia*, the industry average *in the country or region*. Those criteria should consider also the long term impact of a specific economic activity.

Or. en

#### **Amendment 205**

**Simona Bonafè, Luigi Morgano**

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

#### **Recital 23**

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

(23) Some economic activities have a negative impact on the environment, and a substantial contribution to one or more environmental objectives can be achieved by reducing that negative impact. For those economic activities, it is appropriate to set

##### *Amendment*

(23) Some economic activities have a negative impact on the environment, and a substantial contribution to one or more environmental objectives can be achieved by reducing that negative impact. For those economic activities, it is appropriate to set

out technical screening criteria that require *a substantial* improvement in environmental performance compared to, inter alia, the industry average. Those criteria should consider also the long term impact of a specific economic activity.

out technical screening criteria that require *an* improvement in environmental performance compared to, inter alia, the industry average. Those criteria should consider also the long term impact (*i.e. more than 3 years*) of a specific economic activity.

Or. en

### **Amendment 206**

**Paul Tang, Simona Bonafè, Pervenche Berès**

#### **Proposal for a regulation Recital 24**

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

(24) An economic activity should not be considered environmentally sustainable if it *causes more harm* to the environment *than the benefits it brings*. The technical screening criteria should identify the minimum requirements necessary to avoid a significant harm to other objectives. When establishing and updating the technical screening criteria, the Commission should ensure that those criteria are based on available scientific evidence and are updated regularly. Where scientific evaluation does not allow for the risk to be determined with sufficient certainty, the precautionary principle should apply, in line with Article 191 TFEU.

##### *Amendment*

(24) An economic activity should not be considered environmentally sustainable if it *does not bring about a net benefit* to the environment. The technical screening criteria should identify the minimum requirements necessary to avoid a significant harm to other objectives. When establishing and updating the technical screening criteria, the Commission should ensure that those criteria are based on available scientific evidence and are updated regularly. Where scientific evaluation does not allow for the risk to be determined with sufficient certainty, the precautionary principle should apply, in line with Article 191 TFEU.

Or. en

### **Amendment 207**

**Fulvio Martusciello**

#### **Proposal for a regulation Recital 24**

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

(24) An economic activity should not be PE632.153v01-00

##### *Amendment*

(24) An economic activity should not be 60/162 AM\1172566EN.docx

considered environmentally sustainable if it causes more harm to the environment than the benefits it brings. The technical screening criteria should identify the minimum requirements necessary to avoid a significant harm to other objectives. When establishing and updating the technical screening criteria, the Commission should ensure that those criteria are based on available scientific evidence and are updated regularly. Where scientific evaluation does not allow for the risk to be determined with sufficient certainty, the precautionary principle should apply, in line with Article 191 TFEU.

considered environmentally sustainable if it causes more harm to the environment than the benefits it brings ***and it should also not significantly harm any of the other environmental objectives***. The technical screening criteria ***based on harmonised indicators*** should identify the minimum requirements necessary to avoid a significant harm to other objectives. When establishing and updating the technical screening criteria ***and harmonised indicators***, the Commission should ensure that those criteria ***and indicators*** are based on available scientific evidence and are updated regularly. Where scientific evaluation does not allow for the risk to be determined with sufficient certainty, the precautionary principle should apply, in line with Article 191 TFEU.

Or. en

## **Amendment 208** **Luke Ming Flanagan**

### **Proposal for a regulation Recital 24**

#### *Text proposed by the Commission*

(24) An economic activity should not be considered environmentally sustainable if it causes more harm to the environment than the benefits it brings. The technical screening criteria should identify the minimum requirements necessary to avoid a significant harm to other objectives. When establishing and updating the technical screening criteria, the Commission should ensure that those criteria are based on available scientific evidence and are updated regularly. Where scientific evaluation does not allow for the risk to be determined with sufficient certainty, the precautionary principle should apply, in line with Article 191 TFEU.

#### *Amendment*

(24) An economic activity should not be considered environmentally sustainable if it causes more harm to the environment than the benefits it brings, ***and in this regard major trade deals should all have an independent impact study completed before they are implemented***. The technical screening criteria should identify the minimum requirements necessary to avoid a significant harm to other objectives. When establishing and updating the technical screening criteria, the Commission should ensure that those criteria are based on available scientific evidence and are updated regularly. Where scientific evaluation does not allow for the risk to be determined with sufficient certainty, the precautionary principle

should apply, in line with Article 191 TFEU.

Or. en

### **Amendment 209**

**Françoise Grossetête, Alain Lamassoure, Anne Sander**

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

##### **Recital 24**

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

(24) An economic activity should not be considered environmentally sustainable if it causes more harm to the environment than the benefits it brings. The technical screening criteria should identify the minimum requirements necessary to avoid a significant harm to other objectives. When establishing and updating the technical screening criteria, the Commission should ensure that those criteria are based on available scientific evidence **and** are updated regularly. Where scientific evaluation does not allow for the risk to be determined with sufficient certainty, the precautionary principle should apply, in line with Article 191 TFEU.

###### *Amendment*

(24) An economic activity should not be considered environmentally sustainable if it causes more harm to the environment than the benefits it brings. The technical screening criteria should identify the minimum requirements necessary to avoid a significant harm to other objectives. When establishing and updating the technical screening criteria, the Commission should ensure that those criteria are based on available scientific evidence, ***are updated regularly and take account of the whole value chain and the life cycle of technologies. It should also ensure that they*** are updated regularly. Where scientific evaluation does not allow for the risk to be determined with sufficient certainty, the precautionary principle should apply, in line with Article 191 TFEU.

Or. fr

### **Amendment 210**

**Markus Ferber**

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

##### **Recital 24**

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

(24) An economic activity should not be considered environmentally sustainable if it causes more harm to the environment

###### *Amendment*

(24) An economic activity should not be considered environmentally sustainable if it causes more harm to the environment

than the benefits it brings. The technical screening criteria should identify the minimum requirements necessary to avoid a significant harm to other objectives. When establishing and updating the technical screening criteria, the Commission should ensure that those criteria are based on available scientific evidence and are updated regularly. Where scientific evaluation does not allow for the risk to be determined with sufficient certainty, the precautionary principle should apply, in line with Article 191 TFEU.

than the benefits it brings. The technical screening criteria should identify the minimum requirements necessary to avoid a significant harm to other objectives. When establishing and updating the technical screening criteria, the Commission should ensure that those criteria are ***reasonable, proportionate and*** based on available scientific evidence and are updated regularly. Where scientific evaluation does not allow for the risk to be determined with sufficient certainty, the precautionary principle should apply, in line with Article 191 TFEU.

Or. en

### **Amendment 211**

**Anne Sander, Françoise Grossetête**

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

#### **Recital 26**

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

(26) When establishing and updating the technical screening criteria the Commission should also take into account the specificities of the ***infrastructure sector*** and take into account environmental, social and economic externalities within a cost-benefit analysis. In that regard, the Commission should consider the work of international organisations, such as the OECD, relevant Union legislation and standards, including Directive 2001/42/EC of the European Parliament and of the Council<sup>42</sup>, Directive 2011/92/EU of the European Parliament and of the Council<sup>43</sup> Directive 2014/23/EU of the European Parliament and of the Council<sup>44</sup>, Directive 2014/24/EU of the European Parliament and of the Council<sup>45</sup>, Directive 2014/25/EU of the European Parliament and of the Council<sup>46</sup>, and current methodology. In that context, the technical screening criteria should promote appropriate governance frameworks integrating environmental, social and

##### *Amendment*

(26) When establishing and updating the technical screening criteria the Commission should also take into account the specificities of the ***different sectors*** and take into account environmental, social and economic externalities within a cost-benefit analysis. ***As for energy sector, the Commission should take into account article 194 of the TFEU and the Member State's right to determine the conditions for exploiting the energy sources, its choice between different energy sources and the general structure of its energy supply.*** In that regard, the Commission should consider the work of international organisations, such as the OECD, relevant Union legislation and standards, including Directive 2001/42/EC of the European Parliament and of the Council<sup>42</sup>, Directive 2011/92/EU of the European Parliament and of the Council<sup>43</sup> Directive 2014/23/EU of the European Parliament and of the Council<sup>44</sup>, Directive 2014/24/EU of the European Parliament and of the Council<sup>45</sup>,

governance factors, as referred to in the United Nations-supported Principles for Responsible Investment<sup>47</sup>, at all stages of a project's lifecycle.

Directive 2014/25/EU of the European Parliament and of the Council<sup>46</sup>, and current methodology. In that context, the technical screening criteria should promote appropriate governance frameworks integrating environmental, social and governance factors, as referred to in the United Nations-supported Principles for Responsible Investment<sup>47</sup>, at all stages of a project's lifecycle.

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<sup>42</sup> Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30).

<sup>43</sup> Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).

<sup>44</sup> Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (OJ L 94, 28.3.2014, p. 1).

<sup>45</sup> Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

<sup>46</sup> Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243).

<sup>47</sup>

<https://www.unpri.org/download?ac=1534>.

<sup>42</sup> Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30).

<sup>43</sup> Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).

<sup>44</sup> Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (OJ L 94, 28.3.2014, p. 1).

<sup>45</sup> Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

<sup>46</sup> Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243).

<sup>47</sup>

<https://www.unpri.org/download?ac=1534>.

Or. en

## **Amendment 212**

### **Othmar Karas, Lukas Mandl**

## **Proposal for a regulation**

### **Recital 26**

#### *Text proposed by the Commission*

(26) When establishing and updating the technical screening criteria the Commission should also take into account the specificities of the *infrastructure sector* and take into account environmental, social and economic externalities within a cost-benefit analysis. In that regard, the Commission should consider the work of international organisations, such as the OECD, relevant Union legislation and standards, including Directive 2001/42/EC of the European Parliament and of the Council<sup>42</sup>, Directive 2011/92/EU of the European Parliament and of the Council<sup>43</sup> Directive 2014/23/EU of the European Parliament and of the Council<sup>44</sup>, Directive 2014/24/EU of the European Parliament and of the Council<sup>45</sup>, Directive 2014/25/EU of the European Parliament and of the Council<sup>46</sup>, and current methodology. In that context, the technical screening criteria should promote appropriate governance frameworks integrating environmental, social and governance factors, as referred to in the United Nations-supported Principles for Responsible Investment<sup>47</sup>, at all stages of a project's lifecycle.

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<sup>42</sup> Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30).

<sup>43</sup> Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).

<sup>44</sup> Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession

#### *Amendment*

(26) When establishing and updating the technical screening criteria the Commission should also take into account the specificities of the *different sectors* and take into account environmental, social and economic externalities within a cost-benefit analysis. In that regard, the Commission should consider the work of international organisations, such as the OECD, relevant Union legislation and standards, including Directive 2001/42/EC of the European Parliament and of the Council<sup>42</sup>, Directive 2011/92/EU of the European Parliament and of the Council<sup>43</sup> Directive 2014/23/EU of the European Parliament and of the Council<sup>44</sup>, Directive 2014/24/EU of the European Parliament and of the Council<sup>45</sup>, Directive 2014/25/EU of the European Parliament and of the Council<sup>46</sup>, and current methodology. In that context, the technical screening criteria should promote appropriate governance frameworks integrating environmental, social and governance factors, as referred to in the United Nations-supported Principles for Responsible Investment<sup>47</sup>, at all stages of a project's lifecycle.

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<sup>42</sup> Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30).

<sup>43</sup> Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).

<sup>44</sup> Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession

contracts (OJ L 94, 28.3.2014, p. 1).

<sup>45</sup> Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

<sup>46</sup> Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243).

<sup>47</sup>

[https://www.unpri.org/download?ac=1534.](https://www.unpri.org/download?ac=1534)

contracts (OJ L 94, 28.3.2014, p. 1).

<sup>45</sup> Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

<sup>46</sup> Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243).

<sup>47</sup>

[https://www.unpri.org/download?ac=1534.](https://www.unpri.org/download?ac=1534)

Or. en

### **Amendment 213**

**Lieve Wierinck, Thierry Cornillet, Ramon Tremosa i Balcells, Caroline Nagtegaal**

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

**Recital 26 a (new)**

*Text proposed by the Commission*

*Amendment*

*(26 a) In defining the technical screening criteria, the Commission should also take into account transitional measures towards activities that support the transition to a more sustainable, low-carbon economy.*

Or. en

### **Amendment 214**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

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

**Recital 26 a (new)**

*Text proposed by the Commission*

*Amendment*

*(26 a) In defining the technical screening criteria, the Commission should also take into account transitional measures*

*towards activities that support the transition to a sustainable low-carbon economy.*

Or. en

**Amendment 215**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Recital 27**

*Text proposed by the Commission*

(27) To avoid distorting competition when raising financing for environmentally sustainable economic activities, the technical screening criteria should ensure that all relevant economic activities within **a specific sector** can qualify as environmentally sustainable and are treated equally if they contribute equally towards one or more of the environmental objectives laid out in this Regulation. The potential capacity to contribute towards those environmental objectives may however vary across sectors, which should be reflected in the criteria. However, within each sector, those criteria should not unfairly disadvantage certain economic activities over others if the former contribute towards the environmental objectives to the same extent as the latter.

*Amendment*

(27) **To encourage environmentally sustainable innovation and** to avoid distorting competition when raising financing for environmentally sustainable economic activities, the technical screening criteria should ensure that all relevant economic activities within **economic macro sectors** (*ie. NACE sectors such as agriculture, forestry and fishing, manufacturing, electricity, gas, steam and air conditioning supply, construction, transportation and storage services*) can qualify as environmentally sustainable and are treated equally if they contribute equally towards one or more of the environmental objectives laid out in this Regulation **while not significantly harming any other environmental objectives referred to in Articles 3 and 12.** The potential capacity to contribute towards those environmental objectives may however vary across sectors, which should be reflected in the **technical screening** criteria. However, within each **economic macro** sector, those criteria should not unfairly disadvantage certain economic activities over others if the former contribute towards the environmental objectives to the same extent as the latter **while not significantly harming any other environmental objectives referred to in Articles 3 and 12.**

Or. en

**Amendment 216**  
**Karl-Heinz Florenz**

**Proposal for a regulation**  
**Recital 27**

*Text proposed by the Commission*

(27) To avoid distorting competition when raising financing for environmentally sustainable economic activities, the technical screening criteria should ensure that all relevant economic activities within **a specific sector** can qualify as environmentally sustainable and are treated equally if they contribute equally towards one or more of the environmental objectives laid out in this Regulation. The potential capacity to contribute towards those environmental objectives may however vary across sectors, which should be reflected in the criteria. However, within each sector, those criteria should not unfairly disadvantage certain economic activities over others if the former contribute towards the environmental objectives to the same extent as the latter.

*Amendment*

(27) **To encourage environmentally sustainable innovation and** to avoid distorting competition when raising financing for environmentally sustainable economic activities, the technical screening criteria should ensure that all relevant economic activities within **major economic sectors, including among others agriculture, construction, energy, chemicals, transportation and production**, can qualify as environmentally sustainable and are treated equally if they contribute equally towards one or more of the environmental objectives laid out in this Regulation. The potential capacity to contribute towards those environmental objectives may however vary across sectors, which should be reflected in the criteria. However, within each sector, those criteria should not unfairly disadvantage certain economic activities over others if the former contribute towards the environmental objectives to the same extent as the latter.

Or. en

*Justification*

*Technical screening criteria shall include all sectors contributing to sustainable development.*

**Amendment 217**  
**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**  
**Recital 27**

*Text proposed by the Commission*

*Amendment*

(27) To avoid distorting competition when raising financing for environmentally sustainable economic activities, the technical screening criteria should ensure that all relevant economic activities within a specific sector can qualify as environmentally sustainable and are treated equally if they contribute equally towards one or more of the environmental objectives laid out in this Regulation. The potential capacity to contribute towards those environmental objectives may however vary across sectors, which should be reflected in the criteria. However, within each sector, those criteria should not unfairly disadvantage certain economic activities over others if the former contribute towards the environmental objectives to the same extent as the latter.

(27) ***To encourage environmentally sustainable innovation and*** to avoid distorting competition when raising financing for environmentally sustainable economic activities, the technical screening criteria should ensure that all relevant economic activities within a specific sector, ***including among others manufacturing, agriculture, construction, energy and transportation*** can qualify as environmentally sustainable and are treated equally if they contribute equally towards one or more of the environmental objectives laid out in this Regulation. The potential capacity to contribute towards those environmental objectives may however vary across sectors, which should be reflected in the criteria. However, within each sector, those criteria should not unfairly disadvantage certain economic activities over others if the former contribute towards the environmental objectives to the same extent as the latter.

