C/2023/460

1.12.2023

P9_TA(2023)0101

Social Climate Fund

European Parliament legislative resolution of 18 April 2023 on the proposal for a regulation of the European Parliament and of the Council establishing a Social Climate Fund (COM(2021)0568 — C9-0324/2021 — 2021/0206(COD))

(Ordinary legislative procedure: first reading)

(C/2023/460)

The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2021)0568),

— having regard to Article 294(2) and Article 91(1), point (d), Article 192(1) and Article 194(1), point (c) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0324/2021),

— having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,

— having regard to Article 294(3) of the Treaty on the Functioning of the European Union,

— having regard to the reasoned opinion submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the the Swedish Parliament, asserting that the draft legislative act does not comply with the principle of subsidiarity,

— having regard to the opinion of the Court of Auditors of 15 December 2022 [1],

— having regard to the opinion of the European Economic and Social Committee of 9 December 2021 [2],

— having regard to the opinion of the Committee of the Regions of 27 April 2022 [3],

— having regard to the provisional agreement approved by the committees responsible under Rule 74(4) of its Rules of Procedure and the undertaking given by the Council representative by letter of 8 February 2023 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,

— having regard to Rules 59 and 40 of its Rules of Procedure,

— having regard to the opinions of the Committee on Budgets, the Committee on Economic and Monetary Affairs, the Committee on Industry, Research and Energy, the Committee on Transport and Tourism and the Committee on Regional Development,

— having regard to the report of the Committee on Employment and Social Affairs and the Committee on the Environment, Public Health and Food Safety (A9-0157/2022),

1. Adopts its position at first reading hereinafter set out [4];

2. Takes note of the statements by the Commission annexed to this resolution;

3. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;

4. Instructs its President to forward its position to the Council, the Commission and the national parliaments;

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(1) OJ C 17, 18.1.2023, p. 9.
(2) OJ C 152, 6.4.2022, p. 158.
(3) OJ C 301, 5.8.2022, p. 70.
(4) This position replaces the amendments adopted on 22 June 2022 (OJ C 32, 27.1.2023, p. 250).

P9_TC1-COD(2021)0206

Position of the European Parliament adopted at first reading on 18 April 2023 with a view to the adoption of Regulation (EU) 2023/… of the European Parliament and of the Council establishing a Social Climate Fund and amending Regulation (EU) 2021/1060

(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) 2023/955.)

ANNEX TO THE LEGISLATIVE RESOLUTION

Commission statements on the occasion of the adoption of Regulation (EU) 2023/955 [1] of the European Parliament and of the Council establishing a Social Climate Fund and amending Regulation (EU) 2021/1060

Definition of energy poverty

As part of the negotiations under the recast of the Energy Efficiency Directive (EED recast), the Commission's intention is to present a targeted amendment to the Regulation establishing a Social Climate Fund to update the definition of energy poverty in line with the agreement reached on the definition of energy poverty in the EED recast.

Protection of the Union budget

In the Inter-institutional Agreement of 16 December 2020 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap for the introduction of new own resources, points 30 to 33 require the Commission to make available an integrated and interoperable information and monitoring system including a single data-mining and risk-scoring tool to access and analyse the required data with a view to a generalised application by Member States. In addition, the three institutions agreed to sincerely cooperate, in the course of the legislative procedure relating to the relevant basic acts, to ensure the follow up to the European Council conclusions of July 2020 regarding this element.

The Commission considers that the agreement reached by the co-legislators on the use of a single data-mining tool and the collection and analysis of data on the beneficial owners of the recipients of funding is not sufficient to enhance the protection of the Union budget against fraud and irregularities and to ensure efficient checks on conflicts of interests, irregularities, issues of double funding, and criminal misuse of the funds. Therefore, the approach agreed by the co-legislators in the Regulation establishing a Social Climate Fund does not appropriately reflect the desired ambition and spirit of the Inter-institutional Agreement.

Member State's internal control system

The Commission considers that the agreement reached by the co-legislators under 'Annex III — Key requirements for the Member State's control system' of the Regulation establishing a Social Climate Fund concerning Member States' possibility to designate more than one authority that can be entrusted with the responsibility to sign the management declaration accompanying the payment requests could lead to inefficiencies and a dilution of responsibilities as well as create confusion about the roles of the authorities.

[1] OJ L 130, 16.5.2023, p. 1.