Council of the
European Union

Brussels, 15 January 2024
(OR. en)

5334/24

Interinstitutional File:
2023/0081(COD)

COMPET 42
IND 23
MI 30
BETREG 2
DIGIT 6
ECOFIN 37
EDUC 11
ENER 17
POLCOM 12
RECH 17
CODEC 55

NOTE

From:	Presidency/General Secretariat of the Council
To:	Delegations
No. prev. doc.:	16521/23
No. Cion doc.:	7613/23 + 7613/23 ADD1
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) *- 4-column document*

Delegations will find attached the text of the four-column document for the above-mentioned proposal, containing the initial positions of the institutions.

ANNEX

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) (Text with EEA relevance)

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Formula				
1	2023/0081 (COD)	2023/0081 (COD)	2023/0081 (COD)	2023/0081 (COD)

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Proposal Title				
2	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) (Text with EEA relevance)	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) (Text with EEA relevance)	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) (Text with EEA relevance)	

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Formula				
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
Citation 1				
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 114 thereof, **and Article 192(1) thereof in relation to Articles 16**	

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			to 18 of this Regulation,	
Citation 2				
5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	
Citation 3				
6	After transmission of the draft legislative act to the national	After transmission of the draft legislative act to the national	After transmission of the draft legislative act to the national	

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	Parliaments,	Parliaments,	Parliaments,	
Citation 4				
7	Having regard to the opinion of the European Economic and Social Committee[1], _____ 1. OJ C [...], [...], p. [...]	Having regard to the opinion of the European Economic and Social Committee[1], _____ 1. OJ C ~~[...], [...], p~~***349, 29.9.2023, p.179***.~~[...]~~	Having regard to the opinion of the European Economic and Social Committee[1], _____ 1. **[1] OJ C 349, 29.09.2023, p. 179**~~OJ C [...], [...], p. [...]~~	

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Citation 5				
8	Having regard to the opinion of the Committee of the Regions[1], _____ 1. OJ C [...], [...], p. [...]	Having regard to the opinion of the Committee of the Regions[1], _____ 1. OJ C***, C/2023/254, 26.10.2023, ELI: http://data.europa*** ~~*[...], [...], p. [...]*~~ ***eu/eli/C/2023/254/oj***	Having regard to the opinion of the Committee of the Regions[1], _____ 1. **[1] OJ C 2023/254, 26.10.2023**~~OJ C [...], [...], p. [...]~~	
Citation 6				
9				

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	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	
Formula				
10	Whereas:	Whereas:	Whereas:	
Recital -1				
10a		***(-1) The prime medium-term objective of European industrial***		

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		policy is to enable Union industry to implement the energy, climate, environmental and digital transitions, while preserving its competitiveness on the global market, maintaining quality jobs in Europe and strengthening its ability to innovate and produce in Europe, particularly with regard to clean technologies.		
Recital 1				
11	(1) The Union has committed to the accelerated decarbonisation of	(1) The Union has committed to the accelerated decarbonisation of	(1) The ~~Union has committed to the accelerated decarbonisation of~~	

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	its economy and ambitious deployment of renewable energy sources to achieve climate neutrality or net zero emissions (emissions after deduction of removals) by 2050. That objective is at the heart of the European Green Deal, the updated EU Industrial Strategy, and in line with the Union's commitment to global climate action under the Paris Agreement[1]. To reach the climate neutrality goal, Regulation (EU) 2021/1119 of the European Parliament and of the Council[2] sets a binding Union climate target to reduce net greenhouse gas emissions by at least 55% by 2030	its economy and ambitious deployment of renewable energy sources to achieve climate neutrality or net zero emissions (emissions after deduction of removals) by 2050. That objective is at the heart of the European Green Deal, the updated EU Industrial Strategy, and in line with the Union's commitment to global climate action under the Paris Agreement[1]. To reach the climate neutrality goal, Regulation (EU) 2021/1119 of the European Parliament and of the Council[2] sets a binding Union climate target to reduce net greenhouse gas emissions by at least 55% by 2030	~~its economy and ambitious deployment of renewable energy sources to achieve climate neutrality or net zero emissions (emissions after deduction of removals) by 2050. That objective is at the heart of the European Green Deal, the updated EU~~**net-zero transformation is already causing huge** industrial~~ Strategy, and in line with the Union's commitment to global climate action under the Paris Agreement[1]. To reach the climate neutrality goal, Regulation (EU) 2021/1119 of the European Parliament and of the Council[2] sets a binding Union climate target to reduce net~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	compared to 1990. The proposed "Fit for 55"[3] package aims to deliver on the Union's 2030 climate target and revises and updates Union legislation in this respect. _____ 1. Council Decision (EU) 2016/1841 of 5 October 2016 on the conclusion, on behalf of the European Union, of the Paris Agreement adopted under the United Nations Framework Convention on Climate Change OJ L 282, 19.10.2016, p. 4.	compared to 1990. The proposed "Fit for 55"[3] package aims to deliver on the Union's 2030 climate target and revises and updates Union legislation in this respect. _____ 1. Council Decision (EU) 2016/1841 of 5 October 2016 on the conclusion, on behalf of the European Union, of the Paris Agreement adopted under the United Nations Framework Convention on Climate Change OJ L 282, 19.10.2016, p. 4.	~~greenhouse gas emissions by at least 55% by 2030 compared to 1990. The proposed "Fit for 55"[3] package aims to deliver on the Union's 2030 climate target and revises and updates Union legislation in this respect~~**, economic, and geopolitical shifts across the globe, which will become ever more pronounced as the world advances in its decarbonisation efforts**. _____ ~~1. Council Decision (EU) 2016/1841 of 5 October 2016 on the conclusion, on behalf of the European Union, of the Paris~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	2. Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 (‘European Climate Law’) (OJ L 243, 9.7.2021, p. 1). 3. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. 'Fit for 55': delivering the EU's 2030	2. Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 (‘European Climate Law’) (OJ L 243, 9.7.2021, p. 1). 3. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. 'Fit for 55': delivering the EU's 2030	~~Agreement adopted under the United Nations Framework Convention on Climate Change OJ L 282, 19.10.2016, p. 4.~~ ~~2~~. ~~Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 (‘European Climate Law’) (OJ L 243, 9.7.2021, p. 1).~~ ~~3~~. ~~Communication from the Commission to the European~~	

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	Climate Target on the way to climate neutrality. COM(2021) 550, 14.7.2021.	Climate Target on the way to climate neutrality. COM(2021) 550, 14.7.2021.	~~Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. 'Fit for 55': delivering the EU's 2030 Climate Target on the way to climate neutrality. COM(2021) 550, 14.7.2021.~~	
Recital 1a				
11a		***(1a) As outlined in the Green Deal Industrial Plan, the Union needs to take measures to ensure***	**(1a) Given the complexity and the transnational character of net-zero technologies,**	

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		it can speed up net-zero industrial transformation at home. This Regulation is part of those measures and aims to enhance the business case for industrial decarbonisation in the Union	**uncoordinated national measures to ensure access to those technologies would have a high potential of distorting competition and fragmenting the Single market. Uncoordinated actions of Member States may result in imposing diverging regulation for market operators, providing different levels of access to supply of net-zero technologies across Member States, including by providing different levels of support to net-zero technology manufacturing projects, providing diverging rules and uncoordinated forms of procurement, diverging**	

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			processes and durations in relation to permit-granting procedures, that would lead to obstacles to cross-border trade between Member States thus hindering the proper functioning of the internal market. Therefore, to safeguard the functioning of the Single Market it is necessary to create a common Union legal framework to collectively address this central challenge by increasing the Union's resilience, and security of supply in the field of net-zero technologies.	

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Recital 1b				
11b		***(1b) In the interest of the Union's strategic autonomy, a greater focus on the circularity and long lifespans of technologies is essential to strengthen the resilience of Union's manufacturing industry, while reducing its environmental impacts to contribute to its sustainable competitiveness.***	**(1b) At the same time, the Union has committed to the accelerated decarbonisation of its economy and ambitious deployment of renewable energy sources to achieve climate neutrality or net zero emissions (emissions after deduction of removals) by 2050. That objective is at the heart of the European Green Deal, the updated EU Industrial Strategy, and in line with the Union's commitment to global climate action under the Paris**	

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			Agreement[1]. To reach the climate neutrality goal, Regulation (EU) 2021/1119 of the European Parliament and of the Council[2] sets a binding Union climate target to reduce net greenhouse gas emissions by at least 55% by 2030 compared to 1990. The proposed "Fit for 55"[3] package aims to deliver on the Union's 2030 climate target and revises and updates Union legislation in this respect. **_____** **1. [1] Council Decision (EU) 2016/1841 of 5 October 2016 on the conclusion, on**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			behalf of the European Union, of the Paris Agreement adopted under the United Nations Framework Convention on Climate Change OJ L 282, 19.10.2016, p. 4. **2. [2] Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			Law') (OJ L 243, 9.7.2021, p. 1). **3. [3] Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. 'Fit for 55': delivering the EU's 2030 Climate Target on the way to climate neutrality. COM(2021) 550, 14.7.2021.**	
Recital 1c				

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11c			**(1c) In addition, the Communication on the Green Deal Industrial Plan for the Net-Zero Age[1] sets out a comprehensive approach to support a clean energy technology scale up based on four pillars. The first pillar aims at creating a regulatory environment that simplifies and streamlines permitting for new net-zero technology manufacturing and assembly sites as well as facilitating the scaling up of the net-zero industry of the Union. The**	

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			second pillar of the plan is to boost investment in and financing of net-zero technology production. The third pillar relates to developing the skills needed to make the transition happen and increase the number of skilled workers in the clean energy technology sector. The fourth pillar focuses on trade and the diversification of the supply chain of critical raw materials. That includes creating a critical raw materials club, working with like-minded partners to collectively strengthen supply chains and diversifying away from single suppliers for critical	

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			input. _____ **1. [1] Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions: A Green Deal Industrial Plan for the Net-Zero Age, COM/2023/62 final, 01.02.2023.**	

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Recital 2				
12	(2) The Single Market provides the appropriate environment for enabling access at the necessary scale and pace to the technologies required to achieve the Union's climate ambition. Given the complexity and the transnational character of net-zero technologies, uncoordinated national measures to ensure access to those technologies would have a high potential of distorting competition and fragmenting the Single market. Therefore, to safeguard the	(2) The Single Market provides the appropriate environment for enabling access at the necessary scale and pace to the technologies required to achieve the Union's climate ambition ***as well as the promise of the European Green Deal to turn decarbonisation into sustainable competitiveness***. Given the complexity and the transnational character of net-zero technologies, uncoordinated national measures to ensure access to those technologies would have a	(2) The Single Market provides the appropriate environment for enabling **cross-border** access at the necessary scale and pace to the technologies required to achieve the Union's climate **and energy** ambition. ~~Given the complexity and the transnational character of net-zero technologies, uncoordinated national measures to ensure access to those technologies would have a high potential of distorting competition and fragmenting the Single market.~~	

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	functioning of the Single market it is necessary to create a common Union legal framework to collectively address this central challenge by increasing the Union's resilience and security of supply in the field of net-zero technologies.	high potential of distorting competition and fragmenting the Single market. Therefore, to safeguard the functioning of the Single market it is necessary to create a common Union legal framework to collectively address this central challenge by increasing the Union's resilience and security of supply in the field of net-zero technologies.	~~Therefore, to safeguard the functioning of the Single market it is necessary to create a common Union legal framework to collectively address this central challenge by increasing~~**The road to net-zero translates into strong opportunities for the expansion of the Union's net-zero industry, making use of the strength of the Single Market, by promoting investment in technologies, allowing for the decarbonisation of our economic sectors, from energy supply to transport, buildings, and industry. A strong net-zero industry within the European Union can help**	

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			significantly in reaching the Union's ~~resilience and security of supply in the field of net-zero technologies~~**climate and energy targets effectively, as well as in supporting other Green Deal objectives, while safeguarding and creating quality jobs and growth**.	
Recital 2a				
12a		***(2a) Any additional mobilisation of State aid should be targeted and temporary, and should be***		

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		consistent with Union policy objectives such as the Green Deal and the European Pillar of Social Rights. Such financing should not lead to additional disparities among Member States in line with the Union's competition and cohesion policies.		
Recital 2b				
12b		***(2b) The International Energy Agency estimates that the global market for key mass manufactured clean energy***		

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		technologies will be worth around USD 650 billion a year by 2030, which is more than three times the current level. The net-zero industry globally is growing at an increasing rate, to the extent of demand sometimes outpacing supply. The Union industry is part of an open, export-oriented, capital intensive, social market economy that can deliver prosperity for Union citizens only if it is competitive on and open to the global market. The Union's ambition for the net-zero industry should be aligned with that reality and should aim to capture a significant global market share.		

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Recital 3				
13	(3) Regarding external aspects, in particular regarding emerging markets and developing economies, the EU will seek win-win partnerships in the framework of its Global Gateway strategy, which contribute to the diversification of its raw materials supply chain as well as to partner countries' efforts to pursue twin transition and develop local value addition.	(3) Regarding external aspects, ~~*in particular*~~***the Union will step up its efforts to join forces with open, democratic partners committed to the Paris Agreement.*** Regarding emerging markets and developing economies, the ~~*EU*~~***Union*** will seek ~~*win win*~~***mutually beneficial*** partnerships in the framework of its Global Gateway strategy, which contribute to the diversification of its raw materials supply chain***, to***	(3) ~~Regarding external aspects, in particular regarding emerging markets and developing economies, the EU will seek win-win partnerships in the framework of its Global Gateway strategy, which contribute to the diversification of its raw materials supply chain as well as to partner countries' efforts to pursue twin transition and develop local value addition.~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		the achievement of global climate objectives as well as to partner countries' efforts to pursue twin transition and develop local value addition.		
Recital 3a				
13a			*deleted*	
Recital 4				

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14	*(4)* To fulfil those commitments, the Union must accelerate its pace of transition to clean energy, notably by increasing energy efficiency and the share of renewable energy sources. This will contribute to achieving the EU targets of the European Pillar of Social Rights Action Plan for 2030 of an employment rate of at least 78% and participation in training of at least 60% of adults. It will also contribute to ensuring that the green transition is fair and equitable[1].	(4) To fulfil those commitments, the Union must accelerate its pace of transition to ***a net-zero economy, including by increasing the share of*** clean energy ***in its energy mix, as well as*** ~~*, notably*~~ by increasing energy efficiency and the share of renewable energy sources. This will contribute to achieving the ~~*EU*~~***Union*** targets of the European Pillar of Social Rights Action Plan for 2030 of an employment rate of at least 78% and participation in training of at least 60% of adults. It will also contribute to ensuring that the	(4) ~~To fulfil those commitments, the Union must accelerate its pace of transition to clean energy, notably by increasing energy efficiency and the share of renewable energy sources. This will contribute to achieving the EU targets of the European Pillar of Social Rights Action Plan for 2030 of an employment rate of at least 78% and participation in training of at least 60% of adults. It will also contribute to ensuring that the green transition is fair and equitable[1].~~	

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	_____ 1. Council Recommendation on ensuring a fair transition towards climate neutrality, adopted on 16 June 2022 as part of the Fit for 55 package.	green transition is fair and equitable[1]. _____ 1. Council Recommendation on ensuring a fair transition towards climate neutrality, adopted on 16 June 2022 as part of the Fit for 55 package.	_____ ~~1. Council Recommendation on ensuring a fair transition towards climate neutrality, adopted on 16 June 2022 as part of the Fit for 55 package.~~	
Recital 5				
15	(5) The higher energy prices after the unjustified and unlawful	(5) The higher energy prices after the unjustified and unlawful	(5) ~~The higher energy prices after the unjustified and unlawful~~	

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	military aggression by the Russian Federation against Ukraine, gave a strong impetus to accelerate the implementation of the European Green Deal and reinforce the resilience of the Energy Union by speeding up the clean energy transition and ending any dependence on fossil fuels exported from the Russian Federation. The REPowerEU plan[1] plays a key role in responding to the hardships and global energy market disruption caused by the invasion of Ukraine by the Russian Federation. That plan aims to accelerate the energy transition in the European Union, in order to	military aggression by the Russian Federation against Ukraine, gave a strong impetus to accelerate the implementation of the European Green Deal and reinforce the resilience of the Energy Union by speeding up the clean energy transition and ending any dependence on fossil fuels exported from the Russian Federation. The REPowerEU plan[1] plays a key role in responding to the hardships and global energy market disruption caused by the invasion of Ukraine by the Russian Federation. That plan aims to accelerate the energy transition in the European Union, in order to	~~military aggression by the Russian Federation against Ukraine, gave a strong impetus to accelerate the implementation of the European Green Deal and reinforce the resilience of the Energy Union by speeding up the clean energy transition and ending any dependence on fossil fuels exported from the Russian Federation. The REPowerEU plan[1] plays a key role in responding to the hardships and global energy market disruption caused by the invasion of Ukraine by the Russian Federation. That plan aims to accelerate the energy transition in the European Union, in order to~~	

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	reduce the Union's gas and electricity consumption and to boost investments in the deployment of energy efficient and low carbon solutions. That plan sets inter alia the targets to double solar photovoltaic capacity by 2025 and to install 600 GW of solar photovoltaic capacity by 2030; to double the rate of deployment of heat pumps; to produce 10 million tonnes of domestic renewable hydrogen by 2030; and to substantially increase production of biomethane. The plan also sets out that achieving the REPowerEU goals will require diversifying the supply of low carbon energy	reduce the Union's gas and electricity consumption and to boost investments in the deployment of energy efficient and low carbon solutions. That plan sets inter alia the targets to double solar photovoltaic capacity by 2025 and to install 600 GW of solar photovoltaic capacity by 2030; to double the rate of deployment of heat pumps; to produce 10 million tonnes of domestic renewable hydrogen by 2030; and to substantially increase production of biomethane ***up to 35 billion cubic meters by 2030***. The plan also sets out that achieving the REPowerEU goals will require diversifying the	~~reduce the Union's gas and electricity consumption and to boost investments in the deployment of energy efficient and low carbon solutions. That plan sets inter alia the targets to double solar photovoltaic capacity by 2025 and to install 600 GW of solar photovoltaic capacity by 2030; to double the rate of deployment of heat pumps; to produce 10 million tonnes of domestic renewable hydrogen by 2030; and to substantially increase production of biomethane. The plan also sets out that achieving the REPowerEU goals will require diversifying the supply of low carbon energy~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	equipment and of critical raw materials, reducing sectoral dependencies, overcoming supply chain bottlenecks and expanding the Union's clean energy technology manufacturing capacity. As part of its efforts to increase the share of renewable energy in power generation, industry, buildings and transport, the Commission proposes to increase the target in the Renewable Energy Directive to 45% by 2030 and to increase the target in the Energy Efficiency Directive to 13%. This would bring the total renewable energy generation capacities to 1236 GW	supply of low carbon energy equipment and of critical raw materials, reducing sectoral dependencies, overcoming supply chain bottlenecks and expanding the Union's clean energy technology manufacturing capacity. As part of its efforts to increase the share of renewable energy in power generation, industry, buildings and transport, the Commission proposes to increase the target in the Renewable Energy Directive to 45% by 2030 and to increase the target in the Energy Efficiency Directive to 13%. This would bring the total renewable energy	~~equipment and of critical raw materials, reducing sectoral dependencies, overcoming supply chain bottlenecks and expanding the Union's clean energy technology manufacturing capacity. As part of its efforts to increase the share of renewable energy in power generation, industry, buildings and transport, the Commission proposes to increase the target in the Renewable Energy Directive to 45% by 2030 and to increase the target in the Energy Efficiency Directive to 13%. This would bring the total renewable energy generation capacities to 1236 GW~~	

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	by 2030, in comparison to 1067 GW by 2030 envisaged under the 2021 proposal and will see increased needs for storage through batteries to deal with intermittency in the electricity grid. Similarly, policies related to the decarbonisation of the road sector, such as Regulation (EU) 2019/631 and Regulation (EU) 2019/1242 will be strong drivers for a further electrification of the road transport sector and thus increasing demand for batteries. _____ 1. Communication of 18 May 2022 from the Commission to	generation capacities to 1236 GW by 2030, in comparison to 1067 GW by 2030 envisaged under the 2021 proposal and will see increased needs for storage through batteries to deal with intermittency in the electricity grid. Similarly, policies related to the decarbonisation of the road sector, such as Regulation (EU) 2019/631[2] and Regulation (EU) 2019/1242[3] ***of the European Parliament and the Council*** will be strong drivers for a further electrification of the road transport sector and thus increasing demand for batteries. _____	~~by 2030, in comparison to 1067 GW by 2030 envisaged under the 2021 proposal and will see increased needs for storage through batteries to deal with intermittency in the electricity grid. Similarly, policies related to the decarbonisation of the road sector, such as Regulation (EU) 2019/631 and Regulation (EU) 2019/1242 will be strong drivers for a further electrification of the road transport sector and thus increasing demand for batteries.~~ _____ ~~1~~. ~~Communication of 18 May 2022 from the Commission to~~	

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	the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, REPowerEU Plan, COM/2022/230 final, 18.05.2022.	1. Communication of 18 May 2022 from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, REPowerEU Plan, COM/2022/230 final, 18.05.2022. ***2. Regulation (EU) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO2 emission performance standards for new passenger cars and for new***	~~the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, REPowerEU Plan, COM/2022/230 final, 18.05.2022.~~	

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		light commercial vehicles, and repealing Regulations (EC) No 443/2009 and (EU) No 510/2011 (recast) (OJ L 111, 25.4.2019, p. 13). ***3. Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO2 emission performance standards for new heavy-duty vehicles and amending Regulations (EC) No 595/2009 and (EU) 2018/956 of the European Parliament and of the Council and Council Directive 96/53/EC (OJ L 198,***		

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		25.7.2019, p. 202).		
Recital 6				
16	(6) The net-zero transformation is already causing huge industrial, economic, and geopolitical shifts across the globe, which will become ever more pronounced as the world advances in its decarbonisation efforts. The road to net zero translates into strong opportunities for the expansion of Union's net-zero industry, making use of the strength of the Single	(6) The net-zero transformation is already causing huge industrial, economic, and geopolitical shifts across the globe, which will become ever more pronounced as the world advances in its decarbonisation efforts. The road ~~to~~***towards a climate neutral, resource-efficient and*** net zero ***economy*** translates into strong opportunities for the expansion of	(6) ~~The net-zero transformation is already causing huge industrial, economic, and geopolitical shifts across the globe, which will become ever more pronounced as the world advances in its decarbonisation efforts. The road to net-zero translates into strong opportunities for the expansion of Union's net-zero industry, making use of the strength of the Single~~	

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	Market, by promoting investment in technologies in the field of renewable energy technologies , electricity and heat storage technologies, heat pumps, grid technologies, renewable fuels of non-biological origin technologies, electrolysers and fuel cells, fusion, small modular reactors and related best-in-class fuels, carbon capture, utilisation, and storage technologies, and energy-system related energy efficiency technologies and their supply chains, allowing for the decarbonisation of our economic sectors, from energy supply to transport, buildings, and industry.	Union's net-zero industry, making use of the strength of the Single Market, by promoting investment in ~~technologies in the field of renewable energy~~***net-zero*** technologies ~~, electricity and heat storage technologies, heat pumps, grid~~***and their supply chains. These are the*** technologies~~, renewable fuels of non-biological origin technologies, electrolysers and fuel cells, fusion, small modular reactors and related best-in-class fuels, carbon capture, utilisation, and storage technologies, and energy-system related energy efficiency technologies and their supply chains~~ ***needed to deliver the***	~~Market, by promoting investment in technologies in the field of renewable energy technologies , electricity and heat storage technologies, heat pumps, grid technologies, renewable fuels of non-biological origin technologies, electrolysers and fuel cells, fusion, small modular reactors and related best-in-class fuels, carbon capture, utilisation, and storage technologies, and energy-system related energy efficiency technologies and their supply chains, allowing for the decarbonisation of our economic sectors, from energy supply to transport, buildings, and industry.~~	

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	A strong net zero industry within the European Union can help significantly in reaching the Union's climate and energy targets effectively, as well as in supporting other Green Deal objectives, while creating jobs and growth.	***objectives of the National Energy and Climate Plans, contributing to the resilience and competitiveness of Union industry***, allowing for the decarbonisation of our economic sectors, from energy supply to transport, buildings, and industry. A strong net zero industry within the ~~*European*~~ Union can help significantly in reaching the Union's climate and energy targets effectively, as well as in supporting other Green Deal objectives, ~~*while*~~***such as*** creating ***quality*** jobs and ***sustainable*** growth***, by creating an industrial base geared towards export as well as domestic supply***.	~~A strong net zero industry within the European Union can help significantly in reaching the Union's climate and energy targets effectively, as well as in supporting other Green Deal objectives, while creating jobs and growth.~~	

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Recital 7				
17	(7) To meet the 2030 climate and energy targets, energy efficiency needs to be prioritised. Saving energy is the cheapest, safest and cleanest way to meet those targets. 'Energy efficiency first' is an overall principle of EU energy policy and is important in both its practical applications in policy and investment decisions. Therefore, it is essential to expand the Union's manufacturing capacity for energy	(7) To meet the ~~*2030*~~***Union's*** climate and energy targets, energy efficiency needs to be prioritised. Saving energy is the cheapest, safest and cleanest way to meet those targets. 'Energy efficiency first' is an overall principle of ~~*EU*~~***Union's*** energy policy and is important in both its practical applications in policy and investment decisions. Therefore, it is essential to expand the Union's	(7) To meet the 2030 climate and energy targets, energy efficiency needs to be prioritised. Saving energy is the cheapest, safest and cleanest way to meet those targets. 'Energy efficiency first' is an overall principle of EU energy policy and is important in both its practical applications in policy and investment decisions. Therefore, it is essential to expand the Union's manufacturing capacity for energy	

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	efficient technologies, such as heat pumps and smart grid technologies, that help the EU reduce and control its energy consumption.	manufacturing capacity for energy efficient technologies, such as heat pumps and smart grid technologies, that help the EU reduce and control its energy consumption.	efficient technologies, such as heat pumps**, district heating and cooling,** and smart grid technologies~~,~~ that help the EU reduce and control its energy consumption.	
Recital 8				
18	(8) The Union's decarbonisation objectives, security of energy supply, digitalisation of the energy system and electrification of demand, for example in mobility and the need for fast recharging	(8) The Union's decarbonisation objectives, security of energy supply, digitalisation of the energy system and electrification of demand, for example in mobility and the need for fast recharging	(8) The Union's decarbonisation objectives, security of energy supply, digitalisation of the energy system and electrification of demand, for example in mobility and the need for ~~fast~~**additional**	

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	points, require an enormous expansion of electricity grids in the European Union, both at transmission level and at distribution level. At transmission level, high-voltage direct current (HVDC) systems are needed to connect offshore renewable energies; while at distribution level, connecting electricity providers and managing demand-side flexibility builds on investments in innovative grid technologies, such as electric vehicles smart charging (EVSC), energy efficiency building and industry automation and smart controls, advanced meter	points, require an enormous expansion of electricity grids in the ~~*European*~~ Union, both at transmission level and at distribution level. At transmission level, high-voltage direct current (HVDC) systems are needed to connect offshore renewable energies; while at distribution level, connecting electricity providers and managing demand-side flexibility builds on investments in innovative grid technologies, such as electric vehicles smart charging (EVSC), energy efficiency building and industry automation and smart controls, advanced meter	**and faster** recharging points, require an enormous expansion of electricity grids in the European Union, both at transmission level and at distribution level. At transmission level, high-voltage direct current (HVDC) systems are needed**, among other things,** to connect offshore renewable energies; while at distribution level, connecting electricity providers and managing demand-side flexibility builds on investments in innovative grid technologies, such as electric vehicles smart charging (EVSC), energy efficiency building and industry automation and smart	

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	infrastructure (AMI) and home energy management systems (HEMS). The electricity grid needs to interact with many actors or devices based on a detailed level of observability, and hence availability of data, to enable flexibility, smart charging and smart buildings with smart electricity grids enabling demand side response from consumers and the uptake of renewables. Connecting the net-zero technologies to the network of the European Union requires the substantial expansion of manufacturing capabilities for electricity grids in areas such as	infrastructure (AMI) and home energy management systems (HEMS). The electricity grid needs to interact with many actors or devices based on a detailed level of observability, and hence availability of data, to enable flexibility, smart charging and smart buildings with smart electricity grids ~~*enabling demand side*~~***and small-scale flexibility services enabling demand-side*** response from consumers and the uptake of renewables. Connecting the net-zero technologies to the network of the ~~*European*~~ Union requires the substantial expansion of manufacturing capabilities for	controls, advanced meter infrastructure (AMI) and home energy management systems (HEMS). The electricity grid needs to interact with many actors or devices based on a detailed level of observability, and hence availability of data, to enable flexibility, smart charging and smart buildings with smart electricity grids enabling demand side response from consumers and the uptake of renewables. Connecting the net-zero technologies to the network of the European Union requires the substantial expansion of manufacturing capabilities for	

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	offshore and onshore cables, substations and transformers.	electricity grids in areas such as offshore and onshore cables, substations and transformers.	electricity grids in areas such as offshore and onshore cables, substations and transformers.	
Recital 8a				
18a		***(8a) Clustering industrial activity directed towards industrial symbiosis can minimises the environmental impact of the activities as well as providing efficiency gains for industry. As such, clustering can contribute substantially to achieving the objectives of this Regulation. In***		

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		this regard; this Regulation promotes the development of Net-Zero Industry Valleys (Valleys). Those Valleys should be limited in geographical and technology scope in order to promote industrial symbiosis. Valleys should be designated by Member States and each designation should be accompanied by a Plan with concrete national measures to increase the attractiveness of the Valley as a location for manufacturing activities. Valleys should in particularly be used as a tool for re-industrialisation of regions, especially for coal regions in transition.		

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Recital 8b				
18b		***(8b) Member States should be able to designate and support Valleys. When designating a Valley the Member State should draw up a plan for the Valley specifying which net-zero manufacturing activity is to be covered in the Valley (Plan). The Member State should also conduct environmental impact assessments as required for the net-zero manufacturing activities that are***		

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		to take place in the Valley. Such impact assessments substantially limits the need for undertakings to perform those assessments for permits for the net-zero manufacturing activities in the scope of the Valley. The Plan should include the results of the environmental impact assessments as well as the national measures to be taken to minimise or mitigate negative environmental impact. The Plan should also include concrete national measures to support industrial activity in the scope of the Valley. Those measures should include measures to invest in or trigger		

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		private investment in energy, digital and transport infrastructure as well as measures to reduce the operational expenditure for the industry in the Valley, such as contracts of difference for energy prices. Other measures to be considered are measures to strengthen IP protection, the setting up of an innovation hub in the Valley as well as to attract start-ups to the Valley. In order to provide investment security for industry, the Plan should also specify the duration of the support measures.		

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Recital 9				
19	(9) Additional policy effort is necessary to support those technologies that are commercially available and have a good potential for rapid scale up to support the Union's 2030 climate targets, improve the security of supply for net-zero technologies and their supply chains, and safeguard or strengthen the overall resilience and competitiveness of the Union's energy system. It includes access to a safe and sustainable source of best in class fuels, as described in	(9) Additional policy effort is necessary to support those technologies that are commercially available and have a good potential for rapid scale up to support the Union's 2030 climate targets, improve the security of supply for net-zero technologies and their supply chains, and safeguard or strengthen the overall resilience and competitiveness of the Union's energy system. It includes access to a safe and sustainable source of best in class fuels, as described in	(9) Additional policy effort is **therefore** necessary to ~~support~~**improve market conditions for** those technologies that are commercially available ~~and have a good potential for rapid scale up to support the Union's 2030 climate targets, improve~~**as well as** the security of supply for net-zero technologies and their supply chains, **reduce market fragmentation,** and safeguard or strengthen the overall resilience and competitiveness of the Union's	

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	recital 8 of Commission Delegated Regulation (EU) 2022/1214.	recital 8 of Commission Delegated Regulation (EU) 2022/1214.	energy system**, while having a good potential for rapid scale up to support the Union's 2030 climate target**. It includes access to a safe and sustainable source of best in class fuels, as described in recital 8 of Commission Delegated Regulation (EU) 2022/1214.	
Recital 10				
20	(10) To achieve the 2030 objectives a particular focus is needed on some of the net-zero technologies, also in view their	(10) To achieve the 2030 objectives a particular focus is needed on ~~*some of*~~ the net-zero ~~*technologies*~~***strategic projects***, also	(10) To achieve the 2030 objectives a particular focus is needed on some of the net-zero technologies, **that are considered**	

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	significant contribution towards the path to net zero by 2050. These technologies include solar photovoltaic and solar thermal technologies, onshore and offshore renewable technologies, battery/storage technologies, heat pumps and geothermal energy technologies, electrolysers and fuel cells, sustainable biogas/biomethane, carbon capture and storage technologies and grid technologies. These technologies play a key role in the Union's open strategic autonomy, ensuring that citizens have access to clean, affordable, secure energy. Given their role, these technologies	in view ***of*** their significant contribution towards the path to net zero by 2050. These ~~*technologies include solar photovoltaic and solar thermal technologies, onshore and offshore renewable technologies, battery/storage technologies, heat pumps and geothermal energy technologies, electrolysers and fuel cells, sustainable biogas/biomethane, carbon capture and storage technologies and grid technologies. These technologies*~~***projects*** play a key role in the Union's open strategic autonomy, ensuring that citizens have access to clean, affordable, secure energy. Given	**strategic,** also in view **of** their significant contribution towards the path to net zero by 2050. These ~~technologies include solar photovoltaic and solar thermal technologies, onshore and offshore renewable technologies, battery/storage technologies, heat pumps and geothermal energy technologies, electrolysers and fuel cells, sustainable biogas/biomethane, carbon capture and storage technologies and grid technologies. These~~**strategic net-zero** technologies play a key role in the Union's open strategic autonomy, ensuring that citizens have access to clean, affordable,	

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	should benefit from even faster permitting procedures, obtain the status of the highest national significance possible under national law and benefit from additional support to crowd-in investments.	their role, these ~~*technologies*~~***projects*** should benefit from even faster permitting procedures, obtain the status of the highest national significance possible under national law and benefit from additional support to crowd-in investments. ***To be recognised as a strategic project, the project promoter should comply with applicable obligations in the fields of social and labour law established by Union or national law.***	secure energy. Given their role, these technologies should benefit from ~~even faster~~**streamlined and efficient** permitting procedures, obtain the status of the highest national significance possible under national law and benefit from additional support to crowd-in investments **while still meeting EU and international obligations under nature Directives and the Aarhus convention. The strategic net-zero technologies should be commercially available net-zero technologies, have a good potential for rapid scale up and have reached technology readiness level of at least 8. Such**	

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			technologies should strengthen the security of supply chains within the Union while contributing to decarbonisation objectives of the Union and improving the functioning of the Single Market.	
Recital 10a				
20a		***(10a) Net-zero strategic projects should be implemented sustainably by relying on the use of socially responsible practices including respect of human and***	**(10a) The list of strategic net-zero technologies also includes technologies that not all Member States accept as a source of clean and secure energy. This is in line**	

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		labour rights, by meaningfully engaging with local communities and by relying on transparent business practices with adequate compliance policies to prevent and minimise risks of adverse impacts on the proper functioning of public administration, including corruption and bribery.	**with their right to determine their choice between different energy sources and the general structure of their energy supply as well as their industrial policy. To safeguard these rights, the list of strategic technologies is without prejudice to the funding allocation under the current Multiannual Financial Framework 2021-27 in particular in terms of allocation eligibility and award criteria related to energy technologies in Union funds, including those financed through ETS allowances or support by the EIB. A Member State should also not be obliged**	

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			to recognise as strategic such projects supporting a value chain for a technology the relevant Member State does not accept as part of their energy mix.	
Recital 11				
21	(11) In order to ensure that the Union's future energy system is resilient this scaling-up should be carried out across the whole supply chain of the technologies in question, in full complementarity with the Critical Raw Materials	(11) In order to ensure that the Union's future energy system is resilient this scaling-up should be carried out across the whole supply chain of the technologies in question, in full complementarity with the Critical Raw Materials	(11) In order to ensure that the Union's future energy system is resilient this scaling-up should be carried out across the whole supply chain of the technologies in question, in full **coherence and** complementarity with the **[**Critical	

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	Act.	Act.	Raw Materials **Act] and the Chips** Act.	
Recital 11a				
21a		***(11a) Since 2007 and the Commission communications of 22 November 2007 entitled 'A European Strategic Energy Technology Plan (Set-Plan) - Towards a low carbon future' and 20 October 2023 on the revision of the Strategic Energy Technology (SET) Plan, the Strategic Energy Technology Plan (SET Plan) has***	**(11a) This Regulation should complement the [Critical Raw Materials Act] by focusing on the manufacturing of net-zero technologies in terms of final products, key components, and specific machinery used to produce these. The [Critical Raw Materials Act] focuses instead on the upstream part of the supply**	

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		been driving the Union's innovation in energy technologies. As such, the SET Plan has significantly contributed to strong knowledge base on energy technologies and has been essential for the alignment of strategic priorities on research, innovation and deployment of clean energy technologies. To ensure that the Union can deliver its full carbon-neutrality objectives by 2050, that knowledge base needs to be leveraged and further enhanced. The SET Plan is therefore an irreplaceable instrument for the achievement of the objectives of this Regulation	**chain, particularly critical raw materials, and their extraction, processing and recycling. These are indispensable for a wide set of strategic sectors including the net zero industry, the digital industry, aerospace, and defence sectors. By following the same logic of nurturing a business case, upgrading, and providing adequate skills, and supporting investments, this Regulation and the [Critical Raw Materials Act] work together to create regulatory support synergies across the entire supply chain of net-zero technology manufacturing in the Union. This**	

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		and is the backbone for the innovation agenda of this Regulation.	**Regulation clarifies that it also covers processed materials that are an essential component of net-zero technologies, excluding critical raw materials falling under the [Critical Raw Materials Act].**	
Recital 11b				
21b			**(11b) Final products and specific components which are essential for the production of net-zero technologies are listed in Annex X in a non-exhaustive manner,**	

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			these include final products and their components that are manufactured and traded by a company, including processed materials, but excluding raw materials covered under the [Critical Raw Materials Act]. In cases of integrated production facilities that cover production of materials falling both under the scope of the [Critical Raw Materials Act] and this Regulation, it should be the facilities' final product that determines the scope under which that facility is regulated. Specific components and specific machinery not covered in Annex	

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			X may still fall under the scope of this Regulation in cases where based on evidence provided to a national competent authority, the project promoter can prove, for example via market studies or off-take agreements, that the specific components or specific machinery are primarily used for the production of net-zero technologies, excluding critical raw materials falling under the scope of the CRMA.	
Recital 11c				

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21c			**(11c) To address security of supply issues while contributing to supporting the resilience of the Union's energy system and decarbonisation and modernisation efforts, the net-zero technology manufacturing capacity in the Union needs to expand. The Union needs to ensure that the regulatory environment for manufacturers of solar photovoltaic (PV) technologies enables them to increase their competitive edge and improve security of supply perspectives, by aiming to reach**	

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			at least 30 gigawatt of operational solar PV manufacturing capacity by 2030 across the full PV value chain, in line with the goals set out in the European Solar Photovoltaic Industry Alliance, which is supported under the Union's Solar Energy Strategy[1]. The Union needs to ensure that the regulatory environment for manufacturers of wind and heat pump technologies enables them to consolidate their competitive edge and maintain or expand their current market shares throughout this decade, in line with the Union's technology	

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			deployment projections that meet its 2030 energy and climate targets[2]. This translates into a Union manufacturing capacity for wind of at least 36 GW and, respectively, for heat pumps of at least 31 GW in 2030. Union manufacturers of batteries and electrolysers need to find a regulatory environment that enables them to consolidate their technology leadership and actively contribute to shaping these markets. For battery technologies this would mean contributing to the objectives of the European Battery Alliance and aim at almost 90% of the	

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			Union's battery annual demand being met by the Union's battery manufacturers, translating into a Union manufacturing capacity of at least 550 GWh in 2030. For EU electrolyser manufacturers, the REPowerEU plan projects 10 million tonnes of domestic renewable hydrogen production and a further up to 10 million tonnes of renewable hydrogen imports by 2030. **To ensure EU's technological leadership translates into commercial leadership, as supported under the Electrolyser Joint Declaration of the Commission and the European**	

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			Clean Hydrogen Alliance, EU electrolyser manufacturers should be enabled to further boost their capacity, such that the overall installed electrolyser capacity being deployed reaches at least 100 GW hydrogen by 2030. **Union manufacturers of aviation and maritime fuels need to further develop, produce and scale up sustainable alternative fuels in order to significantly contribute to the reduction of the transport sector's greenhouse gas (GHG) emissions by 90% in 2050, as well as meeting the obligations set in [ReFuel EU**	

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			aviation / Fuel EU maritime]. This is also strongly supported by the Renewable and Low-Carbon Fuels Value Chain Industrial Alliance. The Union needs to ensure that the regulatory environment and support framework for producers of sustainable aviation and maritime alternative fuels technologies enables them to increase their production capacities across the full fuels value chain, from the collection and supply of feedstock to blending, including conversion and refining capacities.	

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			_____ **1. [1] Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: EU Solar Energy Strategy, SWD(2022) 148 final, 18.05.2022.** **2. [2] As per REPowerEU objectives set out in the REPowerEU Plan, COM/2022/230 final, and**	

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			accompanying Commission Staff Working Document Implementing the Repower EU Action Plan: Investment Needs, Hydrogen Accelerator and achieving the Bio-Methane Targets Accompanying the Document : Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions REPowerEU Plan, SWD/2022/230 final,	

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			18.05.2022.	
Recital 11d				
21d			**(11d) Considering these objectives together, while also taking into account that for certain elements of the supply chain (such as inverters, as well as solar cells, wafers, and ingots for solar PV or cathodes and anodes for batteries), the Union manufacturing capacity is low. In order to help tackle import dependency and vulnerability**	

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			concerns and ensure that the Union's climate and energy targets are met, an overall benchmark for the manufacturing of strategic net-zero technology products in the European Union is put forward, while striving towards a similar benchmark for net-zero technologies. The Union net-zero technologies annual capacity should aim at approaching or reaching an overall annual manufacturing benchmark of at least 40% of annual deployment needs by 2030 for the strategic net-zero technologies considered as a whole.	

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Recital 11e				
21e			**(11e) At the same time, net-zero technology products will contribute to the Union's resilience and security of supply of clean energy. A secure supply of clean energy is a prerequisite for economic development, as well as for public order and security. Net-zero technology products will also yield benefits to other strategically important economic sectors, such as**	

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			farming and food production by securing access to clean energy and machinery at competitive prices, thus contributing sustainably to EU food security and to providing an increasing outlet for bio-based alternatives through circular economy. In the same way, the fulfilment of the Union's climate ambitions will translate both into economic growth and social well-being.	
Recital 11f				
21f				

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			(11f) In order to maintain competitiveness and reduce current strategic import dependencies in key net-zero technology products and their supply chains, while avoiding the formation of new ones, the Union needs to continue strengthening its net-zero industrial base and become more competitive and innovation friendly. The Union needs to enable the development of manufacturing capacity faster, simpler and in a more predictable way, while reducing the administrative burden and eliminating cross-border obstacles.	

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Recital 11g				
21g			**(11g) In order for net-zero technology manufacturing projects to be deployed or expanded as quickly as possible to ensure the Union's security of supply for net-zero technologies, it is important to create efficiency in planning and investment certainty by keeping the administrative burden on project promoters to a minimum. For that reason, permit-granting**	

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			processes of the Member States for net-zero technology manufacturing projects should be streamlined, whilst at the same time ensuring that such projects are safe, secure, environmentally sustainable, and comply with environmental, social and safety requirements. Union environmental legislation sets common conditions for the process and content of national permit-granting processes, thereby ensuring a high level of environmental protection. **Being granted the status of net-zero strategic project should be without prejudice to any**	

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			applicable permitting conditions for the relevant projects, including those set out in Directive 2011/92/EU of the European Parliament and of the Council[1], Council Directive 92/43/EEC[2], Directive 2000/60/EC of the European Parliament and of the Council[3], Directive 2012/18/EU of the European Parliament and of the Council[4], Directive 2004/35/EC of the European Parliament and of the Council[5], and Directive (EU) 2010/75 of the European Parliament and of the Council[6]. _____	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			1. [1] Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1). **2. [2] Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).** **3. [3] Directive**	

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			2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1). **4. [4] Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC.**	

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			5. [5] Directive 2004/35/CE of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage (OJ L 143, 30.4.2004, p. 56). **6. [6] Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control)**	

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			(recast) (OJ L 334, 17.12.2010, p. 17).	
Recital 11h				
21h			**(11h) At the same time, the unpredictability, complexity and at times, excessive length of national permit-granting processes undermines the investment security needed for the effective development of net-zero technologies manufacturing projects. Therefore, in order to ensure and speed up their**	

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			effective implementation, Member States should apply streamlined and efficient permitting procedures. In addition, net-zero strategic projects should be regarded as urgent at national level and should therefore be given a priority status insofar and to the extent to which national law provides for such urgency procedures in all judicial and dispute resolution procedures relating to them, without preventing competent authorities to streamline permitting for other net-zero technologies manufacturing projects that are	

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			not net-zero strategic projects or more generally.	
Recital 11i				
21i			**(11i) Given their role in ensuring the Union's security of supply for net-zero technologies, and their contribution to the Union's open strategic autonomy and the green and digital transition, responsible permitting authorities should consider net-zero strategic projects to be in the public interest. Based on its**	

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			case-by-case assessment, a responsible permitting authority may conclude that the public interest served by the project overrides the public interests related to nature and environmental protection and that consequently the project may be authorised, provided that all relevant conditions set out in Directive 2000/60/EC, Directive 92/43/EEC and Directive 2009/147/EC[1] or in the [Nature Restoration Regulation] are met. **_____** **1. [1] Directive 2009/147/EC of the European**	

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			Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7–25).	
Recital 11j				
21j			**(11j) In order to reduce complexity and increase efficiency and transparency, project promoters of net-zero technologies manufacturing projects should be able to interact with a designated contact point responsible for**	

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			facilitating and coordinating the entire permit granting process and facilitate the issuance of a comprehensive decision within the applicable time limit. To that end, Member States should designate one or more single points of contact. If a Member State decides to designate more than one contact point it should provide clear information to the project promoters on which contact point is responsible for their project. It should be for the Member State to decide whether the designated contact point should also be an authority taking permitting decisions or	

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			not. The designated contact point should at least notify project promoters of the comprehensive decision. Depending on a Member State's internal organisation, it may be possible for the tasks of the designated contact point to be delegated to a different authority, either at local, regional, or national level, subject to the same conditions.	
Recital 11k				
21k			**(11k) In order to ensure clarity**	

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			about the permitting status of net-zero strategic projects, Member States should ensure that any dispute concerning permit granting process is resolved in a timely manner. To that end, Member States should ensure that applicants and project promoters have access to a simple dispute settlement procedure and that net-zero strategic projects are granted urgent treatment in all judicial and dispute resolution procedures relating to them while ensuring respect for the rights of defence, if and to the extent, national law provides for	

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			such urgency procedures.	
Recital 11l				
21l			**(11l) In order to allow businesses and project promoters, including for cross-border projects, to directly enjoy the benefits of the internal market without incurring an unnecessary additional administrative burden, Regulation (EU) 2018/1724 of the European Parliament and the Council[1], which established the Single**	

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			Digital Gateway, provides for general rules for the online provision of information, procedures and assistance services relevant for the functioning of the internal market. The information that needs to be submitted to national competent authorities through the designated contact point, as part of the permit-granting processes covered by this Regulation are to be covered in Annex I of Regulation (EU) 2018/1724 following its amendment by this Regulation, and the related procedures are included in its Annex II to ensure	

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			that project promoters can benefit from fully online procedures and the Once-Only Technical System Services. Designated contact points acting as points of single contact pursuant to this Regulation are included in the list of assistance and problem-solving services in Annex III of Regulation (EU) 2018/1724. _____ **1. [1] Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1).	
Recital 11m				
21m			**(11m) Net-zero technology manufacturing projects undergo lengthy and complex permitting procedures of 2-7 years,**	

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			depending on the Member State, technology and value chain segment. Considering the size of required investments – in particular for gigafactory-size projects which are needed to reach the expected economies of scale – inadequate permitting creates an additional and often detrimental barrier to increase net-zero technology manufacturing capacity in the Union. In order to provide project promoters and other investors with the security and clarity needed to increase development of net-zero technologies manufacturing	

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			projects, Member States should ensure that the permit-granting process related to such projects does not exceed pre-set time limits. For net-zero strategic projects the length of the permit-granting process should not exceed twelve months for facilities with a yearly production output of 1 GW or more, and nine months for those with a yearly production output of less than 1 GW. For all other net-zero technology manufacturing projects, the length of the permit-granting process should not exceed eighteen months for facilities	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			with a yearly production output of more than 1 GW, and twelve months for those with a yearly production output of less than 1 GW. For net-zero technologies for which the GW metric is not relevant, such as grids and carbon capture and storage (CCS) or carbon capture and usage (CCU) technologies, the upper limits of the aforementioned deadlines should apply. However, the first step of the environmental impact assessment within the Environmental Impact assessment Directive (2011/92/EU), which consist of	

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			the preparation of an environmental impact assessment report, is often predominantly performed by the project promoter. This step should therefore not be integrated in the timelines which the Member States are bound upon as referred to in the permit granting process. In addition, in exceptional cases related to the nature, complexity, location or size of the proposed project, Member States should be able to extend the timelines. Such exceptional cases could include unforeseen circumstances triggering the need to add to or	

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			complete environmental assessments related to the project, or delays due to expropriation processes when required.	
Recital 11n				
21n			**(11n) In addition, given the importance of net-zero strategic projects for the Union's energy supply certain administrative restrictions should be partly lifted or simplified to speed up their implementation.**	

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Recital 11o				
21o			**(11o) The environmental assessments and authorisations required under Union law, including in relation to water, soil, air, ecosystems, habitats, biodiversity and birds, are an integral part of the permit granting procedure for a net zero technologies manufacturing project and an essential safeguard to ensure negative environmental impacts are**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			prevented or minimised. However, to ensure that permit granting procedures for net zero technologies manufacturing projects are predictable and timely, any potential to streamline the required assessments and authorisations while not lowering the level of environmental protection should be realised. In that regard, it should be ensured that the necessary assessments are bundled to prevent unnecessary overlap and it should be ensured that project promoters and responsible authorities explicitly agree on the scope of the bundled	

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			assessment before the assessment is carried out to prevent unnecessary follow-up.	
Recital 11p				
21p			**(11p) Land use conflicts can create barriers to the deployment of net-zero technologies manufacturing projects. Well-designed plans, including spatial plans and zoning, that take into account the potential for implementing net-zero technologies manufacturing**	

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			projects are prepared through public participation for which potential environmental impacts are assessed, have the potential to help balance the public interest and common good, decreasing the potential for conflict and accelerating the sustainable deployment of net-zero technologies manufacturing projects in the Union. Responsible national, regional and local authorities should therefore be encouraged to include, where appropriate, provisions for net-zero technologies manufacturing projects, including net-zero	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			strategic projects, when developing plans.	
Recital 11q				
21q			**(11q) Member States could also use other policy instruments to support the manufacturing of net-zero technologies and strategic net-zero technologies in specific geographical areas. These policy instruments may include but are not limited to the clustering of net-zero technology manufacturers, speeding up**	

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			permit granting process, creating test facilities for net-zero technologies, allowing for regulatory sandboxes, assisting cross-border cooperation, facilitate electricity grid connection, physical and digital infrastructure and clean energy. These instruments should be designated by national or local authorities and could either be appointed to new areas or to existing industrial sites.	
Recital 11r				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
21r			**(11r) It is also necessary to provide for measures to reach the Union's target of 50 million tonnes of annual operational CO_2 injection capacity by 2030, thereby supporting the decarbonisation of European industries and combating climate change.**	
Recital 11s				
21s				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			deleted	
Recital 11t				
21t			*deleted*	
Recital 11u				
21u				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			deleted	
Recital 12				
22	*(12)* In 2020 the European Commission adopted an EU strategy for energy system integration. It set out a vision on how to accelerate the transition towards a more integrated energy system, one that supports a climate neutral economy at the least cost across sectors. It encompasses three complementary and mutually reinforcing concepts: first, a more	(12) In 2020 the ~~*European*~~ Commission adopted an EU strategy for energy system integration. It set out a vision on how to accelerate the transition towards a more integrated energy system, one that supports a climate neutral economy at the least cost across sectors. It encompasses three complementary and mutually reinforcing concepts: first, a more	(12) ~~In 2020 the European Commission adopted an EU strategy for energy system integration. It set out a vision on how to accelerate the transition towards a more integrated energy system, one that supports a climate neutral economy at the least cost across sectors. It encompasses three complementary and mutually reinforcing concepts: first, a more~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	‘circular’ energy system, with energy efficiency at its core; second, a greater direct electrification of end-use sectors; third, the use of renewable and low-carbon fuels, including hydrogen, for end-use applications where direct heating or electrification are not feasible, not efficient or have higher costs. Considerations related to energy system integration refer to solutions for fully integrating all the electricity generated by renewable energy installations into the wider energy system. This means, for instance, adopting technical solutions that allow for	‘circular’ energy system, with energy efficiency at its core; second, a greater direct electrification of end-use sectors; third, the use of renewable and low-carbon fuels, including hydrogen~~, for end-use applications where direct heating or electrification are not feasible, not efficient or have higher costs~~. Considerations related to energy system integration refer to solutions for fully integrating all the electricity generated by renewable energy installations into the wider energy system. This means, for instance, adopting technical solutions that allow for	~~‘circular’ energy system, with energy efficiency at its core; second, a greater direct electrification of end-use sectors; third, the use of renewable and low-carbon fuels, including hydrogen, for end-use applications where direct heating or electrification are not feasible, not efficient or have higher costs. Considerations related to energy system integration refer to solutions for fully integrating all the electricity generated by renewable energy installations into the wider energy system. This means, for instance, adopting technical solutions that allow for~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	the integration of surplus electricity generated by renewable electricity installations, including through storage in its various forms and demand-side management.	the integration of surplus electricity generated by renewable electricity installations, including through storage ***and by expanding plannable fossil free power sources in the grid,*** in its various forms and demand-side management.	~~the integration of surplus electricity generated by renewable electricity installations, including through storage in its various forms and demand-side management.~~	
Recital 12a				
22a		***(12a) Carbon dioxide capture and storage (CCS) is a technology that will contribute to mitigating climate change. It consists of the***		

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		capture of carbon dioxide (CO_2) from industrial installations, its transport to a storage site and its injection into a suitable underground geological formation for the purposes of permanent storage.		
Recital 13				
23	(13) The development of carbon capture and storage solutions for industry is confronted with a coordination failure. On the one hand, despite the growing CO_2	(13) The development of carbon capture and storage solutions for industry is confronted with a coordination failure. ~~*On the one hand*~~***First***, despite the growing	(13) The development of carbon capture and storage solutions for industry is confronted with a coordination failure. On the one hand, despite the growing CO_2	

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	price incentive provided by the EU Emissions Trading System, for industry to invest into capturing CO_2 emissions making such investments economically viable, they face a significant risk of not being able to access a permitted geological storage site. On the other hand, investors into first CO_2 storage sites face upfront costs to identify develop and appraise them even before they can apply for a regulatory storage permit. Transparency about potential CO_2 storage capacity in terms of the geological suitability of relevant areas and existing geological data, in particular from the exploration	CO_2 price incentive provided by the EU Emissions Trading System, for industry to invest into capturing CO_2 emissions making such investments economically viable, they face a significant risk of not being able to access a permitted geological storage site. ~~*On the other hand*~~***Second***, investors into first CO_2 storage sites face upfront costs to identify develop and appraise them even before they can apply for a regulatory storage permit. Transparency about potential CO_2 storage capacity in terms of the geological suitability of relevant areas and existing geological data, in particular from	price incentive provided by the EU Emissions Trading System, for industry to invest into capturing CO_2 emissions making such investments economically viable, they face a significant risk of not being able to access a permitted geological storage site. On the other hand, investors into first CO_2 storage sites face upfront costs to identify**,** develop and appraise them even before they can apply for a regulatory storage permit. Transparency about potential CO_2 storage capacity in terms of the geological suitability of relevant areas and **all** existing geological data, **including raw and model**	

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	of hydrocarbon production sites, can support market operators to plan their investments. Member State should make such data publicly available and report regularly in a forward-looking perspective about progress in developing CO_2 storage sites and the corresponding needs for injection and storage capacities above, in order to collectively reach the Union-wide target for CO_2 injection capacity.	the exploration of hydrocarbon production sites, can support market operators to plan their investments. Member State should make such data publicly available and report regularly in a forward-looking perspective about progress in developing CO_2 storage sites and the corresponding needs for injection and storage capacities above, in order to collectively reach the Union-wide target for CO_2 injection capacity. ***Third, CO_2 storage projects are only economically viable when there is a business case along the full value chain, including transportation. Any legal storage***	**data,** in particular from the exploration of hydrocarbon production sites, can support market operators to plan their investments. Member ~~State~~**States** should**, while taking into account confidentiality, national security and commercial sensitivities as well as adequate compensation for privately generated and owned data,** make such **existing** data publicly available and report regularly in a forward-looking perspective about **any** progress in developing CO_2 storage sites and the corresponding needs for injection and storage capacities ~~above~~, in order to collectively	

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		obligations should therefore be accompanied by effective Union and national policies and measures to ensure coordination and investment across the value chain.	reach the Union-wide target for CO_2 injection capacity. **These transparency obligations are without prejudice to the right of Member States not to authorise or to limit the deployment of CO2 storage capacity on their territory.**	
Recital 13a				
23a			**(13a) To avoid stranded assets and ensure that the projected injection capacity will lead to CO2 reductions it is recognized**	

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			that full and individual CCS value chains including capture, transport and storage need to be established by 2030 with appropriate regulations guaranteeing competition and open access.	
Recital 14				
24	(14) A key bottleneck for carbon capture investments that are today increasingly economically viable is the availability of operating CO_2 storage sites in Europe, which	(14) A key bottleneck for carbon capture investments that are today increasingly economically viable is the availability of operating CO_2 storage sites in ~~*Europe*~~***the Union***,	(14) A key bottleneck for carbon capture investments that are today increasingly economically viable is the availability of operating CO_2 storage sites in Europe, which	

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	underpin the incentives from Directive 2003/87/EC. To scale up the technology and expand its leading manufacturing capacities, the EU needs to develop a forward-looking supply of permanent geological CO_2 storage sites permitted in accordance with Directive 2009/31/EU[1]. By defining a Union target of 50 million tonnes of annual operational CO_2 injection capacity by 2030, in line with the expected capacities needed in 2030, the relevant sectors can coordinate their investments towards a European Net-Zero CO_2 transport and storage value chain that	which underpin the incentives from Directive 2003/87/EC ***of the European Parliament and the Council***[1]. To scale up the technology and expand its leading manufacturing capacities, the ~~EU~~***Union*** needs to develop a forward-looking supply of permanent geological CO_2 storage sites permitted in accordance with Directive 2009/31/EU~~[1]~~ ***of the European Parliament and of the Council***[2]. By defining a Union target of 50 million tonnes of annual operational CO_2 injection capacity by 2030, in line with the expected capacities needed in 2030, the relevant sectors can	underpin the incentives from Directive 2003/87/EC. To scale up the technology and expand its leading manufacturing capacities, the EU needs to develop a forward-looking supply of permanent geological CO_2 storage sites permitted in accordance with Directive 2009/31/EU[1] **as well as CO2 transport infrastructure**. By defining a Union target of 50 million tonnes of annual operational CO_2 injection capacity by 2030, in line with the expected capacities needed in 2030 **and taking into account the companies operating primarily in Member States with very limited**	

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	industries can use to decarbonise their operations. This initial deployment will also support further CO_2 storage in a 2050 perspective. According to the Commission's estimates, the Union could need to capture up to 550 million tonnes of CO_2 annually by 2050 to meet the net zero objective[2], including for carbon removals. Such a first industrial-scale storage capacity will de-risk investments into the capturing of CO_2 emissions as important tool to reach climate neutrality. When this regulation is incorporated into the EEA Agreement, the Union target of 50 million tonnes of annual	coordinate their investments towards a ~~*European*~~***Union*** Net-Zero CO_2 transport and storage value chain that industries can use to decarbonise their operations. This initial deployment will also support further CO_2 storage in a 2050 perspective. According to the Commission's estimates, the Union could need to capture up to 550 million tonnes of CO_2 annually by 2050 to meet the net zero objective~~[2]~~, including for carbon removals. Such a first industrial-scale storage capacity will de-risk investments into the capturing of CO_2 emissions as important tool to reach climate neutrality. ***In view of***	**storage capacity due to legal, geological, geographical, technical or market constraints**, the relevant sectors can coordinate their investments towards a European Net-Zero CO_2 transport and storage value chain that industries can use to decarbonise their operations. This initial deployment will also support further CO_2 storage in a 2050 perspective. According to the Commission's estimates, the Union could need to capture up to 550 million tonnes of CO_2 annually by 2050 to meet the net zero objective[2], including for carbon removals. Such a first industrial-	

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	operational CO2 injection capacity by 2030 will be adjusted accordingly. _____ 1. Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006 (Text with EEA relevance), (OJ	***the expected storage requirements in 2050, the Union's CO_2 storage market will have to be complemented by a market that covers third countries in Europe with large storage potential.*** When this regulation is incorporated into the EEA Agreement, the Union target of ~~*50 million tonnes of annual operational CO2 injection capacity by 2030 will be adjusted accordingly*~~***annual operational CO_2 injection capacity will be adjusted accordingly. To ensure the achievement of Union's target, Member States should take the necessary measures to facilitate and incentivize the deployment of***	scale storage capacity **objective** will de-risk investments into the capturing of CO_2 emissions as important tool to reach climate neutrality. When this regulation is incorporated into the EEA Agreement, the Union target of 50 million tonnes of annual operational CO2 injection capacity by 2030 will be adjusted accordingly. _____ 1. **[1]** Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	L 140, 5.6.2009, p. 114). 2. In depth analysis in support of the Commission Communication (2018/773) A Clean Planet for all. A European long-term strategic vision for a prosperous, modern, competitive and climate neutral economy.	***carbon capture and storage projects. Such measures should be able to include measures incentivizing emitters to capture emissions, funding support for investors for needed infrastructure to transport CO_2 to the storage site and direct funding of CO_2 storage projects***. _____ 1. Directive ~~*2009/31/EC*~~***2003/87/EC*** of the European Parliament and of the Council of ~~*23 April 2009 on the geological storage of carbon dioxide and amending Council*~~	carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006 (Text with EEA relevance), (OJ L 140, 5.6.2009, p. 114). 2. **[2]** In depth analysis in support of the Commission Communication (2018/773) A Clean Planet for all. A European long-term strategic vision for a prosperous, modern, competitive and climate neutral	

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		~~*Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006 (Text with EEA relevance), (OJ L 140, 5.6.2009, p. 114*~~***13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32***).	economy.	
		2. ~~*In depth analysis in*~~		

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		~~support~~***~~Directive 2009/31/EC of~~ the European Parliament and*** of the ~~*Commission Communication (2018/773) A Clean Planet for all. A*~~***Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC,*** European ~~*long-term strategic vision for a prosperous, modern, competitive and climate neutral economy*~~***Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation***		

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		(EC) No 1013/2006 (OJ L140, 5.6.2009, p. 114).		
Recital 15				
25	(15) By defining CO_2 storage sites that contribute to the Union's 2030 target as net-zero strategic projects, the development of CO_2 storage sites can be accelerated and facilitated, and the increasing industrial demand for storage sites can be channelled towards the most-cost-effective storage sites. An increasing volume of depleting	(15) By defining CO_2 storage sites that contribute to the Union's 2030 target as net-zero ***technology manufacturing projects, or net-zero*** strategic projects, the development of CO_2 storage sites can be accelerated and facilitated, and the increasing industrial demand for storage sites can be ~~*channelled*~~***channeled*** towards the	(15) By defining CO_2 storage sites **and their transport infrastructure** that contribute to the Union's 2030 target as net-zero strategic projects, the development of CO_2 storage sites can be accelerated and facilitated, and the increasing industrial demand for storage sites can be channelled towards the most-cost-effective	

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	gas and oil fields that could be converted in safe CO_2 storage sites are at the end of their useful production lifetime. In addition, the oil and gas industry has affirmed its determination to embark on an energy transition and possesses the assets, skills and knowledge needed to explore and develop additional storage sites. To reach the Union's target of 50 million tonnes of annual operational CO_2 injection capacity by 2030, the sector needs to pool its contributions to ensure that carbon capture and storage as a climate solution is available ahead of demand. In order to ensure a	most-cost-effective storage sites. An increasing volume of depleting gas and oil fields that could be converted in safe CO_2 storage sites are at the end of their useful production lifetime. In addition, the oil and gas industry has affirmed its determination to embark on an energy transition and possesses the assets, skills and knowledge needed to explore and develop additional storage sites. To reach the Union's target of 50 million tonnes of annual operational CO_2 injection capacity by 2030, the sector needs to pool its contributions to ensure that carbon capture and storage as a climate	storage sites. An increasing volume of depleting gas and oil fields that could be converted ~~in~~**into** safe CO_2 storage sites are at the end of their useful production lifetime. In addition, the oil and gas industry has affirmed its determination to embark on an energy transition and possesses the assets, skills and knowledge needed to explore and develop additional storage sites. To reach the Union's target of 50 million tonnes of annual operational CO_2 injection capacity by 2030, ~~the sector needs to pool its contributions to ensure that carbon capture and storage as a climate solution is available ahead~~	

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	timely, Union-wide and cost-effective development of CO_2 storage sites in line with the EU objective for injection capacity, licensees of oil and gas production in the EU should contribute to this target pro rata of their oil and gas manufacturing capacity, while providing flexibilities to cooperate and take into account other contributions of third parties.	solution is available ahead of demand. In order to ensure a timely, Union-wide and cost-effective development of CO_2 storage sites in line with the ~~*EU*~~***Union*** objective for injection capacity, licensees of oil and gas production in the ~~*EU*~~***Union*** should contribute to this target pro rata of their oil and gas manufacturing capacity, while providing flexibilities to cooperate and take into account other contributions of third parties. ***Licensees of oil and gas production within the Union should make every effort within their authority to undertake the requisite investments in order to***	~~of demand~~**a value-chain approach should be fostered by actions taken both at EU and national level to facilitate licensees of oil and gas production in the EU to undertake the necessary investments and in order to develop viable business models for the entire carbon dioxide value chain**. In order to ensure a timely, Union-wide and cost-effective development of CO_2 storage sites in line with the EU objective for injection capacity, licensees of oil and gas production in the EU should contribute to this target pro rata of their oil and gas manufacturing capacity, while	

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		meet their respective contribution towards the achieving of annual operational CO_2 injection capacity. However, these efforts should be subject to objective commercial, financial, technical, legal, and environmental limitations beyond the control of these companies, which may lead to individual storage projects, despite reasonable and commercially prudent efforts, being objectively unable to be completed in time to fulfil the obligations set out under this Regulation.	providing flexibilities to cooperate and take into account other contributions of third parties.	