Or. en

**Amendment 218**  
**Othmar Karas, Lukas Mandl**

**Proposal for a regulation**  
**Recital 27**

*Text proposed by the Commission*

(27) To avoid distorting competition when raising financing for environmentally sustainable economic activities, the technical screening criteria should ensure that ***all*** relevant economic activities within ***a specific sector*** can qualify as environmentally sustainable and are treated equally if they contribute equally towards one or more of the environmental objectives laid out in this Regulation. The potential capacity to contribute towards those environmental objectives may however vary across sectors, which should be reflected in ***the*** criteria. However, within each sector, those criteria should not

*Amendment*

(27) To avoid distorting competition when raising financing for environmentally sustainable economic activities, the technical screening criteria should ensure that relevant economic activities within ***major economic sectors, including among others agriculture, construction, energy, transportation and production***, can qualify as environmentally sustainable and are treated equally if they contribute equally towards one or more of the environmental objectives laid out in this Regulation. The potential capacity to contribute towards those environmental objectives may however vary across sectors, which should

unfairly disadvantage certain economic activities over others if the former contribute towards the environmental objectives to the same extent as the latter.

be reflected in *industry specific* criteria. However, within each sector, those criteria should not unfairly disadvantage certain economic activities over others if the former contribute towards the environmental objectives to the same extent as the latter.

Or. en

### **Amendment 219**

**Markus Ferber, Christophe Hansen**

#### **Proposal for a regulation Recital 27**

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

(27) To avoid distorting competition when raising financing for environmentally sustainable economic activities, the technical screening criteria should ensure that all relevant economic activities within a specific sector can qualify as environmentally sustainable and are treated equally if they contribute equally towards one or more of the environmental objectives laid out in this Regulation. The potential capacity to contribute towards those environmental objectives may however vary across sectors, which should be reflected in the criteria. However, within each sector, those criteria should not unfairly disadvantage certain economic activities over others if the former contribute towards the environmental objectives to the same extent as the latter.

##### *Amendment*

(27) To avoid distorting competition when raising financing for environmentally sustainable economic activities, the technical screening criteria should ensure that all relevant economic activities within a specific sector can qualify as environmentally sustainable and are treated equally if they contribute equally towards one or more of the environmental objectives laid out in this Regulation. The potential capacity to contribute towards those environmental objectives may however vary across sectors, which should be reflected in the criteria. ***Therefore, the screening criteria should not result in the creation of a black list or brown list.*** However, within each sector, those criteria should not unfairly disadvantage certain economic activities over others if the former contribute towards the environmental objectives to the same extent as the latter.

Or. en

### **Amendment 220**

**Bas Eickhout**

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

PE632.153v01-00

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**EN**

## **Recital 27**

### *Text proposed by the Commission*

(27) To avoid distorting competition when raising financing for environmentally sustainable economic activities, the technical screening criteria should ensure that all relevant economic activities within a specific sector can qualify as environmentally sustainable and are treated equally if they contribute equally towards one or more of the environmental objectives laid out in this Regulation. The potential capacity to contribute towards those environmental objectives may however vary across sectors, which should be reflected in the criteria. However, within each sector, those criteria should not unfairly disadvantage certain economic activities over others if the former contribute towards the environmental objectives to the same extent as the latter.

### *Amendment*

(27) To avoid distorting competition when raising financing for environmentally sustainable economic activities, the technical screening criteria should ensure that all relevant economic activities within a specific sector can qualify as environmentally sustainable and are treated equally if, *in the way these activities are carried out*, they contribute equally towards one or more of the environmental objectives laid out in this Regulation. The potential capacity to contribute towards those environmental objectives may however vary across sectors, which should be reflected in the criteria. However, within each sector, those criteria should not unfairly disadvantage certain economic activities over others if the former contribute towards the environmental objectives to the same extent as the latter.

Or. en

## **Amendment 221**

**Elena Gentile**

### **Proposal for a regulation**

#### **Recital 27**

### *Text proposed by the Commission*

(27) To avoid distorting competition when raising financing for environmentally sustainable economic activities, the technical screening criteria should ensure that all relevant economic activities within a specific sector can qualify as environmentally sustainable and are treated equally if they contribute equally towards one or more of the environmental objectives laid out in this Regulation. The potential capacity to contribute towards those environmental objectives may however vary across sectors, which should be reflected in the criteria. However,

### *Amendment*

(27) To avoid distorting competition when raising financing for environmentally sustainable economic activities, the technical screening criteria should ensure that all relevant economic activities within a specific sector can qualify as environmentally sustainable and are treated equally if they contribute equally towards one or more of the environmental objectives laid out in this Regulation. The potential capacity to contribute towards those environmental objectives may however vary across sectors, which should be reflected in the criteria. However,

within each sector, those criteria should ***not unfairly disadvantage*** certain economic activities over others if the former contribute towards the environmental objectives to the same extent as the latter.

within each sector, those criteria should ***be applied to all market participants equally,*** certain economic activities over others if the former contribute towards the environmental objectives to the same extent as the latter.

Or. en

**Amendment 222**  
**Karl-Heinz Florenz**

**Proposal for a regulation**  
**Recital 27 a (new)**

*Text proposed by the Commission*

*Amendment*

**(27 a) Environmentally sustainable activities are the result of technologies and products developed all along the value-chain. For this reason, the technical screening criteria should consider the role of the whole value-chain, from the processing of raw materials to the final product and its waste phase, in the final delivery of environmental sustainable activities.**

Or. en

*Justification*

*Environmental sustainable activities depend on the cooperation between different sectors and economic Actros all along industrial value-chains. This aspect should be reflected in the technical screening criteria for environmental sustainable activities.*

**Amendment 223**  
**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**  
**Recital 27 a (new)**

*Text proposed by the Commission*

*Amendment*

**(27 a) To avoid disrupting well-functioning value-chains, the technical screening criteria should consider that**

*environmentally sustainable activities are enabled by technologies and products developed by multiple economic actors.*

Or. en

**Amendment 224**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Recital 28**

*Text proposed by the Commission*

(28) When establishing technical screening criteria, the Commission should assess whether adoption of those criteria for environmentally sustainable activities would give rise to stranded assets or deliver inconsistent incentives, and whether it would have any negative impact on liquidity in financial markets.

*Amendment*

(28) When establishing technical screening criteria, the Commission should assess ***potential transition risks***, whether ***the pace of the*** adoption of those criteria for environmentally sustainable activities would give rise to stranded assets or deliver inconsistent incentives, and whether it would have any negative impact on liquidity in financial markets.

Or. en

**Amendment 225**  
**Othmar Karas, Lukas Mandl**

**Proposal for a regulation**  
**Recital 30**

*Text proposed by the Commission*

(30) To ensure that investments are channelled towards economic activities that make the biggest positive impact on the environmental objectives, the Commission should give priority to the establishment of technical screening criteria for the economic activities that potentially contribute most to the environmental objectives.

*Amendment*

(30) To ensure that investments are channelled towards economic activities that make the biggest positive impact on the environmental objectives, the Commission should give priority to the establishment of technical screening criteria for the economic activities that potentially contribute most to the environmental objectives. ***Screening criteria should be based on the outcomes of projects to facilitate the identification and development of new technologies as well as to take duly into account of the***

*scalability of these technologies.*

Or. en

**Amendment 226**

**Anne Sander**

**Proposal for a regulation**

**Recital 30**

*Text proposed by the Commission*

(30) To ensure that investments are channelled towards economic activities that make the biggest positive impact on the environmental objectives, the Commission should give priority to the establishment of technical screening criteria for the economic activities that potentially contribute most to the environmental objectives.

*Amendment*

(30) To ensure that investments are channelled towards economic activities that make the biggest positive impact on the environmental objectives, the Commission should give priority to the establishment of technical screening criteria for the economic activities that potentially contribute most to the environmental objectives, *and as matter of priority to climate mitigation. The technical screening criteria should be flexible enough to introduce progressively new technologies and innovations.*

Or. en

**Amendment 227**

**Françoise Grossetête, Alain Lamassoure, Anne Sander**

**Proposal for a regulation**

**Recital 31**

*Text proposed by the Commission*

(31) Appropriate technical screening criteria should be established for the transport sector, including for mobile assets, which should take into account that the transport sector, including international shipping, contributes close to 26% of total greenhouse gas emissions in the Union. As evidenced in the Action Plan on Financing Sustainable Growth<sup>48</sup> the transport sector represents about 30% of additional annual investment needs for sustainable

*Amendment*

(31) Appropriate technical screening criteria should be established for the transport sector, including for mobile assets, which should take into account *the whole life cycle of technologies and the fact* that the transport sector, including international shipping, contributes close to 26% of total greenhouse gas emissions in the Union. As evidenced in the Action Plan on Financing Sustainable Growth<sup>48</sup> the transport sector represents about 30% of

development in the Union, including by increasing electrification or transition to cleaner modes of transport by promoting modal shift and traffic management.

additional annual investment needs for sustainable development in the Union, including by increasing electrification or transition to cleaner modes of transport by promoting modal shift and traffic management.

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<sup>48</sup> COM(2018) 97 final.

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<sup>48</sup> COM(2018) 97 final.

Or. fr

## **Amendment 228**

**Sirpa Pietikäinen**

### **Proposal for a regulation**

#### **Recital 32**

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

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria should also involve relevant stakeholders and build on the advice of experts with proven knowledge and experience in the relevant areas. For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European **Environmental Agency**, the European Supervisory Authorities and the European Investment Bank. Private sector experts should include representatives of relevant stakeholders, including financial market actors, universities, research institutes, associations and organisations. The Platform should advise the Commission on the development, analysis and review of technical screening criteria, including their potential impact on the valuation of assets that until the adoption

##### *Amendment*

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria **and the harmonised indicators** should also involve relevant stakeholders and build on **scientific evidence, best practice and existing work and entities, notably, the European Commission Circular Economy Platform, and** the advice of experts with proven knowledge and experience in the relevant areas. For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European **Environment Agency and national environment protection agencies**, the European Supervisory Authorities, **the European Financial Reporting Advisory Group**, and the European Investment Bank. Private sector experts should include representatives of relevant stakeholders,

of the technical screening criteria were considered as *green* assets under existing market practices. The Platform should also advise the Commission on whether the technical screening criteria are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment.

including financial market actors, universities, research institutes, associations and organisations. The Platform should advise the Commission on the development, analysis and review of technical screening criteria *and the harmonised indicators*, including their potential impact on the valuation of assets that until the adoption of the technical screening criteria *based on harmonised indicators* were considered as *sustainable assets or assets having a negative environmental impact* under existing market practices. The Platform should also advise the Commission on whether the technical screening criteria *and indicators* are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment. *The Platform should advise the Commission on the development of sustainability accounting standards and integrated reporting standards for corporates and financial market participants, including through the revision of Directive 2013/34/EU.*

Or. en

### **Amendment 229 Kay Swinburne**

#### **Proposal for a regulation Recital 32**

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

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria should also involve relevant stakeholders and build on the advice of experts with proven knowledge and experience in the relevant areas. For that purpose, the Commission should set up a Platform on sustainable

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##### *Amendment*

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria should also involve relevant stakeholders and build on the advice of experts with proven knowledge and *global* experience in the relevant areas. For that purpose, the Commission should set up a Platform on

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finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European Environmental Agency, the European Supervisory Authorities and the European Investment Bank. Private sector experts should include representatives of relevant stakeholders, including financial market actors, universities, research institutes, associations and organisations. The Platform should advise the Commission on the development, analysis and review of technical screening criteria, including their potential impact on the valuation of assets that until the adoption of the technical screening criteria were considered as green assets under existing market practices. The Platform should also advise the Commission on whether the technical screening criteria are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment.

sustainable finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European Environmental Agency, the European Supervisory Authorities and the European Investment Bank. Private sector experts should *reflect the breadth of the sector and* include representatives of relevant stakeholders, including financial market actors, universities, research institutes, associations and organisations. *Where necessary the Platform should be allowed to request advice from non-members.* The Platform should advise the Commission on the development, analysis and review of technical screening criteria, including their potential impact on the valuation of assets that until the adoption of the technical screening criteria were considered as green assets under existing market practices. The Platform should also advise the Commission on whether the technical screening criteria are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment.

Or. en

**Amendment 230**  
**Othmar Karas, Lukas Mandl**

**Proposal for a regulation**  
**Recital 32**

*Text proposed by the Commission*

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria should also involve relevant stakeholders and build on the advice of experts with proven

*Amendment*

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria should also involve relevant stakeholders and build on *scientific evidence, socio-economic*

knowledge and experience in the relevant areas. For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European Environmental Agency, the European Supervisory Authorities and the European Investment Bank. Private sector experts should include representatives of relevant stakeholders, including financial market actors, universities, research institutes, associations and organisations. The Platform should advise the Commission on the development, analysis and review of technical screening criteria, including their potential impact on the valuation of assets that until the adoption of the technical screening criteria were considered as green assets under existing market practices. The Platform should also advise the Commission on ***whether*** the technical screening criteria ***are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment.***

***impact, best practice and*** the advice of experts with proven knowledge and experience in ***all of*** the relevant areas. For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of ***a wide range of*** experts representing both the public and the private sector ***to ensure that the specificities of all relevant sectors are duly taken into account.*** Public sector representatives should include experts from the European Environmental Agency, the European Supervisory Authorities and the European Investment Bank. Private sector experts should include representatives of relevant stakeholders, including financial market actors, ***representatives of the real economy including the manufacturing industry,*** universities, research institutes, associations and organisations. The Platform should advise the Commission on the development, analysis and review of technical screening criteria, including their potential impact on the valuation of assets that until the adoption of the technical screening criteria were considered as green assets under existing market practices. The Platform should also advise the Commission on ***the suitability of*** the technical screening criteria.

Or. en

## **Amendment 231**

### **Markus Ferber**

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

#### **Recital 32**

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

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria should also

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##### *Amendment*

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria should also

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involve relevant stakeholders and build on the advice of experts with proven knowledge and experience in the relevant areas. For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European Environmental Agency, the European Supervisory Authorities and the European Investment Bank. Private sector experts **should** include representatives of relevant stakeholders, including financial market actors, universities, research institutes, associations and organisations. The Platform should advise the Commission on the development, analysis and review of technical screening criteria, including their potential impact on the valuation of assets that until the adoption of the technical screening criteria were considered as green assets under existing market practices. ***The Platform should also advise the Commission on whether the technical screening criteria are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment.***

involve relevant stakeholders and build on the advice of experts with proven knowledge and experience in the relevant areas. For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European Environmental Agency, the European Supervisory Authorities and the European Investment Bank. Private sector experts **shall** include representatives of relevant stakeholders, including financial market actors, ***representatives of the real economy representing a wide range of industries***, universities, research institutes, associations and organisations. The Platform should advise the Commission on the development, analysis and review of technical screening criteria, including their potential impact on the valuation of assets that until the adoption of the technical screening criteria were considered as green assets under existing market practices.

Or. en

#### *Justification*

*In order to give meaningful impact, the Platform on sustainable finance needs input from a broad range of sources.*

#### **Amendment 232 Karl-Heinz Florenz**

#### **Proposal for a regulation Recital 32**

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

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations

##### *Amendment*

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations

in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria should also involve relevant stakeholders and build on the advice of experts with proven knowledge and experience in the relevant areas. For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European Environmental Agency, the European Supervisory Authorities and the European Investment Bank. Private sector experts should include representatives of relevant stakeholders, including financial market actors, universities, research institutes, associations and organisations. The Platform should advise the Commission on the development, analysis and review of technical screening criteria, including their potential impact on the valuation of assets that until the adoption of the technical screening criteria were considered as green assets under existing market practices. The Platform should also advise the Commission on whether the technical screening criteria are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment.

in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria should also involve relevant stakeholders and build on the advice of experts with proven knowledge and experience in the relevant areas. For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European Environmental Agency, the European Supervisory Authorities and the European Investment Bank. Private sector experts should include representatives of relevant stakeholders, including financial market actors, universities, research institutes, associations and organisations ***and major economic sectors, including among others agriculture, construction, energy, chemicals, transportation and production.*** The Platform should advise the Commission on the development, analysis and review of technical screening criteria, including their potential impact on the valuation of assets that until the adoption of the technical screening criteria were considered as green assets under existing market practices. The Platform should also advise the Commission on whether the technical screening criteria are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment.

