

## Implementation of CARE package

### Promotion of the use of energy from renewable sources

Responsible Institution/Body	Obligation	Date	Procedure	Article
Each Member State	<p>Shall ensure that the share of energy from renewable sources in gross final consumption of energy in 2020 is at least its national overall target for the share of energy from renewable sources that year.</p> <p>Mandatory national targets are consistent with a target of at least 20% share of energy from renewable sources in the Community gross final energy consumption in 2020.</p> <p>Shall promote and encourage energy efficiency and energy saving.</p>	2020		Article 3.1
Member States	Shall introduce measures effectively designed to ensure that the share of energy from renewable sources equals or exceeds the share in the indicative trajectory of Annex 1 part B.			Article 3.2
Each Member State	Shall ensure that the share of energy from renewable sources in all from of transport in 2020 is at least 10% of final consumption of energy in transport in that member state.			Article 3.4
The European Commission	<p>Shall present by the end of 2011 a proposal permitting, subject to certain conditions, the whole amount of the electricity originating from renewable sources used to power all types of electric vehicles to be considered.</p> <p>Shall present, if appropriate, by the end of 2011 a proposal for a methodology for calculating the contribution of hydrogen originating from renewable sources in the total fuel mix.</p>			Article 3.4
Each Member State	<p>Shall adopt a National renewable energy Action Plan</p> <ul style="list-style-type: none"> <li>- setting up national targets for the shares of energy from renewable sources in transport, electricity and heating and cooling in 2020,</li> <li>- taking into account energy efficiency measures and their impact on final energy consumption</li> <li>- setting up measures to be taken to achieve national overall targets.</li> </ul>			Article 4.1
The European Commission	Shall adopt a template for the National action Plans comprising the minimum requirements set out in Annex VI.	30 June 2009		Article 4.1

Each Member State	Shall notify their national Action Plans to the European Commission	30 June 2010		Article 4.2
Each Member State	Shall publish and notify to the Commission a forecast document to be updated in the reports (article 22) indicating: <ul style="list-style-type: none"> <li>- the estimated excess production of renewable energy compared to the indicative trajectory which could be transferred to other MS until 2020</li> <li>- estimated potential for joint projects until 2020</li> <li>- estimated demand for renewable energy not satisfied with domestic production until 2020</li> <li>- may include elements relating to cost and benefits and financing.</li> </ul>	December 2009 (six months before the NAP is due)		Article 4.3
The European Commission	May adopt a decision to release the Member State of the obligation to submit an amended Action Plan.			Article 4.4
The European Commission	Shall evaluate the national action plans and may issue a recommendation.  Shall send to the European Parliament the National Action Plans, the forecast documents and the recommendations, as made public in the transparency platform			Article 4.5 and 6
The European Commission	Shall adopt a decision on whether force majeure has been demonstrated and is therefore impossible for a Member State to meet its share of energy from renewable sources in gross final consumption of energy in 2020. The Commission shall decide what adjustment shall be made to the Member State's gross final consumption of energy from renewable sources for the year 2020			Article 5.2
	Annex III of the Directive may be adapted to technical and scientific progress following regulatory procedure set in article 25 (4).		Comitology	Article 5(5)
Member States/Commission	Statistical transfers of specified amount of energy from renewable sources must be notified to the Commission 3 months after the end of each year in which they have effect, including the quantity and price of energy involved.			Article 6
Member States/Commission	Joint projects shall be notified to the Commission reporting the proportion or amount of energy from renewable electricity, heating or cooling produced in each Member State territory counting towards the national overall target of another Member States.			Article 7

