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COVER NOTE

From:	The Irish Parliament (Houses of the Oireachtas)
date of receipt:	27 July 2023
To:	The President of the Council of the European Union
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on establishing a framework of measures for strengthening Europe's net-zero technology products manufacturing ecosystem (Net Zero Industry Act) [7613/23 - COM(2023)161] - Opinion of the Parliament of Ireland on the application of the Principles of Subsidiarity and Proportionality

Delegations will find enclosed the opinion[1] of the Irish Parliament on the above-mentioned subject.

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[1] The translation(s) of the opinion may be available on the Interparliamentary EU Information Exchange website (IPEX) at the following address: https://secure.ipex.eu/IPEXL-WEB/document/COM-2023-0161

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An Comhchoiste um Fhiontair, Trádáil agus Fostaíocht

Cion Polaitiúil maidir le COM (2023) 161

Togra le haghaidh RIALACHÁN Ó PHARLAIMINT NA hEorpa AGUS ÓN gCOMHAIRLE maidir le creat beart a bhunú chun éiceachóras monaraíochta táirgí teicneolaíochta glan-nialasacha na hEorpa a neartú (An tAcht um Thionsal Glan-nialasach)

Houses of the Oireachtas

Joint Committee on Enterprise, Trade and Employment

Political Contribution on COM (2023) 161

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on establishing a framework of measures for strengthening Europe's net-zero technology products manufacturing ecosystem (Net Zero Industry Act)

July 2023 **33/ETE/20**

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INTRODUCTION

1. The Oireachtas Joint Committee on Enterprise, Trade and Employment ("the Committee") considers the EU Legislative proposal of:

- COM (2023) 161

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on establishing a framework of measures for strengthening Europe's net-zero technology products manufacturing ecosystem (Net Zero Industry Act).

COMMITTEE SCRUTINY

2. The Committee held one public engagement to discuss the Net Zero Industry Act. The public engagement took place on 5 July 2023 with representatives of:

    - Irish Business and Employers Confederation,
    - Irish Bioenergy Association,
    - Hydrogen Ireland, and
    - Amber Research.

Opening statements are available here[1], a video is available to review here[2] and a transcript of the meeting is available here[3].

The Committee formally considered COM (2023)161 in private session, on 14 June, 5 July, and 12 July. It has agreed to provide a Political Contribution in response to the proposal.

[1] Documents – Committee on Enterprise, Trade and Employment – 33rd Dáil, 26th Seanad – Houses of the Oireachtas
[2] https://www.oireachtas.ie/en/debates/debate/joint_committee_on_enterprise_trade_and_employment/2023-07-05/
[3] https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_enterprise_trade_and_employment/2023-07-05/debate/mul@/main.pdf

DECISION OF THE COMMITTEE

3. On 12 July 2023, the Committee agreed to forward a copy of this political contribution to:

- the Minister for Enterprise, Trade and Employment, Simon Coveney T.D.,
- the President of the European Commission, Ms Ursula von der Leyen,
- the President of the European Parliament, Ms Roberta Metsola, and
- the President of the European Council, Mr Charles Michel.

The Committee further agreed that, in the interests of interparliamentary cooperation on European Union matters, a copy of this political contribution would be forwarded to the appropriate body in the national parliament of each European Union Member State and to Ireland's Members of the European Parliament.

OPINION OF THE JOINT COMMITTEE

4. Having considered the proposal in detail, the Joint Committee on Enterprise, Trade and Employment makes the following observations:

a. The Committee is supportive of the objectives of the Net Zero Industry Act, which aims to improve the European Union's economic resilience by decarbonising its industries and transport systems which aims to enhance the competitiveness of European industries and achieve the EU's climate goals.

b. The Committee regrets that an impact analysis has not yet been undertaken. The Committee believes this analysis would provide important and supportive information relevant to the new Net Zero Industry Act proposal if provided to Member State parliaments. The Committee believes that this requirement is essential for a transparent

assessment of the new Act and to avoid any unintended consequences. Therefore, the Committee recommends a detailed impact analysis is undertaken as soon as possible. EU Member States and the civil rights of their citizens were not sufficiently considered during the creation of this proposal.

c. The Committee agrees that any EU rule changes aimed at facilitating the implementation of the Net Zero Industry Act cannot put Ireland and smaller states at a competitive disadvantage.