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Recital 15a				
25a		***(15a) Additional policy effort is necessary to support the cross-border transportation of CO_2 as the London Protocol initially prohibits export of CO_2 for permanent geological storage below the seabed. The London Protocol was amended by contracting parties in 2009 to allow for cross border transportation of CO_2 for sub-seabed storage, but the amendment must be ratified by two thirds of contracting parties to***		

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		enter into force. It is unlikely that this will occur in the near term. Additional policy effort is necessary to address the barrier to deployment and the creation of an internal market for cross-border transportation of CO_2.		
Recital 15b				
25b		***(15b) Additional policy effort is essential to secure the deployment of cross-border infrastructure planning. Accessibility and connectivity of the full range of***		

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		CO_2 transportation arrangements play a critical role for the deployment of CCS and Carbon Capture and Utilisation (CCU) projects. Such arrangements cover ship, barge, train and truck as well as fixed facilities for connecting and docking, for liquefaction, buffer storage and converters of CO_2 in view of its further transportation through pipelines and in dedicated modes of transport.		
Recital 15c				

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25c		***(15c) The Commission should ensure a continuous revision and extension of the CO_2 injection capacity and storage target for the period post-2030 to reflect the needs of the Union to reach its 2040 climate target and climate neutrality by 2050 in synergy with related Union law.***		
Recital 15d				
25d		***(15d) Using captured CO_2 in***		

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		certain production processes can permanently store CO_2 and/or contribute to reducing the Union's dependence on fossil fuels. Therefore, all entities involved in the value chain of CO_2 injection activities set out in this Regulation should be encouraged to consider if the CO_2 that is to be stored could be permanently stored in new products or could support the Union's objectives to reduce its reliance on fossil fuels.		
Recital 16				

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26	(16) The Union has helped build a global economic system based on open and rules-based trade, pushed for respecting and advancing social and environmental sustainability standards, and is fully committed to those values.	(16) The Union has helped build a global economic system based on open***, transparent*** and rules-based trade, pushed for respecting and advancing social and environmental sustainability ***and climate transition*** standards, and is fully committed to those values. ***The Union aims to level the playing field, in particular by fighting against unfair trading practices and production overcapacity, to secure a fair competitive environment for Union industry, including through net-zero industrial partnerships***	(16) ~~The Union has helped build a global economic system based on open and rules-based trade, pushed for respecting and advancing social and environmental sustainability standards, and is fully committed to those values.~~	

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		(Net-Zero Industrial Partnerships), providing quality jobs for workers.		
Recital 17				
27	(17) To address security of supply issues and contribute to supporting the resilience of Union's energy system and decarbonisation and modernisation efforts, the net-zero technology manufacturing capacity in the Union needs to expand. Union manufacturers of solar photovoltaic (PV) technologies	(17) To address security of supply issues and contribute to supporting the resilience of Union's energy system and decarbonisation and modernisation efforts, the net-zero technology manufacturing capacity in the Union needs to expand. Union manufacturers of solar photovoltaic (PV) technologies	(17) ~~To address security of supply issues and contribute to supporting the resilience of Union's energy system and decarbonisation and modernisation efforts, the net-zero technology manufacturing capacity in the Union needs to expand. Union manufacturers of solar photovoltaic (PV) technologies~~	

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	need to increase their competitive edge and improve security of supply perspectives, by aiming to reach at least 30 gigawatt of operational solar PV manufacturing capacity by 2030 across the full PV value chain, in line with the goals set out in the European Solar Photovoltaic Industry Alliance, which is supported under the Union's Solar Energy Strategy.[1] Union manufacturers of wind and heat pump technologies need to consolidate their competitive edge and maintain or expand their current market shares throughout this decade, in line with the	need to increase their competitive edge and improve security of supply perspectives, by aiming to reach at least 30 gigawatt of operational solar PV manufacturing capacity by 2030 across the full PV value chain, in line with the goals set out in the European Solar Photovoltaic Industry Alliance, which is supported under the Union's Solar Energy Strategy[1]. Union manufacturers of wind and heat pump technologies need to consolidate their competitive edge and maintain or expand their current market shares throughout this decade, in line with the	~~need to increase their competitive edge and improve security of supply perspectives, by aiming to reach at least 30 gigawatt of operational solar PV manufacturing capacity by 2030 across the full PV value chain, in line with the goals set out in the European Solar Photovoltaic Industry Alliance, which is supported under the Union's Solar Energy Strategy.~~[1] ~~Union manufacturers of wind and heat pump technologies need to consolidate their competitive edge and maintain or expand their current market shares throughout this decade, in line with the Union's technology deployment~~	

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	Union's technology deployment projections that meet its 2030 energy and climate targets.[2] This translates into a Union manufacturing capacity for wind of at least 36 GW and, respectively, for heat pumps of at least 31 GW in 2030. Union manufacturers of batteries and electrolysers need to consolidate their technology leadership and actively contribute to shaping these markets. For battery technologies this would mean contributing to the objectives of the European Battery Alliance and aim at almost 90% of the Union's battery annual demand being met by the Union's battery	Union's technology deployment projections that meet its 2030 energy and climate targets.[2] This translates into a Union manufacturing capacity for wind of at least 36 GW and, respectively, for heat pumps of at least 31 GW in 2030. Union manufacturers of batteries and electrolysers need to consolidate their technology leadership and actively contribute to shaping these markets. For battery technologies this would mean contributing to the objectives of the European Battery Alliance and aim at almost 90% of the Union's battery annual demand being met by the Union's battery	~~projections that meet its 2030 energy and climate targets.[2] This translates into a Union manufacturing capacity for wind of at least 36 GW and, respectively, for heat pumps of at least 31 GW in 2030. Union manufacturers of batteries and electrolysers need to consolidate their technology leadership and actively contribute to shaping these markets. For battery technologies this would mean contributing to the objectives of the European Battery Alliance and aim at almost 90% of the Union's battery annual demand being met by the Union's battery manufacturers, translating into a~~	

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	manufacturers, translating into a Union manufacturing capacity of at least 550 GWh in 2030. For EU electrolyser manufacturers, the REPowerEU plan projects 10 million tonnes of domestic renewable hydrogen production and a further up to 10 million tonnes of renewable hydrogen imports by 2030. To ensure EU's technological leadership translates into commercial leadership, as supported under the Electrolyser Joint Declaration of the Commission and the European Clean Hydrogen Alliance, EU electrolyser manufacturers should further boost their capacity, such	manufacturers, translating into a Union manufacturing capacity of at least 550 GWh in 2030. For ~~EU~~***Union*** electrolyser manufacturers, the REPowerEU plan projects 10 million tonnes of domestic renewable hydrogen production and a further up to 10 million tonnes of renewable hydrogen imports by 2030. To ensure ~~EU~~***Union***'s technological leadership translates into commercial leadership, as supported under the Electrolyser Joint Declaration of the Commission and the European Clean Hydrogen Alliance, ~~EU~~***Union's*** electrolyser	~~Union manufacturing capacity of at least 550 GWh in 2030. For EU electrolyser manufacturers, the REPowerEU plan projects 10 million tonnes of domestic renewable hydrogen production and a further up to 10 million tonnes of renewable hydrogen imports by 2030. To ensure EU's technological leadership translates into commercial leadership, as supported under the Electrolyser Joint Declaration of the Commission and the European Clean Hydrogen Alliance, EU electrolyser manufacturers should further boost their capacity, such that the overall installed~~	

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	that the overall installed electrolyser capacity being deployed reaches at least 100 GW hydrogen by 2030. _____ 1. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: EU Solar Energy Strategy, SWD(2022) 148 final, 18.05.2022. 2. As per REPowerEU objectives set out in the	manufacturers should further boost their capacity, such that the overall installed electrolyser capacity being deployed reaches at least 100 GW hydrogen by 2030. ***The RePowerEU plan sets furthermore an objective of boosting sustainable biomethane production to 35 billion cubic meter by 2030. With its supply chain largely based in Europe today, biomethane already makes a contribution to Union's resilience which should be further promoted.*** _____ 1. Communication from the	~~electrolyser capacity being deployed reaches at least 100 GW hydrogen by 2030.~~ _____ ~~1. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: EU Solar Energy Strategy, SWD(2022) 148 final, 18.05.2022.~~ ~~2. As per REPowerEU objectives set out in the REPowerEU Plan,~~	

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	REPowerEU Plan, COM/2022/230 final, and accompanying Commission Staff Working Document Implementing the Repower EU Action Plan: Investment Needs, Hydrogen Accelerator and achieving the Bio-Methane Targets Accompanying the Document : Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions REPowerEU Plan,	Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: EU Solar Energy Strategy, SWD(2022) 148 final, 18.05.2022. ~~*2. As per REPowerEU objectives set out in the REPowerEU Plan, COM/2022/230 final, and accompanying Commission Staff Working Document Implementing the Repower EU Action Plan: Investment Needs, Hydrogen Accelerator and*~~	~~COM/2022/230 final, and accompanying Commission Staff Working Document Implementing the Repower EU Action Plan: Investment Needs, Hydrogen Accelerator and achieving the Bio-Methane Targets Accompanying the Document : Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions REPowerEU Plan, SWD/2022/230 final,~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	SWD/2022/230 final, 18.05.2022	~~*achieving the Bio-Methane Targets Accompanying the Document : Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions REPowerEU Plan, SWD/2022/230 final, 18.05.2022*~~	~~18.05.2022~~	
Recital 18				

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28	(18) Considering these objectives together, while also taking into account that for certain elements of the supply chain (such as inverters, as well as solar cells, wafers, and ingots for solar PV or cathodes and anodes for batteries) the Union manufacturing capacity is low, the Union net-zero technologies annual capacity should aim at approaching or reaching an overall annual manufacturing benchmark of at least 40% of annual deployment needs by 2030 for the technologies listed in the Annex .	(18) Considering these objectives together, while also taking into account that for certain elements of the supply chain (such as inverters, as well as solar cells, wafers, and ingots for solar PV or cathodes and anodes for batteries) the Union manufacturing capacity is low, the Union ~~*net-zero technologies*~~ ***'s*** annual ***manufacturing*** capacity should aim ~~*at approaching or reaching an overall annual manufacturing benchmark of at*~~***to reach*** least 40% of annual deployment needs by 2030 for the ***net-zero*** technologies ~~*listed in the*~~	(18) ~~Considering these objectives together, while also taking into account that for certain elements of the supply chain (such as inverters, as well as solar cells, wafers, and ingots for solar PV or cathodes and anodes for batteries) the Union manufacturing capacity is low, the Union net-zero technologies annual capacity should aim at approaching or reaching an overall annual manufacturing benchmark of at least 40% of annual deployment needs by 2030 for the technologies listed in the Annex .~~	

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		~~*Annex*~~ ***defined in this Regulation. Moreover, the Union's net-zero technologies annual manufacturing capacity should cover at least 25% of global demand for the corresponding technologies***.		
Recital 19				
29	(19) Increasing the manufacturing capacity of net-zero technologies in the European Union will also facilitate the global supply of net-zero technologies and the transition	(19) Increasing the manufacturing capacity of net-zero technologies in the ~~*European*~~ Union will ~~*also facilitate*~~***increase*** the global supply of net-zero technologies and the	(19) ~~Increasing the manufacturing capacity of net-zero technologies in the European Union will also facilitate the global supply of net-zero technologies and the transition~~	

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	towards clean energy sources globally.	transition towards clean ~~*energy sources*~~***economic development*** globally. ***Together with other measures to enhance the Union's competitiveness, measures to increase the manufacturing capacity in the Union should also ensure that the Union should play a dominant role in strategic parts of the value chain, including final products, to ensure the level of security of supply that the Union needs for the purpose of achieving its climate objectives.***	~~towards clean energy sources globally.~~	
Recital 20				

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30	(20) At the same time, net-zero technology products will contribute to the Union's resilience and security of supply of clean energy. A secure supply of clean energy is a prerequisite for economic development, as well as for public order and security. Net-zero technology products will also yield benefits to other strategically important economic sectors, such as farming and food production by securing access to clean energy and machinery at competitive prices, thus contributing sustainably to EU food security and to providing an	(20) At the same time, net-zero technology products will contribute to the Union's resilience and security of supply of clean energy. A secure supply of clean energy is a prerequisite for economic development, as well as for public order and security. Net-zero technology products will also yield benefits to other strategically important economic sectors, such as farming and food production by securing access to clean energy and machinery at competitive prices, thus contributing sustainably to EU food security and to providing an	(20) ~~At the same time, net-zero technology products will contribute to the Union's resilience and security of supply of clean energy. A secure supply of clean energy is a prerequisite for economic development, as well as for public order and security. Net-zero technology products will also yield benefits to other strategically important economic sectors, such as farming and food production by securing access to clean energy and machinery at competitive prices, thus contributing sustainably to EU food security and to providing an~~	

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	increasing outlet for bio-based alternatives through circular economy. In the same way, the fulfilment of the Union's climate ambitions will translate both into economic growth and social well-being.	increasing outlet for bio-based alternatives through circular economy. In the same way, the fulfilment of the Union's climate ambitions will translate both into economic growth and social well-being.	~~increasing outlet for bio-based alternatives through circular economy. In the same way, the fulfilment of the Union's climate ambitions will translate both into economic growth and social well-being.~~	
Recital 21				
31	(21) In order to maintain competitiveness and reduce current strategic import dependencies in key net-zero technology products and their supply chains, while	(21) ***The manufacturing of net-zero technologies depends on complex and globally interlinked value chains.*** In order to maintain competitiveness and reduce current	(21) ~~In order to maintain competitiveness and reduce current strategic import dependencies in key net-zero technology products and their supply chains, while~~	

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	avoiding the formation of new ones, the Union needs to continue strengthening its net zero industrial base and become more competitive and innovation friendly. The Union needs to enable the development of manufacturing capacity faster, simpler and in a more predictable way.	strategic import dependencies in key net-zero technology products and their supply chains, while avoiding the formation of new ones, the Union needs to continue strengthening its ~~*net zero*~~ industrial base and become more competitive and innovation friendly. The Union needs to enable the development of manufacturing capacity faster, simpler and in a more predictable way ***by reducing the regulatory and administrative burden on industrial activities within its territory and levelling the playing field with international competitors. In particular, the Union should, by 2030, aim to***	~~avoiding the formation of new ones, the Union needs to continue strengthening its net zero industrial base and become more competitive and innovation friendly. The Union needs to enable the development of manufacturing capacity faster, simpler and in a more predictable way.~~	

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		achieve a 20% reduction of the general regulatory burden on industry, a 40% reduction of the regulatory burden for placing a new product on the internal market, and a 40% reduction of the administrative burden for SMEs and start-ups. Those efforts should, in particular, be made within the Better Regulation framework and without prejudice to the Union's environmental and labour standards. The Commission should report on the progress towards those objectives in its Annual Burden Survey.		

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Recital 21a				
31a		***(21a) In order to ensure the Union's access to a secure and sustainable supply of net-zero technologies needed to safeguard the Union's resilience and in order to reach its climate neutrality targets, the internal market needs to be a supportive environment for innovation in net-zero technologies to take place. Innovation will be a crucial factor in ensuring the Union's competitiveness as well as reaching net-zero objectives as***	**(21a) Considering that in some Member States storage capacities covering the obligations of regulated entities are already being developed, those Member States may request the Commission to exempt entities obligated to contribute to the Union target of 50 million tonnes of annual operational CO_2 injection capacity by 2030. The exemption would release entities from their individual contribution to the target in case**	

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		soon as possible. Given the rapid developments in net-zro technologies as well as the significant regulatory guidance provided for the green transition, it is of utmost importance for the achievement of the objectives of this Regulation that the potential impacts of Union legislation and policy initiatives on innovation are thoroughly considered during their preparation, review and revision through the application of the innovation principle as set out in the Better Regulation Tool #22 as well as the Commission communication of 15 May 2018 entitled "A renewed European	**the annual operational CO_2 injection capacity on the territory of that Member State exceeds the sum of the individual contributions that result from the relevant production activities. Additional capacities can be made available to other obligated entities in the form of agreements to the extent that they have not been accounted for to justify the exemption.**	

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		Agenda for Research and Innovation - Europe's chance to shape its future".		
Recital 21b				
31b		***(21b) The reduction of the regulatory and administrative burdens as well as having a suitable regulatory framework is particularly important for SMEs. Therefore, the Commission should appoint an SME Envoy as an adviser to its President. The SME Envoy should have a mandate to***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		ensure that the interests of SMEs are sufficiently reflected the Union's policies and legal acts. Every new Commission should be able to appoint an SME Envoy within six months of its own appointment		
Recital 21c				
31c		***(21c) The Transition Pathways that are being developed following the Updated EU Industry Strategy of 2021 should be updated to reflect the objectives of this***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		Regulation and should identify enablers as well as bottlenecks for the transition and global competitiveness of Union industry.		
Recital 22				
32	(22) Member States should submit updated drafts of their 2021-2030 National Energy and Climate Plans (NECPs) in June 2023[1]. As emphasised in the Commission's Guidance to Member States for the update of the 2021-2030 national energy and climate plans[2], the	(22) ***Pursuant to Regulation (EU) 2018/1999 of the European Parliament and of the Council[1]*** Member States should submit updated drafts of their 2021-2030 National Energy and Climate Plans (NECPs) in June 2023. As emphasised in the Commission's	(22) Member States should submit updated drafts of their 2021-2030 National Energy and Climate Plans (NECPs) in June 2023[1]. As emphasised in the Commission's Guidance to Member States for the update of the 2021-2030 national energy and climate plans[2], the	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	updated plans should describe Member States' objectives and policies to facilitate the scale-up of manufacturing projects of commercially available energy efficient and low-carbon technologies, equipment and key components within their territory. Those plans should also describe Member States' objectives and policies to achieve such scale-up through diversification efforts in third countries, and to enable their industries to capture and store CO_2 emissions permanently in geological storage sites. _____	Guidance to Member States for the update of the 2021-2030 national energy and climate plans[2], the updated plans should describe Member States' objectives and policies to facilitate the scale-up of manufacturing projects of commercially available energy efficient and low-carbon technologies, equipment and key components within their territory. Those plans should also describe Member States' objectives and policies to achieve such scale-up through diversification efforts in third countries, and to enable their industries to capture and store CO_2 emissions permanently in	updated plans should describe Member States' objectives and policies to facilitate the scale-up of manufacturing projects of commercially available energy efficient and low-carbon technologies, equipment and key components within their territory. Those plans should also describe Member States' objectives and policies to achieve such scale-up through diversification efforts in third countries, and to enable their industries to capture**, transport** and store CO_2 emissions permanently in geological storage sites.	

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	1. Member States shall update their national plans for 2021-2030 by June 2023 (draft plans) and June 2024 (final plans). See Article 14 and requirements of Chapter 2 and Annex I of the Regulation (EU) 2018/1999. 2. Commission Notice on the Guidance to Member States for the update of the 2021-2030 national energy and climate plans 2022/C 495/02, (OJ C 495, 29.12.2022, p. 24).	geological storage sites. ***Those national energy and climate plans should form the basis upon which the need for net-zero technologies are determined.*** _____ 1. ~~*Member States shall update their national plans for 2021-2030 by June 2023 (draft plans) and June 2024 (final plans*~~***Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action,***	_____ 1. **[1]** Member States shall update their national plans for 2021-2030 by June 2023 (draft plans) and June 2024 (final plans). See Article 14 and requirements of Chapter 2 and Annex I of the Regulation (EU) 2018/1999. 2. **[2]** Commission Notice on the Guidance to Member States for the update of the 2021-2030 national energy and climate plans ~~2022/C 495/02,~~ (OJ C 495, 29.12.2022, p. 24).	

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		amending Regulations (EC) No 663/2009 and (EC). ~~*See Article 14 and requirements of Chapter 2 and Annex I*~~ ***No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and*** of the ***Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing*** Regulation (EU) ~~*2018/1999*~~***No 525/2013 of the European Parliament and of the Council***		

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		(OJ L 328, 21.12.2018, p. 1). 2. Commission Notice on the Guidance to Member States for the update of the 2021-2030 national energy and climate plans 2022/C 495/02, (OJ C 495, 29.12.2022, p. 24).		
Recital 23				
33	(23) In addition, the Communication on the Green Deal Industrial Plan for the Net-Zero Age[1] sets out a comprehensive	(23) In addition, the Communication on the Green Deal Industrial Plan for the Net-Zero Age[1] sets out a comprehensive	(23) ~~In addition, the Communication on the Green Deal Industrial Plan for the Net-Zero Age[1] sets out a comprehensive~~	

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	approach to support a clean energy technology scale up based on four pillars. The first pillar aims at creating a regulatory environment that simplifies and fast-tracks permitting for new net-zero technology manufacturing and assembly sites and facilitates the scaling up of the net-zero industry of the Union. The second pillar of the plan is to boost investment in and financing of net-zero technology production, through the revised Temporary Crisis and Transition Framework adopted in March 2023 and the creation of a European Sovereignty fund to preserve the European edge on	approach to support a clean energy technology scale up based on four pillars. The first pillar aims at creating a regulatory environment that simplifies and fast-tracks permitting for new net-zero technology manufacturing and assembly sites and facilitates the scaling up of the net-zero industry of the Union. The second pillar of the plan is to boost investment in and financing of net-zero technology production, through the revised Temporary Crisis and Transition Framework adopted in March 2023 and the creation of a European Sovereignty fund to preserve the ~~*European*~~***Union's***	~~approach to support a clean energy technology scale up based on four pillars. The first pillar aims at creating a regulatory environment that simplifies and fast-tracks permitting for new net-zero technology manufacturing and assembly sites and facilitates the scaling up of the net-zero industry of the Union. The second pillar of the plan is to boost investment in and financing of net-zero technology production, through the revised Temporary Crisis and Transition Framework adopted in March 2023 and the creation of a European Sovereignty fund to preserve the European edge on~~	

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	critical and emerging technologies relevant to the green and digital transitions. The third pillar relates to developing the skills needed to make the transition happen and increase the number of skilled workers in the clean energy technology sector. The fourth pillar focuses on trade and the diversification of the supply chain of critical raw materials. That includes creating a critical raw materials club, working with like-minded partners to collectively strengthen supply chains and diversifying away from single suppliers for critical input.	edge on critical and emerging technologies relevant to the green and digital transitions. The third pillar relates to developing the skills needed to make the transition happen and increase the number of skilled workers in the clean energy technology sector. The fourth pillar focuses on trade and the diversification of the supply chain of critical raw materials. That includes creating a critical raw materials club, working with like-minded partners to collectively strengthen supply chains and diversifying away from single suppliers for critical input.	~~critical and emerging technologies relevant to the green and digital transitions. The third pillar relates to developing the skills needed to make the transition happen and increase the number of skilled workers in the clean energy technology sector. The fourth pillar focuses on trade and the diversification of the supply chain of critical raw materials. That includes creating a critical raw materials club, working with like-minded partners to collectively strengthen supply chains and diversifying away from single suppliers for critical input.~~	

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	_____ 1. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions: A Green Deal Industrial Plan for the Net-Zero Age, COM/2023/62 final, 01.02.2023.	_____ 1. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions: A Green Deal Industrial Plan for the Net-Zero Age, COM/2023/62 final, 01.02.2023.	_____ ~~1. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions: A Green Deal Industrial Plan for the Net-Zero Age, COM/2023/62 final, 01.02.2023.~~	
Recital 24				

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34	(24) Under the first pillar, the Union should develop and maintain an industrial basis for the provision of net-zero technology solutions to secure its energy supply, while also living up to its ambitions on climate neutrality. To support that goal and to avoid dependencies for the supply of net-zero technologies that would delay the Union's greenhouse gas emission reductions efforts or put at risk the security of supply of energy, this Regulation shall set out provisions to encourage demand for sustainable and resilient net-zero	(24) Under the first pillar, the Union should develop and maintain an industrial basis for the provision of net-zero technology solutions to secure its energy supply, while also living up to its ambitions on climate neutrality. To support that goal and to avoid dependencies for the supply of net-zero technologies that would delay the Union's greenhouse gas emission reductions efforts or put at risk the security of supply of energy, this Regulation shall set out provisions to encourage demand for sustainable and resilient net-zero	(24) Under the first pillar **of the Green Deal Industrial Plan for the Net-Zero Age**, the Union should develop and maintain an industrial basis for the provision of net-zero technology solutions to secure its energy supply, while also living up to its ambitions on climate neutrality. To support that goal and to avoid dependencies for the supply of net-zero technologies that would delay the Union's greenhouse gas emission reductions efforts or put ~~at risk~~ the security of supply of energy **at risk**, this Regulation ~~shall~~**should**	

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	technologies.	technologies.	set out provisions to encourage demand for sustainable and resilient net-zero technologies.	
Recital 25				
35	(25) Directives 2014/23/EU, 2014/24/EU and 2014/25/EU already allow contracting authorities and entities awarding contracts through public procurement procedures to rely, in addition to price or cost, on additional criteria for identifying the most economically	(25) Directives 2014/23/EU[1], 2014/24/EU[2] and 2014/25/EU[3] ***of the European Parliament and of the Council*** already allow contracting authorities and entities awarding contracts through public procurement procedures to rely, in addition to price or cost, on additional criteria for identifying	(25) Directives 2014/23/EU, 2014/24/EU and 2014/25/EU ~~already~~ allow contracting authorities and entities awarding contracts through public procurement procedures to rely, in addition to price or cost, on additional criteria for identifying the most economically	

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	advantageous tender. Such criteria concern for instance the quality of the tender including social, environmental and innovative characteristics. When awarding contracts for net-zero technology through public procurement, contracting authorities and contracting entities should duly assess the tenders' contribution to sustainability and resilience in relation to a series of criteria relating to the tender's environmental sustainability, innovation, system integration and to resilience.	the most economically advantageous tender. Such criteria concern for instance the quality of the tender including social, ***governance,*** environmental and innovative characteristics. When awarding contracts for net-zero technology through public procurement, contracting authorities and contracting entities should duly assess the tenders' contribution to ***environmental and social*** sustainability and resilience in relation to a series of criteria relating to the tender's environmental sustainability, innovation, system integration and to resilience. ***Contracting***	advantageous tender. Such criteria concern ~~for instance~~ the quality of the tender including social, environmental and innovative characteristics. When awarding contracts for net-zero technology through public procurement, ~~contracting authorities and contracting entities should duly assess~~**tendering conditions should take into account** the tenders' contribution to sustainability and resilience in relation to a series of criteria relating to the tender's environmental sustainability, innovation, **resilience and, where applicable,** system integration**. Criteria need to be balanced and**	

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		authorities and entities must ensure that procedures treat providers established in other Member States equally to national providers and to ensure non-discrimination when establishing criteria. _____ ***1. Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (OJ L 94, 28.3.2014, p. 1).*** ***2. Directive 2014/24/EU of the European Parliament and of***	**SME participation ensured** ~~and to resilience~~.	

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		the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65). ***3. Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243).***		

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Recital 26				
36	(26) Social sustainability criteria can already be applied under existing legislation and can include working conditions and collective bargaining in line with the European Pillar of Social Rights in line with Articles, 30 (3) of Directive 2014/23/EU, 18 (2) of Directive 2014/24/EU and 36 (2) of Directive 2014/25/EU. Contracting authorities should contribute to social sustainability by taking the appropriate measures to ensure that in the performance of	(26) Social sustainability criteria can already be applied under existing legislation and can include working conditions and collective bargaining in line with the European Pillar of Social Rights in line with ~~*Articles, 30 (3)*~~***Article 30(3)*** of Directive 2014/23/EU, ~~*18 (2)*~~***Article 18(2)*** of Directive 2014/24/EU and ~~*36 (2)*~~***Article 36(2)*** of Directive 2014/25/EU. Contracting authorities should ***consider the tenders*** contribute to social sustainability by taking the	(26) Social sustainability criteria can already be applied under existing legislation and can include working conditions and collective bargaining in line with the European Pillar of Social Rights in line with Articles, 30 (3) of Directive 2014/23/EU, 18 (2) of Directive 2014/24/EU and 36 (2) of Directive 2014/25/EU. ~~Contracting authorities~~**Member States** should contribute to social sustainability by taking the appropriate measures to ensure that in the performance of	

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	public contracts economic operators comply with applicable obligations in the fields of social and labour law established by Union law, national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex X of Directive 2014/23/EU, Annex X of Directive 2014/24/EU and Annex XIV of Directive 2014/25/EU[1]. _____ 1. Commission Notice "Buying Social - a guide to taking account of social considerations in public procurement (2nd	appropriate measures to ensure that in the performance of public contracts economic operators comply with applicable obligations in the fields of ***Union and national*** social and labour law ~~*established by Union law, national law,*~~***as well as in*** collective agreements or by the international environmental, social and labour law provisions listed in Annex X ~~*of*~~***to*** Directive 2014/23/EU, Annex X ~~*of*~~***to*** Directive 2014/24/EU and Annex XIV ~~*of*~~***to*** Directive 2014/25/EU~~*1*~~**,** ***and offer attractive employment*** _____ ~~*1. Commission Notice "Buying*~~	public contracts economic operators comply with applicable obligations in the fields of social and labour law established by Union law, national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex X of Directive 2014/23/EU, Annex X of Directive 2014/24/EU and Annex XIV of Directive 2014/25/EU[1]. _____ 1. **[1]** Commission Notice "Buying Social - a guide to taking account of social considerations in public	

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	edition)", C(2021) 3573 final.	~~*Social - a guide to taking account of social considerations in public procurement (2nd edition)", C(2021) 3573 final.*~~	procurement (2nd edition)", C(2021) 3573 final.	
Recital 27				
37	(27) Without prejudice to Union legislation applicable to a specific technology, including under the Proposal for a Regulation of the European Parliament and of the Council establishing a framework for setting ecodesign requirements for sustainable products[1] and the	(27) Without prejudice to Union legislation applicable to a specific technology, including under the Proposal for a Regulation of the European Parliament and of the Council establishing a framework for setting ecodesign requirements for sustainable products[1] and the	(27) ~~Without prejudice to Union legislation applicable to a specific technology, including under~~**In compliance with Directives 2014/23/EU, 2014/24/EU, 2014/25/EU and applicable sectoral legislations, and with** the Proposal for a Regulation of the	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Proposal for a Regulation of the European Parliament and of the Council concerning batteries and waste batteries[2], and unless otherwise indicated therein, when evaluating the environmental sustainability of the net-zero solutions procured on the basis of this Regulation, contracting authorities and contracting entities may take into account various elements with an impact on the climate and the environment. These may include, for instance, the durability and reliability of the solution; the ease of repair and maintenance; the ease of upgrading and refurbishment; the ease and	Proposal for a Regulation of the European Parliament and of the Council concerning batteries and waste batteries[2], and unless otherwise indicated therein, when evaluating the environmental sustainability of ~~*the*~~ net-zero solutions procured on the basis of this Regulation, contracting authorities and contracting entities ~~*may*~~***are encouraged to*** take into account various elements with an impact on the climate and the environment. These may include, for instance, the durability and reliability of the solution; the ease of repair and maintenance; the ease of upgrading and refurbishment;	European Parliament and of the Council establishing a framework for setting ecodesign requirements for sustainable products[1] and the ~~Proposal for a~~ Regulation of the European Parliament and of the Council concerning batteries and waste batteries[2], and unless otherwise indicated therein, when evaluating the environmental sustainability of the net-zero solutions procured on the basis of this Regulation, contracting authorities and contracting entities may take into account various elements with an impact on the climate and the environment. These may include, for instance, the	

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	quality of recycling; the use of substances; the consumption of energy, water and other resources in one or more life cycle stages of the product; the weight and volume of the product and its packaging; the incorporation of used components; the quantity, characteristics and availability of consumables needed for proper use and maintenance; the environmental footprint of the product and its life cycle environmental impacts; the carbon footprint of the product; the microplastic release; emissions to air, water or soil released in one or more life cycle stages of the	the ease and quality of recycling; the use of ***certain*** substances; the consumption of energy, water and other resources in one or more life cycle stages of the product; the weight and volume of the product and its packaging; the incorporation ***renewable materials or*** of used components; the quantity, characteristics and availability of consumables needed for proper use and maintenance; the environmental footprint of the product and its life cycle environmental impacts; the carbon footprint of the product; the microplastic release; emissions to air, water or soil released in one or	durability and reliability of the solution; the ease of repair and maintenance **and access to such services**; the ease of upgrading and refurbishment; the ease and quality of recycling; the use of substances; the consumption of energy, water and other resources in one or more life cycle stages of the product; the weight and volume of the product and its packaging; the incorporation of **renewable materials or** used components; the quantity, characteristics and availability of consumables needed for proper use and maintenance; the environmental footprint of the product and its life cycle	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	product; the amounts of waste generated; the conditions for use. _____ 1. Proposal for a Regulation of the European Parliament and of the Council establishing a framework for setting ecodesign requirements for sustainable products and repealing Directive 2009/125/EC, COM/2022/142 final, 30.03.2022. 2. Proposal for a Regulation of the European Parliament and of the Council concerning batteries and waste batteries, repealing	more life cycle stages of the product; the amounts of waste generated; the conditions for use. ***In line with the Union's Cybersecurity Strategy, contracting authorities for tenders under this Regulation should reject offers which have not been certified under the relevant cyber security certification scheme.*** _____ 1. Proposal for a Regulation of the European Parliament and of the Council establishing a framework for setting ecodesign requirements for sustainable	environmental impacts; the carbon footprint of the product; the microplastic release; emissions to air, water or soil released in one or more life cycle stages of the product; the amounts of waste generated; the conditions for use. **The mandatory application of criteria for procurement of net zero technologies does not preclude the application of other relevant award criteria provided for in applicable sectorial legislations. The weighting range of award criteria for procurement of net-zero technologies gives contracting authorities and entities the**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Directive 2006/66/EC and amending Regulation (EU) No 2019/1020, COM/2020/798 final, 10.12.2020.	products and repealing Directive 2009/125/EC, COM/2022/142 final, 30.03.2022. 2. Proposal for a Regulation of the European Parliament and of the Council concerning batteries and waste batteries, repealing Directive 2006/66/EC and amending Regulation (EU) No 2019/1020, COM/2020/798 final, 10.12.2020.	**possibility to attribute significant importance to other criteria while ensuring that the aims pursued with the sustainability and resilience considerations are sufficiently addressed.** _____ 1. **[1]** Proposal for a Regulation of the European Parliament and of the Council establishing a framework for setting ecodesign requirements for sustainable products and repealing Directive 2009/125/EC, COM/2022/142 final, 30.03.2022.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			2. ~~Proposal for a~~ **[2]** Regulation of the European Parliament and of the Council concerning batteries and waste batteries, ~~repealing~~**amending** Directive ~~2006/66/EC and amending~~ **2008/98/EC and** Regulation (EU) ~~No 2019/1020, COM/2020/798 final, 10.12.2020~~**2019/1020 and repealing Directive 2006/66/EC**.	
Recital 28				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
38	(28) For the purposes of taking into account within a public procurement procedure of the need to diversify sources of supply of net-zero technologies away from single sources of supply within the meaning of Article 19 (2), and without prejudice to the Union's international commitments, the supply should at least be deemed insufficiently diversified where a single source supplies for more than 65% of the demand for a specific net-zero technology within the Union.	(28) For the purposes of ***ensuring a more secure supply by*** taking into account within a public procurement procedure ~~*of*~~ the need to diversify sources of supply of net-zero technologies away from single sources of supply within the meaning of Article ~~*19 (2)*~~***19(2)***, and without prejudice to the Union's international commitments, the supply should at least be deemed insufficiently diversified where a single source supplies for more than 65% of the demand for a specific net-zero technology within the Union.	(28) For the purposes of taking into account within a public procurement procedure **or an auction to support the production or consumption of energy from renewable sources** ~~of~~ the need to diversify sources of supply of net-zero technologies away from single sources of supply ~~within the meaning of Article 19 (2),~~ and without prejudice to the Union's international commitments, the supply should at least be deemed insufficiently diversified where a single source supplies for more than ~~65%~~**50 %**	

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			of the demand for a specific net-zero technology **and the specific components primarily used for the production of those products** within the Union.	
Recital 28a				
38a			**(28a) When procuring net-zero technologies, contracting authorities and contracting entities might include these technologies as part of a larger procurement procedure. In this case, they should consider**	

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			splitting the procurement procedure into separate lots, setting out the minimum requirements and the implementing acts thereof as requirements concerning this specific lot.	
Recital 28b				
38b			**(28b) To promote the responsible business conduct of bidders, the cybersecurity and data security of the technologies used, the projects and the related**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			infrastructures and to promote the delivery projects fully and on time, public authorities designing auctions for the deployment of energy from renewable energy sources should include pre-qualification criteria related to responsible business conduct, cybersecurity and data security and ability to deliver the project fully and on time.	
Recital 28c				
38c			**(28c) To support the aim to**	

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			develop and maintain an industrial basis for the provision of strategic net-zero renewable energy technologies to secure the Union energy supply and to avoid dependencies for the supply of these technologies that would delay the Union's greenhouse gas emission reductions efforts or put the security of energy supply at risk, public authorities designing auctions for the deployment of energy from renewable energy sources should increase the sustainability and resilience of the supply of those technologies within the Union.	

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			Member States should assess the auctions' contribution to sustainability by examining the environmental sustainability of bids, their contribution to innovation and their contribution to energy system integration. In order to do so, Member States should have the choice to introduce pre-qualification or award criteria in the auction design. While pre-qualification criteria must be fulfilled by all the bidders' projects in order to be able to participate in the auction, award criteria aim at evaluating and ranking the different projects participating in	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			an auction.	
Recital 28d				
38d			**(28d) When evaluating the environmental sustainability of bids, either in the form of pre-qualification criteria or award criteria, public authorities designing auctions for the deployment of energy from renewable energy sources may take into account various elements with an impact on the climate and the environment.**	

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			These may include, for instance, the durability and reliability of the solution; the ease of repair and maintenance and access to such services; the ease of upgrading and refurbishment; the ease and quality of recycling; the use of substances; the consumption of energy, water and other resources in one or more life cycle stages of the product; the weight and volume of the product and its packaging; the incorporation of renewable materials or used components; the quantity, characteristics and availability of consumables needed for proper use and	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			maintenance; the environmental footprint of the product and its life cycle environmental impacts; the carbon footprint of the product; the microplastic release; emissions to air, water or soil released in one or more life cycle stages of the product; the amounts of waste generated; the conditions for use.	
Recital 28e				
38e			**(28e) To support the design and production of more innovative**	

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			and advanced renewable energy technologies, the sustainability contribution of bids may take into account, either in the form of pre-qualification criteria or award criteria, the contribution to innovation by providing for pre-qualification or award criteria that promote the use of entirely new solutions or the improvement of comparable state-of-the-art solutions.	
Recital 28f				
38f				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			(28f) To support the integration of energy from renewable sources into the Union's energy system and its benefits to cost-effective decarbonisation, the sustainability contribution of bids may take into account the contribution to energy system integration through, for instance, flexibility solutions including demand response and energy storage, and the production of renewable hydrogen.	
Recital 28g				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
38g			**(28g) To increase the resilience of supply of strategic net-zero renewable energy technologies and avoid excessive dependencies from countries with high concentration of supply within the Union, public authorities should evaluate by means of award criteria the resilience contribution of the different projects participating in auctions for the deployment of energy from renewable energy sources taking into account the need to diversify the supply of strategic net-zero renewable energy**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			technologies, without prejudice to the Union's international commitments. When ranking bids, public authorities should take into account that the supply should at least be deemed insufficiently diversified where more than 50% of the demand for a specific net-zero technology and the specific components primarily used for the production of those products within the Union originates from a third country.	
Recital 28h				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
38h			**(28h) The weighting of criteria on the sustainability and resilience contribution of the tender in relation to auctions for the deployment of energy from renewable sources is without prejudice to the possibility for the authorities designing those auctions to set a higher threshold for the criteria relating to environmental sustainability, innovation and energy system integration if this is compatible with any limit for non-price criteria set under State aid rules.**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Recital 28i				
38i			**(28i) In the view to reach the overall annual manufacturing benchmark of annual deployment needs by 2030 within the Union, a specific share of the volume auctioned for which non-price criteria are applied is provided by this Regulation. The determination of the share of the volume auctioned should, as appropriate, strive to reach a gradual overall increase in the**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			share of volume to be auctioned, with a view to cover as many auctions as possible and meet the overall objectives of this Regulation, subject to regular assessments by the Commission on the impact of such measures on the development of Union industry and deployment of renewable energy technologies. The exact share of the volume auctioned should be determined by an implementing act. The review of the share of auctions should be undergone until the overall annual manufacturing benchmark of at least 40% is reached.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Recital 29				
39	(29) For the purposes of setting up schemes benefitting households or consumers which incentivise the purchase of net-zero technology final products, and without prejudice to the Union's international commitments, the supply should be deemed insufficiently diversified where a single source supplies more than 65% of the total demand for a specific net-zero technology within	(29) For the purposes of setting up schemes benefitting households***,*** ***businesses,*** or consumers which incentivise the purchase of net-zero technology final products, and without prejudice to the Union's international commitments, the supply should be deemed insufficiently diversified where a single source supplies more than ~~*65%*~~***50%*** of the total demand ***within the Union*** for a specific net-	(29) For the purposes of setting up schemes benefitting households or consumers which incentivise the purchase of net-zero technology final products **and of diversifying sources of supply of net-zero technologies**, and without prejudice to the Union's international commitments, the supply should be deemed insufficiently diversified where a single source supplies more than	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	the Union. To ensure a consistent application, the Commission should publish a yearly list starting on the date of application of this Regulation, of the distribution of the origin of net zero technology final products which fall under this category, broken down by the share of Union supply originating in different sources in the last year for which data is available.	zero technology ~~*within the Union*~~. To ensure a consistent application, the Commission should publish a yearly list starting on the date of application of this Regulation, of the distribution of the origin of net zero technology final products which fall under this category, broken down by the share of Union supply originating in different sources in the last year for which data is available.	65% of the total demand for a specific net-zero technology within the Union. To ensure a consistent application, the Commission should publish a yearly list starting on the date of application of this Regulation, of the distribution of the origin of net zero technology final products which fall under this category, broken down by the share of Union supply originating in different sources in the last year for which data is available.	
Recital 30				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
40	(30) Council Decision 2014/115/EU approved in particular the amendment to the World Trade Organisation Agreement on Government Procurement (the 'GPA')[1]. The aim of the GPA is to establish a multilateral framework of balanced rights and obligations relating to public contracts with a view to achieving the liberalisation and expansion of world trade. For contracts covered by the European Union's Appendix I to the GPA, as well as by other relevant international agreements by which	(30) Council Decision 2014/115/EU[1] approved in particular the amendment to the World Trade Organisation Agreement on Government Procurement (the 'GPA')[1]. The aim of the GPA is to establish a multilateral framework of balanced rights and obligations relating to public contracts with a view to achieving the liberalisation and expansion of world trade. For contracts covered by the ~~*European*~~ Union's Appendix I to the GPA, as well as by other relevant international agreements by which	(30) Council Decision 2014/115/EU approved in particular the amendment to the World Trade Organisation Agreement on Government Procurement (the 'GPA')[1]. The aim of the GPA is to establish a multilateral framework of balanced rights and obligations relating to public contracts with a view to achieving the liberalisation and expansion of world trade. For contracts covered by the European Union's Appendix I to the GPA, as well as by other relevant international agreements by which	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	the Union is bound, including free trade agreements and the Article III:8(a) of the General Agreement on Tariffs and Trade of 1994 for procurement by governmental agencies of products purchased with a view to commercial resale or with a view to use in the production of goods for commercial sale, contracting authorities and contracting entities should not apply the requirements of Article 19 (1) point (d) to economic operators of sources of supply that are signatories to the agreements. _____	the Union is bound, including free trade agreements and the Article III:8(a) of the General Agreement on Tariffs and Trade of 1994 for procurement by governmental agencies of products purchased with a view to commercial resale or with a view to use in the production of goods for commercial sale, contracting authorities and contracting entities should not apply the requirements of Article 19***(2a) and Article 19(4a),*** ~~(1)~~ point ~~(d)~~***(a)*** to economic operators of sources of supply that are signatories to the agreements.	the Union is bound, including free trade agreements and the Article III:8(a) of the General Agreement on Tariffs and Trade of 1994 for procurement by governmental agencies of products purchased with a view to commercial resale or with a view to use in the production of goods for commercial sale, contracting authorities and contracting entities should not apply the requirements of Article 19 ~~(1) point (d)~~ **(5)** to economic operators of sources of supply that are signatories to the agreements. _____	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	1. Council decision 2014/115/EU of 2 December 2013 on the conclusion of the Protocol Amending the Agreement on Government Procurement, (OJ L68, 7.3.2014, p. 1).	_____ 1. Council Decision 2014/115/EU of 2 December 2013 on the conclusion of the Protocol Amending the Agreement on Government Procurement~~, (OJ L68~~ ***(OJ L 68***, 7.3.2014, p. 1).	1. **[1]** Council decision 2014/115/EU of 2 December 2013 on the conclusion of the Protocol Amending the Agreement on Government Procurement, (OJ L68, 7.3.2014, p. 1).	
Recital 31				
41	(31) The application of the provisions on resilience in public	(31) The application of the provisions on resilience in public	(31) The application of the provisions on resilience in public	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	procurement procedures set out in Article 19 should be without prejudice to the application of Article 25 of Directive 2014/24/EU of the European Parliament and of the Council[1], and Articles 43 and 85 of Directive 2014/25/EU of the European Parliament and of the Council[2], as according with the Commission's guidance of 2019[3]. The same way, public procurement provisions should continue to apply to works, supplies and services subject to Article 19, including article 67 (4) of Directive 2014/24/EU and any implementing measures resulting from the Proposal for a Regulation	procurement procedures set out in Article 19 ***of this Regulation*** should be without prejudice to the application of ~~*Article 25 of Directive 2014/24/EU*~~***Regulation (EU)2022/1031/EU*** of the European Parliament and ~~*of*~~ the Council[1], ***Article 25 of Directive 2014/24/EU ,*** and Articles 43 and 85 of Directive 2014/25/EU ~~*of the European Parliament and of the Council[2], as according*~~**, *in accordance*** with the Commission's guidance of 2019~~*[3]*~~[2]. The same way, public procurement provisions should continue to apply to works, supplies and services subject to Article 19, including Article ~~*67*~~	procurement procedures ~~set out in Article 19~~ should be without prejudice to the application of Article 25 of Directive 2014/24/EU of the European Parliament and of the Council[1], and Articles 43 and 85 of Directive 2014/25/EU of the European Parliament and of the Council[2], as according with the Commission's guidance of 2019[3]. The same way, public procurement provisions should continue to apply to works, supplies and services subject to ~~Article 19~~**this Regulation**, including article 67 (4) of Directive 2014/24/EU**, Article 82 (4) of Directive 2014/25/EU and Article 41 (2) of**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	establishing a framework for setting ecodesign requirements for sustainable products. _____ 1. Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65). 2. Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy,	~~(4)~~***67(4)*** of Directive 2014/24/EU and any implementing measures resulting from the Proposal for a Regulation establishing a framework for setting ecodesign requirements for sustainable products ***and the Regulation (EU) 2023/1542 of the European Parliament and of the Council***[3]. _____ 1. ~~*Directive 2014/24/EU*~~***Regulation (EU) 2022/1031*** of the European Parliament and of the Council of ~~*26 February 2014 on*~~ ***23 June 2022 on the access of third-***	**Directive 2014/23/EU** and any implementing measures resulting from the Proposal for a Regulation establishing a framework for setting ecodesign requirements for sustainable products. _____ 1. **[1]** Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65). 2. **[2]** Directive 2014/25/EU of the European Parliament and	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243). 3. Communication from the Commission: Guidance on the participation of third country bidders and goods in the EU procurement market, Brussels, 24.7.2019, C(2019) 5494 final.	***country economic operators, goods and services to the Union's*** public procurement and ~~*repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65)*~~***concession markets and procedures supporting negotiations on access of Union economic operators, goods and services to the public procurement and concession markets of third countries (International Procurement Instrument – IPI) (OJ L 173, 30.6.2022, p. 1)***. 2. ~~*Directive 2014/25/EU of the*~~	of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243). 3. **[3]** Communication from the Commission: Guidance on the participation of third country bidders and goods in the EU procurement market, Brussels, 24.7.2019, C(2019) 5494 final.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		~~*European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243)*~~***Communication from the Commission: Guidance on the participation of third country bidders and goods in the EU procurement market, Brussels, 24.7.2019, C(2019) 5494 final***. 3. ~~*Communication from the Commission: Guidance on the*~~		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		~~*participation of third country bidders and goods in the EU procurement market, Brussels, 24.7.2019, C(2019) 5494 final*~~***Regulation (EU) 2023/1542 of the European Parliament and of the Council of 12 July 2023 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC (OJ L 191, 28.7.2023, p. 1)***.		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Recital 32				
42	(32) The weighting of criteria on the sustainability and resilience contribution of the tender in relation to public procurement procedures is without prejudice to the possibility for contracting authorities and contracting entities to set a higher threshold for the criteria relating to environmental sustainability and innovation, in line with Article 41 (3) and Recital 64 of Directive 2014/23/EU of the European Parliament and of the Council[1], Article 67 (5) of	(32) The weighting of criteria on the sustainability and resilience contribution of the tender in relation to public procurement procedures is ~~*without prejudice to the possibility for*~~***a minimum threshold. Within this minimum threshold, the*** contracting authorities and contracting entities ~~*to set a higher threshold for the*~~***may differentiate the weighting of the individual*** criteria***, without ignoring one completely. Contracting authorities and***	(32) ~~The weighting of criteria on the sustainability and resilience contribution of the tender in relation to public procurement procedures is without prejudice to the possibility for contracting authorities and contracting entities to set a higher threshold for the criteria relating to environmental sustainability and innovation, in line with Article 41 (3) and Recital 64 of Directive 2014/23/EU of the European Parliament and of the Council[1], Article 67 (5) of~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Directive 2014/24/EU and Article 82 (5) of Directive 2014/25/EU. _____ 1. Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (OJ L 94, 28.3.2014, p. 1).	***contracting entities may always set a higher threshold for one or several relevant criteria on sustainability and resilience contribution. Given the importance of increasing the resilience*** ~~*relating to environmental sustainability and innovation, in line with Article 41 (3) and Recital 64 of Directive 2014/23/EU of the European Parliament and*~~ of the ~~*Council*~~[H], ~~*Article 67 (5) of Directive 2014/24/EU and Article 82 (5) of Directive 2014/25/EU*~~***Union's energy system, the contracting authorities and contracting entities should pay significant***	~~Directive 2014/24/EU and Article 82 (5) of Directive 2014/25/EU.~~ _____ ~~1. Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (OJ L 94, 28.3.2014, p. 1).~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		attention to the resilience contribution. _____ ~~*1*~~. ~~*Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (OJ L 94, 28.3.2014, p. 1).*~~		
Recital 33				
43	(33) In order to limit	(33) In order to limit	(33) In order to limit	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	administrative burden resulting from the need to take into account criteria relating to the sustainability and resilience contribution of the tender, in particular for smaller public buyers and for contracts of lower value which do not have an important impact on the market, the application of the relevant provisions of this Regulation should be deferred for two years for public buyers which are not central purchasing bodies and for contracts of a value below EUR 25 million.	administrative burden resulting from the need to take into account criteria relating to the sustainability and resilience contribution of the tender, in particular for smaller public buyers and for contracts of lower value which do not have an important impact on the market, the application of the relevant provisions of this Regulation should be deferred for two years for public buyers which are not central purchasing bodies and for contracts of a value below EUR 25 million.	administrative burden resulting from the need to take into account ~~criteria~~ **requirements** relating to the sustainability and resilience contribution of the tender, in particular for smaller public buyers and for contracts of lower value which do not have an important impact on the market, the application of the relevant provisions of this Regulation should be deferred for two years for public buyers which are not central purchasing bodies and for contracts of a value below EUR 25 million.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Recital 34				
44	(34) For the purposes of the application of the provisions on public procurement according to Article 19, where a product is covered by a delegated act adopted under Regulation (EU) 2017/1369 of the European Parliament and of the Council[1], contracting authorities or contracting entities should purchase only the products that comply with the obligation laid down in Article 7 (2) of that Regulation. _____	(34) For the purposes of the application of the provisions on public procurement according to Article 19 ***of this Regulation***, where a product is covered by a delegated act adopted under Regulation (EU) 2017/1369 of the European Parliament and of the Council[1], contracting authorities or contracting entities should purchase only the products that comply with the obligation laid down in Article ~~7 (2)~~***7(2)*** of that Regulation.	(34) For the purposes of the application of the provisions on public procurement ~~according to Article 19~~, where a product is covered by a delegated act adopted under Regulation (EU) 2017/1369 of the European Parliament and of the Council[1], contracting authorities or contracting entities should purchase only the products that comply with the obligation laid down in Article 7 (2) of that Regulation. _____	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	1. Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU (OJ L 198, 28.7.2017, p. 1).	_____ 1. Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU (OJ L 198, 28.7.2017, p. 1).	1. **[1]** Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU (OJ L 198, 28.7.2017, p. 1).	
Recital 35				
45	(35) Households and final consumers are an essential part of	(35) Households***, business*** and final consumers are an essential	(35) Households and final consumers are an essential part of	

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	the Union's demand for net-zero technologies final products and public support schemes to incentivize the purchase of such product by households, in particular for vulnerable low- and lower middle-class income households and consumers, are important tools to accelerate the green transition. Under the solar rooftop initiative announced in the EU solar strategy[1], Member States should for instance set-up national programmes to support the massive deployment of rooftop solar energy. In the REPowerEU plan, the Commission called Member States to make full use of	part of the Union's demand for net-zero technologies final products and public support schemes to incentivize the purchase of such product by households, in particular for vulnerable low- and lower middle-class income households and consumers, are important tools to accelerate the green transition. Under the solar rooftop initiative announced in the EU solar strategy[1], Member States should for instance set-up national programmes to support the massive deployment of rooftop solar energy. In the REPowerEU plan, the Commission called Member States to make full use of	the Union's demand for net-zero technologies final products and public support schemes to incentivize the purchase of such product by households, in particular for vulnerable low- and lower middle-class income households and consumers, are important tools to accelerate the green transition. Under the solar rooftop initiative announced in the EU solar strategy[1], Member States should for instance set-up national programmes to support the massive deployment of rooftop solar energy. In the REPowerEU plan, the Commission called Member States to make full use of	

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	supporting measures which encourage switching to heat pumps. Such support schemes set up nationally by Member States or locally by local or regional authorities should also contribute to improving the sustainability and resilience of the EU net-zero technologies. Public authorities should for instance provide higher financial compensation to beneficiaries for the purchase of net-zero technology final products that will make a higher contribution to resilience in the Union. Public authorities should ensure that their schemes are open, transparent and non-	supporting measures which encourage switching to heat pumps. Such support schemes set up nationally by Member States or locally by local or regional authorities should also contribute to improving the sustainability and resilience of the ~~EU~~ ***Union*** net-zero technologies. Public authorities should for instance provide higher financial compensation to beneficiaries for the purchase of net-zero technology final products that will make a higher contribution to resilience in the Union. Public authorities should ensure that their schemes are open, transparent and non-	supporting measures which encourage switching to heat pumps. Such support schemes set up nationally by Member States or locally by local or regional authorities should also contribute to improving the sustainability and resilience of the EU net-zero technologies. Public authorities should for instance provide higher financial compensation to beneficiaries for the purchase of net-zero technology final products that will make a higher contribution to resilience in the Union. Public authorities should ensure that their schemes are open, transparent and non-discriminatory,	

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	discriminatory, so that they contribute to increase demand for net-zero technology products in the Union. Public authorities should also limit the additional financial compensation for such products so as not to slow down the deployment of the net-zero technologies in the Union. To increase the efficiency of such schemes Member States should ensure that information is easily accessible both for consumers and for net-zero technology manufacturers on a free website. The use by public authorities of the sustainability and resilience contribution in schemes targeted at	discriminatory, so that they contribute to increase demand for net-zero technology products in the Union. Public authorities should also limit the additional financial compensation for such products so as not to slow down the deployment of the net-zero technologies in the Union. To increase the efficiency of such schemes Member States should ensure that information is easily accessible both for consumers and for net-zero technology manufacturers on a free website. The use by public authorities of the sustainability and resilience contribution in schemes targeted at	so that they contribute to increase demand for net-zero technology products in the Union. Public authorities should also limit the additional financial compensation for such products so as not to slow down the deployment of the net-zero technologies in the Union. To increase the efficiency of such schemes Member States should ensure that information is easily accessible both for consumers and for net-zero technology manufacturers on a free website. The use by public authorities of the sustainability and resilience contribution in schemes targeted at consumers or households should be	

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	consumers or households should be without prejudice to State aid rules and to WTO rules on Subsidies. _____ 1. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions : EU Solar Energy Strategy, COM(2022) 221 final, 18.05.2022.	consumers or households should be without prejudice to State aid rules and to WTO rules on Subsidies. _____ 1. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions : EU Solar Energy Strategy, COM(2022) 221 final, 18.05.2022.	without prejudice to State aid rules and to WTO rules on Subsidies. _____ 1. **[1]** Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions : EU Solar Energy Strategy, COM(2022) 221 final, 18.05.2022.	
Recital 36				

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46	(36) When designing schemes benefitting households or consumers which incentivise the purchase of net-zero technology final products listed in the Annex, Member States, regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law, should ensure the respect of the Union's international commitments, including by ensuring that schemes do not reach a magnitude that causes serious prejudice to the interest of WTO	(36) When designing schemes benefitting households***, businesses*** or consumers which incentivise the purchase of net-zero technology final products listed in ~~*the Annex*~~***Article 3 of this Regulation***, Member States, regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law, should ensure the respect of the Union's international commitments, including by ensuring that schemes ***are compatible with WTO provisions***	(36) When designing schemes benefitting households or consumers which incentivise the purchase of net-zero technology final products ~~listed in the Annex~~**as defined in this Regulation**, Member States, regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law, should ensure the respect of the Union's international commitments, including by ensuring that schemes do not reach a magnitude that causes serious	

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	members.	***and*** do not reach a magnitude that causes serious prejudice to the interest of WTO members.	prejudice to the interest of WTO members.	
Recital 37				
47	(37) The Commission should also assist Member States in the design of schemes targeted at households and consumers to build synergies and exchange best practices. The Net-Zero Europe Platform should also play an important role in accelerating the implementation of the sustainability and resilience	(37) ***A net-zero Europe platform (Net-Zero Europe Platform) should also play an important role in accelerating the implementation of the sustainability and resilience contribution by Member States and public authorities in their public procurement and***	(37) The Commission ~~should~~**may** also assist Member States in the design of schemes targeted at households and consumers to build synergies and exchange best practices. The Net-Zero Europe Platform should also play an important role in accelerating the implementation of the	

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	contribution by Member States and public authorities in their public procurement and auctioning practices. It should issue guidance and identify best practices on how to define the contribution and use it, providing concrete and specific examples.	***auctioning practices and*** the Commission should also assist Member States in the design of schemes targeted at households, ***businesses*** and consumers to build synergies and exchange best practices. ~~*The Net-Zero Europe Platform should also play an important role in accelerating the implementation*~~***It is important that both the contracting authorities or contracting entities and the producing companies have a clear understanding of each*** of the sustainability and resilience ~~*contribution by Member States and public authorities in their*~~***criteria. Therefore, the Commission***	sustainability and resilience contribution by Member States and public authorities in their public procurement and auctioning practices. It should issue guidance and identify best practices on how to define the contribution and use it, providing concrete and specific examples.	