	Notification to the Commission of distribution rule agreed by Member States participating in joint support schemes.			Article 11
Member States	Shall ensure that any national rules for the authorization, certification and licensing procedures applied to plants and associated to transmission and distribution network infrastructures for the production of electricity, heating or cooling from renewable sources are proportionate and necessary.			Article 13
The European Commission	Control of Member States decision of refusals of guarantees of origin and its justification as notified to the European Commission. The commission may adopt a Decision requiring the Member State to recognize it.			Article 15 (9) and (10)
Member States	Shall take the appropriate steps to develop transmission and distribution grid infrastructure, intelligent networks, storage facilities and the electricity system in order to allow the secure operation of the electricity system as it accommodates the further development of electricity production from renewable sources. It should include interconnection between Member States and third countries.  Shall take appropriate steps to accelerate authorization procedure for grid infrastructure and to coordinate approval of grid infrastructure with administrative and planning procedures.			Article 16 (1)
Member States	Shall ensure that transmission system operators and distribution system operators guarantee the transmission and distribution of electricity produced from renewable energy sources.  Shall provide for either priority access or guaranteed access to the grid-system of electricity produced from renewable energy sources.  Shall ensure that transmission system operators shall give priority to generating installations using renewable energy sources insofar as the secure operation of the national electricity system permits.  Shall ensure that appropriate grid and market related operational measures are taken in order to minimize the curtailment of electricity produced from renewable energy sources.  Shall ensure that the responsible system operators report to the competent regulatory authority on the measures taken to curtail the renewable energy sources in order to			Article 16 (2)

	guarantee the security of the national electricity system and security of supply.			
	Sustainability criteria for biofuels and other bioliquids			Article 17
	Energy from biofuels and other bioliquids shall be taken into account if they fulfil the sustainability criteria for national targets for energy from renewable sources, for compliance with renewable energy obligations and eligibility for financial support.			
	<p>The greenhouse gas emission saving from the use of biofuels and other bioliquids taken into account shall be 35% .</p> <p>From 2017, the greenhouse gas emission saving from the use of biofuels and other bioliquids taken into account shall be 50%. After 2017 it shall be 60 % for biofuels and bioliquids produced in installations whose production has started from 2017 onwards.</p> <p>In the case of biofuels and other bioliquids produced by installations that were in operation in January 2008, the energy will be taken into account for national targets from 1 April 2013.</p>			Article 17 (2)
The European Commission	Shall establish the criteria and geographic ranges to determine which grassland shall be eligible for financial support for the consumption of biofuels and other bioliquids. Such a measure shall be adopted in accordance with the regulatory procedure with scrutiny referred to in article 25.		Comitology	Article 17(3)
The European Commission	<p>Shall report every 2 years to the European Parliament and the Council, in respect both of third countries and Member States that are a significant source of biofuels or of raw material for biofuels consumed within the Community, on national measures taken to respect the sustainability criteria and for soil, water and air protection. First report shall be submitted in 2012.</p> <p>Shall report every 2 years to the European Parliament and the Council on the impact on social sustainability in the community and in third countries of increased demand for biofuel and on the impact of EU biofuel policy on the availability of foodstuffs and affordable prices, in particular for people living in developing countries, and wider development issues. The first report shall be submitted in 2012.</p>			Article 17 (7)

The European Commission	<p>Shall report on requirements for a sustainability scheme for energy uses of biomass, other than biofuels and bioliquids. The report shall be accompanied, where appropriate by proposals for a sustainability scheme for other energy uses of biomass to the EP and the Council.</p> <p>This report and proposals shall be based on the best available scientific evidence, taking into account new developments in innovative processes.</p> <p>The Commission shall, where appropriate, introduce proposals in relation to forest biomass in the calculation methodology in annex V or in the sustainability criteria relating to carbon stocks applied to biofuels and other bioliquids.</p>	31 December 2009		Article 17(9)
	Compliance with the sustainability criteria for biofuels and other bioliquids			Article 18
The European Commission	<p>Shall report to the European Parliament and the Council on the operation of the mass balance verification method and on the potential to allow for further verification methods in relation to some or all types of raw material, biofuel or other bioliquids. The report shall be accompanied by proposal son allowing other verification methods.</p>	2010 and 2012		Article 18 (2)
The European Commission	<p>May take decision that voluntary national or international schemes setting standards for the production of biomass products contain accurate data for the purposes of <i>Article 17(2)</i> or demonstrate that consignments of biofuel comply with the sustainability criteria set out in Article 17 (3) to (5).</p> <p>May decide that those schemes contain accurate data for the purposes of information on measures taken for the conservation of areas that provide basic ecosystem services in critical situations (such as watershed protection and erosion control), for soil, water and air protection, the restoration of degraded land, the avoidance of excessive water consumption in areas where water is scarce and to the issues mentioned in the second subparagraph of Article 17(7).</p> <p>May also recognise areas for the protection of rare, threatened or endangered ecosystems or species recognised by international agreements or included in lists drawn up by intergovernmental organisations or the International Union for the Conservation of Nature for the purposes of Article 17</p> <p>May decide that national, multinational or international schemes to measure greenhouse gas savings contain accurate data for the purposes of <i>Article 17(2)</i>.</p> <p>May decide that land that falls within the scope of a national or regional recovery programme aimed at improving severely degraded or heavily contaminated land</p>			