d. The Committee expresses a positive outlook towards the concept of net-zero academies and enhancing the skills dimension, establishing academies to develop the skills needed for transformational change in energy systems. However, the Committee notes that the EU Commission has yet to publish important details on the European Academies or provide information on how Member States can implement requirements arising from this proposal. The Committee requests further clarity and detail as to how the academies will interact with the education system at all levels and the potential implications for workforce training.

e. The Committee raises concerns about funding and research and development (R&D) in achieving the transition to net zero. Financing and funding are crucial for the development of net zero industry projects. The Committee calls for comprehensive innovation and research support policy.

f. The Committee recommends that all measures to increase energy supply chain capacity for the EU be appropriately screened taking account of all concerns. The proposal should ensure that the EU prevents a global race to the bottom by ensuring developers competing in auctions can show that they are not sourcing equipment from countries with poor labour or environmental protection standards.

g. The Committee highlights the importance of considering the Net Zero Industry Act in conjunction with the Critical Raw Materials Act. These two Acts were published around the same time and should be read together to gain a comprehensive understanding. The Committee requests that the EU ensures a coherent application of the Net Zero Industry Act and the Critical Raw Materials Act.

h. The Committee recommends the inclusion of the entire value chain in the European legislative proposals.

i. The Committee is concerned in relation to the creation of a "Central Point of Contact" in the proposed legislation; the Committee notes with concern that this would lead to a significant increase of administration expenses in the various Member States.

j. The Committee is concerned that the focus on manufacturing is unclear and underestimated, and the core technologies' challenges should be prioritised. The proposal lacks detail on industry opportunities and material components and product manufacturers.

k. The Committee notes with concern that Pillar 4 acknowledges the need for an enhanced workforce but has reservations about the education and training provided through the net zero academy and the lack of detail contained in the proposal.

l. The Committee is concerned that although flexibility is mentioned in theory, it is not reflected in practice. The Committee advocate for a comprehensive review of the various benefits associated with each type of renewable energy to develop a mechanism and framework that can support them without disenfranchising certain technologies. The

Committee further recommends the inclusion of Bioenergy and the benefits and opportunities associated with this energy technology.

m. The Committee expresses concerns about a list-based system, where technologies not included on the list may not be recognised as viable solutions within the political and legislative landscape, leading to their disenfranchisement compared to listed technologies.

n. The Committee recommends that the proposal should clearly state that wind energy projects competing in auctions which use technology manufactured in Europe should get an advantage in the auction.

Maurice Quinlivan T.D.,
Cathaoirleach,
Joint Committee on Enterprise, Trade and Employment
12 July 2023

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Houses of the Oireachtas

Joint Committee on Enterprise, Trade and Employment

Political Contribution on

COM (2023) 161

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on establishing a framework of measures for strengthening Europe's net-zero technology products manufacturing ecosystem (Net Zero Industry Act)

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RÉAMHRÁ

1. Déanann Comhchoiste an Oireachtais um Fhiontair, Trádáil agus Fostaíocht ("an Coiste") breithniú ar an togra reachtach AE:

- COM (2023) 161

Togra le haghaidh RIALACHÁN Ó PHARLAIMINT NA hEORPA AGUS ÓN gCOMHAIRLE maidir le creat beart a bhunú chun éiceachóras monaraíochta táirgí teicneolaíochta glan-nialasacha na hEorpa a neartú (An tAcht um Thionscal Glan-Nialasach).

GRINNSCRÚDÚ AN CHOISTE

2. Bhí idirphlé poiblí amháin ag an gCoiste chun plé a dhéanamh ar an Acht um Thionscal Glan-Nialasach. Tionóladh an t-idirphlé poiblí an 5 Iúil 2023 le hionadaithe ó gach ceann díobh seo:

- Cónaidhm Ghnólachtaí agus Fhostóirí na hÉireann,
- Cumann Bithfhuinnimh na hÉireann,
- Hydrogen Ireland, agus
- Amber Research.

Tá na ráitis tosaigh ar fáil anseo[4], tá físeán le breathnú anseo[5] agus tá trascríbhinn den chruinniú ar fáil anseo[6].

Rinne an Coiste breithniú foirmiúil ar COM (2023) 161 i seisiún príobháideach an 14 Meitheamh, 5 Iúil agus 12 Iúil. Chomhaontaigh sé Cion Polaitiúil a sholáthar mar fhreagairt don togra.

