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NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
No. Cion doc.:	7613/23 + ADD 1
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on establishing a framework of measures for strengthening Europe's net-zero technology products manufacturing ecosystem (Net Zero Industry Act) - *Analysis of the final compromise text with a view to agreement*

Delegations' attention is drawn to the following corrections in document ST 6266/24:

1. On page 61, the first part of Recital (64) should read as follows:

(64) ***The enabling of the green and digital transitions and of sustainable growth and competitiveness of the Union,*** the scaling up of ***[***European net-zero technology industries***' ~~value and~~ supply chains***]*** ***and maintaining quality jobs in the Union, require*** significant additional skilled workers which implies important investment needs in re-skilling and upskilling, including in the field of vocational education and training. ▌ .

2. On page 98, paragraph 4 in Article 13b should read as follows:

4. Net-zero technology manufacturing projects in Net Zero Acceleration Valleys shall be 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 or obligations 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)(a) of Directive 2009/147/EC and Article 4(14) and (15) [of the Nature Restoration Regulation,] net-zero ~~strategic~~ technology manufacturing projects in the Union shall be considered as being of public interest when located in Net Zero Acceleration Valleys and may be considered as having an overriding public interest and serving the interests of public health and safety provided that all the conditions set out in those acts are fulfilled.

3. On page 109, in Article 19, the numbering of paragraph ***1a.*** is deleted, since its content is integrated in paragraph 1 of Article 19.

4. On page 113, paragraph 7 in Article 19 should read as follows:

7. Where the application of the resilience contribution pursuant to paragraph 4a has led to a situation where no suitable tenders or no suitable requests to participate have been submitted in response to a public procurement procedure, the contracting authorities or contracting entities may on an exceptional basis either:

(a) decide to use the negotiated procedure without prior publication pursuant to Article 32.2.a) of Directive 2014/24/EU, Article 50.a) of Directive 2014/25/EU or Article 31.5 of Directive 2014/23/EU; or

(b) decide not to apply paragraph 4a in a specific subsequent public procurement procedure that aims to address the same needs as those which led to the commencement of the initial procedure referred to in this paragraph.

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