

**Amendment 37**

**Carlos Zorrinho, Pedro Marques, Elisabetta Gualmini, Eider Gardiazabal Rubial, Margarida Marques, Marcos Ros Sempere, Nora Mebarek**  
on behalf of the S&D Group

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C9-0161/2023

Act in Support of Ammunition Production  
(COM(2023)0237 – C9-0161/2023 – 2023/0140(COD))

**Proposal for a regulation****Recital 15**

*Text proposed by the Commission*

*Amendment*

***(15) Member States may request transfers of resources allocated to them under shared management to the Instrument, subject to the conditions set out in the relevant provisions of the Regulation (EU) 2021/1060 of the European Parliament and of the Council. This could in particular be the case where the production of relevant defence products faces specific market failures or suboptimal investment situations in the Member States' territories, notably in vulnerable and remote areas, and such resources contribute to the achievement of the objectives of the programme from which they are transferred. The possibilities laid out in Article 73(4) of Regulation (EU) 2021/1060 may be applied provided that the project complies with the rules set out in that Regulation and the scope of the ERDF and ESF+ as set out in the fund-specific regulations. In line with Article 24 of Regulation (EU) 2021/1060, the Commission should assess the modified national programmes submitted by the Member State and make observations within two months. Given the urgency of the situation, the Commission should strive to conclude the assessment of the modified national programmes without undue delay***

*deleted*

Or. en

## *Justification*

*“Applies throughout the text”.*

*In the context of the Russian aggression to Ukraine, supporting ammunition production is key, but the EU budget is limited and resources should not be diverted from their original purpose. The deletion aims at maintaining an adequate distribution of EU resources reducing disparities in and between EU regions, and within and across Member States, and promoting sustainable territorial development. In addition, by investing in the green and digital transition, young people, health and action to protect EU values, the programmes mentioned in this recital are essential to make the EU more resilient to present and future challenges.*

**Amendment 38**

**Carlos Zorrinho, Pedro Marques, Elisabetta Gualmini, Eider Gardiazabal Rubial,  
Margarida Marques**  
on behalf of the S&D Group

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C9-0161/2023

Act in Support of Ammunition Production  
(COM(2023)0237 – C9-0161/2023 – 2023/0140(COD))

**Proposal for a regulation****Recital 16**

*Text proposed by the Commission*

*Amendment*

**(16) When proposing amended or new Recovery and Resilience Plans, in accordance with Article 21 of Regulation (EU) 2021/241 of the European Parliament and of the Council<sup>1</sup>, Member States should be able to propose measures which also contribute to the objectives of this instrument. To this end, measures linked to proposals submitted to a call for proposals under the Instrument, which were awarded a Seal of Excellence in accordance with the Instrument, should particularly be considered by Member States.** **deleted**

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<sup>1</sup> Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17–75).

Or. en

*Justification*

*“Applies throughout the text”.*

*In the context of the Russian aggression to Ukraine, supporting ammunition production is key, but the EU budget is limited should not be diverted from their original purpose. The deletion aims at using EU resources for promoting important investments and reforms in the Member States, by investing in the green and digital transition, young people, health and action to protect EU values, the national Recovery and Resilience plans should be targeted to*

*make the EU more resilient to present and future challenges.*

25.5.2023

C9-0161/39

**Amendment 39**

**Carlos Zorrinho, Pedro Marques, Elisabetta Gualmini, Eider Gardiazabal Rubial, Margarida Marques, Marcos Ros Sempere, Nora Mebarek**  
on behalf of the S&D Group

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**C9-0161/2023**

Act in Support of Ammunition Production  
(COM(2023)0237 – C9-0161/2023 – 2023/0140(COD))

**Proposal for a regulation**  
**Article 5 - paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. Resources allocated to Member States under shared management may, at their request, be transferred to the Instrument subject to the conditions set out in the relevant provisions of the Regulation (EU) 2021/1060 of the European Parliament and the Council. The Commission shall implement those resources directly in accordance with point (a) of the first subparagraph of Article 62(1) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and the Council. Those resources shall be used for the benefit of the Member State concerned.**

**deleted**

*Where the Commission has not entered into a legal commitment under direct management for resources transferred in accordance with this paragraph, the corresponding uncommitted resources may be transferred back to the Fund from which they have been initially transferred and allocated to one or more programmes in accordance with the conditions set out in the relevant provisions of Regulation (EU) 2021/1060.*

