# 歐盟 CBAM 規範簡化要點

114.3.28 淨零辦

#### 壹、背景說明:

- 一、歐盟執委會於2025年2月26日通過簡化歐盟規範綜合提案,並 發布下列文件:
  - (一)歐盟執委會簡化 CBAM 規範提案工作文件 <sup>1</sup>(以下稱提案工作文件): 說明整體 CBAM 調整緣由與辦理規劃。
  - (二)簡化 CBAM 規範草案 <sup>2</sup>(以下稱簡化規範草案):僅提出 CBAM 母法之修正條文,由於正式期子法尚未提出,提案 工作文件涉及子法細部規範部分,未納入此次草案內。
- 二、後續立法程序:續送歐盟理事會與歐洲議會審議,俟歐盟理事會、歐洲議會與歐盟執委會達成協議後,正式文本將公告 歐盟公報實施。

#### 貳、簡化規範草案:

一、提高微量免徵門檻(de minimis)(§2):年進口量未達 50 噸的進口商可豁免 CBAM 授權、報告及購買憑證的義務,但需自行監控進口量是否超標。(原微量免徵門檻為進口納管產品價值在 150 歐元以下)。

# 特別須提醒廠商事項:

須視歐盟端進口商全年累積進口量是否低於 50 噸以下,我國廠商方能免除 CBAM 義務。

# 二、納管產品範疇:

COMMISSION STAFF WORKING DOCUMENT, amending Regulation (EU) 2023/956 as regards simplifying and strengthening the carbon border adjustment mechanism.

<sup>&</sup>lt;sup>2</sup> REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL. amending Regulation (EU) 2023/956 as regards simplifying and strengthening the carbon border adjustment mechanism.

- (一)依據簡化規範草案 Annex I (納管產品清單),將其他高嶺土 (CN code 2507 00 80)範疇的未鍛燒者(non-calcined kaolinic clays)免除納管。
- (二)依據簡化規範草案 Annex II (僅需計算直接排放產品清單), 將電力(CN code 2716 00 00)移至 Annex II,電力產品碳含量 僅須採計其直接排放。

#### 三、預設值(Default values):

- (一)修訂數據蒐集條款:依據簡化規範草案附件 I<sup>3</sup>預設值依公開數據(如:IEA、國際產業協會)與第三國申報資料或第三國提供資訊,確保方法可行且數據一致。
- (二)預設值的替代計算方法:依據簡化規範草案附件 I<sup>4</sup>,對於特定產品無可靠數據的出口國,使用「排放強度前 10 高國家平均值」來替代現行基於歐盟最差表現設施的計算方法。

### 特別須提醒廠商事項:

- 1.針對我國穩定出口歐盟(過渡期都有出口的廠商)的納管產品,應不 會使用「排放強度前 10 高國家平均值」計算。
- 2.非定期且少量出口歐盟的納管產品,較可能被歐盟使用「排 放強度前 10 高國家平均值」設定預設值。

# 四、產品碳含量計算:

<sup>&</sup>lt;sup>3</sup>簡化規範草案附件 I. in point 4, the third sentence is deleted.

For the purpose of determining default values, only actual values shall be used for the determination of embedded emissions. In the absence of actual data, literature values may be used. The Commission shall publish guidance for the approach taken to correct for waste gases or greenhouse gases used as process input, before collecting the data required to determine the relevant default values for each type of goods listed in Annex I. Default values shall be determined based on the best available data. Best available data shall be based on reliable and publicly available information. Default values shall be revised periodically through the implementing acts adopted pursuant to Article 7(7) based on the most up-to-date and reliable information, including on the basis of information provided by a third country or group of third countries.

<sup>&</sup>lt;sup>4</sup> 簡化規範草案附件 I. When reliable data for the exporting country cannot be applied for a type of goods, the default values shall be based on the average emission intensity of the ten exporting countries with the highest emission intensities for which reliable data can be applied for that type of goods.

- (一)豁免下游產品加工製程排放量計算:依據簡化規範草案立法 說明第13段<sup>5</sup>,考量下游產品的排放量主要來自中間產品, 下游產品加工製程排放量占比少且 EU ETS 並未納管,爰下 游產品加工製程排放量無須納入計算。惟該項內容尚未納 入條文,須持續關注後續子法。
- (二)豁免使用歐盟出口中間產品之碳含量計算:依據簡化規範草案立法說明第 14 段 6,倘投入中間產品已由 EU ETS 或與 EU ETS 連結碳定價機制納管,計算複雜產品之產品碳含量時,無須再計入前述中間產品之碳含量。

# 特別須提醒廠商事項:

惟該項內容尚未納入條文,須持續關注後續子法是否有把豁免下游產品加工製程排放量計算納入子法條文。

#### 五、CBAM 申報:

- (一)CBAM 憑證販售時間(§第 20.1 條):調整為 2027 年 2 月 1 日開始販售(原為 2026 年 1 月 1 日)。
- (二)申報與憑證繳交時間(§第 22.1 條):延後為每年 8 月 31 日前 完成 CBAM 申報與憑證繳交(原為每年 5 月 31 日)。
- (三)CBAM 憑證管理(§第 22.2 條): 放寬為每季 CBAM 憑證餘額不得小於依預設值計算產品碳含量 50% (原為 80%)。

#### 特別須提醒廠商事項:

<sup>5</sup> 簡化規範草案立法說明第13段. The embedded emissions of some aluminium and steel goods currently included in the scope of CBAM are primarily determined by the embedded emissions of input materials (precursors), while the emissions arising during the production steps of those goods are typically relatively low. They consist of finishing processes that are carried out by separate installations not covered by the EU emissions trading system ('EU ETS') as provided for in Directive 2003/87/EC of the European Parliament and of the Council17, except for the case of integrated facilities. The embedded emissions of those production processes should be excluded from the system boundaries of the calculation of emissions.

<sup>&</sup>lt;sup>6</sup> 簡化規範草案立法說明第14段. Where input materials (precursors) have already been subject to the EU ETS or to a carbon pricing system that is fully linked with the EU ETS, the embedded emissions of those precursors should not be accounted for in the calculation of the embedded emissions of complex goods.

- 1.CBAM 正式期並無延後執行,一樣是 2026 年開始,只是購買憑證的時間延後。
- 2.申報時間延後,建議廠商分流安排查驗時間在每年5月之後。 六、碳定價
  - (一)新增第三國碳定價預設值(§第 9.3a 條):基於公開可得數據 (如國際能源機構或世界銀行)設定,作為當進口商無法取得 證明之申報依據。
  - (二)申報義務人可選用碳定價預設值或實際支出碳定價進行憑證抵減:依據提案工作文件 3.4.3.2 節 7,申報義務人可選用執委會公告的碳定價預設值,或第三國生產商實際支付碳定價證明文件,作為 CBAM 憑證抵減。

<sup>7</sup> 提案工作文件3.4.3.2節第二段:

The default carbon prices would function similarly to default values for the calculation of embedded emissions: declarants would be given the possibility to choose either to rely on the Commission default carbon price, or to claim the deduction of the carbon price effectively paid (where no changes are made compared to the current CBAM Regulation).