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REPORT

From: General Secretariat of the Council
To: Permanent Representatives Committee (Part 1)

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Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the use of renewable and low-carbon fuels in maritime transport and amending Directive 2009/16/EC

- Analysis of the final compromise text with a view to agreement

Delegations' attention is drawn to the following main corrections¹ in document ST 8164/23 INIT:

Cover page

- in the cover page, point 7, a) and b) any reference to “Annex I” should be replaced by “Annex”;

¹ Please note that ST 8164/23 INIT may still contain typos/misspelled words/incorrect numbering or references that will be corrected during the lawyer-linguistic phase.

Annex

- in Article 3, (ff), footnote 24 should be considered as deleted;
- the indication “**Article 4a**” should precede the provision with the title “*Use of Renewable Fuels of Non-Biological Origin*”;
- in the title of Article 9, footnote 26 should be considered as deleted;
- the first two paragraphs of Article 9 have been wrongly formatted; they should therefore read as follows:
 1. “Where biofuels, biogas, renewable fuels of non-biological origin and recycled carbon fuels, as defined in Directive (EU) 2018/2001, are to be taken into account for the purposes referred to in Articles 4(1) of this Regulation, the following rules apply:
 - a) ~~greenhouse gas emission factors of biofuels and biogas that~~ **do not** comply with the sustainability and greenhouse gas saving criteria set out in Article 29 of Directive (EU) 2018/2001 **or that are produced from food and feed crops** shall be ~~determined according to the methodologies set out in that Directive~~ **considered to have the same emission factors as the least favourable fossil fuel pathway for this type of fuel;**”
- in Article 15(1ter), footnote 2 should be considered as deleted;
- in Article 17(4), “[**FuelEU penalty**]” should read as “**FuelEU penalty**”²;
- in Article 22, the asterisk “*” should be considered as deleted;
- in Article 28(1)(0), footnote 28 should be considered as deleted;
- in Article 28(2), the first sentence should read as follows: “**In the event of the adoption by the International Maritime Organization of a global GHG fuel standard or global greenhouse gas intensity limits for the energy used onboard by ships, for maritime transport, the Commission shall, without delay, present a report to the European Parliament and to the Council.**”;

² Please note that any reference to FuelEU penalty/penalties in the final compromise text should be read “**FuelEU penalty**” or “**FuelEU penalties**”.

- In Annex I, the entry “ $CO_{2eq,TtWi,j}$ ” should be displayed in black;
- In Annex III, A, b), the last row of the table should read as follows:

$\sum_i^{n \text{ RFNBO}} M_i \times LCV_i$	<i>Annual sum of energy used from RFNBO and/or from fuels providing equivalent greenhouse gas savings according to Article 4a of this Regulation</i>
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