Or. en

#### *Justification*

*Given the extent of technical expertise needed for the elaboration of technical screening criteria all relevant economic actors should be consulted.*

#### **Amendment 233 Fulvio Martusciello**

#### **Proposal for a regulation Recital 32**

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*Text proposed by the Commission*

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria should also involve relevant stakeholders and build on the advice of experts with proven knowledge and experience in the relevant areas. For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European Environmental Agency, the European Supervisory Authorities and the European Investment Bank. Private sector experts should include representatives of relevant stakeholders, including financial market actors, universities, research institutes, associations and organisations. The Platform should advise the Commission on the development, analysis and review of technical screening criteria, including their potential impact on the valuation of assets that until the adoption of the technical screening criteria were considered as green assets under existing market practices. The Platform should also advise the Commission on whether the technical screening criteria are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment.

*Amendment*

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria ***and the harmonised indicators*** should also involve relevant stakeholders and build on ***scientific evidence, best practice and the advice of experts with proven knowledge and experience in the relevant areas.*** For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European Environmental Agency, the European Supervisory Authorities and the European Investment Bank. Private sector experts should include representatives of relevant stakeholders, including financial market actors, universities, research institutes, associations and organisations. The Platform should advise the Commission on the development, analysis and review of technical screening criteria ***and the harmonised indicators***, including their potential impact on the valuation of assets that until the adoption of the technical screening criteria were considered as green assets under existing market practices. The Platform should also advise the Commission on whether the technical screening criteria ***and indicators*** are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment.

Or. en

**Amendment 234**  
**Elena Gentile**

**Proposal for a regulation**  
**Recital 32**

*Text proposed by the Commission*

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria should also involve relevant stakeholders and build on the advice of experts with proven knowledge and experience in the relevant areas. For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European Environmental Agency, the European Supervisory Authorities **and** the European Investment Bank. Private sector experts should include representatives of relevant stakeholders, including financial market actors, universities, research institutes, associations and organisations. The Platform should advise the Commission on the development, analysis and review of technical screening criteria, **including their potential impact on the valuation of assets that until the adoption of the technical screening criteria** were considered as **green** assets under existing market practices. The Platform should also advise the Commission on whether the technical screening criteria are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment.

*Amendment*

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria **and the harmonised indicators** should also involve relevant stakeholders and build on **scientific evidence, best practice and** the advice of experts with proven knowledge and experience in the relevant areas. For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European Environmental Agency, the European Supervisory Authorities, the European Investment Bank **and National Promotional Banks and Institutions.** Private sector experts should include representatives of relevant stakeholders, including financial market actors, **manufacturing industries**, universities, research institutes, associations and organisations. The Platform should advise the Commission on the development, analysis and review of technical screening criteria **and based on harmonised indicators** were considered as **sustainable** assets under existing market practices. The Platform should also advise the Commission on whether the technical screening criteria **and indicators** are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment.

Or. en

**Amendment 235**

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**Proposal for a regulation**

**Recital 32**

*Text proposed by the Commission*

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria should also involve relevant stakeholders and build on the advice of experts with proven knowledge and experience in the relevant areas. For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European Environmental Agency, the European Supervisory Authorities and the European Investment Bank. Private sector experts should include representatives of relevant stakeholders, including financial market actors, universities, research institutes, associations and organisations. The Platform should advise the Commission on the development, analysis and review of technical screening criteria, including their potential impact on the valuation of assets that until the adoption of the technical screening criteria were considered as green assets under existing market practices. The Platform should also advise the Commission on whether the technical screening criteria are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment.

*Amendment*

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria should also involve relevant stakeholders and build on the advice of experts with proven knowledge and experience in the relevant areas. For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European Environmental Agency, **experts from national environmental agencies**, the European Supervisory Authorities and the European Investment Bank. Private sector experts should include representatives of relevant stakeholders, including financial market actors, universities, research institutes, associations and organisations. The Platform should advise the Commission on the development, analysis and review of technical screening criteria, including their potential impact on the valuation of assets that until the adoption of the technical screening criteria were considered as green assets under existing market practices. The Platform should also advise the Commission on whether the technical screening criteria are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment.

Or. fr

## **Amendment 236**

**Simona Bonafè, Luigi Morgano**

### **Proposal for a regulation**

#### **Recital 32**

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

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria should also involve relevant stakeholders and build on the advice of experts with proven knowledge and experience in the relevant areas. For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European Environmental Agency, the European Supervisory Authorities and the European Investment Bank. Private sector experts should include representatives of relevant stakeholders, including financial market actors, universities, research institutes, associations and organisations. The Platform should advise the Commission on the development, analysis and review of technical screening criteria, including their potential impact on the valuation of assets that until the adoption of the technical screening criteria were considered as green assets under existing market practices. The Platform should also advise the Commission on whether the technical screening criteria are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment.

##### *Amendment*

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria **and the harmonised indicators** should also involve relevant stakeholders and build on the advice of experts with proven knowledge and experience in the relevant areas. For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European Environmental Agency, the European Supervisory Authorities and the European Investment Bank. Private sector experts should include representatives of relevant stakeholders, including financial market actors, **manufacturing industries**, universities, research institutes, associations and organisations. The Platform should advise the Commission on the development, analysis and review of technical screening criteria, including their potential impact on the valuation of assets that until the adoption of the technical screening criteria were considered as green assets under existing market practices. The Platform should also advise the Commission on whether the technical screening criteria are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment.

Or. en

**Amendment 237**  
**Giovanni La Via**

**Proposal for a regulation**  
**Recital 32**

*Text proposed by the Commission*

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria should also involve relevant stakeholders and build on the advice of experts with proven knowledge and experience in the relevant areas. For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European Environmental Agency, the European Supervisory Authorities **and** the European Investment Bank. Private sector experts should include representatives of relevant stakeholders, including financial market actors, universities, research institutes, associations and organisations. The Platform should advise the Commission on the development, analysis and review of technical screening criteria, including their potential impact on the valuation of assets that until the adoption of the technical screening criteria were considered as green assets under existing market practices. The Platform should also advise the Commission on whether the technical screening criteria are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment.

*Amendment*

(32) It is of particular importance that the Commission when preparing the development of the technical screening criteria, carry out appropriate consultations in line with Better Regulation requirements. The process for the establishment and the update of the technical screening criteria should also involve relevant stakeholders and build on the advice of experts with proven knowledge and experience in the relevant areas. For that purpose, the Commission should set up a Platform on sustainable finance. This Platform should be composed of experts representing both the public and the private sector. Public sector representatives should include experts from the European Environmental Agency, the European Supervisory Authorities, the European Investment Bank **and National Promotional Banks and Institutions.** Private sector experts should include representatives of relevant stakeholders, including financial market actors, universities, research institutes, associations and organisations. The Platform should advise the Commission on the development, analysis and review of technical screening criteria, including their potential impact on the valuation of assets that until the adoption of the technical screening criteria were considered as green assets under existing market practices. The Platform should also advise the Commission on whether the technical screening criteria are suitable for further uses in future Union policy initiatives aimed at facilitating sustainable investment.

Or. en

## **Amendment 238**

**Barbara Kappel**

### **Proposal for a regulation**

#### **Recital 33**

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

(33) *In order to specify the requirements set out in this Regulation, and particularly to establish and update granular and calibrated technical screening criteria for different economic activities as to what constitutes a substantial contribution and significant harm to the environmental objectives, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the information required to comply with the disclosure obligation set out in Article 4 (3), and the technical screening criteria mentioned in Article 6(2), Article 7(2), Article 8(2), Article 9(2), Article 10(2) and Article 11(2). It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and the experts of the European Parliament and the Council should systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.*

##### *Amendment*

(33) The European Parliament and the Council should receive all documents at the same time as Member States' experts, and the experts of the European Parliament and the Council should systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

## **Amendment 239**

**Costas Mavrides**

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**Proposal for a regulation**  
**Recital 33**

*Text proposed by the Commission*

(33) In order to specify the requirements set out in this Regulation, and particularly to establish and update granular and calibrated technical screening criteria for different economic activities as to what constitutes a substantial contribution and significant harm to the environmental objectives, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the information required to comply with the disclosure obligation set out in Article 4 (3), and the technical screening criteria mentioned in Article 6(2), Article 7(2), Article 8(2), Article 9(2), Article 10(2) and Article 11(2). It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and the experts of the European Parliament and the Council should systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

*Amendment*

(33) In order to specify the requirements set out in this Regulation, and particularly to establish and update granular and calibrated technical screening criteria for different economic activities as to what constitutes a substantial contribution and significant harm to the environmental objectives, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the information required to comply with the disclosure obligation set out in Article 4 (3), and the technical screening criteria mentioned in Article 6(2), Article 7(2), Article 8(2), Article 9(2), Article 10(2) and Article 11(2). It is of particular importance that the Commission carry out appropriate, **extensive** consultations during its preparatory work, including at expert **and user** level, **that impacts on the economy are carefully assessed** and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and the experts of the European Parliament and the Council should systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

**Amendment 240**  
**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**  
**Recital 33**

*Text proposed by the Commission*

(33) In order to specify the requirements set out in this Regulation, and particularly to establish and update granular and calibrated technical screening criteria for different economic activities as to what constitutes a substantial contribution and significant harm to the environmental objectives, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the information required to comply with the disclosure obligation set out in Article 4 (3), and the technical screening criteria mentioned in Article 6(2), Article 7(2), Article 8(2), Article 9(2), Article 10(2) **and** Article 11(2). It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and the experts of the European Parliament and the Council should systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

*Amendment*

(33) In order to specify the requirements set out in this Regulation, and particularly to establish and update granular and calibrated technical screening criteria for different economic activities as to what constitutes a substantial contribution and significant harm to the environmental **and social** objectives, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the information required to comply with the disclosure obligation set out in Article 4 (3), and the technical screening criteria mentioned in Article 6(2), Article 7(2), Article 8(2), Article 9(2), Article 10(2), Article 11(2) **and Article 11a(2)**. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and the experts of the European Parliament and the Council should systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

**Amendment 241**  
**Paul Tang, Pervenche Berès**

**Proposal for a regulation**  
**Recital 33**

*Text proposed by the Commission*

(33) In order to specify the requirements set out in this Regulation, and particularly to establish and update granular and calibrated technical screening criteria for different economic activities as to what constitutes a substantial contribution and significant harm to the environmental objectives, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the information required to comply with the disclosure obligation set out in Article 4 (3), and the technical screening criteria mentioned in Article 6(2), Article 7(2), Article 8(2), Article 9(2), Article 10(2) and Article 11(2). It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, *including at expert level*, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and the experts of the European Parliament and the Council should systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

*Amendment*

(33) In order to specify the requirements set out in this Regulation, and particularly to establish and update granular and calibrated technical screening criteria for different economic activities as to what constitutes a substantial contribution and significant harm to the environmental objectives, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the information required to comply with the disclosure obligation set out in Article 4 (3), and the technical screening criteria mentioned in Article 6(2), Article 7(2), Article 8(2), Article 9(2), Article 10(2) and Article 11(2). It is of particular importance that the Commission carry out appropriate *public* consultations during its preparatory work, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and the experts of the European Parliament and the Council should systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

**Amendment 242**

**Anne Sander**

**Proposal for a regulation  
Recital 34**

*Text proposed by the Commission*

(34) To give sufficient time to the

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*Amendment*

(34) To give sufficient time to the

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relevant actors to familiarise themselves with the criteria for environmentally sustainable economic activities set out in this Regulation and to prepare for their application, the obligations set out in this Regulation should become applicable, for each environmental objective, *six* months after the relevant technical screening criteria have been adopted.

relevant actors to familiarise themselves with the criteria for environmentally sustainable economic activities set out in this Regulation and to prepare for their application, the obligations set out in this Regulation should become applicable, for each environmental objective, *twelve* months after the relevant technical screening criteria have been adopted.

Or. en

### **Amendment 243**

**Elena Gentile**

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

##### **Recital 35**

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

(35) The application of this Regulation should be reviewed regularly in order to assess the progress on the development of technical screening criteria for environmentally sustainable activities, the use of the definition of environmentally sustainable investment, and whether compliance with the obligations requires the establishment of a verification mechanism. The review *should* include *also* an assessment of *whether* the scope of this Regulation *should* be extended to cover *social sustainability* objectives.

###### *Amendment*

(35) The application of this Regulation should be reviewed regularly *and at least after two years* in order to assess the progress on the development of technical screening criteria *and harmonised indicators* for environmentally *and socially* sustainable activities, the use of the definition of environmentally *and socially* sustainable investment, and whether compliance with the obligations requires the establishment of a verification mechanism. The *first review by 31 December 2021 will also* include an assessment of *the extended to which, and when*, the scope of this Regulation *could* be extended to cover objectives *relating to the social aspects of the Sustainable Developments Goals meant to become the EU's new long-term development strategy*.

Or. en

### **Amendment 244**

**Simona Bonafè, Luigi Morgano**

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

##### **Recital 35**

*Text proposed by the Commission*

(35) The application of this Regulation should be reviewed regularly in order to assess the progress on the development of technical screening criteria for environmentally sustainable activities, the use of the definition of environmentally sustainable investment, and whether compliance with the obligations requires the establishment of a verification mechanism. ***The review should include also an assessment of whether the scope of this Regulation should be extended to cover social sustainability objectives.***

*Amendment*

(35) The application of this Regulation should be reviewed regularly in order to assess the progress on the development of technical screening criteria for environmentally ***and socially*** sustainable activities, the use of the definition of environmentally ***and socially*** sustainable investment, and whether compliance with the obligations requires the establishment of a verification mechanism.

Or. en

**Amendment 245**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

**Proposal for a regulation**

**Recital 35**

*Text proposed by the Commission*

(35) The application of this Regulation should be reviewed regularly in order to assess the progress on the development of technical screening criteria for environmentally sustainable activities, the use of the definition of environmentally sustainable investment, ***and whether compliance with the obligations requires the establishment of a verification mechanism.*** The review should include also an assessment of whether the scope of this Regulation should be extended to cover social sustainability objectives.

*Amendment*

(35) The application of this Regulation should be reviewed regularly in order to assess the progress on the development of technical screening criteria for environmentally sustainable ***and environmentally harmful*** activities ***and*** the use of the definition of environmentally sustainable investment. The review should include also an assessment of whether the scope of this Regulation should be extended to cover social sustainability objectives. ***By 31 March 2020, the Commission should, where appropriate, publish legislative proposals on the establishment of a verification mechanism of compliance.***

Or. en

### *Justification*

*The verification mechanism of compliance should be developed with high priority, outside the foreseen review of the Regulation. Establishing a robust verification mechanism of compliance is vital to build trust in the functioning of the framework.*

### **Amendment 246**

**Fulvio Martusciello**

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

##### **Recital 35**

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

(35) The application of this Regulation should be reviewed regularly in order to assess the progress on the development of technical screening criteria for environmentally sustainable activities, the use of the definition of environmentally sustainable investment, and whether compliance with the obligations requires the establishment of a verification mechanism. The review should include also an assessment of **whether** the scope of this Regulation should be extended to cover social sustainability objectives.

###### *Amendment*

(35) The application of this Regulation should be reviewed regularly **and at least annually** in order to assess the progress on the development of technical screening criteria **and harmonised indicators** for environmentally sustainable activities, the use of the definition of environmentally sustainable investment, and whether compliance with the obligations requires the establishment of a verification mechanism. The review should include also an assessment of **the provisions required for extending** the scope of this Regulation should be extended to cover social sustainability objectives.

Or. en

### **Amendment 247**

**Dariusz Rosati, Andrzej Grzyb**

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

##### **Recital 35**

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

(35) The application of this Regulation should be reviewed regularly in order to assess the progress on the development of technical screening criteria for environmentally sustainable activities, the use of the definition of environmentally sustainable investment, and whether

###### *Amendment*

(35) The application of this Regulation should be reviewed regularly in order to assess the progress on the development of technical screening criteria for environmentally sustainable activities, the use of the definition of environmentally sustainable investment, and whether

compliance with the obligations requires the establishment of a verification mechanism. The review should include also an assessment of whether the scope of this Regulation should be extended to cover social sustainability objectives.

compliance with the obligations requires the establishment of a verification mechanism. The review should include also an assessment of whether the scope of this Regulation should be extended to cover social **and economic** sustainability objectives.

