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WORKING PAPER

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From: General Secretariat of the Council
To: Working Party on Competitiveness and Growth (Industry)

Subject: Net Zero Industry Act proposal – Technical workshops – PowerPoint presentations

Delegations will find in the Annex, for information, a compilation of PowerPoint presentations shown at the three online technical workshops on the Net Zero Industry Act proposal that took place on 5, 16 and 25 May 2023. The presentations deal with:

- Permit-granting processes
- Net-zero strategic projects
- Skills
- CO2 injection capacity



NET ZERO INDUSTRY ACT

Proposal for a Regulation on establishing a framework of measures for strengthening Europe's net-zero technology products manufacturing ecosystem



- Presentation by the European Commission
 - One stop shop (art. 4-5)
 - Duration of the permit granting process (art. 6)
 - Environmental assessments and authorisations (art. 7)
 - Planning (art. 8)
 - Applicability of UNECE conventions (art.9)
- Discussion/Questions Q&A from Member States

– Presentation by the European Commission

- Selection Criteria
- Application and recognition
- Priority status of net-zero strategic projects

- Permit-granting process for NZ strategic projects
- Accelerating implementation
- Coordination of financing

– Discussion/Questions Q&A from Member States

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SECTION 1:

STREAMLINING ADMINISTRATIVE AND PERMIT-GRANTING PROCESSES



NZIA provisions	Based on
Art. 4(1) to (3) (OSS designation)	Art. 8(1) and (2) TEN-E Regulation
Art. 4(4) (electronic submission)	Art. 16(2) RED II
Art. 4(5) (take into account studies, no duplication)	Art. 10(4) TEN-E Regulation
Art. 4(6) (access to dispute settlement)	Art. 16(5) RED II
Art. 4(7) (OSS staffing)	Art. 16 Environmental Crime Directive proposal
Art. 9(1)(2) and (4) (SP priority status)	Art. 7(2) to (4) TEN-E Regulation
Art. 6 and 13 (duration, and exeptions)	Art. 16b(1) RED II revision proposal + Art. 10(9, 10 and (2) TEN-E Regulation
Art. 13(4) (tacit approval)	RED III compromise agreement
Art. 6(6) (validation of application)	Art. 16(2) RED II revision proposal
Art. 6(7) (detailed schedule)	Art. 10(6)(b) TEN-E Regulation

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Art. 7(1) (mandatory scoping)	Art. 16b(2) RED II revision proposal
Art. 7(2) (bundling assessments)	Art. 2(3) EIA Directive (made mandatory)
Art. 7(3) (timeline reasoned conclusion)	Art. 3(6) EIA Directive revision proposal (2012)
Art. 7(4) (timeline consultation)	Art. 6(7) EIA Directive revision proposal (2012)
Art. 8(1) (planning)	Art. 15(3) RED II
Art. 8(2) (SEA bundling)	Art. 11(2) SEA Directive (made mandatory)

One stop shop (OSS)

- Project promoter should **interact with a single authority**, which coordinates the submission of all relevant information and ensures a comprehensive decision is issued within the applicable time-limit.
- The One Stop Shop should:
 - Allow for **electronic submission** of documents
 - Ensure promoter has **access to relevant info and procedures**
 - Be **adequately staffed** (possible EU support from Technical Support Instrument)



Without prejudice to the division of decision powers between different national or regional authorities.

Access to information (art. 5)

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MS to provide information for relevant net-zero technology manufacturing processes, online and centralized on:

- Permit-granting process
- Financing and investment services
- Funding possibilities (EU and MS)
- Business support services



Duration of permit granting process (art. 6)

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- To provide promoters with certainty :
 - **12 months** for projects under 1GW manufacturing capacity
 - **18 months** for projects over 1GW manufacturing capacity (+ other measurements)
- *Flexibility when justified by exceptional circumstances*
 - *Nature, complexity, location : 1 month extension*
 - *Health and safety of workers: 6 months extension*



