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From: Permanent Representatives Committee (Part 1)
To: Council

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Subject: Proposal for a Regulation on establishing a framework of measures for strengthening Europe's net-zero technology products manufacturing ecosystem (Net Zero Industry Act)
- *General approach*
- *Protocol declaration by Austria*

Delegations will find attached a protocol declaration by Austrian delegation on above-mentioned subject with a view to the Competitiveness Council meeting on 7 December 2023.

Statement for the minutes by Austria**Net Zero Industry Act – General Approach****Competitiveness Council (Internal Market and Industry) | 7 December 2023**

Austria sees the Net Zero Industry Act as a key milestone for accelerating the green transition, strengthening competitiveness and achieving the common European climate neutrality target. We support the objective of this proposal for a Regulation, this being to accelerate the development and expansion of production capacity, particularly for renewable energy in the EU.

Austria cannot and will not support a transformation which is, however, based on nuclear technology and which, moreover, promotes the latter even further and focuses on it as a technology of the future. Nuclear technology is neither sustainable, nor cost-effective, nor safe. In any event, for Austria the nuclear technologies listed in Articles 3a and 3b are not technologies that will serve the green transition. Austria therefore strongly regrets that nuclear technology has been included and given equivalent status in the draft General Approach on the Net Zero Industry Act (Articles 3a and 3b) and hopes that this will be changed in negotiations with Parliament.

As regards Chapter III on CO₂ injection capacity, Austria notes that a national ban on CO₂ storage (the Federal Act on the Prohibition of Geological Storage of Carbon Dioxide) is currently in force, and is being evaluated. In this context, appropriate consideration must be given to the non-implementation of Directive 2009/31/EC in Austria.. In any case, the scope of the provisions and objectives set out in Chapter III must not result in a competitive disadvantage for undertakings in those Member States in which national legislation prohibiting CO₂ storage is in force. We are also in favour of a regional extension to the EEA area of eligibility with regard to the CO₂ storage obligation.