



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 3.7.2003
COM(2003) 388 final

2002/0082 (COD)

OPINION OF THE COMMISSION

**pursuant to Article 251 (2), third subparagraph, point (c) of the EC Treaty,
on the European Parliament's amendments
to the Council's common position regarding the
proposal for a**

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**adopting a multiannual programme for action in the field of energy : "Intelligent
Energy - Europe" programme (2003-2006)**

**AMENDING THE PROPOSAL OF THE COMMISSION
pursuant to Article 250 (2) of the EC Treaty**

OPINION OF THE COMMISSION

**pursuant to Article 251 (2), third subparagraph, point (c) of the EC Treaty,
on the European Parliament's amendments
to the Council's common position regarding the
proposal for a**

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**adopting a multiannual programme for action in the field of energy : "Intelligent
Energy - Europe" programme (2003-2006)**

1. INTRODUCTION

Article 251(2), third subparagraph, point (c) of the EC Treaty provides that the Commission is to deliver an opinion on the amendments proposed by the European Parliament at second reading. The Commission sets out its opinion below on the 13 amendments adopted by the Parliament.

2. BACKGROUND

- On 10 April 2002, the Commission transmitted to the European Parliament and to the Council its proposal for a Decision (COM(2002)162 final - 2002/0082(COD)).
- The European Economic and Social Committee delivered an opinion on 18 September 2002.
- The Committee of the Regions delivered an opinion on 20 November 2002.
- On 20 November 2002, the European Parliament, at its first reading, delivered its opinion, containing a number of amendments to the Commission proposal.
- The Council adopted its Common Position on 3 February 2003.
- On 7 February 2003, the Commission adopted its Communication to the European Parliament on the Council's Common Position, pursuant to the 2nd subparagraph of Article 251(2) of the Treaty.
- On 13 May 2003 the European Parliament adopted, at the second reading, a resolution containing 13 amendments to the Common Position.

3. PURPOSE OF THE PROPOSAL

This proposal for a Decision of the European Parliament and of the Council concerns a multiannual programme for actions in the field of energy - the "Intelligent Energy for Europe" programme - for the period from 2003 to 2006. The programme is designed as the main Community instrument for non-technological support in the field of energy. It provides continuity for the actions undertaken under the ALTENER, SAVE and, to a certain extent, SYNERGY programmes and combines all activities in the energy sectors that contribute to the accomplishment of the main aims of Community energy, transport and sustainable development strategies.

The programme is structured around four specific fields:

- rational use of energy and demand management (SAVE),
- new and renewable energy sources (ALTENER),
- energy aspects of transport (STEER), and
- promotion at international level in the fields of renewable energy sources and energy efficiency (COOPENER).

Six types of action are foreseen for each field:

- a) development of standards, labelling and certification systems, long-term voluntary commitments with industry, forward studies, strategic studies on the basis of shared analysis, monitoring of markets and energy trends including for the preparation of future legislative measures or for the review of existing legislation;
- b) creation, enlargement or reorganisation of structures and instruments for sustainable energy development, including local and regional planning and management; and development of adequate financial products and market instruments;
- c) promotion of sustainable energy systems and equipment in order to accelerate their penetration in the market and stimulate investment to facilitate the transition from demonstration to marketing of more efficient technologies;
- d) development of information, education and training structures, utilisation of results, dissemination of know-how and best practices;
- e) monitoring of the implementation and the impact of Community initiatives and the support measures;
- f) evaluation of the impact of the actions and projects funded under the programme.

The Commission proposed a total budget of € 215 million for EU-15 for the four-year period.

4. OPINION OF THE COMMISSION ON THE AMENDMENTS BY THE EUROPEAN PARLIAMENT

Parliament adopted 13 amendments to the Common Position of the Council at the second reading. All these 13 amendments were the result of a compromise with the Council with a view to avoid conciliation.

The Commission accepts all 13 amendments proposed by the European Parliament, which are in line with the objectives of the Commission's original proposal or constitute an acceptable compromise.

4.1. Amendments accepted by the Commission

- **Amendment 10** concerns the deleting of Article 6, paragraph 1, subparagraph 4 related to the possible revision of the reference amount for the programme.

The Commission can accept this amendment since the possibility of revising the financial reference amount in the course of the programme is now addressed in Article 9 (2) subsequent to the amendment 25 adopted by the Parliament.

- **Amendment 16** adds a new Recital 16a, which makes reference to the increase of the financial framework for an even more comprehensive programme.