Or. en

**Amendment 248**  
**Kateřina Konečná**

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

*Text proposed by the Commission*

1. This Regulation establishes the criteria for determining whether an economic activity is environmentally sustainable for the purposes of establishing the **degree of** environmental sustainability of an investment.

*Amendment*

1. This Regulation establishes the **carbon based** criteria for determining whether an economic activity is environmentally sustainable for the purposes of establishing the environmental sustainability of an **individual** investment **project**.

Or. en

*Justification*

*There should be no punishment for individual sustainable projects initiated by companies, which might not have their overall portfolio based only on fully sustainable assets. To establish the criteria on carbon exposure is crucial for successful fight against climate change.*

**Amendment 249**  
**Pavel Poc**

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

*Text proposed by the Commission*

1. This Regulation establishes the criteria for determining whether an economic activity is environmentally sustainable for the purposes of establishing

*Amendment*

1. This Regulation establishes the criteria for determining whether an economic activity is environmentally sustainable for the purposes of establishing

the *degree of* environmental sustainability of *an* investment.

the environmental sustainability of *a particular* investment *project, based on its carbon exposure.*

Or. en

*Justification*

*Determination of the degree of environmental sustainability of an investment should be based on the investment as such, not on the overall economic activity mix and underlying assets of the performing company. An investment project should be assessed on its merits alone, not based on the overall “rating” of the company. Technologically neutral approach based on emission standards should be adopted in line with the European decarbonisation target and the objectives of ensuring security of energy supply and competitiveness in a cost-effective and socially acceptable manner, taking into account the diversity of energy mix across Member States. The criteria should be carbon based and not to involve any broader range of indicators such as circular economy indicators or life-cycle.*

**Amendment 250**

**Markus Ferber**

**Proposal for a regulation**

**Article 1 – paragraph 1**

*Text proposed by the Commission*

1. This Regulation establishes the criteria for determining whether an economic activity is environmentally sustainable for the purposes of establishing the degree of environmental sustainability of an investment.

*Amendment*

1. This Regulation establishes the criteria for determining *the degree of environmental impact and sustainability of an economic activity and thereby* whether an economic activity is environmentally sustainable for the purposes of establishing the degree of environmental sustainability of an investment *made within the European Union.*

Or. en

*Justification*

*It should be clarified that this regulation only deals with investments inside the European Union.*

**Amendment 251**

**Françoise Grossetête, Alain Lamassoure, Anne Sander**

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

*Text proposed by the Commission*

1. This Regulation establishes the criteria for determining whether an economic activity is environmentally sustainable for the purposes of establishing the degree of environmental sustainability of an investment.

*Amendment*

1. This Regulation establishes the criteria for determining whether an economic activity, *a technology or a service* is environmentally sustainable for the purposes of establishing the degree of environmental sustainability of an investment.

Or. fr

**Amendment 252**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

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

*Text proposed by the Commission*

1. This Regulation establishes the criteria for determining whether an economic activity is environmentally sustainable for the purposes of establishing the degree of environmental sustainability of an investment.

*Amendment*

1. This Regulation establishes the criteria for determining whether an economic activity is environmentally sustainable *or environmentally harmful* for the purposes of establishing the degree of environmental sustainability of an investment.

Or. en

**Amendment 253**

**Kay Swinburne**

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

*Text proposed by the Commission*

1. This Regulation establishes the criteria for determining whether an economic activity is environmentally sustainable for the purposes of establishing the degree of environmental sustainability of an investment.

*Amendment*

1. This Regulation establishes the criteria for determining whether an economic activity is environmentally sustainable for the purposes of establishing the degree of environmental sustainability of an investment *made within the Union*.

**Amendment 254**

**Paul Tang, Simona Bonafè, Pervenche Berès**

**Proposal for a regulation**

**Article 1 – paragraph 1**

*Text proposed by the Commission*

1. This Regulation establishes the criteria for determining whether an economic activity is environmentally sustainable for the purposes of establishing the degree of environmental sustainability of an investment.

*Amendment*

1. This Regulation establishes the criteria for determining whether an economic activity is environmentally **or socially** sustainable for the purposes of establishing the degree of environmental **or social** sustainability of an investment.

**Amendment 255**

**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**

**Article 1 – paragraph 1**

*Text proposed by the Commission*

1. This Regulation establishes the criteria for determining whether an economic activity is environmentally sustainable for the purposes of establishing the degree of environmental sustainability of an investment.

*Amendment*

1. This Regulation establishes the criteria for determining whether an economic activity is environmentally **or socially** sustainable for the purposes of establishing the degree of environmental **or social** sustainability of an investment.

**Amendment 256**

**Marco Valli, Piernicola Pedicini, Laura Agea**

**Proposal for a regulation**

**Article 1 – paragraph 1**

*Text proposed by the Commission*

1. This Regulation establishes the criteria for determining whether an  
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*Amendment*

1. This Regulation establishes the criteria for determining whether an  
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economic activity is *environmentally* sustainable for the purposes of establishing the degree of *environmental* sustainability of an investment.

economic activity is sustainable for the purposes of establishing the degree of sustainability of an investment.

Or. en

**Amendment 257**  
**Pavel Poc**

**Proposal for a regulation**  
**Article 1 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) measures adopted by Member States or by the Union setting out any requirements on market actors in respect of financial products or corporate bonds *that are marketed* as environmentally sustainable.

*Amendment*

(a) measures adopted by Member States *or by* the Union setting out any *sustainability-related* requirements on market actors in respect of financial products or corporate bonds *labelled* as environmentally sustainable *in order to prevent greenwashing*.

Or. en

**Amendment 258**  
**Marco Valli, Piernicola Pedicini, Laura Agea**

**Proposal for a regulation**  
**Article 1 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) measures adopted by Member States or by the Union setting out any requirements on market actors in respect of financial products or corporate bonds that are marketed as environmentally sustainable.

*Amendment*

(a) measures adopted by Member States or by the Union setting out any *sustainability* requirements on market actors in respect of financial products or corporate bonds that are marketed as environmentally *and socially* sustainable.

Or. en

**Amendment 259**  
**Lieve Wierinck, Thierry Cornillet, Ramon Tremosa i Balcells, Caroline Nagtegaal**

**Proposal for a regulation**  
**Article 1 – paragraph 2 – point a**

*Text proposed by the Commission*

- (a) measures adopted by Member States or by the Union setting out any requirements on market *actors* in respect of financial products or corporate bonds that are marketed as environmentally sustainable.

*Amendment*

- (a) measures adopted by Member States or by the Union setting out any requirements on *financial market participants* in respect of financial products or corporate bonds that are marketed as environmentally sustainable.

Or. en

**Amendment 260**  
**Kateřina Konečná**

**Proposal for a regulation**  
**Article 1 – paragraph 2 – point a**

*Text proposed by the Commission*

- (a) measures adopted by Member States or by the Union setting out any requirements on market actors in respect of financial products or corporate bonds *that are marketed* as environmentally sustainable.

*Amendment*

- (a) measures adopted by Member States or by the Union setting out any *sustainability-related* requirements on market actors in respect of financial products or corporate bonds *advertised* as environmentally sustainable.

Or. en

**Amendment 261**  
**Paul Tang, Simona Bonafè, Pervenche Berès**

**Proposal for a regulation**  
**Article 1 – paragraph 2 – point a**

*Text proposed by the Commission*

- (a) measures adopted by Member States or by the Union setting out any requirements on market actors in respect of financial products or corporate bonds *that are marketed as environmentally sustainable*.

*Amendment*

- (a) measures adopted by Member States or by the Union setting out any requirements on market actors in respect of financial products or corporate bonds.

Or. en

**Amendment 262**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

**Proposal for a regulation**

**Article 1 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) measures adopted by Member States or by the Union setting out any requirements on market actors in respect of financial products or corporate bonds *that are marketed as environmentally sustainable.*

*Amendment*

(a) measures adopted by Member States or by the Union setting out any requirements on market actors in respect of financial products or corporate bonds.

Or. en

**Amendment 263**

**Kay Swinburne**

**Proposal for a regulation**

**Article 1 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) measures adopted by Member States or by the Union setting out any requirements on market actors in respect of financial products or corporate bonds that are marketed as environmentally sustainable.

*Amendment*

(a) measures adopted by Member States or by the Union setting out any requirements on market actors in respect of financial products or corporate bonds that are marketed *to EU clients* as environmentally sustainable.

Or. en

**Amendment 264**

**Elena Gentile**

**Proposal for a regulation**

**Article 1 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) measures adopted by Member States or by the Union setting out any requirements on market actors in respect of

*Amendment*

(a) measures adopted by Member States or by the Union setting out any requirements on market actors in respect of

financial products or corporate bonds that are marketed as environmentally sustainable.

financial products or corporate bonds that are marketed as environmentally **and socially** sustainable.

Or. en

**Amendment 265**  
**Othmar Karas, Lukas Mandl**

**Proposal for a regulation**  
**Article 1 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) measures adopted by Member States or by the Union setting out any requirements on market actors in respect of financial products or corporate bonds **that** are marketed as environmentally sustainable.

*Amendment*

(a) measures adopted by Member States or by the Union setting out any requirements on **relevant** market actors in respect of financial products or corporate bonds **which** are marketed as environmentally sustainable.

Or. en

*Justification*

*This amendment clarifies that this Regulation shall only apply to measures adopted by Member States or by the Union setting out any requirements on market actors in respect of financial products or corporate bonds that are marketed as environmentally sustainable as well as to financial market participants offering financial products as environmentally sustainable investments or as investments having similar characteristics.*

**Amendment 266**  
**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

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

*Text proposed by the Commission*

*Amendment*

**(a a) public financial assistance by Member States or by the Union to investments.**

Or. en

**Amendment 267**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

**Proposal for a regulation**

**Article 1 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) financial market participants offering financial products *as environmentally sustainable investments or as investments having similar characteristics.*

*Amendment*

(b) financial market participants offering financial products, *where the use of the taxonomy set out in this Regulation and disclosure requirements set out in Article 4 paragraph 2 to define whether a financial product is environmentally sustainable or environmentally harmful is optional for a financial market participant acquiring a financial product and does not establish additional requirements beyond those set out in Directive 2007/36/EC.*

Or. en

**Amendment 268**

**Paul Tang, Simona Bonafè, Pervenche Berès**

**Proposal for a regulation**

**Article 1 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) financial market participants offering financial products *as environmentally sustainable investments or as investments having similar characteristics.*

*Amendment*

(b) financial market participants offering financial products.

Or. en

**Amendment 269**

**Pavel Poc**

**Proposal for a regulation**

**Article 1 – paragraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

(b) financial market participants offering financial products as environmentally sustainable *investments or as investments having similar characteristics.*

(b) financial market participants offering financial products *labelled* as environmentally sustainable, *in order to prevent greenwashing.*

Or. en

### **Amendment 270**

**Kateřina Konečná**

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

#### **Article 1 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) financial market participants offering financial products as environmentally sustainable *investments or as investments having similar characteristics.*

*Amendment*

(b) financial market participants offering financial products *advertised* as environmentally sustainable.

Or. en

### **Amendment 271**

**Kay Swinburne**

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

#### **Article 1 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) financial market participants offering financial products as environmentally sustainable investments or as investments having similar characteristics.

*Amendment*

(b) financial market participants offering financial products *or corporate bonds* as environmentally sustainable investments or as investments having similar characteristics.

Or. en

### **Amendment 272**

**Marco Valli, Piernicola Pedicini, Laura Agea**

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

#### **Article 1 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) financial market participants offering financial products as environmentally sustainable investments or as investments having similar characteristics.

*Amendment*

(b) financial market participants offering financial products as environmentally **and socially** sustainable investments or as investments having similar characteristics.

Or. en

**Amendment 273**

**Elena Gentile**

**Proposal for a regulation**

**Article 1 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) financial market participants offering financial products as environmentally sustainable investments or as investments having similar characteristics.

*Amendment*

(b) financial market participants offering financial products as environmentally **and socially** sustainable investments or as investments having similar characteristics.

Or. en

**Amendment 274**

**Othmar Karas, Lukas Mandl**

**Proposal for a regulation**

**Article 1 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) financial market participants offering financial products as environmentally sustainable investments or as investments **having** similar characteristics.

*Amendment*

(b) financial market participants **which are** offering financial products as environmentally sustainable investments or as investments **that have** similar characteristics.

Or. en

*Justification*

*This amendment clarifies that this Regulation shall only apply to measures adopted by Member States or by the Union setting out any requirements on market actors in respect of*

*financial products or corporate bonds that are marketed as environmentally sustainable as well as to financial market participants offering financial products as environmentally sustainable investments or as investments having similar characteristics.*

**Amendment 275**

**Kay Swinburne**

**Proposal for a regulation**

**Article 1 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) financial market participants offering financial products as environmentally sustainable investments or as investments having similar characteristics.

*Amendment*

(b) financial market participants offering **EU clients** financial products as environmentally sustainable investments or as investments having similar characteristics.

Or. en

**Amendment 276**

**Anne Sander**

**Proposal for a regulation**

**Article 1 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) financial market participants offering financial products as environmentally sustainable investments or as investments having similar characteristics.

*Amendment*

(b) financial market participants offering financial products **marketed** as environmentally sustainable investments or as investments having similar characteristics.

Or. en

**Amendment 277**

**Lieve Wierinck, Thierry Cornillet, Ramon Tremosa i Balcells, Caroline Nagtegaal**

**Proposal for a regulation**

**Article 1 – paragraph 2 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

**(b a) The criteria mentioned in Article 1  
(1) may be used for the purpose**

*mentioned in that paragraph by financial services providers that are not addressed by Article 1 (2) on a voluntary basis, and with respect to other financial products than those established in Article 2, paragraph 1 point (c).*

Or. en

*Justification*

*This framework will provide the basis to define what sustainability entails. If it can be useful to other stakeholders to define sustainability, it would be a missed opportunity not to leave this option open to these.*

**Amendment 278**

**Herbert Dorfmann**

**Proposal for a regulation**

**Article 1 – paragraph 2 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

*(b a) 'credit institutions' as defined in point (1) of Article 4 (1) of Regulation (EU) No 575/2013 which provides investment or credit risk-management processes with the exception of small and non-complex institutions defined under [PO insert reference to relevant Article] of Regulation (EU) No 575/2013];*

Or. en

**Amendment 279**

**Costas Mavrides**

**Proposal for a regulation**

**Article 1 – paragraph 2 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

*(b a) 'credit institutions' as defined in point (1) of Article 4 (1) of Regulation (EU) No 575/2013 which provides investment or credit risk-management processes with the exception of small and*

*non-complex institutions defined under [PO insert reference to relevant Article of Regulation (EU) 575/2013];*

Or. en

**Amendment 280**  
**Barbara Kappel**

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

*Text proposed by the Commission*

*Amendment*

*(b a) 'credit institutions' as defined in point (1) of Article 4 (1) of Regulation (EU) No 575/2013 which provides investment or credit risk-management processes with the exception of non-complex institutions defined under [PO insert reference to relevant Article] of Regulation (EU) No 575/2013];*

Or. en

**Amendment 281**  
**Luigi Morgano**

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

*Text proposed by the Commission*

*Amendment*

*(b a) 'credit institutions' as defined by Article 4(1), point 1, of Regulation 575/2013/EU, which provide investment or credit-risk management processes, except for small and non-complex institutions, as defined by [PO please insert reference to relevant Article of Regulation (EU) 575/2013];*

Or. en

**Amendment 282**

Lieve Wierinck, Thierry Cornillet, Fredrick Federley, Caroline Nagtegaal

**Proposal for a regulation**

**Article 1 – paragraph 2 – point b b (new)**

*Text proposed by the Commission*

*Amendment*

*(b b) financial market participants that use the taxonomy to define whether a financial product or service and/or investments is unsustainable. The use of the taxonomy to define whether a financial product or service and/or investments is unsustainable shall be optional. Disclosure requirements, as defined under Article 4, paragraph 2, of this Regulation shall also be optional.*