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		should, in close collaboration with the Net-Zero Europe Platform, adopt an implementing act specifying the criteria to assess the resilience and sustainability contribution, with a particular attention for SMEs, who should have a fair chance to participate in the substantial market for public procurement***. Coherence with all existing legislation will be key. Furthermore, that implementing act*** ~~*and auctioning practices. It*~~ should ~~*issue guidance and identify best practices*~~***clarify the derogations provided for in Article 19(4). Besides, the Commission should, in close***		

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		collaboration with the Net-Zero Europe Platform, issue guidance on how to ~~*define the contribution and use it, providing*~~***link the sustainability and resilience criteria with future legislation. That guidance can further provide*** concrete and specific examples ***and best practices. In order to be coherent with all future legislation, the Commission should update its guidance at least every six months***.		
Recital 38				

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48	(38) To enable the industry to adjust its production on time, contracting authorities and contracting entities should inform the market in advance of their estimated procurement needs for net-zero technology products.	(38) ***In order to ensure that public procurement and auctions to deploy renewable energy sources truly contribute to the Union's resilience, these activities need to be predictable for industry.*** To enable the industry to adjust its production on time, contracting authorities and contracting entities should inform the market in advance of their estimated procurement needs for net-zero technology products. ***Auctions should also reflect that inflation, together with the long lead time of renewable energy***	(38) To enable the industry to adjust its production on time, contracting authorities and contracting entities should inform the market in advance of their estimated procurement needs for net-zero technology products.	

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		deployment projects, creates a significant risk for businesses and this might discourage businesses from bidding. To provide certainty about the business case of an auction bid, Member States should ensure that all auctions include an inflation indexation mechanism. Furthermore, Member States should, where appropriate, exclude negative bids from auctions as these bids might lead to unexpectedly high energy prices for customers of the deployed renewable energy production.		

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Recital 38a				
48a			**(38a) In addition to measures oriented towards public and household demand, the Union could consider action to ease the deployment of net zero technologies in the EU industrial value chains with particular attention to SMEs, notably through facilitating the connection between supply and demand from industry.**	
Recital 39				

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49	(39) As indicated in the Communication on the Green Deal Industrial Plan for the Net-Zero Age, published on 1 February 2023, the Union's industry's market shares are under strong pressure, due to subsidies in third countries which undermine a level playing field. This translates in a need for a rapid and ambitious reaction from the Union in modernising its legal framework.	(39) As indicated in the Communication on the Green Deal Industrial Plan for the Net-Zero Age, published on 1 February 2023, the Union's industry's market shares are under strong pressure, due to subsidies in third countries which undermine a level playing field. ***Some third countries are rolling out support schemes that aim to anchor and attracting clean tech industry. This situation presents a competitive challenge for the Union to maintain and develop its own industry.*** This translates in a need for a rapid and	(39) As indicated in the Communication on the Green Deal Industrial Plan for the Net-Zero Age, published on 1 February 2023, the Union's industry's market shares are under strong pressure, due to subsidies in third countries which undermine a level playing field. This translates in a need for a rapid and ambitious reaction from the Union in modernising its legal framework.	

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		ambitious reaction from the Union in modernising its legal framework ***to compete globally defending open and fair trade by making full and efficient use of all available tools including trade defence instruments, and by promoting Union standards for net-zero technologies***.		
Recital 39a				
49a		***(39a) Considering the Union's goal to reduce strategic dependencies on third countries***		

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		for net-zero technologies, it is crucial that public support mechanisms, such as procurement and auctions, do not exacerbate such dependencies. Therefore, limitations should be set on the proportion of products in supply contracts sourced from third countries, in accordance with Regulation (EU) No 952/2013 of the European Parliament and of the Council[1] and Directive 2014/25/EU of the European Parliament and of the Council[2]. Furthermore, Regulation (EU) 2022/1031 and Regulation (EU) 2022/2560 of the European Parliament and of the Council[3]		

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		should be used to their fullest extent in order to ensure that Union companies do not face unfair competition for public contracts. _____ ***1. Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).*** ***2. Directive 2014/25/EU of the European Parliament and of the Council of 26 February***		

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		2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC Text with EEA relevance (OJ L 94, 28.3.2014, p. 243). ***3. Regulation (EU) 2022/2560 of the European Parliament and of the Council of 14 December 2022 on foreign subsidies distorting the internal market (OJ L 330, 23.12.2022, p. 1).***		

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Recital 39b				
49b		***(39b) To achieve the objectives of this Regulation, a dedicated source of public funding is necessary to support the projects carried out pursuant to it. That funding should ensure that companies across the Union have access to the needed funding, regardless of the fiscal capacities of the Member States in which the project is to be developed. The 2021-2027 Multiannual Financial Framework (MFF) as greed in 2020 does not provide for this.***		

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		The Strategic Technologies for Europe Platform 'STEP' partly addresses the needed support for projects under this Regulation. While the STEP relies on the reprogramming and reinforcement of existing programmes for supporting strategic investments, it is also an important element for testing the feasibility and preparation of new interventions as a step towards a European Sovereignty Fund. The evaluation of STEP in 2025 is to assess the relevance of the actions undertaken and serve as basis for assessing the need for an upscaling of the support towards		

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		strategic sectors.		
Recital 40				
50	(40) Access to finance is key for ensuring the Union's open strategic autonomy and for establishing a solid manufacturing base for net-zero technologies and their supply chains across the Union. The majority of investments necessary to reach the Green Deal objectives will come from private capital[1] attracted by the growth potential of the net-zero ecosystem. Well-	(40) Access to ***public and private*** finance is key for ensuring the Union's open strategic autonomy and for establishing a solid ***and competitive*** manufacturing base for net-zero technologies and their supply chains across the Union. The majority of investments necessary to reach the Green Deal objectives will come from private capital[1] attracted by the growth	(40) Access to finance is key for ensuring the Union's open strategic autonomy and for establishing a solid manufacturing base for net-zero technologies and their supply chains across the Union. The majority of investments necessary to reach the Green Deal objectives will come from private capital[1] attracted by **both** the growth potential of the net-zero ecosystem	

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	functioning, deep and integrated capital markets will therefore be essential to raise and channel the funds needed for the green transition and net-zero manufacturing projects. Swift progress towards the Capital Markets Union is thus necessary for the EU to deliver on its net-zero objectives. The sustainable finance agenda (and blended finance) also plays a crucial role in scaling up investments into the net-zero technologies, while guaranteeing the competitiveness of the sector. _____ 1. Commission Staff Working	potential of the net-zero ecosystem. Well-functioning, deep and integrated capital markets will therefore be essential to raise and channel the funds needed for the green transition and net-zero ***technology*** manufacturing projects. Swift progress towards the Capital Markets Union is thus necessary for the ~~*EU*~~***Union*** to deliver on its net-zero objectives. The sustainable finance agenda (and blended finance) also plays a crucial role in scaling up investments into the net-zero technologies, while guaranteeing the competitiveness of the sector. ***As indicated in the Staff Working***	**and a stable and ambitious policy framework**. Well-functioning, deep and integrated capital markets will therefore be essential to raise and channel the funds needed for the green transition and net-zero manufacturing projects. Swift progress towards the Capital Markets Union is thus necessary for the EU to deliver on its net-zero objectives. The sustainable finance agenda (and blended finance) also plays a crucial role in scaling up investments into the net-zero technologies **along the value chains**, while guaranteeing the competitiveness of the sector.	

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	Document Identifying Europe's recovery needs Accompanying the document Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions - Europe's moment: Repair and Prepare for the Next Generation, SWD(2020) 98 final, Identifying Europe's recovery needs, 27.05.2020.	***Document accompanying this Regulation, investment needs amount to around EUR 92 billion over the period 2023 to 2030, with a range of between about EUR 52 to 119 billion depending on various scenarios, which would result in public funding requirements of EUR 16 to 18 billion. Considering that this assessment only takes into account five specific technologies, the real investment need is likely to be significantly higher.*** _____ 1. Commission Staff Working Document Identifying Europe's	_____ 1. **[1]** Commission Staff Working Document Identifying Europe's recovery needs Accompanying the document Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions - Europe's moment: Repair and Prepare for the Next Generation, SWD(2020) 98 final, Identifying Europe's recovery	

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		recovery needs Accompanying the document Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions - Europe's moment: Repair and Prepare for the Next Generation, SWD(2020) 98 final, Identifying Europe's recovery needs, 27.05.2020.	needs, 27.05.2020.	
Recital 41				

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51	(41) Where private investment alone is not sufficient, the effective roll-out of net-zero manufacturing projects may require public support in the form of State aid. Such aid must have an incentive effect and be necessary, appropriate and proportionate. The existing State aid guidelines that have recently undergone an in-depth revision in line with the twin transition objectives provide ample possibilities to support investments for projects in the scope of this Regulation subject to certain conditions. Member States can	(41) Where private investment alone is not sufficient, the effective roll-out of net-zero manufacturing projects may require public support in the form of State aid. Such aid must have an incentive effect and be necessary, appropriate and proportionate. The existing State aid guidelines that have recently undergone an in-depth revision in line with the twin transition objectives provide ample possibilities to support investments for projects in the scope of this Regulation subject to certain conditions. Member States can	(41) **Private investment by companies and financial investors is essential.** Where private investment alone is not sufficient, the effective roll-out of net-zero manufacturing projects may require public support**, for example in the form of guarantees, loans or equity and quasi-equity investments, while avoiding distortion within the internal market. When this public support comes** in the form of State aid~~.~~**,** such aid must have an incentive effect and be necessary, **targeted, temporary,** appropriate	

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	have an important role in easing access to finance for net-zero technologies manufacturing projects by addressing market failures through targeted State aid support. The Temporary Crisis and Transition Framework (TCTF) adopted on 9 March 2023 aims at ensuring a level playing field within the internal market, targeted to those sectors where a third-country delocalisation risk has been identified, and proportionate in terms of aid amounts. It would enable Member States to put in place measures to support new investments in production facilities in defined, strategic net-zero	have an important role in easing access to finance for net-zero technologies manufacturing projects by addressing market failures through targeted State aid support. The Temporary Crisis and Transition Framework (TCTF) adopted on 9 March 2023 aims at ensuring a level playing field within the internal market, targeted to those sectors where a third-country delocalisation risk has been identified, and proportionate in terms of aid amounts. It would enable Member States to put in place measures to support new investments in production facilities in defined, strategic net-zero	and proportionate**, while preserving competition and cohesion in the internal market**. The existing State aid guidelines that have recently undergone an in-depth revision in line with the twin transition objectives provide ample possibilities to support investments for projects in the scope of this Regulation subject to certain conditions. Member States can have an important role in easing access to finance for net-zero technologies manufacturing projects by addressing market failures through targeted **and temporary** State aid support. The Temporary Crisis and Transition	

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	sectors, including via tax benefits. The permitted aid amount can be modulated with higher aid intensities and aid amount ceilings if the investment is located in assisted areas, in order to contribute to the goal of convergence between Member States and regions. Appropriate conditions are required to verify the concrete risks of diversion of the investment outside the European Economic Area (EEA) and that there is no risk of relocation within the EEA. To mobilise national resources for that purpose, Member States may use a share of the ETS revenues that	sectors, including via tax benefits. The permitted aid amount can be modulated with higher aid intensities and aid amount ceilings if the investment is located in assisted areas, in order to contribute to the goal of convergence between Member States and regions. Appropriate conditions are required to verify the concrete risks of diversion of the investment outside the European Economic Area (EEA) and that there is no risk of relocation within the EEA ***to avoid a fragmentation of the internal market***. To mobilise national resources for that purpose, Member	Framework (TCTF) adopted on 9 March 2023 aims at ensuring a level playing field within the internal market, targeted to those sectors where a third-country delocalisation risk has been identified, and proportionate in terms of aid amounts. It would enable Member States to put in place measures to support new investments in production facilities in defined, strategic net-zero sectors, including via tax benefits. The permitted aid amount can be modulated with higher aid intensities and aid amount ceilings if the investment is located in assisted areas, in order to	

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	Member States have to allocate for climate-related purposes.	States may use a share of the ***Union's Emissions Trading System (EU ETS)*** ~~*ETS*~~ revenues that Member States have to allocate for climate-related purposes.	contribute to the goal of convergence between Member States and regions. Appropriate conditions are required to verify the concrete risks of diversion of the investment outside the European Economic Area (EEA) and that there is no risk of relocation within the EEA. To mobilise national resources for that purpose, Member States may use a share of the ETS revenues that Member States have to allocate for climate-related purposes.	
Recital 41a				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
51a		***(41a) Multiple sources of financing should be made fully available such as unused amounts of the Recovery and Resilience Facility, dedicated support from the EU Innovation Fund, dedicated financing schemes from the European Investment Bank, and utilisation to the greatest extent possible, of all MFF funds that have not yet been utilised. More investments form the private sector should be stimulated through dedicated State guarantees, especially when it comes to industrial investments in***	**(41a) Public support should be used to address specific identified market failures or sub-optimal investment situations in a proportionate manner, and actions should not duplicate or crowd out private financing or distort competition in the internal market. Actions should have a clear added value for the Union. Public investment can in particular focus on the necessary infrastructure investments, on fostering innovation and the upscaling of breakthrough technologies.**	

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		net-zero technology manufacturing projects, including net-zero strategic projects.		
Recital 42				
52	(42) Several Union funding programmes, such as the Recovery and Resilience Facility, InvestEU, cohesion policy programmes or the Innovation Fund are also available to fund investments in net-zero technology manufacturing projects.	(42) Several Union funding programmes, such as the Recovery and Resilience Facility, InvestEU, cohesion policy programmes or the Innovation Fund are also available to fund investments in net-zero technology manufacturing projects. ***The current EU budget is not sufficient for supporting the***	(42) Several Union funding programmes, such as the Recovery and Resilience Facility, InvestEU, cohesion policy programmes or the Innovation Fund are also available to fund investments in net-zero technology manufacturing projects.	

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		objectives of this Regulation or for ensuring a level-playing field among Member States. The revision of the 2021-2027 MFF should therefore provide for a European budget fit for purpose. In this regard, the STEP should also provide additional financial means partly dedicated to net-zero manufacturing projects contributing to the reduction of strategic dependencies of the Union and the competitiveness of its industry.		
Recital 43				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
53	(43) The amended Recovery and Resilience Facility Regulation[1] made available an additional EUR 20 billion of non-repayable support to Member States in order to promote energy efficiency and replace fossil fuels, amongst others through EU net-zero industry projects. As pointed out in the Commission Guidance on the REPowerEU chapters[2], Member States are encouraged to include in the REPowerEU chapter of their recovery and resilience plans, measures supporting investments in net-zero technologies	(43) The amended Recovery and Resilience Facility Regulation[1] made available an additional EUR 20 billion of non-repayable support to Member States in order to promote energy efficiency and replace fossil fuels, amongst others through EU ~~*net-zero*~~***net- zero*** industry projects. As pointed out in the Commission Guidance on the REPowerEU chapters[2], Member States are encouraged to include in the REPowerEU chapter of their recovery and resilience plans, measures supporting investments in net-zero technologies	(43) The amended Recovery and Resilience Facility Regulation[1] made available an additional EUR 20 billion of non-repayable support to Member States in order to promote energy efficiency and replace fossil fuels, amongst others through EU net-zero industry projects. As pointed out in the Commission Guidance on the REPowerEU chapters[2], Member States are encouraged to include in the REPowerEU chapter of their recovery and resilience plans, measures supporting investments in net-zero technologies	

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	manufacturing and industrial innovation, in accordance with Regulation (EU) 2021/241 of the European Parliament and of the Council[3]. _____ 1. Regulation (EU) 2023/435 of the European Parliament and of the Council of 27 February 2023 amending Regulation (EU) 2021/241 as regards REPowerEU chapters in recovery and resilience plans and amending Regulations (EU) No 1303/2013, (EU) 2021/1060 and (EU) 2021/1755, and	manufacturing and industrial innovation, in accordance with Regulation (EU) 2021/241 of the European Parliament and of the Council[3]. _____ 1. Regulation (EU) 2023/435 of the European Parliament and of the Council of 27 February 2023 amending Regulation (EU) 2021/241 as regards REPowerEU chapters in recovery and resilience plans and amending Regulations (EU) No 1303/2013, (EU) 2021/1060 and (EU) 2021/1755, and	manufacturing and industrial innovation, in accordance with Regulation (EU) 2021/241 of the European Parliament and of the Council[3]. _____ 1. **[1]** Regulation (EU) 2023/435 of the European Parliament and of the Council of 27 February 2023 amending Regulation (EU) 2021/241 as regards REPowerEU chapters in recovery and resilience plans and amending Regulations (EU) No 1303/2013, (EU) 2021/1060 and (EU) 2021/1755, and	

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	Directive 2003/87/EC, (OJ L 63, 28.2.2023, p. 1). 2. Commission Notice Guidance on Recovery and Resilience Plans in the context of REPowerEU 2023/C 80/01, (OJ C 80, 3.3.2023, p. 1). 3. 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).	Directive 2003/87/EC, (OJ L 63, 28.2.2023, p. 1). 2. Commission Notice Guidance on Recovery and Resilience Plans in the context of REPowerEU 2023/C 80/01, (OJ C 80, 3.3.2023, p. 1). 3. 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).	Directive 2003/87/EC, (OJ L 63, 28.2.2023, p. 1). 2. **[2]** Commission Notice Guidance on Recovery and Resilience Plans in the context of REPowerEU 2023/C 80/01, (OJ C 80, 3.3.2023, p. 1). 3. **[3]** 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).	

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Recital 43a				
53a		***(43a) With the increase of EU ETS prices, revenues from the EU ETS for Member States have increased substantially. To promote the decarbonisation of Union industry, Member States should significantly increase their allocation of national revenues stemming from the EU ETS to support the decarbonisation of industry and should therefore allocate at least 25% of their national revenues stemming from the EU ETS to support the***		

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		objectives of this Regulation.		
Recital 44				
54	(44) InvestEU is the EU flagship programme to boost investment, especially the green and digital transition, by providing financing and technical assistance, for instance through blending mechanisms. Such approach contributes to crowd in additional public and private capital. In addition, Member States are encouraged to contribute to the	(44) InvestEU is the ~~*EU*~~***Union*** flagship programme to boost investment, especially the green and digital transition, by providing financing and technical assistance, for instance through blending mechanisms. Such approach contributes to crowd in additional public and private capital. In addition, Member States are encouraged to contribute to the	(44) InvestEU is the EU flagship programme to boost investment, especially the green and digital transition, by providing financing and technical assistance, for instance through blending mechanisms. Such **an** approach contributes to crowd in additional public and private capital. In addition, Member States are encouraged to contribute to the	

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	InvestEU Member State compartment to support financial products available to net-zero technology manufacturing, without prejudice to applicable State aid rules.	InvestEU Member State compartment to support financial products available to net-zero technology manufacturing, without prejudice to applicable State aid rules.	InvestEU Member State compartment to support financial products available to net-zero technology manufacturing, without prejudice to applicable State aid rules.	
Recital 45				
55	(45) Member States can provide support from cohesion policy programmes in line with applicable rules under Regulation (EU) 2021/1060 of the European Parliament and of the Council[1] to	(45) Member States can provide support from cohesion policy programmes in line with applicable rules under Regulation (EU) 2021/1060 of the European Parliament and of the Council[1] to	(45) Member States can provide support from cohesion policy programmes in line with applicable rules under Regulation (EU) 2021/1060 of the European Parliament and of the Council[1] to	

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	encourage the take up of net-zero strategic projects in less developed and transition regions through investment packages of infrastructure, productive investment in innovation, manufacturing capacity in SMEs, services, training and upskilling measure, including support to capacity building of the public authorities and promoters. The applicable co-financing rates set in programmes may be up to 85% for less developed regions and up to 60% or 70% for transition regions depending on the fund concerned and the status of the region but Member States may exceed these	encourage the take up of net-zero strategic projects ***as well as net-zero technology manufacturing projects in all regions, especially*** in less developed ***regions transition regions and Just*** ~~and~~ Transition ~~regions~~ ***Funds territories,*** through investment packages of infrastructure, productive investment in innovation, manufacturing capacity in SMEs, services, training and upskilling measure, including support to capacity building of the public authorities and promoters. The applicable co-financing rates set in programmes may be up to 85% for less developed regions and	encourage the take up of net-zero strategic projects in less developed and transition regions through investment packages of infrastructure, productive investment in innovation, manufacturing capacity in SMEs, services, training and upskilling ~~measure~~**measures**, including support to capacity building of the public authorities and promoters. The applicable co-financing rates set in programmes may be up to 85% for less developed regions and up to 60% or 70% for transition regions depending on the fund concerned and the status of the region but Member States may	

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	ceilings at the level of the project concerned, where feasible under State aid rules. The Technical Support Instrument can help Member States and regions in preparing net-zero growth strategies, improve the business environment, reducing red tape and accelerating permitting. Member States should be encouraged to promote the sustainability of net-zero strategic projects by embedding these investments in European value chains, building notably on interregional and cross border cooperation networks. _____	up to 60% or 70% for transition regions depending on the fund concerned and the status of the region but Member States may exceed these ceilings at the level of the project concerned, where feasible under State aid rules. The Technical Support Instrument can help Member States and regions in preparing net-zero growth strategies, improve the business environment, reducing red tape and accelerating permitting. Member States should be encouraged to promote the sustainability of net-zero ~~*strategic*~~ projects by embedding these investments in European value chains, building	exceed these ceilings at the level of the project concerned, where feasible under State aid rules. The Technical Support Instrument can help Member States and regions in preparing net-zero growth strategies, improve the business environment, reducing red tape and accelerating permitting. Member States should be encouraged to promote the sustainability of net-zero strategic projects by embedding these investments in European value chains, building notably on interregional and cross border cooperation networks. _____	

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	1. Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial	notably on interregional and cross border cooperation networks. ***The adoption of such measures should be considered in particular with regard to Valleys.*** _____ 1. Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries	1. **[1]** Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the	

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	Support for Border Management and Visa Policy (OJ L 231, 30.6.2021, p. 159).	and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (OJ L 231, 30.6.2021, p. 159).	Instrument for Financial Support for Border Management and Visa Policy (OJ L 231, 30.6.2021, p. 159).	
Recital 46				
56	(46) The Innovation Fund also provides a very promising and cost	(46) The Innovation Fund also provides a very promising and cost	(46) The Innovation Fund also provides a very promising and ~~cost~~	

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	efficient avenue to support the scaling up of manufacturing and deployment of renewable hydrogen and other strategic net zero technologies in Europe, thus reinforcing Europe's sovereignty in key technologies for climate action and energy security.	efficient avenue to support the scaling up of manufacturing and deployment of ~~*renewable*~~***clean*** hydrogen and other ~~*strategic*~~ net zero technologies in Europe, thus reinforcing Europe's sovereignty in key technologies for climate action and energy security.	~~efficient~~**cost-efficient** avenue to support the scaling up of manufacturing and deployment of renewable hydrogen and other strategic net zero technologies in Europe**, including, innovative projects with a positive climate impact in the maritime and aviation sector**, thus reinforcing Europe's sovereignty in key technologies for climate action and energy security.	
Recital 47				
57				

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	(47) A European Sovereignty Fund would provide a structural answer to the investment needs. It will help preserving a European edge on critical and emerging technologies relevant to the green and digital transitions, including net-zero technologies. This structural instrument will build on experience of coordinated multi-country projects under the IPCEIs and seek to enhance all Member States' access to such projects, thereby safeguarding cohesion and the Single Market against risks caused by unequal availability of State Aids.	(47) A European Sovereignty Fund would provide a structural answer to the investment needs. It will help preserving a European edge on critical and emerging technologies relevant to the green and digital transitions, including net-zero technologies. This structural instrument will build on experience of coordinated multi-country projects under the IPCEIs and seek to enhance all Member States' access to such projects, thereby safeguarding cohesion and the Single Market against risks caused by unequal availability of State Aids. ***The [STEP Regulation] can be considered to***	(47) ~~A European Sovereignty Fund would provide a structural answer to the investment needs. It will help preserving a European edge on critical and emerging technologies relevant to the green and digital transitions, including net-zero technologies. This structural instrument will build on experience of coordinated multi-country projects under the IPCEIs and seek to enhance all Member States' access to such projects, thereby safeguarding cohesion and the Single Market against risks caused by unequal availability of State Aids.~~	

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		be a step towards the establishment of a European Sovereignty Fund that could contribute to shaping and strengthening a European industrial policy by providing increased funding to European industry in the MFF after 2027.		
Recital 48				
58	(48) To overcome the limitations of the current fragmented public and private investments efforts, facilitate integration and return on	(48) To overcome the limitations of the current fragmented public and private investments efforts, facilitate integration and return on	(48) To overcome the limitations of the current fragmented public and private investments efforts, facilitate integration and return on	

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	investment, the Commission, and Member States should better coordinate and create synergies between the existing funding programmes at Union and national level as well as ensure better coordination and collaboration with industry and key private sector stakeholders. The Net-Zero Europe Platform has a key role to play to build a comprehensive view of available and relevant funding opportunities and to discuss the individual financing needs of net-zero strategic projects.	investment, the Commission, and Member States should better coordinate and create synergies between the existing funding programmes at Union and national level as well as ensure better coordination and collaboration with industry and key private sector stakeholders. The Net-Zero Europe Platform has a key role to play to build a comprehensive view of available and relevant funding opportunities and to discuss ***and coordinate support for*** the individual financing needs of ~~net-zero~~***net- zero*** strategic projects. ***The projects for discussion should be those brought forward by a***	investment, the Commission, and Member States should better coordinate and create synergies between the existing funding programmes at Union and national level as well as ensure better coordination and collaboration with industry and key private sector stakeholders. The Net-Zero Europe Platform has a key role to play to build a comprehensive view of available and relevant funding opportunities and to discuss the individual financing needs of net-zero strategic projects.	

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		Member State or by the Commission.		
Recital 49				
59	(49) In order for net-zero technology manufacturing projects to be deployed or expanded as quickly as possible to ensure the Union's security of supply for net-zero technologies, it is important to create planning and investment certainty by keeping the administrative burden on project promoters to a minimum. For that	(49) In order for net-zero technology manufacturing projects ***and for net-zero strategic projects,*** to be deployed or expanded as quickly as possible to ~~*ensure*~~***contribute to*** the Union's security of supply for net-zero technologies, it is important to create planning and investment certainty by keeping the	(49) ~~In order for net-zero technology manufacturing projects to be deployed or expanded as quickly as possible to ensure the Union's security of supply for net-zero technologies, it is important to create planning and investment certainty by keeping the administrative burden on project promoters to a minimum. For that~~	

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	reason, permit-granting processes of the Member States for net zero technology manufacturing projects should be streamlined, whilst at the same time ensuring that such projects are safe, secure, environmentally performant, and comply with environmental, social and safety requirements. Union environmental legislation sets common conditions for the process and content of national permit-granting processes, thereby ensuring a high level of environmental protection. Being granted the status of Net-Zero Strategic Project should be without prejudice to any applicable	administrative burden on project promoters to a minimum ***without compromising on the environmental and social standards of the Union***. For that reason, permit-granting processes of the Member States for net zero technology manufacturing projects ***and for net-zero strategic projects,*** should be streamlined, whilst at the same time ensuring that such projects are safe, secure, environmentally performant, and comply with environmental, social and safety requirements. Union environmental legislation sets common conditions for the process and content of national ~~*permit-*~~	~~reason, permit-granting processes of the Member States for net zero technology manufacturing projects should be streamlined, whilst at the same time ensuring that such projects are safe, secure, environmentally performant, and comply with environmental, social and safety requirements. Union environmental legislation sets common conditions for the process and content of national permit-granting processes, thereby ensuring a high level of environmental protection. Being granted the status of Net-Zero Strategic Project should be without prejudice to any applicable~~	

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	permitting conditions for the relevant projects, including those set out in Directive 2011/92/EU of the European Parliament and of the Council[1], Council Directive 92/43/EEC[2], Directive 2000/60/EC of the European Parliament and of the Council[3], Directive 2004/35/EC of the European Parliament and of the Council[4], and Directive (EU) 2010/75 of the European Parliament and of the Council[5]. _____ 1. Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects	~~granting~~***permit- granting*** processes, thereby ensuring a high level of environmental protection. ~~*Being granted the status of Net-Zero Strategic Project should be without prejudice to any applicable permitting conditions for the relevant projects, including those set out in Directive 2011/92/EU of the European Parliament and of the Council[1], Council Directive 92/43/EEC[2], Directive 2000/60/EC of the European Parliament and of the Council[3], Directive 2004/35/EC of the European Parliament and of the Council[4], and Directive (EU) 2010/75 of the European Parliament and of the Council[5].~~*	~~permitting conditions for the relevant projects, including those set out in Directive 2011/92/EU of the European Parliament and of the Council[1], Council Directive 92/43/EEC[2], Directive 2000/60/EC of the European Parliament and of the Council[3], Directive 2004/35/EC of the European Parliament and of the Council[4], and Directive (EU) 2010/75 of the European Parliament and of the Council[5].~~ _____ ~~1. Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects~~	

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	of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1). 2. Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7). 3. Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).	_____ *~~1. Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).~~* *~~2. Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).~~* *~~3. Directive 2000/60/EC of the European Parliament and of the~~*	~~of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).~~ ~~2. Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).~~ ~~3. Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).~~	

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	4. Directive 2004/35/CE of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage (OJ L 143, 30.4.2004, p. 56). 5. Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (recast) (OJ L 334, 17.12.2010, p. 17).	~~*Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).*~~ ~~*4. Directive 2004/35/CE of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage (OJ L 143, 30.4.2004, p. 56).*~~ ~~*5. Directive 2010/75/EU of the European Parliament and of the*~~	4. ~~Directive 2004/35/CE of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage (OJ L 143, 30.4.2004, p. 56).~~ ~~5. Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (recast) (OJ L 334, 17.12.2010, p. 17).~~	

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		~~*Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (recast) (OJ L 334, 17.12.2010, p. 17).*~~		
Recital 50				
60	(50) At the same time, the unpredictability, complexity and at times, excessive length of national permit-granting processes undermines the investment security needed for the effective development of net-zero	(50) At the same time, the unpredictability, complexity and at times, excessive length of national ~~*permit-granting*~~***permit- granting*** processes undermines the investment security needed for the effective development of net-zero	(50) ~~At the same time, the unpredictability, complexity and at times, excessive length of national permit-granting processes undermines the investment security needed for the effective development of net-zero~~	

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	technologies manufacturing projects. Therefore, in order to ensure and speed up their effective implementation, Member States should apply streamlined and predictable permitting procedures. In addition, Net-Zero Strategic Projects should be given priority status at national level to ensure rapid administrative treatment and urgent treatment in all judicial and dispute resolution procedures relating to them, without preventing competent authorities to streamline permitting for other net-zero technologies manufacturing projects that are not Net-Zero Strategic Projects or more	~~*technologies*~~***technology*** manufacturing projects. Therefore, in order to ensure and speed up their effective implementation, Member States should apply streamlined and predictable permitting procedures. In addition, ~~*Net-Zero*~~***net-zero*** strategic projects should be given priority status at national level to ensure rapid administrative treatment and urgent treatment in all judicial and dispute resolution procedures relating to them***. Furthermore, Member States should consider policy innovation in this field. In order to ensure that net-zero strategic*** ~~*without preventing competent*~~	~~technologies manufacturing projects. Therefore, in order to ensure and speed up their effective implementation, Member States should apply streamlined and predictable permitting procedures. In addition, Net-Zero Strategic Projects should be given priority status at national level to ensure rapid administrative treatment and urgent treatment in all judicial and dispute resolution procedures relating to them, without preventing competent authorities to streamline permitting for other net-zero technologies manufacturing projects that are not Net-Zero Strategic Projects or more~~	

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	generally.	~~*authorities to streamline permitting for other net-zero technologies manufacturing*~~ projects ***can be treated with priority, Member States should ensure that the competent authorities are adequately equipped and staffed***~~*that are not Net-Zero Strategic Projects or more generally*~~.	~~generally.~~	
Recital 51				
61	(51) Given their role in ensuring the Union's security of supply for	(51) Given their role in ensuring the Union's security of supply for	(51) ~~Given their role in ensuring the Union's security of supply for~~	

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	net-zero technologies, and their contribution to the Union's open strategic autonomy and the green and digital transition, responsible permitting authorities should consider Net-Zero Strategic Projects to be in the public interest. Based on its case-by-case assessment, a responsible permitting authority may conclude that the public interest served by the project overrides the public interests related to nature and environmental protection and that consequently the project may be authorised, provided that all relevant conditions set out in Directive 2000/60/EC, Directive	net-zero technologies, and their contribution to the Union's open strategic autonomy and the green and digital transition, responsible permitting authorities should consider ~~*Net Zero*~~***net-zero*** strategic projects to be in the public interest. Based on its case-by-case assessment, a responsible permitting authority may conclude that the public interest served by the project overrides the public interests related to nature and environmental protection and that consequently the project may be authorised, provided that all relevant conditions set out in Directive 2000/60/EC ***of the***	~~net-zero technologies, and their contribution to the Union's open strategic autonomy and the green and digital transition, responsible permitting authorities should consider Net-Zero Strategic Projects to be in the public interest. Based on its case-by-case assessment, a responsible permitting authority may conclude that the public interest served by the project overrides the public interests related to nature and environmental protection and that consequently the project may be authorised, provided that all relevant conditions set out in Directive 2000/60/EC, Directive~~	

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	92/43/EEC and Directive 2009/147/EC[1] are met. _____ 1. Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7–25).	***European Parliament and of the Council***[1]***, Council*** Directive 92/43/EEC[2] and Directive 2009/147/EC[1] ~~*are met*~~ ***of the European Parliament and of the Council***[3]. _____ 1. Directive ~~*2009/147/EC*~~***2000/60/EC*** of the European Parliament and of the Council of ~~*30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7–25)*~~***23 October 2000 establishing a framework for Community action in the field***	~~92/43/EEC and Directive 2009/147/EC[1] are met.~~ _____ ~~1. Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7–25).~~	

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		of water policy (OJ L 327, 22.12.2000, p. 1). *2. Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).* *3. Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).*		

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Recital 52				
62	(52) In order to reduce complexity and increase efficiency and transparency, project promoters of net-zero technologies manufacturing projects should be able to interact with a single national authority responsible for coordinating the entire permit granting process and issuing a comprehensive decision within the applicable time limit. To that end, Member States should designate a single national competent authority. Depending on a Member	(52) In order to reduce complexity and increase efficiency and transparency, project promoters of net-zero technologies manufacturing projects***, including of net-zero strategic projects,*** should be able to interact with a single national authority responsible for coordinating the entire permit granting process and issuing a comprehensive decision within the applicable time limit. To that end, Member States should designate ***or set up*** a single	(52) ~~In order to reduce complexity and increase efficiency and transparency, project promoters of net-zero technologies manufacturing projects should be able to interact with a single national authority responsible for coordinating the entire permit granting process and issuing a comprehensive decision within the applicable time limit. To that end, Member States should designate a single national competent authority. Depending on a Member~~	

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	State's internal organisation, it should be possible for the tasks of the national competent authority s to be delegated to a different authority, subject to the same conditions. To ensure the effective implementation of their responsibilities, Member States should provide their national competent authority, or any authority acting on their behalf, with sufficient personnel and resources.	~~*national*~~ competent authority ***(designated authority)***. Depending on a Member State's internal organisation, it should be possible for the tasks of the ~~*national*~~ competent authority ~~*s*~~ to be delegated to a different authority, subject to the same conditions. ***In order to guarantee the high level of scrutiny along the permitting process, and*** to ensure the effective implementation of their responsibilities, Member States should provide their ~~*national*~~ competent authority, or any authority acting on their behalf, with sufficient personnel and resources.	~~State's internal organisation, it should be possible for the tasks of the national competent authority s to be delegated to a different authority, subject to the same conditions. To ensure the effective implementation of their responsibilities, Member States should provide their national competent authority, or any authority acting on their behalf, with sufficient personnel and resources.~~	

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Recital 52a				
62a		***(52a) Member States should be responsible for the selection of Net-Zero Strategic Projects in order to allow strategic considerations, particularly when it comes to the implementation of the NECPs. However, to ensure that the projects also serve the common Union interest, including the Union's budgetary interests, the Commission should have the authority to object to a decision by***		

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		a Member State to designate a project as Strategic Project. Where the Commission object to a designation, the project should be brought to the Net-Zero Europe Platform. The Net-Zero Europe Platform should take the final decision on the status of the project.		
Recital 53				
63	(53) In order to ensure clarity about the permitting status of Net-Zero Strategic Projects and to limit	(53) In order to ensure clarity about the permitting status of ~~*Net-Zero*~~***net-zero technology***	(53) ~~In order to ensure clarity about the permitting status of Net-Zero Strategic Projects and to limit~~	

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	the effectiveness of potential abusive litigation, while not undermining effective judicial review, Member States should ensure that any dispute concerning permit granting process is resolved in a timely manner. To that end, national competent authorities should ensure that applicants and project promoters have access to a simple dispute settlement procedure and that Net-Zero Strategic Projects are granted urgent treatment in all judicial and dispute resolution procedures relating to them while ensuring respect for the rights of defence.	***manufacturing projects and net-zero*** strategic projects and to limit the effectiveness of potential abusive litigation, while not undermining effective judicial review, Member States should ensure that any dispute concerning permit granting process is resolved in a timely manner. To that end, national competent authorities should ensure that applicants and project promoters have access to a simple dispute settlement procedure and that ~~*Net-Zero Strategic*~~***those*** projects are granted urgent treatment in all judicial and dispute resolution procedures relating to them while ensuring	~~the effectiveness of potential abusive litigation, while not undermining effective judicial review, Member States should ensure that any dispute concerning permit granting process is resolved in a timely manner. To that end, national competent authorities should ensure that applicants and project promoters have access to a simple dispute settlement procedure and that Net-Zero Strategic Projects are granted urgent treatment in all judicial and dispute resolution procedures relating to them while ensuring respect for the rights of defence.~~	

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		respect for the rights of defence.		
Recital 54				
64	(54) In order to allow businesses and project promoters, including for cross-border projects, to directly enjoy the benefits of the internal market without incurring an unnecessary additional administrative burden, Regulation (EU) 2018/1724 of the European Parliament and the Council[1] provides for general rules for the online provision of procedures	(54) In order to allow businesses and project promoters, including for cross-border projects, to directly enjoy the benefits of the internal market without incurring an unnecessary additional administrative burden, Regulation (EU) 2018/1724 of the European Parliament and ***of*** the Council[1] provides for general rules for the online provision of procedures	(54) ~~In order to allow businesses and project promoters, including for cross-border projects, to directly enjoy the benefits of the internal market without incurring an unnecessary additional administrative burden, Regulation (EU) 2018/1724 of the European Parliament and the Council[1] provides for general rules for the online provision of procedures~~	

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	relevant for the functioning of the internal market. The information that needs to be submitted to national competent authorities as part of the permit-granting processes covered by this Regulation are to be covered in Annex I of Regulation (EU) 2018/1724 following its amendment by this Regulation, and the related procedures are included in its Annex II so as to ensure that project promoters can benefit from fully online procedures and the Once-Only Technical System. National competent authorities acting as one stop shop pursuant to this Regulation are included in the	relevant for the functioning of the internal market. The information that needs to be submitted to national competent authorities as part of the permit-granting processes covered by this Regulation are to be covered in Annex I of Regulation (EU) 2018/1724 following its amendment by this Regulation, and the related procedures are included in its Annex II so as to ensure that project promoters can benefit from fully online procedures and the Once-Only Technical System. ~~*National competent*~~***Designated*** authorities acting as one stop shop pursuant to this Regulation are	~~relevant for the functioning of the internal market. The information that needs to be submitted to national competent authorities as part of the permit-granting processes covered by this Regulation are to be covered in Annex I of Regulation (EU) 2018/1724 following its amendment by this Regulation, and the related procedures are included in its Annex II so as to ensure that project promoters can benefit from fully online procedures and the Once-Only Technical System. National competent authorities acting as one stop shop pursuant to this Regulation are included in the~~	

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	list of assistance and problem-solving services in Annex III of Regulation (EU) 2018/1724. _____ 1. Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1).	included in the list of assistance and problem-solving services in Annex III of Regulation (EU) 2018/1724. _____ 1. Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1).	~~list of assistance and problem-solving services in Annex III of Regulation (EU) 2018/1724.~~ _____ ~~1.~~ ~~Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1).~~	

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Recital 55				
65	(55) Net-zero technology manufacturing projects undergo lengthy and complex permitting procedures of 2-7 years, depending on the Member State, technology and value chain segment. Considering the size of required investments – in particular for gigafactory-size projects which are needed to reach the expected economies of scale – inadequate permitting creates an additional	(55) Net-zero technology manufacturing projects undergo lengthy and complex permitting procedures of 2-7 years, depending on the Member State, technology and value chain segment. Considering the size of required investments – in particular for ~~*gigafactory-size*~~***gigafactory- size*** projects which are needed to reach the expected economies of scale – inadequate permitting creates an	(55) ~~Net-zero technology manufacturing projects undergo lengthy and complex permitting procedures of 2-7 years, depending on the Member State, technology and value chain segment. Considering the size of required investments – in particular for gigafactory-size projects which are needed to reach the expected economies of scale – inadequate permitting creates an additional~~	

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	and often detrimental barrier to increase net-zero technology manufacturing capacity in the Union. In order to provide project promoters and other investors with the security and clarity needed to increase development of net-zero technologies manufacturing projects, Member States should ensure that the permit-granting process related to such projects does not exceed pre-set time limits. For Net Zero Strategic Projects the length of the permit-granting process should not exceed twelve months for facilities with a yearly production output of more than 1 GW, and 9 months for those with a	additional and often detrimental barrier to increase net-zero technology manufacturing capacity in the Union. In order to provide project promoters and other investors with the security and clarity needed to increase development of net-zero technologies manufacturing projects, Member States should ensure that the permit-granting process related to such projects does not exceed pre-set time limits. For ~~*Net Zero*~~***Net-Zero*** Strategic Projects**,** the length of the permit-granting process should not exceed ~~*twelve*~~***9*** months for facilities with a yearly production output of more	~~and often detrimental barrier to increase net-zero technology manufacturing capacity in the Union. In order to provide project promoters and other investors with the security and clarity needed to increase development of net-zero technologies manufacturing projects, Member States should ensure that the permit-granting process related to such projects does not exceed pre-set time limits. For Net Zero Strategic Projects the length of the permit-granting process should not exceed twelve months for facilities with a yearly production output of more than 1 GW, and 9 months for those with a~~	

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	yearly production output of less than 1 GW. For all other net-zero technology manufacturing projects, the length of the permit-granting process should not exceed eighteen months for facilities with a yearly production output of more than 1 GW, and twelve months for those with a yearly production output of less than 1 GW. For net-zero technologies for which the GW metric is not relevant, such as grids and carbon capture and storage (CCS) or carbon capture and usage (CCU) technologies, the upper limits of the aforementioned deadlines should apply. For the expansion of existing production	than 1 GW, and ~~9~~*6* months for those with a yearly production output of less than 1 GW. For ~~all other~~ net-zero technology manufacturing projects, the length of the permit-granting process should not exceed ~~eighteen~~*12* months for facilities with a yearly production output of more than 1 GW, and ~~twelve~~*9* months for those with a yearly production output of less than 1 GW. For net-zero technologies for which the GW metric is not relevant, such as grids and ~~carbon capture and storage (CCS) or carbon capture and usage (CCU)~~ ***CCS or CCU*** technologies, the upper limits of	~~yearly production output of less than 1 GW. For all other net-zero technology manufacturing projects, the length of the permit-granting process should not exceed eighteen months for facilities with a yearly production output of more than 1 GW, and twelve months for those with a yearly production output of less than 1 GW. For net-zero technologies for which the GW metric is not relevant, such as grids and carbon capture and storage (CCS) or carbon capture and usage (CCU) technologies, the upper limits of the aforementioned deadlines should apply. For the expansion of existing production~~	

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	lines, each of the aforementioned time limits should be halved.	the aforementioned deadlines should apply. For the expansion of existing production lines, each of the aforementioned time limits should be halved.	~~lines, each of the aforementioned time limits should be halved.~~	
Recital 56				
66	(56) In addition, given the importance of Net Zero Strategic Projects for the Union's energy supply certain administrative restrictions should be partly lifted or simplified to speed up their implementation.	(56) In addition, given the importance of net zero ***technology manufacturing projects and net-zero*** strategic projects for the Union's energy supply certain administrative restrictions should be partly lifted or simplified to	(56) ~~In addition, given the importance of Net Zero Strategic Projects for the Union's energy supply certain administrative restrictions should be partly lifted or simplified to speed up their implementation.~~	

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		speed up their implementation.		
Recital 57				
67	(57) The environmental assessments and authorisations required under Union law, including in relation to water, air, ecosystems, habitats, biodiversity and birds, are an integral part of the permit granting procedure for a net zero technologies manufacturing project and an essential safeguard to ensure negative environmental impacts are prevented or	(57) The environmental assessments and authorisations required under Union law, including in relation to water, air, ecosystems, habitats, biodiversity and birds, are an integral part of the permit granting procedure for a net zero technologies manufacturing project and an essential safeguard to ensure negative environmental impacts are prevented or	(57) ~~The environmental assessments and authorisations required under Union law, including in relation to water, air, ecosystems, habitats, biodiversity and birds, are an integral part of the permit granting procedure for a net zero technologies manufacturing project and an essential safeguard to ensure negative environmental impacts are prevented or~~	

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	minimised. However, to ensure that permit granting procedures for net zero technologies manufacturing projects are predictable and timely, any potential to streamline the required assessments and authorisations while not lowering the level of environmental protection should be realised. In that regard, it should be ensured that the necessary assessments are bundled to prevent unnecessary overlap and it should be ensured that project promoters and responsible authorities explicitly agree on the scope of the bundled assessment before the assessment is carried out to prevent	minimised. However, to ensure that permit granting procedures for net zero technologies manufacturing projects are predictable and timely, any potential to streamline the required assessments and authorisations while not lowering the level of environmental protection should be realised. In that regard, it should be ensured that the necessary assessments are bundled to prevent unnecessary overlap and it should be ensured that project promoters and responsible authorities explicitly agree on the scope of the bundled assessment before the assessment is carried out to prevent	~~minimised. However, to ensure that permit granting procedures for net zero technologies manufacturing projects are predictable and timely, any potential to streamline the required assessments and authorisations while not lowering the level of environmental protection should be realised. In that regard, it should be ensured that the necessary assessments are bundled to prevent unnecessary overlap and it should be ensured that project promoters and responsible authorities explicitly agree on the scope of the bundled assessment before the assessment is carried out to prevent~~	

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	unnecessary follow-up.	unnecessary follow-up.	~~unnecessary follow-up.~~	
Recital 58				
68	(58) Land use conflicts can create barriers to the deployment of net zero technologies manufacturing projects. Well-designed plans, including spatial plans and zoning, that take into account the potential for implementing net-zero technologies manufacturing projects and whose potential environmental impacts are assessed, have the potential to help	(58) Land use conflicts can create barriers to the deployment of net zero technologies manufacturing projects. Well-designed plans, including spatial plans and zoning, that take into account the potential for implementing net-zero technologies manufacturing projects and whose potential environmental impacts are assessed, have the potential to help	(58) ~~Land use conflicts can create barriers to the deployment of net zero technologies manufacturing projects. Well-designed plans, including spatial plans and zoning, that take into account the potential for implementing net-zero technologies manufacturing projects and whose potential environmental impacts are assessed, have the potential to help~~	

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	balance public goods and interests, decreasing the potential for conflict and accelerating the sustainable deployment of net-zero technologies manufacturing projects in the Union. Responsible national, regional and local authorities should therefore consider the inclusion of provisions for net-zero technologies manufacturing projects when developing relevant plans.	balance public goods and interests, decreasing the potential for conflict and accelerating the sustainable deployment of net-zero technologies manufacturing projects in the Union. Responsible national, regional and local authorities should therefore consider the inclusion of provisions for net-zero technologies manufacturing projects when developing relevant plans.	~~balance public goods and interests, decreasing the potential for conflict and accelerating the sustainable deployment of net-zero technologies manufacturing projects in the Union. Responsible national, regional and local authorities should therefore consider the inclusion of provisions for net-zero technologies manufacturing projects when developing relevant plans.~~	
Recital 59				
69				

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	(59) Space data and services derived from EU Space Programme, and in particular Copernicus, shall be used to the extent possible to provide information on the geology, biology, ecology, socio-economic development, and resource availability for the environmental assessments and authorisations; such data and services and in particular the Copernicus anthropogenic CO_2 emission monitoring and verification capacity are most relevant to assess the impact of industry projects and the impact of anthropogenic CO_2 sinks on the global greenhouse gas	(59) Space data and services derived from EU Space Programme, and in particular Copernicus, shall be used to the extent possible to provide information on the geology, biology, ecology, socio-economic development, and resource availability for the environmental assessments and authorisations; such data and services and in particular the Copernicus anthropogenic CO_2 emission monitoring and verification capacity are most relevant to assess the impact of industry projects and the impact of anthropogenic CO_2 sinks on the global greenhouse gas	(59) Space data and services derived from EU Space Programme, and in particular Copernicus, shall be used to the extent possible to provide information on the geology, biology, ecology, socio-economic development, and resource availability for the environmental assessments and authorisations; such data and services and in particular the Copernicus anthropogenic CO_2 emission monitoring and verification capacity are most relevant to assess the impact of industry projects and the impact of anthropogenic CO_2 sinks on the global greenhouse gas	

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	concentrations and fluxes.	concentrations and fluxes.	concentrations and fluxes.	
Recital 60				
70	(60) The Commission should, as provided in Article 10(1) of Regulation (EU) No 1025/2012, request one or more European standardisation organisation to draft European standards in support of the objectives of this Regulation.	(60) The Commission should, as provided in Article 10(1) of Regulation (EU) No 1025/2012 ***of the European Parliament and of the Council***[1], request one or more European standardisation organisation to draft European standards in support of the objectives of this Regulation. _____	(60) ~~The Commission should, as provided in Article 10(1) of Regulation (EU) No 1025/2012, request one or more European standardisation organisation to draft European standards in support of the objectives of this Regulation.~~	

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		1. Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European		

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		Parliament and of the Council (OJ L 316, 14.11.2012, p. 12).		
Recital 61				
71	(61) Hydrogen Valleys with industrial end-use applications play an important role in decarbonising the energy-intensive industries. REPowerEU set the objective of doubling the number of Hydrogen Valleys in the Union. In order to achieve this objective, Member States should accelerate permitting and consider regulatory sandboxes	(61) Hydrogen Valleys with industrial end-use applications play an important role in decarbonising the energy-intensive industries. REPowerEU set the objective of doubling the number of Hydrogen Valleys in the Union. In order to achieve this objective, Member States should accelerate permitting and consider regulatory sandboxes	(61) Hydrogen Valleys with industrial end-use applications play an important role in decarbonising the energy-intensive industries. REPowerEU set the objective of doubling the number of Hydrogen Valleys in the Union. In order to achieve this objective, Member States should accelerate permitting and consider regulatory sandboxes	

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	and prioritise access to funding. To strengthen the net zero resilience, Member States should ensure the interconnection of Hydrogen Valleys across the Union's borders. Industrial installations which produce their own energy, and which can provide a positive contribution to the production of electricity, should be encouraged to contribute to the smart electricity grid as energy producers by simplifying regulatory requirements.	and prioritise access to funding. To strengthen the net zero resilience, Member States should ensure the interconnection of Hydrogen Valleys across the Union's borders. Industrial installations which produce their own energy, and which can provide a positive contribution to the production of electricity, should be encouraged to contribute to the smart electricity grid as energy producers by simplifying regulatory requirements.	and prioritise access to funding. To strengthen the ~~net zero~~**net-zero** resilience, Member States should ensure the interconnection of Hydrogen Valleys across the Union's borders. Industrial installations which produce their own energy, and which can provide a positive contribution to the production of electricity, should be encouraged to contribute to the smart electricity grid as energy producers by simplifying regulatory requirements.	
Recital 62				

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72	(62) Net-zero regulatory sandboxes can be an important tool to promote innovation in the field of net-zero technologies and regulatory learning. Innovation needs to be enabled through experimentation spaces as scientific outcomes need to be tested in a controlled real-word environment. Regulatory sandboxes should be introduced to test innovative net-zero technologies in a controlled environment for a limited amount of time It is appropriate to strike a balance between legal certainty for	(62) Net-zero regulatory sandboxes can be an important tool to promote innovation in the field of net-zero technologies and regulatory learning. Innovation needs to be enabled through experimentation spaces as scientific outcomes need to be tested in a controlled real-word environment. Regulatory sandboxes should be introduced to test innovative net-zero technologies ***and other innovative technologies*** in a controlled environment for a limited amount of time It is appropriate to strike a	(62) Net-zero regulatory sandboxes can be an important tool to promote innovation in the field of net-zero technologies and regulatory learning. Innovation needs to be enabled through experimentation spaces as scientific outcomes need to be tested in a controlled real-word environment. Regulatory sandboxes should be introduced to test innovative net-zero technologies ~~in a controlled environment for a limited amount of time It is appropriate to strike a balance between legal certainty for~~	

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	participants in the Net-Zero regulatory sandboxes and the achievement of the objectives of Union law. As Net-Zero regulatory sandboxes must in any case comply with the essential requirements on Net-Zero technology laid out in Union and national law, it is appropriate to provide that participants , who comply with the eligibility requirements for Net-Zero regulatory sandboxes and who follow, in good faith, the guidance provided by the competent authorities and the terms and conditions of the plan agreed with those authorities, are not subject to	balance between legal certainty for participants in the Net-Zero regulatory sandboxes and the achievement of the objectives of Union law. As Net-Zero regulatory sandboxes must in any case comply with the essential requirements on Net-Zero technology laid out in Union and national law, it is appropriate to provide that participants-, who comply with the eligibility requirements for Net-Zero regulatory sandboxes and who follow, in good faith, the guidance provided by the competent authorities and the terms and conditions of the plan agreed with	~~participants in the Net-Zero regulatory sandboxes and the achievement of the objectives of Union law. As Net-Zero~~**or other innovative technologies with potential to enable the transition to a climate neutral, clean economy and reduce strategic dependencies, in a controlled environment for a limited amount of time, thus enhancing** regulatory ~~sandboxes must in any case comply with the essential requirements on Net-Zero technology laid out in Union and national law,~~**learning and potential scaling up and wider deployment.** It is appropriate to	

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	any administrative fines or penalties. This is justified as the safeguards in place will, in principle, ensure effective compliance with Union or Member State law on the Net-Zero technology supervised in the regulatory sandboxes. The Commission will publish a Guidance for Sandboxes document in 2023 as announced in the New European Innovation Agenda to support Member States in preparing the net zero technology sandboxes. Those innovative technologies could eventually be essential to achieve the Union's climate neutrality objective, ensure	those authorities, are not subject to any administrative fines or penalties. This is justified as the safeguards in place will, in principle, ensure effective compliance with Union or Member State law on the Net-Zero technology supervised in the regulatory sandboxes. The Commission will publish a Guidance for Sandboxes document in 2023 as announced in the New European Innovation Agenda to support Member States in preparing the net zero technology sandboxes. Those innovative technologies could eventually be essential to achieve the Union's	~~provide that participants , who comply with the eligibility requirements for~~**strike a balance between legal certainty for participants in the** Net-Zero regulatory sandboxes and ~~who follow, in good faith, the guidance provided by the competent authorities and the terms and conditions of the plan agreed with those authorities, are not subject to any administrative fines or penalties. This is justified as the safeguards in place will, in principle, ensure effective~~**the achievement of the objectives of Union law. Member States should be able to allow for**	

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	the security of supply and resilience of the Union's energy system, and consequently enter the scope of strategic net-zero technologies.	climate neutrality objective, ensure the security of supply and resilience of the Union's energy system, and consequently enter the scope of ~~*strategic*~~ net-zero technologies.	**derogations of net zero regulatory sandboxes in national legislation while in any case ensuring** compliance with Union ~~or Member State law on the~~ **law and with the essential requirements on** Net-Zero technology ~~supervised in the regulatory sandboxes~~**laid in national law**. The Commission will publish a Guidance for Sandboxes document in 2023 as announced in the New European Innovation Agenda to support Member States in preparing the net zero technology sandboxes. Those innovative technologies could eventually be essential to achieve	

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			the Union's climate neutrality objective, ensure the security of supply and resilience of the Union's energy system~~, and consequently enter the scope of strategic net-zero technologies~~.	
Recital 63				
73	(63) An overall benchmark and indicative objectives for the manufacturing of key net-zero technology products in the European Union are put forward in order to help tackle import	(63) An overall benchmark and indicative objectives for the manufacturing of key net-zero technology products in the European Union are put forward in order to ***improve the Union's***	(63) ~~An overall benchmark and indicative objectives for the manufacturing of key net-zero technology products in the European Union are put forward in order to help tackle import~~	

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	dependency and vulnerability concerns and ensure the Union's climate and energy targets are met.	***industrial global competitiveness as well as to*** help tackle import dependency and vulnerability concerns and ensure the Union's climate and energy targets are met.	~~dependency and vulnerability concerns and ensure the Union's climate and energy targets are met.~~	
Recital 64				
74	(64) The scaling up of European net-zero technology industries requires significant additional skilled workers which implies important investment needs in re-skilling and upskilling, including in the field of vocational education	(64) ***One of the main objectives of Union's industrial policy is to enable the green and digital transitions while preserving the sustainable growth and competitiveness of the Union, maintaining quality jobs and***	(64) The scaling up of European net-zero technology industries' **value and supply chains** requires significant additional skilled workers which implies important investment needs in re-skilling and upskilling, including in the field of	

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	and training. This should contribute to the creation of quality jobs in line with the targets for employment and training of the European Pillar of Social Rights. The energy transition will require a significant increase in the number of skilled workers in a range of sectors, including renewable energy and energy storage, and has a great potential for quality job creation. The skill needs for the fuel cell hydrogen sub-sector in manufacturing alone are estimated at 180.000 trained workers, technicians and engineers by the year 2030, according to the Commission's European Strategic	***strengthening its ability to innovate and produce, particularly with regard to clean technologies.*** The scaling up of European net-zero technology industries ~~*requires*~~***as well as ensuring Union's open strategic autonomy require*** significant additional skilled workers which implies important investment needs in re-skilling and upskilling, including in the field of vocational education and training. ~~*This should contribute to the creation of quality jobs in line with the targets for employment and training of the European Pillar of Social Rights. The energy transition will require*~~	vocational education and training. This should contribute to the creation of quality jobs in line with the targets for employment and training of the European Pillar of Social Rights. The energy transition will require a significant increase in the number of skilled workers in a range of sectors, including renewable energy and energy storage **and raw materials**, and has a great potential for quality job creation. The skill needs for the fuel cell hydrogen sub-sector in manufacturing alone are estimated at 180.000 trained workers, technicians and engineers by the year 2030, according to the	

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	Energy Technology Plan[1]. In the photo-voltaic solar energy sector, up to 66.000 jobs would be needed in manufacturing alone. The European network of employment services (EURES) is providing information, advice and recruitment or placement for the benefit of workers and employers, including across internal market borders. _____ 1. European Commission, Directorate-General for Research and Innovation, Joint Research Centre, The strategic	~~*a significant increase*~~***More specifically, the energy transition will require a significant increase in the number of skilled workers in a range of sectors, including renewable energy and energy storage, grid technologies, battery production as well as IT or Smart solutions for energy system optimization and management, and other industrial decarbonisation technologies. According to studies, the circular economy could contribute to the creation of around 700 000 jobs*** in the ~~*number of skilled workers in a range of sectors,*~~ ***Union alone by 2030[1]. It is therefore of utmost***	Commission's European Strategic Energy Technology Plan[1]. In the photo-voltaic solar energy sector, up to 66.000 jobs would be needed in manufacturing alone. The European network of employment services (EURES) is providing information, advice and recruitment or placement for the benefit of workers and employers, including across internal market borders. _____ 1. **[1]** European Commission, Directorate-General for Research and Innovation, Joint Research	

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	energy technology (SET) plan, Publications Office, 2019, https://data.europa.eu/doi/10.2777/04888.	***importance to make jobs in net zero technologies attractive and accessible, especially technical careers*** including ~~*renewable energy and energy storage, and has a great potential for quality job creation*~~***through Union information campaigns to promote technical and vocational education, as well as jobs related to circular economy, resource management and industrial transformation and decarbonisation in general. Furthermore, it is necessary to tackle the current mismatch between the skills of Union workers and the needs of***	Centre, The strategic energy technology (SET) plan, Publications Office, 2019, https://data.europa.eu/doi/10.2777/04888.	