[4] Doiciméid – An Coiste um Fhiontair, Trádáil agus Fostaíocht – 33ú Dáil, 26ú Seanad – Tithe an Oireachtais
[5] https://www.oireachtas.ie/en/debates/debate/joint_committee_on_enterprise_trade_and_employment/2023-07-05/
[6] https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_enterprise_trade_and_employment/2023-07-05/debate/mul@/main.pdf

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BREITH AN CHOISTE

3. An 12 Iúil 2023, chomhaontaigh an Coiste cóip den chion polaitiúil seo a chur chucu seo:

- an tAire Fiontar, Trádála agus Fostaíochta, Simon Coveney T.D.,
- Uachtarán an Choimisiúin Eorpaigh, Ursula von der Leyen, Uas.,
- Uachtarán Pharlaimint na hEorpa, Roberta Metsola, Uas., agus
- Uachtarán Chomhairle na hEorpa, Charles Michel, Uas.

- Chomhaontaigh an Coiste thairis sin, ar mhaithe le comhar idirpharlaiminteach maidir le nithe an Aontais Eorpaigh, go gcuirfí cóip den chion polaitiúil seo chuig an gcomhlacht cuí i bparlaimint náisiúnta gach Ballstáit an Aontais Eorpaigh agus chuig Comhaltaí Pharlaimint na hEorpa de chuid na hÉireann.

TUAIRIM AN CHOMHCHOISTE

4. Tar éis dó an togra a bhreithniú go mionsonrach, cuireann an Comhchoiste um Fhiontair, Trádáil agus Fostaíocht na tuairimí seo a leanas in iúl:

   a. Tacaíonn an Coiste le cuspóirí an Achta um Thionscal Glan-Nialasach, arb é is aidhm leis athléimneacht eacnamaíoch an Aontais Eorpaigh a fheabhsú trína thionscail agus a chórais iompair a dhícharbónú a bhfuil d'aidhm leo iomaíocht thionscail na hEorpa a fheabhsú agus spriocanna aeráide AE a bhaint amach.

   b. Is oth leis an gCoiste nach bhfuil anailís tionchair déanta go fóill. Tá an Coiste den tuairim go ndéanfaí leis an anailís sin faisnéis thábhachtach agus thacúil, a bheadh iomchuí maidir leis an Acht um Thionscal Glan-Nialasach, a sholáthar do pharlaimintí na mBallstát. Creideann an Coiste gur ríthábhachtach é an ceanglas sin chun measúnú trédhearcach a dhéanamh ar an Acht nua agus chun aon iarmhairtí

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nach mbeifí ag súil leo a sheachaint. Ar an ábhar sin, molann an Coiste go ndéanfar anailís tionchair mhionsonrach a luaithe is féidir. Níor cuireadh Ballstáit AE ná cearta a saoránach san áireamh a dhóthain le linn don togra seo a chruthú.

c. Comhaontaíonn an Coiste nach bhféadfaidh go gcuirfear Éire ná ballstáit bheaga faoi mhíbhuntáiste iomaíochta de bharr athruithe ar rialacha AE atá dírithe ar chur i ngníomh an Achta um Thionscal Glan-Nialasach a éascú.

d. Léiríonn an Coiste go bhfuil dearcadh dearfach aige maidir le coincheap acadamh glan-nialasacha agus an ghné scileanna a fheabhsú, acadaimh a bhunú chun na scileanna is gá don athrú claochlaitheach i gcórais fuinnimh a fhorbairt. Ach tugann an Coiste dá aire áfach go bhfuil mionsonraí tábhachtacha i dtaobh na nAcadamh Eorpach le foilsiú go fóill ag an gCoimisiún Eorpach nó faisnéis a sholáthar maidir leis an tslí ar féidir leis na Ballstáit ceanglais a éiríonn as an togra seo a chur i ngníomh. Tá tuilleadh soiléirithe agus mionsonraí á n-iarraidh ag an gCoiste ar an tslí a mbeidh na hacadaimh ag idighníomhú leis an gcóras oideachais ar gach leibhéal agus ar na himpleachtaí a bheidh ann d'oiliúint fórsa oibre.