Support available for building national capacity

Technical Support instrument

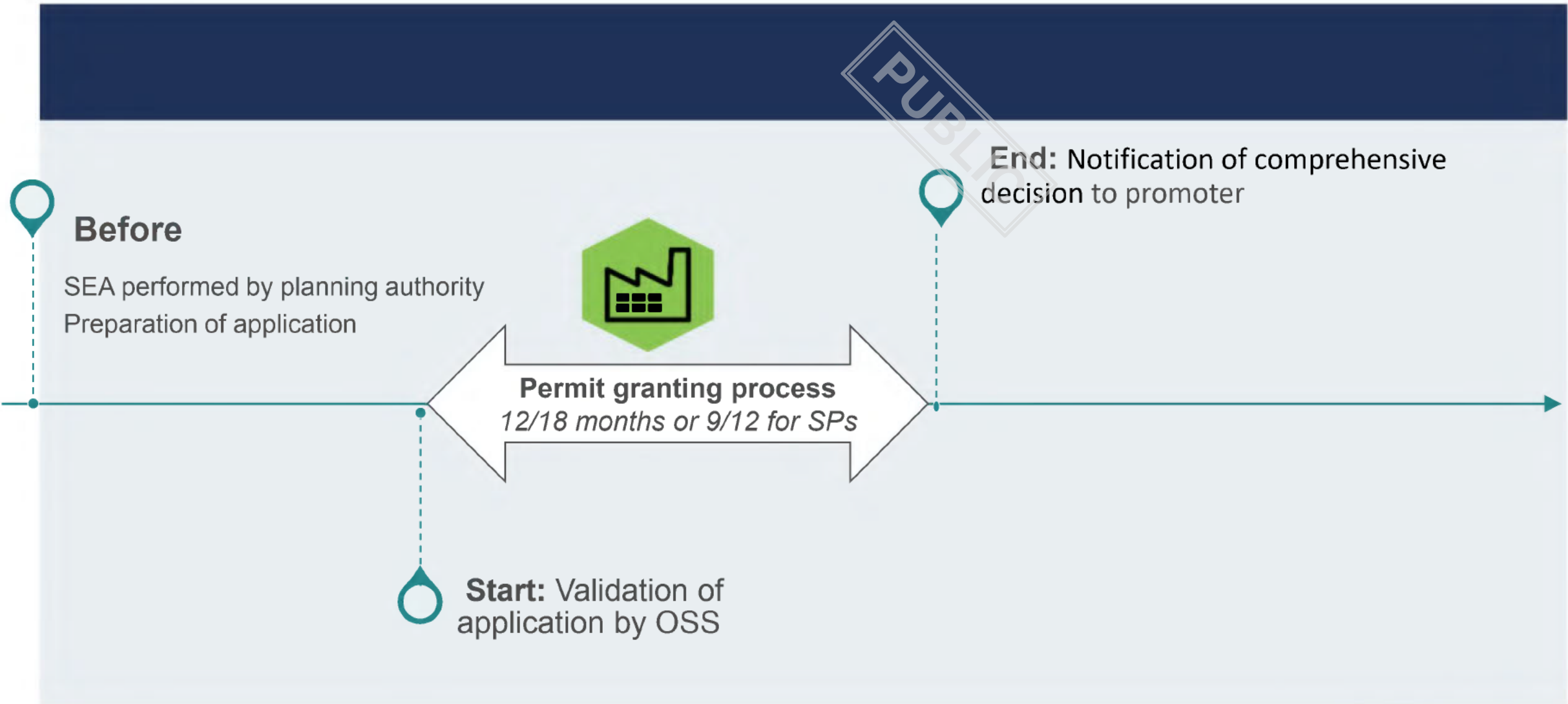
- TSI provides tailor-made technical expertise to Member States to design and implement reforms. The support is demand driven and does not require co-financing from Member States.
- Requests for technical support can focus on accelerating permitting procedures for CRM projects

REPowerEU Chapter

- Member states can look into using the RRP, e.g., for developing one-stop-shops
- Grants or loans depending on the Member State
- Proposal needs to come from the Member State

May 12th, the Commission will hold a conference to officially launch the TSI 2024 round

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'permit granting process' covers all relevant administrative permits to plan, build and operate the projects including building, chemical and grid connection permits and environmental assessments and authorisations where these are required.

Environmental assessments (Art 7)

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Aim to **streamline application of environmental rules** without undermining their effectiveness, by:

- Bundling mandatory environmental assessments through a joint or coordinated procedure
- Making a scoping step mandatory (para 1)
- Reasoned conclusion within 3 months and public consultation 45 or 90 days required in EIA Directive

Planning (art 8)

- Land-use conflicts can be barrier to development of NZIA projects, notably batteries
- Well-designed plans can help balance public goods and interests, decreasing risk of conflicts and accelerating NZIA projects in EU
- Requirement for MS to ensure that planning authorities include provisions for NZIA projects in their plans, where appropriate
- Requires MS to combine environmental impact assessments of such plans where possible
- Aligned with SEA Directive where it is already encouraged