	fulfils the categories laid down in point 9 of Part C of Annex IV.			
The European Commission	Shall report to the European Parliament and to the Council on the effectiveness of the system in place for the provision of information on sustainability criteria and whether it is feasible and appropriate to introduce mandatory requirements in relation to air, soil or water protection taking into account the latest scientific evidence and the Community international obligations.			Article 18 (9)
The European Commission	Shall submit a report to the European Parliament and to the Council reviewing the impact of indirect land use change on greenhouse gas emissions and addressing ways to minimise this impact. This report shall where appropriate be accompanied, in particular by a proposal, based on the best available scientific evidence, containing a concrete methodology for emissions from carbon stock changes caused by indirect land use changes, ensuring compliance with this Directive.			Article 19
	The contribution made by biofuels produced from wastes, residues, non-food cellulosic material, and ligno-cellulosic material shall be considered to be twice that made by other biofuels regarding their compliance with national renewable energy obligations and the target for the use of energy from renewable sources in all forms of transport.			Article 21
Each Member State	Shall submit a report to the Commission on progress in the promotion and use of energy from renewable sources by 31 December 2011 at the latest, and every 2 years thereafter. The sixth report, to be submitted by 31 December 2021 at the latest, shall be the last report required.			Article 22
The European Commission	Shall report every two years to the European Parliament and the Council on the basis of the reports submitted by Member States. The first report shall be submitted in 2012.			Article 23 (3)
The European Commission	Shall monitor the origin of biofuels and other bioliquids consumed in the Community and the impacts of their production on land use in the Community and the main third countries of supply.			Article 23 (1)
The Commission	Shall maintain a dialogue and exchange information with third countries and biofuel producer, consumer organisations <i>and civil society</i> concerning the general			Article 23 (2)

	implementation of the measures in this Directive relating to biofuels and other bioliquids. It shall, within this framework, pay particular attention to the impact biofuel production may have on food prices.			
The European Commission	In 2018, shall present a Renewable Energy Roadmap for the post-2020 period, accompanied by proposals for the period after 2020.  <b>In 2021, shall present a report reviewing the application of this Directive.</b>			Article 23
The Commission	Shall establish an online public <b>transparency platform</b> . This platform shall serve to increase transparency, and to facilitate and promote cooperation between Member States. The platform may be used to make public relevant information which the Commission or Member States deem important to the achievement of the Directive objectives.  Shall make public on the transparency platform the following information, where appropriate in aggregated format preserving the confidentiality of commercially sensitive information: (a) Member States' national action plans (b) Member States' forecast documents referred to in Article 4(3), complemented as soon as possible with the Commission's summary of excess production and estimated import demand (c) Member States' offers to cooperate on statistical transfers or joint projects, upon request of the Member State concerned (d) the information referred to in Article 6(2) on the statistical transfers between Member States (e) the information referred to in Article 7(2) and (3) and Article 9(3) and 9(4) on joint projects (f) Member States' national reports as referred to in Article 22 (g) the Commission's reports as referred to in Article 23			Article 24
The Commission	<b>Comitology:</b> Shall be assisted by the “Committee on Renewable Energy Sources” or the “Committee on the sustainability of biofuels and other bioliquids”.			Article 25
Member States	<b>Transposition</b> shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by <ul style="list-style-type: none"> <li>• 18 months after the date of publication in the Official Journal at the latest,</li> <li>• with the exception of Article 4(1), second subparagraph and Article 4(2) and (3)</li> </ul>			Article 27

	for which the date of transposition shall be twenty days after the date of publication in the Official Journal.			
	<p><b><u>Entry into force</u></b></p> <p>This Directive shall enter into force on the <b>twentieth day</b> following that of its publication in the Official Journal of the European Union.</p>			Article 28

Directive amending Directive 2003/87/EC so as to improve and extend the greenhouse gas emission allowance trading system of the Community