Or. en

**Amendment 283**

Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld

**Proposal for a regulation**

**Article 1 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*2 a. The criteria referred to in Article 1 (1) may be used for the purpose mentioned in that paragraph by financial services providers that are not addressed by Article 1(2) on a voluntary basis, and with respect to other financial products than those established in the first paragraph of Article 2.*

Or. en

**Amendment 284**

Othmar Karas, Lukas Mandl

**Proposal for a regulation**

**Article 1 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*2 a. These criteria shall apply to investment decisions falling under the scope of this Regulation which are taken after the entry into force of this Regulation.*

Or. en

**Amendment 285**

**Luke Ming Flanagan**

**Proposal for a regulation**

**Article 1 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*2 a. Major trade deals between the European Union and any other major country or conglomerate, and investments arising therefrom;*

Or. en

**Amendment 286**

**Markus Ferber**

**Proposal for a regulation**

**Article 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 1 a*

*Exclusions*

*This Regulation shall not apply to:*

- financial instruments or financial products that are not marketed as environmentally sustainable;*
- loan origination;*
- investments made outside the European Union;*
- financial market participants that do not offer financial products that are marketed as sustainable or having similar*

*characteristics;*  
- *credit institutions;*  
- *investment decisions made prior to the date of application of this regulation;*

Or. en

*Justification*

*Credit institutions and loan origination are already regulated under CRD/CRR. It should also be made clear that only those financial market participants and financial products, that are actually concerned with sustainable finance considerations, fall into the scope of this regulation.*

**Amendment 287**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

*(a a) 'environmentally harmful' means an investment that funds one or several economic activities that qualify under this Regulation as environmentally harmful.*

Or. en

**Amendment 288**

**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

*(a a) 'socially sustainable investment' means an investment that funds one or several economic activities that qualify under this Regulation as socially sustainable;*

Or. en

**Amendment 289**

Elena Gentile

**Proposal for a regulation**

**Article 2 – paragraph 1 – point g a (new)**

*Text proposed by the Commission*

*Amendment*

*(g a) 'socially sustainable investment' means an investment in an economic activity that contributes substantially to a social objective, and in particular an investment that contributes to tackling inequality, an investment fostering social cohesion, social integration and labour relations, and an investment in human capital or economically or socially disadvantaged communities.*

Or. en

**Amendment 290**

Dimitrios Papadimoulis

**Proposal for a regulation**

**Article 2 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*I a. 'sustainable investment' means an investment that funds one or several economic activities that meet the environmental, social and governance (ESG) targets;*

Or. en

**Amendment 291**

Marco Valli, Piernicola Pedicini, Laura Agea

**Proposal for a regulation**

**Article 2 – paragraph 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

*(a a) 'socially sustainable investment' means an investment that funds one or*

*several economic activities that qualify under this Regulation as socially sustainable;*

Or. en

**Amendment 292**  
**Luke Ming Flanagan**

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

*Text proposed by the Commission*

*Amendment*

*(a a) Major trade deals shall mean any trade deal between the European Union and entities such as the USA, Canada, Japan, the Mercosur countries, etc.;*

Or. en

**Amendment 293**  
**Bas Eickhout**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) ‘financial market participants’ *mean financial market participants as defined in Article 2 (a) of [Commission proposal for a Regulation on disclosures relating to sustainable investments and sustainability risks and amending Directive (EU) 2016/2341];*

(b) ‘financial market participants’ *means any of the following:*  
*(i) an insurance undertaking which makes available an IBIP, an AIFM, an investment firm which provides portfolio management, an IORP or a provider of a pension product;*  
*(ii) a manager of a qualifying venture capital fund registered in accordance with Article 14 of Regulation (EU) No 345/2013;*  
*(iii) a manager of a qualifying social entrepreneurship fund registered in accordance with Article 15 of Regulation (EU) No 346/2013;*  
*(iv) a UCITS management company;*  
*(v) any issuers of issuances under the Prospectus Directive 2003/71/EC and the*

Or. en

**Amendment 294**

**Bas Eickhout**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

*(b a) ‘insurance undertaking’ means an insurance undertaking authorised in accordance with Article 18 of Directive 2009/138/EC or as defined in Article 13(1) of Directive 2009/138/EC, when providing an insurance coverage to an undertaking;*

Or. en

**Amendment 295**

**Sirpa Pietikäinen**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(c a) ‘insurance undertaking’ means an insurance undertaking as defined in Article 13(1) of Directive 2009/138/EC, when providing an insurance coverage to an undertaking;*

Or. en

**Amendment 296**

**Bas Eickhout**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point b b (new)**

*Text proposed by the Commission*

*Amendment*

*(b b) 'IBIP' means either of the following:*

*(i) an insurance-based investment product as defined in Article 4(2) of Regulation (EU) No 1286/2014 the European Parliament and of the Council;*

*(ii) an insurance product, made available to a professional investor, which offers a maturity or surrender value and where that maturity or surrender value is wholly or partially exposed, directly or indirectly, to market fluctuations;*

Or. en

**Amendment 297**

**Bas Eickhout**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point b c (new)**

*Text proposed by the Commission*

*Amendment*

*(b c) 'AIFM' means an AIFM as defined in Article 4(1)(b) of Directive 2011/61/EU;*

Or. en

**Amendment 298**

**Sirpa Pietikäinen**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) 'financial products' mean financial products as defined in Article 2 (j) of [Commission proposal for a Regulation on disclosures relating to sustainable investments and sustainability risks and amending Directive (EU) 2016/2341];

(c) 'financial products' mean financial products as defined in Article 2 (j) of [Commission proposal for a Regulation on disclosures relating to sustainable investments and sustainability risks and amending Directive (EU) 2016/2341] *as well as issuances referred to in the*

*Directive 2010/73/EU (Prospectus Directive);*

Or. en

**Amendment 299**

Sirpa Pietikäinen

**Proposal for a regulation**

**Article 2 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(c a) 'issuers' means listed undertaking referred to in the Directive 2010/73/EU (Prospectus Directive);*

Or. en

**Amendment 300**

Stefan Gehrold

**Proposal for a regulation**

**Article 2 – paragraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

*(d) 'climate change mitigation' means the process of holding the increase in the global average temperature to well below 2 °C above pre-industrial levels and limiting the temperature increase to 1.5 °C above pre-industrial levels;*

*(d) 'lessening the human influence on climate change' reflects the fact that a precise distinction must be drawn between climate changes brought about solely by human action and climate changes which are part of an ongoing natural process. Human influence on climate change should not bring about a temperature increase in excess of 2°C.*

Or. de

**Amendment 301**

Lieve Wierinck, Thierry Cornillet, Ramon Tremosa i Balcells, Caroline Nagtegaal

**Proposal for a regulation**

**Article 2 – paragraph 1 – point d**

*Text proposed by the Commission*

(d) 'climate change mitigation' means the process of holding the increase in the global average temperature to well below 2 °C above pre-industrial levels and limiting the temperature increase to 1.5 °C above pre-industrial levels;

*Amendment*

(d) 'climate change mitigation' means the process of holding the increase in the global average temperature to well below 2 °C above pre-industrial levels and limiting the temperature increase to 1.5 °C above pre-industrial levels, ***including to make the transition to achieve these targets;***

Or. en

**Amendment 302**

**Simona Bonafè, Elena Gentile, Luigi Morgano**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point g**

*Text proposed by the Commission*

(g) 'circular economy' means maintaining the value of products, materials and resources in the economy for as long as possible, and minimising waste, including through the application of the waste hierarchy as laid down in Article 4 of Directive 2008/98/EC of the European Parliament and of the Council;<sup>50</sup>

*Amendment*

(g) 'circular economy' means maintaining the value of products, materials and ***other*** resources in the economy for as long as possible, ***thus reducing environmental impact*** and minimising waste, including through the application of the waste hierarchy as laid down in Article 4 of Directive 2008/98/EC of the European Parliament and of the Council ***and minimising the use of resources based on key circular economy indicators as set out in the monitoring framework on progress towards a circular economy, covering different stages of production, consumption, waste management and secondary raw materials;***

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<sup>50</sup> Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

Or. en

**Amendment 303**  
**Fulvio Martusciello**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point g**

*Text proposed by the Commission*

(g) 'circular economy' means maintaining the value of products, materials and resources in the economy for as long as possible, and minimising waste, including through the application of the waste hierarchy as laid down in Article 4 of Directive 2008/98/EC of the European Parliament and of the Council;<sup>50</sup>

*Amendment*

(g) 'circular economy' means maintaining the value of products, materials and resources in the economy for as long as possible, and minimising waste, including through the application of the waste hierarchy as laid down in Article 4 of Directive 2008/98/EC of the European Parliament and of the Council *and minimising the use of resources based on key circular economy indicators as set out in the monitoring framework on progress towards a circular economy, covering different stages of production, consumption, waste management and secondary raw materials*;<sup>50</sup>

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<sup>50</sup> Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

<sup>50</sup> Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

Or. en

**Amendment 304**  
**Elena Gentile**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point g**

*Text proposed by the Commission*

(g) 'circular economy' means maintaining the value of products, materials and resources in the economy for as long as possible, and minimising waste, including through the application of the waste hierarchy as laid down in Article 4 of Directive 2008/98/EC of the European Parliament and of the Council;<sup>50</sup>

*Amendment*

(g) 'circular economy' means maintaining the value of products, materials and resources in the economy for as long as possible, and minimising waste, including through the application of the waste hierarchy as laid down in Article 4 of Directive 2008/98/EC of the European Parliament and of the Council *and*

*minimising the use of resources based on key circular economy indicators as set out in the monitoring framework on progress towards a circular economy covering different stages production, consumption, waste management and secondary raw materials.*

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<sup>50</sup> Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

Or. en

### **Amendment 305**

**Nils Torvalds, Fredrick Federley, Anneli Jäättänenmäki, Jytte Guteland, Elsi Katainen, Christofer Fjellner, Gunnar Hökmark, Petri Sarvamaa**

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

#### **Article 2 – paragraph 1 – point g**

*Text proposed by the Commission*

(g) 'circular economy' means maintaining the value of products, materials and resources in the economy for as long as possible, and minimising waste, including through the application of the waste hierarchy as laid down in Article 4 of Directive 2008/98/EC of the European Parliament and of the Council;<sup>50</sup>

*Amendment*

(g) 'circular economy' means maintaining the value **and usage** of products, materials and resources in the economy for as long as possible, and minimising waste, including through the application of the waste hierarchy as laid down in Article 4 of Directive 2008/98/EC of the European Parliament and of the Council;<sup>50</sup>

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<sup>50</sup> Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

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<sup>50</sup> Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

Or. en

### **Amendment 306**

**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point h – point i**

*Text proposed by the Commission*

(i) the direct or indirect introduction, as a result of human activity, of substances, vibrations, heat, noise or other pollutants into air, water or land which may be harmful to human health or the quality of the environment, may result in damage to material property, or may impair or interfere with amenities and other legitimate uses of the environment;

*Amendment*

(i) the direct or indirect introduction, as a result of human activity, of substances, vibrations, heat, noise, **light** or other pollutants into air, water or land which may be harmful to human health or the quality of the environment, may result in damage to material property, or may impair or interfere with amenities and other legitimate uses of the environment;

Or. en

**Amendment 307**  
**Simona Bonafè, Elena Gentile, Luigi Morganò**

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

*Text proposed by the Commission*

*Amendment*

*(ii a) in the context of water environment, pollution as defined in Article 2 (33) of Directive 2000/60/EC of the European Parliament and of the Council;*

Or. en

**Amendment 308**  
**Nils Torvalds, Fredrick Federley, Anneli Jäättänenmäki, Jytte Guteland, Ulrike Müller, Elsi Katainen, Christofer Fjellner, Gunnar Hökmark, Petri Sarvamaa**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point j**

*Text proposed by the Commission*

*Amendment*

(j) 'energy efficiency' means **using energy more efficiently at all the stages of the energy chain from production to final consumption**;

'energy efficiency' means **energy efficiency as defined in Article 2(4) of Directive 2012/27/EU**;

**Amendment 309**

Sirpa Pietikäinen

**Proposal for a regulation**

**Article 2 – paragraph 1 – point j**

*Text proposed by the Commission*

(j) 'energy efficiency' means *using energy more efficiently at all the stages of the energy chain from production to final consumption;*

*Amendment*

(j) 'energy efficiency' means *the ratio of output of performance, service, goods or energy, to input of energy.*

**Amendment 310**

Nils Torvalds, Fredrick Federley, Anneli Jäättänenmäki, Jytte Guteland, Ulrike Müller, Elsi Katainen, Christofer Fjellner, Gunnar Hökmark, Petri Sarvamaa

**Proposal for a regulation**

**Article 2 – paragraph 1 – point n**

*Text proposed by the Commission*

(n) '*sustainable forest management*' means *using forests and forest land in a way, and at a rate, that maintains their biodiversity, productivity, regeneration capacity, vitality and their potential to fulfil, now and in the future, relevant ecological, economic and social functions, at local, national, and global levels, and that does not cause damage to other ecosystems.*

*Amendment*

*deleted*

**Amendment 311**

Herbert Dorfmann, Franc Bogovič

**Proposal for a regulation**

**Article 2 – paragraph 1 – point n**

*Text proposed by the Commission*

(n) 'sustainable forest management' means using forests and forest land in *a way, and at a rate, that maintains their biodiversity, productivity, regeneration capacity, vitality and their potential to fulfil, now and in the future, relevant ecological, economic and social functions, at local, national, and global levels, and that does not cause damage to other ecosystems.*

*Amendment*

(n) 'sustainable forest management' means using forests and forest land in *accordance with applicable national legislation building on the sustainable forest management definition adopted in the Pan-European Ministerial Conference on the Protection of Forests in Europe (MCPFE), the commitments stemming from the Regulation on the integration of land use, land use change and forestry (LULUCF), as well as the EU Timber Regulation.*

Or. en

**Amendment 312**

**Othmar Karas, Lukas Mandl**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point n**

*Text proposed by the Commission*

(n) 'sustainable forest management' means using forests and forest land in *a way, and at a rate, that maintains their biodiversity, productivity, regeneration capacity, vitality and their potential to fulfil, now and in the future, relevant ecological, economic and social functions, at local, national, and global levels, and that does not cause damage to other ecosystems.*

*Amendment*

(n) 'sustainable forest management' means using forests and forest land in *accordance with applicable national legislation building on the SFM definition adopted in the Ministerial Conference of Protection of Forests in Europe (MCPFE), the commitments stemming from the LULUCF Regulation as well as from the EU Timber Regulation.*

Or. en

*Justification*

*This amendment acknowledges, in line with the principle of proportionality and the aim of reducing unnecessary bureaucratic burden, the definition adopted in the Ministerial Conference of Protection of Forests in Europe (MCPFE), the commitments stemming from the Regulation on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry (LULUCF Regulation) as well as the Regulation laying down the obligations of operators who place timber and timber products on the market (EU Timber Regulation).*

**Amendment 313**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point n**

*Text proposed by the Commission*

(n) 'sustainable forest management' means using forests and forest land in a way, and at a rate, that maintains their biodiversity, productivity, regeneration capacity, vitality and their potential to fulfil, now and in the future, relevant ecological, economic and social functions, at local, national, and global levels, and that does not cause damage to other ecosystems.

*Amendment*

(n) 'sustainable forest management' means using forests and forest land in a way **that restores** and at a rate, that maintains their biodiversity, productivity, regeneration capacity, vitality and their potential to **fulfill and that delivers at least at equal scale**, now and in the future, relevant ecological, economic and social functions, at local, national, and global levels, and that does not cause damage to other ecosystems, **while taking into account national forest legislation, EU Timber Regulation, EU LULUCF Regulation as well as in the case of wood-based bioenergy the requirements of EU Renewable Energy Directive.**

Or. en

**Amendment 314**  
**Paul Tang, Pervenche Berès**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point n**

*Text proposed by the Commission*

(n) 'sustainable forest management' means using forests and forest land in a way, **and at a rate**, that maintains their biodiversity, productivity, regeneration capacity, vitality and their potential to fulfil, now and in the future, relevant ecological, economic and social functions, at local, national, and global levels, and that does not cause damage to other ecosystems.