Applicability of UNECE Convention (art 9)

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- Article to ensure alignment with Aarhus Convention

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SECTION 2:

NET-ZERO STRATEGIC PROJECTS

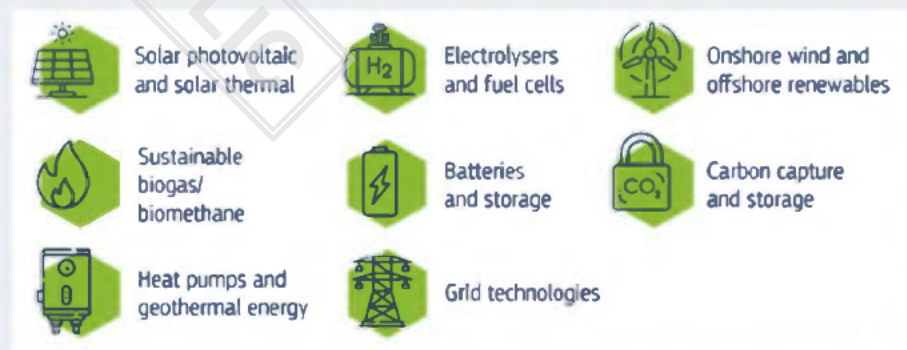


Net-Zero Technologies

Technologies that are needed to reach EU's net zero objective by 2050

- One-stop shop, online access to information,
- Faster permitting (12-18 months)
- Aggregation and coordination of environmental permits

Strategic Net-Zero Technologies projects



- Priority status
- Overriding public interest
- Shorter permitting deadlines (**9-12** months)
- Tacit approval for intermediary steps (art 13(4)) with environmental safeguards

NZ Strategic projects - Selection criteria (art 10)

- Contributes to Union's resilience of energy system on manufacturing capacity of which heavy dependence from third country.
- Contributing to competitiveness and job creation and:
 - ✓ Adds significant manufacturing capacity
 - ✓ Technologies with improved sustainability and performance
 - ✓ With measures to attract, reskill, upskill workforce
 - ✓ Adopts low-carbon and circular manufacturing
- Contributes to above, and benefits from IF, IPCEI, Hydrogen Bank, Hydrogen valleys (manufacturing and Annex tech)

Net-zero strategic projects CO2 storage

- ✓ Located in EU, economic zones or continental shelf
- ✓ Contributes to Art 18
- ✓ Project applied to permit under CCS directive
- ✓ Projects in less developed and transition regions, JTF territories eligible under cohesion rules recognized as strategic.

Net-Zero Strategic projects – application and recognition (Art 11)

- To the Member State and assesses within a month
- Tacit approval if no answer from MS
- Right to submit application to the EC (20 days)
- Decisions may be repealed, and project lose all rights

Net-Zero Strategic projects – priority status (Art 12)

- Granting them the status of the highest national significance possible
- Treating their administrative processing in the most rapid possible
- Treating eventual litigation with urgency procedures

Accelerating implementation (art 14)

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- EC and MS shall undertake activities to accelerate investments
- MS may provide admin support to project promoters:
 - Assistance on admin and reporting obligations
 - Support on public acceptance

Net-Zero Europe Platform on financing (art 15)

- Platform to discuss financial needs and bottlenecks for strategic projects, best practices for cross-border supply chains
- Platform may discuss and advise project promoters on financing (private investments, EIB, EBRD, MS instruments, and Union funding)

THANK YOU

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Net Zero Industry Act

Chapter V

Enhancing skills for quality job creation

DG GROW D.1

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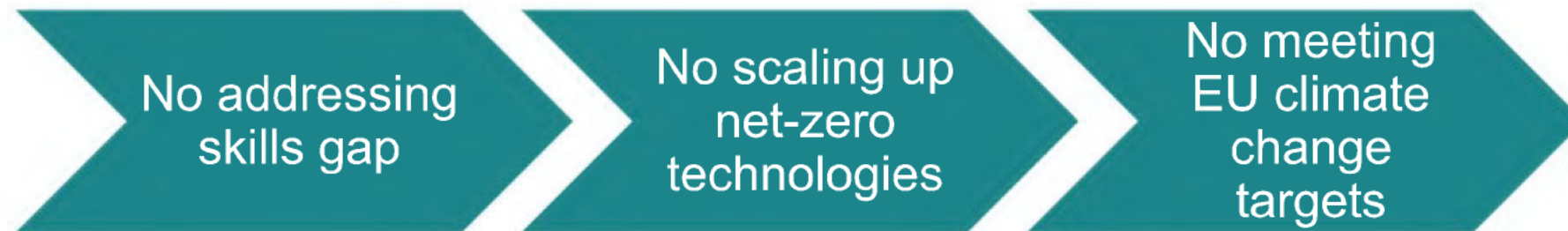