Responsible Institution/Body	Obligation	Date	Procedure	Article
The European Commission	Shall, adopt harmonised rules for the application of the definition of new entrant, in particular in relation to the definition of significant extensions.	<i>by 31 December 2010</i>		Article 1
the Commission	Shall decide on the national allocation plans for the period 2008 to 2012.			Article 9
	The Community-wide quantity of allowances issued each year starting in 2013 shall decrease in a linear manner beginning from the mid-point of the period 2008 to 2012. The quantity shall decrease by a linear factor of 1.74% compared to the average annual total quantity of allowances issued by Member States.	by 30 June 2010		
The Commission	Shall publish the absolute <b>Community-wide</b> quantity of allowances for 2013, based on the total quantities of allowances issued or to be issued by the Member States in accordance with the Commission Decisions on their national allocation plans for the period 2008 to 2012.			Article 9
	Shall review the <b>linear factor</b> and submit a proposal, where appropriate, to the Council and the European Parliament, with a view to having a decision by 2025.	as from 2020		
The Commission	shall publish the adjusted quantities of allowances.	by 30 September 2010.		Article 9a
	Auctioning of allowances			Article 10

Member States	Member States shall auction all allowances which are not allocated free of charge in accordance with Article 10a and 10c.	From 2013 onwards		
The European Commission	shall determine and publish an estimated amount of allowances to be auctioned.	By 31 December 2010		
Member States	<p>Shall determine the use of revenues generated from the auctioning of allowances. At least <b>50%</b> of the revenues generated from the auctioning of allowances should be used for <b>one or more of</b> the following:</p> <ul style="list-style-type: none"> <li>- to reduce greenhouse gas emissions</li> <li>- to adapt to the impacts of climate change</li> <li>- to fund research and development <b>as well as demonstration projects</b> for reducing emissions and <b>adaptation</b>,</li> <li>- to develop renewable energies to meet the commitment of the Community to using 20% renewable energies by 2020,</li> <li>- <b>to develop other technologies contributing to the transition to a safe and sustainable low-carbon economy and to help</b> meet the commitment of the Community to increase energy efficiency by 20% by 2020</li> <li>- for the <b>environmentally safe</b> capture and geological storage of <b>carbon dioxide</b></li> <li>- ....</li> </ul>			
the Commission	shall adopt a Regulation on timing, administration and other aspects of auctioning to ensure that it is conducted in an open, transparent, <b>harmonised</b> and non-discriminatory manner.	By <b>30 June</b> 2010		
Member States	<p>Shall report on each auction as regards the proper implementation of the auctioning rules.</p> <p>Reports shall be submitted within one month of the auction and shall be published on the Commission's website.</p> <p>Shall submit any relevant information to the Commission at least 2 months before the adoption of the Commission's report</p>			
The European Commission	<b>shall monitor the functioning of the European carbon market.</b>			

	Shall submit a report to the Council and the European Parliament on the functioning of the carbon market including the implementation of the auctions, liquidity and the volumes traded.	Each year		
	Transitional Community-wide rules for harmonised free allocation			Article 10a
The Commission	shall adopt Community wide and fully-harmonised implementing measures for allocating free allowances through the procedure defined under article 23 (3).  Those measures should determine <b>Community-wide ex ante benchmarks so as to ensure that allocation takes place in a manner that gives incentives for reductions in greenhouse gas emissions</b> and energy efficient techniques  by taking account of the most efficient techniques, substitutes, alternative production processes, high efficiency cogeneration, efficient energy recovery of waste gases, use of biomass and <b>capture and storage of carbon dioxide</b> , where such facilities are available, and shall not give incentives to increase emissions. No free allocation shall be made in respect of any <b>electricity production</b> , except for cases falling within Article 10c and electricity produced from waste gases.	by <b>31 December 2010</b> ,		
The Commission	<b>shall consult the relevant stakeholders, including the sectors concerned.</b>			
The Commission	Shall, upon the <b>approval</b> by the Community of an international agreement on climate change leading to mandatory reductions of greenhouse gas emissions comparable to those of the Community, review those measures to provide that free allocation only takes place where this is fully justified in the light of that agreement			
The European Commission and Member States	Up to 300 million allowances in the new entrants reserve shall be available until 31 December 2015 to help stimulate the construction and operation of up to 12 commercial demonstration projects that are aiming at the environmentally safe capture and geological storage of carbon dioxide as well as the demonstration projects of innovative renewable energy technologies in the EU.  Projects shall be selected on the basis of objective and transparent criteria that include requirements for knowledge-sharing. These criteria and the modalities shall be adopted in accordance with the regulatory procedure with scrutiny referred to in <b>Article 23(3)</b> , and will be made available to the public.		Commitology	