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		companies. The skill needs for the fuel cell hydrogen sub-sector in manufacturing alone are estimated at 180.000 trained workers, technicians and engineers by the year 2030, according to the Commission's European Strategic Energy Technology Plan~~1~~[2]. In the photo-voltaic solar energy sector, up to 66.000 jobs would be needed in manufacturing alone. ***In addition, the absence of educational programmes that promote skills necessary for net zero technologies, which also cause a scarcity of skilled employees and a lack of understanding within local***		

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		administration in certain regions of the Union, could create a significant bottleneck for sustainable industrial development ~~*The European network of employment services (EURES) is providing information, advice and recruitment or placement for the benefit of workers and employers, including across internal market borders*~~. _____ 1. European ~~*Commission, Directorate-General for Research and Innovation, Joint Research Centre, The strategic*~~		

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		~~*energy technology (SET) plan, Publications Office, 2019, https://data.europa*~~***Parliament resolution of 10 February 2021 on the New Circular Economy Action Plan (2020/2077(INI)) (OJ C 465, 17.11.2021, p***~~*.eu/doi/10.2777/04888*~~*** 11)***. ***2***. ***European Commission, Directorate-General for Research and Innovation, Joint Research Centre, The strategic energy technology (SET) plan, Publications Office, 2019, https://data.europa.eu/doi/10.2777/04888***		

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Recital 65				
75	(65) Since strengthening the manufacturing capacity of key net-zero technologies in the Union will not be possible without a sizeable skilled workforce, it is necessary to introduce measures to boost the activation of more people to the labour market, notably women and young people not in employment, education or training (NEETs), including via skills first approaches as a complement to qualifications-	(65) Since strengthening the manufacturing capacity of key net-zero technologies in the Union will not be possible without a sizeable skilled workforce, it is necessary to introduce measures to boost the ~~activation~~***integration*** of more people to the labour market, ~~notably~~***and to make the industries and the technical careers concerned by this Regulation more attractive, especially to***	(65) Since strengthening the manufacturing capacity of key net-zero technologies in the Union will not be possible without a sizeable skilled workforce, it is necessary to introduce measures to boost the activation of more people to the labour market, notably women ~~and~~**,** young people not in employment, education or training (NEETs), ~~including via skills first approaches as a complement to qualifications-~~	

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	based recruitment. In addition, in line with the objectives of the Council Recommendation on ensuring a fair transition towards climate-neutrality, specific support for job-to-job transition for workers in redundant and declining sectors are important. This means investing in skills and in quality job creation required for net-zero technologies in the Union. Building on and fully taking into account existing initiatives such as the EU Pact for Skills, EU level activities on skills intelligence and forecasting, such as by the European Centre for the Development of Vocational	women ~~*and young people not in employment, education or training (NEETs),*~~***as the gender balance is far from being reached in technology-oriented professions, and to young people*** including via skills first approaches as a complement to qualifications-based recruitment. In addition, ***workers from third countries should also be targeted as the Union only attracts a small share of qualified migrants. In addition,*** in line with the objectives of the Council Recommendation on ensuring a fair transition towards climate-neutrality, specific support for job-to-job transition ***and with a view of***	~~based recruitment~~**older persons and persons with disabilities**. In addition, in line with the objectives of the Council Recommendation on ensuring a fair transition towards climate-neutrality, specific support for job-to-job transition for workers in redundant and declining sectors are important. This means investing in skills and in quality job creation required for net-zero technologies in the Union. Building on and fully taking into account existing initiatives such as the EU Pact for Skills, EU level activities on skills intelligence and forecasting, such as by the European Centre for the	

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	Training (Cedefop) and the European Labour Authority, and the Blueprints for sectoral cooperation on skills, the objective is to mobilise all actors: Member States authorities, including at regional and local levels, education and training providers, social partners and industry, in particular SMEs, to identify skills needs, develop education and training programmes and deploy these at large scale in a fast and operational manner. Net-zero strategic projects have a key role to play in this regard. Member States and the Commission may ensure financial support including by leveraging the	***favouring lifelong learning and training*** for workers in redundant and declining sectors are important. This means investing in skills ***for all, while, at the same time, having a targeted approach towards vulnerable groups. This includes groups of people who are not in employment, education or training (NEETs), legally residing migrant workers as well as people who are excluded from the labour market, have limited access to training opportunities or are in jobs, which are either at risk of disappearing or whose content and tasks are being highly transformed by new technologies,***	Development of Vocational Training (Cedefop) and the European Labour Authority, and the Blueprints for sectoral cooperation on skills, the objective is to mobilise all actors **and to train on all skill levels to the extent needed**: Member States authorities, including at regional and local levels, education and training providers, social **and economic** partners and industry, in particular SMEs, to identify skills needs, develop education and training programmes and deploy these at large scale in a fast and operational manner. Net-zero strategic projects have a key role to	

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	possibilities of the Union budget through instruments such as the European Social Fund Plus, Just Transition Fund, European Regional Development Funds, the Recovery and Resilience Facility, the Modernisation Fund, REPowerEU and the Single Market Programme.	***especially in regions affected by the impacts of the transition towards the Union's 2030 targets pursuant to Article 2 of Regulation (EU) 2021/1056 of the European Parliament and the Council[1] and Article 5(1) of Regulation (EU) 2021/1060. The end objective should be the*** ~~*and in quality job*~~ creation ***of quality job*** required for net-zero technologies in the Union ***in line with the targets for employment and training of the European Pillar of Social Rights, including fair and adequate wages, improving living and working conditions pursuant to Directive (EU)2022/2041[2] of the***	play in this regard. Member States and the Commission may ensure financial support including by leveraging the possibilities of the Union budget through instruments such as the European Social Fund Plus, Just Transition Fund, European Regional Development Funds, the Recovery and Resilience Facility, the Modernisation Fund, REPowerEU and the Single Market Programme.	

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		European Parliament and of the Council, access to social protection, lifelong learning opportunities, good working conditions in safe and healthy workplaces, as well as collective bargaining rights. In fact, upskilling and reskilling are important tools but do not guarantee quality jobs. Labour shortages might also be the result of low wages, unattractive jobs, poor working conditions, and a lack of investment in vocational education and training (VET). Addressing these issues and improving job quality in sectors and companies with poor working		

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		conditions are also important elements to attract workers and address the issue of brain drain which results in growing inequalities between regions, unequal development as well as unequal capacity to drive innovation and create quality jobs. Building on and fully taking into account existing initiatives such as the EU Pact for Skills, EU level activities on skills intelligence and forecasting, such as by the European Centre for the Development of Vocational Training, ***Eurofound,*** ~~*(Cedefop)*~~ and the European Labour Authority~~,~~ and the Blueprints for		

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		sectoral cooperation on skills, the objective is to mobilise all actors: Member States authorities, including at regional and local levels, education and training providers ***including universities, research universities, universities of applied science and university alliances, as well as*** ~~,~~ social partners and industry, ~~*in particular*~~ SMEs, ***start-ups, and social enterprises*** to identify skills needs, develop education and training programmes and deploy these at large scale in a fast and operational manner. Net-zero strategic projects have a key role to play in this regard. Member States and the		

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		Commission ~~may~~***should*** ensure financial support ~~*including*~~***to deploy their impact and outreach*** by leveraging the possibilities of the Union budget through instruments such as the European Social Fund Plus, ***InvestEU,*** Just Transition Fund, European Regional Development Funds, the Recovery and Resilience Facility, the Modernisation Fund, REPowerEU and the Single Market Programme. _____ ***1. Regulation (EU) 2021/1056 of the European Parliament and of the Council of 24 June***		

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		2021 establishing the Just Transition Fund (OJ L 231, 30.6.2021, p. 1). ***2. Directive (EU) 2022/2041 of the European Parliament and of the Council of 19 October 2022 on adequate minimum wages in the European Union (OJ L 275, 25.10.2022, p. 33).***		
Recital 66				
76	(66) Building on previous experiences, such as the EU Pact	(66) Building on ***local and regional initiatives and on***	(66) ~~Building on previous experiences, such as the EU Pact~~	

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	for Skills and the European Battery Alliance, European Net-Zero Industry Academies should develop and deploy education and training content to upskill and reskill workers required for key net-zero technology value chains, such as solar photovoltaic and solar thermal technologies, renewable hydrogen technologies and raw materials. The academies would aim to enable the training and education of 100.000 learners each, within three years of their establishment, to contribute to the availability of skills required for the net-zero technologies, including in small and medium-	previous experiences, such as ***hubs for skills development,*** the EU Pact for Skills and the European Battery Alliance, ***or the Offshore Renewable Energy Alliance, the*** European Net-Zero Industry Academies***, which are a network of relevant experts (Academies),*** should develop and deploy education and training content to upskill and reskill workers required for key net-zero technology value chains, such as solar photovoltaic and solar thermal technologies, ***marine renewable energy,*** renewable hydrogen technologies and raw materials***, and CCU. The scope and number of the*** ~~. *The*~~	~~for Skills and the European Battery Alliance, European Net-Zero Industry Academies should develop and deploy education and training content~~**European Net-Zero Industry Academies should be launched to develop education and training programmes, content and materials, as well as the credentials showing that these have been used,** to upskill and reskill ~~workers~~**people of all working ages** required for key net-zero technology value chains **and offer these programmes, content and materials to appropriate education and training providers in the Member States for their**	

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	sized enterprises. That content should be developed and deployed with education and training providers in Member States, relevant Member States authorities and social partners. Education and training providers, industry and other actors involved in up- and reskilling in the Member States, such as Public Employment Services, should deliver the content produced by the academies. To ensure skills transparency and portability and the mobility of workers, the European Net-Zero Industry Academies will develop and deploy credentials, including micro-credentials, covering	Academies ~~*would aim to enable the training and education of 100.000 learners each, within three years of their establishment, to contribute to the availability of skills required for the net-zero technologies*~~***should be determined by the Commission and the Member States in the framework of the Net-Zero Platform on the basis of existing and objective studies in line with the principle of technological neutrality as well as based on a mapping exercise of current and forecasted needs in net-zero industries***, including in ~~*small and medium-sized enterprises. That content should be*~~	**voluntary use. Net-Zero**~~, such as solar photovoltaic and solar thermal technologies, renewable hydrogen technologies and raw materials. The~~ Academies ~~would aim to enable the training and education of 100.000 learners each, within three years of their establishment, to contribute to the availability of skills required~~**are organisations or consortia or projects of relevant stakeholders being awarded seed-funding by the European Commission. The Academies should play a facilitating role, fully respecting the responsibility of the Member States** for the ~~net-zero~~	

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	learning achievements. They should be issued in the format of European credentials for learning and could be integrated in EUROPASS and, where relevant, included in National Qualifications Frameworks. Member States are encouraged to support the continuous reskilling and upskilling offered via the academies and the relevant education and training providers in their territories through national programmes and Union funding, including from the European Social Fund Plus, the Recovery and Resilience Facility, the European Regional Development Fund, the	~~*developed and deployed with education and training providers in Member States, relevant Member States authorities and social partners. Education and training providers, industry and other actors involved in up- and reskilling in the Member States,*~~***regions in transition. Such a mapping exercise should provide information about current and upcoming skills shortages in key net-zero industries across the Union and how training opportunities are provided in such industries. The mapping exercise should also analyse the root cause of skills and labour shortages in***	~~technologies, including in small and medium-sized enterprises. That content should be developed and deployed with education and~~**content of teaching and the organisation of education systems and for the content and organisation of vocational** training**. The Academies should offer education and training programmes, content and materials, which** ~~providers in Member States, relevant Member States authorities and social partners.~~ education and training providers, ~~industry~~**economic and social partners** and other actors involved in up- and reskilling in	

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	Just Transition Mechanism, the Modernisation Fund and the Technical Support Instrument. The Net-Zero Europe Platform should assist in guiding the work of the Academies and providing oversight.	***particular related to the quality of the job offer in net-zero industries*** such as ~~*Public Employment Services, should deliver the content produced by the academies. To ensure skills transparency and portability and the mobility of workers, the European Net-Zero Industry Academies will develop and deploy credentials, including micro-credentials, covering learning achievements. They should be issued in the format of European credentials for learning and could be integrated in EUROPASS and, where relevant, included in National Qualifications Frameworks. Member States are*~~	the Member States, such as Public Employment Services~~, should deliver the content produced by the academies. To ensure skills transparency and portability and the mobility of workers, the European Net-Zero Industry Academies will develop and deploy credentials, including micro-credentials, covering learning achievements. They should be issued in the format of European credentials for learning and could be integrated in EUROPASS and, where relevant, included in National Qualifications Frameworks. Member States are encouraged~~ **may choose to use,**	

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		~~*encouraged to support the continuous reskilling and upskilling offered via*~~***by assessing the working conditions and the coverage of collective bargaining. Additionally, based on the results of the mapping exercise and existing studies and in consultation with the Net-Zero Europe Platform, the Commission should issue a call for proposals to launch an academy in a given technology when a critical level of skills shortage in relation to a net zero technology is identified (Academy). Union's seed-funding should be made available to set up the Academies and allow their***	**where they consider it useful. Economic and social partners should be involved in the development of training programmes to ensure relevance and increase the uptake. The Academies should encourage that, next to other required skills, transversal skills facilitating occupational mobility are taught. The Academies will aim** to support the ~~continuous reskilling and upskilling offered via the academies and the relevant~~**quality of the education and training offered by** education and training providers in ~~their territories through national programmes and~~	

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		functioning in view of becoming financially sustainable three years after their establishment by receiving financial contributions from the private sector. A strong governance is needed to make the Academies ~~*and the relevant education and*~~***operational as fast as possible in order to develop*** training ~~*providers in their territories through national programmes and Union funding, including from the European*~~***programmes in net zero technologies. This should be done without prejudice to the determining role that*** social ~~*Fund Plus, the Recovery and Resilience*~~	~~Union funding, including from the European Social Fund Plus, the Recovery and Resilience Facility, the European Regional Development Fund, the Just Transition Mechanism, the Modernisation Fund and the Technical Support Instrument. The Net-Zero Europe Platform should assist in guiding the work of the Academies and providing oversight~~**the Member States using learning programmes, content and materials developed by the Academies, including by training their trainers**.	

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		~~*Facility, the European Regional Development Fund, the Just Transition Mechanism, the Modernisation Fund and the Technical Support Instrument. The Net-Zero Europe Platform should assist in guiding the work of the Academies and providing oversight*~~***partners and universities can also play in the creation of such Academies, as in the case in the Battery Alliance. The role of international and interdisciplinary university alliances, such as Transform4Europe, should in particular be considered to achieve more unified and common standards in training and***		

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		reskilling or upskilling activities. In general, the use of already existing research and teaching infrastructures should also be prioritised.		
Recital 66a				
76a		***(66a) One of the aims of the Academies should be to contribute to the Union's re-industrialisation and decarbonisation as well as to its open strategic autonomy. The Academies should also address the need for net zero technologies***	**(66a) In order to support skills transparency and portability and the mobility of workers, the European Net-Zero Industry Academies will develop and promote the deployment by education and training providers**	

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		with high social and climate standards that are produced in the Union. The Academies should be established by 31 December 2024 and should provide learning content in as many of the languages of the Union institutions as possible, with the aim of achieving geographical balance across Member States. By 31 December 2025, they should start disseminating initial learning content to relevant education and training providers in Member States, such as universities, research universities, universities of applied sciences and university alliances, undertakings that	**of credentials, including micro-credentials, covering learning achievements. The credentials developed by the European Net-Zero Industry Academies may be issued by the education and training providers in the Member States, or awarding bodies in the Member States, where an education and training programme developed by the Academies has been completed successfully. The credentials may be issued in the format of European credentials for learning and could be integrated in EUROPASS and, where relevant and feasible, included in**	

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		provide such education and training, including SMEs, start-ups and social enterprises, social partners and by training trainers. The Academies should aim to enable the training and education of 100 000 learners each within three years of their establishment, taking the extent of the identified skills shortages into account which may result in a variation of the number of learners per Academy. The Academies should contribute to the availability of skills required for the net-zero technologies, including in SMEs. The learning content should take into account already existing	**National Qualifications Frameworks. Continuous reskilling and upskilling offered via the academies and the relevant education and training providers in their territories may be encouraged by Member States, for example, through national programmes and Union funding.**	

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		learning programmes developed in the framework of the local Pact for Skills and the centres of professional excellence and should target all levels of education and qualification and all workers, including apprentices, along the value chain in the sectors concerned whereby all successive industrial phases are taken into account, from the design of the product (or the service), to the manufacturing phase, including the recycling and reuse of materials, whereby all the different professions across the value chain are considered. That content should also include		

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		learning modules with relevant information about health and safety at work for each specific technology as well as general relevant information on workers' rights and working conditions, including on working time and workers' rights to information and consultation. That content could, where relevant, be further adjusted to national law, applicable collective agreements and territorial and sectoral specificities by the education and training providers. The learning content should also target employees in national and local administrations (particularly		

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		responsible for permitting, impact assessment and regulations of new technologies), thus contributing to capacity building among national administrations and to a reduction of disparities among Member States.		
Recital 66b				
76b		***(66b) Member States should use and deploy the learning content developed by the Academies in existing instruments such as in the reinforced Youth Guarantee***		

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		whose one of its objectives is to provide education and training to NEETs, and in existing mentoring programmes. To ensure skills transparency and portability and the mobility of workers, and support the Member States in these efforts, the Academies will develop and deploy credentials, including micro-credentials, covering learning achievements. They should be issued in the format of European credentials for learning and could be integrated into the EUROPASS and, where relevant, included in National Qualifications Frameworks. Member States		

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		should be encouraged to use the content developed by the Academies for supporting the continuous reskilling and upskilling and the relevant education and training providers in their territories through national programmes and Union funding, including from the European Social Fund Plus, the reinforced Youth Guarantee, the Recovery and Resilience Facility, InvestEU the European Regional Development Fund, the Just Transition Mechanism, the Modernisation Fund and the Technical Support Instrument, and to support the integration of		

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		women in line with the European Strategy for Gender Equality in order to address educational and occupational gender stereotypes. The European network of employment services can play a significant role in using the learning content of training programmes delivered by the skills Academies in the creation and deployment of European occupation profiles and by providing information to national employment services about them.		
Recital 66c				

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76c		***(66c) The Net-Zero Europe Platform should assist in guiding the work of the Academies ensuring that their content addresses the skills shortages identified by the mapping exercise and providing oversight. Member States should ensure that the appointed national representative can act as a bridge between the relevant national ministries and competent authorities of the Member States as well as the national social partners and industry representatives. The Net-Zero Europe Platform should***		

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		collect information on the progress made by the different Academies and produce by the end of 2026 an overview report on the deployment of the learning programmes, including the number of learners benefiting from the Academies' programmes disaggregated by industrial sectors, gender, age, and levels of education and qualification.		
Recital 67				
77	(67) While in the absence of	(67) While in the absence of	(67) While in the absence of	

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	specific provisions introducing minimum training requirements for the access to a regulated profession or the pursuit thereof laid down in the Union law, it is a Member State's competence to decide whether and how to regulate a profession, national rules organizing access to regulated professions must not constitute an unjustified or disproportionate obstacle to the exercise of those fundamental rights. The competence to regulate access to a profession must be exercised within the limits of the principles of non-discrimination and proportionality, in accordance with	specific provisions introducing minimum training requirements for the access to a regulated profession or the pursuit thereof laid down in the Union law, it is a Member State's competence to decide whether and how to regulate a profession, national rules organizing access to regulated professions must not constitute an unjustified or disproportionate obstacle to the exercise of those fundamental rights. The competence to regulate access to a profession must be exercised within the limits of the principles of non-discrimination and proportionality, in accordance with	specific provisions introducing minimum training requirements for the access to a regulated profession or the pursuit thereof laid down in the Union law, it is a Member State's competence to decide whether and how to regulate a profession, national rules organizing access to regulated professions must not constitute an unjustified or disproportionate obstacle to the exercise of those fundamental rights. The competence to regulate access to a profession must be exercised within the limits of the principles of non-discrimination and proportionality, in accordance with	

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	Directive (EU) 2018/958 of the European Parliament and of the Council of 28 June 2018 on a proportionality test before adoption of new regulation of professions. In their assessment Member States should take into account any detrimental effects that regulation or professions may have on the availability of skills in the Net-Zero Industry and seek to limit the regulation in these fields to the maximum extent possible.	Directive (EU) 2018/958 of the European Parliament and of the Council ~~of 28 June 2018 on a proportionality test before adoption of new regulation of professions~~. In their assessment Member States should take into account any detrimental effects that regulation or professions may have on the availability of skills in the Net-Zero Industry and seek to limit the regulation in these fields to the maximum extent possible.	Directive (EU) 2018/958 of the European Parliament and of the Council of 28 June 2018 on a proportionality test before adoption of new regulation of professions. ~~In their assessment Member States should take into account any detrimental effects that regulation or professions may have on the availability of skills in the Net-Zero Industry and seek to limit the regulation in these fields to the maximum extent possible.~~	
Recital 68				

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78	(68) Where the learning programmes developed by the European net-zero industry academies lead to credentials that would be of assistance to persons seeking access to a profession that is regulated, Member States should, in order to facilitate the mobility in strategic net-zero industry professions, accept these credentials as sufficient proof of the knowledge, skills and competences to which they attest.	(68) Where the learning programmes developed by ~~*the European net-zero industry*~~ Academies lead to credentials that would be of assistance ***including*** to persons seeking access to a profession that is regulated, Member States ***and employers*** should, in order to facilitate the mobility in strategic net-zero industry professions, accept these credentials as sufficient proof of the knowledge, skills and competences to which they attest.	(68) Where **Member States determine that** the learning programmes developed by the European net-zero industry academies lead to credentials that ~~would be of assistance to persons seeking~~**correspond to the knowledge, skills and competences required for** access to a **regulated** profession **or to activities that are part of a**~~that is~~ regulated **profession**, Member States should, in order to facilitate the mobility in strategic net-zero industry professions, ~~accept~~**treat** these credentials as ~~sufficient~~	

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			~~proof~~**evidence of formal qualifications to which they attest, in line with Directive 2005/36/EC** of the ~~knowledge, skills and competences to which they attest~~**European Parliament and of the Council on the recognition of professional qualifications**.	
Recital 68a				
78a		***(68a) The contribution of net-zero technologies to the decarbonisation objectives of the***		

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		Union can materialise only when those technologies are deployed. Such a deployment, to an extent, is likely to happen in private households, but most decarbonisation is likely to come from decarbonising industrial processes. In order to ensure that investments for such decarbonisation take place in the Union, which is essential to secure good jobs and prosperity in the Union as well as for fulfilling the Union's decarbonisation objectives, it is crucial that it contributes to an improvement of the investment climate for industry in the Union.		

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Recital 69				
79	(69) At Union level, a Net-Zero Europe Platform, should be established, composed of the Member States and chaired by the Commission. The Net-Zero Europe Platform may advise and assist the Commission and Member States on specific questions and provide a reference body, in which the Commission and Member States coordinate their action and facilitate the exchange of	(69) At Union level, a Net-Zero Europe Platform, should be established, composed of the Member States and ***of the European Parliament, and*** chaired by the Commission. The Net-Zero Europe Platform may advise and assist the Commission and Member States on specific questions and provide a reference body, in which the Commission and Member States coordinate their action and	(69) At Union level, a Net-Zero Europe Platform, should be established, composed of the Member States and chaired by the Commission. The Net-Zero Europe Platform may advise and assist the Commission and Member States on specific questions and provide a reference body, in which the Commission and Member States coordinate their action and facilitate the exchange of	

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	information on issues relating to this Regulation. The Net-Zero Europe Platform should further perform the tasks outlined in the different Articles of this Regulation, notably in relation to permitting, including one-stop shops, Net-Zero Strategic Projects, coordination of financing, access to markets and skills as well as innovative net-zero technologies regulatory sandboxes. Where necessary, the Platform may establish standing or temporary subgroups and invite third parties, such as experts or representatives from net-zero industries.	facilitate the exchange of information on issues relating to this Regulation. The Net-Zero Europe Platform should further perform the tasks outlined in the different Articles of this Regulation, notably in relation to permitting, including one-stop shops, Net-Zero Strategic Projects, coordination of ***and access to*** financing, access to markets and skills as well as ***regulatory sandboxes for*** innovative net-zero technologies ~~*regulatory sandboxes*~~***and other innovative technologies***. Where necessary, the ***Net-Zero Europe*** Platform ~~*may*~~***should be able to*** establish	information on issues relating to this Regulation. The Net-Zero Europe Platform should further perform the tasks outlined in ~~the different Articles of~~ this Regulation, notably in relation to permitting, including ~~one-stop shops, Net-Zero~~**points of single contact, net-zero** strategic projects, coordination of financing, access to markets~~ and~~**,** skills**, net-zero regulatory sandboxes** as well as ~~innovative net-zero technologies regulatory sandboxes~~**consulting the Commission in assessing the feasibility and proportionality of proposing measures if the Commission concludes that the**	

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		standing or temporary subgroups and invite third parties, such as experts or representatives from net-zero industries.	**general objectives of the Regulation are not likely to be achieved**. Where necessary, the Platform may establish standing or temporary subgroups and invite third parties, such as experts or representatives from net-zero industries **and social and economic partners**.	
Recital 69a				
79a			**(69a) Where appropriate and useful, the Net-Zero Europe Platform should seek close**	

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			collaboration with other relevant Commission initiatives, platforms and groups, in order to seek synergies, share expertise, exchange information and foster stakeholder involvement, whilst avoiding duplication and overlaps. The Platform will engage with the existing EU industrial alliances, and thereby contribute to the work of the alliances by involving Member States. Key alliances for collaboration with the Platform are the European Battery Alliance, the European Solar Photovoltaic Industry Alliance, the European Clean Hydrogen	

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			Alliance, the Alliance for Zero-Emission Aviation, the Industrial Alliance on Processors and Semiconductor Technologies and the Renewable and Low-Carbon Fuels Value Chain Industrial Alliance. Sectors not currently represented in industrial alliances equally benefit from the structured framework that the Net-Zero Europe Platform provides. As regards net-zero strategic partnerships, close collaboration with the Critical Raw Materials Board is foreseen where relevant.	

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Recital 70				
80	(70) As part of the Green Deal Industrial Plan the Commission announced its intention to conclude Net-Zero Industrial Partnerships covering net-zero technologies, to adopt net-zero technologies globally and to support the role of EU industrial capabilities in paving the way for the global clean energy transition. The Commission and Member States may coordinate within the Platform the Partnerships, discussing existing relevant partnerships and	(70) As part of the Green Deal Industrial Plan the Commission announced its intention to conclude Net-Zero Industrial Partnerships covering net-zero ~~*technologies, to adopt*~~***technologies.Cooperation through such Partnerships is likely to promote the adoption of*** net-zero technologies globally***,to support mutually reinforcing partnerships between the Union and third countries, including sustainable investments and technical assistance. Net-Zero***	(70) As part of the Green Deal Industrial Plan the Commission announced its intention to conclude Net-Zero Industrial Partnerships covering net-zero technologies, to adopt net-zero technologies globally and to support the role of EU industrial capabilities in paving the way for the global clean energy transition. The Commission and Member States may coordinate within the Platform the Partnerships, discussing existing relevant partnerships and	

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	processes, such as green partnerships, energy dialogues and other forms of existing bilateral contractual arrangements, as well as potential synergies with relevant Member States' bilateral agreements with third countries.	***Industrial Partnerships can also contribute to the diversification and resilience of the Union's supply of net-zero technologies and their components, enhance information sharing between the Union and its partners on the development of net-zero technologies and support Union's net-zero industries in accessing*** ~~*and to support the role of EU industrial capabilities in paving the way for*~~ the global clean ***energymarket, while supporting nascent industries in the field of clean*** energy ~~*transition*~~***technologies in third countries with clear comparative***	processes, such as green partnerships, energy dialogues and other forms of existing bilateral contractual arrangements, as well as potential synergies with relevant Member States' bilateral agreements with third countries.	

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		advantages. The Commission and Member States ~~*may*~~***should*** coordinate within the ***Net-Zero Europe*** Platform the Partnerships, discussing existing relevant partnerships and processes, such as green partnerships, energy dialogues and other forms of existing bilateral contractual arrangements, as well as potential synergies with relevant Member States' bilateral agreements with third countries. ***Agreements with third countries including Net-Zero Industrial Partnerships should reflect core Union values and objectives notably with regard to promoting labour and***		

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		international environmental standards in those countries. Moreover, Net-Zero Industrial Partnerships should aim to contribute to the industrial transformation across the whole value chain of Union and third country undertakings while ensuring open markets and fair trade.		
Recital 71				
81	(71) The Union should aim to diversify international trade and	(71) The Union should aim to diversify international trade and	(71) The Union should aim to diversify **and stimulate**	

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	investments in net-zero technologies and to promote globally high social and environmental standards should be done in close cooperation and partnership with like-minded countries. Similarly, stronger research and innovation efforts to develop and deploy net-zero technologies should be pursued in close cooperation with partner countries in an open but assertive approach.	investments in net-zero technologies ***forging mutual reinforcing partnerships, building on partners' own sustainable development plans, relevant environmental and human rights standards while promoting*** ~~*and to promote*~~ globally high social***, labour*** and environmental standards***. This*** should be done in close cooperation and partnership with like-minded countries ***by means of existing agreements or new strategic deals***. Similarly, stronger ***international cooperation on*** research and innovation efforts to develop and deploy net-zero technologies should be pursued in	international trade and investments in net-zero technologies and to promote globally high social and environmental standards**. This** should be done in close cooperation and partnership with like-minded countries. Similarly, stronger research and innovation efforts to develop and deploy net-zero technologies should be pursued in close cooperation with partner countries in an open but assertive approach **and based on reciprocity and mutual interests**.	

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		close cooperation with partner countries in an open ~~*but assertive approach*~~***and balanced manner, with due regard to the Union's strategic interests and needs***.		
Recital 71a				
81a		***(71a) In her 2023 State of the Union address, the Commission President announced that the Competitiveness Check will be conducted by an independent board. This work should be informed by an ongoing body of***		

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		work regarding the regulatory burden created by Union and national law and its impact on competitiveness of Union's industry, including net-zero industries. To facilitate that work, this Regulation establishes a European Scientific Advisory Board on Review and Regulatory Burden. The Advisory Board should develop science-informed advice on the impact of the regulatory burden in the Union, on the basis of individual cases.		
Recital 72				

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82	(72) Where the power to adopt acts in accordance with Article 290 of the Treaty is delegated to the Commission under this Regulation, it is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the	(72) Where the power to adopt acts in accordance with Article 290 of the Treaty ***of the Functioning of the European Union (TFEU)*** is delegated to the Commission under this Regulation, it is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016[1]. In particular, to ensure equal	(72) Where the power to adopt acts in accordance with Article 290 of the Treaty is delegated to the Commission under this Regulation, it is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the	

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	European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. _____ ***1. Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123,***	European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	

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		12.5.2016, p. 1).		
Recital 73				
83	(73) To the extent that any of the measures envisaged by the present Regulation constitute State aid, the provisions concerning such measures are without prejudice to the application of Articles 107 and 108 of the Treaty.	(73) To the extent that any of the measures envisaged by the present Regulation constitute State aid, the provisions concerning such measures are without prejudice to the application of Articles 107 and 108 ~~*of the Treaty*~~***TFEU***.	(73) To the extent that any of the measures envisaged by the present Regulation constitute State aid, the provisions concerning such measures are without prejudice to the application of Articles 107 and 108 of the Treaty.	
Recital 74				

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84	(74) Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.	(74) Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.	(74) Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.	

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Formula				
85	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:		
Chapter I				
86	Chapter I Subject matter, scope and definitions	Chapter I Subject matter, scope and definitions	Chapter I Subject matter, scope and definitions	

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Article 1				
87	Article 1 Subject matter	Article 1 Subject matter	Article 1 Subject matter	
Article 1(1)				
88	1. This Regulation establishes the framework of measures for innovating and scaling up the manufacturing capacity of net-zero technologies in the Union to support the Union's 2030 target of	1. This Regulation establishes the framework of measures ~~*for innovating and scaling up the manufacturing capacity of net-zero technologies in*~~***to ensure a coordinated approach, throughout***	1. **The general objective of** this Regulation ~~establishes the framework of measures for innovating and scaling up the manufacturing capacity~~**is to improve the functioning of the**	

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	reducing net greenhouse gas emissions by at least 55 % relative to 1990 levels and the Union's 2050 climate neutrality target, as defined by Regulation (EU) 2021/1119, and to ensure the Union's access to a secure and sustainable supply of net-zero technologies needed to safeguard the resilience of the Union's energy system and to contribute to the creation of quality jobs.	the Union**,** to ~~*support the Union's 2030 target of reducing net greenhouse gas emissions by at least 55 % relative to 1990 levels and the Union's 2050 climate neutrality target, as defined by Regulation (EU) 2021/1119, and to ensure the Union's access to a secure and sustainable supply of net-zero*~~ ***the innovation and scaling up of the manufacturing capacity of net-zero technologies as well as of the components, materials and machinery along the supply chains of those*** technologies ~~*needed to safeguard the resilience of the Union's energy system and to contribute to*~~	**internal market by establishing a framework to ensure the Union's access to a secure and sustainable supply** of net-zero technologies**, while contributing to achieving** ~~in the Union to support~~ the Union's 2030 target of reducing net greenhouse gas emissions by at least ~~55 %~~**55%** relative to 1990 levels and the Union's 2050 climate neutrality target~~, as defined by Regulation (EU) 2021/1119, and to ensure the Union's access to a secure and sustainable supply of net-zero technologies needed to safeguard the resilience of the Union's energy system and to contribute to the creation of quality~~	

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		~~*the creation of quality jobs.*~~ ***that are indispensable for their production and functioning in the Union to:***	~~jobs~~.	
Article 1(1), point (a)				
88a		***(a) support the Union's climate targets and climate neutrality objective, as defined by Regulation (EU) 2021/1119;***		
Article 1(1), point (b)				

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88b		***(b) foster the Union's international industrial competitiveness in order to contribute to the creation of quality jobs;***		
Article 1(1), point (c)				
88c		***(c) improve the Union's access to a secure and sustainable supply of net-zero technologies;***		

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Article 1(1), point (d)				
88d		***(d) strengthen Union's open strategic autonomy;***		
Article 1(1), point (e)				
88e		***(e) safeguard the resilience of the corresponding Union's supply chains; and***		
Article 1(1), point (f)				

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88f		***(f) achieve the decarbonisation of the Union's economy and society.***		
Article 1(2)				
89	2. To achieve the general objective referred to in paragraph 1, this Regulation contains measures with a view to ensuring:	2. To achieve the general objective referred to in paragraph 1, this Regulation contains measures with a view to ensuring:	2. To ~~achieve~~**contribute to achieving** the general objective referred to in paragraph 1, this Regulation contains measures ~~with a view to ensuring:~~**aimed at**	

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Article 1(2), point (a)				
90	a) that by 2030, manufacturing capacity in the Union of the strategic net-zero technologies listed in the Annex approaches or reaches a benchmark of at least 40% of the Union's annual deployment needs for the corresponding technologies necessary to achieve the Union's 2030 climate and energy targets;	a) ~~*that by 2030, manufacturing capacity*~~***the reduction of strategic dependencies*** in the Union of the strategic net-zero technologies ~~*listed in the Annex approaches or reaches a benchmark of at least 40% of the Union's annual deployment needs for the corresponding technologies necessary to achieve the Union's 2030 climate and energy targets;*~~***as well as of the components, materials and machinery along the supply chains of those***	a) ~~that by 2030, manufacturing capacity in the Union of the strategic net-zero technologies listed in the Annex approaches or reaches a benchmark of at least 40% of the Union's annual deployment needs for the corresponding technologies necessary to achieve the Union's 2030 climate and energy targets~~**lowering the risk of supply disruptions related to net-zero technologies likely to distort competition and fragment the**	

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		technologies that are indispensable for their production and functioning and that by 2030 reaches a manufacturing capacity corresponding to:	**internal market, in particular by identifying and supporting the scale-up of the manufacturing capacity of net-zero technologies and their value chains**;	
Article 1(2), point (a)(i)				
90a		***(i) at least 40 % of the Union's annual deployment needs for the corresponding technologies necessary to achieve the Union's climate and energy targets, based on the technological deployment planned across the Union***		

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		according to the national energy and climate plans prepared and submitted by the Member States pursuant to Regulation (EU) 2018/1999; and		
Article 1(2), point (a)(ii)				
90b		***(ii) at least 25 % of global demand for the corresponding technologies;***		
Article 1(2), point (b)				

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91	b) the free movement of net zero technologies placed on the Single market.	b) the ***guaranteed*** free movement of net zero technologies ***and related service*** placed on the ~~*Single*~~***internal*** market.	b) ~~the free movement of net zero~~**encouraging demand for sustainable and resilient net-zero** technologies ~~placed on the Single market.~~**through public procurement, auctioning and other forms of public interventions;**	
Article 1(2), point (ba)				
91a			**(ba) enhancing skills through the support of net-zero academies,**	

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			thereby safeguarding and creating quality jobs;	
Article 1(2), point (bb)				
91b			**(bb) supporting innovation through the creation of net-zero regulatory sandboxes;**	
Article 1(2), point (bc)				
91c			**(bc) improving the Union's**	

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			ability to monitor and mitigate the supply risk related to net-zero technologies.	
Article 1(3)				
92	3. Where, based on the report referred to in Article 35, the Commission concludes that the Union is likely not to achieve the objectives set out in paragraph 1, it shall assess the feasibility and proportionality of proposing measures or exercising its powers at Union level in order to ensure	3. Where, based on the report referred to in Article 35, the Commission concludes that the Union is likely not to achieve the objectives set out in ~~*paragraph 1*~~ ***paragraphs 1 and 2***, it shall assess the feasibility and proportionality of proposing measures or exercising its powers	3. ~~Where, based on the report referred to in Article 35, the Commission concludes that the Union is likely not to achieve the objectives set out in paragraph 1, it shall assess the feasibility and proportionality of proposing measures or exercising its powers at Union level in order to ensure~~	

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	the achievement of those objectives.	at Union level in order to ensure the achievement of those objectives. ***In particular, the Commission shall assess the possibility of establishing including by means of delegated acts in accordance with Article 33, supplementing this Regulation, more granular targets for key technologies and components in order to ensure the achievement of those objectives. The Commission shall consult the Net-Zero Europe Platform to determine which measures or powers to apply.***	~~the achievement of those objectives.~~	

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Article 1(3a)				
92a			**3a. This Regulation also aims at establishing a Union market for CO2 storage services.**	
Article 2				
93	Article 2 Scope	Article 2 Scope	Article 2 Scope	

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Article 2, first paragraph				
94	This Regulation applies to net-zero technologies, except for Articles 26 and 27 of this Regulation, which apply to innovative net-zero technologies. Raw materials processed materials or components falling under the scope of Regulation (EU) …/… [add footnote with publication references of the Critical Raw Materials Regulation] shall be excluded from the scope of this Regulation.	~~*This Regulation applies to net-zero technologies, except for*~~ ***With the exception of*** Articles 26 and 27 of this Regulation, which apply to ***net-zero*** innovative ***technologies, this Regulation applies to*** net-zero technologies***, as listed in Article 3a(1), well as to the components, materials and machinery along the supply chains of those technologies that are indispensable for their production and functioning***. Raw materials processed materials ~~*or*~~***and***	This Regulation applies to net-zero technologies, except for Articles 26 and 27 of this Regulation, which apply **only** to innovative net-zero technologies~~. Raw materials processed materials or components~~ **and other innovative technologies with potential to enable the transition to a climate neutral, clean economy and reduce strategic dependencies. Critical raw materials** falling under the scope of Regulation (EU) …/… [add footnote with publication	

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		components falling under the scope of Regulation (EU) …/… [add footnote with publication references of the Critical Raw Materials Regulation] ***and under the scope of Regulation (EU) 2023/1781*** shall be excluded from the scope of this Regulation.	references of the Critical Raw Materials Regulation] shall be excluded from the scope of this Regulation.	
Article 2, first paragraph a				
94a			**In cases of integrated production facilities that cover production of materials falling both under the scope of the [Critical Raw**	

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			Materials Act] and this Regulation, it shall be the facilities' final product that determines which Regulation applies.	
Article 3				
95	Article 3 Definitions	Article 3 Definitions	Article 3 Definitions	
Article 3(1)				

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96	1. For the purpose of this Regulation, the following definitions shall apply:	1. For the purpose of this Regulation, the following definitions shall apply:	1. For the purpose of this Regulation, the following definitions shall apply:	
Article 3(1), point (-a)				
96a			**(-a) 'strategic net-zero technology' means all technologies identified under paragraph 1 of Article 3b, which are final products, specific components or specific machinery primarily used for the**	

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			production of those products, and which have reached a technology readiness level of at least 8.	
Article 3(1), point (-a), first subparagraph				
97	(a) 'net-zero technologies' means renewable energy technologies[1]; electricity and heat storage technologies; heat pumps; grid technologies; renewable fuels of non-biological origin technologies; sustainable alternative fuels technologies[2]; electrolysers and	(a) 'net-zero technologies' means ~~*renewable energy technologies[1]; electricity and heat storage technologies; heat pumps; grid*~~***the*** technologies~~*; renewable fuels of non-biological origin technologies; sustainable alternative fuels technologies[2]; electrolysers and*~~	(a) '~~-~~'net-zero technologies' means ~~renewable energy~~**all** technologies[1]~~;~~ ~~electricity and heat storage technologies; heat pumps; grid technologies; renewable fuels of non-biological origin technologies; sustainable alternative fuels technologies[2]; electrolysers and~~	

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	fuel cells; advanced technologies to produce energy from nuclear processes with minimal waste from the fuel cycle, small modular reactors, and related best-in-class fuels; carbon capture, utilisation, and storage technologies; and energy-system related energy efficiency technologies. They refer to the final products, specific components and specific machinery primarily used for the production of those products. They shall have reached a technology readiness level of at least 8. _____ 1. 'renewable energy' means	~~*fuel cells*~~ ***listed in Article 3a(1)***; ~~*advanced technologies to produce energy from nuclear processes with minimal waste from the fuel cycle, small modular reactors, and related best-in-class fuels; carbon capture, utilisation, and storage technologies; and energy-system related energy efficiency technologies. They refer to the final products, specific components and specific machinery primarily used for the production of those products. They shall have reached a technology readiness level of at least 8.*~~ _____	~~fuel cells; advanced technologies to produce energy from nuclear processes with minimal waste from the fuel cycle, small modular reactors, and related best-in-class fuels; carbon capture, utilisation, and storage technologies; and energy-system related energy efficiency technologies. They refer to the~~ **identified under Article 3a, which are** final products, specific components ~~and~~**or** specific machinery primarily used for the production of those products~~. They shall~~**, and which** have reached a technology readiness level of at least 8~~.~~**;**	

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	‘renewable energy’ as defined in Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources 2. ‘sustainable alternative fuels’ means fuels covered by the Proposal for a Regulation of the European Parliament and of the Council on ensuring a level playing field for sustainable air transport, COM/2021/561 final and by the Proposal for a Regulation of the European Parliament and Council on the	~~*1. ‘renewable energy' means ‘renewable energy’ as defined in Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources*~~ ~~*2. ‘sustainable alternative fuels’ means fuels covered by the Proposal for a Regulation of the European Parliament and of the Council on ensuring a level playing field for sustainable air transport, COM/2021/561 final and by the Proposal for a*~~	_____ ~~1. ‘renewable energy' means ‘renewable energy’ as defined in Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources~~ ~~2. ‘sustainable alternative fuels’ means fuels covered by the Proposal for a Regulation of the European Parliament and of the Council on ensuring a level playing field for sustainable air transport, COM/2021/561 final~~	

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	use of renewable and low-carbon fuels in maritime transport COM/2021/562 final.	~~*Regulation of the European Parliament and Council on the use of renewable and low-carbon fuels in maritime transport COM/2021/562 final.*~~	~~and by the Proposal for a Regulation of the European Parliament and Council on the use of renewable and low-carbon fuels in maritime transport COM/2021/562 final.~~	
Article 3(1), point (-a), second subparagraph				
98	(b) 'component' means a small part of a net-zero technology that is manufactured and traded by a company starting from processed materials;	(b) 'component' means a ~~*small part*~~***manufactured element*** of a net-zero technology ~~*that is manufactured and traded by a company starting from processed*~~	(b) 'component' means a ~~small~~ part of a net-zero technology that is manufactured and traded by a company**, including** ~~starting from~~ processed materials;	

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		~~*materials*~~***final product***;	For clarity "Component" moved up from line 98g. "Primarily used" moved to line 98g.	
Article 3(1), point (ba)				
98a		***(ba) 'materials' means any raw or processed materials needed for the production of a component of a net-zero technology or of the final***		

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		product;		
Article 3(1), point (-b)				
98b			**(ba) 'renewable energy' means 'renewable energy' as defined in Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources;**	
Article 3(1), point (bb)				

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98c			**(bb) 'renewable fuels of non-biological origin' means renewable fuels of non-biological origin as defined by [Art. XX RED II Revision];**	
Article 3(1), point (bc)				
98d			**(bc) 'sustainable alternative fuels' means fuels destined for the aviation sector referred to in Article 3(7), 3(13) and 3(17) of the [Refuel Aviation Regulation]**	

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			or fuels destined for the maritime sector as identified in applying the criteria defined in Articles 10(1) and 10(2) of the [FuelEU Maritime Regulation];	
Article 3(1), point (bd)				
98e			**(bd) 'transformative industrial technologies for decarbonisation' means the scaling up of manufacturing capacity for transformative industrial technologies that are used to significantly and permanently**	

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			reduce emission rates of CO2-eq of energy intensive activities in the steel, aluminium, non-ferrous metals, basic chemicals, cement, lime, glass, ceramics, fertilisers and paper sectors to the extent which is technically feasible;	
Article 3(1), point (be)				
98f			**(be) 'biotech climate and energy solutions' means technologies anchored in the use of living organism such as enzymes, microorganisms and bacterial**	

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			culture able to reduce CO2 emissions by replacing energy-intensive fossil or chemical-based inputs in industrial manufacturing processes relevant for inter alia carbon capture and production of biofuels;	
Article 3(1), point (-c)				
98g			**(bf) 'primarily used' means final products and specific components, which are essential for the production of net-zero**	

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			technologies, as set out in Annex X or final products, specific components and specific machinery which are essential for the production of net-zero technologies based on evidence provided to a national competent authority by the project promoter, such as market studies or off-take agreements;	
Article 3(1), point (-d)				
98h			**(bg) 'processed material' means a material that is at an advanced**	

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			stage of processing, excluding critical raw materials falling under CRMA, and designed to fulfil a specific function in a net-zero technology;	
Article 3(1), point (c)				
99	(c) 'innovative net-zero technologies' means technologies which satisfy the definition of 'net-zero technologies', except that they have not reached a technology readiness level of at least 8, and that comprise genuine innovation	(c) 'innovative net-zero technologies' means technologies ***that comprise a genuine innovation,*** which ~~*satisfy the definition of 'net-zero technologies', except that they have not reached a technology readiness*~~	(c) 'innovative net-zero technologies' means technologies which satisfy the definition of 'net-zero technologies', except that they have not reached a technology readiness level of at least 8, and that comprise genuine innovation	

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	which are not currently available on the market and are advanced enough to be tested in a controlled environment.	~~level of~~***are currently not available on the internal market and improve on the dominant comparable net-zero technology in*** at least ~~8, and that comprise genuine innovation which are not currently available on the market and are advanced enough to be tested in a controlled environment.~~***one way as well as any technology included in the Strategic Energy Technology Plan referred to in Article 26d;***	which are not currently available on the market and are advanced enough to be tested in a controlled environment~~.~~**;**	
Article 3(1), point (ca)				

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99a		***(ca) 'other innovative technologies' means technologies with potential to enable the transition to a climate neutral, clean economy and reduce strategic dependencies, which comprise genuine innovation not currently available on the internal market and which are advanced enough to be tested in a controlled environment;***	**(ca) 'other innovative technologies' means energy or climate related technologies with proven potential to contribute to decarbonisation of industrial or energy systems and reduce strategic dependencies, which comprise genuine innovation not currently available on the European market and which are advanced enough to be tested in a controlled environment, but have not reached a technology level of at least 8;**	

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Article 3(1), point (cb)				
99b		***(cb) 'pre-commercial innovative net-zero technologies' means innovative net-zero technologies that are not commercially available but that are advanced enough to be tested in a controlled environment;***		
Article 3(1), point (cc)				
99c		***(cc) 'new commercial net-zero***		

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		technologies' means net-zero technologies which are not yet available on a large-scale commercial basis, which have a low market share, which improve on the dominant comparable technologies in at least one way, and which carry a clear degree of risk when included in a procurement;		
Article 3(1), point (cd)				
99d		***(cd) 'pre-commercial procurement' means the***		

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		procurement of pre-commercial innovative net-zero technologies involving risk-benefit sharing under market conditions, and competitive development in phases, where there is a clear separation between the development activities of the procured products and the deployment of commercial volumes of the end-products;		
Article 3(1), point (ce)				
99e		***(ce) 'public procurement of***		

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		innovative solutions' means procurement for which contracting authorities act as a launch customer for commercial innovative net-zero technologies, which may include conformity testing;		
Article 3(1), point (d)				
100	(d) 'net-zero technology manufacturing project' means a planned industrial facility or extension or repurposing of an existing facility manufacturing net-	(d) 'net-zero technology manufacturing project' means a planned industrial facility or extension or repurposing of an existing facility ***for*** manufacturing	(d) 'net-zero technology manufacturing project' means a planned ~~industrial~~**commercial** facility or **an** extension or repurposing of an existing facility	

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	zero technologies;	***of*** net-zero technologies***, final products or components, materials or machinery along the supply chains of those technologies that are indispensable for their production and functioning***;	~~manufacturing~~**to manufacture** net-zero technologies;	
Article 3(1), point (e)				
101	(e) 'net-zero strategic project' means a net-zero technology manufacturing project located in the Union that complies with the criteria set out in Article 10;	(e) 'net-zero strategic project' means a net-zero technology manufacturing project ~~*located in the Union that complies with the*~~***which is selected in accordance with*** criteria ~~*set out*~~***laid down*** in	(e) 'net-zero strategic project' means a net-zero technology manufacturing project**, CO_2 storage project or CO_2 transport infrastructure project** located in the Union that ~~complies with the~~	

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		Article 10;	~~criteria set out in Article 10~~**a Member State has recognised as a net-zero strategic project in accordance with Articles 10 and 11**;	
Article 3(1), point (ea)				
101a		***(ea) 'net-zero industry valley' or 'Valley' means a specific land area which has been designated by a Member State for the purpose of promoting the construction or expansion of manufacturing facilities in the net-zero industry***		

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		supply chain;		
Article 3(1), point (f)				
102	(f) 'permit granting process' means a process covering all relevant administrative permits to plan, build, expand and operate net-zero technology manufacturing projects, including building, chemical and grid connection permits and environmental assessments and authorisations where these are required, and encompassing all administrative	(f) 'permit granting process' means a process covering all relevant administrative permits to plan, build, expand and operate net-zero technology manufacturing projects, ***such as net-zero strategic projects,*** including building, chemical and grid connection permits and environmental assessments and authorisations where these are required, and	(f) 'permit granting process' means a process covering all relevant ~~administrative~~ permits to ~~plan, build, expand~~**construct, extend, change** and operate net-zero technology manufacturing projects **and strategic projects encompassing all applications and procedures from the acknowledgement that the application is complete to the**	

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	applications and procedures from the acknowledgment of the validity of the application to the notification of the comprehensive decision on the outcome of the procedure by the responsible national competent authority;	encompassing all administrative applications and procedures from the ~~*acknowledgment*~~***receipt*** of the ~~*validity of the application to*~~***application to the designated authority until*** the notification of the comprehensive decision on the outcome of the procedure by the responsible national competent authority ***or, where relevant, a responsible grid operator***;	**notification of the comprehensive decision. For CO2 geological storage, the permit granting process refers to the storage permit granting process, which concerns processing of all necessary**~~, including building, chemical and grid connection~~ permits ~~and environmental assessments and authorisations where these are required, and encompassing all administrative applications and procedures from the acknowledgment of the validity~~**for surface installations requested to operate a storage site (building permit, pipes authorisation…) and the**	

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			environmental authorisation for the injection and storage of CO2 completed in accordance with Directive 2009/31/EC of the ~~application to the notification of the comprehensive decision~~**European Parliament and of the Council of 23 April 2009** on the ~~outcome of the procedure by the responsible national competent authority~~**geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and**	

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			Regulation (EC) No 1013/2006;	
Article 3(1), point (g)				
103	(g) 'comprehensive decision' means the decision or set of decisions taken by Member State authorities not including courts or tribunals that determines whether or not a project promoter is authorised to implement a net-zero technology manufacturing project, without prejudice to any decision taken in the context of an administrative appeal procedure;	(g) 'comprehensive decision' means the decision or set of decisions taken by Member State authorities not including courts or tribunals that determines whether or not a project promoter is authorised to implement a net-zero technology manufacturing project, without prejudice to any decision taken in the context of an administrative appeal procedure;	(g) 'comprehensive decision' means the decision or set of decisions taken by Member State authorities ~~not including courts or tribunals~~ that determines whether or not a project promoter is authorised to implement a net-zero technology manufacturing project, without prejudice to any decision taken in the context of an ~~administrative~~ appeal procedure;	

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Article 3(1), point (h)				
104	(h) ‘project promoter’ means any undertaking or consortium of undertakings developing a net-zero technology manufacturing project or a net-zero strategic project;	(h) ‘project promoter’ means any undertaking or consortium of undertakings developing a net-zero technology manufacturing project or a net-zero strategic project;	(h) ‘project promoter’ means any undertaking or consortium of undertakings developing a net-zero technology manufacturing project or a net-zero strategic project;	
Article 3(1), point (i)				
105	(i) ‘net-zero regulatory sandbox’	(i) ‘net-zero regulatory sandbox’	(i) ‘net-zero regulatory sandbox’	

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	means a scheme that enables undertakings to test innovative net-zero technologies in a controlled real-world environment, under a specific plan, developed and monitored by a competent authority.	means a scheme that enables undertakings to test innovative net-zero technologies ***and other innovative technologies*** in a controlled real-world environment, under a specific plan, developed and monitored by a competent authority~~.~~**;**	means a scheme that enables undertakings to test innovative net-zero technologies **and other innovative technologies** in a controlled real-world environment, under a specific plan, developed and monitored by a competent authority~~.~~**;**	
Article 3(1), point (j)				
106	(j) 'technology readiness level' means a method of estimating the maturity of technologies, according to the classification used by the	(j) ~~*'technology readiness level' means a method of estimating the maturity of technologies, according to the classification used by the*~~	(j) 'technology readiness level' means a method of estimating the maturity of technologies, according to the classification used by the	

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	International Energy Agency;	~~*International Energy Agency;*~~	International Energy Agency;	
Article 3(1), point (k)				
107	(k) 'authority concerned' means an authority that, under national law, is competent to issue permits and authorisations related to the planning, design and construction of immovable assets, including energy infrastructure;	(k) 'authority concerned' means an authority that, under national law, is competent to issue permits and authorisations related to the planning, design and construction of immovable assets, including energy infrastructure;	(k) '~~authority~~**authorities** concerned' means ~~an~~ ~~authority~~**authorities** that, under national law, ~~is competent to issue permits and authorisations related to the planning, design and construction of immovable assets, including energy infrastructure~~**are involved in the issuing of permits as part of the permit-granting process as described in letter (f)**;	

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Article 3(1), point (l)				
108	(l) ‘public procurement procedure’ means any of the following:	(l) ‘public procurement procedure’ means any of the following:	(l) ‘public procurement procedure’ means any of the following:	
Article 3(1), point (l)(i)				
109	(i) any type of award procedure covered by Directive 2014/24/EU for the conclusion of a public contract or Directive 2014/25/EU	(i) any type of award procedure covered by Directive 2014/24/EU for the conclusion of a public contract or Directive 2014/25/EU	(i) any type of award procedure covered by Directive 2014/24/EU for the conclusion of a public contract or Directive 2014/25/EU	

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	for the conclusion of a supply, works and service contract;	for the conclusion of a supply, works and service contract;	for the conclusion of a supply, works and service contract;	
Article 3(1), point (l)(ii)				
110	(ii) a procedure for the award of works or a service concession covered by Directive 2014/23/EU;	(ii) a procedure for the award of works or a service concession covered by Directive 2014/23/EU;	(ii) a procedure for the award of works or a service concession covered by Directive 2014/23/EU;	
Article 3(1), point (m)				
111	(m) 'contracting authority' in the	(m) 'contracting authority' in the	(m) 'contracting authority' in the	

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	context of public procurement procedures, means contracting authority as defined in Article 6 of Directive 2014/23/EU, Article 2(1), point (1) of Directive 2014/24/EU and Article 3 of Directive 2014/25/EU;	context of public procurement procedures, means contracting authority as defined in Article 6 of Directive 2014/23/EU, Article 2(1), point (1) of Directive 2014/24/EU and Article 3 of Directive 2014/25/EU;	context of public procurement procedures, means contracting authority as defined in Article 6 of Directive 2014/23/EU, Article 2(1), point (1) of Directive 2014/24/EU and Article 3 of Directive 2014/25/EU;	
Article 3(1), point (n)				
112	(n) 'contracting entity' in the context of public procurement procedures, means contracting entity as defined in, Article 7 of Directive 2014/23/EU and Article	(n) 'contracting entity' in the context of public procurement procedures, means contracting entity as defined in, Article 7 of Directive 2014/23/EU and Article	(n) 'contracting entity' in the context of public procurement procedures, means contracting entity as defined in, Article 7 of Directive 2014/23/EU and Article	

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	4 of Directive 2014/25/EU;	4 of Directive 2014/25/EU;	4 of Directive 2014/25/EU;	
Article 3(1), point (o)				
113	(o) 'contract', in the context of public procurement procedures, means a public contract as defined in Article 2(1), point (5) of Directive 2014/24/EU, 'contracts' as defined in 'supply, works and service contracts' as defined in Article 2, point (1), of Directive 2014/25/EU, and 'concessions' as defined in Article 5, point (1), of Directive 2014/23/EU;	(o) 'contract', in the context of public procurement procedures, means a public contract as defined in Article 2(1), point (5) of Directive 2014/24/EU, 'contracts' as defined in 'supply, works and service contracts' as defined in Article 2, point (1), of Directive 2014/25/EU, and 'concessions' as defined in Article 5, point (1), of Directive 2014/23/EU;	(o) 'contract', in the context of public procurement procedures, means a public contract as defined in Article 2(1), point (5) of Directive 2014/24/EU, 'contracts' as defined in 'supply, works and service contracts' as defined in Article 2, point (1), of Directive 2014/25/EU, and 'concessions' as defined in Article 5, point (1), of Directive 2014/23/EU;	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 3(1), point (p)				
114	(p) ‘auction’ means a mechanism for competitive tendering procedures, not falling under the definition of ‘concessions’ according to Article 5, point (1), of Directive 2014/23/EU;	(p) ‘auction’ means a mechanism for competitive tendering procedures, not falling under the definition of ‘concessions’ according to Article 5, point (1), of Directive 2014/23/EU;	(p) ‘auction’ means a mechanism for competitive tendering procedures~~, not falling under the definition of ‘concessions’ according to Article 5, point (1), of Directive~~ **to support the production or consumption of energy from renewable sources, not falling under Directives** 2014/23/EU**, 2014/24/EU, 2014/25/EU and 2009/81/EC**;	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 3(1), point (q)				
115	(q) 'CO2 injection capacity' means the annual amount of CO2 that can be injected in an operational geological storage site, permitted under Directive 2009/31/EC, with the purpose to reduce emissions or increase carbon removals, in particular from large scale industrial installations and which is measured in tonnes per annum;	(q) '~~*CO2*~~***CO_2*** injection capacity' means the annual amount of ~~*CO2*~~***CO_2*** that can be injected in an operational geological storage site, permitted under Directive 2009/31/EC, ***including saline aquifers, provided with the means of capturing CO^2 and transporting it to the site, and*** with the purpose to reduce emissions or increase carbon removals, in particular from large scale industrial installations	(q) '~~CO2~~**CO_2** injection capacity' means the annual amount of ~~CO2~~**CO_2** that can be injected in an operational geological storage site, permitted under Directive 2009/31/EC, with the purpose to reduce emissions or increase carbon removals, in particular from large scale industrial installations and which is measured in tonnes per annum;	

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		and which is measured in tonnes per annum;		
Article 3(1), point (qa)				
115a		***(qa) 'CO₂ transport networks' means multimodal CO₂ transport infrastructure, including the network of pipelines, including associated booster stations, for the transport of CO₂ to the storage site;***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 3(1), point (r)				
116	(r) 'energy system integration' means solutions for the planning and operating of the energy system as a whole, across multiple energy carriers, infrastructures, and consumption sectors, by creating stronger links between them with the objective of delivering fossil-free, reliable and resource-efficient energy services, at the least possible cost for society.	(r) 'energy system integration' means solutions for the planning and operating of the energy system as a whole, across multiple energy carriers, infrastructures, and consumption sectors, by creating stronger links between them with the objective of delivering fossil-free, reliable and resource-efficient energy services, at the least possible cost for society.	(r) 'energy system integration' means solutions for the planning and operating of the energy system as a whole, across multiple energy carriers, infrastructures, and consumption sectors, by creating stronger links between them with the objective of delivering ~~fossil-free~~**renewable-based, flexible**, reliable and resource-efficient energy services, at the least possible cost for society~~.~~ **and the environment;**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 3(1), point (s)				
117	(s) ‘manufacturing capacity’ means the total amount of output capacity of the net-zero technologies produced in a manufacturing project. If the manufacturing project does not produce final products but specific components or specific machinery primarily used for the production of such products, then manufacturing capacity refers to output capacity of the final product that would use such components or specific machinery to be produced.	(s) ‘manufacturing capacity’ means the total amount of output capacity of the net-zero technologies produced in a manufacturing project. If the manufacturing project does not produce final products but specific components or specific machinery primarily used for the production of such products, then manufacturing capacity refers to output capacity of the final product that would use such components or specific machinery to be produced.	(s) ‘manufacturing capacity’ means the total amount of output capacity of the net-zero technologies produced in a manufacturing project. If the manufacturing project does not produce final products but specific components or specific machinery primarily used for the production of such products, then manufacturing capacity refers to output capacity of the final product that would use such components or specific machinery to be produced.	