The Commission can accept this amendment. It reflects one of the objectives of the Commission's original proposal, i.e. to increase the financial framework for the programme as compared to the previous Energy Framework Programme (1998-2002) and is a simple statement of this fact.

- **Amendment 17** concerns Recital 20, which deals with the diversification of fuels in the transport sector. The amendment proposes that a specific reference is made to the role that can be played by new developing energy sources in this context, like hydrogen and renewable energy sources.

The Commission can accept this amendment. The Commission agrees to include this reference in the Recitals since it brings more consistency with the text of Article 2(a) and Article 3(c) on the same issue (related to amendments 19 and 20 below).

- **Amendment 18** is an addition to Recital 22, which deals with the importance of issues like co-ordination of the programme with other Community policies. The amendment notes that national, regional or local organisations could play a useful role in contributing to the implementation of the programme with corresponding national programmes.

The Commission can accept this amendment that brings in an explicit reference to an important component in the programme implementation, which is related to its linkage with national programmes, and that was missing in the Recitals.

- **Amendments 19 and 20** bring Articles 2(a) and 3(c) into line with the revised text in Recital 20 by adding a reference to ‘new developing and renewable energy sources’ as examples of ‘energy diversification’ or the ‘diversification of fuels’.

The Commission can accept this amendment which reinforces the internal coherence of the text and enhances clarity as regards the sort of ‘diversification’ that the programme should be looking at.

- **Amendment 21** is an addition to Article (3), which precise why the Commission shall make available the reports on the actions and projects, i.e. in order to contribute to the dissemination of the project results.

The Commission can accept this amendment given that it brings more transparency to the dissemination of the projects’ results by the Commission and builds on its original proposal.

- **Amendment 22** adds a clarification in Article 5(2c) in the sense that the selection criteria reflect the objectives of this decision.

The Commission can accept this amendment given that it recalls the principles behind the selection criteria.

- **Amendment 23** concerns Article 5(2g) and specifies that the Community rules on public access to information, transparency and gender mainstreaming apply all the way through the programme.

The Commission can accept this amendment given that it is in fact more precise to say that these rules apply throughout the programme instead of referring to the work programme.

- **Amendment 24** concerns Article 6(1) related to the financial framework for the implementation of the programme. With this amendment the Parliament increases the budget to 200 million Euro (190 million Euro are in the Council’s Common Position).

The Commission can accept this amendment as the amount is closer to its original proposal of 215 million Euro that enables to take better account of the new developments and priorities in the field of energy, environment and sustainable development.

- **Amendment 25** concerns Article 9(2) on the programme mid-term evaluation. With this amendment, the Parliament aims at: firstly, to anticipate the mid-term evaluation to the ‘end of the second year’; secondly, to include in the Commission’s conclusions, any adaptation of the current programme in particular in the light of enlargement, if considered appropriate; and thirdly, that the conclusions of the Commission shall be communicated to the other institutions before putting forward proposals not only for any subsequent programme but also on this programme as well.

The Commission can accept this amendment since it extends the scope of the mid-term evaluation exercise to serve as an input to a possible adaptation of the current programme, and not only as a compulsory step prior to any subsequent programme, as it was the case until now.

- **Amendment 26** adds in Article 9(1) that the annual progress examination report shall be submitted by the Commission to the other institutions.

The Commission can accept this amendment given that it emphasises the transparency efforts that are inherent to the programme management, despite the fact that, the access to these reports was already foreseen by the '*droit de regard*' as far as the European Parliament is concerned, as by the Committee as far as the Member States are concerned.

- **Amendment 27** concerns the annex of this decision related to the indicative allocation of the programme estimated amount. The Parliament allocates the 200 million Euro along the same percentage shares as fixed in the Council Common Position: 34.9% for SAVE field, 40% for ALTENER field, 16.3% for STEER field and 8.8% for COOPENER field. Moreover, the Parliament introduces changes in the text of three footnotes related to the table: to delete a reference to the three programme fields in footnote 1; to delete footnote 2 on the fixed amount for COOPENER, and to introduce a new formulation as far as the additional contribution from 2004 onwards is concerned.

The Commission can accept this amendment given that, firstly, the indicative financial allocation between fields builds on its original proposal, secondly, the deleted text in footnotes 1 and 2 did not bring any added value and, thirdly, it brings more clarity to the issue of additional contribution beyond 2004 as a result of the enlargement in footnote 3.

4.2. Amendments rejected by the Commission

No amendments have been rejected by the Commission.

5. CONCLUSION

Pursuant to Article 250(2) of the EC Treaty, the Commission amends its proposal as set out above.