e. Cuireann an Coiste ábhar imní in iúl faoi mhaoiniú agus taighde agus forbairt le linn an t-athrú chuig tionscal glan-nialasach a bhaint amach. Tá airgeadú agus maoiniú ríthábhachtach chun tionscadail um thionscal glan-nialasacha a fhorbairt. Déanann an Coiste a iarraidh go mbeidh nuálaíocht chuimsitheach ann agus beartas lena dtabharfar tacaíocht do thaighde.

f. Molann an Coiste go ndéanfar scagadh cuí ar gach beart chun acmhainn shlabhra an tsoláthair fuinnimh d'AE a mhéadú agus gach ábhar imní a chur san áireamh. Ba chóir go gcinnteofaí leis an togra go ndéanfaidh AE claonadh chun donais ar leibhéal an domhain a chosc

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trína chinntiú go bhféadfaidh forbróirí, a bheidh in iomaíocht lena chéile i gceantanna, a léiriú nach bhfuil trealamh á fhoinsiú acu i dtíortha ina bhfuil droch-chaighdeáin maidir le saothar nó caomhnú comhshaoil.

g. Leagann an Coiste béim ar an tábhacht a bhaineann leis an Acht um Thionscal Glan-Nialasach a bhreithniú i gcomhar leis an Acht um Amhábhair Chriticiúla. Foilsíodh an dá Acht timpeall an ama céanna agus is cóir iad a léamh le chéile chun tuiscint chuimsitheach a fháil orthu. Iarrann an Coiste go ndéanfar an tAcht um Thionscal Glan-Nialasach agus an tAcht um Amhábhair Chriticiúla a chur i bhfeidhm go comhleanúnach.

h. Molann an Coiste go ndéanfar an slabhra luacha iomlán a chur sna tograí reachtacha Eorpacha.

i. Tá imní ar an gCoiste i ndáil le “Lárphointe Teagmhála” a chruthú sa reachtaíocht bheartaithe; tugann an Coiste dá aire le himní go méadófaí go mór costais riaracháin sna Ballstáit éagsúla mar thoradh air sin.

j. Tá ábhar imní ag an gCoiste gur míshoiléir atá an bhéim ar mhonaraíocht agus gur faoina luach atá sí á meas, agus gur cóir tosaíocht a thabhairt do dhúshláin na bpríomh-theicneolaíochtaí. Tá easpa mionsonraí sa togra maidir le deiseanna tionscail agus comhpháirteanna ábhar agus monaróirí táirgí.

k. Tugann an Coiste dá aire le himní go n-aithnítear le Colún 4 an gá atá le fórsa oibre feabhsaithe ach go bhfuil amhras air maidir leis an oideachas agus an oiliúint a sholáthraítear tríd an acadamh glan-nialasach agus maidir leis an easpa mionsonraí sa togra.

l. Bhí imní ar an gCoiste nach raibh solúbthacht á léiriú i gcleachtadh, cé go luaitear go teoiriciúil í. Iarrann an Coiste go ndéanfar athbhreithniú

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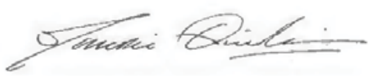
cuimsitheach ar na tairbhí éagsúla a bhaineann le gach cineál fuinnimh inathnuaite chun gléasra agus creat a fhorbairt lena bhféadfar tacú leo gan teicneolaíochtaí eile a dhíchumhachtú. Molann an Coiste thairis sin go n-áireofar Bithfhuinneamh agus na tairbhí agus na deiseanna a bhaineann leis an teicneolaíocht fuinnimh sin.

m. Cuireann an Coiste ábhar imní in iúl maidir le córas atá bunaithe ar liosta, sa chás go bhféadfaidh na teicneolaíochtaí sin nach bhfuil ar an liosta gan aitheantas a fháil mar réitigh inmharthana laistigh den tírdhreach pholaitiúil agus reachtach, arb é an toradh air sin go ndéanfaí iad a dhíchumhachtú i gcomparáid leis na teicneolaíochtaí atá ar an liosta.

n. Molann an Coiste gur chóir a lua go soiléir sa togra gur cheart buntáiste a thabhairt do thionscadail fuinnimh gaoithe atá in iomaíocht i gceantanna ina n-úsáidtear teicneolaíocht a dhéantar san Eoraip.



Maurice Quinlivan T.D.,
Cathaoirleach,
An Comhchoiste um Fhiontair, Trádáil agus Fostaíocht
12 Iúil 2023

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