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Article 3a				
117a		***Article 3a*** ***Net-zero technologies***	**Article 3a** **List of net-zero technologies**	
Article 3a(1)				
117b		***1. The net-zero technologies within the scope of this***	**1. 1. The net-zero technologies within the scope of**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		Regulation shall be:	**this Regulation are:**	
Article 3a(1), point (a)				
117c		***(a) technologies used for production of energy from renewable sources as defined in Directive (EU) 2018/2001;***	**(a) renewable energy technologies;**	
Article 3a(1), point (b)				
117d		***(b) nuclear fission and fusion***		

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		energy technologies, including nuclear fuel cycle technologies;	**(b) electricity and heat storage;**	
Article 3a(1), point (c)				
117e		***(c) energy storage technologies;***	**(c) heat pumps;**	
Article 3a(1), point (d)				
117f		***(d) carbon dioxide (CO_2), methane (CH4), and nitrous oxide (N2O), removal, capture,***	**(d) electricity grid technologies**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		transport, injection (EPP), storage and utilisation technologies;		
Article 3a(1), point (e)				
117g		***(e) hydrogen (H2) transport infrastructure technologies;***	**(e) renewable fuels of non-biological origin technologies;**	
Article 3a(1), point (f)				
117h		***(f) electrolyser and fuel cell***	**(f) sustainable alternative fuels**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		technologies;	**technologies;**	
Article 3a(1), point (g)				
117i		***(g) electric, hydrogen (H2), sustainable alternative fuels as defined in Regulation (EU) .../... [OJ to include reference to Sustainable maritime fuels |Regulation 2021/0210(COD)], and wind propulsion technologies for transportation;***	**(g) hydrogen technologies, including electrolysers and fuel cells;**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 3a(1), point (h)				
117j		***(h) electric charging technologies for transportation;***	**(h) nuclear technologies;**	
Article 3a(1), point (i)				
117k		***(i) hydrogen (H2), sustainable alternative fuels as defined in Regulation (EU) .../...(OJ to include reference to ... [ReFuel Aviation 2021/0205(COD)], biomethane (CH4) production and***	**(i) CO2 transport and carbon capture, utilisation, and storage technologies;**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		refuelling infrastructure technologies;		
Article 3a(1), point (j)				
117l		***(j) heat pump technologies;***	**(j) energy-system related energy efficiency technologies;**	
Article 3a(1), point (k)				
117m		***(k) energy efficiency***	**(k) biotech climate and energy solutions, including biobased**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		technologies;	**feedstock solutions;**	
Article 3a(1), point (l)				
117n		***(l) thermal energy distribution and electric grid technologies;***	**(l) transformative industrial technologies for decarbonisation not covered under the previous categories.**	
Article 3a(1), point (m)				
117o		***(m) energy management***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		technologies;		
Article 3a(1), point (n)				
117p		***(n) high-efficiency industrial process and electrification technologies for energy and carbon intensive industries;***		
Article 3a(1), point (o)				
117q				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		(o) biomaterials production technologies, including bio-based chemical production technologies;		
Article 3a(1), point (p)				
117r		***(p) recycling technologies.***		
Article 3a(2)				
117s		***2. Within six months of the***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		deadline for notification of each national energy and climate plans pursuant to Article 3(1) of Regulation (EU) 2018/1999 and within six months of the deadline for the submission of each update of the updated national energy and climate plans pursuant to Article 14(2) of that Regulation, the Commission shall assess the list of net-zero technologies set out in paragraph 1 of this Article and may propose delegated acts, in accordance with Article 33 of this Regulation, amending that list in order to ensure that it reflects the technology needs stemming from the Member States' national		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		energy and climate plans.		
Article 3b				
117t			**Article 3b** **List of strategic net-zero technologies**	
Article 3b(1)				
117u			**1. The list of strategic net-zero**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			technologies within the scope of this Act are:	
Article 3b(1), point (a)				
117v			**(a) solar photovoltaic, solar thermal electric and solar thermal technologies;**	
Article 3b(1), point (b)				
117w			**(b) onshore wind and offshore**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			renewable technologies;	
Article 3b(1), point (c)				
117x			**(c) battery and storage technologies;**	
Article 3b(1), point (d)				
117y			**(d) heat pumps and geothermal energy technologies;**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 3b(1), point (e)				
117z			**(e) hydrogen technologies including, electrolysers and fuel cells;**	
Article 3b(1), point (f)				
117aa			**(f) sustainable biogas and biomethane technologies;**	

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Article 3b(1), point (g)				
117ab			**(g) carbon capture and storage (CCS) technologies;**	
Article 3b(1), point (h)				
117ac			**(h) electricity grid technologies;**	

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Article 3b(1), point (i)				
117ad			**(i) nuclear fission energy technologies, including nuclear fuel cycle technologies;**	
Article 3b(1), point (j)				
117ae			**(j) sustainable alternative fuels technologies.**	
Article 3b(2)				

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117af			**(2) The list in paragraph 1 is without prejudice to a Member State's right to determine its choice between different energy sources and the general structure of its energy supply.**	
Article 3b(3)				
117ag			**(3) The list in paragraph 1 is without prejudice to the allocation of Union funding, in particular on eligibility or award**	

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			criteria, as adopted in accordance with the appropriate procedures, or on Union support through the European Investment Bank.	
Chapter II				
118	Chapter II. Enabling conditions for net-zero technology manufacturing	Chapter II. Enabling conditions for net-zero technology manufacturing	Chapter II. Enabling conditions for net-zero technology manufacturing	
Section I				

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119	Section I. Streamlining administrative and permit-granting processes	Section I. Streamlining administrative and permit-granting processes	Section I. Streamlining administrative and permit-granting processes	
Article 4				
120	Article 4 One Stop Shop	Article 4 One Stop Shop	Article 4 ~~One Stop Shop~~ **Point of single contact**	
Article 4(1)				

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121	1. By …[3 months after the date of entry into force of this Regulation], Member States shall designate one national competent authority which shall be responsible for facilitating and coordinating the permit-granting process for net-zero technology manufacturing projects, including for net-zero strategic projects, and to provide advice on reducing administrative burden in line with Article 5.	1. By …[3 months ~~after~~***from*** the date of entry into force of this Regulation], Member States shall designate ***or establish a single one competent authority (designated*** ~~one national competent~~ authority***).*** ***The designated authority*** ~~which~~ shall be responsible for facilitating and coordinating the permit-granting process for net-zero technology manufacturing projects~~,~~ ~~including for net-zero strategic projects,~~ and to provide advice on reducing administrative burden in line with Article 5.	1. By …[~~3~~ **9** months after the date of entry into force of this Regulation], Member States shall designate one ~~national competent authority which~~**or more contact points at relevant levels of Member State administration. The designated contact point** shall be responsible for facilitating and coordinating the permit-granting process for net-zero technology manufacturing projects, including for net-zero strategic projects, and ~~to provide advice on reducing~~**providing information on streamlining the** administrative	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			~~burden~~**process** in line with Article 5**, including information on when an application is considered to be complete according to Article 6(2a) and 6(6)**.	
Article 4(1a)				
121a			**1a. In case of multiple designated contact points, Member States shall provide tools to help project promoters identify the appropriate designated contact point on the online web page set up in**	

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			accordance with Article 5.	
Article 4(2)				
122	2. The national competent authority referred to in paragraph 1 shall be the sole point of contact for the project promoter in the permit-granting process leading to a comprehensive decision for a given project and shall coordinate the submission of all relevant documents and information.	2. The ~~*national competent*~~***designated*** authority ~~*referred to in paragraph 1*~~ shall be the sole point of contact for the project promoter in the permit-granting process leading to a comprehensive decision for a given project and shall coordinate the submission of all relevant documents and information.	2. The ~~national competent authority referred to in paragraph 1~~**designated contact point** shall be the sole point of contact for the project promoter in the permit-granting process ~~leading to a comprehensive decision for a given~~**for a net-zero technology manufacturing project, including a net-zero strategic** project**. The designated contact point** ~~and~~ shall	

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			~~coordinate the submission of all relevant documents and information~~**notify the project promoter on the outcome of the comprehensive decision**.	
Article 4(3)				
123	3. The responsibilities of the national competent authority referred to in paragraph 1 or the tasks related to it may be delegated to, or carried out by, another authority, for any given project, provided that:	3. The responsibilities of the ~~*national competent*~~***designated*** authority referred to in paragraph 1 or the tasks related to it may be delegated to, or carried out by, another authority, for any given project, provided that:	3. The responsibilities of the ~~national competent authority referred to in paragraph 1~~**designated contact point** or the tasks related to it may be delegated to **another authority, for a net-zero technology manufacturing**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			project, including a net-zero strategic~~, or carried out by, another authority, for any given~~ project, provided that:	
Article 4(3), point (a)				
124	(a) the national competent authority notifies the project promoter of that delegation;	(a) the ~~*national competent*~~***designated*** authority notifies the project promoter of that delegation;	(a) the ~~national competent authority~~**designated contact point** notifies the project promoter of that delegation;	
Article 4(3), point (b)				

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125	(b) a single authority is responsible for each of the projects;	(b) a single authority is responsible for each of the projects;	(b) a single ~~authority~~**contact point** is responsible for each of the projects;	
Article 4(3), point (c)				
126	(c) a single authority coordinates the submission of all relevant documents and information.	(c) a single authority coordinates the submission of all relevant documents and information.	(c) a single ~~authority~~**contact point** coordinates the submission of all relevant documents and information~~.~~**;**	

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Article 4(3), point (ca)				
126a			**(ca) a single contact point provides information on relevant documentation needed for the application required in the permit-granting process.**	
Article 4(4)				
127	4. Project promoters shall be allowed to submit any documents relevant to the permit-granting	4. Project promoters shall be allowed to submit any documents relevant to the permit-granting	4. Project promoters shall be allowed to submit any documents relevant to the permit-granting	

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	process in electronic form.	process in electronic form.	process in electronic form.	
Article 4(5)				
128	5. The national competent authority shall take into consideration any valid studies conducted, and permits or authorisations issued, for a given project before the project entered the permit-granting process in accordance with this Article and shall not require duplicate studies and permits or authorisations, unless otherwise required under	5. The ~~*national competent*~~***designated*** authority shall take into consideration any valid studies conducted, and permits or authorisations issued, for a given project before the project entered the permit-granting process in accordance with this Article and shall not require duplicate studies and permits or authorisations, unless otherwise	5. The ~~national~~ competent ~~authority~~**authorities** shall ~~take into consideration any valid~~**ensure that any relevant** studies~~ conducted~~, ~~and~~ permits or authorisations issued~~,~~ **or conducted** for a given project ~~before the project entered the permit-granting process in accordance with this Article and shall not require~~**are taken into account and that no** duplicate	

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	Union law.	required under Union law.	studies ~~and~~**,** permits or authorisations **are required**, unless otherwise required under **national or** Union law.	
Article 4(6)				
129	6. The national competent authority shall ensure that applicants have easy access to information on and simple procedures for the settlement of disputes concerning the permit-granting process and the issuance of permits to construct or expand	6. The ~~*national competent*~~***designated*** authority shall ensure that applicants have easy access to information on and simple procedures for the settlement of disputes concerning the permit-granting process and the issuance of permits to construct or	6. ~~The national competent authority~~**Member States** shall ensure that applicants have easy access to information on ~~and simple~~ procedures for the settlement of disputes concerning the permit-granting process ~~and the issuance of permits to construct or~~	

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	projects, including, where applicable, alternative dispute resolution mechanisms.	expand projects, including, where applicable, alternative dispute resolution mechanisms.	~~expand projects,~~ including, where applicable, alternative dispute resolution mechanisms**, if such procedures are provided by national law**.	
Article 4(7)				
130	7. Member States shall ensure that the national competent authority responsible for the entire permit-granting processes, including all procedural steps, has a sufficient number of qualified staff and sufficient financial, technical and	7. Member States shall ensure that the national ***authorities concerned and other*** competent ~~*authority*~~***authorities*** responsible for ~~*the entire*~~***any step along the*** permit-granting processes, including all procedural steps,	7. Member States shall ensure that the ~~national competent authority responsible for the entire permit-granting processes, including all procedural steps,~~**designated contact point** has a sufficient number of qualified staff and	

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	technological resources necessary, including for up- and re-skilling, for the effective performance of its tasks under this Regulation.	~~*has*~~***have*** a sufficient number of qualified staff and sufficient financial, technical and technological resources necessary, including for up- and re-skilling, for the effective performance of its tasks under this Regulation.	sufficient financial, technical and technological resources necessary~~,~~ ~~including for up- and re-skilling~~, for the effective performance of its tasks under this Regulation.	
Article 4(8)				
131	8. The Platform referred to in Article 28 and 29 shall periodically discuss the implementation of this Section and Articles 12 and 13 and share best-practices for organising	8. The Platform referred to in Article 28 and 29 shall periodically discuss the implementation of this Section and Articles 12 and 13 and share best-practices for organising	8. The Platform referred to in Article 28 and 29 shall periodically discuss the implementation of this Section and Articles 12 and 13 and share best-practices for organising	

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	national competent authorities and speeding up permitting procedures.	national competent authorities and speeding up permitting procedures.	~~national competent authorities and speeding up permitting procedures~~**designated contact points**.	
Article 4(8a)				
131a		***8a. Member States shall consider increasing direct support to the designated authority under national Recovery and Resilience Plans. The Commission shall provide technical support to the designated authority and Member States to carry out the permit-***		

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		granting process.		
Article 4(8b)				
131b		***8b. The designated authority shall specify and make available the detailed requirements and extent of information requested of a project promoter before the permit-granting process commences.***	***9. The national competent authorities shall specify and make available to the designated contact point, the requirements and extent of information requested of a project promoter before the permit-granting process commences.***	

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Article 5				
132	Article 5 Online accessibility of information	Article 5 Online accessibility of information	Article 5 Online accessibility of information	
Article 5, first paragraph				
133	Member States shall provide the following information on administrative processes relevant to net-zero technology manufacturing projects, including net zero strategic projects, online	Member States shall provide the following information on administrative processes relevant to net-zero technology manufacturing projects, including net zero strategic projects, online	Member States shall provide **access to** the following information on ~~administrative~~ processes relevant to net-zero technology manufacturing projects, including net zero strategic projects, online	

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	and in a centralised and easily accessible manner:	and in a centralised and easily accessible manner:	and in a centralised and easily accessible manner:	
Article 5, first paragraph, point (-a)				
133a			**(-a) the designated contact points referred to in Article 4 paragraph 1;**	
Article 5, first paragraph, point (a)				
134			(a) the permit-granting process**,**	

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	(a) the permit-granting process;	(a) the permit-granting process;	**including information on dispute settlement**;	
Article 5, first paragraph, point (b)				
135	(b) financing and investment services;	(b) financing and investment services;	(b) financing and investment services;	
Article 5, first paragraph, point (c)				
136	(c) funding possibilities at Union	(c) funding possibilities at Union	(c) funding possibilities at Union	

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	or Member State level;	~~or~~***and*** Member State level;	or Member State level;	
Article 5, first paragraph, point (d)				
137	(d) business support services, including but not limited to corporate tax declaration, local tax laws, labour law.	(d) business support services, including but not limited to corporate tax declaration, local tax laws, labour law.	(d) business support services, including but not limited to corporate tax declaration, local tax laws, labour law.	
Article 5a				
137a				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		Article 5a ***Accelerating implementation***		
Article 5a(1)				
137b		***1. Member States and, where appropriate, the Commission shall undertake activities to accelerate and crowd-in public and private investments in net-zero technology manufacturing projects. Such activities may, without prejudice to Article 107 and Article 108 TFEU, include providing and***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		coordinating support to net-zero technology manufacturing projects facing difficulties in accessing finance. The Commission and the Member States shall ensure that the support is provided to the project promoter within six months of the submission of the request of the net-zero technology manufacturing project.		
Article 5a(2)				
137c		***2. Member States shall provide***		

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		administrative and operational support to net-zero technology manufacturing projects located on their territory, to facilitate their rapid and effective implementation, paying particular attention to SMEs involved in the projects, including by providing:		
Article 5a(2), point (a)				
137d		***(a) assistance to ensure compliance with applicable administrative and reporting obligations;***		

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Article 5a(2), point (b)				
137e		***(b) assistance to project promoters to further increase the public acceptance of the project;***		
Article 5a(2), point (c)				
137f		***(c) assistance to project promoters along the permit-granting process, in particular for***		

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		SMEs.		
Article 5a(2), point (d)				
137g		***In addition to the support provided by the Member States, the Commission shall provide the net-zero strategic projects with assistance as referred to in the first subparagraph.***		
Article 5a(2), point (e)				

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137h		***In order to do so, Member States shall ensure that the relevant administrative bodies are adequately resourced and staffed to respond within the applicable time limits to future requests.***		
Article 5a(3)				
137i		***3. By 31 December 2024, the Commission shall propose to the European Parliament and to the Council a means of coordinating***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		the various sources of public funding for net-zero technology manufacturing projects from the Union and the Member States with the objective of accelerating their deployment.		
Article 6				
138	Article 6 Duration of the permit-granting process	Article 6 Duration of the permit-granting process	Article 6 Duration of the permit-granting process	

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Article 6(1)				
139	1. The permit-granting process for net-zero technology manufacturing projects shall not exceed any of the following time limits:	1. The permit-granting process for net-zero technology manufacturing projects shall not exceed any of the following time limits:	1. The permit-granting process for net-zero technology manufacturing projects shall not exceed any of the following time limits:	
Article 6(1), point (a)				
140	(a) 12 months for the construction of net-zero technology manufacturing projects with a yearly manufacturing capacity of	(a) ~~12~~ **9** months for the construction of net-zero technology manufacturing projects with a yearly manufacturing capacity of	(a) 12 months for the construction **or expansion** of net-zero technology manufacturing projects with a yearly manufacturing	

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	less than 1 GW;	less than 1 GW;	capacity of less than 1 GW;	
Article 6(1), point (b)				
141	(b) 18 months for the construction of net-zero technology manufacturing projects, with a yearly manufacturing capacity of more than 1 GW.	(b) ~~18~~***12*** months for the construction of net-zero technology manufacturing projects, with a yearly manufacturing capacity of more than 1 GW.	(b) 18 months for the construction **or expansion** of net-zero technology manufacturing projects, with a yearly manufacturing capacity of ~~more than~~ 1 GW **or more**.	
Article 6(2)				

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142	2. For net-zero technology manufacturing projects for which a yearly manufacturing capacity is not measured in GW, the permit-granting process shall not exceed a time limit of 18 months.	2. For net-zero technology manufacturing projects for which a yearly manufacturing capacity is not measured in GW, the permit-granting process shall not exceed a time limit of ~~18~~***12*** months.	2. For net-zero technology manufacturing projects for which a yearly manufacturing capacity is not measured in GW, the permit-granting process shall not exceed a time limit of 18 months.	
Article 6(2a)				
142a			**2a. Where an environmental impact assessment is required pursuant to Directive 2011/92/EU, the steps of the**	

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			assessment referred to in Article 1 (2)(g) (i) of that Directive shall not be included in the duration for permit granting process referred to in paragraphs 1 and 2.	
Article 6(3)				
143	3. For the expansion of manufacturing capacity in existing manufacturing facilities, the time limits referred to in paragraph 1 and 2 shall be halved.	3. For the expansion of manufacturing capacity in existing manufacturing facilities, the time limits referred to in ~~*paragraph*~~***paragraphs*** 1 and 2 shall be halved.	3. ~~For the expansion of manufacturing capacity in existing manufacturing facilities, the time limits referred to in paragraph 1 and 2 shall be halved.~~	

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Article 6(4), first subparagraph				
144	4. In exceptional cases, where the nature, complexity, location or size of the proposed project so requires, competent authorities may extend the time limits referred to in paragraph 1 and 2 by a maximum of 1 month before their expiry and on a case-by-case basis.	4. In exceptional cases, where the nature, complexity, location or size of the proposed project so requires, competent authorities may extend the time limits referred to in paragraph 1 and 2 by a maximum of 1 month before their expiry and on a case-by-case basis.	4. In exceptional cases, where the nature, complexity, location or size of the proposed **net-zero technology manufacturing project or net-zero strategic** project so requires, ~~competent authorities may~~**a Member State may once** extend the time limits referred to in ~~paragraph 1 and 2~~**Articles 6(1), 6(2), 13(1) and 13(2)** by a maximum of ~~1 month~~**3 months** before their expiry and on	

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			a case-by-case basis.	
Article 6(4), second subparagraph				
145	Where competent authorities consider that the proposed project raises exceptional risks for the health and safety of workers or of the general population, and where additional time is necessary to establish that adequate safeguards are put in place, they may extend those time limits by a further 6 months, before their expiry and on a case-by-case basis.	Where competent authorities consider that the proposed project raises exceptional risks for the health and safety of workers or of the general population, and where additional time is necessary to establish that adequate safeguards are put in place, they may extend those time limits by a further 6 months, before their expiry and on a case-by-case basis.	Where ~~competent authorities considera~~ **Member State considers** that the proposed **net-zero technology manufacturing project or net-zero strategic** project raises exceptional risks for the health and safety of workers or of the general population, and where additional time is necessary to establish that ~~adequate safeguards~~**measures to address**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			identifiable risks are put in place, ~~they~~**it** may extend those time limits by a further 6 months, before their expiry and on a case-by-case basis.	
Article 6(5)				
146	5. In either such event, the competent authority shall inform the project promoter of the reasons for the extension and of the date when the comprehensive decision is expected in writing.	5. In either such event, the ~~*competent*~~***designated*** authority shall inform the project promoter of the reasons for the extension and of the date when the comprehensive decision is expected in writing.	5. In either such event, the ~~competent authority~~**designated contact point** shall inform the project promoter of the reasons for the extension and of the date when the comprehensive decision is expected in writing.	

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Article 6(5a)				
146a			**5a. The designated contact point referred to in Article 4(1) shall notify the project promotor when the environmental impact assessment report referred in Article 5(1) of Directive 2011/92/EU is due, taking into account the organisation of the permit granting process in the relevant Member State and the need to allow sufficient time to assess the report. The period as**	

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			from the date the environmental impact report is due until the submission of that report shall not be counted towards the duration of the permit granting process referred to in paragraphs 1 and 2. **Where the consultation according to article 1(2)(g)(ii) of Directive 2011/92/EU results in the need to supplement the environmental impact assessment report with additional information, the designated contact point referred to in Article 4(1) may give the project promotor the opportunity to submit additional**	

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			information. In such case, the designated contact point shall notify the project promotor when the additional information is due, which shall be in no less than 30 days after the notification. The period as from the date the additional information is due until the submission of that information shall not be counted towards the duration of the permit granting process referred to in paragraphs 1 and 2.	
Article 6(6)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
147	6. No later than one month following the receipt of the permit-granting application, competent authorities shall validate the application or, if the project promoter has not sent all the information required to process an application, request the project promoter to submit a complete application within fourteen days from that request. The date of the acknowledgement of the validity of the application by the national competent authority referred to in Article 4(1) shall serve as the start of the permit granting process.	6. No later than one month following the receipt of the permit-granting application, competent authorities shall validate the application or, if the project promoter has not sent all the information required to process an application, request the project promoter to submit a complete application within fourteen days from that request. The date of the acknowledgement of ~~*the validity*~~***initial receipt*** of the application by the national ~~*competent*~~***designated*** authority ~~*referred to in Article 4(1)*~~ shall	6. No later than ~~one month~~**45 days** following the receipt of ~~the permit-granting~~**a permit granting** application, ~~competent authorities~~**the designated contact point referred to in Article 4(1)** shall ~~validate~~**acknowledge that** the application **is complete** or, if the project promoter has not sent all the information required to process ~~an~~**the** application, request the project promoter to submit a complete application ~~within fourteen days from that request~~**without undue delay**. The date of the acknowledgement of the	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		serve as the start of the permit granting process.	~~validity~~**completeness** of the application ~~by the national competent authority~~**from the designated contact point** referred to in Article 4(1) shall serve as the start of the permit granting process **for that particular application**.	
Article 6(7)				
148	7. No later than one month following the date of the acknowledgement of the validity of the application, the national competent authority shall draw up,	7. No later than one month following the date of the acknowledgement of the validity of the application, the ~~*national competent*~~***designated*** authority	7. No later than ~~one month~~**two months** following the date of the acknowledgement ~~of the validity of the application, the national competent authority~~**, the**	

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	in close cooperation with the project promoter and other authorities concerned, a detailed schedule for the permit granting process. The schedule shall be published by the national competent authority referred to in Article 4(1) on a free access website.	shall draw up, in close cooperation with the project promoter and other authorities concerned, a detailed schedule for the permit granting process. The schedule shall be published by the ~~*national competent*~~***designated*** authority ~~*referred to in Article 4(1)*~~ on a free access website.	**designated contact point** shall draw up, in close cooperation with ~~the project promoter and~~ other authorities concerned, a detailed schedule for the permit granting process. ~~The schedule shall be published by the national competent authority referred to in Article 4(1) on a free access website.~~	
Article 6(8)				
149	8. The time limits set in this Article shall be without prejudice	8. The time limits set in this Article shall be without prejudice	8. The time limits set in ~~this Article~~**Articles 6 and 13** shall be	

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	to obligations arising from Union and international law, and without prejudice to administrative appeal procedures and judicial remedies before a court or tribunal.	to obligations arising from Union and international law, and without prejudice to administrative appeal procedures and judicial remedies before a court or tribunal.	without prejudice to obligations arising from Union and international law, and without prejudice to administrative appeal procedures and judicial remedies before a court or tribunal.	
Article 6(9)				
150	9. The time limits set in this Article for any of the permit granting procedures shall be without prejudice to any shorter time limits set by Member States.	9. The time limits set in this Article for any of the permit granting procedures shall be without prejudice to any shorter time limits set by Member States.	9. The time limits set in ~~this Article~~**Articles 6 and 13** for any of the permit granting procedures shall be without prejudice to any shorter time limits set by Member States.	

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Article 6(9a)				
150a		***9a. The designated authority shall ensure that the lack of reply of the relevant administrative bodies within the applicable time limits referred to in this Article results in the specific intermediary steps to be considered as approved, except where the principle of administrative tacit approval does not exist in the national legal order. This paragraph shall also apply to final decisions on the***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		outcome of the process. When a final decision on the outcome of the process is adopted on the basis of tacit approval, an explicit notice shall be sent to the project promoter within a week after the tacit approval came into effect. All decisions, including a notice of tacit approval, shall be made publicly available.		
Article 6(9b)				
150b		***9b. In accordance with this Regulation, the Commission shall***		

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		adopt guidelines to establish a minimum set of permit-granting requirements that Member States are to comply with regard to net-zero technology manufacturing projects, in particular to simplify the preparatory work for promoters submitting manufacturing projects, while facilitating the instruction of requests by administrations.		
Article 7				
151	Article 7	Article 7	Article 7	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Environmental assessments and authorisations	Environmental assessments and authorisations	Environmental assessments and ~~authorisations~~**authorisation**	
Article 7(1)				
152	1. Where an environmental impact assessment must be carried out in accordance with Articles 5 to 9 of Directive 2011/92/EU, the project promoter concerned shall request an opinion to the competent authority referred to in Article 4 on the scope and level of detail of the information to be included in the environmental impact assessment	1. Where an environmental impact assessment must be carried out in accordance with Articles 5 to 9 of Directive 2011/92/EU, the project promoter concerned shall request an opinion to the competent authority referred to in Article 4 on the scope and level of detail of the information to be included in the environmental impact assessment	1. Where an environmental impact assessment ~~must be carried out in accordance with Articles 5 to 9 of~~ **is required pursuant to** Directive 2011/92/EU, the project promoter concerned ~~shall~~**may** request ~~an opinion to the competent authority referred to in Article 4~~**, before submitting the application, an opinion to the designated contact**	

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	report pursuant to Article 5(1) of that Directive. The national competent authority shall ensure that the opinion referred to in the first subparagraph is issued as soon as possible and within a period of time not exceeding 30 days from the date on which the project promoter submitted its request.	report pursuant to Article 5(1) of that Directive. The national competent authority shall ensure that the opinion referred to in the first subparagraph is issued as soon as possible and within a period of time not exceeding ~~*30 days*~~***20 days without exception*** from the date on which the project promoter submitted its request***, provided that this request includes all required documentation. Competent authorities shall provide a list of required documentation to the project promoter at the outset of their request, aim to streamline the process and guide the project promoter through the process***.	**point** on the scope and level of detail of the information to be included in the environmental impact assessment report pursuant to Article 5(1) of that Directive. The ~~national competent authority~~**designated contact point** shall ensure that the opinion referred to in the first subparagraph is issued as soon as possible and within a period of time not exceeding ~~30~~**45** days from the date on which the project promoter submitted its request.	

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Article 7(2), first subparagraph				
153	2. Where the obligation to assess the effects on the environment arises simultaneously from Directive 2011/92/EU, Directive 92/43/EEC, Directive 2009/147/EC of the European Parliament and the Council, Directive 2000/60/EC, Directive 2001/42/EC of the European Parliament and the Council[1], Directive 2008/98/EC of the European Parliament and of the Council[2], Directive 2010/75/EU or	2. Where the obligation to assess the effects on the environment arises simultaneously from Directive 2011/92/EU, Directive 92/43/EEC, Directive 2009/147/EC of the European Parliament and the Council, Directive 2000/60/EC, Directive 2001/42/EC of the European Parliament and the Council[1], Directive 2008/98/EC of the European Parliament and of the Council[2], Directive 2010/75/EU or	2. Where the obligation to assess the effects on the environment arises simultaneously from Directive 2011/92/EU, Directive 92/43/EEC, Directive 2009/147/EC of the European Parliament and the Council, Directive 2000/60/EC, Directive 2001/42/EC of the European Parliament and the Council[1] , Directive 2008/98/EC of the European Parliament and of the Council[2], Directive 2010/75/EU ~~or~~**,**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Directive 2012/18/EU of the European Parliament and the Council[3], the national competent authority shall provide for coordinated or joint procedures fulfilling the requirements of that Union legislation. _____ 1. Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30). 2. Directive 2008/98/EC of the	Directive 2012/18/EU of the European Parliament and the Council[3], the national competent authority shall provide for coordinated or joint procedures fulfilling the requirements of that Union legislation. _____ 1. Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30). 2. Directive 2008/98/EC of the	Directive 2012/18/EU of the European Parliament and the Council[3]~~, the national competent authority~~ **[or Nature Restoration Regulation COM (2022) 304 final], the Member State** shall ~~provide for~~**ensure that a** coordinated or **a** joint ~~procedures~~**procedure** fulfilling the requirements of that Union legislation **is applied**. _____ ~~1. Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3). 3. Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC (OJ L 197, 24.7.2012, p. 1).	European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3). 3. Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC (OJ L 197, 24.7.2012, p. 1).	~~certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30).~~ ~~2~~. ~~Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).~~ ~~3~~. ~~Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			~~subsequently repealing Council Directive 96/82/EC (OJ L 197, 24.7.2012, p. 1).~~	
Article 7(2), second subparagraph				
154	Under the coordinated procedure referred to in the first subparagraph, the national competent authority shall coordinate the various individual assessments of the environmental impact of a particular project required by the applicable Union	Under the coordinated procedure referred to in the first subparagraph, the national competent authority shall coordinate the various individual assessments of the environmental impact of a particular project required by the applicable Union	Under the coordinated procedure referred to in the first subparagraph, ~~the national~~**a** competent authority shall coordinate the various individual assessments of the environmental impact of a particular project required by the applicable Union	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	legislation.	legislation.	legislation.	
Article 7(2), third subparagraph				
155	Under the joint procedure referred to in the first subparagraph, the national competent authority shall provide for a single assessment of the environmental impact of a particular project required by the applicable Union legislation.	***Under the coordinated procedure referred to in the first subparagraph, the national competent authority shall coordinate the various individual assessments of the environmental impact of a particular project required by the applicable Union legislation.*** Under the joint procedure referred	Under the joint procedure referred to in the first subparagraph, ~~the national~~**a** competent authority shall provide for a single assessment of the environmental impact of a particular project required by the applicable Union legislation.	

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		to in the first subparagraph, the national competent authority shall provide for a single assessment of the environmental impact of a particular project required by the applicable Union legislation. ***The application of the joint or coordinated procedure shall not affect the content of the environmental impact assessment.***		
Article 7(3)				
156	3. The national competent	3. The national competent	3. The ~~national competent~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	authority shall ensure that the authorities concerned issue a reasoned conclusion as referred to in Article 1(2), point (g)(iv) of Directive 2011/92/EU on the environmental impact assessment within three months of receiving all necessary information gathered pursuant to Articles 5, 6 and 7 of that Directive and completing the consultations referred to in Articles 6 and 7 of that Directive.	authority shall ensure that the authorities concerned issue a reasoned conclusion as referred to in Article 1(2), point (g)(iv) of Directive 2011/92/EU on the environmental impact assessment within ~~*three months*~~***80 days*** of receiving all necessary information gathered pursuant to Articles 5, 6 and 7 of that Directive***, verifying its quality,*** and completing the consultations referred to in Articles 6 and 7 of that Directive.	~~authority~~**Member State** shall ensure that ~~the authorities concerned issue~~ a reasoned conclusion as referred to in Article 1(2), point (g)(iv) of Directive 2011/92/EU on the environmental impact assessment **is issued** within three months of receiving all necessary information gathered pursuant to Articles 5, 6 and 7 of that Directive and completing the consultations referred to in Articles 6 and 7 of that Directive.	
Article 7(3a)				

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156a		***3a. In exceptional cases, where the nature, complexity, location or size of the proposed project so require, the national competent authority referred to in Article 8(1) may extend the time limits referred to in paragraph 3 of this Article by a maximum of 30 days, before their expiry and on a case-by-case basis. In that event, the national competent authority referred to in Article 8(1) shall inform the project promoter of the reasons justifying the extension and of the date when the reasoned conclusion is expected in writing.***		

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Article 7(4)				
157	4. The timeframes for consulting the public concerned on the environmental report referred to in Article 5(1) of Directive 2011/92/EU shall not be longer than 45 days. In cases falling under the second sub-paragraph of Article 6(4), this period shall be extended to 90 days.	4. The timeframes for consulting the public concerned on the environmental report referred to in Article 5(1) of Directive 2011/92/EU shall not be longer than ~~45~~***80 days and not be shorter than 40*** days. In cases falling under the second sub-paragraph of Article 6(4), this period ~~shall~~***can*** be extended to ***a maximum of*** 90 days ***on a case-by-case basis. In that event, the national competent***	4. The timeframes for consulting the public concerned ~~on the environmental report~~**as** referred to in Article ~~5(1)~~**1(2)(e)** of Directive 2011/92/EU ~~shall not be longer than 45 days. In cases falling under the second sub-paragraph of~~**and authorities referred to in Article 6(1) of that Directive on the environmental report referred to in** Article ~~6(4), this period~~**5(1) of that Directive** shall **not be longer**	

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		authority shall inform the project promoter of the reasons justifying the extension. Public consultation shall begin as soon as the file submitted by the project promoter is deemed to be complete by the competent administrative authority and be conducted in parallel to the assessment of the project request by the national competent authority, while complying with the requirements on consulting the public concerned set out in Directive 2011/92/EU and making the results of the public consultation available to the competent authority.	**than**~~be extended to~~ 90 days.	

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Article 7(4a)				
157a		***4a. Where a project would affect a designated Natura 2000 area, the environmental assessment shall be subject to the conditions set out in Directive 92/43/EEC.***		
Article 7(4b)				
157b		***4b. The Member States shall***		

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		ensure that their national competent authorities and other authorities pursuant to Article 6(1) of Directive 2011/92/EU are adequately equipped to fulfil its obligations under this Article.		
Article 8				
158	Article 8 Planning	Article 8 Planning	Article 8 Planning	
Article 8(1)				

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159	1. When preparing plans, including zoning, spatial plans and land use plans, national, regional and local authorities shall, where appropriate, include in those plans provisions for the development of net-zero technology manufacturing projects, including net-zero strategic projects. Priority shall be given to artificial and built surfaces, industrial sites, brownfield sites, and, where appropriate, greenfield sites not usable for agriculture and forestry.	1. When preparing plans, including zoning, spatial plans and land use plans, national, regional and local authorities shall, where appropriate, include in those plans provisions for the development of net-zero technology manufacturing projects, including net-zero strategic projects***, as well as the necessary infrastructure and net-zero industry valleys***. Priority shall be given to artificial and built surfaces, industrial sites, brownfield sites, and, where appropriate, greenfield sites not usable for agriculture and forestry.	1. ~~When~~**Member States shall encourage that national, regional and local authorities responsible for** preparing plans, including zoning, spatial plans and land use plans, ~~national, regional and local authorities shall~~**include in such plans**, where appropriate, ~~include in those plans~~ provisions for the development of net-zero technology manufacturing projects, including net-zero strategic projects~~. Priority shall be given to artificial and built surfaces, industrial sites, brownfield sites, and, where appropriate, greenfield~~	

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		To facilitate the development of net-zero technology manufacturing projects, the Member States shall ensure that all relevant spatial planning data is available online in accordance with Article 5.	~~sites not usable for agriculture and forestry~~ **and all the necessary infrastructure**.	
Article 8(2)				
160	2. Where plans include provisions for the development of net-zero technology manufacturing projects, including net-zero strategic projects, are subject to an	2. Where plans include provisions for the development of net-zero technology manufacturing projects, including net-zero strategic projects, ***and their required***	2. Where plans include provisions for the development of net-zero technology manufacturing projects, including net-zero strategic projects, **and** are subject to an	

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	assessment pursuant to Directive 2001/42/EC and pursuant to Article 6 of Directive 92/43/EEC, those assessments shall be combined. Where relevant, that combined assessment shall also address the impact on potentially affected water bodies and verify whether the plan potentially prevent a water body from achieving good status or good potential or cause deterioration of status or of potential referred to in Article 4 of Directive 2000/60/EC or would potentially hamper that a water body achieves good status or good potential. Where relevant Member States are required to assess the	***infrastructure,*** are subject to an assessment pursuant to Directive 2001/42/EC and pursuant to Article 6 of Directive 92/43/EEC, those assessments shall be combined. Where relevant, that combined assessment shall also address the impact on potentially affected water bodies and verify whether the ***specific projects under the plan could*** ~~*plan*~~ potentially prevent a water body from achieving good status or good potential or cause deterioration of status or of potential referred to in Article 4 of Directive 2000/60/EC or would potentially hamper that a water body achieves good status or good	assessment pursuant to Directive 2001/42/EC and pursuant to Article 6 of Directive 92/43/EEC, those assessments shall be ~~combined~~**streamlined**. Where relevant, that ~~combined~~**streamlined** assessment shall also address the impact on **all** potentially affected water bodies and verify whether the plan ~~potentially~~**may** prevent a water body from ~~achieving good status or good potential or cause deterioration of status or of potential referred to~~**complying with the obligations set out** in Article 4 of Directive 2000/60/EC**, to achieve good status or good**	

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	impacts of existing and future activities on the marine environment, including land-sea interactions, as referred to in Article 4 of Directive 2014/89/EU, these impacts shall also be covered by the combined assessment.	potential. Where relevant Member States are required to assess the impacts of existing and future activities on the marine environment, including land-sea interactions, as referred to in Article 4 of Directive 2014/89/EU, these impacts shall also be covered by the combined assessment. ***The fact that assessments are combined pursuant to this paragraph shall not affect their content or quality. Combined assessments shall be conducted in such a way that it does not lead to a prolongation of the time limits set out in this Regulation.***	**potential and not to deteriorate** ~~or would potentially hamper that a water body achieves good~~ status or ~~good~~ potential. Where relevant Member States are required to assess the impacts of existing and future activities on the marine environment, including land-sea interactions, as referred to in Article 4 of Directive 2014/89/EU, these impacts shall also be covered by the ~~combined~~**streamlined** assessment.	

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Article 8a				
160a			**Article 8a** **Establishment of Net Zero Acceleration Areas**	
Article 8a(1)				
160b			**1. Member States may adopt plans designating specific areas**	

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			to accelerate net-zero technology manufacturing projects, including net-zero strategic projects or clusters thereof, to test innovative net-zero technologies, facilitate permit granting processes and, where relevant, develop economic opportunities and share responsibilities.	
Article 8a(2)				
160c			**2. Those plans shall:**	

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Article 8a(2), point (a)				
160d			**(a) define a clear geographical scope for the Net Zero Acceleration Areas;**	
Article 8a(2), point (b)				
160e			**(b) exclude Natura 2000 sites and areas designated under national protection schemes for**	

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			nature and biodiversity conversation and identified bird and marine mammal migratory routes;	
Article 8a(2), point (c)				
160f			**(c) be subject to an environmental assessment pursuant to Directive 2001/42/EC of the European Parliament and of the Council, and, where applicable, to an assessment pursuant to Article 6(3) of Directive 92/43/EEC. This**	

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			provision is without prejudice to compliance of individual projects with applicable Union environmental legislation;	
Article 8a(2), point (d)				
160g			**(d) ensure synergies with the designation of renewables acceleration areas of RED3.**	
Article 8a(3)				

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160h			**3. Member States may facilitate the necessary infrastructure in the Net Zero Acceleration Areas to develop net-zero projects. This can be, but is not limited to, physical, digital or electricity infrastructure.**	
Article 8b				
160i			**Article 8b** **Permitting under Net Zero**	

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			Acceleration Areas	
Article 8b(1)				
160j			**1. The provisions provided in sections 1 and 2 shall apply to individual projects in Net Zero Acceleration Areas.**	
Article 8b(2)				
160k			**2. In view of avoiding**	

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			duplication of assessments, the designated contact point shall take into account the results of the assessments undertaken under Article 8a point 2(c), when issuing of the opinion under Article 7(1).	
Article 8b(3)				
160l			**3. The point of single contact may create templates indicating the specific permits needed for the projects in the Net Zero Acceleration Areas and its**	

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			submission to the competent authorities. Templates may be shared in the Net-Zero Europe Platform.	
Article 9				
161	Article 9 Applicability of UNECE Conventions	Article 9 Applicability of UNECE Conventions	Article 9 Applicability of UNECE Conventions	
Article 9(1)				

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162	1. The provisions set out in this Regulation are without prejudice to the obligations under Articles 6 and 7 of the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, signed at Aarhus on 25 June 1998, and under the UNECE Convention on environmental impact assessment in a transboundary context, signed at Espoo on 25 February 1991.	1. The provisions set out in this Regulation are without prejudice to the obligations under ~~*Articles 6 and 7*~~ of the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, signed at Aarhus on 25 June 1998, and under the UNECE Convention on environmental impact assessment in a transboundary context, signed at Espoo on 25 February 1991.	1. The provisions set out in this Regulation are without prejudice to the obligations under Articles 6 and 7 of the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, signed at Aarhus on 25 June 1998, and under the UNECE Convention on environmental impact assessment in a transboundary context, signed at Espoo on 25 February 1991**, and its Protocol on Strategic Environmental**	

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			Assessment, signed in Kyiv on 21 May 2003.	
Article 9(2)				
163	2. All decisions adopted pursuant to this Section and Articles 12 and 13 shall be made publicly available.	2. All decisions adopted pursuant to this Section and Articles 12***, 13, 14 and 21*** ~~*and 13*~~ shall be made publicly available ***in an easily understandable manner, with all decisions concerning one project retrievable from a single source***.	2. All decisions adopted pursuant to this Section and Articles 12 and 13 shall be made publicly available.	

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Section II				
164	Section II Net-zero strategic projects	Section II Net-zero strategic projects	Section II Net-zero strategic projects	
Article 9a				
164a			**Article 9a** **Benchmark**	
Article 9b				

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164b			**The Commission and Member States shall support Strategic Projects in accordance with this Section in order to ensure that by 2030, manufacturing capacity in the Union of the strategic net-zero technologies listed in Article 3b, approaches or reaches a benchmark of at least 40% of the Union's annual deployment needs for the corresponding technologies necessary to achieve the Union's 2030 climate and energy targets.**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 10				
165	Article 10 Selection criteria	Article 10 Selection criteria	Article 10 Selection criteria	
Article 10(1)				
166	1. Member States shall recognise as net-zero strategic projects net-zero technology manufacturing projects corresponding to a technology listed in the Annex and located in the Union that	1. Member States shall recognise as net-zero strategic projects net-zero technology manufacturing projects ~~*corresponding to a technology listed in the Annex and*~~, ***which take into account the***	1. Member States shall recognise as net-zero strategic projects **those** net-zero technology manufacturing projects corresponding to a technology listed in ~~the Annex~~**Article 3b,** and located in	

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	contributes to the realisation of the objectives set out in Article 1 of this Regulation and meet at least one of the following criteria:	***Union's climate and energy targets,*** located in the Union that contributes to the realisation of the objectives set out in Article 1 of this Regulation and meet at least one of the following criteria:	the Union that contributes to the realisation of the objectives ~~set out in Article 1 of this Regulation~~ and meet at least one of the following criteria~~:~~**.**	
Article 10(1), point (a)				
167	(a) the net-zero technology manufacturing project contributes to the technological and industrial resilience of the Union's energy system by increasing the manufacturing capacity of a	(a) the ~~*net-zero technology manufacturing*~~ project contributes to the technological and industrial resilience of the Union~~*'s energy system by increasing the manufacturing capacity of a*~~	(a) the net-zero technology manufacturing project contributes to the technological and industrial resilience of the Union's ~~energy system~~**net-zero technologies** by increasing the manufacturing	

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	component or part in the net-zero technology value chain for which the Union heavily depends on imports coming from a single third country ;	~~*component or part in the net-zero technology value chain for which the Union heavily depends on imports coming from a single third country ;*~~ ***by:***	capacity of a component or ~~part in~~**a segment of** the net-zero technology value chain for which the Union heavily depends on imports coming from a single third country-;	
Article 10(1), point (a)(i)				
167a		***(i) adding manufacturing capacity in the Union for a net-zero technology or for specific components and specific machinery primarily used for the production of those technologies, for which the Union depends for***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		more than 50% on imports coming from a single third country; or		
Article 10(1), point (a)(ii)				
167b		***(ii) adding manufacturing capacity or updating existing manufacturing capacity in the Union for a net-zero technology or for specific components and specific machinery primarily used for the production of those technologies, of which the Union exports more than 25% of its***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		production output;		
Article 10(1), point (b)				
168	(b) the net-zero technology manufacturing project has positive impact on the Union's net-zero industry supply chain or downstream sectors, beyond the project promoter and the Member States concerned, contributing to the competitiveness and quality job creation of the Union's net-zero industry supply chain, according to at least three of the following	(b) the ~~*net-zero technology manufacturing project has positive impact*~~***project contributes to the competitiveness in the Union and*** on the ~~*Union's net-zero industry supply chain or downstream sectors, beyond the project promoter and the Member States concerned, contributing to the competitiveness and quality job creation*~~***global markets and to the***	(b) the net-zero technology manufacturing project has **a clear** positive impact on the Union's net-zero industry supply chain or downstream sectors, **with spill over effects in other Member States** beyond the project promoter and the Member States concerned, **while** contributing to the competitiveness**, Union's climate and energy targets** and quality job	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	criteria:	***creation of quality jobs by providing innovation with regard to the manufacturing process of net-zero technologies, or of components or materials along the supply chain of those technologies that are not yet substantively present or committed to be built within the Union or by ensuring the production*** of the ~~*Union's net-zero industry supply chain, according to at least three of the following criteria*~~***best available net-zero technology, including best available components or materials in their supply chain, as well as by***:	creation of the Union's net-zero industry supply chain, according to at least ~~three~~**one** of the following criteria:	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 10(1), point (b)(i)				
169	(i) it adds significant manufacturing capacity in the Union for net-zero technologies;	(i) ~~*it adds significant manufacturing capacity in the Union for net-zero technologies*~~***contributing to the competitiveness of SMEs***;	(i) it adds significant manufacturing capacity in the Union for **the net-zero technology concerned that contributes to the realisation of the objective set out in Article 9a**~~net-zero technologies~~;	
Article 10(1), point (b)(ii)				
170				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	(ii) it manufactures technologies with improved sustainability and performance;	(ii) ~~*it manufactures*~~***putting into place measures to attract, retain, upskill or reskill a workforce required for net-zero*** technologies***, including through apprenticeships, traineeships, continuing or post graduate academic education in close cooperation with regional and local authorities and social partners including trade unions*** ~~*with improved sustainability and performance*~~; ***or***	(ii) it manufactures technologies with improved **environmental** sustainability and performance; **and according to at least one of the following criteria:**	
Article 10(1), point (b)(iii)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
171	(iii) it puts into place measures to attract, upskill or reskill a workforce required for net-zero technologies, including through apprenticeships, in close cooperation with social partners;	(iii) ~~*it puts into place measures to attract, upskill or reskill a workforce required for net-zero technologies, including through apprenticeships, in close cooperation with social partners;*~~	(iii) it puts into place measures to attract, upskill or reskill a workforce required for net-zero technologies, including through apprenticeships, in close cooperation with social partners;	
Article 10(1), point (b)(iv)				
172	(iv) it adopts comprehensive low-carbon and circular manufacturing practices, including waste heat recovery.	(iv) ~~*it adopts comprehensive low-carbon and circular manufacturing practices, including waste heat recovery.*~~	(iv) it adopts comprehensive low-carbon and circular manufacturing practices, including**, for example,** waste heat recovery~~.~~**, side stream**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			valorisation and water efficiency;	
Article 10(1), point (b)(iva)				
172a		***(ba) the project contributes to reaching the Union's climate and energy objectives by complying with the do no significant harm principle as well as by:***		
Article 10(1), point (b)(ivb)				
172b				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		(i) manufacturing a net-zero technology or specific components and specific machinery primarily used for the production of those technologies with improved environmental sustainability and performance or circularity features, including comprehensive low-carbon, energy, water and material efficiency;		
Article 10(1), point (b)(ivc)				
172c		***(ii) adopting manufacturing practices related to a net-zero***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		technology or specific components and specific machinery primarily used for the production of those technologies with improved environmental sustainability and performance or circularity features, including comprehensive low-carbon, energy, water and material efficiency and circular practices, as well as waste heat recovery; or		
Article 10(1), point (b)(ivd)				
172d		***(iii) adding significant***		

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		manufacturing capacity which will make a substantive contribution to the 2030 climate objectives of the Union.		
Article 10(1), point (b)(ive)				
172e		***1a. By ... [3 months from the date of entry into force of this Regulation], the Commission shall adopt an implementing act in accordance with the examination procedure referred to in Article 34(3) setting out guidelines ensuring uniform conditions for***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		the implementation of the criteria listed in this Article. Those guidelines should at least include specific guidance on the criteria to be used to assess:		
Article 10(1), point (b)(ivf)				
172f		***(a) whether a component or machinery is primarily used for the production of a net-zero technology***		

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Article 10(1), point (b)(ivg)				
172g		***(b) whether added manufacturing capacity concerns first-of-a-kind or best available technology manufacturing capacity;***		
Article 10(1), point (b)(ivh)				
172h		***(c) whether the additional manufacturing capacity can be considered to be significant.***		

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Article 10(2)				
173	2. Member States shall recognise as net-zero strategic projects CO_2 storage projects that meet the following cumulative criteria:	2. Member States shall recognise ***the following*** as net-zero strategic projects CO_2 ~~*storage*~~***strategic*** projects ~~*that meet the following cumulative criteria*~~:	2. Member States shall recognise as net-zero strategic projects CO_2 storage projects that meet the following cumulative criteria:	
Article 10(2), point (a)				
174	(a) the CO2 storage site is located	(a) the ~~*CO2 storage site is located*~~	(a) the ~~CO2~~**CO_2** storage site is	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	in the territory of the Union, its exclusive economic zones or on its continental shelf within the meaning of the United Nations Convention on the Law of the Sea (UNCLOS);	~~*in the territory of the Union, its exclusive economic zones or on its continental shelf within the meaning of the United Nations Convention on the Law of the Sea (UNCLOS);*~~ ***CO_2 capture projects and the CO_2 infrastructure projects necessary for the transport of captured CO_2 to CO_2 storage sites that:***	located in the territory of the Union, its exclusive economic zones or on its continental shelf within the meaning of the United Nations Convention on the Law of the Sea (UNCLOS);	
Article 10(2), point (a)(i)				
174a		***(i) meet the conditions laid down in Article 18(6), point (a); and***		

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Article 10(2), point (a)(ii)				
174b		***(ii) aim to capture CO_2 with the aim of storing it in a CO_2 storage site as referred to in Article 16(1);***		
Article 10(2), point (b)				
175	(b) the CO_2 storage project contributes to reaching the objective set out in Article 18;	(b) the CO_2 storage ~~*project contributes to reaching the objective set out in Article*~~	(b) the CO_2 storage project contributes to reaching the objective set out in Article ~~18~~**16**;	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		~~18;~~***projects that:***		
Article 10(2), point (b)(i)				
175a		***(i) relate to CO_2 storage sites located in the territory of the Union, its exclusive economic zones or on its continental shelf within the meaning of the United Nations Convention on the Law of the Sea;***		
Article 10(2), point (b)(ii)				

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175b		***(ii) contribute to reaching the objective set out in Article 18; and***		
Article 10(2), point (b)(iii)				
175c		***(iii) have applied for a permit for the safe and permanent geological storage of CO_2 in accordance with Directive 2009/31/EC.***		
Article 10(2), point (c)				

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176	(c) the CO_2 storage project has applied for a permit for the safe and permanent geological storage of CO_2 in accordance with Directive 2009/31/EC.	(c) ~~*the CO_2 storage project has applied for a permit for the safe and permanent geological storage of CO_2 in accordance with Directive 2009/31/EC.*~~	(c) the CO_2 storage project has applied for a permit for the safe and permanent geological storage of CO_2 in accordance with Directive 2009/31/EC.	
Article 10(2), point (ca)				
176a			**2a. CO_2 capture projects and CO_2 transport infrastructure projects that facilitate connections of installations capturing CO_2 with CO_2 storage**	

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			sites recognised as net-zero strategic projects according to paragraph 2, shall also be considered as net-zero strategic projects.	
Article 10(2), point (cb)				
176b			**2b. The Commission shall provide general information, data and guidance for the assessment of the criteria in paragraphs 1 and 2.**	

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Article 10(3)				
177	3. Net-zero technology manufacturing projects corresponding to a technology listed in the Annex located in 'less developed and transition regions' and Just Transition Fund Territories and eligible for funding under cohesion policy rules, shall be recognised by Member States as net-zero strategic projects under Article 11(3) upon request of the project promoter without the project promoter having to submit a formal application under Article	3. Net-zero technology manufacturing projects corresponding to a technology listed in ~~*the Annex*~~***Article 3a(1)*** located in 'less developed and transition regions' and Just Transition Fund Territories and eligible for funding under cohesion policy rules, shall be recognised by Member States as net-zero strategic projects under Article 11(3) upon request of the project promoter without the project promoter having to submit a formal	3. Net-zero technology manufacturing projects corresponding to a technology ~~listed in the Annex~~**as defined in Article 3(1), point (aa),** located in 'less developed and transition regions' and Just Transition Fund Territories and eligible for funding under cohesion policy rules, shall be**, after the award procedure has been completed,** recognised by Member States as net-zero strategic projects under Article 11(3) upon **written** request of the	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	11(2).	application under Article 11(2).	project promoter without the project promoter having to submit a formal application under Article 11(2).	
Article 10(4)				
178	4. A net-zero technology manufacturing project located in the Union that contributes to the realisation of the objectives set out in Article 1(1) and that either benefits from the ETS Innovation Fund, or is part of Important Projects of Common European	4. A net-zero technology manufacturing project located in the Union that contributes to the realisation of the objectives set out in Article 1(1) and that either benefits from the ETS Innovation Fund, or is part of Important Projects of Common European	4. A net-zero technology manufacturing project located in the Union that contributes to the realisation of the ~~objectives~~**general objective** set out in Article 1(1) and that either benefits from the ETS Innovation Fund, or is part of Important Projects of Common	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Interest, European Hydrogen Valleys, or of the Hydrogen Bank, when the funds support investment in manufacturing capacities corresponding to a technology listed in the Annex, shall be recognised by Member States as net-zero strategic project under Article 11(3) upon request of the project promoter without the project promoter having to submit a formal application under Article 11(2).	Interest, European Hydrogen Valleys, or of the Hydrogen Bank, when the funds support investment in manufacturing capacities corresponding to a technology listed in ~~*the Annex*~~***Article 3a(1)***, shall be recognised by Member States as net-zero strategic project under Article 11(3) upon request of the project promoter without the project promoter having to submit a formal application under Article 11(2).	European Interest, European Hydrogen Valleys, or of the Hydrogen Bank, when the funds support investment in manufacturing capacities corresponding to a technology ~~listed in the Annex~~**as defined in Article 3(1), point (aa)**, shall be recognised by Member States as net-zero strategic project under Article 11(3) upon request of the project promoter without the project promoter having to submit a formal application under Article 11(2).	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 10(4a)				
178a			**4a. Where a net-zero strategic project contributes to a value chain for a technology that a Member State does not accept as part of the general structure of its energy supply, the Member State may refuse to grant the project status.**	
Article 11				
179				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Article 11 Application and recognition	Article 11 Application and recognition	Article 11 Application and recognition	
Article 11(1)				
180	1. Applications for recognition of net-zero technology projects as net-zero strategic projects shall be submitted by the project promoter to the relevant Member State.	1. Applications for recognition of net-zero technology ***manufacturing*** projects as net-zero strategic projects shall be submitted by the project promoter to the relevant Member State.	1. Applications for recognition ~~of net-zero technology projects~~ as net-zero strategic projects shall be submitted by the project promoter to the relevant Member State.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 11(2)				
181	2. The application referred to in paragraph 1 shall contain all of the following:	2. The application referred to in paragraph 1 shall contain all of the following:	2. The application referred to in paragraph 1 shall contain all of the following:	
Article 11(2), point (a)				
182	(a) relevant evidence related to the fulfilment of the criteria laid down in Article 10(1) or (2);	(a) relevant evidence related to the fulfilment of the criteria laid down in Article 10(1) or (2);	(a) relevant evidence related to the fulfilment of the criteria laid down in Article 10(1) or (2);	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 11(2), point (b)				
183	(b) a business plan evaluating the financial viability of the project consistent with the objective of creating quality jobs.	(b) a business plan evaluating the financial viability of the project consistent with the objective of creating quality jobs.	(b) a business plan evaluating the financial viability of the project consistent with the objective of creating quality jobs~~.~~**;**	
Article 11(2), point (ba)				
183a			**(ba)** ***a first estimation of a timetable for the project, in order to estimate when the project would be able to contribute to the Unions***	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			manufacturing capacity benchmark in Article 9a or Union level objective of CO2 injection capacity in article 16	
Article 11(2), point (bb)				
183b			**2a. The Commission shall provide a pre-set form to submit the applications referred to in paragraph 1.**	
Article 11(3)				

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184	3. Member States shall assess the application referred to in paragraph 1 through a fair and transparent process within a month. The absence of a decision by Member States within that time frame shall constitute an approval of the project.	3. Member States shall assess the application referred to in paragraph 1 through a fair and transparent process within a month. The ***decision resulting from this process shall be reasoned and shall be communicated to the project promoter, the Platform as well as to the European Parliament. The*** absence of a decision by Member States within that time frame shall constitute an approval of the project.	3. ***Member States shall assess the application referred to in paragraph 1 through a fair and transparent process within a month of the receipt of the complete application. If the project promoter has not sent all the relevant and complete information required to process an application, the Member State shall request, once only, that the project promoter submit complementary information without undue delay, in order to reach a complete application. The date of the acknowledgement of***	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			the completeness of the submission shall serve as the start of the assessment process. ~~Member States shall assess the application referred to in paragraph 1 through a fair and transparent process within a month. The absence of a decision by Member States within that time frame shall constitute an approval of the project.~~	
Article 11(3a)				
184a			**3a. If there is no decision within the timeframe in paragraph 3,**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			the project promoter may notify the Net-Zero Europe Platform and the Commission shall request without undue delay the Member State to provide the project promoter with an updated deadline. The Member State shall then specify the timeframe of when the decision on the recognition of the project as strategic will be taken.	
Article 11(3b)				
184b		***3b. By ... [6 months from the date***		