*Amendment*

(n) 'sustainable forest management' means using **degraded** forests and **degraded** forest land in a way that maintains **and restores** their biodiversity, productivity, regeneration capacity, vitality and their potential to fulfil, **and deliver at least at equal scale**, now and in the future, relevant ecological, economic and social functions, at local, national, and global levels, and that does not cause damage to other ecosystems;

Or. en

**Amendment 315**  
**Marco Valli, Piernicola Pedicini, Laura Agea**

**Proposal for a regulation**  
**Chapter 2 – title**

*Text proposed by the Commission*

Environmentally sustainable economic activities

*Amendment*

Environmentally **and socially** sustainable economic activities

Or. en

**Amendment 316**  
**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**  
**Chapter 2 – title**

*Text proposed by the Commission*

Environmentally sustainable economic activities

*Amendment*

Environmentally **and socially** sustainable economic activities

Or. en

**Amendment 317**  
**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**  
**Article 3 – title**

*Text proposed by the Commission*

3 Criteria for environmentally sustainable economic activities

*Amendment*

3 Criteria for environmentally **and socially** sustainable economic activities

Or. en

**Amendment 318**  
**Françoise Grossetête, Alain Lamassoure, Anne Sander**

**Proposal for a regulation**

## **Article 3 – paragraph 1 – introductory part**

### *Text proposed by the Commission*

For the purposes of establishing the degree of environmental sustainability of an investment, an economic activity shall be environmentally sustainable where *that activity* complies with all of the following criteria:

### *Amendment*

For the purposes of establishing the degree of environmental sustainability of an investment, an economic activity, *a technology or a service* shall be environmentally sustainable where *it* complies with all of the following criteria:

Or. fr

## **Amendment 319**

**Simona Bonafè, Luigi Morgano**

### **Proposal for a regulation**

## **Article 3 – paragraph 1 – introductory part**

### *Text proposed by the Commission*

For the purposes of establishing the degree of environmental sustainability of an investment, an economic activity shall be environmentally sustainable where that activity complies with all of the following criteria:

### *Amendment*

For the purposes of establishing the degree of environmental *or social* sustainability of an investment, an economic activity shall be environmentally *and socially* sustainable where that activity complies with all of the following criteria:

Or. en

## **Amendment 320**

**Elena Gentile**

### **Proposal for a regulation**

## **Article 3 – paragraph 1 – point a**

### *Text proposed by the Commission*

(a) the economic activity contributes substantially to one or more of the environmental objectives set out in Article 5 in accordance with Articles 6 to *11*;

### *Amendment*

(a) the economic activity contributes *or will contribute* substantially to one or more of the environmental *or social* objectives set out in Article 5 in accordance with Articles 6 to *11a*;

Or. en

**Amendment 321**

**Elena Gentile**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point a**

*Text proposed by the Commission*

- (a) the economic activity contributes substantially to one or more of the environmental objectives set out in Article 5 in accordance with Articles 6 to **11**;

*Amendment*

- (a) the economic activity contributes substantially to one or more of the environmental **and social** objectives set out in Article 5 in accordance with Articles 6 to **11a**;

Or. en

**Amendment 322**

**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point a**

*Text proposed by the Commission*

- (a) the economic activity contributes substantially to one or more of the environmental objectives set out in Article 5 in accordance with Articles 6 to **11**;

*Amendment*

- (a) the economic activity contributes substantially to one or more of the environmental **or social** objectives set out in Article 5 in accordance with Articles 6 to **11(a)**;

Or. en

**Amendment 323**

**Lieve Wierinck, Thierry Cornillet, Ramon Tremosa i Balcells, Caroline Nagtegaal**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point a**

*Text proposed by the Commission*

- (a) the economic activity contributes substantially to one or more of the environmental objectives set out in Article 5 in accordance with Articles 6 to 11;

*Amendment*

- (a) the economic activity contributes **or will contribute** substantially to one or more of the environmental objectives set out in Article 5 in accordance with Articles 6 to 11;

Or. en

**Amendment 324**

**Anne Sander, Alain Lamassoure**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point a**

*Text proposed by the Commission*

- (a) the economic activity contributes substantially to one or more of the environmental objectives set out in Article 5 in accordance with Articles 6 to 11;

*Amendment*

- (a) the economic activity contributes **or will contribute** substantially to one or more of the environmental objectives set out in Article 5 in accordance with Articles 6 to 11;

Or. en

**Amendment 325**

**Elena Gentile**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point b**

*Text proposed by the Commission*

- (b) the economic activity does not significantly harm any of the environmental objectives set out in Article 5 in accordance with Article 12;

*Amendment*

- (b) the economic activity does **not or will** not significantly harm any of the environmental objectives set out in Article 5 in accordance with Article 12, **nor the socially sustainable objective set out in Article 11a**;

Or. en

**Amendment 326**

**Anne Sander, Alain Lamassoure**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point b**

*Text proposed by the Commission*

- (b) the economic activity does not significantly harm any of the environmental objectives set out in Article 5 in accordance with Article 12;

*Amendment*

- (b) the economic activity does **not or will** not significantly harm any of the environmental objectives set out in Article 5 in accordance with Article 12;

**Amendment 327**

**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point b**

*Text proposed by the Commission*

- (b) the economic activity does not significantly harm any of the environmental objectives set out in Article 5 in accordance with Article 12;

*Amendment*

- (b) the economic activity does not significantly harm any of the environmental **and social** objectives set out in Article 5 in accordance with Article 12;

**Amendment 328**

**Elena Gentile**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point d**

*Text proposed by the Commission*

- (d) the economic activity complies with technical screening criteria, where the Commission has specified those in accordance with Articles 6(2), 7(2), 8(2), 9(2), 10(2) and 11(2).

*Amendment*

- (d) the economic activity complies with technical screening criteria, *including sustainable performance indicators at company or plant levels belonging to the economic activity*, where the Commission has specified those in accordance with Articles 6(2), 7(2), 8(2), 9(2), 10(2) and 11(2). *Those technical screening criteria shall take into account planned investments pursuing one or more of the environmental objectives set out in Article 5.*

**Amendment 329**

**Françoise Grossetête, Alain Lamassoure, Anne Sander**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point d**

*Text proposed by the Commission*

(d) ***the economic activity*** complies with technical screening criteria, where the Commission has specified those in accordance with Articles 6(2), 7(2), 8(2), 9(2), 10(2) and 11(2).

*Amendment*

(d) *it* complies with technical screening criteria, where the Commission has specified those in accordance with Articles 6(2), 7(2), 8(2), 9(2), 10(2) and 11(2).  
***Those criteria shall take into account planned investments that contribute substantially to one or more of the environmental objectives listed in Article 5.***

Or. fr

*Justification*

*Technical screening criteria must be able to take account not only of economic activities but also of investments already planned which contribute to environmental sustainability.*

**Amendment 330**

**Anne Sander, Alain Lamassoure**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point d**

*Text proposed by the Commission*

(d) the economic activity complies with technical screening criteria, where the Commission has specified those in accordance with Articles 6(2), 7(2), 8(2), 9(2), 10(2) and 11(2).

*Amendment*

(d) the economic activity complies with technical screening criteria, ***including sustainable performance indicators at company or plan levels belonging to the economic activity***, where the Commission has specified those in accordance with Articles 6(2), 7(2), 8(2), 9(2), 10(2) and 11(2).

Or. en

**Amendment 331**

**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point d**

*Text proposed by the Commission*

(d) the economic activity complies  
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*Amendment*

(d) the economic activity complies  
127/162 PE632.153v01-00

**EN**

with technical screening criteria, where the Commission has specified those in accordance with Articles 6(2), 7(2), 8(2), 9(2), 10(2) **and 11(2)**.

with technical screening criteria, where the Commission has specified those, **basing them on harmonised indicators**, in accordance with Articles 6(2), 7(2), 8(2), 9(2), 10(2), **11(2) and 11a(2)**.

Or. en

**Amendment 332**  
**Molly Scott Cato**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

*(d a) Irrespective of the technical screening criteria referred to in point (d), the following economic activities shall not be considered environmentally sustainable:*

- (i) the exploration, extraction, production, distribution, storage and processing of fossil fuels;*
- (ii) the generation and distribution of nuclear power, including the construction of new nuclear power stations, the decommissioning of nuclear power stations as well as the exploration and extraction of fissile materials for the generation of nuclear power;*
- (iii) the production of weapons of war of any kind and all other firearms;*
- (iv) the cultivation, processing and sale of tobacco;*
- (v) agricultural activities that are intensive and highly dependent on the use of chemicals, including intensive animal farming;*
- (vi) the construction, operation and maintenance of aviation infrastructure;*

Or. en

**Amendment 333**  
**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

*(d a) the economic activity is carried out in compliance with procedures and internal rules adopted by the undertaking in order to mitigate any negative impact on sustainability.*

Or. en

**Amendment 334**  
**Pavel Poc**

**Proposal for a regulation**  
**Article 3 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*1a The criteria shall take into account the specificities of the different sectors, geographical dispositions, environmental, social and economic externalities within a cost-benefit analysis. Relevant economic activities within major economic sectors, including among others agriculture, construction, energy, transportation and production, should qualify as environmentally sustainable and should be treated equally if they contribute towards one or more of the environmental objectives laid out in this Regulation. The potential capacity to contribute towards those environmental objectives may vary across sectors and regions, which should be reflected in the criteria.*

Or. en

*Justification*

*Technologically neutral approach should be adopted taking also into account the specificities across sectors and regions in order to focus as much as possible on the primary decarbonisation goal.*

**Amendment 335**  
**Kateřina Konečná**

**Proposal for a regulation**  
**Article 3 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. Significant differences in Member States regarding their economies, sectors and geographical dispositions shall be reflected in the criteria. Economic activity which contributes to any of the environmental objectives laid out in this Regulation shall be treated as sustainable.***

Or. en

*Justification*

*It is important to allow for differences in regions and sectors. All activities, which bring European Union closer to our goal of decreasing the emissions, should be labelled as sustainable.*

**Amendment 336**  
**Marco Valli, Piernicola Pedicini, Laura Agea**

**Proposal for a regulation**  
**Article 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 3 a***

***Criteria for socially sustainable economic activities***

*For the purposes of establishing the degree of social sustainability of an investment, an economic activity shall be socially sustainable where that activity complies with all of the following criteria:*

*(a) the economic activity contributes substantially to the social objectives set out in Article 5 in accordance with Articles 11a;*

*(b) the economic activity does not significantly harm any of the*

*environmental objectives set out in Article 5 in accordance with Article 12, nor the social objectives set out in Article 11a;*

*(c) the economic activity is carried out in compliance with the minimum safeguards laid down in Article 13 and does not lead to denial of basic needs including food, shelter and medical care, does not use conflict minerals, nor is carried out in cooperation with parties that infringe political and civil rights or supply strategic products and services to parties that directly contribute to the violation of political and civil rights;*

*(d) does not relate to speculative financial activities, such as high frequency trading, short selling or speculative trading on commodities;*

*(e) the economic activity meets the requirements of sound and transparent management structures and due diligence procedures, employee relations, transparent remuneration policies of relevant staff and tax compliance, whose ratio does not exceed the value of 5:1;*

*(f) the economic activity complies with technical screening criteria, where the Commission has specified those in accordance with Articles 11a.*

Or. en

**Amendment 337**  
**Molly Scott Cato**

**Proposal for a regulation**  
**Article 3 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 3 a*

*Criteria for economic activities with a negative environmental impact*

*For the purposes of establishing the degree of environmental sustainability of an investment, an economic activity shall*

*be considered to be an economic activity with a negative environmental impact if it significantly harms any of the environmental objectives set out in Article 5, in accordance with Article 12.*

*Irrespective of the technical screening criteria referred to in Article 12 paragraph 1 a (new), the following economic activities shall be considered economic activities with a significant negative environmental impact:*

- (i) the exploration, extraction, production, distribution, storage and processing of fossil fuels;*
- (ii) the generation and distribution of nuclear power, including the construction of new nuclear power stations as well as the exploration and extraction of fissile materials for the generation of nuclear power;*
- (iii) the production of weapons of war of any kind and all other firearms;*
- (iv) the cultivation, processing and sale of tobacco;*
- (v) agricultural activities that are intensive and highly dependent on the use of chemicals, including intensive animal farming;*
- (vi) the construction, operation and maintenance of aviation infrastructure;*

Or. en

**Amendment 338**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

**Proposal for a regulation  
Article 3 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 3 a  
Criteria for environmentally harmful  
economic activities*

*For the purposes of establishing the degree of environmental sustainability of an investment, an economic activity shall be environmentally harmful where that activity complies with the following criteria:*

- (a) the economic activity significantly harms any of the environmental objectives set out in Article 5 in accordance with Article 12;*
- (b) the economic activity fulfils the technical screening criteria for harmful activities, where the Commission has specified those in accordance with Articles 6(2), 7(2), 8(2), 9(2), 10(2) and 11(2).*
- (c) the economic activity does not significantly support the sustainable transition by contributing to the environmental objectives set out in Article 5 in accordance with Article 12.*

Or. en

**Amendment 339**  
**Bas Eickhout**

**Proposal for a regulation  
Article 3 b (new)**

*Text proposed by the Commission*

*Amendment*

*Article 3 b*

*Criteria for economic activities with a significant negative environmental impact*

*For the purposes of establishing the degree of environmental sustainability of an investment, an economic activity shall be considered an economic activities with a significant negative environmental impact if it significantly harms any of the environmental objectives set out in Article 5 in accordance with Article 12.*

Or. en

**Amendment 340**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

**Proposal for a regulation**

**Article 4 – title**

*Text proposed by the Commission*

Use of the criteria for environmentally sustainable economic activities

*Amendment*

Use of the criteria for environmentally sustainable **and environmentally harmful** economic activities

Or. en

**Amendment 341**

**Marco Valli, Piernicola Pedicini, Laura Agea**

**Proposal for a regulation**

**Article 4 – title**

*Text proposed by the Commission*

4 Use of the criteria for environmentally sustainable economic activities

*Amendment*

4 Use of the criteria for environmentally **and socially** sustainable economic activities

Or. en

**Amendment 342**

**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**

**Article 4 – title**

*Text proposed by the Commission*

4 Use of the criteria for environmentally sustainable economic activities

*Amendment*

4 Use of the criteria for environmentally **and socially** sustainable economic activities

Or. en

**Amendment 343**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

**Proposal for a regulation  
Article 4 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall apply the criteria for determining environmentally sustainable economic activities set out in Article 3 for the purposes of any measures setting out requirements on market actors in respect of financial products or corporate bonds ***that are marketed as ‘environmentally sustainable’.***

*Amendment*

1. Member States shall apply the criteria for determining environmentally sustainable economic activities set out in Article 3 ***and the criteria for environmentally harmful economic activities set out in Article 3a*** for the purposes of any measures setting out requirements on market actors in respect of financial products or corporate bonds.

Or. en

**Amendment 344**

**Elisabetta Gardini, Fulvio Martusciello, Alberto Cirio, Aldo Patriciello**

**Proposal for a regulation  
Article 4 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall apply the criteria for determining ***environmentally*** sustainable ***economic*** activities set out in Article 3 for the purposes of any measures setting out requirements on market actors in respect of financial products or corporate bonds that are marketed as '***environmentally*** sustainable'.

*Amendment*

1. Member States shall apply the criteria for determining sustainable activities set out in Article 3 for the purposes of any measures setting out requirements on market actors in respect of financial products or corporate bonds that are marketed as 'sustainable'.

Or. en

**Amendment 345**

**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation  
Article 4 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall apply the

*Amendment*

1. Member States shall apply the

criteria for determining environmentally sustainable economic activities set out in Article 3 for the purposes of any measures setting out requirements on market actors in respect of financial products or corporate bonds ***that are marketed as ‘environmentally sustainable’.***

criteria for determining environmentally ***and socially*** sustainable economic activities set out in Article 3 for the purposes of any measures setting out requirements on market actors in respect of financial products or corporate bonds.

Or. en

#### **Amendment 346**

**Elena Gentile**

#### **Proposal for a regulation Article 4 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall apply the criteria for determining environmentally sustainable economic activities set out in Article 3 for the purposes of any measures setting out requirements on market actors in respect of financial products or corporate bonds ***that are marketed as ‘environmentally sustainable’.***

*Amendment*

1. Member States shall apply the criteria for determining environmentally ***and socially*** sustainable economic activities set out in Article 3 for the purposes of any measures setting out ***sustainability*** requirements on market actors in respect of financial products or corporate bonds.

