



2024/3214

27.12.2024

COMMISSION DELEGATED REGULATION (EU) 2024/3214

of 16 October 2024

amending Regulation (EU) 2015/757 of the European Parliament and of the Council as regards the rules for the monitoring of greenhouse gas emissions from offshore ships and the zero-rating of sustainable fuels

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2015/757 of the European Parliament and of the Council of 29 April 2015 on the monitoring, reporting and verification of greenhouse gas emissions from maritime transport, and amending Directive 2009/16/EC⁽¹⁾, and in particular Article 5(2) thereof,

Whereas:

- (1) Regulation (EU) 2015/757 lays down rules for the accurate monitoring, reporting and verification of greenhouse gas emissions and of other relevant information from ships arriving at, within or departing from ports under the jurisdiction of a Member State, in order to promote the reduction of greenhouse gas emissions from maritime transport in a cost-effective manner.
- (2) Annex I to Regulation (EU) 2015/757 lays down the methods for monitoring greenhouse gas emissions on the basis of fuel consumption. Annex II to Regulation (EU) 2015/757 lays down the rules for the monitoring of other relevant information.
- (3) Regulation (EU) 2023/957 of the European Parliament and of the Council⁽²⁾ amended Regulation (EU) 2015/757, notably to provide for the inclusion of greenhouse gas emissions from offshore ships within the scope of that Regulation from 1 January 2025. However, clarifying the term 'offshore ships' is necessary to ensure a uniform application with regards to the determination of the greenhouse gas emissions covered by the Regulation beyond those already covered when related to ships' movements and activities serving the purpose of transporting cargo or passengers for commercial purposes. Rules should therefore be established in order to provide clarity in respect of the ships and the greenhouse gas emissions that should be encompassed by such inclusion. The ship's statutory certifications or any other relevant documentation, including class notations, should be taken into consideration with a view to determine whether the concerned ship is designed or certified to perform service activities offshore or at offshore installations.
- (4) From 1 January 2027, offshore ships of 5 000 gross tonnage and above are included in the scope of maritime transport activities covered by Annex I to Directive 2003/87/EC of the European Parliament and of the Council⁽³⁾. According to Article 3gg(5) of that Directive, no later than 31 December 2026, the Commission should present a report to the European Parliament and to the Council in which it should examine the feasibility and economic, environmental and social impacts of the inclusion in that Directive of emissions from ships, including offshore ships, below 5 000 gross tonnage but not below 400 gross tonnage. That report should also consider the interlinkages between Directive 2003/87/EC and Regulation (EU) 2015/757 and draw on the experience gained from the application thereof. That report may be accompanied, if appropriate, by legislative proposals, based on experience gained in the first years of inclusion of greenhouse gas emissions from offshore ships within the scope of Regulation (EU) 2015/757.

⁽¹⁾ OJ L 123, 19.5.2015, p. 55, ELI: <http://data.europa.eu/eli/reg/2015/757/oj>.

⁽²⁾ Regulation (EU) 2023/957 of the European Parliament and of the Council of 10 May 2023 amending Regulation (EU) 2015/757 in order to provide for the inclusion of maritime transport activities in the EU Emissions Trading System and for the monitoring, reporting and verification of emissions of additional greenhouse gases and emissions from additional ship types (OJ L 130, 16.5.2023, p. 105, ELI: <http://data.europa.eu/eli/reg/2023/957/oj>).

⁽³⁾ 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 (OJ L 275, 25.10.2003, p. 32, ELI: <http://data.europa.eu/eli/dir/2003/87/oj>).

- (5) The rules in Annex II to Regulation (EU) 2015/757 should be updated to further align them with the rules applicable to other Emissions Trading System (ETS) sectors with regards to fuels eligible for zero-rating under Directive 2003/87/EC, in particular to include the possibility for zero-rating synthetic low-carbon fuels.
- (6) Regulation (EU) 2015/757 should therefore be amended accordingly.
- (7) Since the greenhouse gas emissions from offshore ships are included under Regulation (EU) 2015/757 as of 1 January 2025, the relevant rules as in this Regulation should apply accordingly, as of 1 January 2025.
- (8) Maritime transport greenhouse gas emissions are included in the EU ETS since the reporting period starting on 1 January 2024. The rules applicable to other ETS sectors with regards to fuels eligible for zero-rating under Directive 2003/87/EC pursuant to Commission Implementing Regulation (EU) 2018/2066⁽⁴⁾ as amended by Commission Implementing Regulation (EU) 2024/2493⁽⁵⁾ apply from 1 January 2024. Therefore, in order to ensure consistency, clarity and equal conditions, the rules for monitoring and reporting of emissions from zero-rated renewable fuels of non-biological origin, recycled carbon fuels and synthetic low-carbon fuels laid down in this Regulation should also apply as of 1 January 2024,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) 2015/757 is amended as follows:

- (1) in Annex I, the following Part AA is inserted after Part A:

'AA.GREENHOUSE GAS EMISSIONS FROM OFFSHORE SHIPS

Greenhouse gas emissions from offshore ships shall cover greenhouse gas emissions released during voyages from last port of call to a port of call under the jurisdiction of a Member State and from a port of call under the jurisdiction of a Member State to next port of call, as well as within ports of call under the jurisdiction of a Member State by the following ships, other than icebreakers, designed or certified to perform service activities offshore or at offshore installations:

- (a) anchor handling tug supply vessel;
- (b) offshore supply ship;
- (c) crew/supply vessel;
- (d) pipe carrier;
- (e) platform supply ship;
- (f) drilling ship;
- (g) floating production storage and offloading (FPSO), oil;
- (h) gas processing vessel;
- (i) floating storage and offloading (FSO), gas;
- (j) FSO, oil;
- (k) accommodation ship;
- (l) diving support vessel;
- (m) offshore construction vessel;

⁽⁴⁾ Commission Implementing Regulation (EU) 2018/2066 of 19 December 2018 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council and amending Commission Regulation (EU) No 601/2012 (OJ L 334, 31.12.2018, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2018/2066/oj).

⁽⁵⁾ Commission Implementing Regulation (EU) 2024/2493 of 23 September 2024 amending Implementing Regulation (EU) 2018/2066 as regards updating the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council (OJ L, 2024/2493, 27.9.2024, ELI: http://data.europa.eu/eli/reg_impl/2024/2493/oj).

- (n) offshore support vessel;
- (o) pipe burying vessel;
- (p) pipe layer;
- (q) pipe layer crane vessel;
- (r) production testing vessel;
- (s) standby safety vessel;
- (t) trenching support vessel;
- (u) well stimulation vessel;
- (v) cable layer;
- (w) cable repair ship;
- (x) mining vessel;
- (y) wind turbine installation vessel;
- (z) commissioning service operation vessel;
- (aa) service operation vessel;
- (ab) work/repair vessel;
- (ac) research survey vessel;
- (ad) dredger;
- (ae) hopper dredger.;

(2) in Part C, point 1.2., of Annex II, the second paragraph is replaced by the following:

‘By way of derogation from point 1.1, companies shall not apply the rules laid down in Part A of Annex I to this Regulation as regards the determination of the CO₂ emission factors where the company uses Renewable Fuels of Non-Biological Origin (RFNBO), Recycled Carbon Fuel (RCF) or synthetic low-carbon fuel. In such cases, the CO₂ emission factor shall be determined in accordance with Implementing Regulation (EU) 2018/2066.’.

Article 2

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2025.

However, Article 1, point (2), shall apply from 1 January 2024.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 16 October 2024.

For the Commission
The President
Ursula VON DER LEYEN