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		of entry into force of this Regulation], each Member State shall publish a list establishing which of the net-zero technologies listed in Article 3a(1) can benefit from the provisions related to strategic projects recognised under this Article in the relevant Member State.		
Article 11(4)				
185	4. The Commission may provide its opinion on the approved projects. In the case of a rejection	4. The Commission may provide its opinion on the approved projects. In the case of a rejection	4. The Commission may provide its opinion on the approved **net-zero strategic** projects. In the case	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	of the application by a Member State, the applicant shall have the right to submit the application to the Commission, which shall assess the application within 20 working days.	of the application by a Member State, the applicant shall have the right to submit the application to the Commission, which shall assess the application within 20 working days.	of a rejection of the application by a Member State, the applicant shall have the right to submit the application to the Commission, which shall assess the application within 20 working days. **The Commission's assessment is without prejudice to the Member State's decision.**	
Article 11(5)				
186	5. Where the Commission, following its assessment in accordance with paragraph 4,	5. Where the Commission, following its assessment in accordance with paragraph 4,	5. Where the Commission, following its assessment in accordance with paragraph 4,	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	confirms the rejection of the application by the Member State, it shall notify the applicant of its conclusion in the form of a letter. Where the Commission differs in its assessment from the Member State, the Net-Zero Europe Platform shall discuss the project in question.	confirms the rejection of the application by the Member State, it shall notify the applicant of its conclusion in the form of a letter. Where the Commission differs in its assessment from the Member State, ~~*the Net-Zero Europe*~~ Platform shall discuss the project in question ***and decide on its status***.	confirms the rejection of the application by the Member State, it shall notify the applicant of its conclusion in the form of a letter. Where the Commission differs in its assessment from the Member State, the Net-Zero Europe Platform **as established in Article 28** shall discuss the project in question.	
Article 11(6)				
187	6. Where the Commission or a Member State finds that a net-zero	6. Where the Commission or a Member State finds that a net-zero	6. Where the Commission or a Member State finds that a net-zero	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	strategic project has undergone substantial changes or that it no longer fulfils the criteria set out in Article 10(1) or 10(3), or where its recognition was based on an application containing incorrect information, it shall inform the project promoter concerned. After hearing the project promoter, the Member State may repeal the decision granting a project the status of net-zero strategic project.	strategic project has undergone substantial changes or that it no longer fulfils the criteria set out in Article ~~*10(1) or 10(3)*~~***10***, or where its recognition was based on an application containing incorrect information, it shall inform the project promoter concerned. After hearing the project promoter, the Member State may repeal the decision granting a project the status of net-zero strategic project.	strategic project has undergone substantial changes or that it no longer fulfils the criteria set out in Article 10(1) or 10(3), or where its recognition was based on an application containing incorrect information, it shall inform the project promoter concerned. After hearing the project promoter, the Member State may repeal the decision granting a project the status of net-zero strategic project.	
Article 11(7)				
188				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	7. Projects which are no longer recognised as net-zero strategic project shall lose all rights connected to that status under this Regulation.	7. Projects which are no longer recognised as net-zero strategic project shall lose all rights connected to that status under this Regulation.	7. Projects which are no longer recognised as net-zero strategic project shall lose all rights connected to that status under this Regulation.	
Article 11(8)				
189	8. The Commission shall set up and maintain an openly available registry of net-zero strategic projects.	8. The Commission shall set up and maintain an openly available registry of net-zero strategic projects.	8. The Commission shall set up and maintain an openly available registry of net-zero strategic projects.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 12				
190	Article 12 Priority status of net-zero strategic projects	Article 12 Priority status of net-zero strategic projects	Article 12 Priority status of net-zero strategic projects	
Article 12(1)				
191	1. Project promoters and all authorities that, under national law, are competent to issue various permits and authorisations related to the planning, design and	1. Project promoters and all authorities that, under national law, are competent to issue various permits and authorisations related to the planning, design and	1. Project promoters and all authorities ~~that, under national law, are competent to issue various permits and authorisations related to the planning, design and~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	construction of immovable assets, including energy infrastructure, shall ensure that for net-zero strategic projects those processes are treated in the most rapid way possible in accordance with Union and national law.	construction of immovable assets, including energy infrastructure, shall ensure that for net-zero strategic projects those processes are treated in the most rapid way possible in accordance with Union and national law.	~~construction of immovable assets, including energy infrastructure,~~**concerned** shall ensure that for net-zero strategic projects those processes are treated in the most rapid way possible in accordance with Union and national law.	
Article 12(2)				
192	2. Without prejudice to obligations provided for in Union law, Member States shall grant net-zero strategic projects the status of the	2. Without prejudice to obligations provided for in Union law, Member States shall grant net-zero strategic projects the status of the	2. Without prejudice to obligations provided for in Union law, **when a project is granted the status of net-zero strategic project,**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	highest national significance possible, where such a status exists in national law, and be treated accordingly in the permit-granting processes including those relating to environmental assessments and if national law so provides, to spatial planning.	highest national significance possible, where such a status exists in national law, and be treated accordingly in the permit-granting processes including those relating to environmental assessments and if national law so provides, to spatial planning.	Member States shall grant net-zero strategic projects the status of the highest national significance possible, where such a status exists in national law, and be treated accordingly in the permit-granting processes including those relating to environmental assessments and if national law so provides, to spatial planning.	
Article 12(3)				
193	3. Net-zero strategic projects shall be considered to contribute to the	3. Net-zero strategic projects shall be considered to contribute to the	3. Net-zero strategic projects shall be considered to contribute to the	

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	security of supply of strategic net-zero technologies in the Union and therefore to be in the public interest. With regard to the environmental impacts addressed in Articles 6(4) and 16(1)I of Directive 92/43/EEC, Article 4(7) of Directive 2000/60/EC and Article 9(1)(a) of Directive 2009/147/EC, net-zero strategic projects in the Union shall be considered as being of public interest and may be considered as having an overriding public interest provided that all the conditions set out in those Directives are fulfilled.	security of supply of strategic net-zero technologies in the Union and therefore to be in the public interest. With regard to the environmental impacts addressed in Articles 6(4) and 16(1)I of Directive 92/43/EEC, Article 4(7) of Directive 2000/60/EC and Article 9(1)(a) of Directive 2009/147/EC, net-zero strategic projects in the Union shall be considered as being of public interest and may be considered as having an overriding public interest provided that all the conditions set out in those Directives are fulfilled.	security of supply of strategic net-zero technologies in the Union and therefore to be in the public interest. With regard to the environmental impacts addressed in Articles 6(4) and 16(1)I of Directive 92/43/EEC, Article 4(7) of Directive 2000/60/EC and Article 9(1)(a) of Directive 2009/147/EC **[or in Articles 4(8) and 4(8a) of the Nature Restoration Regulation**,**]** net-zero strategic projects in the Union shall be considered as being of public interest and may be considered as having an overriding public interest provided that all the conditions set out in those ~~Directives~~**acts** are	

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			fulfilled.	
Article 12(4)				
194	4. All dispute resolution procedures, litigation, appeals and judicial remedies related to net-zero strategic projects in front of any national courts, tribunals, panels, including mediation or arbitration, where they exist in national law, shall be treated as urgent, if and to the extent to which national law provides for such urgency procedures and provided	4. All dispute resolution procedures, litigation, appeals and judicial remedies related to net-zero strategic projects in front of any national courts, tribunals, panels, including mediation or arbitration, where they exist in national law, shall be treated as urgent, if and to the extent to which national law provides for such urgency procedures and provided	4. All dispute resolution procedures, litigation, appeals and judicial remedies related to net-zero strategic projects in front of any national courts, tribunals, panels, including mediation or arbitration, where they exist in national law, shall be treated as urgent, if and to the extent to which national law **concerning permit granting processes** provides for	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	that the normally applicable rights of defence of individuals or of local communities would be respected Project promoters of net-zero strategic projects shall participate in such urgency procedure, where applicable.	that the normally applicable rights of defence of individuals or of local communities would be respected Project promoters of net-zero strategic projects shall participate in such urgency procedure, where applicable.	such urgency procedures and provided that the normally applicable rights of defence of individuals or of local communities would be respected Project promoters of net-zero strategic projects shall participate in such urgency procedure, where applicable.	
Article 13				
195	Article 13 Duration of the permit-granting	Article 13 Duration of the permit-granting	Article 13 Duration of the permit-granting	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	process for net-zero strategic projects	process for net-zero strategic projects	process for net-zero strategic projects	
Article 13(1)				
196	1. The permit-granting process for net-zero strategic projects shall not exceed any of the following time limits:	1. The permit-granting process for net-zero strategic projects shall not exceed any of the following time limits:	1. The permit-granting process for net-zero strategic projects shall not exceed any of the following time limits:	
Article 13(1), point (a)				
197				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	(a) 9 months for the construction of net-zero strategic projects with a yearly manufacturing capacity of less than 1 GW;	(a) ~~9~~***six*** months for the construction of net-zero strategic projects with a yearly manufacturing capacity of less than 1 GW;	(a) 9 months for the construction **or expansion** of net-zero strategic projects with a yearly manufacturing capacity of less than 1 GW;	
Article 13(1), point (b)				
198	(b) 12 months for the construction of net-zero strategic projects, with a yearly manufacturing capacity of more than 1 GW;	(b) ~~12~~***nine*** months for the construction of net-zero strategic projects, with a yearly manufacturing capacity of more than 1 GW;	(b) 12 months for the construction **or expansion** of net-zero strategic projects, with a yearly manufacturing capacity of ~~more than~~ 1 GW **or more**;	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 13(1), point (c)				
199	(c) 18 months for all necessary permits to operate a storage site in accordance with Directive 2009/31/EC.	(c) 18 months for all necessary permits to operate a storage site in accordance with Directive 2009/31/EC.	(c) 18 months for all necessary permits to operate a storage site in accordance with Directive 2009/31/EC.	
Article 13(2)				
200	2. For net-zero strategic technologies for which a yearly manufacturing capacity is not measured in GW, the permit-	2. For net-zero strategic technologies for which a yearly manufacturing capacity is not measured in GW, the permit-	2. For net-zero strategic technologies for which a yearly manufacturing capacity is not measured in GW, the permit-	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	granting process shall not exceed a time limit of 12 months.	granting process shall not exceed a time limit of ~~12~~***nine*** months.	granting process shall not exceed a time limit of 12 months.	
Article 13(3)				
201	3. For the expansion of manufacturing capacity in existing manufacturing facilities, the time limits referred to in paragraphs 1 and 2 shall be halved.	3. For the expansion of manufacturing capacity in existing manufacturing facilities, the time limits referred to in paragraphs 1 and 2 shall be halved.	3. ~~For the expansion of manufacturing capacity in existing manufacturing facilities, the time limits referred to in paragraphs 1 and 2 shall be halved.~~	
Article 13(3a)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
201a			**3a. Where an environmental impact assessment is required pursuant to Directive 2011/92/EU, the steps of the assessment referred to in Article 1 (2)(g) (i) of that Directive shall not be included in the duration for permit granting process referred to in paragraphs 1 and 2.**	
Article 13(4)				
202				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	4. National competent authorities shall ensure that the lack of reply of the relevant administrative bodies within the applicable time limits referred to in this Article results in the specific intermediary steps to be considered as approved, except where the specific project is subject to an environmental impact assessment pursuant to Council Directive 92/43/EEC or Directive 2000/60/EC, Directive 2008/98/EC, Directive 2009/147/EC, Directive 2010/75/EU, 2011/92/EU or Directive 2012/18/EU or a determination of whether such environmental impact assessment	4. National competent authorities shall ensure that the lack of reply of the relevant administrative bodies within the applicable time limits referred to in this Article results in the specific intermediary steps to be considered as approved, except where the specific project is subject to an environmental impact assessment pursuant to Council Directive 92/43/EEC or Directive 2000/60/EC, Directive 2008/98/EC, Directive 2009/147/EC, Directive 2010/75/EU, 2011/92/EU or Directive 2012/18/EU or a determination of whether such environmental impact assessment	4. ~~National competent authorities shall ensure that the lack of reply of the relevant administrative bodies within the applicable time limits referred to in this Article results in the specific intermediary steps to be considered as approved, except where the specific project is subject to an environmental impact assessment pursuant to Council Directive 92/43/EEC or Directive 2000/60/EC, Directive 2008/98/EC, Directive 2009/147/EC, Directive 2010/75/EU, 2011/92/EU or Directive 2012/18/EU or a determination of whether such environmental impact assessment~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	is necessary and the relevant assessments concerned have not yet been carried out, or where the principle of administrative tacit approval does not exist in the national legal system. This provision shall not apply to final decisions on the outcome of the process, which are to be explicit. All decisions shall be made publicly available.	is necessary and the relevant assessments concerned have not yet been carried out, or where the principle of administrative tacit approval does not exist in the national legal system. This provision shall not apply to final decisions on the outcome of the process, which are to be explicit. All decisions shall be made publicly available.	~~is necessary and the relevant assessments concerned have not yet been carried out, or where the principle of administrative tacit approval does not exist in the national legal system. This provision shall not apply to final decisions on the outcome of the process, which are to be explicit. All decisions shall be made publicly available.~~	
Article 13(4a)				
202a		***4a. Where the principle of***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		administrative tacit approval does not exist in the national legal order and, in the case of an environmental impact assessment pursuant to Directive 92/43/EEC, 2000/60/EC, 2008/98/EC, 2009/147/EC, 2010/75/EU, 2011/92/EU or 2012/18/EU or a determination of whether such environmental impact assessment is necessary, the lack of reply of the relevant administrative bodies within the applicable time limits referred to in this Article shall result in effective, proportionate and dissuasive penalties. The revenue of the penalty shall be allocated to the project affected by		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		the delay and shall correspond to the missed economic value as a result of the delay.		
Article 13a				
202b		***Article 13a*** ***Net-zero industry valleys***		
Article 13a(1)				
202c				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		1. In order to fulfil the objectives of this Regulation, each Member State may designate geographical areas as net-zero industry valleys (Valleys).		
Article 13a(2)				
202d		***2. The objectives of the Valleys shall be to:***		
Article 13a(2), point (a)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
202e		***(a) create clusters of net-zero industrial activity which lead to efficiency gains for all industrial actors involved;***		
Article 13a(2), point (b)				
202f		***(b) increase the attractiveness of the Union as a location for manufacturing activities;***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 13a(2), point (c)				
202g		***(c) further streamline, beyond the streamlining set out in other Chapters of this Regulation, the administrative procedures for setting up net-zero manufacturing capacities.***		
Article 13a(3)				
202h		***3. When identifying areas for setting up the Valleys, Member***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		States shall take into account:		
Article 13a(3), point (a)				
202i		***(a) the need to favour multiple uses of the areas identified to ensure the expansion, reindustrialisation or creation of European industrial clusters;***		
Article 13a(3), point (b)				
202j				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		(b) the availability of relevant transportation and network infrastructure, storage and other flexibility tools or the potential to create such infrastructure and storage;		
Article 13a(3), point (c)				
202k		***(c) the just transition and its objectives, particularly with regard to coal regions in transition;***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 13a(3), point (d)				
202l		***(d) any planned or already existing project pipeline and plan;***		
Article 13a(3), point (e)				
202m		***(e) the potential to organise education and training provisions for the availability of skills in net-zero technology products;***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 13a(3), point (f)				
202n		***(f) the potential for the creation of quality jobs and the employment of local employees at potential production sites;***		
Article 13a(3), point (g)				
202o		***(g) the need to select areas where the construction or expansion of a specific type or types of net-zero technology manufacturing project***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		does not lead to significant environmental impacts.		
Article 13a(4)				
202p		***4. For the purposes of reducing the environmental impact of the construction or expansion of a specific type or types of strategic net-zero technology manufacturing project in Valleys to the minimum, Member States shall:***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 13a(4), point (a)				
202q		***(a) give priority to artificial and built surfaces, industrial sites, brownfield sites, and, where appropriate, greenfield sites not usable for agriculture;***		
Article 13a(4), point (b)				
202r		***(b) in exceptional circumstances, establish Valleys in areas subject to restoration measures according***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		to the National Restoration Plans prepared under the Regulation on Nature Restoration or designated Natura 2000 areas.		
Article 13a(4), point (c)				
202s				
Article 13a(4), point (d)				
202t				
Article 13a(4), point (e)				
202u				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 13a(4), point (f)				
202v				
Article 13a(4), point (g)				
202w				
Article 13b				
202x		***Article 13b*** ***Designation of Valleys***		
Article 13b(1)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
202y		***1. A decision by a Member State to designate a Valley shall be accompanied by a plan (Plan) setting out:***		
Article 13b(1), point (a)				
202z		***(a) which specific net-zero manufacturing activities are covered by the Valley;***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 13b(1), point (b)				
202aa		***(b) concrete national measures to increase the attractiveness of the Valley as a location for manufacturing activities;***		
Article 13b(1), point (c)				
202ab		***(c) the results of the environmental assessment as well as the measures the Member State will take to mitigate negative***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		environmental impacts, referred to in paragraph 2.		
Article 13b(2), first subparagraph				
202ac		***2. As part of the decision-making process for designating a Valley and before adopting a plan or plans designating Valleys, Member States shall carry out an environmental assessment in accordance with Directive 2001/42/EC, and where applicable, the assessments referred to in Article 6(3) of***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		Directive 92/43/EEC for the specific net-zero technologies manufacturing activities to which the Net-Zero Industry Valley are dedicated. Those assessments should cover all technologies and related manufacturing activities to which the Valley is to be dedicated.		
Article 13b(2), second subparagraph				
202ad		***Based on the outcome of the assessments, Member States shall provide, for each type of project,***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		clear parameters for the implementation of projects with proportionate rules and measures to address the adverse environmental impacts.		
Article 13b(3)				
202ae		***Any environmental assessment requirements and mitigating measures for a permit for new or expanded manufacturing capacity that is in accordance with the Plan's requirements and applicable law shall be considered***		

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		fulfilled by an environmental assessment carried out pursuant to this paragraph and benefit from fast track procedure and validation.		
Article 13b(4)				
202af		***3. Member States shall provide an opinion, as set out in Article 7(1) as well as a detailed schedule for the permitting procedure as set out in Article 6(7), for all activities foreseen in the Valley. The opinion shall also include a***		

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		detailed description of any data, information or analysis gathered by the Member State when conducting the assessment referred to in paragraph 2 can be relied upon by the applicant as well as, where applicable, which additional information, data or analysis is still required from the applicant. In accordance with Article 5, all data, information and analysis gathered by the Member State shall be made accessible online for applicants.		
Article 13b(5)				

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202ag		***4. A decision designating a Valley pursuant to Article 13a(1) and in accordance with this Article shall include a date of application and a date of expiry. A Member State may renew such a decision. Member States shall make these decisions public.***		
Article 13b(6)				
202ah		***5. Net-zero manufacturing projects in Valleys shall be***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		considered to contribute to the security of supply of net-zero technologies in the Union and therefore to be in the public interest. With regard to the environmental impacts addressed in Articles 6(4) and 16(1) of Directive 92/43/EEC, Article 4(7) of Directive 2000/60/EC and Article 9(1), point (a), of Directive 2009/147/EC, net-zero manufacturing projects in Valleys shall be considered as being of public interest and may be considered as having an overriding public interest provided that all the conditions set out in those Directives are fulfilled.		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 13b(7)				
202ai		***6. The national measures referred to in paragraph 1, point (b) shall at least include the following economic and administrative support schemes:***		
Article 13b(7), point (a)				
202aj		***(a) ensure the fast administrative***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		set-up of Valley;		
Article 13b(7), point (b)				
202ak		***(b) develop the necessary infrastructure in the Valley;***		
Article 13b(7), point (c)				
202al		***(c) support private investments in the Valley;***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 13b(7), point (d)				
202am		***(d) ensure the adequate reskilling and upskilling of the local workforce***		
Article 13b(8)				
202an		***7. Public investments aimed at setting up Valleys, at equipping Valleys with appropriate***		

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		infrastructure, converting brownfield sites and developing the adequacy of the local skills pool may benefit from increased co-financing rates by up to 10% under the European Fund for Regional Development, the Just Transition Fund and the European Social Fund Plus, if the Valley is located in less developed and transition regions or in Just Transition.		
Article 14				
203				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Article 14 Accelerating implementation	Article 14 ~~*Accelerating implementation*~~ Moved up as Article 5a	Article 14 Accelerating implementation **of net-zero strategic projects**	
Article 14(1)				
204	1. The Commission and the Member States shall undertake activities to accelerate and crowd-in private investments in net-zero strategic projects. Such activities may, without prejudice to Article	1. ~~*The Commission and the Member States shall undertake activities to accelerate and crowd-in private investments in net-zero strategic projects. Such activities may, without prejudice to Article*~~	1. The Commission and the Member States shall**, where relevant,** undertake activities to accelerate and crowd-in private investments in net-zero strategic projects. Such activities may,	

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	107 and Article 108 of the TFEU, include providing and coordinating support to net-zero strategic projects facing difficulties in accessing finance.	~~*107 and Article 108 of the TFEU, include providing and coordinating support to net-zero strategic projects facing difficulties in accessing finance.*~~	without prejudice to Article 107 and Article 108 of the TFEU, include providing and coordinating support to net-zero strategic projects facing difficulties in accessing finance.	
Article 14(2)				
205	2. Member States may provide administrative support to net-zero strategic projects to facilitate their rapid and effective implementation, including by providing:	2. ~~*Member States may provide administrative support to net-zero strategic projects to facilitate their rapid and effective implementation, including by providing:*~~	2. Member States may provide administrative support to net-zero strategic projects to facilitate their ~~rapid~~**timely** and effective implementation, including by providing:	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 14(2), point (a)				
206	(a) assistance to ensure compliance with applicable administrative and reporting obligations;	(a) ~~*assistance to ensure compliance with applicable administrative and reporting obligations;*~~	(a) assistance to ensure compliance with applicable administrative and reporting obligations;	
Article 14(2), point (b)				
207	(b) assistance to project promoters to further increase the public	(b) ~~*assistance to project promoters to further increase the public*~~	(b) assistance to project promoters to ~~further~~**inform the public, to**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	acceptance of the project.	~~*acceptance of the project.*~~	increase the public acceptance of the project.	
Article 15				
208	Article 15 Coordination of financing	Article 15 Coordination of financing	Article 15 Coordination of financing	
Article 15(1)				
209	1. The Net-Zero Europe Platform	1. The Net-Zero Europe Platform	1. The Net-Zero Europe Platform	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	as established in Article 28 shall discuss financial needs and bottlenecks of net-zero strategic projects, potential best practices, in particular to develop EU cross-border supply chains, notably based on regular exchanges with the relevant industrial alliances.	as established in Article 28 shall ~~*discuss*~~***assess*** financial needs and bottlenecks of net-zero strategic projects, ***collect*** potential best practices, in particular to develop EU cross-border supply chains, notably based on regular exchanges ***and recommendations of the Net-Zero Industry Expert Group and*** with the relevant industrial alliances.	as established in Article 28 shall discuss financial needs and bottlenecks of net-zero strategic projects, potential best practices, in particular to develop EU cross-border supply chains, notably based on regular exchanges with the relevant industrial alliances.	
Article 15(2)				
210	2. The Net-Zero Europe Platform	2. The Net-Zero Europe Platform	2. The Net-Zero Europe Platform	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	shall, at the request of the net-zero strategic project promoter, discuss and advise on how the financing of its project can be completed, taking into account the funding already secured and considering at least the following elements:	shall, at the request of the net-zero strategic project promoter, discuss and advise on how the financing of its project can be completed, ***provide and coordinate support for its project to be completed, in particular to meet the criteria defined in Article 19(2)*** taking into account the funding already secured and considering at least the following elements:	shall, at the request of the net-zero strategic project promoter, discuss and advise on how the financing of its project can be completed, taking into account the funding already secured and considering at least the following elements:	
Article 15(2), point (a)				
211	(a) additional private sources of	(a) additional private sources of	(a) additional private sources of	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	financing;	financing;	financing;	
Article 15(2), point (b)				
212	(b) support through resources from the European Investment Bank Group or other international financial institutions including the European Bank for Reconstruction and Development;	(b) support through resources from the European Investment Bank Group or other international financial institutions including the European Bank for Reconstruction and Development;	(b) support through resources from the European Investment Bank Group or other international financial institutions including the European Bank for Reconstruction and Development;	
Article 15(2), point (c)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
213	(c) existing Member State instruments and programmes, including from national promotional banks and institutions;	(c) existing Member State instruments and programmes, including from national promotional banks and institutions;	(c) existing Member State instruments and programmes, including from national promotional banks**, institutions and Export Credit Agencies** ~~and institutions~~;	
Article 15(2), point (d)				
214	(d) relevant Union funding and financing programmes.	(d) relevant Union funding and financing programmes ***including through STEP***.	(d) relevant Union funding and financing programmes.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 15(2a)				
214a		***2a. By ... [3 months from the date of entry into force of this Regulation] and every two years thereafter, the Net-Zero Europe Platform shall issue recommendations to the Commission to guarantee sufficient funding, including through the Union budget, to pursue the objectives of this Regulation.***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 15(2b)				
214b				
Article 15a				
214c		***Article 15a*** ***Financing of net-zero technologies***		
Article 15a(1)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
214d		***1. Without prejudice to Directive 2003/87/EC, Member States shall report annually on the percentage of national revenues generated from the auctioning of the allowances, in accordance with the activities allowed under Article 10(3) of that Directive, that is used to support the objectives of this Regulation with a view of reaching at least 25%.***		
Article 15a(2)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
214e		***2. In accordance with Article 2 of [STEP Regulation] Net-Zero Strategic Projects selected pursuant to Article 10(1), points (a) or (b), of this Regulation are recognised as fulfilling the STEP objectives and shall therefore be eligible to receive the Sovereignty Seal under Article 4 of that Regulation as well as to receive funds in accordance with Article 9 of that Regulation.***		
Chapter III				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
215	Chapter III CO2 injection capacity	Chapter III CO2 injection capacity	Chapter III CO2 injection capacity	
Article 16				
216	Article 16 Union level objective of CO2 injection capacity	Article 16 Union level objective of CO2 injection capacity	Article 16 ***Union level objective of CO_2 injection capacity***~~Union level objective of CO2 injection capacity~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 16, first paragraph				
217	An annual injection capacity of at least 50 million tonnes of CO_2 shall be achieved by 2030, in storage sites located in the territory of the European Union, its exclusive economic zones or on its continental shelf within the meaning of the United Nations Convention on the Law of the Sea (UNCLOS) and which are not combined with Enhanced Hydrocarbon Recovery (EHR).	An annual injection capacity of at least 50 million tonnes of CO_2 shall be achieved by 2030, in storage sites***, meaning geological storage sites permitted under Directive 2009/31/EC including depleted oil and gas fields and saline aquifers,*** located in the territory of the ~~*European*~~ Union, its exclusive economic zones or on its continental shelf within the meaning of the United Nations Convention on the Law of the Sea ~~*(UNCLOS)*~~ and which are not	An annual injection capacity of at least 50 million tonnes of ~~CO_2~~**CO2** shall be achieved by 2030, in storage sites located in the territory of the European Union, its exclusive economic zones or on its continental shelf within the meaning of the United Nations Convention on the Law of the Sea (UNCLOS) and which are not combined with Enhanced Hydrocarbon Recovery (EHR).	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		combined with Enhanced Hydrocarbon Recovery (EHR).		
Article 16, first paragraph a				
217a		***The storage sites referred to in paragraph 1 shall be designed to operate for a minimum of five years.***	**All storage sites shall be designed to operate for a minimum of five years and shall respect the principles of fair and open access provided in a transparent and non-discriminatory manner, as defined in Directive 2009/ 31/EC.**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 16, third paragraph				
217b		***By 31 December 2026, the Commission shall propose, if appropriate, to the European Parliament and Council requirements for the annual CO_2 injection capacity to be provided by 2035, 2040 and 2050, paying regard to the needs of Member States across the Union.***		
Article 16, fourth paragraph				
217c				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		By ... [two years from the date of entry into force of this Regulation] and every two years thereafter, the Commission shall submit a report to the European Parliament and to the Council on the progress achieved towards the Union annual injection capacity target, including the state of the market related to the injection capacity. The report shall include an overview of the geographical spread of storage sites across the Union.		
Article 16, fifth paragraph				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
217d		***The report referred to in paragraph 4 shall include a CO_2 storage and injection capacity adequacy assessment, using, in particular, the information collected pursuant to Article 17(2) and to Article 18 (6), which shall:***		
Article 16, fifth paragraph, point (a)				
217e		***(a) provide a detailed analysis of the geographical and temporal adequacies between the existing***		

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		and planned CO_2 storage sites and the CO_2 capture projects for CO2 emissions from industrial installations within the Union;		
Article 16, fifth paragraph, point (b)				
217f		***(b) identify the main infrastructure needed for the transportation and storage of CO_2 emissions from industrial installations throughout the Union;***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 16, fifth paragraph, point (c)				
217g		***(c) identify specific potential for CO_2 usage to contribute to the permanent storage of CO_2, which could lead to reduced needs for CO_2 storage, or to reducing the Union's dependence on fossil fuels.***		
Article 16, fifth paragraph, point (d)				
217h		***Where the report referred to in***		

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		paragraph 4 shows that the demand for CO_2 injection capacity is significantly higher or lower than reflected in the capacity targets set out under paragraphs 1 and 3, the Commission shall adopt a delegated act in order to align the capacity targets with the demand.		
Article 16, fifth paragraph, point (d)				
217i		***Where the report referred to in paragraph 4 of this Article shows that the market is insufficiently***		

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		developed to provide an adequate injection capacity, the Commission may adjust the contributions under Article 18 while ensuring that the entities affected will have sufficient time to adjust their business plans to the newly defined obligations.		
Article 16, sixth paragraph				
217j		***The Union may integrate its neighbouring countries into its efforts under this Chapter by integrating the provisions of this***		

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		Chapter in agreements with these countries or by establishing new agreements covering the provisions of this Chapter. When integrating these provisions in existing agreements or when establishing new agreements, the agreement shall ensure that all Union environmental, safety and security standards and requirements applicable for projects under this Chapter are respected in the third country. The agreement shall also set out an additional proportionate injection target for the third country as well as, in accordance with Article 18, a pro rata contribution for the		

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		relevant entities in the third country.		
Article 16, seventh paragraph				
217k				
Article 17				
218	Article 17 Transparency of CO2 storage capacity data	Article 17 Transparency of CO2 storage capacity data	Article 17 Transparency of ~~CO2~~**CO_2** storage capacity data	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 17(1)				
219	1. By 3 months from the entry into force of this Regulation, Member States shall:	1. By **... /**3 months from the entry into force of this Regulation**/**, Member States shall~~:~~	1. By ~~3~~**6** months from the entry into force of this Regulation, Member States shall:	
Article 17(1), point (a)				
220	(a) make publicly available data on areas where CO2 storage sites can be permitted on their territory.	(a) make publicly available data on areas where CO2 storage sites can be permitted on their territory.	(a) make ~~publicly available~~ data on **all** areas where ~~CO2~~**CO_2** storage sites ~~can~~**could** be permitted on their territory~~.~~**, including saline aquifers, publicly available,**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			without prejudice to requirements regarding the protection of confidential information;	
Article 17(1), point (b)				
221	(b) oblige entities holding an authorisation as defined in Article 1, point 3, of Directive 94/22/EC of the European Parliament and of the Council[1] on their territory to make publicly available all geological data relating to production sites that have been decommissioned or	(b) oblige entities holding an authorisation as defined in Article 1, point 3, of Directive 94/22/EC of the European Parliament and of the Council[1] on their territory to make publicly available ***on a non-reliance basis all raw*** ~~*all*~~ geological data relating to production sites	(b) oblige entities ~~holding~~**which are or have been holders of** an authorisation as defined in Article 1, point 3, of Directive 94/22/EC of the European Parliament and of the Council[1] on their territory to make publicly available all geological data relating to production sites	

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	whose decommissioning has been notified to the competent authority. _____ 1. Directive 94/22/EC of the European Parliament and of the Council of 30 May 1994 on the conditions for granting and using authorizations for the prospection, exploration and production of hydrocarbons (OJ L 164, 30.6.1994, p. 3).	that have been decommissioned or whose decommissioning has been notified to the competent authority~~.~~ ***, and preliminary economic assessments of the respective costs of enabling CO2 injection on each site, including data on:*** _____ 1. Directive 94/22/EC of the European Parliament and of the Council of 30 May 1994 on the conditions for granting and using authorizations for the prospection, exploration and production of hydrocarbons (OJ	that have been decommissioned or whose decommissioning has been notified to the competent authority~~.~~ **, unless the entity has applied for an exploration permit in accordance with Directive 2009/31/EC;** _____ 1. **[1]** Directive 94/22/EC of the European Parliament and of the Council of 30 May 1994 on the conditions for granting and using authorizations for the prospection, exploration and production of hydrocarbons (OJ L 164, 30.6.1994, p. 3).	

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		L 164, 30.6.1994, p. 3).		
Article 17(1), point (b)(i)				
221a		***(i) whether the site is suitable for sustainably, safely and permanently injecting and storing CO2;***		
Article 17(1), point (b)(ii)				
221b		***(ii) whether transport***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		infrastructure and modes suitable for safely transporting CO2 to reach the site is available or can be constructed.		
Article 17(1), point (c)				
222	(c) For the purposes of point (a), the data shall include at least the information requested in the Commission Notice on the Guidance to Member States for the update of the 2021-2030 National Energy and Climate Plans.	(c) For the purposes of point (a), the data shall include at least the information requested in the Commission Notice on the Guidance to Member States for the update of the 2021-2030 National Energy and Climate Plans ***and its subsequent updates***.	(c) for the purposes of point (a), the data shall include at least the information requested in the Commission Notice on the Guidance to Member States for the update of the 2021-2030 National Energy and Climate Plans.	

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Article 17(2)				
223	2. By six months from the entry into force of this Regulation and each year thereafter, each Member State shall submit to the Commission a report describing:	2. By ***... [***six months from the ***date of*** entry into force of this Regulation***]*** and each year thereafter, each Member State shall submit to the Commission a report***, which shall be made publicly available,*** describing:	2. By six months from the entry into force of this Regulation and each year thereafter, each Member State shall submit to the Commission a report describing:	
Article 17(2), point (a)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
224	(a) CO2 capture projects in progress and an estimation of the corresponding needs for injection and storage capacities;	(a) ***a mapping of*** CO2 capture projects in progress ***on its territory or in cooperation with other Member States,*** and an estimation of the corresponding needs for injection and storage capacities***, and CO2 transport***;	(a) ~~CO2~~**CO_2** capture projects in progress and an estimation of the corresponding needs **and plans for transport,**~~for~~ injection and storage capacities;	
Article 17(2), point (b)				
225	(b) CO_2 storage projects in progress on its territory, including the status of permitting under	(b) ***a mapping of*** CO_2 storage ***and CO2 transport*** projects in progress on its territory, including the status	(b) CO_2 **transport and** storage projects in progress on its territory, including the status of permitting	

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	Directive 2009/31/EC, expected dates for Final Investment Decision (FID) and entry into operation;	of permitting under Directive 2009/31/EC, expected dates for Final Investment Decision (FID) and entry into operation;	under Directive 2009/31/EC, expected dates for Final Investment Decision (FID) and entry into operation;	
Article 17(2), point (c)				
226	(c) the national support measures that could be adopted to prompt projects referred to in points (a) and (b).	(c) the national support measures that ***have been adopted and measures that*** could be adopted to prompt projects referred to in points (a) and (b)~~.~~**;**	(c) the national support measures that ~~could~~**have or will** be adopted to prompt projects referred to in points (a) and (b)**, as well as measures relating to cross-border transportation of CO_2.**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 17(2), point (ca)				
226a		***(ca) the national strategy and targets that have been set for the capture of CO2 by 2030, and when applicable in accordance with Article 16(3) for 2035, 2040 and 2050;***	**(ca)**	
Article 17(2), point (cb)				
226b		***(cb) the arrangements, including bilateral agreements made to***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		facilitate cross-border transportation of CO2, made to ensure that entities capturing CO2 have access to a safe and non-discriminatory means of transporting CO2;		
Article 17(2), point (cc)				
226c		***(cc) CO2 transportation projects in progress and an estimation of the necessary future CO2 transport projects' capacity to match the corresponding capture and storage capacity.***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 17(2a)				
226d		***2a. Should the report referred to in paragraph 2 show that no CO2 storage projects are in progress on their territory, Member States shall report on plans to facilitate the decarbonisation of industrial sectors faced with unavoidable CO2 emissions. This should include cross-border transport of CO2 to storage sites located in other Member States, as well as CO2 utilisation projects.***	**2a. Where no CO_2 storage projects are implemented in a Member State, it shall report on its plans to facilitate the decarbonisation of industrial sectors or to develop cross-border transport of CO_2.**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 17(2b)				
Article 17(2c)				
226f		***1. In order to facilitate the achievement of the objective set out in Article 16, the Union and its Member States in partnership with the companies benefiting shall ensure the needed investments in CO2 transport infrastructure, including cross-***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		border infrastructure, are being made.		
Article 17(2d)				
226g		***2. Member States shall take the necessary measures to ensure that potential users of storage sites are able to obtain access to CO2 transport networks and to storage sites for the purposes of geological storage of the produced and captured CO2.***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 17(2e)				
226h		***3. In order to minimise the environmental impact of CO2 transport, the Union, its Member States and all other actors involved shall aim to minimise the need for CO2 transport.***		
Article 17(2f)				
226i		***4. Member States may form, or may provide support for the***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		formation of, entities that have the objective of creating CO2 transport networks including the construction of infrastructure or the provision of vessels or other means of conveyance. The formation of such entities shall be reviewed at least every two years.		
Article 17(2g)				
226j		***5. By ... [by six months from the date of entry into force of this Regulation], the Commission and Member States shall draw up a***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		common strategy to finance the infrastructure referred to in paragraph 1.		
Article 17(2h)				
226k				
Article 18				
227	Article 18 Contribution of authorised oil and gas producers	Article 18 Contribution of authorised oil and gas producers	Article 18 Contribution of authorised oil and gas producers	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 18(1)				
228	1. Each entity holding an authorisation as defined in Article 1, point 3, of Directive 94/22/EC shall be subject to an individual contribution to the Union-wide target for available CO_2 injection capacity set in Article 16. Those individual contributions shall be calculated pro-rata on the basis of each entity's share in the Union's crude oil and natural gas production from 1 January 2020 to	1. Each entity ~~*holding an authorisation as defined in Article 1, point 3, of Directive 94/22/EC*~~***selling crude oil, petroleum products or natural gas in the Union*** shall be subject to an individual ***and obligatory*** contribution to the Union-wide target for available CO_2 injection capacity set in Article 16. Those individual contributions shall be calculated pro-rata on the basis of	1. Each entity holding an authorisation as defined in Article 1, point 3, of Directive 94/22/EC shall be subject to an individual contribution to the Union-wide target for available CO_2 injection capacity set in Article 16. Those individual contributions shall be calculated pro-rata on the basis of each entity's share in the Union's crude oil and natural gas production from 1 January 2020 to	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	31 December 2023 and shall consist of CO_2 injection capacity in a storage site permitted in accordance with Directive 2009/31/EC on the geological storage of carbon dioxide and available to the market by 2030.	each entity's share in ~~*the Union's*~~ crude oil***, petroleum products*** and natural gas ~~*production*~~ ***sold in the Union*** from 1 January 2020 to 31 December 2023 and shall consist of CO_2 injection capacity in a storage site permitted in accordance with Directive 2009/31/EC on the geological storage of carbon dioxide and available to the market by 2030.	31 December 2023 and shall consist of CO_2 injection capacity in a storage site permitted in accordance with Directive 2009/31/EC on the geological storage of carbon dioxide and available to the market by 2030. **Entities with crude oil and natural gas production below a certain threshold as defined in accordance with a delegated act pursuant to paragraph 7 shall be excluded from this calculation and shall not be subject to a contribution.**	

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Article 18(1a)				
228a		***1a. Entities referred to in paragraph 1 shall be able to meet their individual contribution to the Union-wide target for available CO2 injection capacity through making available injection capacity in storages located in countries referred to in Article 16(8).***		
Article 18(1b)				
228b				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		1b. Member States shall take the necessary measures to facilitate and incentivise emitters to capture emissions, to incentivise investors to finance the needed infrastructure to transport CO2 to the storage site, and where needed, to directly fund of CO2 storage projects.		
Article 18(1c)				
228c		*1c. Where CO2 is captured and transported in one Member State and transported and stored in*		

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		other Member States, Member States shall coordinate measures stated in paragraph 1b. The Commission shall ensure and facilitate such coordination through the establishment of CCS Regional Groupings.		
Article 18(2)				
229	2. Within three months of the entry into force of this Regulation, Member States shall, identify and report to the European Commission the entities referred to in paragraph	2. Within three months of the entry into force of this Regulation, Member States shall, identify and report to the ~~*European*~~ Commission the entities referred to	2. Within three months of the entry into force of this Regulation, Member States shall, identify and report to the European Commission the entities referred to in paragraph	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	1 and their volumes in crude oil and natural gas production from 1 January 2020 to 31 December 2023.	in paragraph 1 and their volumes in crude oil and natural gas ~~*production*~~***sale*** from 1 January 2020 to 31 December 2023.	1 and their volumes in crude oil and natural gas production from 1 January 2020 to 31 December 2023.	
Article 18(3)				
230	3. Following the receipt of the reports submitted pursuant to Article 17 (2), the Commission after having consulted Member States and interested parties, shall specify the share of the contribution to the Union CO2 injection capacity objective by	3. Following the receipt of the reports submitted pursuant to Article ~~*17 (2)*~~***17(2)***, the Commission after having consulted Member States and interested parties, shall specify the share of the contribution to the Union CO2 injection capacity objective by	3. Following the receipt of the reports submitted pursuant to Article 17 (2), the Commission after having consulted Member States and interested parties, shall specify the ~~share of the contribution~~**contributions** to the Union ~~CO2~~**CO_2** injection capacity	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	2030 from entities referred to in paragraph 1.	2030 from entities referred to in paragraph 1 ***of this Article***.	objective by 2030 from entities referred to in paragraph 1.	
Article 18(4)				
231	4. Within twelve months of the entry into force of the Regulation, the entities referred to in paragraph 1 shall submit to the Commission a plan detailing how they intend to meet their contribution to Union CO2 injection capacity objective by 2030. Those plans shall:	4. Within twelve months of the entry into force of the Regulation, the entities referred to in paragraph 1 shall submit to the Commission a plan detailing how they intend to meet their contribution to Union CO2 injection capacity objective by 2030. Those plans shall:	4. Within twelve months of the entry into force of the Regulation, the entities referred to in paragraph 1 shall submit to the Commission a plan detailing how they intend to meet their contribution to Union ~~CO2~~**CO_2** injection capacity objective by 2030. Those plans shall:	

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Article 18(4), point (a)				
232	(a) confirm the entity's contribution, expressed in terms of targeted volume of new CO_2 storage and injection capacity commissioned by 2030;	(a) confirm the entity's contribution, expressed in terms of targeted volume of new CO_2 storage and injection capacity commissioned by 2030;	(a) confirm the entity's contribution, expressed in terms of targeted volume of new CO_2 storage and injection capacity commissioned by 2030;	
Article 18(4), point (b)				
233	(b) specify the means and the	(b) specify the means and the	(b) specify the means and the	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	milestones for reaching the targeted volume.	milestones for reaching the targeted volume.	milestones for reaching the targeted volume.	
Article 18(5)				
234	5. To meet their targeted volumes of available injection capacity, entities referred to in paragraph 1 can do any of the following:	5. To meet their targeted volumes of available injection capacity, entities referred to in paragraph 1 can do any of the following:	5. To meet their targeted volumes of available injection capacity, entities referred to in paragraph 1 can do any of the following:	
Article 18(5), point (a)				
235				

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	(a) develop CO2 storage projects alone or in co-operation;	(a) ***invest in, or*** develop**,** CO2 storage projects alone or in co-operation;	(a) develop ~~CO2~~**CO₂** storage projects alone or in co-operation;	
Article 18(5), point (b)				
236	(b) enter into agreements with other entities referred to in paragraph 1;	(b) enter into agreements with other entities referred to in paragraph 1***, thereby considering the overall aim of increasing regional storage capacity across the Union***;	(b) enter into agreements with other entities referred to in paragraph 1;	

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Article 18(5), point (c)				
237	(c) enter into agreements with third party storage project developers or investors to fulfil their contribution.	(c) enter into agreements with third party storage***, capture and transport,*** project developers or investors to fulfil their contribution.	(c) enter into agreements with third party storage project developers or investors to fulfil their contribution.	
Article 18(6)				
238	6. Two years after the entry into force of the Regulation and every year thereafter, the entities referred	6. ***By ... [***two years ~~after~~***from*** the entry into force of the Regulation***]*** and every year thereafter, the	6. Two years after the entry into force of the Regulation and every year thereafter, the entities referred	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	to in paragraph 1 shall submit a report to the Commission detailing their progress towards meeting their contribution. The Commission shall make these reports public.	entities referred to in paragraph 1 shall submit a report to the ***competent authorities of the Members States and the*** Commission detailing their progress towards meeting their contribution***. In accordance with Directive 2009/31/EC, that report shall include details on the newly commissioned storage capacities, the extent of its utilisation, and an overview of the economic feasibility of planned injection capacities and recommendations to the Member States on additional measured required to reach the CO2 injection targets***. The Commission shall make these	to in paragraph 1 shall submit a report to the Commission detailing their progress towards meeting their contribution. The Commission shall make these reports public.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		reports public.		
Article 18(6a)				
238a		***6a. The Commission shall assess the compliance of the entities referred to in paragraph 1 with the requirements of this Chapter. In this assessment the Commission shall take into account the development of CO2 transport modalities to the injection sites as well as the development of CO2 capture activities to produce the demand***	**6a. By derogation, a Member State may request the Commission to exempt the entities referred to in paragraph 1 from individual contribution in relation to the production activities they have carried out on the territory of that Member State from 1 January 2020 to 31 December 2023, provided that:**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		for CO2 injection. If either or both infrastructure and capture activities, needed for a specific injection project to become operational, are lacking resulting in a specific entity not meeting its obligations this Article the Commission may reduce the injection obligation of a specific entity for a specific year. Any reduction shall be recovered within five years after the reduction took place.		
Article 18(6b)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
238b			**(a) the overall annual injection capacity of all storage sites operated by any entity having received a storage permit within the meaning of Directive 2009/31/EC and having reached a final investment decision located on the territory of the Member State exceeds the sum of the individual contributions of the entities referred to in paragraph 1 in relation to the relevant production activities. The annual injection capacities associated with these storage sites shall correspond to those**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			mentioned in the storage permits and in the final investment decisions and contribute to the Union-wide target for available CO2 injection capacity set in Article 16.	
Article 18(6c)				
238c			**(b) the application is submitted before the end of 2027.**	
Article 18(6d)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
238d			**Provided that the two above conditions are met, the Commission shall adopt a decision exempting the entities concerned, referred to in paragraph 1, from their individual contribution in relation to the production activities they have carried out on the territory of the Member State submitting the request.** **Exempted entities may enter into agreements in accordance with paragraph 5, points (b) and (c) only in respect of any injection capacity exceeding the individual**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			contribution from which they are exempted and the sum of the individual contributions that has been exempted. **One year after the exempting decision and every year thereafter, the Member State shall submit a report to the Commission detailing the progress of the exempted entities towards meeting their contribution to the Union-wide target for available CO2 injection capacity set in Article 16. The Commission shall make these reports public.**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 18(6e)				
238e			**6b. By 31 December 2028, the Commission shall assess on the basis of the reports under Article 31(1)(b) and 31(7) the relationship between the demand for injection capacity from CO2 capture projects in progress or planned to be operational by 2030 and the sum of the individual contributions of the entities referred to in paragraph 1 in relation to the production activities on the territory of a given Member State. In case of a**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			substantial imbalance, the Member State concerned may exceptionally ask the Commission for a derogation regarding the date by which the individual contributions are fulfilled.	
Article 18(7)				
239	7. The Commission is empowered to adopt delegated acts in accordance with Article 32 to supplement this Regulation concerning:	7. The Commission is empowered to adopt delegated acts in accordance with Article 32 to supplement this Regulation concerning~~:~~	7. The Commission is empowered to adopt delegated acts in accordance with Article 32 to supplement this Regulation concerning:	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 18(7a)				
239a				
Article 18(7), point (-a)				
239b			**(-a) The rules concerning the identification of entities subject to contribution in accordance with paragraph 1, including the threshold below which entities are exempt from contribution;**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 18(7), point (a)				
240	(a) The modalities in which agreements between entities referred to in paragraph 1 and investments in storage capacity held by third parties are taken into account to meet their individual contribution under paragraph 5, points b and c.	(a) The modalities in which agreements between entities referred to in paragraph 1 and investments in storage capacity held by third parties are taken into account to meet their individual contribution under paragraph 5, points b and c.	(a) The modalities in which agreements between entities referred to in paragraph 1 and investments in storage capacity held by third parties are taken into account to meet their individual contribution under paragraph 5, points b and c~~.~~**;**	
Article 18(7), point (b)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
241	(b) The content of the reports referred to in paragraph 6.	(b) The content of the reports referred to in paragraph 6.;	(b) The content of the reports referred to in paragraph 6.	
Article 18(7), point (ba)				
241a			**(c) The conditions under which the Commission may exempt entities from part of their individual contribution in accordance with paragraph 6a.**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 18(7), point (bb)				
241b		***(ba) Dissuasive and proportionate sanctions and penalties that may be applied to entities referred to in paragraph 1 that fail to comply with the requirements of this Regulation.***		
Article 18(7), point (bc)				
241c		***(7a) To contribute to the Union CO2 injection capacity objective,***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		entities referred to in paragraph 1 are entitled to account the CO2 injection capacity corresponding to the project shares owned by another shareholder involved in a storage project, in case that shareholder does not fall under the scope of paragraph 1.		
Article 18a				
241d		***Article 18a*** ***Regulatory framework for the market for captured CO2***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 18a(1)				
241e		***1. By ... [six months from the date of entry into force of the Regulation], the Commission shall publish guidelines indicating the maximum appropriate levels of CO_2 purity and of trace elements within the flow that is to be specified by an entity seeking to have a CO_2 storage project confirmed as contributing to the Union's injection capacity objective.***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 18a(2)				
241f		***2. By ... [2 years from the date of entry into force of this Regulation], the Commission shall carry out an assessment in accordance with paragraph 2 and, if appropriate, submit a legislative proposal to establish a regulatory framework for a Union-wide CO_2 capture, usage, storage and transport market to complement the rules set out in Directive 2009/31/EC, laying down rules***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		on:		
Article 18a(2), point (a)				
241g		***(a) open, fair and non-discriminatory access and safety of the CO_2 storage and transport network;***		
Article 18a(2), point (b)				
241h		***(b) open, fair and non-***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		discriminatory access to capture CO_2 for usage or storage purposes;		
Article 18a(2), point (c)				
241i		***(c) the functioning and interconnection of the CO_2 transport network and other infrastructure across the Union;***		
Article 18a(2), point (d)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
241j		***(d) economic incentives, funding and financial assistance mechanisms;***		
Article 18a(2), point (e)				
241k		***(e) specification standards for CO_2 storage and transport;***		
Article 18a(2), point (f)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
241l		***(f) environmental standards;***		
Article 18a(2), point (g)				
241m		***(g) guarantees for the origin of CO_2;***		
Article 18a(2), point (h)				
241n		***(h) enforcement mechanisms.***		

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Article 18a(3)				
241o		***3. Before adopting any legislative proposal as referred to in paragraph 2, the Commission shall assess whether:***		
Article 18a(2), point (i)				
241p		***(a) the functioning of the CO_2 market ensures sufficient access***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		to injection capacity for unavoidable CO2 emissions;		
Article 18a(2), point (j)				
241q		***(b) the obligations set out in Article 18(1) effectively promote the development of the CO_2 storage market in the Union.***		
Article 18a(4)				
241r				

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		To facilitate the assessment pursuant to this paragraph, the Commission shall develop a list of sectors with unavoidable industrial process emissions from large-scale industrial installations for which no direct emissions reduction options are available after the best available techniques have been applied, based on a clear methodology including scientific evidence, the current state-of-the-art of relevant technologies, economic feasibility, as well as appropriate demand-side emissions reduction measures.		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 18a(5)				
241s		***Where the assessment pursuant to this paragraph shows that the market is not developing in line with the objectives of this Regulation, the Commission may decide to include rules to provide priority access for unavoidable emissions to injection capacity as well as to amend this Regulation to change the obligations set out in Article 18(1).***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 18a(6)				
241t		***The Commission shall ensure that all sectors with unavoidable industrial process emissions have sufficient access to the CO2 injection capacity. Where its assessments show the market is not developing in line with this objective, the Commission shall develop rules to provide priority access for unavoidable industrial process emissions to the CO2 injection capacity.***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Chapter IV				
242	Chapter IV. Access to markets	Chapter IV. Access to markets	Chapter IV. Access to markets	
Article 19				
243	Article 19 Sustainability and resilience contribution in public procurement	Article 19 Sustainability and resilience contribution in public procurement	Article 19 Sustainability and resilience contribution in public procurement	

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	procedures	procedures	procedures	
Article 19(1)				
244	1. Contracting authorities or contracting entities shall base the award of contracts for net-zero technology listed in the Annex in a public procurement procedure on the most economically advantageous tender, which shall include the best price-quality ratio, comprising at least the sustainability and resilience contribution of the tender, in	1. ***Without prejudice to the World Trade Organization Agreement on Government Procurement (GPA) and other international agreements by which the Union is bound as well as applicable sectoral legislation, in particular Regulations (EU) 2022/1031 and (EU) 2022/2560,*** contracting authorities ~~or~~***and*** contracting entities shall base the award of	1. ~~Contracting authorities or contracting entities shall base the award of~~ **For procurement procedures falling within the scope of Directives 2014/23/EU, 2014/24/EU or 2014/25/EU where** contracts ~~for~~**have strategic** net-zero technology listed in ~~the Annex in a public procurement procedure on the most economically advantageous tender, which shall~~	

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	compliance with Directives 2014/23/EU, 2014/24/EU, or 2014/25/EU and applicable sectoral legislation, as well as with the Union's international commitments, including the GPA and other international agreements by which the Union is bound.	contracts for ***purchase or use for*** net-zero technology listed in ~~*the Annex*~~***Article 3 of this Regulation, as well as, particularly through public procurement of innovative solutions and pre-commercial public procurement, innovative net-zero technologies or other innovative technologies,*** in a public procurement procedure on the most economically advantageous tender, which shall include the best price-quality ratio, comprising at least the ***environmental and social*** sustainability and resilience contribution of the tender, in compliance with Directives	~~include the best price-quality ratio, comprising at least the sustainability and resilience contribution of the tender, in compliance with Directives 2014/23/EU, 2014/24/EU, or 2014/25/EU and applicable sectoral legislation, as well as with the Union's international commitments, including the GPA and~~**Article 3b of this Regulation as part of their subject matter, or in the case of works contracts including said technology, contracting authorities and contracting entities shall apply minimum mandatory requirements regarding**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		2014/23/EU, 2014/24/EU, or 2014/25/EU ~~*and applicable sectoral legislation, as well as with the Union's international commitments, including the GPA and other international agreements by which the Union is bound*~~. ***Contracting authorities and contracting entities shall ensure that the procurement process is open, non-discriminatory and transparency, allowing fair competition among all eligible suppliers***.	**environmental sustainability as defined in implementing acts referred to in paragraph 4.** **This shall not preclude contracting authorities and contracting entities from using** other ~~international agreements by which the Union is bound~~**minimum requirements or award criteria in relation to environmental sustainability**.	
Article 19(1a)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
244a		***Where a net-zero technology is not the main object of the contract but only part of it and the estimated value of the relevant part of the contract is above the thresholds set out in Directive 2014/23/EU, 2014/24/EU or 2014/25/EU, contracting authorities or contracting entities shall do one of the following:***		
Article 19(1), point (a)				
244b				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		(a) separate the net-zero technology part into dedicated lot or lots;		
Article 19(1), point (b)				
244c		***(b) prepare a separate contract or contracts for the net-zero technology part; or***		
Article 19(1), point (c)				
244d				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		(c) impose on the main contractor an obligation of competitive subcontracting for the supply of the respective net-zero technology products applying Directive 2014/23/EU, 2014/24/EU or 2014/25/EU, as appropriate, and this Article.		
Article 19(1b)				
244e				
Article 19(1c)				
244f				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 19(2)				
245	2. The tender's sustainability and resilience contribution shall be based on the following cumulative criteria which shall be objective, transparent and non-discriminatory:	2. The tender's ~~*sustainability and resilience*~~***environmental and social sustainability*** contribution shall be based on the following cumulative criteria which shall be objective, transparent and non-discriminatory:	2. ~~The tender's sustainability and resilience contribution shall be based on the following cumulative criteria which shall be objective, transparent and non-discriminatory:~~	
Article 19(2), point (a)				
246	(a) environmental sustainability	(a) environmental sustainability	(a) ~~environmental sustainability~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	going beyond the minimum requirements in applicable legislation;	going beyond the minimum requirements in applicable legislation;	~~going beyond the minimum requirements in applicable legislation;~~	
Article 19(2), point (b)				
247	(b) where an innovative solution needs to be developed, the impact and the quality of the implementation plan, including risk management measures;	(b) where an innovative solution needs to be developed, the impact and the quality of the implementation plan, including risk management measures;	(b) ~~where an innovative solution needs to be developed, the impact and the quality of the implementation plan, including risk management measures;~~	
Article 19(2), point (c)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
248	(c) where applicable, the tender's contribution to the energy system integration;	(c) where applicable, the tender's contribution to the energy system integration;	(c) ~~where applicable, the tender's contribution to the energy system integration;~~	
Article 19(2), point (d)				
249	(d) the tender's contribution to resilience, taking into account the proportion of the products originating from a single source of supply, as determined in accordance with Regulation (EU) No 952/2013 of the European	(d) the tender's contribution to ~~*resilience, taking into account the proportion of the products originating from a single source of supply, as determined in accordance with Regulation (EU) No 952/2013 of the European*~~	(d) ~~the tender's contribution to resilience, taking into account the proportion of the products originating from a single source of supply, as determined in accordance with Regulation (EU) No 952/2013 of the European~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Parliament and of the Council[1], from which more than 65% of the supply for that specific net-zero technology within the Union originates in the last year for which data is available for when the tender takes place. _____ 1. Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).	~~*Parliament and of the Council[1],*~~ ~~*from which more than 65% of the supply for that specific net-zero technology within the Union originates in the last year for which data is available for when the tender takes place*~~***decent wages and working conditions, including where relevant the offering of apprenticeships as well as well-defined objectives in terms of skilling, reskilling and upskilling, to increase the attractiveness of employment in net-zero industry sectors***. _____ ~~*1. Regulation (EU) No 952/2013*~~	~~Parliament and of the Council[1],~~ ~~from which more than 65% of the supply for that specific net-zero technology within the Union originates in the last year for which data is available for when the tender takes place.~~ _____ ~~1. Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		~~*of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).*~~		
Article 19(2), point (da)				
249a		***2a. The tender's resilience contribution shall be based on the following cumulative criteria, which shall be objective, transparent and non-discriminatory:***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 19(2), point (db)				
249b		***(a) where applicable, the tender's contribution to the energy security of the Union;***		
Article 19(2), point (dc)				
249c		***(b) the tender's contribution to the resilience of the Union, taking into account the security of***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		supplies by considering the proportion of the products originating from a single source of supply, as determined in accordance with Regulation (EU) No 952/2013. The supply shall be deemed insufficiently secured where a single source supplied, in the last year for which data is available, more than 50% of the total demand within the Union for a specific net-zero technology or the components primarily used for the production of these technologies;		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 19(2), point (dd)				
249d		***(c) where applicable, contribution to innovation by providing entirely new solutions or improving comparable state-of-the-art solutions.***		
Article 19(2a)(3)				
250	3. Contracting authorities and contracting entities shall give the tender's sustainability and	3. Contracting authorities and contracting entities shall give the ~~*tender's*~~ sustainability and	3. ~~Contracting authorities and contracting entities shall give the tender's sustainability and~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	resilience contribution a weight between 15% and 30% of the award criteria, without prejudice of the application of Article 41 (3) of Directive 2014/23/EU, Article 67 (5) of Directive 2014/24/EU or Article 82 (5) of Directive 2014/25/EU for giving a higher weighting to the criteria referred to in paragraph 2, points (a) and (b).	resilience contribution a weight ~~*between 15% and*~~***of at least*** 30% of the award criteria~~*, without prejudice of the application of Article 41 (3) of Directive 2014/23/EU, Article 67 (5) of Directive 2014/24/EU or Article 82 (5) of Directive 2014/25/EU for giving a higher weighting to the criteria referred to in paragraph 2, points (a) and (b)*~~ ***for the net-zero technology part of a tender, taking into account both the sustainability and the resilience contribution in a balanced way***.	~~resilience contribution a weight between 15% and 30% of the award criteria, without prejudice of the application of Article 41 (3) of Directive 2014/23/EU, Article 67 (5) of Directive 2014/24/EU or Article 82 (5) of Directive 2014/25/EU for giving a higher weighting to the criteria~~**The minimum mandatory requirements** referred to in paragraph ~~2, points (a) and (b).~~**1, where applicable shall take the form of:**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 19(3), second subparagraph				
250a		***For the implementation of the criteria referred to in paragraph 2a of this Article, the contracting authorities or contracting entities refer to the latest data entered in the list referred to in Article 22(2) of this Regulation, and the origin of supply shall be determined in accordance with Regulation (EU) No 952/2013.***	**(b) contract performance clauses within the meaning of Article 70 of Directive 2014/24/EU and of Article 87 of Directive 2014/25/EU and of the general principles of Directive 2014/23/EU.**	
Article 19(3), second subparagraph				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
250b			**(a) technical specifications or requirements within the meaning of Article 36 of Directive 2014/23/EU, of paragraph 1 of Annex VII of Directive 2014/24/EU and of Article 60 of Directive 2014/25/EU or**	
Article 19(2b)(4)				
251	4. The contracting authority or the contracting entity shall not be	4. ***By way of derogation from paragraph 3 of this Article,*** the	4. The ~~contracting authority or the contracting entity~~**Commission**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	obliged to apply the considerations relating to the sustainability and resilience contribution of net-zero technologies where their application would oblige that authority or entity to acquire equipment having disproportionate costs, or technical characteristics different from those of existing equipment, resulting in incompatibility, technical difficulties in operation and maintenance. Cost differences above 10% may be presumed by contracting authorities and contracting entities to be disproportionate.This provision shall be without prejudice of the	contracting authority or the contracting entity shall not be obliged to apply the considerations relating to the sustainability and resilience contribution of net-zero technologies where their application would ***clearly*** oblige that authority or entity to acquire equipment having disproportionate costs~~, or technical characteristics different from those of existing equipment, resulting in incompatibility, technical difficulties in operation and maintenance. Cost differences above 10%~~. ***Cost differences shall be calculated only for the cost of the equipment, excluding related***	shall ~~not be obliged to apply the considerations relating to the~~**adopt an implementing act specifying minimum requirements on environmental** sustainability ~~and resilience contribution of net-zero technologies where their application would oblige that authority or entity to acquire equipment having disproportionate costs, or technical characteristics different from those of existing equipment, resulting in incompatibility, technical difficulties in operation and maintenance. Cost differences above 10% may be presumed by contracting authorities and~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	possibility to exclude abnormally low tenders under Article 69 of Directive 2014/24/EU and Article 84 of Directive 2014/25/EU, and without prejudice to other contract award criteria according to the EU legislation, including social aspects according to Articles 30 (3) and 36 (1), second intent of Directive 2014/23/EU, Articles 18 (2) and 67 (2) of Directive 2014/24/EU and Articles 36 (2) and 82 (2) of Directive 2014/24/EU.	***services, and*** may be presumed by contracting authorities and contracting entities to be ~~*disproportionate.This*~~***disproportionate when they are above 30%, compared to a tender without the sustainability and resilience contribution.This*** provision shall be without prejudice of the possibility to exclude abnormally low tenders under Article 69 of Directive 2014/24/EU and Article 84 of Directive 2014/25/EU, ~~*and*~~ without prejudice to other contract award ***and exclusion*** criteria according to the EU legislation, ~~*including social aspects according to Articles 30 (3) and 36 (1),*~~	~~contracting entities to be disproportionate.This provision shall be without prejudice of the possibility to exclude abnormally low tenders under Article 69 of Directive 2014/24/EU and Article 84 of Directive 2014/25/EU, and without prejudice to other contract award criteria according to the EU legislation, including social aspects according to Articles 30 (3) and 36 (1), second intent of Directive 2014/23/EU, Articles 18 (2) and 67 (2) of Directive 2014/24/EU and Articles 36 (2) and 82 (2) of Directive 2014/24/EU.~~**. When adopting this implementing act the following elements shall at**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		~~second intent~~***and without prejudice to prerogative of contracting authorities to formulate technical specifications in line with Article 42*** of Directive ~~2014/23/EU, Articles 18 (2) and 67 (2) of Directive 2014/24/EU and Articles 36 (2) and 82 (2) of Directive 2014/24/EU~~***2014/24/EU in order to ensure the application of paragraph 3 of this Article does not lead to the procurement of incompatible equipment requiring unreasonably high costs to ensure the compatibility with the existing equipment***.	**least be considered:**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 19(4), second subparagraph				
251a		***The Net-Zero Europe Platform may issue recommendations to the contracting authorities and entities across the Union regarding appropriate higher thresholds for defining disproportionate costs in light of the market circumstances for specific net-zero technologies.***	**(a) the market situation at Union level of the relevant technologies,**	
Article 19(4), second subparagraph				
251b				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		Member States may adjust their overall budgets allocated to public procurement procedures as well as the related maximum bid levels in order to accommodate the implementation of non-price criteria	**(b) provisions regarding environmental sustainability set out in other Union legislative and non-legislative acts applicable to procurements covered by the obligation set out in paragraph 1,**	
Article 19(2b), (4) c				
251c		***4a. Contracting authorities shall apply the following prequalification conditions for procurement procedures under***	**(c) the Union's international commitments, including the GPA and other international agreements of which the Union is**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		this Article:	**bound.**	
Article 19(4a), point (a)				
251d		***(a) no more than 50% of the net-zero technology part of the tender, measured in financial value of the equipment as determined in accordance with Regulation (EU) No 952/2013, shall originate from third countries which are not signatories of the GPA;***	**(a) This implementing act shall be adopted within 9 months after the entry into force of this Regulation, in accordance with the examination procedure referred to in Article 34(3).**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 19(4a), point (a)				
251e		***(b) all equipment supplied under the net-zero technology part of the tender shall be certified in terms of cyber security insofar as a Union or national cyber security certification framework exists for the equipment;***		
Article 19(4a), point (a)				
251f		***(c) economic operators supplying***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		the net-zero technology part of the tender shall not be subject to an IPI measure as defined in the Regulation (EU) 2022/1031, in particular Articles 6 and 8 thereof.		
Article 19(4a), point (a)				
251g		***4b. A Member State shall not discriminate against, or subject to unjustified different treatment, a provider or net-zero products from another Member State, based on sustainability and resilience criteria.***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 19(2c), first subparagraph				
251h			**4a. The tender's resilience contribution, shall be taken into account in the case of public procurement procedures where contracts have strategic net-zero technology listed in Article 3b of this Regulation as part of their subject matter, or in the case of work contracts including said technology, and in the case of contracts awarded on the basis of a framework agreement where**	