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1. Rationale, Context, Legal Base

Rationale & Context

- Transition to climate neutrality: necessity and opportunity to develop net-zero technology sectors
- Global partners and competitors are deploying measures to secure significant parts of this new market (e.g. US Inflation Reduction Act)
- NZIA: establish framework conditions for innovating and scaling up manufacturing capacities of net-zero technologies in the EU
- Scaling up net-zero technologies requires large number of skilled workers: need for reskilling and upskilling: analyses show significant skilled labour demand and gaps



Strong skills needs for green transition

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- Large skills shortages in net-zero industries:
 - 180 000 skilled workers needed in fuel cell hydrogen manufacturing
 - 66 000 skilled workers needed in photovoltaic solar manufacturing
 - 800 000 skilled workers needed in battery production
- Need to bring together stakeholders & build upon and complement existing structures (e.g. 2023 European Year of Skills, EU Pact for Skills, ESF+, Cedefop, Sectoral BluePrints)

The Net-Zero Industry Act (NZIA) Proposal

- The proposal establishes a framework of measures for **strengthening Europe's net-zero technology products manufacturing ecosystem** according to the following structure:
 - Chapter I – Subject matter, scope and definitions
 - Chapter II – Enabling conditions for net-zero technology manufacturing
 - Chapter III – CO2 injection capacity
 - Chapter IV – Access to markets
 - **Chapter V – Enhancing skills for quality job creation**
 - Chapter VI – Innovation
 - Chapter VII – Governance
 - Chapter IX – Final Provisions
 - Chapter VIII – Monitoring

Chapter V: Enhancing skills for quality job creation

Article 23 - European Net Zero Industry Academies: the Commission shall support, including through the provision of seed-funding, the establishment of European Net Zero Industry Academies

Article 24 - Regulated professions in Net Zero Industries and recognition of professional qualifications: where a Member State concludes that an Academy learning credential is equivalent to a qualification required to access a regulated professional activity, the credential is sufficient evidence of formal qualification (i.e. access is granted to the professional activity in question)

Article 25 - Net-Zero Europe Platform and skills: The Net-Zero Europe Platform shall support the availability and deployment of skills in net-zero technologies

NZIA Legal Base

- NZIA is based on Article 114 TFEU
- Reflects subject matter and objective of proposal: manufacturing, industry, internal market
- Comprehensive and strategic nature of proposal: touches upon different policy areas
- Conscious decision for unique legal base, not multiple
- Skills = one of several pillars of NZIA the objective of which is scaling up manufacturing capacity of net-zero technologies
- Skills: NZIA supports and supplements Member States actions and encourages their cooperation

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2. European Net-Zero Industry Academies (Article 23 NZIA)

Net-Zero Industry Academies: Concept & Functionalities

- Academies = projects/concepts, no one brick and mortar education & training institution
- Three main functionalities:
 - Academies design learning content centrally with input from industry, education & training providers and Member States
 - Academies offer learning content to interested education & training providers and customers in Member States to support their provision of education & training where desired (offer, no obligation to use the content)
 - Academies develop and deploy learning credentials to facilitate transparency of skills, transferability between jobs and mobility of learners
- Example: European Batteries Academy (operating)

Net-Zero Industry Academies: Concept & Functionalities

Solar + Hydrogen + Raw Materials (+ Battery)



- Aim: **100,000 learners per Academy** within 3 years from establishment

Net-Zero Industry Academies: Set-up & Operation

- Academies may take different forms, e.g. consortia of existing education & training providers, EIT KICs etc
- Academies will not be set up in each Member State, but offer learning content to education and training providers in Member States
- Commission offers seed funding for Academies from existing funds managed by the Commission (i.e. seed funding for the design and offering of learning content)
- Academies to become self-financing: charge royalty fee for use of its learning content
- Member States may choose to support education & training providers on their territories that use content created by academies. EU funds available