<p>The European Commission</p> <p>The Commission</p> <p>The Commission</p>	<p>In 2013 and in each subsequent year up to 2020, installations in sectors or sub-sectors which are exposed to a significant risk of carbon leakage shall be allocated, pursuant to paragraph 1, allowances free of charge at 100%.</p> <p>shall determine, after discussion in the European Council, the sectors or sub-sectors which are exposed to a significant risk of carbon leakage on the basis of the criteria referred to in article 10a.</p> <p>may, at its own initiative or on request of a Member State, add to the list a sector or subsector if it can be demonstrated, in an analytical report, that this sector or subsector qualifies for the criteria below, following a change that has a substantial impact on the sector's activities.</p> <p><b>Shall consult the Member States, the sectors or sub-sectors concerned and other relevant stakeholders.</b></p> <p><b>Those measures</b>, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in article 23 (3).</p>	<p>by <b>31 December 2009 and every 5 years thereafter</b></p> <p><b>Every year</b></p>	<p>Comitology</p>	
	<p>Measures to support certain energy intensive industries in the event of carbon leakage</p>			<p>Article 10 b</p>
<p>The Commission</p>	<p>Shall, in the light of the outcome of the international negotiations and the extent to which these lead to global greenhouse gas emission reductions, and after consulting with all relevant social partners, submit to the European Parliament and to the Council an analytical report assessing the situation with regard to energy-intensive sectors or sub-sectors that have been determined to be exposed to significant risks of carbon leakage.</p>	<p>Not later than <b>30 June 2010</b></p>		
<p>The Commission</p>	<p>shall assess whether the decisions made on the proportion of allowances received free of charge by sectors or sub-sectors), are likely to significantly affect the quantity of allowances to be auctioned by Member States, compared to a scenario with full auctioning for all sectors in 2020.</p>	<p>At the latest by 31 March 2011</p>		
	<p>Option for transitional free allocation for modernisation of electricity generation.</p>			<p>Article 10 c</p>

Member States	may give a transitional free allocation to installations operating by 31 December 2008 or to installations for which the investment process was physically initiated by the same date_for electricity production if certain conditions are met.			
The European Commission	shall, in accordance with the procedure in Article 23(2), provide guidance to ensure that the allocation methodology avoids undue distortions of competition and minimises negative impacts on the incentives to reduce emissions.		Commitology	
Any Member State	that intends to allocate allowances on the basis of the present article shall, by 30 September 2011, submit to the Commission an application containing the proposed allocation methodology and individual allocations			
The Commission	shall assess the application taking into account the elements set out in paragraph 5 and may reject the application within 6 months of receiving the relevant information			
the Commission	shall assess the progress made in the implementation of the national action plan two years before the end of the period during which a Member State may give transitional free allocation to installations operating by 31 December 2008 for electricity production.			
	National implementation measures			
Each Member State	shall publish and submit to the Commission, the list of installations covered by this Directive in its territory and any free allocation to each installation in its territory.  The competent authorities shall issue the quantity of allowances that are to be distributed for that year.	by 30 September 2011  By 28 February of each year		
	Use of CERs and ERUs from project activities in the Community scheme before the entry into force of a future international agreement on climate change			Article 11 a
The Commission	From 1 January 2013, measures may be applied to restrict the use of specific credits from project types.  Those measures, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 23(2).  shall consider submitting to the Committee a draft of such measures to be taken where a Member State requests it.		Commitology	