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			the estimated value of those agreements is equal to or above the values set out in Article 8 of Directive 2014/23/EU, Article 4 of Directive 2014/24/EU and Article 15 of Directive 2014/25/EU.	
Article 19(2d)				
251i			**This shall not preclude contracting authorities and contracting entities from using additional non price criteria.**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 19(2c), second subparagraph				
251j			**At the time of the call for competition or commencement of such a procedure, where the Commission has determined in accordance with Article 22 paragraph 2 that the proportion of a specific strategic net-zero technology or the specific components primarily used for the production of those products originating in a third country accounts for more than 50% of**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			the supply of that specific strategic net-zero technology or of those specific components primarily used for the production of those products within the Union, contracting authorities and contracting entities shall include the following conditions for the public procurement procedures as referred to in paragraph 1:	
Article 19(2c), second subparagraph, point (a)				
251k			**(a) an obligation not to supply**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			more than 50 % of the value of the specific strategic net zero technology referred to in this paragraph from the third country as determined by the Commission;	
Article 19(2c), second subparagraph, point (b)				
2511			**(b) an obligation for the duration of the contract that main components of the strategic net-zero technology referred to in this paragraph supplied or provided in the execution of the**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			contract represent no more than 50 % of the value of the main components of the specific strategic net-zero technology referred to in this paragraph, irrespective of whether such components are supplied or provided directly by the successful tenderer or by a subcontractor from the third country as determined by the Commission;	
Article 19(2c), second subparagraph, point (c)				
251m				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			(c) to provide to the contracting authority or to the contracting entity upon their request adequate evidence corresponding to point (a) or (b), at the latest upon completion of the execution of the contract;	
Article 19(2c), second subparagraph, point (d)				
251n			**(d) to pay a proportionate charge, in the event of non-observance of the conditions referred in point (a) or (b), of at least 5% of the value of the**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			specific strategic net-zero technologies of the contract referred to in this paragraph.	
Article 19(2e)				
251o			**For contracts covered by the European Union's Annex I to the GPA as well as by other relevant international agreements by which the Union is bound, contracting authorities and contracting entities shall not apply the requirements of point (a) to (d) to economic operators**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			of sources of supply that are signatories to these agreements.	
Article 19(2f), first subparagraph				
251p			**4b. Contracting authorities and contracting entities may on an exceptional basis decide not to apply paragraphs 1, 2, 3 and 5 where:**	
Article 19(2f), first subparagraph, point (a)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
251q			**(a) the required net zero technology can only be supplied by a specific economic operator and no reasonable alternative or substitute exists and the absence of competition is not the result of an artificial narrowing down of the parameters of the procurement;**	
Article 19(2f), first subparagraph, point (b)				
251r			**(b) no suitable tenders or no**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			suitable requests to participate have been submitted in response to a previous public procurement procedure;	
Article 19(2f), first subparagraph, point (c)				
251s			**(c) their application would oblige that contracting authority or contracting entity to acquire equipment having disproportionate costs, or technical characteristics different from those of existing equipment, or would result in**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			incompatibility or technical difficulties in operation and maintenance.	
Article 19(2f), second subparagraph				
251t			**Estimated cost differences above 20%, based on objective and transparent data, may be presumed by contracting authorities and contracting entities to be disproportionate.**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 19(2g)				
251u			**This provision shall be without prejudice to the possibility of excluding abnormally low tenders under Article 69 of Directive 2014/24/EU and Article 84 of Directive 2014/25/EU.**	
Article 19(2h)				
251v				
Article 19(2i)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
251w				
Article 20				
252	Article 20 Auctions to deploy renewable energy sources	Article 20 Auctions to deploy renewable energy sources	Article 20 Auctions to deploy renewable energy sources	
Article 20(-1)(1)				
253	1. Without prejudice to Article 4 of Directive (EU) 2018/2001 and	1. Without prejudice to Article 4 of Directive (EU) 2018/2001 ***of the***	1. ~~Without prejudice to Article 4 of Directive (EU) 2018/2001 and~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Articles 107 and 108 the Treaty, and to the Union's international commitments including the GPA and other international agreements by which the Union is bound, Member States, regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law, shall assess the sustainability and resilience contribution as referred to in Article 19(2) of this Regulation when designing the criteria used for ranking bids in the framework of auctions, the aim of which is to support the production or	***European Parliament and of the Council***[1] and Articles 107 and 108 ~~*the Treaty, and to the*~~ ***TFEU, and*** Union's international commitments including the GPA and other international agreements by which the Union is bound, Member States, regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law, shall assess the sustainability and resilience contribution as referred to in Article 19(2) ***and (2a)*** of this Regulation when designing the criteria used for ranking bids in the	~~Articles 107 and 108 the Treaty, and to the Union's international commitments including the GPA and other international agreements by which the Union is bound, Member States, regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law, shall assess the sustainability and resilience contribution as referred to in Article 19(2) of~~**When designing auctions for the deployment of energy from renewable sources, and where technologies listed as a strategic net-zero technologies**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	consumption of energy from renewable sources as defined in Article 2, point (1) of Directive (EU) 2018/2001.	framework of auctions, the aim of which is to support the production or consumption of energy from renewable sources as defined in Article 2, point (1) of Directive (EU) 2018/2001. ***This shall not preclude thoses entities from using other non-price criteria.*** _____ ***1. Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).***	**under** this Regulation ~~when designing the criteria used for ranking bids in the framework of auctions, the aim of which is to support the production or consumption of energy from renewable sources as defined in Article 2, point (1) of Directive (EU) 2018/2001.~~**are allowed to participate, Member States shall include:**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 20(-1)(1), point (a)				
253a			**(a) pre-qualification criteria related to responsible business conduct, cybersecurity and data security and ability to deliver the project fully and on time;**	
Article 20(-1)(1), point (b)				
253b				
Article 20(-1)(1), point (c)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
253c				
Article 20(-1)(1), point (d)				
253d				
Article 20(-1)(1), point (e)				
253e				
Article 20(-1)(1), point (f)				
253f			**(b) pre-qualification criteria different than those referred to in point (a) or award criteria to assess the auction's sustainability**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			and resilience contribution as referred to in paragraph 1a.	
Article 20(-1), (1) a				
253g			**This is without prejudice to Article 4 of Directive (EU) 2018/2001 and Articles 107 and 108 the Treaty, and to the Union's international obligations.**	
Article 20(-1a), first subparagraph				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
253h			**1a. The auctions' sustainability and resilience contribution shall be based on the criterion set in point (a) and on at least one of the criteria laid down in points (b) to (d) which shall be objective, transparent and non-discriminatory:**	
Article 20(-1a), first subparagraph, point (a), first subparagraph				
253i			**(a) contribution to resilience, taking into account the**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			proportion of the strategic net-zero technologies or the specific components primarily used for the production of those products that originate from a third country accounting for more than 50% of the supply of that specific strategic net-zero technology within the Union;	
Article 20(-1a), first subparagraph, point (a), second subparagraph				
253j			**For the purpose of point (a), the country of origin shall be determined in accordance with**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			Regulation (EU) No 952/2013 of the European Parliament and of the Council;	
Article 20(-1a), first subparagraph, point (b)				
253k			**(b) environmental sustainability going beyond the minimum requirements in applicable legislation;**	
Article 20(-1a), first subparagraph, point (c)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
253l			**(c) contribution to innovation by providing entirely new solutions or improving comparable state-of-the-art solutions;**	
Article 20(-1b)				
253m			**contribution to the energy system integration.**	
Article 20(-1a), second subparagraph				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
253n			**This shall not preclude Member States from using additional non-price criteria beyond those listed in this paragraph 1a.This shall not preclude Member States from using additional non-price criteria beyond those listed in this paragraph 1a.**	
Article 20(-1c)				
253o			**The Commission will adopt an implementing act further**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			specifying the pre-qualification and award criteria.	
Article 20(-1d)				
253p			**This implementing act shall be adopted within 9 months after the entry into force of this Regulation in accordance with the examination procedure referred to in Article 34(3).**	
Article 20(2)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
254	2. The sustainability and resilience contribution shall be given a weight between 15% and 30% of the award criteria, without prejudice of the possibility to give a higher weighting to the criteria in Article 19(2), points (a) and (b), where applicable under Union legislation, and of any limit for non-price criteria set under State aid rules.	2. The sustainability and resilience contribution shall be given a weight between ~~*15% and 30%*~~***35% and 50%*** of the award criteria, ***taking into account both the sustainability and the resilience contribution in a balanced way,*** without prejudice ~~*of*~~***to*** the possibility to give a higher weighting to the criteria in Article 19(2), points (a) and (b), where applicable under Union legislation, and of any limit for non-price criteria set under State aid rules. ***When selecting, designing and implementing the concrete non-***	2. **When applied as award criteria, Member States shall give to each of the criteria to assess the auction's** ~~The~~ sustainability and resilience contribution ~~shall be given a~~ **a minimum weight of 5% and a combined** weight between 15% and 30% of the award criteria~~,~~**.** **This is** without prejudice of the possibility to give a higher weighting to the criteria **referred to in paragraph 1a**~~in Article 19(2)~~, points ~~(a) and (b), where applicable under Union legislation, and of~~**(b), (c) and (d), in**	

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		price criteria as part of the sustainability and resilience contribution, technology-specific characteristics shall be taken into account and effectively addressed.	**accordance with** any limit for non-price criteria set under State aid rules.	
Article 20(3)				
255	3. The Member States, regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law shall not be obliged to apply the	3. The Member States, regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law shall not be obliged to apply the	3. ~~The~~ Member States~~, regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law~~ shall not be obliged to apply the	

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	considerations relating to the sustainability and resilience contribution of net-zero technologies where their application would oblige those entities to acquire equipment having disproportionate costs, or technical characteristics different from those of existing equipment, resulting in incompatibility, technical difficulties in operation and maintenance. Cost differences above 10% may be presumed by contracting authorities and contracting entities to be disproportionate.	considerations relating to the sustainability and resilience contribution of net-zero technologies where their application would oblige those entities to acquire equipment having disproportionate costs. ***Cost differences above 10% may be presumed by contracting authorities and contracting entities to be disproportionate when the costs of the support offered by the public sector for the project would be more than 15% higher, compared to a procedure without the sustainability and resilience contributions. This paragraph shall be without***	considerations relating to the ~~sustainability and resilience contribution of net-zero technologies~~**pre-qualification and award criteria defined in paragraph 1** where their application would ~~oblige those entities to acquire equipment having~~**result in** disproportionate costs~~, or technical characteristics different from those of existing equipment, resulting in incompatibility, technical difficulties in operation and maintenance. Cost differences above 10%~~**. Estimated cost differences above 15%, based on objective and verifiable data,**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		prejudice to the prerogative of contracting authorities to formulate ~~*, or*~~ technical ~~*characteristics different from those of*~~ ***specifications in accordance with Article 42 of Directive 2014/24 in order to ensure the application of this paragraph does not lead to the procurement of incompatible equipment requiring unreasonably high costs to ensure the compatibility with the*** existing equipment~~*, resulting in incompatibility, technical difficulties in operation and maintenance. Cost differences above 10% may be presumed by contracting authorities and*~~	may be presumed by ~~contracting authorities and contracting entities~~**Member States** to be disproportionate.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		~~*contracting entities to be disproportionate*~~. ***Member States may adjust their overall budgets allocated to renewable energy auctions as well as the related maximum bid levels in order to accommodate the implementation of non-price criteria. Member States shall ensure that auctions include an inflation indexation mechanism. Negative bids shall, where appropriate, be excluded from auctions***.		
Article 20(3a), first subparagraph				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
255a		***3a. Authorities shall apply the following prequalification conditions for auctions under this Article:***		
Article 20(3a), first subparagraph, point (a)				
255b		***(a) no more than 50% of the net-zero technology part of the tender, measured in financial value of the equipment as determined in accordance with Regulation (EU) No 952/2013, shall originate from***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		third countries which are not signatories of the GPA;		
Article 20(3a), first subparagraph, point (b)				
255c		***(b) all equipment supplied under the net-zero technology part of the tender shall be certified in terms of cyber security insofar as a European or national cyber security certification framework exists for the equipment;***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 20(3a), first subparagraph, point (c)				
255d		***(c) economic operators supplying the net-zero technology part of the tender shall not be subject to an IPI measure as defined in the Regulation (EU) 2022/1031, in particular Articles 6 and 8 thereof.***		
Article 20(3a), second subparagraph				
255e		***Where the application of those prequalification conditions in an***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		auction results in no suitable bids, the contracting authority may restart the auction without the application of the prequalification conditions of points (a) and (c).		
Article 20(3b)				
255f			**3a. Paragraphs 1 to 3 shall apply to at least 20% of the volume auctioned per year per Member State. Upon entry into force of the implementing act as referred to in paragraph 5, paragraphs 1 to 3 shall apply to the volume**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			auctioned per year per Member State as defined in the implementing act referred to in paragraph 5.	
Article 20(3b), first subparagraph				
255g			**3b. By 31 December 2027and every two years thereafter, the Commission shall a adopt an implementing act to determine the shares of the volume auctioned per year per Member State to which paragraphs 1 to 3 shall apply , and to reduce the**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			threshold of the estimated cost differences referred to in paragraph 3. The determination of the share of the volume auctioned shall be based on a comprehensive assessment on the application of resilience and sustainability criteria for renewable energy auctions and their effect on the accelerated deployment of renewable energy technologies.	
Article 20(3c)				
255h				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			The implementing act referred to in subparagraph 1 shall ensure adequate appropriate time for implementation, ensuring at least 12 months after the entry into force of the implementing act, in order to adjust national law and auctions design.	
Article 20(3d)				
255i			**3c. For calculating the volumes auctioned per year per Member State the following auctions may**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			be excluded:	
Article 20(3d), point (a)				
255j			**(a) auctions for a specific technology where all auctions have been undersubscribed in the previous 2 years;**	
Article 20(3d), point (b)				
255k			**(b) auctions for installations**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			with a maximum project size of 10 MW.	
Article 20(3d), point (c)				
255l		***Article 20a*** ***Commission guidance***		
Article 20(3d), point (d)				
255m		***1. By ... [6 months from the date***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		of entry into force of this Regulation], the Commission shall provide clear guidance on the concrete implementation on Article 19 in combination with Article 20, by providing:		
Article 20(3d), point (e)				
255n		***(a) a catalogue of concrete and technology-specific potential non-price criteria for renewable energy auctions, which shall differentiate between non-price criteria suitable for competitive bidding***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		processes and non-price criteria suitable as prequalification requirements in renewable energy auctions;		
Article 20(3d), point (f)				
255o		***(b) a methodology on how to assess a tender's contribution to environmental and social sustainability and resilience referred to in Article 19(2), points (a) and (d);***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 20(3d), point (g)				
255p		***(c) a methodology on how to assess the cost differences referred to in Article 20(3).***		
Article 20(3e)				
255q		***2. The Commission shall evaluate the contribution of non-price criteria of this Regulation aiming to provide an incentive for the innovation required for achieving***		

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		the Union's 2030 and 2050 energy and climate targets and report to the European Parliament by ... [two years after the date of entry into force of this Regulation]. If necessary, the Commission shall modify the contribution of non-price criteria in order to foster manufacturing in the Union, ensuring high environmental and sustainability standards, developing value chains across the Union and increasing the competitiveness of Union businesses at global level.		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 20(3d)				
255r			**3d. To facilitate implementation for all Member States, in particular for those with low volume of auctions, Member States that have not launched more than 2 auctions per year during the last 2 years, may compute the share of auctions to which the non price criteria apply over the period of 2 years.**	
Article 20a				

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255s		***Article 20b*** ***Pre-commercial procurement and public procurement of innovative commercial solutions***		
Article 20a(1)				
255t		***1. Member States shall seek to use pre-commercial procurement for pre-commercial innovative net-zero technologies and public procurement of commercial***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		innovative net-zero technologies within the framework of the implementation of their National Energy and Climate Plans. Pre-commercial procurement and public procurement may be topped up with Union-level funding within the framework of existing Union Programmes for joint pre-commercial procurement or public procurement across Member States.		
Article 20a(2)				
255u				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		2. NECPs, NECP-updates and NECP progress reports shall detail the timing of the PCPs and PPIs and their objectives. The Net-Zero Europe Platform shall prepare recommendations on the design of pre-commercial procurement or public procurement.		
Article 21				
256	Article 21 Other forms of public intervention	Article 21 Other forms of public intervention	Article 21 Other forms of public intervention	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 21(1)				
257	1. Without prejudice to Articles 107 and 108 of the Treaty and Article 4 of Directive 2018/2001[1] and in line with the Union's international commitments, when deciding to set up schemes benefitting households or consumers which incentivise the purchase of net-zero technology final products listed in the Annex, Member States, regional or local authorities, bodies governed by	1. Without prejudice to Articles 107 and 108 ~~*of the Treaty*~~***TFEU*** and Article 4 of Directive ***(EU)*** 2018/2001[1] and in line with the Union's international commitments, when deciding to set up schemes benefitting households**,** ***business*** or consumers which incentivise the purchase of net-zero technology final products listed in ~~*the Annex*~~***Article 3a(1) of this Regulation***, Member States,	1. Without prejudice to Articles 107 and 108 of the Treaty and Article 4 of Directive 2018/2001[1] and in line with the Union's international commitments, when deciding to set up **new schemes or to update existing** schemes benefitting households**, companies** or consumers which incentivise the purchase of **strategic** net-zero technology final products ~~listed in the Annex~~, Member States,	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	public law or associations formed by one or more such authorities or one or more such bodies governed by public law, shall design them in such a way as to promote the purchase by beneficiaries of net-zero technology final products with a high sustainability and resilience contribution as referred in Article 19(2), by providing additional proportionate financial compensation. _____ 1. Directive 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of	regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law, shall design them in such a way as to promote the purchase by beneficiaries of net-zero technology final products with a high sustainability and resilience contribution as referred in Article 19(2) ***of this Regulation***, by providing additional proportionate financial compensation. _____ 1. Directive 2018/2001 of the European Parliament and of the	regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law, shall design them in such a way as to promote the purchase by beneficiaries of **strategic** net-zero technology final products with a high sustainability and resilience contribution as referred in Article ~~19(2)~~**21(3a)**, by providing additional proportionate financial compensation. _____ 1. **[1]** Directive 2018/2001 of the European	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	energy from renewable sources	Council of 11 December 2018 on the promotion of the use of energy from renewable sources	Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources	
Article 21(2)				
258	2. The additional financial compensation granted by authorities in accordance with paragraph 1, due to the application of the criteria referred to in Article 19(2) (b) (c) and (d) shall not exceed 5 % of the cost of the net-zero technology final product for	2. The additional financial compensation granted by authorities in accordance with paragraph 1, due to the application of the criteria referred to in Article 19(2)***, points (b),*** ~~*(b)*~~ (c) and (d) ***and Article 19(2a)*** shall not exceed 5 % of the cost of the net-zero	2. The additional financial compensation granted by authorities in accordance with paragraph 1, due to the application of the criteria referred to in Article ~~19(2) (b)~~**21(3a) (a),** (c) and (d) shall not exceed ~~5 %~~**5%** of the cost of the net-zero technology final	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	the consumer.	technology final product for the consumer***, except for schemes targeting citizens living in energy poverty for which the limit shall be 15%***.	product for the consumer.	
Article 21(3)				
259	3. When designing and implementing a scheme falling under paragraph 1, the authority shall base itself on an open, non-discriminatory and transparent process to assess the resilience and sustainability contribution of	3. When designing and implementing a scheme falling under paragraph 1, the authority shall base itself on an open, non-discriminatory and transparent process to assess the resilience and sustainability contribution of	3. When designing and implementing a scheme falling under paragraph 1, the authority shall base itself on an open, non-discriminatory and transparent process to assess the resilience and sustainability contribution of	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	available products on the market. Any net-zero technology final product shall be entitled to apply to join the scheme at any time. The authority shall specify a pass mark for products to be eligible to the additional financial compensation under the support scheme.	available products on the market. Any net-zero technology final product shall be entitled to apply to join the scheme at any time. The authority shall specify a pass mark for products to be eligible to the additional financial compensation under the support scheme.	available **strategic net-zero technology final** products on the market. Any **strategic** net-zero technology final product shall be entitled to apply to join the scheme at any time. The authority shall specify a pass mark for **strategic net-zero technology final** products to be eligible to the additional financial compensation under the support scheme.	
Article 21(3a), first subparagraph				
259a			**3a. The sustainability and**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			resilience contribution of other forms of public intervention shall be based on the following criteria which shall be objective, transparent and non-discriminatory:	
Article 21(3a), first subparagraph, point (a)				
259b			**(a) contribution to resilience, taking into account the proportion of the strategic net-zero technologies or the specific components primarily used for the production of those products**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			that originates from a third country that accounts for more than 50% of the supply of that specific strategic net-zero technology within the Union; **and at least one of the following:**	
Article 21(3a), first subparagraph, point (b)				
259c			**(b) environmental sustainability going beyond the minimum requirements in applicable**	

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			legislation;	
Article 21(3a), first subparagraph, point (c)				
259d			**(c) contribution to innovation by providing entirely new solutions or improving comparable state-of-the-art solutions;**	
Article 21(3a), first subparagraph, point (d)				
259e			**(d) contribution to the energy**	

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			system integration.	
Article 21(3a), second subparagraph				
259f			**This shall not preclude Member States from using additional non-price criteria beyond those listed in this paragraph 3a.**	
Article 21(3b)				
259g			**For the purpose of point (a), the**	

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			country of origin shall be determined in accordance with Regulation (EU) No 952/2013 of the European Parliament and of the Council.	
Article 21(4)				
260	4. Member States shall publish on a single free access website all information relating to schemes pursuant to Article 21(1) for each relevant net-zero technology product.	4. Member States shall publish on a single free access website all information relating to schemes pursuant to Article 21(1) for each relevant net-zero technology product.	4. Member States shall publish on a single free access website all information relating to schemes pursuant to Article 21(1) for each relevant **strategic** net-zero technology **final** product.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 22				
261	Article 22 Coordination of access to markets initiatives	Article 22 Coordination of access to markets initiatives	Article 22 Coordination of access to markets initiatives	
Article 22(1)				
262	1. Where relevant, the Commission shall provide	1. ~~*Where relevant*~~***By ... [12 months from the date of entry into***	1. ~~Where relevant,~~ The Commission shall provide	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	guidance on the criteria to assess the resilience and sustainability contribution of available products covered by the forms of public intervention covered under articles 19, 20 and 21.	***force of this Regulation]***, the Commission shall ~~*provide guidance on*~~***adopt an implementing act in accordance with the examination procedure referred to in Article 34(3) specifying*** the criteria to assess the resilience and sustainability contribution of available products covered by the forms of public intervention covered under Articles 19, 20 and 21***, in accordance with similar provisions in existing legal acts, and establishing the criteria for a derogation as provided for in Article 19(4). The Commission shall take the specific context of SMEs into consideration***.	guidance on **the application of** the criteria to assess the resilience and sustainability contribution of available products covered by the forms of public intervention covered under articles 19, 20 and 21.	

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Article 22(1a)				
262a		***1a. In the case of a conflict between the different award and sustainability criteria set under other Union legal acts, the Commission shall provide guidance on how those provisions coexist. The Commission shall review and, where necessary, update its guidance every six months.***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 22(1b)(2)				
263	2. The Commission shall make available and regularly update a list of each of the net-zero technology final products listed in the Annex, broken down by the share of Union supply originating in different third countries in the last year for which data is available.	2. The Commission shall make available and regularly update a list of ~~each~~***all*** of the net-zero technology final products listed in ~~the Annex~~***Article 3***, broken down by the share of Union supply originating in different third countries in the last year for which data is available. ***The Commission and the Net-Zero Europe Platform shall consult industrial stakeholders' associations and industrial players to this end.***	2. **For the assessment of the contribution to resilience,** the Commission shall ~~make available and regularly update~~**adopt an implementing act providing for** a list of each of the **strategic** net-zero technology final products ~~listed in the Annex, broken down by the share of Union supply originating in different third countries in the last year for which data is available~~**and their main components. The implementing act shall be adopted in**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			accordance with the examination procedure as referred to Article 34(3).	
Article 22(1b), (2) a				
263a			**Based on the implementing act referred to in subparagraph 1, the Commission shall provide updated information on the shares of the Union supply originating in different third countries in the last year for which data is available for each of the strategic net-zero**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			technologies and their main components. The country of origin shall be determined in accordance with Regulation (EU) 952/2013 of the European Parliament and of the Council.	
Article 22(3)				
264	3. The Net-Zero Europe Platform shall discuss measures carried out by Member States to implement Articles 19 and 21 and exchange best practices, inter alia, as concerns the practical use of	3. The Net-Zero Europe Platform shall discuss measures carried out by Member States to implement Articles 19 and 21 and exchange best practices, inter alia, as concerns the practical use of	3. The Net-Zero Europe Platform shall discuss measures carried out by Member States to implement Articles 19 ~~and~~**to** 21 and exchange best practices, inter alia, as concerns the practical use of	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	criteria defining the sustainability and resilience contribution in public procurement, or schemes incentivising the purchase of net-zero technology final products.	criteria defining the sustainability and resilience contribution in public procurement, or schemes incentivising the purchase of net-zero technology final products.	criteria defining the sustainability and resilience contribution in public procurement, or schemes incentivising the purchase of net-zero technology final products.	
Chapter V				
265	Chapter V. Enhancing skills for quality job creation	Chapter V. Enhancing skills for quality job creation	Chapter V. Enhancing skills for quality job creation	
Article 23				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
266	Article 23 European Net Zero Industry Academies	Article 23 European Net Zero Industry Academies	Article 23 European Net Zero Industry Academies	
Article 23(1)				
267	1. The Commission shall support, including through the provision of seed-funding, the establishment of European Net Zero Industry Academies, which have as their objectives to:	1. ***Based on a mapping excercise and referred to in Article 23a,*** the Commission shall support, including through the provision of seed-funding, the establishment of European Net Zero Industry	1. **Fully respecting the competence of Member States in the field of education and training,** the Commission ~~shall~~**may** support, including through the provision of seed-	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		Academies ***as a network of experts in net-zero technologies***, which have as their objectives to:	funding, the ~~establishment~~**launch** of European Net Zero Industry Academies, which have as their objectives to:	
Article 23(1), point (a)				
268	(a) develop learning programmes, content and learning and training materials for training and education on developing, producing, installing, commissioning, operating, maintaining and recycling net-zero technologies, on raw materials, as well as to support	(a) develop learning programmes, content and learning and training materials for training and education on developing, producing, installing, commissioning, operating, maintaining and recycling net-zero technologies ***and***, on raw materials ***that have***	(a) develop**, for voluntary use by Member States and education and training providers on their territories,** learning programmes, content and learning and training materials for training and education**, such as** on developing, producing, installing,	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	the capacities of public authorities competent to issue permits and authorisations referred to in Chapter II and contracting authorities referred to in Chapter IV of this Regulation;	***been identified by the mapping exercise***, as well as to support the capacities of public authorities competent to issue permits and authorisations referred to in Chapter II and contracting authorities referred to in Chapter IV of this Regulation;	commissioning, operating, maintaining**, repairing, ecodesigning, re-using** and recycling net-zero technologies, **including also** on raw materials, as well as to support the capacities of public authorities**, in particular, those** competent to issue permits and authorisations referred to in Chapter II and contracting authorities referred to in Chapter IV of this Regulation;	
Article 23(1), point (aa)				
268a				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		(aa) ensure that the learning programmes developed facilitate the acquisition and strengthening of transversal competences, beyond skills that are specific to a particular technology or a particular sector, to facilitate the adaptation from one industry to another, allowing learners to be mobile and adaptable to the ever-changing situation on the labour market and beyond;		
Article 23(1), point (ab)				
268b				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		(ab) ensure that the learning programmes contain relevant and accessible up-to-date information and training on health and safety issues as well as relevant information on workers' rights and working conditions;		
Article 23(1), point (ac)				
268c		***(ac) aim to enable the training and education of 100 000 learners per Academy, within three years of their establishment by encouraging professional lifelong***		

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		learning and upskilling or reskilling, including through apprenticeships, mentoring programmes as well as short and long duration training programmes;		
Article 23(1), point (b)				
269	(b) enable and promote the use of the learning programmes, content and materials by education and training providers in the Member States, among others by training trainers and develop mechanisms	(b) enable and promote the use of the learning programmes, content and materials by education and training providers in the Member States, ~~*among others by training trainers and develop mechanisms*~~	(b) ~~enable and~~ promote the **voluntary** use of the learning programmes, content and materials by education and training providers in the Member States~~, among others by training trainers and~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	to ensure the quality of the training offered by education and training providers in the Member States based on the above learning programmes, content and materials;	~~*to ensure the quality of the training offered by*~~***such as universities, research universities, universities of applied sciences and university alliances, undertakings that provide such*** education and training***, including SMEs, start-ups and social enterprises, social partners, and by training trainers*** ~~*providers in the Member States based on the above learning programmes, content and materials*~~;	~~develop mechanisms to ensure the quality of the training offered by education and training providers in the Member States based on the above learning programmes, content and materials~~;	
Article 23(1), point (ba)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
269a		***(ba) develop mechanisms to ensure the quality of the training offered by education and training providers in the Member States and, where applicable, in countries associated with Union research and innovation programmes, such as Horizon Europe and Digital Europe, based on learning programmes, content and materials of the European Net-Zero Industry Academies;***	**(ba) offer support to the education and training providers that use the learning programmes, content and materials produced by the academies to strengthen the quality of the training offered;**	
Article 23(1), point (bb)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
269b		***(bb) contribute to the long-term objective of simultaneously reindustrialising and decarbonising the Union as well as contributing to its open strategic autonomy and address the need for Union-made net-zero technologies and skilled workers;***		
Article 23(1), point (c)				
270	(c) develop and deploy credentials, including micro-credentials, to	(c) develop and deploy credentials, including micro-credentials, to	(c) develop ~~and deploy~~ credentials, including**, if appropriate,** micro-	

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	facilitate the transparency of skills acquired and enhance the transferability between jobs and the cross-border mobility of the workforce, and to promote matching with relevant jobs through tools such as the European Employment Services (EURES) network and EURAXESS.	facilitate the ~~*transparency*~~***recognition*** of skills acquired***, to*** ~~*and*~~ enhance the transferability between jobs and ***industries, to facilitate*** the cross-border mobility of the workforce, and to promote matching with relevant ***quality*** jobs through tools such as the European Employment Services (EURES) network and EURAXESS.	credentials, **for voluntary use by Member States and education and training providers on their territories, in order** to facilitate the transparency of skills acquired and enhance the transferability between jobs and the cross-border mobility of the workforce, and to promote matching with relevant jobs through tools such as the European Employment Services (EURES) network and EURAXESS **as well as to identify that a learning programme or learning content was developed by a European Net Zero Industry Academy**.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 23(1), point (ca)				
270a				
Article 23(2)				
271	2. European Net Zero Industry Academies shall counter gender stereotypes and pay particular attention to the need to activate more women and young people, who are not in education, employment or training for the labour market.	2. European ~~*Net Zero*~~***Net-Zero*** Industry Academies shall counter gender stereotypes and ~~*pay*~~***shall promote equal access to learning contents for all, paying*** particular attention to the need to activate more women and young people, ***in particular those*** who are not in	2. European Net Zero Industry Academies shall **produce gender-balanced content, contribute to** counter gender stereotypes and pay particular attention to the need to activate more women and young people, who are not in education, employment or training**, and older**	

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		education, employment or training***(NEETs), older people, workers in professions which are at risk of disappearing or the content and tasks of which are being highly transformed by new technologies and people working in regions in transition. The European Net-Zero Industry Academies shall promote diversity and inclusivity of people with disability, migrants and people in vulnerable situations*** ~~*for the labour market*~~.	**persons and persons with disabilities** for the labour market.	
Article 23a				

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271a		***Article 23a*** ***Establishment and governance of the European Net-Zero Industry Academies***		
Article 23(2a)				
271b		***1. A mapping exercise shall identify labour and skills shortages in key industrial sectors and net-zero industries based on the needs of industrial***		

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		transformation and decarbonisation and assess the access to training opportunities related to such technologies at national level.		
Article 23(2b)				
271c		***2. The mapping exercise shall analyse the root causes of such shortages, especially those related to the quality of the job offer, thus assessing whether additional measures are needed to attract more workers of all qualification***		

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		levels in certain industries.		
Article 23(2c)				
271d		***3. If, on the basis of the mapping exercise, a critical level of skills shortages in a strategic net-zero technology is identified, the Commission shall issue a call for proposals for the establishment of European Net-Zero Industry Academies.***		

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Article 23(2d)				
271e		***4. The members of Net-Zero Industry Academies shall comprise several actors, such as industries in which the use of net-zero technologies is key in their value chains, education and training providers, social partners and undertakings including SMEs. The composition of the membership shall, where possible, aim for geographical balance across Member States, while ensuring that the learning content developed by the European Net-***		

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		Zero Industry Academies is available in different languages so that the learning programmes be accessed by a maximum of learners, especially among the most vulnerable groups.		
Article 23a(5)				
271f		***5. A financial envelope of at least EUR 102 000 000 in current prices shall be made available for the establishment and functioning of the European Net-Zero Industry Academies between 1***		

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		January 2024 and 31 December 2027. Members States shall make use of relevant Union funds in particular the ESF+, for an effective deployment of the Academies' learning content, and shall provide information to the Commission on the amount of Union funds have been allocated to achieve that objective.		
Article 23(2e)				
271g		***6. Three years after their establishment, the European Net-***		

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		Zero Industry Academies shall become financially sustainable by receiving financial contributions from the private sector.		
Article 23(2f)				
271h		***7. The Net-Zero Europe Platform established pursuant to Article 28(1) shall monitor the work of the European Net-Zero Industry Academies and shall issue a report by 31 December 2026 on the deployment of their learning programmes.***		

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Article 23(2g)				
271i		***8. Without delay after the entry into force, the Commission shall launch the mapping process and issue a first call for proposals to establish European Net-Zero Industry Academies, which could benefit from the existing work and projects of relevant actors and Member States.***		
Article 23(2h)				

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271j		***9. By [31 December 2024], European Net-Zero Industry Academies shall be established.***		
Article 23(2i)				
271k		***10. By [31 December 2025], the European Net-Zero Industry Academies shall start providing and disseminating initial learning content. The deployment phase of the learning content shall pay particular attention to regions in***		

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		industrial transformation, with critical skills shortages or those with a high rate of unemployment, in particular youth unemployment.		
Article 24				
272	Article 24 Regulated professions in Net Zero Industries and recognition of professional qualifications	Article 24 Regulated professions in Net Zero Industries and recognition of professional qualifications	Article 24 Regulated professions in Net Zero Industries and recognition of professional qualifications	

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Article 24(1)				
273	1. By 31 December 2024 and every two years thereafter, Member States shall identify whether the learning programmes developed by the European net-zero industry academies are equivalent to the specific qualifications required by the host Member State to access regulated activities within the scope of a profession with particular interest for the net-zero industry. Member States shall ensure that the results of the assessments are made public and	1. By 31 December 2024 and every two years thereafter, Member States shall identify whether the learning programmes developed by the European net-zero industry academies are equivalent to the specific qualifications required by the host Member State to access regulated activities within the scope of a profession with particular interest for the net-zero industry ***to simultaneously reindustrialise and decarbonise with a view to aligning the***	1. By 31 December ~~2024~~**2025** and every two years thereafter, Member States shall **strive to** identify whether the learning programmes developed by the European net-zero industry academies are equivalent to the specific qualifications required by the host Member State to access regulated activities within the scope of a profession with particular interest for the net-zero industry~~. Member States shall ensure that the results of the assessments are made public~~	

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	easily accessible online.	***requested qualifications, covering both technical and academic qualifications***. Member States shall ensure that the results of the assessments are made public and easily accessible online. ***In the event that the learning programmes are deemed not to be equivalent to the qualifications required by the host Member State to access regulated activities, that Member State shall explain to the Commission the differences and specify how to achieve equivalence.***	~~and easily accessible online~~ **in that Member State**.	

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Article 24(2)				
274	2. If a Member State concludes there is equivalence, as described in the first paragraph of this Article, it shall facilitate the recognition of credentials issued by education and training providers on the basis of the learning programmes developed by the academies, under Title III Chapter I of Directive 2005/36/EC of the European Parliament and of the Council[1], whenever a holder of such a credential requests access to a regulated profession within the	2. If a Member State concludes there is equivalence, as described in the first paragraph of this Article, it shall***, in accordance with national law and practice, ensure*** facilitate the recognition of credentials issued by education and training providers on the basis of the learning programmes developed by the academies, under Title III Chapter I of Directive 2005/36/EC of the European Parliament and of the Council[1], whenever a holder of such a	2. If a Member State concludes ~~there is equivalence, as described in the first paragraph of this Article~~**that the learning programmes developed by the European Net-Zero industry Academies are equivalent to the specific qualifications required by the host Member State to access regulated activities within the scope of a profession with particular interest for the net-zero industry, it shall make this public and easily accessible**	

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	meaning of Article 3(1)(a) of Directive 2005/36/EC, and of particular importance for the net-zero industry, by accepting the credential as sufficient evidence of formal qualifications. _____ 1. Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (Text with EEA relevance), (OJ L 255, 30.9.2005, p. 22).	credential requests access to a regulated profession within the meaning of Article 3(1)(a) of Directive 2005/36/EC, and of particular importance for the net-zero industry, by accepting the credential as sufficient evidence of formal qualifications. _____ 1. Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (Text with EEA relevance), (OJ L 255, 30.9.2005, p. 22).	**online. In addition**, it shall facilitate the recognition of credentials issued by education and training providers on the basis of the learning programmes developed by the academies, under ~~Title III Chapter I of~~ Directive 2005/36/EC of the European Parliament and of the Council[1], whenever a holder of such a credential requests access to a regulated profession within the meaning of Article 3(1)(a) of Directive 2005/36/EC, and of particular importance for the net-zero industry, by ~~accepting~~**treating** the credential as ~~sufficient~~ evidence of formal qualifications**,**	

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			according to the Article 11 of the Directive 2005/36/EC. _____ 1. **[1]** Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications ~~(Text with EEA relevance),~~ (OJ L 255, 30.9.2005, p. 22).	
Article 24(3)				
275				

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	3. Where access to a profession of particular importance for the net-zero industry is regulated within the meaning of Article 3(1)(a) of Directive 2005/36/EC, Member States shall work towards developing a common set of minimum knowledge, skills and competences necessary for the pursuit of this specific profession with the purpose of establishing a Common Training Framework as referred to in Article 49a (1) of Directive 2005/36/EC of the European Parliament and of the Council to enable automatic recognition of qualifications. The Net Zero Industry Platform may	3. Where access to a profession of particular importance for the net-zero industry is regulated within the meaning of Article 3(1)(a) of Directive 2005/36/EC, Member States shall work towards developing a common set of minimum knowledge, skills and competences necessary for the pursuit of this specific profession with the purpose of establishing a Common Training Framework as referred to in Article 49a (1) of Directive 2005/36/EC of the European Parliament and of the Council to enable automatic recognition of qualifications. The Net Zero Industry Platform may	3. Where access to a profession of particular importance for the net-zero industry is regulated within the meaning of Article 3(1)(a) of Directive 2005/36/EC, Member States ~~shall~~**are recommended to** work towards developing a common set of minimum knowledge, skills and competences necessary for the pursuit of this specific profession with the purpose of establishing a Common Training Framework as referred to in Article 49a (1) of Directive 2005/36/EC of the European Parliament and of the Council to enable automatic recognition of qualifications. The Net Zero	

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	also submit suggestions as referred to in Article 49a (3) of Directive 2005/36/EC.	also submit suggestions as referred to in Article 49a (3) of Directive 2005/36/EC.	~~Industry~~ **Europe** Platform may also submit suggestions as referred to in Article 49a (3) of Directive 2005/36/EC.	
Article 25				
276	Article 25 Net-Zero Europe Platform and skills	Article 25 Net-Zero Europe Platform and skills	Article 25 Net-Zero Europe Platform and skills	
Article 25, first paragraph				

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277	The Net-Zero Europe Platform referred to in Article 28 shall support the availability and deployment of skills in net-zero technologies, and in competent authorities and contracting authorities referred to in Chapter II and Chapter IV, through the following tasks:	The Net-Zero Europe Platform referred to in Article 28 shall support the availability and deployment of skills in net-zero technologies, and in competent authorities and contracting authorities referred to in Chapter II and Chapter IV, through the following tasks***, while building upon existing structures within national educational and vocational training system***:	The Net-Zero Europe Platform referred to in Article 28 shall support **and supplement the action of the Member States, where feasible and avoiding disproportionate administrative burden for Member States as well as respecting their competence, by advising and assisting the Commission and Member States, including**~~the availability and deployment of skills in net-zero technologies, and in~~ competent authorities and contracting authorities referred to in Chapter II and Chapter IV,	

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			through the following tasks:	
Article 25, first paragraph, point (1)				
278	(1) assist the Commission in assessing, continuously monitoring and forecasting the demand and supply of a workforce with the skill sets needed in net-zero technologies and the availability and uptake of corresponding education and training opportunities, informing as appropriate the activities of the European Net-Zero Industry	(1) assist the Commission in assessing, continuously monitoring and forecasting the demand and supply of a workforce with the skill sets needed in net-zero technologies and the availability and uptake of corresponding education and training opportunities, informing as appropriate the activities of the European Net-Zero Industry	(1) assist the Commission in assessing, continuously monitoring and forecasting the demand and supply of a workforce with the skill sets needed in net-zero technologies ~~and the availability and uptake of corresponding education and training opportunities~~, informing as appropriate the activities of the European Net-Zero Industry	

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	Academies;	Academies~~;~~	Academies;	
Article 25, first paragraph, point (2)				
279	(2) monitor the activity of the European Net-Zero Industry Academies and of education and training providers who offer the learning programmes developed by the Academies, foster synergies with other national and Union skills initiatives and projects, and provide oversight;	(2) monitor the activity of the European Net-Zero Industry Academies and***, based on the data provided by Member States and national authorities pursuant to Article 31(2), collect information on how many people have benefited from*** ~~*of education and training providers who offer*~~ the learning programmes developed by the Academies ***and provide***	(2) monitor the activity of the European Net-Zero Industry Academies and ~~of education and training providers who offer the learning programmes developed by the Academies,~~ foster synergies with other national and Union skills initiatives and projects, **strengthen and scale-up good practices** and provide **general** oversight;	

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		disaggregated data by industrial sectors, gender, age, and levels of education and qualification, foster synergies with other national and Union skills initiatives and projects, and provide oversight ***so as to attract a diverse workforce, including through targeted communication campaigns***;		
Article 25, first paragraph, point (2a)				
279a				
Article 25, first paragraph, point (3)				

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280	(3) assist the mobilisation of stakeholders including industry, social partners and education and training providers for the roll-out of learning programs developed by the European Net-Zero Industry Academies;	(3) assist the mobilisation of stakeholders including industry, ***undertakings, including SMEs, start-ups and social enterprises,*** social partners and education and training providers***, such as universities, research universities, universities of applied sciences and university alliances*** for the roll-out of learning ~~*programs*~~***programmes*** developed by the European Net-Zero Industry Academies;	(3) assist the mobilisation of stakeholders including industry, social partners and education and training providers for the ~~roll-out~~**promotion** of learning programs developed by the European Net-Zero Industry Academies;	
Article 25, first paragraph, point (4)				

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281	(4) assist the uptake and recognition of learning credentials of the European Net-Zero Industry Academies in the Member States to promote the recognition of skills and the matching of skills and jobs, inter alia by promoting the validity and acceptance of the credentials throughout the labour market of the European Union;	(4) assist the uptake and recognition of learning credentials of the European Net-Zero Industry Academies in the Member States to promote the recognition of skills and the matching of skills and jobs, inter alia by promoting the validity and acceptance of the credentials throughout the ***Union's*** labour market of the European Union ***and by emphasising long-term training programmes and remunerated apprenticeships***;	(4) assist the uptake ~~and recognition~~ of learning credentials ~~of~~**developed by** the European Net-Zero Industry Academies in the Member States to promote the ~~recognition~~**identification** of skills and the matching of skills and jobs, inter alia by promoting the validity and acceptance of the credentials throughout the labour market of the European Union;	
Article 25, first paragraph, point (4a)				

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281a		***(4a) monitor the enforcement of the uptake and recognition of learning credentials and contribute to providing solutions where issues of non-recognition are detected;***		
Article 25, first paragraph, point (5)				
282	(5) facilitate the development of European occupation profiles consisting of a common set of knowledge, skills and competences	(5) facilitate the development of European occupation profiles consisting of a common set of knowledge, skills and competences	(5) facilitate**, where appropriate,** the development of ~~European~~ occupation profiles**, for the voluntary use by Member States,**	

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	for key professions in the net-zero technologies, drawing inter alia upon the learning programmes developed by the European Net-Zero Industry Academies, and, where appropriate, using the terminology provided by the European Skills, Competences, Qualifications and Occupations (ESCO) classification to facilitate transparency and mobility between jobs and across internal market borders;	for key professions in the net-zero technologies, drawing inter alia upon the learning programmes developed by the European Net-Zero Industry Academies, and, where appropriate, using the terminology provided by the European Skills, Competences, Qualifications and Occupations (ESCO) classification to facilitate transparency and mobility between jobs and across internal market borders;	consisting of a common set of knowledge, skills and competences for key professions in the net-zero technologies, drawing inter alia upon the learning programmes developed by the European Net-Zero Industry Academies, and, where appropriate, using the terminology provided by the European Skills, Competences, Qualifications and Occupations (ESCO) classification to facilitate transparency and mobility between jobs and across internal market borders;	

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Article 25, first paragraph, point (6)				
283	(6) promote adequate working conditions in jobs in net-zero technology industries, the activation of youth, women and seniors to the labour market for net-zero technology industries, and the attraction of skilled workers from third countries, and thereby achieve a more diverse workforce;	(6) promote ~~*adequate*~~***career prospects and quality*** working conditions***, including fair and adequate wages*** in jobs in net-zero technology industries ***as well as the appeal of technical education, the labour market integration***~~*, the activation*~~ of youth, women***, senior and people from disadvantaged background*** ~~*and seniors to the labour market*~~ for net-zero technology industries, and the attraction of skilled workers from third countries ***through***	(6) promote adequate working conditions in jobs in net-zero technology industries, the activation of youth, women and seniors to the labour market for net-zero technology industries, and the attraction of skilled workers from third countries, **in accordance with national competences, law and practice,** and thereby achieve a more diverse workforce;	

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		instruments such as the European Blue Card, and thereby achieve a more diverse workforce;		
Article 25, first paragraph, point (6a)				
283a		***(6a) encourage and support labour mobility across the Union and publish vacant posts by means of the EURES network;***		
Article 25, first paragraph, point (7)				

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284	(7) facilitate closer coordination and the exchange of best practices between Member States to enhance the availability of skills in the net-zero technologies, including by contributing to Union and Member States policies to attract new talents from third countries.	(7) facilitate closer coordination and the exchange of best practices ***and knowhow*** between Member States ***and within the private sector*** to enhance the availability of skills in the net-zero technologies, including by contributing to Union and Member States policies to attract new talents from third countries ***and from all educational levels***.	(7) facilitate closer coordination and the exchange of best practices between Member States to enhance the availability of skills in the net-zero technologies, including by contributing to Union and Member States policies to attract new talents from third countries**, in accordance with national competences, law and practice**. **This shall be done in coordination with the already existing structures of European cooperation in education and training;**	

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Article 25, first paragraph, point (7a)				
284a			**(7a) look for synergies with existing training or education programs, among others aiming at matching programs with the needs of the European industry.**	
Chapter VI				
285	Chapter VI.	Chapter VI.	Chapter VI.	

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	Innovation	Innovation	Innovation	
Article 26				
286	Article 26 Net-Zero regulatory sandboxes	Article 26 Net-Zero regulatory sandboxes	Article 26 Net-Zero regulatory sandboxes	
Article 26(-1)				
286a		***-1. By ... [3 months from the date of entry into force of this***		

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		Regulation], Member States shall designate or establish a single national competent authority which is to be responsible for the net-zero regulatory sandboxes. That authority shall be the sole contact point for any grouping of organisations willing to request the establishment of a net-zero regulatory sandbox pursuant to this Article.		
Article 26(1)				
287	1. Member States may at their own	1. Member States ***and where***	1. Member States may at their own	

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	initiative establish net-zero regulatory sandboxes, allowing for the development, testing and validation of innovative net-zero technologies, in a controlled real-world environment for a limited time before their placement on the market or putting into service, thus enhancing regulatory learning and potential scaling up and wider deployment. Member States shall establish net-zero regulatory sandboxes in accordance with paragraph 1 at the request of any company developing innovative net-zero technologies, which fulfils the eligibility and selection criteria referred to in paragraph 4(a) and	***appropriate together with local and regional authorities and other Member States,*** may at their own initiative establish net-zero regulatory sandboxes, allowing for the development, testing and validation of innovative net-zero technologies ***and other innovative technologies***, in a controlled real-world environment for a limited time before their placement on the market or putting into service, thus enhancing regulatory learning and potential scaling up and wider deployment. Member States shall establish net-zero regulatory sandboxes in ***close collaboration with industry and research***	initiative establish net-zero regulatory sandboxes, allowing for the development, testing and validation of innovative net-zero technologies **or other innovative technologies**, in a controlled real-world environment for a limited time before their placement on the market or putting into service~~, thus enhancing regulatory learning and potential scaling up and wider deployment~~. Member States shall establish net-zero regulatory sandboxes in accordance with paragraph 1 at the request of any company**,** **organisation or consortium** developing innovative net-zero	

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	which has been selected by the competent authorities following the selection procedure referred to in paragraph 4(b).	***institutes, and where relevant social partners and civil society, in*** accordance with paragraph 1 at the request of any company developing innovative net-zero ***technologies and other innovative*** technologies, which fulfils the eligibility and selection criteria referred to in paragraph 4(a) and which has been selected by the competent authorities following the selection procedure referred to in paragraph 4(b).	technologies~~,~~ which fulfils the eligibility and selection criteria referred to in paragraph ~~4(a)~~**2(a)** and which has been selected by the competent authorities following the selection procedure referred to in paragraph ~~4(b)~~**2(b)**.	
Article 26(2)				

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288	2. The modalities and the conditions for the establishment and operation of the net-zero regulatory sandboxes under this Regulation shall be adopted through implementing acts in accordance with the examination procedure referred to in Article 36. The modalities and conditions shall to the extent possible support flexibility for national competent authorities to establish and operate their Net-zero regulatory sandboxes, foster innovation and regulatory learning and shall particularly take into account the	2. The modalities and the conditions for the establishment and operation of the net-zero regulatory sandboxes under this Regulation shall be adopted through implementing acts in accordance with the examination procedure referred to in Article ~~36~~***34(3)***. The modalities and conditions shall to the extent possible support flexibility for national competent authorities to establish and operate their Net-zero regulatory sandboxes, foster innovation and regulatory learning and shall particularly take into	2. The modalities and the conditions for the establishment and operation of the net-zero regulatory sandboxes under this Regulation shall be adopted through implementing acts in accordance with the examination procedure referred to in Article ~~36~~**34**. The modalities and conditions shall ~~to the extent possible~~ support flexibility for national competent authorities to ~~establish and operate their~~**prioritise between and deciding on approval of applications for** Net-zero	

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	special circumstances and capacities of participating SMEs, including start-ups. The implementing acts referred to in paragraph 3 shall include common main principles on the following issues:	account the special circumstances and capacities of participating SMEs~~, including~~ ***- and*** start-ups. The implementing acts referred to ~~in~~***this*** paragraph ~~3~~ shall include common main principles on the following issues:	regulatory sandboxes~~,~~**. The modalities and conditions shall** foster innovation and regulatory learning and shall particularly take into account the special circumstances and capacities of participating SMEs, including start-ups. The implementing acts ~~referred to in paragraph 3~~ shall include common main principles on the following issues:	
Article 26(2), point (a)				
289	(a) eligibility and selection for	(a) eligibility and selection for	(a) eligibility and selection for	

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	participation in the net-zero regulatory sandboxes;	participation in the net-zero regulatory sandboxes;	participation in the net-zero regulatory sandboxes;	
Article 26(2), point (b)				
290	(b) procedure for the application, participation, monitoring, exiting from and termination of the net-zero regulatory sandboxes, including the sandbox plan and the exit report;	(b) procedure for the application, participation, monitoring, exiting from and termination of the net-zero regulatory sandboxes, including the sandbox plan and the exit report;	(b) procedure for the application, participation, monitoring, exiting from and termination of the net-zero regulatory sandboxes~~,~~ ~~including the sandbox plan and the exit report~~;	
Article 26(2), point (c)				

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291	(c) the terms and conditions applicable to the participants.	(c) the terms and conditions applicable to the participants.	(c) the terms and conditions applicable to the participants.	
Article 26(3)				
292	3. The participation in the net-zero regulatory sandboxes shall not affect the supervisory and corrective powers of the authorities supervising the sandbox. The testing, development and validation of innovative net-zero technologies shall take place under the direct	3. The participation in the net-zero regulatory sandboxes shall not affect the supervisory and corrective powers of the authorities supervising the ***regulatory*** sandbox. The testing, development and validation of innovative net-zero technologies ***and other***	3. The participation in the net-zero regulatory sandboxes shall not affect the supervisory and corrective powers of the authorities supervising the sandbox. The testing, development and validation of innovative net-zero technologies **or other innovative technologies**	

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	supervision and guidance of the competent authorities. The competent authorities shall exercise their supervisory powers in a flexible manner within the limits of the relevant legislation, adapting existing regulatory practices and using their discretionary powers when implementing and enforcing legal provisions to a specific net-zero regulatory sandbox project, with the objective of removing barriers, alleviating regulatory burden, reducing regulatory uncertainty, and supporting innovation in net-zero technologies.	***innovative technologies*** shall take place under the direct supervision and guidance of the competent authorities. The competent authorities shall exercise their supervisory powers in a flexible manner within the limits of the relevant legislation, adapting existing regulatory practices and using their discretionary powers when implementing and enforcing legal provisions to a specific net-zero regulatory sandbox project, with the objective of removing barriers, alleviating regulatory burden, reducing regulatory uncertainty, and supporting innovation in net-zero	shall take place under the ~~direct~~ supervision and ~~guidance~~**support** of the competent authorities. The competent authorities shall exercise their supervisory powers in a flexible manner within the limits of the relevant legislation, adapting existing regulatory practices and using their discretionary powers when implementing and enforcing legal provisions to a specific net-zero regulatory sandbox project, with the objective of removing barriers, alleviating regulatory burden, reducing regulatory uncertainty, and supporting innovation in net-zero **technologies or other innovative** technologies.	

