



Brussels, 11.10.2016
C(2016) 6640 final

COMMISSION IMPLEMENTING DECISION

of 11.10.2016

**amending Commission Implementing Decisions C(2012) 9432 and C(2014) 4493 so as to
modify the Award Decisions under the first and second call for proposals of the
NER 300 funding programme**

only the Spanish, Danish, German, Estonian, Greek, English, French, Croatian, Italian,
Latvian, Hungarian, Dutch, Polish, Portuguese, Finnish, Swedish language versions are
authentic

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC¹, and in particular Article 10a(8) thereof,

Having regard to Commission Decision 2010/670/EU of 3 November 2010 laying down criteria and measures for the financing of commercial demonstration projects that aim at the environmentally safe capture and geological storage of CO₂ as well as demonstration projects of innovative renewable energy technologies under the scheme for greenhouse gas emission allowance trading within the Community established by Directive 2003/87/EC of the European Parliament and of the Council², and in particular Article 5(5) thereof,

Having regard to Article 17(1) of the Treaty on European Union,

Whereas:

- (1) Pursuant to Articles 5 to 9 of Commission Decision 2010/670/EU, the Commission published a first and second call for proposals under the NER 300 funding programme covering the proceeds of 300 million allowances in November 2010 and April 2013, followed by a selection procedure and the adoption of two award decisions for 22 projects on 18 December 2012³ and for 19 projects on 8 July 2014⁴ (hereinafter: "Award Decisions").
- (2) Following Commission Decision (EU) 2015/191 amending Decision 2010/670/EU as regards the extension of the time limit for the date of entry into operation by two years, the Commission received notifications by Member States, where changes were proposed to awarded projects. Following the procedure set out by Annex 2, point 5 of the Award Decisions, the Commission carried out the assessments upon the technical and financial implications of the proposed changes on the projects, checked whether the Member States would support the potential changes and concluded that the duly justified changes should be implemented. Therefore, this third amendment to the

¹ OJ L 275, 25.10.2003, p. 32.

² OJ L 290, 6.11.2010, p. 39.

³ Commission Implementing Decision C(2012) 9432, as amended by C(2015) 6882.

⁴ Commission Implementing Decision C(2014) 4493, as amended by C(2015) 6882.

Award Decisions is necessary to take changes to 9 projects into account. The whole Annex 1 to the Award Decisions should be replaced.

- (3) The following changes are made, which neither affect the scope of the projects nor the results of the selection procedure nor increase the maximum amount of funding: a) change the date of entry into operation of 9 projects in compliance with the condition that the new date is in line with Article 11(1) of Commission Decision 2010/670/EU.
- (4) The withdrawal of a project, notified by a Member State to the Commission, falls under the provision of Annex 2, point 3(b) of the Award Decisions. Pursuant to such a notification the Award Decisions terminate their legal and financial effects retroactively with regard to the withdrawn project, without the need to amend the Award Decisions. For a sake of clarity, one withdrawn project is removed also from Annex 1a of this Decision.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Climate Change Committee,

HAS ADOPTED THIS DECISION:

Article 1

Annex 1 to Commission Implementing Decision C(2012) 9432 is replaced by Annex 1a to this Decision. Annex 1 to Commission Implementing Decision C(2014) 4493 is replaced by Annex 1b to this Decision.

Article 2

This Decision is addressed to the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Croatia, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, Hungary, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 11.10.2016

For the Commission
Jos DELBEKE
Director-General for Climate Action