Net-Zero Industry Academies: In line with EU Treaties

- Member States responsibility for content and organization of education systems and vocational training: Union action to support and supplement
- Academies create and offer learning content: for education & training providers in Member States to decide if they want to make use of it as part of their education & training offer
- Academies do not impose any learning content or organization. By offering learning content, they support and supplement ongoing actions in Member States to reskill and upskill workers
- Academies create learning content with input from industry, social partners, education & training providers subject to Member States monitoring / oversight: stimulates cooperation
- Member States competence to regulate professional qualifications required to access regulated professions fully respected: Member States to assess if learning programmes by academies are equivalent to qualifications required



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3. Regulated Professions & Recognition of Qualifications (Article 24 NZIA)

Regulated Professions & Recognition of Professional Qualifications

- Objective: foster the recognition of professional qualifications and mobility of skilled workers
- Learning programmes developed by academies and offered by education & training providers in Member States will concern skills needed for both, regulated and non-regulated professions/activities
- Proposal does not impact Member States' competence to regulate professions in line with EU law
- Where a Member State concludes that an Academy learning programme is equivalent to a qualification required to access a regulated professional activity, the related learning credential is sufficient evidence of formal qualification for granting access to the professional activity in question

Regulated Professions & Recognition of Professional Qualifications

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- Use of existing mechanisms provided for by the EU Professional Qualifications Directive: general system of recognition, Common Training Frameworks
- Common Training Frameworks designed to facilitate recognition of professional qualifications
- NZIA provides for Member States to work together to make use of this existing instrument (Common Training Frameworks) for regulated professions of importance to net-zero industries
- NZIA does not include any obligation for automatic recognition of specific professional qualifications
- NZIA does not amend the existing EU Professional Qualifications Directive: only makes use of mechanisms provided therein



4. Net-Zero Industry Platform (Article 25 NZIA)

The Net-Zero Industry Platform and Skills: Set up

- Composed of Member States and the Commission
- Chaired by a representative of the Commission
- Each Member State appoints a high-level representative
- Platform can invite representatives of the European Parliament to attend, as observers, its meetings, as well as experts and other third parties to provide contributions to meetings
- Platform may establish standing or temporary sub-groups dealing with specific questions and tasks: Skills sub-group?

The Net-Zero Industry Platform and Skills: Tasks

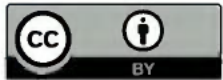
- Assist Commission in assessing, monitoring and forecasting skills needs:
 - Platform = forum to exchange and cooperate
 - Member States expected to share existing data and knowledge
- Monitor Academies, foster synergies with education & training providers in Member States and provide oversight:
 - Cooperate to ensure that Academies actions reflect education and vocational training policies of Member States and skills needs
 - Ensure links between Academies and education & training providers in the Member States

The Net-Zero Industry Platform and Skills: Tasks

- Assist the mobilization of stakeholders for the roll-out of learning programmes developed by the Academies:
 - Impact of Academies depends on education & training providers in Member States making use of learning content offered by Academies
 - Member States can provide political support and raise awareness
- Assist the uptake and recognition of learning credentials to promote recognition, matching of skills and mobility:
 - Promote the validity and acceptance of learning credentials that confirm a skill
 - No new structures but via existing tools (European Qualification Framework, etc.)
- Facilitate development of European occupation profiles
- Promote adequate working conditions and labour market activation
- Facilitate cooperation and exchange of best practices

Thank you!

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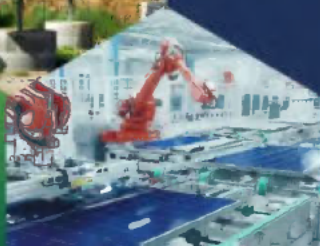
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NET ZERO INDUSTRY ACT

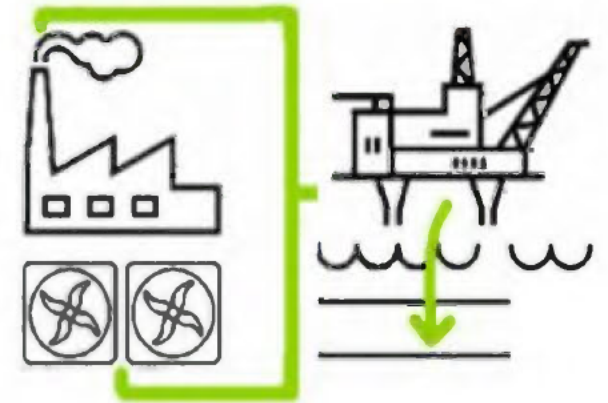
Proposal for a Regulation on establishing a framework of measures for strengthening Europe's net-zero technology products manufacturing ecosystem