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		technologies.		
Article 26(4)				
293	4. Where relevant to achieve the objective of this article, the competent authorities shall consider granting derogations or exemptions to the extent allowed by the relevant Union or national law. The competent authorities shall ensure that the sandbox plan ensures respect for the key objectives and essential requirements of the EU and	4. Where relevant to achieve the objective of this article, the competent authorities shall consider granting derogations or exemptions to the extent allowed by the relevant Union or national law. The competent authorities shall ensure that the sandbox plan ensures respect for the key objectives and essential requirements of the ~~*EU*~~***Union*** and	4. Where relevant to achieve the objective of this article, the competent authorities shall consider granting derogations or exemptions **in national law** to the extent allowed by the relevant Union ~~or national~~ law. The competent authorities shall ensure that the sandbox plan ensures respect for **requirements of the Union law and** ~~the~~ key objectives	

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	national legislation. Competent authorities shall make sure that any significant risks to health, safety or the environment identified during the development and testing of innovative net-zero technologies is publicly communicated and results in immediate suspension of the development and testing process until such risk is mitigated. Where competent authorities consider that the proposed project raises exceptional risks for the health and safety of workers, of the general population, or of the environment, in particular because it relates to testing, development or validation involving particularly toxic	national legislation. Competent authorities shall make sure that any significant risks to health, safety or the environment identified during the development and testing of innovative net-zero technologies ***and other innovative technologies*** is publicly communicated and results in immediate suspension of the development and testing process until such risk is mitigated. Where competent authorities consider that the proposed project raises exceptional risks for the health and safety of workers, of the general population, or of the environment, in particular because it relates to testing, development or	and essential requirements of ~~the EU and~~ national legislation. Competent authorities shall make sure that any significant risks to health, safety or the environment identified during the development and testing of innovative net-zero **technologies or other innovative** technologies is publicly communicated and results in immediate suspension of the development and testing process until such risk is mitigated. Where competent authorities consider that the proposed project raises exceptional risks for the health and safety of workers, of the general population, or of the environment,	

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	substances, they shall only approve the sandbox plan once they are satisfied that adequate safeguards have been put in place commensurate with the exceptional risk identified.	validation involving particularly toxic substances, they shall only approve the ***regulatory*** sandbox plan once they are satisfied that adequate safeguards have been put in place commensurate with the exceptional risk identified.	in particular because it relates to testing, development or validation involving particularly toxic substances, they shall only approve the sandbox plan once they are satisfied that adequate safeguards have been put in place commensurate with the exceptional risk identified.	
Article 26(5)				
294	5. Provided that the participant(s) respect the sandbox plan and the terms and conditions for their	5. Provided that the participant(s) respect the sandbox plan and the terms and conditions for their	5. ~~Provided that the participant(s) respect the sandbox plan and the terms and conditions for their~~	

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	participation issued in compliance with this Article and as referred to in paragraph 2 and follow in good faith the guidance given by the authorities, no administrative fines or other penalties shall be imposed by the authorities for infringement of applicable Union or Member State legislation relating to the net zero technology supervised in the regulatory sandbox.	participation issued in compliance with this Article and as referred to in paragraph 2 and follow in good faith the guidance given by the authorities, no administrative fines or other penalties shall be imposed by the authorities for infringement of applicable Union or Member State legislation relating to the net zero technology supervised in the regulatory sandbox.	~~participation issued in compliance with this Article and as referred to in paragraph 2 and follow in good faith the guidance given by the authorities, no administrative fines or other penalties shall be imposed by the authorities for infringement of applicable Union or Member State legislation relating to the net zero technology supervised in the regulatory sandbox.~~	
Article 26(6)				
295	6. Participants in the innovative	6. Participants in the innovative	6. Participants in the ~~innovative~~	

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	net-zero regulatory sandbox shall remain liable under applicable Union and Member States' liability legislation for any harm inflicted on third parties as a result of the testing taking place in the regulatory sandbox.	net-zero regulatory sandbox shall remain liable under applicable Union and Member States' liability legislation for any harm inflicted on third parties as a result of the testing taking place in the regulatory sandbox.	net-zero regulatory sandbox shall remain liable under applicable Union and Member States' liability legislation for any **material** harm inflicted on third parties as a result of the testing taking place in the regulatory sandbox.	
Article 26(7)				
296	7. The duration of the net-zero regulatory sandbox may be extended through the same procedure upon agreement of the national competent authority.	7. The duration of the net-zero regulatory sandbox may be extended through the same procedure upon agreement of the national competent authority.	7. The duration of the net-zero regulatory sandbox may be extended through the same procedure upon agreement of the national competent authority.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 26(8)				
297	8. The net-zero regulatory sandboxes shall be designed and implemented in such a way that, where relevant, they facilitate cross-border cooperation between the national competent authorities. Member States that have established net-zero regulatory sandboxes shall coordinate their activities and cooperate within the framework of the Net-Zero Europe Platform with the objectives of	8. The net-zero regulatory sandboxes shall be designed and implemented in such a way that, where relevant, they facilitate cross-border cooperation between the national competent authorities. Member States that have established net-zero regulatory sandboxes shall coordinate their activities and cooperate within the framework of the Net-Zero Europe Platform with the objectives of	8. The net-zero regulatory sandboxes shall be designed and implemented in such a way that, where relevant, they facilitate cross-border cooperation between the national competent authorities. Member States that have established net-zero regulatory sandboxes shall coordinate their activities and cooperate within the framework of the Net-Zero Europe Platform with the objectives of	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	sharing relevant information. They shall report annually to the Commission on the results of the implementation of regulatory sandboxes, including good practices, lessons learnt and recommendations on their setup and, where relevant, on the application within the regulatory sandbox of this Regulation and other Union legislation in a manner adapted for the purposes of the sandbox.	sharing relevant information. They shall report annually to the Commission on the results of the implementation of regulatory sandboxes, including good practices, lessons learnt and recommendations on their setup and, where relevant, on the application within the regulatory sandbox of this Regulation and other Union legislation in a manner adapted for the purposes of the sandbox.	sharing relevant information **with other Member States within the Platform. The Platform may invite companies who have participated in a net-zero regulatory sandbox to share their experience of the process.** ~~. They shall report annually to~~ The Commission **shall, on the basis of information provided by the Platform, report annually** on the results of the implementation of regulatory sandboxes, including good practices, lessons learnt and recommendations on their setup and, where relevant, on the application within the regulatory sandbox of this Regulation and	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			other Union legislation in a manner adapted for the purposes of the sandbox.	
Article 26a				
297a		***Article 26a*** ***Innovation for competitiveness and decarbonisation***		
Article 26a(1)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
297b		***1. The measures in this Section shall aim to accelerate innovation in energy technologies within the Union, in order to accelerate the deployment of those technologies to foster the Union's decarbonisation efforts as well as to increase the global competitiveness of the Union's net-zero industry with the view of securing the Union's open strategic autonomy by increasing the export of those technologies as well as the domestic supply***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 26b				
297c		***Article 26b*** ***Innovation Principle***		
Article 26b(1)				
297d		***1. Without prejudice to its competences under the Treaties, and in line with its Better Regulation Guidelines of 3 November.2021, the Commission shall apply the innovation***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		principle, as described in the Better Regulation Tool #22 as well as in the Commission communication of 15 May 2018 entitled "A renewed European Agenda for Research and Innovation - Europe's chance to shape its future", during the preparation of new Union legal acts as well as during the review and revision of existing Union legal acts, with a view of ensuring that the regulatory framework of the internal market fosters and is supportive of innovation.		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 26c				
297e		***Article 26c*** ***SET Plan Board***		
Article 26c(1)				
297f		***1. For the purpose of establishing and implementing the SET Plan referred to in Article 26d, the Commission shall set up a SET Plan Board. The SET Plan Board shall be responsible for the***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		strategic direction as well as general decisions, including the decision on the technologies to be included on the SET Plan and its implementation.		
Article 26c(2)				
297g		***2. The SET Plan Board shall be composed Member States and of the Commission. It shall be chaired by a representative of the Commission. It shall include structural and permanent involvement of industry and***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		research actors.		
Article 26c(3)				
297h		***3. Each Member State shall appoint a high-level representative to the SET Plan Board. Where relevant as regards the function and expertise, a Member State may have more than one representative in relation to different tasks related to the work of the SET Plan Board. Each member of the SET Plan Board shall have an alternate.***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 26c(4)				
297i		***4. On a proposal by the Commission, the SET Plan Board shall adopt its rules of procedure by a simple majority of its members.***		
Article 26c(5)				
297j		***5. The SET Plan Board shall***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		meet at regular intervals to ensure the effective performance of its tasks specified in this Regulation. Where necessary, the SET Plan Board shall meet at the reasoned request of the Commission or a simple majority of its members.		
Article 26c(6)				
297k		***6. The Commission shall assist the SET Plan Board by means of an executive secretariat that provides technical and logistic support.***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 26c(7)				
297l		***7. The SET Plan Board may establish standing or temporary sub-groups dealing with specific questions and tasks.***		
Article 26c(8)				
297m		***8. The SET Plan Board shall invite representatives of the***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		European Parliament to attend its meetings as observers, including of the standing or temporary sub-groups referred to in paragraph 7.		
Article 26c(9)				
297n		***9. Where appropriate, the SET Plan Board or the Commission may invite experts and other third parties to SET Plan Board and sub-group meetings or to provide written contributions.***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 26c(10)				
297o		***10. The SET Plan Board shall take the necessary measures to ensure the safe handling and processing of confidential and commercially sensitive information.***		
Article 26c(11)				
297p		***11. The SET Plan Board shall use its best endeavours to reach***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		consensus.		
Article 26d				
297q		***Article 26d*** ***Strategic Energy Technology Plan***		
Article 26d(1)				
297r		***1. By ... [3 months from the date of entry into force of this***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		Regulation], the SET Plan Board referred to in Article 26c shall establish a Strategic Energy Technology Plan (SET Plan). The objective of the SET Plan shall be to ensure a focus on and coordination between different funding schemes and sources, at Union, national and sub-national level and to support the development of climate-neutral energy technologies as well as of ensuring strategic alignment on priorities for research, innovation and deployment of clean energy technologies.		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 26d(2)				
297s		***2. The SET Plan shall identify the energy technologies which are of strategic importance for the Union, taking into account their contribution to the Union's climate-neutrality objectives as well as to the Union's industrial competitiveness, and which require research and innovation activities to reach the maturity needed for full-scale deployment.***		
Article 26d(3)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
297t		***3. The SET Plan Board referred to in Article 26c shall be responsible for the implementation of the SET Plan. For the purposes of the implementation of the SET Plan, the Commission shall adopt the list of technologies identified in the SET Plan by means of an implementing act in accordance with the examination procedure referred to in Article 34(3).***		
Article 26d(4)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
297u		***4. Under the authority of the SET Plan Board and with deep involvement of the relevant sectors, including the research sector, research and innovation agendas shall be developed for each of the energy technologies identified in the SET Plan. Those agendas shall be the basis for coordination between the Union and the Member States regarding funding for the activities identified in the agenda as well as regarding the technology infrastructures needed for those technologies. Those agendas shall be endorsed***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		by the SET Plan Board.		
Article 26d(5)				
297v		***5. The Commission shall report annually to the Council and the European Parliament on the progress of the SET Plan. The SET Plan shall be reviewed and if necessary revised within 18 months after each election of the European Parliament.***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 27				
298	Article 27 Measures for small and medium enterprises	Article 27 Measures for ~~*small and medium enterprises*~~***SMEs and start-ups***	Article 27 Measures for small and ~~medium~~**medium-sized** enterprises**, including start-ups**	
Article 27(1)				
299	1. Member States shall undertake the following actions:	1. Member States shall undertake the following actions:	1. Member States shall undertake the following actions:	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 27(1), point (a)				
300	(a) provide small and medium enterprises with priority access to the Innovative Net-zero regulatory sandboxes to the extent that they fulfil the eligibility conditions set in Article 26;	(a) provide ~~*small and medium enterprises*~~***SMEs*** with priority access to the Innovative Net-zero regulatory sandboxes to the extent that they fulfil the eligibility conditions set in Article 26;	(a) provide small and ~~medium~~**medium-sized** enterprises**, including start-ups,** with priority access to the ~~Innovative~~ Net-zero regulatory sandboxes to the extent that they fulfil the eligibility conditions set in Article 26;	
Article 27(1), point (b)				
301	(b) organise awareness raising	(b) organise awareness raising	(b) organise awareness raising	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	activities about participation to the regulatory sandboxes by small and medium enterprises;	activities about participation to the regulatory sandboxes by ~~*small and medium enterprises*~~***SMEs***;	activities about participation to the regulatory sandboxes by small and ~~medium~~**medium-sized** enterprises**, including start-ups**;	
Article 27(1), point (c)				
302	(c) where appropriate, establish a dedicated channel for communication with small and medium enterprises to provide guidance and respond to queries about the implementation of Article 26.	(c) where appropriate, establish a dedicated channel for communication with ~~*small and medium enterprises*~~***SMEs*** to provide guidance and respond to queries about the implementation of Article 26.	(c) where appropriate, establish a dedicated channel for communication with small and ~~medium~~**medium-sized** enterprises**, including start-ups,** to provide guidance and respond to queries about the implementation of Article 26.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 27(2)				
303	2. Member States shall take into account the specific interests and needs of small and medium enterprises , and provide adequate administrative support to take part in the regulatory sandboxes. Without prejudice to the application of Articles 107 and 108 of the Treaty, Member States should inform small and medium enterprises of available financial support to their activities in the	2. Member States shall take into account the specific interests and needs of ~~*small and medium enterprises*~~ ***SMEs***, and provide adequate administrative support to take part in the regulatory sandboxes. Without prejudice to the application of Articles 107 and 108 ~~*of the Treaty*~~***TFEU***, Member States should inform ~~*small and medium enterprises*~~***SMEs*** of available financial support to their	2. Member States shall take into account the specific interests and needs of small and ~~medium~~**medium-sized** enterprises**, including start-ups**~~-~~, and provide adequate administrative support to take part in the regulatory sandboxes. Without prejudice to the application of Articles 107 and 108 of the Treaty, Member States should inform small and ~~medium~~**medium-sized** enterprises**,**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	regulatory sandboxes.	activities in the regulatory sandboxes.	**including start-ups,** of available financial support to their activities in the regulatory sandboxes.	
Article 27(2a)				
303a		***2a. This Article shall apply to start-ups.***		
Chapter VII				
304				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Chapter VII. Governance	Chapter VII. Governance	Chapter VII. Governance	
Article 28				
305	Article 28 Establishment and tasks of the Net-Zero Europe Platform	Article 28 Establishment and tasks of the Net-Zero Europe Platform	Article 28 Establishment and tasks of the Net-Zero Europe Platform	
Article 28(1)				
306				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	1. The Net-Zero Europe Platform ('the Platform') is established.	1. The Net-Zero Europe Platform ('the Platform') is ***hereby*** established.	1. The Net-Zero Europe Platform ('the Platform') is established.	
Article 28(2)				
307	2. The Platform shall perform the tasks set out in this Regulation.	2. The Platform shall perform the tasks set out in this Regulation.	2. The Platform shall perform the tasks set out in this Regulation.	
Article 28(3)				
308				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	3. The Platform may advise and assist the Commission and Member States in relation to their actions to reach the objectives outlined in Chapter I of this Regulation, taking into account Member States' national energy and climate plans submitted under Regulation (EU) 2018/1999[1]. _____ 1. Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations	3. The Platform may advise and assist the Commission and Member States in relation to their actions to reach the objectives ~~*outlined in Chapter I*~~***set out*** of this Regulation, taking into account Member States' national energy and climate plans submitted under Regulation (EU) 2018/1999[1]. _____ 1. Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations	3. The Platform may advise and assist the Commission and Member States in relation to their actions to reach the objectives outlined in Chapter I of this Regulation, taking into account Member States' national energy and climate plans submitted under Regulation (EU) 2018/1999[1]. _____ 1. **[1]** Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action,	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	(EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (Text with EEA relevance.), (OJ L 328, 21.12.2018, p. 1).	(EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (Text with EEA relevance.), (OJ L 328, 21.12.2018, p. 1).	amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (Text with EEA relevance.), (OJ L 328, 21.12.2018, p. 1).	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 28(4)				
309	4. The Commission and Member States may coordinate within the Platform on the Net-Zero Industrial Partnerships and also with relevant third countries to help promote the adoption of net-zero technologies globally and to support the role of Union industrial capabilities in paving the way for the global clean energy transition, in line with the overall objectives of this Regulation stemming from Article	4. The Commission and Member States ~~*may*~~***shall*** coordinate within the Platform ~~*on the Net-Zero Industrial Partnerships*~~ and also with relevant third countries to help promote the adoption of net-zero technologies globally***, to collaborate in the development of net-zero innovative technologies*** and to support the role of Union industrial capabilities in paving the way for the global clean energy	4. ~~The Commission and Member States~~**Members of the Net-Zero Platform** may coordinate within the Platform on the Net-Zero Industrial Partnerships ~~and also with relevant third countries~~ to help promote the adoption of net-zero technologies globally and to support the role of Union industrial capabilities in paving the way for the global clean energy transition, in line with the overall objectives	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	1 of this Regulation. The Platform may periodically discuss:	transition, in line with the overall objectives of this Regulation stemming from Article 1 of this Regulation. The Platform ~~*may periodically discuss*~~***shall***:	of this Regulation stemming from Article 1 of this Regulation. The Platform may periodically discuss**, among other topics**:	
Article 28(4), point (a)				
310	(a) how to improve cooperation along the net-zero value chain between the Union and third countries;	(a) ~~*how*~~***discuss with and, where necessary, recommend to the Commission and Member States, ways*** to improve ***and promote*** cooperation***, knowhow and technology sharing*** along the net-zero value chain between the	(a) how to improve cooperation along the net-zero value chain between the Union and third countries;	

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		Union and third countries;		
Article 28(4), point (aa)				
310a		***(aa) discuss with and, where necessary, recommend to the Commission, ways to ensure articulation and alignment of this regulation with other Union initiatives or temporary schemes falling under the Green Deal Industrial Plan;***		

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Article 28(4), point (ab)				
310b		***(ab) monitor progress on value chains for net-zero technologies, track technological and industrial changes, and identify future emerging strategic value chains;***		
Article 28(4), point (ac)				
310c		***(ac) monitor the timely notification of State aid by***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		Member States and its authorisation by the Commission;		
Article 28(4), point (ad)				
310d		***(ad) monitor requests for access to grants through Union funds and programmes for purposes related to this Regulation and, where necessary, issue recommendations to coordinate, accelerate and facilitate the procedure;***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 28(4), point (ae)				
310e		***(ae) assess investment and funding needs, provide guidance on skills development, and discuss best practices with regard to the implementation of Section I of Chapter II as well as to Articles 12 and 13 and accelerating the permitting deadlines;***		
Article 28(4), point (b)				
311				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	(b) how to address non-tariff barriers to trade, such as through mutual recognition of conformity assessment or commitments to avoid export restrictions;	(b) ***discuss with and, where necessary, recommend to the Commission,*** how to address non-tariff barriers to trade, such as through mutual recognition of conformity assessment or commitments to avoid export restrictions;	(b) how to address non-tariff barriers to trade, such as through mutual recognition of conformity assessment or commitments to avoid export restrictions;	
Article 28(4), point (c)				
312	(c) which third countries should be prioritised for the conclusion of Net-Zero Industrial Partnerships,	(c) ***recommend to the Commission*** which third countries should be prioritised for the conclusion of Net-Zero Industrial	(c) which third countries ~~should~~**could** be prioritised for the conclusion of Net-Zero Industrial Partnerships, taking into account	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	taking into account the following:	Partnerships, taking into account the following:	the following:	
Article 28(4), point (c)(i)				
313	i) the potential contribution to security of supply, taking into account their manufacturing capacity of net-zero technologies;	i) the potential contribution to security of supply, taking into account their manufacturing capacity of net-zero technologies;	i) the potential contribution to security of supply, taking into account their manufacturing capacity of net-zero technologies;	
Article 28(4), point (c)(ii)				
314				

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	ii) whether there are existing cooperation agreements between a third country and the Union.	ii) whether there are existing cooperation agreements between a third country and the Union-;	ii) whether there are existing cooperation agreements between a third country and the Union-;	
Article 28(4), point (c)(iia)				
314a		*(iia) CO_2 injection and storage capacities within their territories;*	**(iia) whether a third country's regulatory framework and its implementation ensures the monitoring, prevention and minimisation of environmental impacts, the use of socially responsible practices including respect of human and labour rights and meaningful and**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			equitable engagement with local communities, the use of transparent business practices and the prevention of adverse impacts on the proper functioning of public administration and the rule of law;	
Article 28(4), point (ca)				
314b		***(ca) evaluate trade defence tools to counter any measures from third countries that may arise and jeopardise the objectives set in***	**(iib) how to incentivise production in Europe, by addressing funding, regulatory framework and investment and**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		Article 1.	**location guarantees.**	
Article 28(4), point (c)(iic)				
314c			***This paragraph shall be without prejudice to the prerogatives of the Council in accordance with the Treaties***	
Article 28(5)				
315	5. Member States shall support the	5. Member States shall support the	5. Member States shall support the	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Commission in the implementation of the cooperation measures set out in the Net-Zero Industrial Partnership. Net-Zero Industrial Partnerships will have the objective of facilitating trade among participants, including by favouring necessary investments within the Union and in third countries, enhancing resilience and sustainability of the supportive value chains, and guaranteeing a level playing field.	Commission in the implementation of the cooperation measures set out in the Net-Zero Industrial Partnership. Net-Zero Industrial Partnerships will have the objective of facilitating trade among participants, including by favouring necessary investments within the Union and in third countries, enhancing resilience and sustainability of the supportive value chains, and guaranteeing a level playing field.	Commission in the implementation of the cooperation measures set out in the Net-Zero Industrial Partnership. ~~Net-Zero Industrial Partnerships will have the objective of facilitating trade among participants, including by favouring necessary investments within the Union and in third countries, enhancing resilience and sustainability of the supportive value chains, and guaranteeing a level playing field.~~	
Article 28(5a)				

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315a		***5a. The Platform shall, on a regular basis and at least once a year, assess the global competitiveness of the European industries within the scope of this Regulation and shall recommend actions to improve competitiveness.***		
Article 28(5b)				
315b		***5b. By ... [3 months from the date of the date of entry into force of***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		this Regulation] and every three months thereafter, the Commission shall provide the Platform as well as the Net- Zero Industry Advisory Group and the European Scientific Advisory Board on Review and Regulatory Burden with a report on the implementation of a competitiveness Competitive Check. The report shall set out which legislative proposals were made in the three months covered by the report, how the Competitiveness Check was applied in the preparation of those proposals, and which changes were made to the proposals in		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		order to ensure that they would not unnecessarily harm the Union's competitiveness. At least twice per year, on the basis of input from the Net- Zero Industry Advisory Group, the Platform shall discuss the implementation of the Competitiveness Check.		
Article 28(5c)				
315c		***5c. The Platform shall regularly coordinate with the High-Level Forum on Standardisation to discuss the use of standardisation***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		to support the development of net-zero technologies in Europe.		
Article 29				
316	Article 29 Structure and functioning of the Net-Zero Europe Platform	Article 29 Structure and functioning of the Net-Zero Europe Platform	Article 29 Structure and functioning of the Net-Zero Europe Platform	
Article 29(1)				
317				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	1. The Platform shall be composed Member States and of the Commission. It shall be chaired by a representative of the Commission.	1. The Platform shall be composed Member States ~~*and of the Commission*~~***the Commission, and the European Parliament***. It shall be chaired by a representative of the Commission.	1. The Platform shall be composed **of representatives of** Member States and of the Commission. It shall be chaired by a representative of the Commission.	
Article 29(2)				
318	2. Each Member State shall appoint a high-level representative to the Platform. Where relevant as regards the function and expertise, a Member State may have more than one representative in relation	2. Each Member State ***and the European Parliament*** shall appoint a high-level representative to the Platform. Where relevant as regards the function and expertise, a Member State ***and the European***	2. Each Member State shall appoint a high-level representative to the Platform. Where relevant as regards the function and expertise, a Member State may have more than one representative in relation	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	to different tasks related to the work of the Platform. Each member of the Platform shall have an alternate.	***Parliament*** may have more than one representative in relation to different tasks related to the work of the Platform. Each member of the Platform shall have an alternate.	to different tasks related to the work of the Platform. Each member of the Platform shall have an alternate. **Only Member States shall have voting rights. Each Member State shall have only one vote regardless the number of representatives.**	
Article 29(3)				
319	3. On a proposal by the Commission, the Platform shall adopt its rules of procedure by a simple majority of its members.	3. On a proposal by the Commission, the Platform shall adopt its rules of procedure by a simple majority of its members.	3. On a proposal by the Commission, the Platform shall adopt its rules of procedure by a simple majority of its members.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 29(4)				
320	4. The Platform shall meet at regular intervals to ensure the effective performance of its tasks specified in this Regulation. Where necessary, the Platform shall meet at the reasoned request of the Commission or a simple majority of its members.	4. The Platform shall meet at regular intervals to ensure the effective performance of its tasks specified in this Regulation. Where necessary, the Platform shall meet at the reasoned request of the Commission or a simple majority of its members.	4. The Platform shall meet at regular intervals to ensure the effective performance of its tasks specified in this Regulation. Where necessary, the Platform shall ~~meet~~**hold extraordinary meetings** at the reasoned request of the Commission or a ~~simple majority of its members~~**Member State**.	
Article 29(5)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
321	5. The Commission shall assist the Platform by means of an executive secretariat that provides technical and logistic support.	5. The Commission shall assist the Platform by means of an executive secretariat that provides technical and logistic support.	5. The Commission shall assist the Platform by means of an executive secretariat that provides technical and logistic support.	
Article 29(6)				
322	6. The Platform may establish standing or temporary sub-groups dealing with specific questions and tasks.	6. The Platform may establish standing or temporary sub-groups dealing with specific questions and tasks.	6. The Platform may establish standing or temporary sub-groups dealing with specific questions and tasks **related to this Regulation**.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 29(5a), second subparagraph				
322a		***The Platform shall establish at least the following standing sub-groups:***	**The Platform shall meet at least once a year in order to discuss the monitoring foreseen in Article 31.**	
Article 29(5a), second subparagraph, point (a)				
322b		***(a) a sub-group to discuss financial needs and bottlenecks of net-zero strategic projects, potential best practices, in***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		particular to develop Union cross-border supply chains, and to coordinate financing for net-zero strategic projects;		
Article 29(5a), second subparagraph, point (b)				
322c		***(b) a sub-group to discuss the implementation of the provisions pursuant to Articles 6, 7 and 8;***		
Article 29(5a), second subparagraph, point (c)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
322d		***(c) a sub-group to discuss and coordinate the Net-Zero Industrial Partnerships referred to in Article 28, ensuring cooperation with other relevant coordination fora;***		
Article 29(5a), second subparagraph, point (d)				
322e		***(d) a sub-group to ensure the appropriate implementation of the Net-Zero Industry Academies pursuant to Chapter V;***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 29(5a), second subparagraph, point (e)				
322f		***(e) a sub-group dedicated to net-zero regulatory sandboxes referred to in Article 26, to maximise the potential of spillover effects throughout the Union by facilitating cross-border cooperation and by limiting the risk of market and competition distortions.***		
Article 29(5b)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
322g		***5b. The Board shall meet at least once every year with the SET Plan Board referred to in Article 26c in order to discuss the strategic alignment of the implementation of this Regulation with the SET Plan.***		
Article 29(7)				
323	7. The Platform shall invite representatives of the European Parliament to attend, as observers,	7. ~~*The Platform shall invite representatives of the European Parliament to attend, as observers,*~~	7. The Platform shall invite representatives of the European Parliament to attend, as observers,	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	its meetings, including of the standing or temporary sub-groups referred to in paragraph 6.	~~*its meetings, including of the standing or temporary sub-groups referred to in paragraph 6.*~~	its meetings, including of the standing or temporary sub-groups referred to in paragraph 6.	
Article 29(7a)				
323a		***7a. The Platform shall establish a Net-Zero Industry Advisory Group. The Net-Zero Industry Advisory Group shall be composed of representatives of industrial sectors within the scope of this Regulation. At least one third of the members of the Advisory Group shall come from or***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		represent SMEs. The Net-Zero Industry Advisory Group shall, on its own initiative or on the request of the Platform, provide recommendations to the Platform. The Net-Zero Industry Advisory Group shall facilitate interaction between the Platform and consultative or advisory bodies set up in the framework of the Union's industrial policy.		
Article 29(8)				
324	8. Where appropriate, the Platform	8. Where appropriate, the Platform	8. Where appropriate, the Platform	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	or the Commission may invite experts and other third parties to Platform and sub-group meetings or to provide written contributions.	~~*or the Commission may invite experts*~~***shall invite experts representing industry, civil society, academia, trade unions*** and other third parties to Platform and sub-group meetings or to provide written contributions.	or the Commission may invite experts and other third parties **with specific expertise on the subject matter, including from industry and stakeholder organisations, to the** ~~to~~ Platform and sub-group meetings or to provide written contributions**, but without rights to participate in the decision making**.	
Article 29(9)				
325	9. The Platform shall take the necessary measures to ensure the	9. The Platform shall take the necessary measures to ensure the	9. The Platform shall take the necessary measures to ensure the	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	safe handling and processing of confidential and commercially sensitive information.	safe handling and processing of confidential and commercially sensitive information.	safe handling and processing of confidential and commercially sensitive information.	
Article 29(10)				
326	10. The Platform shall use its best endeavours to reach consensus.	10. The Platform shall use its best endeavours to reach consensus.	10. The Platform shall use its best endeavours to reach consensus.	
Article 29(11)				
327	11. The Platform shall coordinate	11. The Platform shall coordinate	11. The Platform shall coordinate	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	and cooperate with existing industrial alliances.	and cooperate with existing industrial alliances ***and invite them to attend its meetings, including of the standing or temporary sub-groups referred to in paragraph 6 of this Article, in order to report on the status of and make recommendations on the targets set out in Article 1***.	and cooperate with existing **and relevant** industrial alliances.	
Article 29a				
327a		***Article 29a*** ***European Scientific Advisory***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		Board on Review and Regulatory Burden		
Article 29a(1)				
327b		***1. A European Scientific Advisory Board on Review and Regulatory Burden (the 'Scientific Advisory Board') is hereby established.***		
Article 29a(2)				
327c				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		2. The Scientific Advisory Board shall be composed of 15 senior scientific experts covering a broad range of relevant disciplines. Members of the Scientific Advisory Board shall meet the criteria laid down in paragraph 4.		
Article 29a(3)				
327d		***3. No more than two members of the Scientific Advisory Board shall hold the nationality of the same Member State. The independence of the members of***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		the Scientific Advisory Board shall be beyond doubt.		
Article 29a(4)				
327e		***4. The members of the Scientific Advisory Board shall be designated for a term of four years, which shall be renewable once, following an open, fair and transparent selection procedure. The selection of members shall be based on the following criteria:***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 29a(4), point (a)				
327f		***(a) scientific excellence;***		
Article 29a(4), point (b)				
327g		***(b) experience in carrying out scientific assessments and providing scientific advice in the fields of expertise;***		
Article 29a(4), point (c)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
327h		***(c) expertise in the field of public administration or other fields relevant for the tasks of the Board;***		
Article 29a(4), point (d)				
327i		***(d) professional experience in an inter-disciplinary environment in an international context.***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 29a(5)				
327j		***5. The members of the Scientific Advisory Board shall be appointed in a personal capacity and shall give their positions completely independently of the Member States and the Union institutions. The Scientific Advisory Board shall elect a chairperson from among its members for a period of four years and it shall adopt its rules of procedure.***		
Article 29a(6)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
327k		***6. The Scientific Advisory Board shall support the work of the Commission, the European Parliament and the Member States while acting independently in discharging its tasks by providing advisory reports on:***		
Article 29a(6), point (a)				
327l		***(a) the regulatory impact and burden of existing Union law;***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 29a(6), point (b)				
327m		***(b) the regulatory impact and burden of existing delegated and implementing acts; and***		
Article 29a(6), point (c)				
327n		***(c) existing Member State law transposing Union Directives.***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 29a(7)				
327o		***7. The Scientific Advisory Board shall establish its annual work programme independently, after consulting the Commission. The chairperson of the Scientific Advisory Board shall inform the Commission, the European Parliament and the Member States of the contents and implementation of its annual work programme. The Scientific Advisory Board may, at the***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		request of the European Parliament, an individual Commissioner or individual Member States, or on the basis of a reasoned request of a stakeholder, provide advice on the regulatory impact and burden of draft Union law or in the decision-making process.		
Article 29a(8)				
327p		***8. The advisory reports referred to in paragraph 5 shall be shared with the European Parliament,***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		Commission and the Member States and shall be made publicly available.		
Article 29a(9)				
327q		***9. The Commission shall provide the secretariat of the Scientific Advisory Board.***		
Article 30				
328				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Article 30 Articulation with National Energy and Climate Plans	Article 30 Articulation with National Energy and Climate Plans	Article 30 Articulation with National Energy and Climate Plans	
Article 30, first paragraph				
329	Member States shall take into consideration this Regulation when preparing their national energy and climate plans and their updates, submitted pursuant to Articles 3, 9, and 14 of Regulation (EU) 2018/1999, in particular as regards the dimension “research,	Member States shall ~~*take into consideration*~~***provide details the measures they intend to introduce to implement the objective of*** this Regulation ~~*when preparing*~~***in*** their national energy and climate plans and their updates, submitted pursuant to Articles 3, 9, and 14 of	Member States shall take into consideration this Regulation when preparing their national energy and climate plans and their updates, submitted pursuant to Articles 3, 9, and 14 of Regulation (EU) 2018/1999, in particular as regards the dimension “research,	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	innovation and competitiveness" of the Energy Union, and in the submission of their biennial progress reports in accordance with Article 17 of that Regulation.	Regulation (EU) 2018/1999, in particular as regards the dimension "research, innovation and competitiveness" of the Energy Union, and in the submission of their biennial progress reports in accordance with Article 17 of that Regulation. ***In particular, Member States shall identify measures to promote research, development and innovation in order to achieve the objectives of this Regulation.***	innovation and competitiveness" of the Energy Union, and in the submission of their biennial progress reports in accordance with Article 17 of that Regulation.	
Chapter VIII				
330				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Chapter VIII. Monitoring	Chapter VIII. Monitoring	Chapter VIII. Monitoring	
Article 31				
331	Article 31 Monitoring	Article 31 Monitoring	Article 31 Monitoring	
Article 31(1)				
332				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	1. The Commission shall monitor on an ongoing basis:	1. The Commission shall monitor on an ongoing basis:	1. The Commission shall monitor on an ongoing basis:	
Article 31(1), point (a)				
333	(a) The Union's progress with respect to the Union's objectives referred to in Article 1, and the related impact of this Regulation;	(a) The Union's progress with respect to the Union's objectives referred to in Article 1, and the related impact of this Regulation;	(a) the Union's progress with respect to the Union's objectives referred to in Article 1, **in particular the supply risks of net zero technologies that would distort competition or fragment the internal market,** and the related impact of this Regulation;	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 31(1), point (aa)				
333a			**(aa) the Union's progress with respect to the benchmark referred to in Article 9a;**	
Article 31(1), point (ab)				
333b			**(ab) the volume of imports into its territory and exports outside of the Union's territory of strategic net-zero technologies;**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 31(1), point (b)				
334	(b) the progress with respect to the Union level objective of CO_2 injection capacity referred to in Article 16.	(b) the progress with respect to the Union level objective of CO_2 injection capacity referred to in Article 16-;	(b) the progress with respect to the Union level objective of CO_2 injection capacity referred to in Article 16 **and to the related CO_2 transport infrastructure**.	
Article 31(1), point (ba)				
334a		***(ba) the adequacy of the***		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		administrative capacity of the Member States to fulfil their obligations under this Regulation.		
Article 31(2)				
335	2. Member States and the national authorities they designate for this purpose shall collect and provide data and other evidence required pursuant to paragraph 1, points (a) and (b). In particular, they shall collect and report each year to the Commission data on:	2. Member States and the national authorities they designate for this purpose shall collect and provide data and other evidence required pursuant to paragraph 1, points (a) and (b). In particular, they shall collect and report each year to the Commission data on:	2. Member States and the national authorities they designate for this purpose shall collect and provide data and other evidence required pursuant to paragraph 1, points (a)**, (aa), (ab)** and (b). In particular, they shall collect and report ~~each year~~**every 4 years** to the Commission data on:	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 31(2), point (-a)				
335a			**(-a) identified obstacles to trade of net zero technologies or in goods that use net zero technologies within the internal market;**	
Article 31(2), point (a)				
336	(a) net-zero technology	(a) net-zero technology	(a) ~~net-zero technology~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	developments and market trends, including average manufacturing investment costs and production costs, and market prices for the respective net-zero technologies;	developments and market trends, including average manufacturing investment costs and production costs, and market prices for the respective net-zero technologies;	~~developments~~**developments in strategic net-zero technologies** and market trends, ~~including average manufacturing investment costs and production costs, and market~~**as well as market prices for the respective net-zero technologies, including information on auctions about their frequency, awarding** prices**, and volume as relevant for Chapter IV** ~~for the respective net-zero technologies~~;	
Article 31(2), point (b)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
337	(b) net-zero technology manufacturing capacity and related activities, including data on employment and skills and progress towards achieving the 2030 targets referred to in recital 13;	(b) net-zero technology manufacturing capacity and related activities, including data on employment and skills and progress towards achieving the 2030 targets referred to in recital 13;	(b) net-zero technology manufacturing capacity **per strategic technology and per key value chain component if listed in Annex X, as well as the manufacturing capacity of future strategic net-zero projects that have reached final investment decisions**~~and related activities, including data on employment and skills and progress towards achieving the 2030 targets referred to in recital 13~~;	
Article 31(2), point (ba)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
337a			**(ba) data on employment and skills for manufacturing in each strategic net-zero technology sector, including the number of employees, labour and skills shortages, where applicable, and figures on labour and skills needs to fulfil the objectives of this Regulation;**	
Article 31(2), point (c)				
338	(c) value and volume of imports	(c) value and volume of imports	(c) ~~value and volume of imports~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	into the Union and exports outside of the Union of net-zero technologies;	into the Union and exports outside of the Union of net-zero technologies;	~~into the Union and exports outside of the Union of net-zero technologies;~~	
Article 31(2), point (ca)				
338a		***(ca) the number of SMEs that are part of net-zero technology manufacturing projects;***		
Article 31(2), point (d)				
339				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	(d) the average duration of permitting procedures under this Regulation;	(d) the average duration of permitting procedures under this Regulation;	(d) the ~~average duration of permitting procedures under this Regulation;~~**following information related to permit-granting processes per strategic net-zero technology:**	
Article 31(2), point (d)(i)				
339a			**(i) the number of permit-granting processes initiated, the number of applications refused, and the number of comprehensive decisions taken and specifying whether they**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			approved or refused the project;	
Article 31(2), point (d)(ii)				
339b			**(ii) the duration of the permit-granting processes where a comprehensive decision was taken, including duration of extensions of the time limits;**	
Article 31(2), point (d)(iii)				
339c				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			(iii) information on the resources allocated to the operation of the designated contact point(s);	
Article 31(2), point (e)				
340	(e) the types and number of permits granted at national level within the past 12 months;	(e) the types and number of permits granted at national level within the past 12 months;	(e) ~~the types and number of permits granted at national level within the past 12 months;~~	
Article 31(2), point (f)				
341				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	(f) the amount of permit-granting processes completed, stalled or cancelled within the past 12 months and the types of barriers encountered in case of interruption or cancellation;	(f) the amount of permit-granting processes completed, stalled or cancelled within the past 12 months and the types of barriers encountered in case of interruption or cancellation;	(f) ~~the amount of permit-granting processes completed, stalled or cancelled within the past 12 months and the types of barriers encountered in case of interruption or cancellation;~~	
Article 31(2), point (g)				
342	(g) the number of sandboxes set up within the past 12 months;	(g) the number of sandboxes set up within the past 12 months;	(g) the number **and nature** of sandboxes set up within the past 12 months;	

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Article 31(2), point (h)				
343	(h) the amount of CO_2 stored permanently underground in accordance with Directive 2009/31/EC.	(h) the amount of CO_2 stored permanently underground in accordance with Directive 2009/31/EC.	(h) the amount of CO_2 stored permanently underground in accordance with Directive 2009/31/EC.	
Article 31(3)				
344	3. The data shall include at least the information requested in the Commission Notice on the Guidance to Member States for the	3. The data shall include at least the information requested in the Commission Notice on the Guidance to Member States for the	3. ~~The data shall include at least the information requested in the Commission Notice on the Guidance to Member States for the~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	update of the 2021-2030 National Energy and Climate Plans.	update of the 2021-2030 National Energy and Climate Plans.	~~update of the 2021-2030 National Energy and Climate Plans.~~	
Article 31(3a)				
344a			**3a. The data referred to in paragraph 2 shall be reported where they are not already included in or in accordance with the elements of the reporting notified to the Commission pursuant to Articles 17 and 25 of Regulation 2018/1999.**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 31(3b)				
344b			**3b. The reporting obligations referred to in paragraph 2 shall not apply where Member States consider that it would be contrary to their essential security interests in accordance with Article 346 of the Treaty of the Functioning of the European Union.**	
Article 31(4)				
345				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	4. The first report shall be sent to the Commission by each Member State at the end of May of the year following the date of entry into force of this Regulation. The following reports shall be sent by the end of May every year.	4. The first report shall be sent to the Commission by each Member State at the end of May of the year following the date of entry into force of this Regulation. The following reports shall be sent by the end of May every year.	4. The first report shall be sent to the Commission by each Member State at the end of May of the year following the date of entry into force of this Regulation. The following reports shall be sent by the end of May every year.	
Article 31(4a)				
345a			**4a. The Commission is empowered to adopt implementing acts in accordance with Article 34(3) setting out a template for the reports referred**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			to in paragraph 4.	
Article 31(5)				
346	5. Member States shall also transmit the data collected pursuant to paragraph 2 of this Article to national statistical offices and to Eurostat for the purposes of compiling and publishing statistics in accordance with Regulation (EC) No 223/2009 of the European Parliament and of the Council[1]. Member States shall designate the national authority responsible for	5. Member States shall also transmit the data collected pursuant to paragraph 2 of this Article to national statistical offices and to Eurostat for the purposes of compiling and publishing statistics in accordance with Regulation (EC) No 223/2009 of the European Parliament and of the Council[1]. Member States shall designate the national authority responsible for	5. ~~Member States shall also transmit the data collected pursuant to paragraph 2 of this Article to national statistical offices and to Eurostat for the purposes of compiling and publishing statistics in accordance with Regulation (EC) No 223/2009 of the European Parliament and of the Council[1]. Member States shall designate the national authority responsible for~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	transmitting the data to national statistical offices and Eurostat. _____ 1. Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on	transmitting the data to national statistical offices and Eurostat. _____ 1. Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on	~~transmitting the data to national statistical offices and Eurostat.~~ _____ ~~1.~~ ~~Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on~~	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).	Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).	~~Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).~~	
Article 31(6)				
347	6. On the basis of the reports submitted pursuant to paragraph 2 of this Article, the Commission shall monitor the Union's progress	6. On the basis of the reports submitted pursuant to paragraph 2 of this Article, the Commission shall monitor the Union's progress	6. On the basis of the reports submitted pursuant to paragraph 2 of this Article, the Commission shall monitor the Union's progress	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	referred to paragraph 1, point (a) and publish related reccomendations on an annual basis as part of the Annual Reports on Competitiveness of Clean Energy Technologies, pursuant to Article 35 (2), point (m) of Regulation (EU) 2018/1999.	referred to paragraph 1, point (a) ***of this Article*** and publish related reccomendations on an annual basis as part of the Annual Reports on Competitiveness of Clean Energy Technologies, pursuant to Article 35 (2), point (m) of Regulation (EU) 2018/1999.	referred to paragraph 1, point (a) and publish related ~~reccomendations~~**recommendations** on an annual basis as part of the Annual Reports on Competitiveness of Clean Energy Technologies, pursuant to Article 35 (2), point (m) of Regulation (EU) 2018/1999. **The recommendations shall also include considerations on whether all the net-zero technologies necessary to achieve the objectives in Article 1 are covered by the Regulation.**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 31(7)				
348	7. On the basis of the draft permit applications submitted pursuant to Article 10 of the Directive 2009/31/EC and on the reports submitted pursuant to Articles 17(2) and Article 18(4) and 18(6) of this Regulation, the Commission shall monitor the progress towards reaching the Union-wide target for CO2 injection capacity referred to paragraph 1 point (b) of this Article and shall report annually to the European Parliament and the Council.	7. On the basis of the draft permit applications submitted pursuant to Article 10 of the Directive 2009/31/EC and on the reports submitted pursuant to Articles 17(2) and Article 18(4) and 18(6) of this Regulation, the Commission shall monitor the progress towards reaching the Union-wide target for CO2 injection capacity referred to paragraph 1 point (b) of this Article and shall report annually to the European Parliament and the Council. ***To that end, the***	7. On the basis of the draft permit applications submitted pursuant to Article 10 of the Directive 2009/31/EC and on the reports submitted pursuant to Articles 17(2) and Article 18(4) and 18(6) of this Regulation, the Commission shall monitor the progress towards reaching the Union-wide target for ~~CO2~~**CO_2** injection capacity referred to paragraph 1 point (b) of this Article and shall report annually to the European Parliament and the Council.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		Commission shall create a publicly available database of all available data related to CO_2 storage in the Union to contribute to map CO_2 storage sites and monitor the achievement of the overall target set in Article 16.		
Article 31(7a)				
348a		***7a. On the basis of the reports referred to in Article 16(2) and Article 18(4) and submitted by entities referred to in Article 18(1) by 31 January 2025 the***	**7a. The Commission shall inform the Net-Zero Europe Platform on its findings.**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
		Commission shall assess and submit a report to the European Parliament and to the Council on the effectiveness of this Regulation, accompanied by a review if deemed necessary.		
Chapter IX				
349	Chapter IX. Final provisions	Chapter IX. Final provisions	Chapter IX. Final provisions	
Article 32				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
350	Article 32 Delegation of power	Article 32 ~~*Delegation of power*~~	Article 32 Delegation of power	
Article 32, first paragraph				
351	The Commission is empowered to adopt delegated acts in accordance with Article 33 to amend the modalities in which agreements between entities referred to in Article 18(1) and investments in storage capacity held by third	~~*The Commission is empowered to adopt delegated acts in accordance with Article 33 to amend the modalities in which agreements between entities referred to in Article 18(1) and investments in storage capacity held by third*~~	The Commission is empowered to adopt delegated acts in accordance with Article 33 to amend the modalities in which agreements between entities referred to in Article 18(1) and investments in storage capacity held by third	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	parties are taken into account to meet their individual contribution set out in Article 18 (5), as well as the content of the reports referred to in Article 18 (6).	~~*parties are taken into account to meet their individual contribution set out in Article 18 (5), as well as the content of the reports referred to in Article 18 (6).*~~	parties are taken into account to meet their individual contribution set out in Article 18 (5), as well as the content of the reports referred to in Article 18 (6).	
Article 33				
352	Article 33 Exercise of the delegation	Article 33 Exercise of the delegation	Article 33 Exercise of the delegation	
Article 33(1)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
353	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	
Article 33(2)				
354	2. The power to adopt delegated acts referred to in Article 32 shall be conferred on the Commission for a period of five years from [date of application]. The	2. The power to adopt delegated acts referred to in Article ~~32~~ ***1(3), Article 3(2) and Article 18(7)*** shall be conferred on the Commission for a period of five years from	2. The power to adopt delegated acts referred to in Article 32 shall be conferred on the Commission for a period of five years from [date of application]. The	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	[date of application]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	Commission shall ~~draw up~~**present** a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
Article 33(3)				
355				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	3. The delegation of power referred to in Article 32 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect on the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3. The delegation of power referred to ~~in~~ ***Article 1(3), Article 3(2) and*** Article ~~32~~***18(7)*** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect on the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3. The delegation of power referred to in Article 32 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect on the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 33(4)				
356	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	
Article 33(5)				
357	5. As soon as it adopts a delegated	5. As soon as it adopts a delegated	5. As soon as it adopts a delegated	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	
Article 33(6)				
358	6. A delegated act adopted pursuant to Article 32 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of	6. A delegated act adopted pursuant to Article ~~32~~ ***1(3), Article 3(2) or Article 18(7)*** shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the	6. A delegated act adopted pursuant to Article 32 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	
Article 34				
359	Article 34 Committee procedure	Article 34 Committee procedure	Article 34 Committee procedure	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 34(1)				
360	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011. **For matters related to Article 19 the Commission shall be assisted by the Advisory Committee on Public Procurement established by Council Decision 71/306/EEC.** **For matters related to Article 20**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			the Commission shall be assisted by the Energy Union Committee established by Article 44 of Regulation (EU) 2018/1999.	
Article 34(2)				
361	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	
Article 34(3)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
362	3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	
Article 34(4)				
363	4. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 4 thereof, shall apply.	4. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 4 thereof, shall apply.	4. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 4 thereof, shall apply.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 35				
364	Article 35 Evaluation	Article 35 Evaluation	Article 35 Evaluation	
Article 35(1)				
365	1. By…[3 years after the date of application of this Regulation], and every 3 years thereafter, the Commission shall evaluate this Regulation and present a report on the main findings to the European	1. By…[3 years ~~*after*~~***from*** the date of application of this Regulation], and every 3 years thereafter, the Commission shall evaluate this Regulation and present a report on the main findings to the European	1. By…[~~3~~**5** years after the date of application of this Regulation], and every ~~3~~**5** years thereafter, the Commission shall evaluate this Regulation and present a report on the main findings to the European	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Parliament, the Council and the European Economic and Social Committee.	Parliament, the Council and the European Economic and Social Committee.	Parliament, the Council and the European Economic and Social Committee.	
Article 35(2)				
366	2. The evaluation shall assess whether the objectives of this Regulation as established in Article 1 have been achieved and its impact on business users, especially SMEs, and end users, and the European Green Deal objectives.	2. The evaluation shall assess whether the objectives of this Regulation as established in Article 1 have been achieved and its impact on business users, especially SMEs, and end users, and the European Green Deal objectives.	2. The evaluation shall assess ~~whether the objectives of this Regulation as established in Article 1 have been achieved and its impact on business users, especially SMEs, and end users, and the European Green Deal objectives.~~**:**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 35(2), point (a)				
366a			**(a) whether the objectives of this Regulation as established in Article 1, , in particular its contribution to the functioning of the Single Market, have been achieved and its impact on business users, especially SMEs, and end users, and the European Green Deal objectives;**	
Article 35(2), point (b)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
366b			**(b) whether provisions in the Net Zero Industry Act are fit to deliver beyond 2030 and towards the longer term 2050 climate neutrality target referred to in Article 1, taking into account, among other aspects, the possibility to include in the Net Zero Industry Act other technologies that can play a significant role in achieving climate neutrality by 2050, as well as the possible enlargement of the scope of this Regulation to cover the construction or conversion of plants and facilities**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			in hard-to-abate sectors to climate neutral processes where the construction or conversion of the respective plants and facilities reduce emission rates of CO2-eq of industrial processes significantly and permanently to an extent which is technically feasible.	
Article 35(3)				
367	3. The evaluation shall take into account the result of the monitoring process as outlined in	3. The evaluation shall take into account the result of the monitoring process as outlined in	3. The evaluation shall take into account the result of the monitoring process as outlined in Article 31 **as**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Article 31.	Article 31.	**well as the technology needs stemming from the updates of the National Energy and Climate Plans notified by Member States in accordance with the [Energy Union Governance Regulation] and informed by the State of the Energy Union Report**.	
Article 35(3a)				
367a			**3a. Within the same period referred to in paragraph 1 at the latest and after consultation with the Net-Zero Europe Platform,**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			the Commission shall assess and, if necessary, present a proposal to expand the list of net-zero technologies set in Article 3a and the list of strategic net-zero technologies set in Article 3b.	
Article 35(4)				
368	4. The competent authorities of the Member States shall provide to the Commission any relevant information they have and that the Commission may require to draw up the report referred to in	4. The competent authorities of the Member States shall provide to the Commission any relevant information they have and that the Commission may require to draw up the report referred to in	4. The competent authorities of the Member States shall provide to the Commission any relevant information they have and that the Commission may require to draw up the report referred to in	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	paragraph 1.	paragraph 1.	paragraph 1.	
Article 35(4a)				
368a			**4a. Where, based on the report referred to in paragraph 1, the Commission concludes that the Union is likely not to achieve the objectives set out in Article 1(1), it shall, in consultation with the Net-Zero Europe Platform, assess the feasibility and proportionality of proposing measures in order to ensure the achievement of those objectives.**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 35(4b)				
368b			**4b. No later than 31 December 2026, the Commission may propose an amendment to this Regulation to introduce a new Union-level objective for CO2 injection capacity by 2040. The Commission shall justify its choice to the European Parliament and the Council if it decides not to propose to introduce an objective for 2040.**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 36				
369	Article 36 Treatment of confidential information	Article 36 Treatment of confidential information	Article 36 Treatment of confidential information	
Article 36(1)				
370	1. Information acquired in the course of implementing this	1. Information acquired in the course of implementing this	1. Information acquired in the course of implementing this	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Regulation shall be used only for the purposes of this Regulation and shall be protected by the relevant Union and national legislation.	Regulation shall be used only for the purposes of this Regulation and shall be protected by the relevant Union and national legislation.	Regulation shall be used only for the purposes of this Regulation and shall be protected by the relevant Union and national legislation.	
Article 36(2)				
371	2. Member States and the Commission shall ensure the protection of trade and business secrets and other sensitive, confidential and classified information acquired and generated in application of this Regulation, including recommendations and	2. Member States and the Commission shall ensure the protection of trade and business secrets and other sensitive, confidential and classified information acquired and generated in application of this Regulation, including recommendations and	2. Member States and the Commission shall ensure the protection of trade and business secrets and other sensitive, confidential and classified information acquired and generated in application of this Regulation, including recommendations and	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	measures to be taken, in accordance with Union and the respective national law.	measures to be taken, in accordance with Union and the respective national law.	measures to be taken, in accordance with Union and the respective national law.	
Article 36(3)				
372	3. Member States and the Commission shall ensure that classified information provided or exchanged under this Regulation is not downgraded or declassified without the prior written consent of the originator.	3. Member States and the Commission shall ensure that classified information provided or exchanged under this Regulation is not downgraded or declassified without the prior written consent of the originator.	3. Member States and the Commission shall ensure that classified information provided or exchanged under this Regulation is not downgraded or declassified without the prior written consent of the originator **in accordance with relevant national or Union law**.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 36(4)				
373	4. If a Member State assesses that the presentation of aggregated information in the context of Article 18 may nonetheless compromise its national security interest, it may object to the Commission's presentation through a justified notice.	4. If a Member State assesses that the presentation of aggregated information in the context of Article 18 may nonetheless compromise its national security interest, it may object to the Commission's presentation through a justified notice.	4. If a Member State assesses that the presentation of aggregated information in the context of Article 18 may nonetheless compromise its national security interest, it may object to the Commission's presentation through a justified notice.	
Article 36(5)				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
374	5. The Commission and the national authorities, their officials, employees and other persons working under the supervision of these authorities shall ensure the confidentiality of information obtained in carrying out their tasks and activities. This obligation also applies to all representatives of Member States, observers, experts and other participants attending meetings of the Platform pursuant to Article 29.	5. The Commission and the national authorities, their officials, employees and other persons working under the supervision of these authorities shall ensure the confidentiality of information obtained in carrying out their tasks and activities. This obligation also applies to all representatives of Member States, observers, experts and other participants attending meetings of the Platform pursuant to Article 29.	5. The Commission and the national authorities, their officials, employees and other persons working under the supervision of these authorities shall ensure the confidentiality of information obtained in carrying out their tasks and activities **in accordance with relevant national or Union law**. This obligation also applies to all representatives of Member States, observers, experts and other participants attending meetings of the Platform pursuant to Article 29.	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 37				
375	Article 37 Amendment to Regulation (EU) 2018/1724	Article 37 Amendment to Regulation (EU) 2018/1724	Article 37 Amendment to Regulation (EU) 2018/1724	
Article 37, first paragraph				
376	Regulation (EU) 2018/1724 is amended as follows:	Regulation (EU) 2018/1724 is amended as follows:	Regulation (EU) 2018/1724 is amended as follows:	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 37, first paragraph, point (1)				
377	(1) in Annex I, in the first column, a new row 'R. Net-zero technology manufacturing projects' is added.	(1) in Annex I, in the first column, a new row 'R. Net-zero technology manufacturing projects' is added.	(1) in Annex I, in the first column, a new row 'R. Net-zero technology manufacturing projects' is added.	
Article 37, first paragraph, point (2)				
378	(2) in Annex I, in the second column, in the row 'R. Net-zero technology manufacturing projects', the following point are added:	(2) in Annex I, in the second column, in the row 'R. Net-zero technology manufacturing projects', the following point are added:	(2) in Annex I, in the second column, in the row 'R. Net-zero technology manufacturing projects', the following point are added:	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 37, first paragraph, point (2), amending provision, numbered paragraph (1)				
379	‘ 1. information on the permit-granting process ’	‘ 1. information on the permit-granting process ’	‘ 1. information on the permit-granting process ’	
Article 37, first paragraph, point (2), amending provision, numbered paragraph (2)				
380	‘	‘	‘	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	2. financing and investment services ,	2. financing and investment services ,	2. financing and investment services ,	
Article 37, first paragraph, point (2), amending provision, numbered paragraph (3)				
381	‘ 3. funding possibilities at Union or Member State level ,	‘ 3. funding possibilities at Union or Member State level ,	‘ 3. funding possibilities at Union or Member State level ,	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 37, first paragraph, point (2), amending provision, numbered paragraph (4)				
382	‘ 4. business support services, including but not limited to corporate tax declaration, local tax laws, labour law. ,	‘ 4. business support services, including but not limited to corporate tax declaration, local tax laws, labour law. ,	‘ 4. business support services, including but not limited to corporate tax declaration, local tax laws, labour law. ,	
Article 37, first paragraph, point (3)				
383	(3) in Annex II, in the first	(3) in Annex II, in the first	(3) in Annex II, in the first	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	column, a new row 'Net-zero technology manufacturing projects' is added.	column, a new row 'Net-zero technology manufacturing projects' is added.	column, a new row 'Net-zero technology manufacturing projects' is added.	
Article 37, first paragraph, point (4)				
384	(4) in Annex II, in the second column, in the row 'Net-Zero technology manufacturing projects', the following points are added:	(4) in Annex II, in the second column, in the row 'Net-Zero technology manufacturing projects', the following points are added:	(4) in Annex II, in the second column, in the row 'Net-Zero technology manufacturing projects', the following points are added:	
Article 37, first paragraph, point (4), amending provision, first paragraph				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
385	‘ Procedures for all relevant administrative permits to plan, build, expand and operate net-zero technology manufacturing projects, including building, chemical and grid connection permits and environmental assessments and authorisations where these are required, and encompassing all administrative applications and procedures. ,	‘ Procedures for all relevant administrative permits to plan, build, expand and operate net-zero technology manufacturing projects, including building, chemical and grid connection permits and environmental assessments and authorisations where these are required, and encompassing all administrative applications and procedures. ,	‘ **‘**Procedures for all relevant ~~administrative~~ permits to ~~plan~~, build, expand**, repurpose** and operate net-zero technology manufacturing projects, including ~~building, chemical and grid connection permits and environmental assessments and authorisations where these are required, and~~**for net-zero strategic projects** encompassing all ~~administrative~~ applications and procedures**’**. ,	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 37, first paragraph, point (5)				
386	(5) in Annex II, in the third column, in the row 'Net-Zero manufacturing projects', the following point is added:	(5) in Annex II, in the third column, in the row 'Net-Zero manufacturing projects', the following point is added:	(5) in Annex II, in the third column, in the row 'Net-Zero manufacturing projects', the following point is added:	
Article 37, first paragraph, point (5), amending provision, first paragraph				
387	'	'	'	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	All outputs pertaining to the procedures ranging from the acknowledgment of the validity of the application to the notification of the comprehensive decision on the outcome of the procedure by the responsible national competent authority. ,	All outputs pertaining to the procedures ranging from the acknowledgment of the validity of the application to the notification of the comprehensive decision on the outcome of the procedure by the responsible national competent authority. ,	All outputs pertaining to the procedures ranging from the acknowledgment of the validity of **that** the application **is complete** to the notification of the comprehensive decision on the outcome of the procedure by the ~~responsible national competent authority~~**designated contact point responsible national**. ,	
Article 37, first paragraph, point (6)				
388				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	(6) in Annex III, the following point is added:	(6) in Annex III, the following point is added:	(6) in Annex III, the following point is added:	
Article 37, first paragraph, point (6), amending provision, numbered paragraph (8)				
389	‘ (8) National competent authorities acting as one stop shop pursuant to Article 4 of [the NZIA] Regulation. ’	‘ (8) National competent authorities acting as one stop shop pursuant to Article 4 of [the NZIA] Regulation. ’	‘ (8) ~~National competent authorities~~**Designated contact point** acting as ~~one stop shop~~**single point of contact** pursuant to Article 4 of [the NZIA] Regulation. ’	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Article 38				
390	Article 38 Entry into force and application	Article 38 Entry into force and application	Article 38 Entry into force and application	
Article 38, first paragraph				
391	This Regulation shall enter into force on…[the day following that of its publication in the Official	This Regulation shall enter into force on…[the day following that of its publication in the Official	This Regulation shall enter into force on…[the day following that of its publication in the Official	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Journal of the European Union].	Journal of the European Union].	Journal of the European Union].	
Article 38, second paragraph				
392	It shall apply from [date of entry into force]. Until [2 years following the date of application of this Regulation], Article 19 (2), point (a), (b) and (c) shall apply only to contracts concluded by central purchasing bodies as defined in Article 2 (1), point (16), of Directive 2014/24/EU and Article 2 (1), point (12), of Directive 2014/25/EU and for	It shall apply from [date of entry into force]. Until [2 years following the date of application of this Regulation], Article 19 (2), point (a), (b) and (c) shall apply only to contracts concluded by central purchasing bodies as defined in Article 2 (1), point (16), of Directive 2014/24/EU and Article 2 (1), point (12), of Directive 2014/25/EU and for	It shall apply from [date of entry into force]. Until [2 years following the date of application of this Regulation], Article 19 ~~(2), point (a), (b) and (c)~~ **(1)** shall apply only to contracts concluded by central purchasing bodies as defined in Article 2 (1), point (16), of Directive 2014/24/EU and Article 2 (1), point (12), of Directive 2014/25/EU and for	

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	contracts of a value equal to or higher than EUR 25 million.	contracts of a value equal to or higher than EUR 25 million.	contracts of a value equal to or higher than EUR 25 million.	
Article 38, second paragraph a				
392a			**Articles 20 and 21 shall apply from [24 months after the date of application of this Regulation].**	
Article 38, third paragraph				
393	This Regulation shall be binding in	This Regulation shall be binding in	This Regulation shall be binding in	

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	its entirety and directly applicable in all Member States.	its entirety and directly applicable in all Member States.	its entirety and directly applicable in all Member States.	
Formula				
394	Done at Brussels,	Done at Brussels,	Done at Brussels,	
Formula				
395	For the European Parliament	For the European Parliament	For the European Parliament	

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Formula				
396	The President	The President		
Formula				
397	For the Council	For the Council		
Formula				
398				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	The President	The President		
Annex				
399	Annex	Annex ***Deleted***	Annex **ANNEX X** **Non-exhaustive list of final products and specific components cosidered as primarily used for the production of the net-zero technologies.** **[nb. not reproduced here; see**	

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
			separate doucment]	
Annex, first paragraph				
400	Strategic net-zero technologies	~~*Strategic net-zero technologies*~~		
Annex, Table 1, Column 1, Row 1				
401	1.	~~*1.*~~		

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Annex, Table 1, Column 1, Row 2				
402	2.	~~2.~~		
Annex, Table 1, Column 1, Row 3				
403	3.	3.		
Annex, Table 1, Column 1, Row 4				
404				

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	4.	4.		
Annex, Table 1, Column 1, Row 5				
405	5.	5.		
Annex, Table 1, Column 1, Row 6				
406	6.	6.		

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Annex, Table 1, Column 1, Row 7				
407	7.	7.		
Annex, Table 1, Column 1, Row 8				
408	8.	8.		
Annex, Table 1, Column 2, Row 1				
409				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
	Solar photovoltaic and solar thermal technologies	Solar photovoltaic and solar thermal technologies		
Annex, Table 1, Column 2, Row 2				
410	Onshore wind and offshore renewable technologies	Onshore wind and offshore renewable technologies		
Annex, Table 1, Column 2, Row 3				
411	Battery/storage technologies	Battery/storage technologies		

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
Annex, Table 1, Column 2, Row 4				
412	Heat pumps and geothermal energy technologies	Heat pumps and geothermal energy technologies		
Annex, Table 1, Column 2, Row 5				
413	Electrolysers and fuel cells	Electrolysers and fuel cells		

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Annex, Table 1, Column 2, Row 6				
414	Sustainable biogas/biomethane technologies	Sustainable biogas/biomethane technologies		
Annex, Table 1, Column 2, Row 7				
415	Carbon Capture and storage (CCS) technologies	Carbon Capture and storage (CCS) technologies		
Annex, Table 1, Column 2, Row 8				

	Commission Proposal	EP Mandate	ST 16521/23 Council Mandate	Draft Agreement
416	Grid technologies	Grid technologies		