Or. en

#### **Amendment 347**

**Marco Valli, Piernicola Pedicini, Laura Agea**

#### **Proposal for a regulation Article 4 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall apply the criteria for determining environmentally sustainable economic activities set out in Article 3 for the purposes of any measures setting out requirements on market actors in respect of financial products or corporate bonds that are marketed as ‘environmentally sustainable’.

*Amendment*

1. Member States shall apply the criteria for determining environmentally ***or socially*** sustainable economic activities set out in Article 3 for the purposes of any measures setting out requirements on market actors in respect of financial products or corporate bonds that are marketed as ‘environmentally sustainable’ ***or ‘socially sustainable’.***

**Amendment 348**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

**Proposal for a regulation**

**Article 4 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*1 a. The Union and the Member States shall also apply the criteria for determining environmentally sustainable economic activities set out in Article 3 and the criteria for environmentally harmful economic activities set out in Article 3a for the purposes of requirements for Union and Member State public financial assistance to investments inter alia in the form of guarantees, equity, lending, subsidies, grants, export credits or public contracts. The Union and the Member States shall not support with public financial assistance environmentally harmful economic activities.*

**Amendment 349**

**Markus Ferber**

**Proposal for a regulation**

**Article 4 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

*2. Financial market participants offering financial products as environmentally sustainable investments, or as investments having similar characteristics, shall disclose information on how and to what extent the criteria for environmentally sustainable economic activities set out in Article 3 are used to determine the environmental sustainability of the investment. Where financial market participants consider*

*deleted*

*that an economic activity which does not comply with the technical screening criteria set out in accordance with this Regulation or for which those technical screening criteria have not been established yet, should be considered environmentally sustainable, they may inform the Commission.*

Or. en

*Justification*

*Disclosure requirements are already dealt with in the Regulation on disclosures relating to sustainable investments and sustainability risks and amending Directive (EU) 2016/2341 and must not be replicated here.*

**Amendment 350**

**Elisabetta Gardini, Fulvio Martusciello, Alberto Cirio, Aldo Patriciello**

**Proposal for a regulation  
Article 4 – paragraph 2**

*Text proposed by the Commission*

2. Financial market participants offering financial products as **environmentally** sustainable investments, **or as investments having similar characteristics, shall** disclose information on how and to what extent the criteria for **environmentally** sustainable **economic** activities set out in Article 3 are used to determine the **environmental** sustainability of the investment. **Where financial market participants consider that an economic activity which does not comply with the technical screening criteria set out in accordance with this Regulation or for which those technical screening criteria have not been established yet, should be considered environmentally sustainable, they may inform the Commission.**

*Amendment*

2. Financial market participants offering financial products as sustainable investments, **may choose to** disclose information on how and to what extent the criteria for sustainable activities set out in Article 3 are used to determine the sustainability of the investment.

Or. en

**Amendment 351**

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**EN**

## Sirpa Pietikäinen

### Proposal for a regulation Article 4 – paragraph 2

#### *Text proposed by the Commission*

2. Financial market participants offering financial products as environmentally sustainable investments, or as investments having *similar characteristics, shall disclose information on how and to what extent the criteria for environmentally sustainable economic activities set out in Article 3 are used to determine the environmental sustainability of the investment.* Where financial market participants consider that an economic activity *which does not comply with the technical screening criteria set out in accordance with this Regulation or* for which those technical screening criteria have not been established yet, should be considered environmentally sustainable, they *may* inform the Commission.

#### *Amendment*

2. Financial market participants offering financial products *shall disclose information on whether the products they offer qualify* as environmentally sustainable investments *pursuant to the criteria of Article 3*, or as investments having *a negative environmental impact pursuant to* the criteria set out in Article 3a. Where financial market participants consider that an economic activity, for which those technical screening criteria have not been established yet, should be considered environmentally sustainable, they *shall* inform the Commission.  
*Financial market participants shall not offer financial products as environmentally sustainable investments, or as investments having similar characteristics, if those products do not qualify as environmentally sustainable. The information disclosed shall be verified by an independent auditor to ensure accuracy, as laid out in Article 4a.*

Or. en

## Amendment 352

Simona Bonafè, Luigi Morgano

### Proposal for a regulation Article 4 – paragraph 2

#### *Text proposed by the Commission*

2. Financial market participants offering financial products *as environmentally sustainable investments, or as investments having similar characteristics,* shall disclose information *on how and to what extent the criteria for environmentally sustainable economic activities set out in Article 3 are used to*

#### *Amendment*

2. Financial market participants offering financial products shall disclose information *in order to define the degree of* environmental *and social* sustainability of *those products pursuant to the criteria of Article 3.* Where financial market participants consider that an economic activity which does not comply with the

*determine the environmental sustainability of the investment.* Where financial market participants consider that an economic activity which does not comply with the technical screening criteria set out in accordance with this Regulation or for which those technical screening criteria have not been established yet, should be considered environmentally sustainable, they *may* inform the Commission.

technical screening criteria set out in accordance with this Regulation or for which those technical screening criteria have not been established yet, should be considered environmentally *and socially* sustainable, they *shall* inform the Commission. *Financial market participants shall not offer financial products as environmentally or socially sustainable investments, or as investments having similar characteristics, if those products do not qualify as environmentally or socially sustainable.*

Or. en

### **Amendment 353**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

#### **Proposal for a regulation Article 4 – paragraph 2**

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

2. Financial market participants offering financial products *as environmentally sustainable investments, or as investments having similar characteristics*, shall disclose information on how *and to what extent* the criteria for environmentally sustainable economic activities set out in Article 3 *are used to determine the environmental sustainability of the investment.* Where financial market participants consider that an economic activity which does not comply with the technical screening criteria set out in accordance with this Regulation or for which those technical screening criteria have not been established yet, should be considered environmentally sustainable, they may inform the Commission.

##### *Amendment*

2. Financial market participants offering financial products shall disclose information on how the criteria for environmentally sustainable economic activities set out in Article 3 *and the criteria for environmentally harmful economic activities set out in Article 3a apply to a financial product.* Where financial market participants consider that an economic activity which does not comply with the technical screening criteria set out in accordance with this Regulation or for which those technical screening criteria have not been established yet, should be considered environmentally sustainable, they may inform the Commission.

Or. en

### **Amendment 354**

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**EN**

**Elena Gentile**

**Proposal for a regulation  
Article 4 – paragraph 2**

*Text proposed by the Commission*

2. Financial market participants offering financial products as environmentally sustainable investments, or as investments having similar characteristics, shall disclose information on how and to what extent the criteria for environmentally sustainable economic activities set out in Article 3 are used to determine the environmental sustainability of the investment. Where financial market participants consider that an economic activity *which does not comply with the technical screening criteria set out in accordance with this Regulation or* for which *those* technical screening criteria have not been established yet, should be considered environmentally sustainable, they *may* inform the Commission.

*Amendment*

2. Financial market participants offering financial products as environmentally sustainable investments, or as investments having similar characteristics, shall disclose information on how and to what extent the criteria for environmentally sustainable economic activities set out in Article 3 are used to determine the environmental sustainability of the investment. Where financial market participants consider that an economic activity for which technical screening criteria have not been established yet, should be considered environmentally sustainable, they *shall* inform the Commission. *Financial market participants shall not offer financial products as environmentally sustainable investments having similar characteristics, if those products do not qualify as environmentally sustainable.*

Or. en

**Amendment 355**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

**Proposal for a regulation  
Article 4 – paragraph 2**

*Text proposed by the Commission*

2. Financial market participants offering financial products as environmentally sustainable investments, or as investments having similar characteristics, shall disclose information on how and to what extent the criteria for environmentally sustainable economic activities set out in Article 3 are used to determine the environmental sustainability of the investment. Where financial market

*Amendment*

2. Financial market participants offering financial products as environmentally sustainable investments, or as investments having similar characteristics, shall disclose information on how and to what extent the criteria for environmentally sustainable economic activities set out in Article 3 are used to determine the environmental sustainability of the investment. Where financial market

participants consider that an economic activity ***which does not comply with*** the technical screening criteria set out in accordance with this Regulation or for which those technical screening criteria have not been established yet, ***should be considered environmentally sustainable, they may inform the Commission.***

participants ***or other actors*** consider that an economic activity ***is incorrectly considered fulfilling or not fulfilling*** the technical screening criteria set out in accordance with this Regulation or for which those technical screening criteria have not been established yet.

Or. en

**Amendment 356**  
**Othmar Karas, Lukas Mandl**

**Proposal for a regulation**  
**Article 4 – paragraph 2**

*Text proposed by the Commission*

2. Financial market participants offering financial products as environmentally sustainable investments, or as investments having similar characteristics, shall disclose information on how and to what extent the criteria for environmentally sustainable economic activities set out in Article 3 are used to determine the environmental sustainability of the investment. Where financial market participants consider that an economic activity which does not comply with the technical screening criteria set out in accordance with this Regulation or for which those technical screening criteria have not been established yet, should be considered environmentally sustainable, they may inform the Commission.

*Amendment*

2. Financial market participants offering financial products as environmentally sustainable investments, or as investments having similar characteristics, shall disclose information on how and to what extent the criteria for environmentally sustainable economic activities set out in Article 3 are used to determine the environmental sustainability of the investment. Where financial market participants consider that an economic activity which does not comply with the technical screening criteria set out in accordance with this Regulation or for which those technical screening criteria have not been established yet, should be considered environmentally sustainable, they may inform the Commission. ***The Commission shall, if appropriate, notify the Platform on Sustainable Finance of such requests by the financial market participants.***

Or. en

**Amendment 357**  
**Françoise Grossetête, Alain Lamassoure, Anne Sander**

**Proposal for a regulation**  
**Article 4 – paragraph 2**

*Text proposed by the Commission*

2. Financial market participants offering financial products as environmentally sustainable investments, or as investments having similar characteristics, shall disclose information on how and to what extent the criteria for environmentally sustainable economic activities set out in Article 3 are used to determine the environmental sustainability of the investment. Where financial market participants consider that an economic activity which does not comply with the technical screening criteria set out in accordance with this Regulation or for which those technical screening criteria have not been established yet, should be considered environmentally sustainable, they may inform the Commission.

*Amendment*

2. Financial market participants offering financial products as environmentally sustainable investments, or as investments having similar characteristics, shall disclose information on how and to what extent the criteria for environmentally sustainable economic activities set out in Article 3 are used to determine the environmental sustainability of the investment. Where financial market participants consider that an economic activity which does not comply with the technical screening criteria set out in accordance with this Regulation or for which those technical screening criteria have not been established yet, should be considered environmentally sustainable, they may inform the Commission. ***The Commission must then immediately forward this information to the Platform on Sustainable Finance.***

Or. fr

**Amendment 358**

**Marco Valli, Piernicola Pedicini, Laura Agea**

**Proposal for a regulation**  
**Article 4 – paragraph 2**

*Text proposed by the Commission*

2. Financial market participants offering financial products as environmentally sustainable investments, or as investments having similar characteristics, shall disclose information on how and to what extent the criteria for environmentally sustainable economic activities set out in Article 3 are used to determine the ***environmental*** sustainability of the investment. Where financial market participants consider that an economic activity which does not comply with the

*Amendment*

2. Financial market participants offering financial products as environmentally ***or socially*** sustainable investments, or as investments having similar characteristics, shall disclose information on how and to what extent the criteria for environmentally sustainable economic activities set out in Article 3 ***and the criteria for socially sustainable economic activities set out in Article 3a*** are used to determine the sustainability of the investment. Where financial market

technical screening criteria set out in accordance with this Regulation or for which those technical screening criteria have not been established yet, should be considered environmentally sustainable, they may inform the Commission.

participants consider that an economic activity which does not comply with the technical screening criteria set out in accordance with this Regulation or for which those technical screening criteria have not been established yet, should be considered environmentally sustainable *or socially sustainable*, they may inform the Commission.

Or. en

### **Amendment 359**

**Kay Swinburne**

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

#### **Article 4 – paragraph 2**

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

2. Financial market participants offering financial products as environmentally sustainable investments, or as investments having similar characteristics, shall disclose information on how and to what extent the criteria for environmentally sustainable economic activities set out in Article 3 are used to determine the environmental sustainability of the investment. Where financial market participants consider that an economic activity which does not comply with the technical screening criteria set out in accordance with this Regulation or for which those technical screening criteria have not been established yet, should be considered environmentally sustainable, they may inform the Commission.

##### *Amendment*

2. Financial market participants offering financial products *or corporate bonds* as environmentally sustainable investments, or as investments having similar characteristics, shall disclose information on how and to what extent the criteria for environmentally sustainable economic activities set out in Article 3 are used to determine the environmental sustainability of the investment. Where financial market participants consider that an economic activity which does not comply with the technical screening criteria set out in accordance with this Regulation or for which those technical screening criteria have not been established yet, should be considered environmentally sustainable, they may inform the Commission.

Or. en

### **Amendment 360**

**Anne Sander, Alain Lamassoure**

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

#### **Article 4 – paragraph 2**

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**EN**

*Text proposed by the Commission*

2. Financial market participants offering financial products as environmentally sustainable investments, or as investments having similar characteristics, shall disclose information on how and to what extent the criteria for environmentally sustainable economic activities set out in Article 3 are used to determine the environmental sustainability of the investment. Where financial market participants consider that an economic activity which does not comply with the technical screening criteria set out in accordance with this Regulation or for which those technical screening criteria have not been established yet, should be considered environmentally sustainable, they may inform the Commission.

*Amendment*

2. Financial market participants offering financial products **marketed** as environmentally sustainable investments, or as investments having similar characteristics, shall disclose information on how and to what extent the criteria for environmentally sustainable economic activities set out in Article 3 are used to determine the environmental sustainability of the investment. Where financial market participants consider that an economic activity which does not comply with the technical screening criteria set out in accordance with this Regulation or for which those technical screening criteria have not been established yet, should be considered environmentally sustainable, they may inform the Commission.

