



Brussels, 11.12.2024
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COMMISSION DECISION

of 11.12.2024

on the disbursement of revenues from the Modernisation Fund under Directive 2003/87/EC of the European Parliament and of the Council – second biannual disbursement cycle of 2024 – and amending Commission Decisions C(2021) 9135 and C(2022) 3496 on the disbursement of revenues under the Modernisation Fund

(Only the Czech, Estonian, Latvian, Lithuanian, Hungarian, Polish, Romanian, Slovenian and Slovak texts 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 system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC ⁽¹⁾, and in particular Article 10d(3) thereof,

Whereas:

- (1) In accordance with Article 4(1) of Commission Implementing Regulation (EU) 2020/1001 ⁽²⁾, Czechia, Estonia, Latvia, Lithuania, Hungary, Poland, Romania, Slovenia and Slovakia submitted a total of 49 investment proposals to the European Investment Bank (EIB) and to the Investment Committee as part of the second biannual disbursement cycle of 2024. Czechia submitted 13 priority investment proposals, one of which concerned subsequent disbursement to a scheme confirmed under Commission Decision C(2024)4190 ⁽³⁾. Estonia submitted three priority investment proposals, two of which concerned subsequent disbursement to a scheme confirmed under Commission Decision C(2021)9135 ⁽⁴⁾. Latvia submitted two priority investment proposals. Lithuania submitted one non-priority investment proposal and six priority investment proposals, two of which concerned subsequent disbursement to schemes confirmed under Decision C(2021)9135 and Commission Decision C(2022)3496 ⁽⁵⁾ respectively. Hungary submitted two priority investment proposals. Poland submitted 10 priority investment proposals, four of which concerned subsequent disbursement to schemes confirmed under Decision C(2022) 3496,

⁽¹⁾ OJ L 275, 25.10.2003, p. 32, ELI: <http://data.europa.eu/eli/dir/2003/87/2024-03-01>.

⁽²⁾ Commission Implementing Regulation (EU) 2020/1001 of 9 July 2020 laying down detailed rules for the application of Directive 2003/87/EC of the European Parliament and of the Council as regards the operation of the Modernisation Fund supporting investments to modernise the energy systems and to improve energy efficiency of certain Member States (OJ L 221, 10.7.2020, p. 107, ELI: http://data.europa.eu/eli/reg_impl/2020/1001/2024-01-01).

⁽³⁾ Commission Decision C(2024) 4190 of 12 June 2024 on the disbursement of revenues from the Modernisation Fund under Directive 2003/87/EC of the European Parliament and the Council.

⁽⁴⁾ Commission Decision C(2021) 9135 of 6 December 2021 on disbursement of revenues of the Modernisation Fund under Directive 2003/87/EC of the European Parliament and of the Council.

⁽⁵⁾ Commission Decision C(2022) 3496 of 23 May 2022 on disbursement of revenues of the Modernisation Fund under Directive 2003/87/EC of the European Parliament and of the Council.

Commission Decision C(2022)9480⁽⁶⁾ and Commission Decision C(2023)3643⁽⁷⁾ respectively. Romania submitted one non-priority investment proposal and seven priority investment proposals, one of which concerned subsequent disbursements to a scheme confirmed under Decision C(2023)3643. Slovenia submitted one priority investment proposal. Slovakia submitted three priority investment proposals, one of which concerned subsequent disbursements to a scheme confirmed under Decision C(2024)4190.

- (2) In accordance with Article 6(1) of Implementing Regulation (EU) 2020/1001, the EIB assessed proposals submitted as priority investments. It concluded that 38 of these proposals fell into the areas listed in Article 10d(2) of Directive 2003/87/EC and complied with the conditions set out in Article 6(7) of Implementing Regulation (EU) 2020/1001. The EIB confirmed those proposals as priority investments and informed the Commission about them. As regards the proposals that concern subsequent disbursements to schemes, the EIB confirmed the proposals following verification of the requirements provided in Article 6(8) of Implementing Regulation (EU) 2020/1001.
- (3) The two non-priority proposals submitted by Lithuania and Romania were assessed by the EIB in accordance with Article 7(3), (4) and (5) of Implementing Regulation (EU) 2020/1001. It gave a negative assessment of the proposal submitted by Romania, which was withdrawn by Romania before being examined by the Investment Committee. One non-priority investment proposal submitted by Lithuania was recommended for financing by the Investment Committee on 22 October 2024.
- (4) It is therefore appropriate to disburse revenues from the Modernisation Fund to the beneficiary Member States concerned.
- (5) According to the Hungarian Annual Report 2023 on the implementation of investments financed from the Modernisation Fund, investments MF 2021-2 HU 0-001, MF 2021-2 HU 0-002 and MF 2022-1 HU 0-002 have not been financed by the Hungarian national authorities for more than 2 years. Decisions C(2021)9135 and C(2022)3496 should therefore be amended to reduce the amounts allocated to those investments from EUR 14 285 714, EUR 8 571 429 and EUR 22 857 143 to EUR 0 respectively, in accordance with Article 10(2) of Implementing Regulation (EU) 2020/1001. The corresponding EUR 45 714 286 should be offset against the payment made by the EIB to Hungary for investment MF 2024-2 HU 0-001 under this disbursement decision.
- (6) According to the Czech Annual Report 2023 on the implementation of investments financed from the Modernisation Fund, investments MF 2022-1 CZ 0-003 and MF 2022-1 CZ 1-004 have not been financed by the Czech authorities for more than 2 years. Decision C(2022)3496 should therefore be amended to reduce the amounts allocated to those investments from EUR 10 000 000 and EUR 10 000 000 to EUR 0 respectively, in accordance with Article 10(2) of Implementing Regulation (EU) 2020/1001. The corresponding EUR 20 000 000 should be offset against the payment made by the EIB to Czechia for investment MF 2024-2 CZ 0-001 under this disbursement decision.

⁽⁶⁾ Commission Decision C(2022) 9480 of 12 December 2022 on disbursement of revenues of the Modernisation Fund under Directive 2003/87/EC of the European Parliament and of the Council.

⁽⁷⁾ Commission Decision C(2023) 3643 of 30 May 2023 on the disbursement of revenues from the Modernisation Fund under Directive 2003/87/EC of the European Parliament and the Council.

(7) Decisions C(2021)9135 and C(2022)3496 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The revenues of the Modernisation Fund are hereby disbursed for the investments listed in Annex 1.

Article 2

The Annex to Decision C(2021)9135 is amended in accordance with Annex 2 to this Decision.

Article 3

The Annex to Decision C(2022)3496 is amended in accordance with Annex 3 to this Decision.

Article 4

This Decision is addressed to the Czech Republic, the Republic of Estonia, the Republic of Latvia, the Republic of Lithuania, Hungary, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic.

Done at Brussels, 11.12.2024

For the Commission
Kurt Vandenberghe
Director-General
Directorate-General for Climate Action