The Commission	shall, examine whether the market for emissions allowances is sufficiently protected from insider dealing and market manipulation and if appropriate bring forward proposals to ensure it.	31 December 2010		Article 12
The Commission  Member States	<b>Shall adopt a Regulation for the monitoring and reporting of emissions</b> and, where relevant, activity data, from the activities listed in Annex I and shall specify the global warming potential of each greenhouse gas in the requirements for monitoring and reporting emissions for that gas. That measure, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 23 (3) shall ensure that each operator of an installation <i>or an aircraft operator monitors and reports</i> the emissions from that installation during each calendar year, <i>or, from 1 January 2010, the aircraft which it operates</i> , to the competent authority after the end of that year in accordance with the regulation.	<b>By 31 December 2011</b>	Commitology	Article 14
<i>The Commission</i>	shall adopt a Regulation for the verification of emission reports based on the principles set out in Annex V and for the accreditation and supervision of verifiers specifying conditions for the accreditation and withdrawal of accreditation, for mutual recognition and peer evaluation of accreditation bodies.  That measure, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 23	<b>By 31 December 2011</b>	Commitology	Article 15
Member States and the Commission	Shall ensure that all decisions and reports relating to the quantity and allocation of allowances and to the monitoring, reporting and verification of emissions are immediately disclosed in an orderly manner ensuring non-discriminatory access.			Article 15a
	Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 23 (3)		Commitology	Article 22 /Article 23
The Commission	Approves in accordance with the procedure referred to in Article 23(2) inclusion of activities and greenhouse gases not listed in Annex I by Member States in order to apply emission allowance trading to them. The Commission shall be taking into account all relevant criteria, in particular effects on the internal market, potential	From 2008	Commitology	Article 24

<p>The European Commission</p> <p>The European Commission: On the initiative of the Commission or on request by a Member State</p>	<p>distortions of competition, the environmental integrity of the scheme and reliability of the planned monitoring and reporting system.</p> <p>When the inclusion of additional activities and gases is approved, the Commission may at the same time authorise <b><i>the issuance of additional allowances and authorise</i></b> other Member States to include such additional activities and gases.</p> <p>A <b><i>Regulation may be adopted</i></b> on the monitoring of, and reporting on, emissions concerning activities, installations and greenhouse gases which are not listed as a combination in Annex I, if that monitoring and reporting can be carried out with sufficient accuracy. It shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 23(3).</p>		Commitology	
	<p>Implementing measures may be adopted for issuing allowances or credits in respect of projects administered by Member States that reduce greenhouse gas emissions outside of the Community scheme.</p> <p>Implementing measures may be adopted that set out the details for crediting Community-level projects.</p> <p>Those measures, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 23(3).</p>		Commitology	Article 24a
<p>The European Commission</p>	<p>Shall approve or object within a period of six months from the notification, the Member States decision to exclude, from the Community scheme, installations which have reported emissions to the competent authority of less than <b><i>25 000</i></b> tonnes of carbon dioxide equivalent <b><i>and, where they carry out combustion activities, have a rated thermal input below 35 MW</i></b>, excluding emissions from biomass, in each of the 3 years <b><i>preceding the notification under point (a)</i></b>, and which are subject to measures that will achieve an equivalent contribution to emission reductions</p>			Article 27
<p>The European Commission</p>	<p>Shall submit a report at <b><i>the latest 3 months after the signature by the Community</i></b> of an international agreement on climate change leading, by 2020, to mandatory reductions of greenhouse gas emissions <b><i>exceeding 20% compared to 1990 levels, as reflected in the 30% commitment as endorsed by the Spring 2007 European Council</i></b>.</p> <p>On the basis of this report, the Commission shall, as appropriate, submit a <b>legislative proposal</b> to the European Parliament and to the Council amending the present</p>			Article 28

	directive, with a view to its entry into force upon the approval by the Community of the international agreement and in view of the emissions reduction commitment to be implemented under that agreement.			
The European Commission	Shall submit a report to the Council and the European Parliament if, on the basis of the regular reports on the carbon market in Article 10(5), it has evidence that the carbon market is not functioning properly.			Article 29
	<p><b><u>Transposition</u></b> Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive</p> <p>However, they shall bring into force the laws, regulations and administrative provisions necessary to comply with Article 9a(2) of Directive 2003/87/EC as inserted by <i>Article 1(9)</i> of this Directive and with Article 11 of Directive 2003/87/EC as amended by <i>Article 1(12)</i> of this Directive.</p>	31 December 2012		
	<p><b><u>Entry into force</u></b> This Directive shall enter into force on the twentieth day following its publication in the Official Journal of the European Union.</p>	31 December 2009		