Or. en

**Amendment 361**

**Lieve Wierinck, Thierry Cornillet, Ramon Tremosa i Balcells, Caroline Nagtegaal**

**Proposal for a regulation**

**Article 4 – paragraph 2 b (new)**

*Text proposed by the Commission*

**Amendment 362**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

**Proposal for a regulation**

**Article 4 – paragraph 2 – subparagraph 1 (new)**

*Amendment*

**2 b. No disclosure requirements that are required under the [Commission proposal for a Regulation on disclosures relating to sustainable investments and sustainability risks and amending Directive (EU) 2016/2341] shall be required in this Regulation;**

Or. en

*Text proposed by the Commission*

*Amendment*

*No disclosure requirements under the [PO please insert reference to Regulation on disclosures relating to sustainable investments and sustainability risks and amending Directive (EU) 2016/2341] shall be required in this Regulation;*

Or. en

**Amendment 363**

Sirpa Pietikäinen

**Proposal for a regulation**

**Article 4 – paragraph 2 a (new)**

Article 4 – paragraph 2 ba (new)

*Text proposed by the Commission*

*Amendment*

*2 a. The financial market participant shall use the service of a third party authorised under Article 4a to check whether financial products comply with the criteria of Article 3 for environmentally sustainable economic activities. However, the use of such a service shall not, under any circumstances, affect the liability of the financial market participant in respect of their legal obligations under this Regulation. Where the financial market participant uses the service of a third party authorised pursuant to Article 4a to assess whether a financial product complies with the criteria set out in that Article, the disclosure according to Article 4(2) shall include a statement that compliance with the criteria for environmentally sustainable economic activities was confirmed by that authorised third party. The notification shall include the name of the authorised third party and its place of establishment.*

Or. en

**Amendment 364**  
**Bas Eickhout**

**Proposal for a regulation**  
**Article 4 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*2 a. Financial market participants shall use the service of a third party authorised under Article 4a to check compliance with the requirements of paragraph 2. Credit institutions shall use the service of a third party authorised under Article 4a to check compliance with the requirements of paragraph 2a.*

*Notwithstanding the first subparagraph, the use of such a service shall not, under any circumstances, affect the liability of the financial market participant in respect of their legal obligations under this Regulation. The disclosure requirement pursuant to Article 4(2) and 4(2a) shall include a statement that compliance with the requirements of these paragraphs was confirmed by that authorised third party. The notification shall include the name of the authorised third party and its place of establishment.*

Or. en

**Amendment 365**  
**Barbara Kappel**

**Proposal for a regulation**  
**Article 4 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*2 a. The financial market participant offering financial products as environmentally sustainable, or as investments having similar characteristics, is not responsible for the incorrect assessment of the environmental sustainability of an investment, if the assessment has been made in accordance with the criteria disclosed. The financial*

*market participant has no obligation to verify the information published by the companies about their economic activities, but are permitted to use this information for the assessment of the environmental sustainability of the investment.*

Or. en

**Amendment 366**  
**Herbert Dorfmann**

**Proposal for a regulation**  
**Article 4 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*2 a. Companies shall be responsible for the certification of their specific economic activities on the basis of the delegated act referred to in paragraph 2.*

Or. en

**Amendment 367**  
**Costas Mavrides**

**Proposal for a regulation**  
**Article 4 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*2 a. Companies shall be responsible for the certification of their specific economic activities on the basis of the delegated act referred to in paragraph 2.*

Or. en

**Amendment 368**  
**Lieve Wierinck, Thierry Cornillet, Ramon Tremosa i Balcells, Caroline Nagtegaal**

**Proposal for a regulation**  
**Article 4 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*2 a. The Commission shall immediately notify the Platform on Sustainable Finance of the request addressed by financial market participants.*

Or. en

**Amendment 369**

**Markus Ferber**

**Proposal for a regulation**

**Article 4 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

*3. The Commission shall adopt delegated acts in accordance with Article 16 to supplement paragraph 2 to specify the information required to comply with that paragraph, taking into account the technical screening criteria set out in accordance with this Regulation. That information shall enable investors to identify:*

*deleted*

- (a) the percentage of holdings pertaining to companies carrying out environmentally sustainable economic activities;*
- (b) the share of the investment funding environmentally sustainable economic activities as a percentage of all economic activities.*

Or. en

**Amendment 370**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

**Proposal for a regulation**

**Article 4 – paragraph 3 – introductory part**

*Text proposed by the Commission*

*Amendment*

*3. The Commission shall adopt*

*3. The Commission shall adopt*

delegated acts in accordance with Article 16 to supplement paragraph 2 to specify the information required to comply with that paragraph, taking into account the technical screening criteria set out in accordance with this Regulation. That information shall enable investors to identify:

delegated acts in accordance with Article 16 to supplement paragraph 2 to specify the information required to comply with that paragraph, taking into account the *availability of relevant information and* technical screening criteria set out in accordance with this Regulation. That information shall enable investors to identify:

Or. en

### **Amendment 371**

**Elisabetta Gardini, Fulvio Martusciello, Alberto Cirio, Aldo Patriciello**

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

#### **Article 4 – paragraph 3 – introductory part**

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

3. The Commission shall adopt delegated acts in accordance with Article 16 to supplement paragraph 2 to specify the information required to comply with that paragraph, taking into account the technical screening criteria set out in accordance with this Regulation. That information **shall** enable investors to identify:

##### *Amendment*

3. The Commission shall adopt delegated acts in accordance with Article 16 to supplement paragraph 2 to specify the information required to comply with that paragraph, taking into account the technical screening criteria set out in accordance with this Regulation. That information **may** enable investors to identify:

Or. en

### **Amendment 372**

**Elisabetta Gardini, Fulvio Martusciello, Alberto Cirio, Aldo Patriciello**

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

#### **Article 4 – paragraph 3 – point a**

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

(a) the percentage of holdings pertaining to companies carrying out **environmentally** sustainable **economic** activities;

##### *Amendment*

(a) the percentage of holdings pertaining to companies carrying out sustainable activities;

Or. en

**Amendment 373**  
**Elena Gentile**

**Proposal for a regulation**  
**Article 4 – paragraph 3 – point a**

*Text proposed by the Commission*

(a) the percentage of holdings pertaining to companies carrying out environmentally sustainable economic activities;

*Amendment*

(a) the percentage of holdings pertaining to companies carrying out environmentally **and socially** sustainable economic activities;

Or. en

**Amendment 374**  
**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**  
**Article 4 – paragraph 3 – point a**

*Text proposed by the Commission*

(a) the percentage of holdings pertaining to companies carrying out environmentally sustainable economic activities;

*Amendment*

(a) the percentage of holdings pertaining to companies carrying out environmentally **and socially** sustainable economic activities;

Or. en

**Amendment 375**  
**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

**Proposal for a regulation**  
**Article 4 – paragraph 3 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

**(a a) the percentage of holdings pertaining to companies carrying out environmentally harmful economic activities;**

Or. en

**Amendment 376**  
**Barbara Kappel**

**Proposal for a regulation**  
**Article 4 – paragraph 3 – point b**

*Text proposed by the Commission*

*Amendment*

*(b) the share of the investment funding environmentally sustainable economic activities as a percentage of all economic activities.* *deleted*

Or. en

**Amendment 377**  
**Costas Mavrides**

**Proposal for a regulation**  
**Article 4 – paragraph 3 – point b**

*Text proposed by the Commission*

*Amendment*

*(b) the share of the investment funding environmentally sustainable economic activities as a percentage of all economic activities.* *deleted*

Or. en

**Amendment 378**  
**Elisabetta Gardini, Fulvio Martusciello, Alberto Cirio, Aldo Patriciello**

**Proposal for a regulation**  
**Article 4 – paragraph 3 – point b**

*Text proposed by the Commission*

*Amendment*

*(b) the share of the investment funding environmentally sustainable economic activities as a percentage of all economic activities.*

*(b) the share of the investment funding sustainable activities as a percentage of all economic activities.*

Or. en

**Amendment 379**  
**Simona Bonafè, Luigi Morgano**

**Proposal for a regulation**  
**Article 4 – paragraph 3 – point b**

*Text proposed by the Commission*

(b) the share of the investment funding environmentally sustainable economic activities as a percentage of all economic activities.

*Amendment*

(b) the share of the investment funding environmentally **and socially** sustainable economic activities as a percentage of all economic activities.

Or. en

**Amendment 380**  
**Elena Gentile**

**Proposal for a regulation**  
**Article 4 – paragraph 3 – point b**

*Text proposed by the Commission*

(b) the share of the investment funding environmentally sustainable economic activities as a percentage of all economic activities.

*Amendment*

(b) the share of the investment funding environmentally sustainable **and socially** economic activities as a percentage of all economic activities.

Or. en

**Amendment 381**  
**Costas Mavrides**

**Proposal for a regulation**  
**Article 4 – paragraph 3 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

**(b a) Member States, in close cooperation with the relevant ESA, shall monitor the information referred to in paragraphs 2 and 2a. After disclosing that information, financial market participants shall report it to the relevant national competent authority which shall**

*communicate it to the relevant ESA without delay. Whenever the relevant national competent authority or the relevant ESA disagree with the information reported as referred to in paragraphs 2 and 2a, financial market participants shall review and correct the information disclosed.*

Or. en

**Amendment 382**

**Gerben-Jan Gerbrandy, Carolina Punset, Sophia in 't Veld**

**Proposal for a regulation**

**Article 4 – paragraph 3 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

*(b a) the share of the investment funding environmentally harmful economic activities as a percentage of all economic activities.*

Or. en

**Amendment 383**

**Markus Ferber**

**Proposal for a regulation**

**Article 4 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

*4. The Commission shall adopt the delegated act in accordance with paragraph 3 by 31 December 2019 with a view to ensure its entry into application on 1 July 2020. The Commission may amend that delegated act, in particular in the light of amendments to the delegated acts adopted in accordance with Article 6(2), Article 7(2), Article 8(2), Article 9(2), Article 10(2) and Article 11(2).*

*deleted*

Or. en

**Amendment 384**  
**Bas Eickhout**

**Proposal for a regulation**  
**Article 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 4 a***

***Third party verifying environmentally sustainable investments***

*A third party referred to in Article 4(2b) shall be authorised by ESMA to assess the compliance of financial products with the criteria provided for in Article 3 and 3a if the following conditions are met:*

- (a) the third party is a legal person established in the Union.*
- (b) the third party only charges non-discriminatory and cost-based fees to financial market participants of which the third party assesses the financial products, without differentiating fees depending on, or correlated to, the results of its assessment. The prices and fees associated with these assessment services shall be publicly disclosed, for each service provided separately, including discounts and rebates and the conditions to benefit from those reductions. The third party shall allow potential clients and clients to access specific services separately;*
- (c) the performance of the third party's other activities does not compromise the independence or integrity of its assessment;*
- (d) the third party demonstrates sufficient financial health funded by equity in order to continue providing services as a going concern without risk that the independence or integrity of its assessment may be compromised;*
- (e) the third party, or any related entity as referred to in paragraph 9(b) of*

*International Accounting Standard 24 ('related party disclosures') in the Annex to Commission Regulation (EC) No 1126/2008, shall not provide any form of advisory, audit or equivalent service to the financial market participant involved in the development, marketing, distribution, or sale of the relevant financial product;*

*(f) the third party adheres to a recognised corporate governance code of conduct or to sound corporate governance principles;*

*(g) the members of the management body, as defined in point 36 of Article 4(1) of MiFIDII, of the third party have professional qualifications, education, knowledge and experience that are adequate for the task of the third party, are they are of good repute and integrity;*

*(h) the management body of the third party includes at least one third, but no fewer than two, independent members;*

*(i) the third party takes all necessary steps to ensure that the verification of compliance with the criteria of Article 3 and 3a is not affected by any existing or potential conflicts of interest or business relationship involving the third party; its parent, ultimate parent, or any other related entity; its shareholders or members; managers; employees or any other natural person whose services are placed at the disposal or under the control of the third party. To that end, the third party shall establish, maintain, enforce and document an effective internal control system governing the implementation of policies and procedures to identify and prevent potential conflicts of interest. Potential or existing conflicts of interest which have been identified shall be eliminated or mitigated and disclosed without delay. The third party shall establish, maintain, enforce and document adequate procedures and processes to ensure the independence of the assessment of criteria referred to in Articles 3 and 3a. The third party shall periodically monitor and review those policies and procedures*

*inorder to evaluate their effectiveness and assess whether it is necessary to update them; and*

*(j) the third party can demonstrate that it has adequate methodologies, operational safeguards and internal processes that enable it to assess compliance with the criteria referred to in Articles 3 and 3a.*

*2. An authorised third party shall comply at all times with the conditions for authorisation set out in paragraph 1. A third party authorised in accordance with paragraph 1 shall notify ESMA without delay of any material changes to the information provided under that paragraph, or any other changes that could reasonably be considered to affect the assessment of the ESMA.*

*3. ESMA shall charge fees to the third party referred to in paragraph 1, in order to cover necessary expenditure relating to the assessment of applications for authorisation and to the subsequent monitoring of compliance with the conditions for authorisation set out in paragraph 1.*

*4. The authorisation of a third party according to this Article shall be effective for the entire territory of the Union.*

*5. ESMA shall withdraw the authorisation where:*

*a. The third party expressly renounces the authorisation;*

*b. The third party obtained the authorisation by making false statements or by any other irregular means, or;*

*c. ESMA considers the third party no longer meets the conditions set out in paragraph 1.*

*6. ESMA shall develop draft regulatory technical standards specifying the information to be provided in the application for the authorisation of a third party in accordance with paragraph 1.*

*ESMA shall submit those draft regulatory*

*technical standards to the Commission by [within 12 months of the date of entry into force of the Regulation].*

*7. The Commission shall adopt a regulation on fees. That Regulation shall determine in particular the type of fees and the matters for which fees are due, the amount of fees and the way in which they are to be paid. The amount of a fee charged to a third party shall cover all administrative costs and be proportionate to the turnover of the third party.*

*8. The Commission is empowered to supplement this Regulation by adopting the regulatory technical standards referred to in this paragraph in accordance with Articles 10 to 14 of Regulation (EU) No 1095/2010.*

Or. en

**Amendment 385**  
**Sirpa Pietikäinen**

**Proposal for a regulation**  
**Article 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 4 a***

***Third party verifying environmentally sustainable investments***

*1. A third party referred to in subparagraph 2(ba) of Article 4 shall be authorised by ESMA to assess the compliance of financial products with the criteria provided for in Article 3. ESMA shall grant the authorisation if the following conditions are met:*

*(a) the third party is a legal person established in the Union.*

*(b) the third party only charges non-discriminatory and cost-based fees to financial market participants of which the third party assesses the financial*

*products, without differentiating fees depending on, or correlated to, the results of its assessment. The prices and fees associated with these assessment services shall be publicly disclosed, for each service provided separately, including discounts and rebates and the conditions to benefit from those reductions. The third party shall allow potential clients and clients to access specific services separately;*

*(c) the performance of the third party's other activities does not compromise the independence or integrity of its assessment;*

*(d) the third party demonstrates sufficient financial health funded by equity in order to continue providing services as a going concern without risk that the independence or integrity of its assessment may be compromised;*

*(e) the third party, or any related entity as referred to in paragraph 9(b) of International Accounting Standard 24 ('related party disclosures') in the Annex to Commission Regulation (EC) No 1126/2008[1], shall not provide any form of advisory, audit or equivalent service to the financial market participant involved the development, marketing, distribution, or sale of the relevant financial product;*

*(f) the third party adheres to a recognised corporate governance code of conduct or to sound corporate governance principles;*

*(g) the members of the management body, as defined in point 36 of Article 4(1) of MiFiDII [2], of the third party have professional qualifications, education, knowledge and experience that are adequate for the task of the third party, are they are of good repute and integrity;*

*(h) the management body of the third party includes at least one third, but no fewer than two, independent members;*

*(i) the third party takes all necessary steps to ensure that the verification of compliance with the criteria of Article 3*

*for environmentally sustainable economic activities is not affected by any existing or potential conflicts of interest or business relationship involving the third party; its parent, ultimate parent, or any other related entity; its shareholders or members; managers; employees or any other natural person whose services are placed at the disposal or under the control of the third party. To that end, the third party shall establish, maintain, enforce and document an effective internal control system governing the implementation of policies and procedures to identify and prevent potential conflicts of interest. Potential or existing conflicts of interest which have been identified shall be eliminated or mitigated and disclosed without delay. The third party shall establish, maintain, enforce and document adequate procedures and processes to ensure the independence of the assessment of criteria for environmentally sustainable economic activities compliance. The third party shall periodically monitor and review those policies and procedures in order to evaluate their effectiveness and assess whether it is necessary to update them; and*

*(j) the third party can demonstrate that it has adequate methodologies, operational safeguards and internal processes that enable it to assess compliance with the criteria for environmentally sustainable economic activities.*

*2. An authorised third party shall comply at all times with the conditions for authorisation set out in paragraph 1. A third party authorised in accordance with paragraph 1 shall notify ESMA without delay of any material changes to the information provided under that paragraph, or any other changes that could reasonably be considered to affect the assessment of the ESMA.*

*3. ESMA shall charge fees to the third party referred to in paragraph 1, in order to cover necessary expenditure relating to*

*the assessment of applications for authorisation and to the subsequent monitoring of compliance with the conditions for authorisation set out in paragraph 1.*

**4. The authorisation of a third party according to this Article shall be effective for the entire territory of the Union.**

**5. ESMA shall withdraw the authorisation where:**

*(a). The third party expressly renounces the authorisation;*

*(b). The third party obtained the authorisation by making false statements or by any other irregular means, or;*

*(c). ESMA considers the third party no longer meets the conditions set out in paragraph 1.*

**6. ESMA shall develop draft regulatory technical standards specifying the information to be provided in the application for the authorisation of a third party in accordance with paragraph 1. ESMA shall submit those draft regulatory technical standards to the Commission by [within 12 months of the date of entry into force of the Regulation].**

**7. The Commission shall adopt a regulation on fees. That Regulation shall determine in particular the type of fees and the matters for which fees are due, the amount of fees and the way in which they are to be paid. The amount of a fee charged to a third party shall cover all administrative costs and be proportionate to the turnover of the third party.**

**8. The Commission is empowered to supplement this Regulation by adopting the regulatory technical standards referred to in this paragraph in accordance with Articles 10 to 14 of Regulation (EU) No 1095/2010. [1] Commission Regulation (EC) No 1126/2008 of 3 November 2008 adopting certain international accounting standards in accordance with Regulation (EC) No 1606/2002 of the European**

*Parliament and of the Council (OJ L 320, 29.11.2008, p. 1). [2] Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349–496).*

Or. en