Or. en

*Justification*

*“Applies throughout the text”.*

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*In the context of the Russian aggression to Ukraine, supporting ammunition production is key, but the EU budget is limited should not be diverted from their original purpose. The deletion aims at maintaining an adequate distribution of EU resources reducing disparities in and between EU regions, and within and across Member States, and promoting sustainable territorial development. In addition, by investing in the green and digital transition, young people, health and action to protect EU values, the programmes mentioned in this recital are essential to make the EU more resilient to present and future challenges.*

25.5.2023

C9-0161/40

**Amendment 40**

**Carlos Zorrinho, Pedro Marques, Elisabetta Gualmini, Eider Gardiazabal Rubial,  
Margarida Marques**  
on behalf of the S&D Group

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**C9-0161/2023**

Act in Support of Ammunition Production  
(COM(2023)0237 – C9-0161/2023 – 2023/0140(COD))

**Proposal for a regulation**  
**Article 6 - paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. When proposing amended or new ~~deleted~~  
Recovery and Resilience Plans, in  
accordance with Regulation (EU)  
2021/241 of the European Parliament and  
the Council, Member States shall be able  
to include measures which also contribute  
to the objectives of this instrument,  
notably measures linked to proposals  
submitted to a call for proposals under the  
Instrument which were awarded a Seal of  
Excellence.**

Or. en

*Justification*

*“Applies throughout the text”.*

*In the context of the Russian aggression to Ukraine, supporting ammunition production is key, but the EU budget is limited should not be diverted from their original purpose. The deletion aims at using EU resources for promoting important investments and reforms in the Member States, by investing in the green and digital transition, young people, health and action to protect EU values, the national Recovery and Resilience plans should be targeted to make the EU more resilient to present and future challenges.*

25.5.2023

C9-0161/41

**Amendment 41**

**Pedro Marques, Elisabetta Gualmini, Agnes Jongerius, Gabriele Bischoff**  
on behalf of the S&D Group

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**C9-0161/2023**

Act in Support of Ammunition Production  
(COM(2023)0237 – C9-0161/2023 – 2023/0140(COD))

**Proposal for a regulation**

**Article 18**

*Text proposed by the Commission*

*Amendment*

*Article 18*

*deleted*

**1. Member States may decide to use or to encourage companies working in the field of relevant defence products to use derogations provided for in Article 17(3) of Directive 2003/88/EC in order to allow expansion of working shifts hence facilitating continuity of production in the field of relevant defence products, if they deem it necessary to achieve the objectives of this regulation.**

**2. To that end and where prior authorisation is required, all national authorities concerned shall ensure that the most rapid treatment legally possible is given to applications from companies working in the field of relevant defence products to use such derogations.**

Or. en

*Justification*

*“Applies throughout the text”.*

*Directive 2003/88/EC is a guarantee for protecting EU citizens’ health and safety and it allows for sufficient flexibility that makes it possible for companies to tackle acute needs for more workers’ involvement. The increased demand for ammunition shall not allow for derogations from rules that protect workers against excessive pressures and accidents. The EU should not encourage Member States to put workers' health and safety at risk.*



25.5.2023

C9-0161/42

**Amendment 42**

**Pedro Marques, Elisabetta Gualmini, Agnes Jongerius, Gabriele Bischoff**  
on behalf of the S&D Group

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**C9-0161/2023**

Act in Support of Ammunition Production  
(COM(2023)0237 – C9-0161/2023 – 2023/0140(COD))

**Proposal for a regulation**

**Recital 41**

*Text proposed by the Commission*

*Amendment*

***(41) In order to optimize the use of existing supply chains, hence ensuring the continuity of production of relevant defence products, Member States should consider the possibility to recourse or to encourage concerned companies to recourse to derogations provided for by Directive 2003/88/EC of the European Parliament and of the Council. Where a prior authorization from national authorities is required to use such derogations, applications should be processed in an efficient and timely manner.***

***deleted***

Or. en

*Justification*

*“Applies throughout the text”.*

*Directive 2003/88/EC is a guarantee for protecting EU citizens' health and safety and it allows for sufficient flexibility that makes it possible for companies to tackle acute needs for more workers' involvement. The increased demand for ammunition shall not allow for derogations from rules that protect workers against excessive pressures and accidents. The EU should not encourage Member States to put workers' health and safety at risk.*