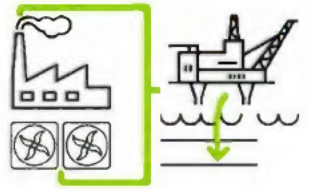


- Presentation by the European Commission
 - Union level objective of CO2 injection capacity (art.16)
 - CCS Net-Zero Strategic Projects (art. 10)
 - Transparency of CO2 storage capacity data (art. 17)
 - Monitoring (art. 31)
 - Contribution of authorised oil and gas producers (art. 18)
- Discussion/Questions Q&A from Member States

A CO₂ storage objectives for the EU

- **EU-wide objective to achieve an annual CO₂ storage capacity of 50 million tonnes by 2030**, to reassure industry investors that their captured emissions can be stored in the EU (storage in combination with enhanced hydrocarbon recovery excluded)
- **Obligation to publish all geological data relating to oil and gas production sites** when decommissioning
- **Net-Zero Strategic Projects** are supported if:
 - ✓ Operational CO₂ injection capacity by 2030 or earlier, and
 - ✓ Applied for a CO₂ storage permit CO₂, in accordance with [Directive 2009/31/EU](#)





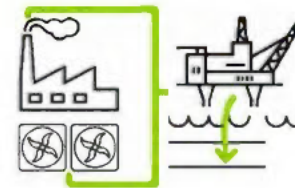
Storage Target (Art. 3, 16)

Article 16

Union level objective of CO₂ injection capacity

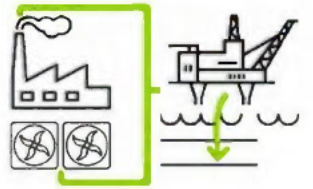
An annual injection capacity of at least 50 million tonnes of CO₂ shall be achieved by 2030, in storage sites located in the territory of the European Union, its exclusive economic zones or on its continental shelf within the meaning of the United Nations Convention on the Law of the Sea (UNCLOS) and which are not combined with Enhanced Hydrocarbon Recovery (EHR).

‘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;



Net-Zero Strategic Projects (Art. 10)

2. Member States shall recognise as net-zero strategic projects CO₂ storage projects that meet the following cumulative criteria:
- (a) the CO₂ storage site is 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);
 - (b) the CO₂ storage project contributes to reaching the objective set out in Article 18;
 - (c) the CO₂ storage project has applied for a permit for the safe and permanent geological storage of CO₂ in accordance with Directive 2009/31/EC.

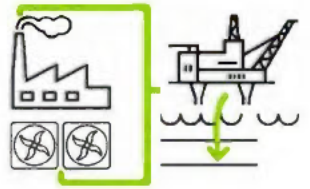


Storage capacity data (Art. 17)

Article 17

Transparency of CO₂ storage capacity data

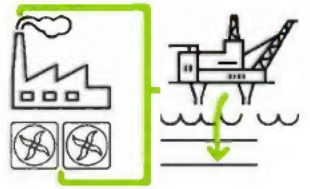
1. By 3 months from the entry into force of this Regulation, Member States shall:
 - (a) make publicly available data on areas where CO₂ storage sites can be permitted on their territory.
 - (b) oblige entities holding an authorisation as defined in Article 1, point 3, of Directive 94/22/EC of the European Parliament and of the Council⁷¹ on their territory to make publicly available all geological data relating to production sites that have been decommissioned or whose decommissioning has been notified to the competent authority.
 - (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.



Transparency capacity data (Art. 17)

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:
- (a) CO₂ capture projects in progress and an estimation of the corresponding needs for injection and storage capacities;
 - (b) CO₂ storage projects in progress on its territory, including the status of permitting under Directive 2009/31/EC, expected dates for Final Investment Decision (FID) and entry into operation;
 - (c) the national support measures that could be adopted to prompt projects referred to in points (a) and (b).

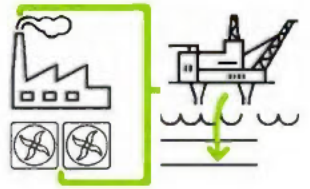
Monitoring (Art. 31)



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Article 31 *Monitoring*

1. The Commission shall monitor on an ongoing basis:
 - (a) The Union's progress with respect to the Union's objectives referred to in Article 1, and the related impact of this Regulation;
 - (b) the progress with respect to the Union level objective of CO₂ injection capacity referred to in Article 16.
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 :



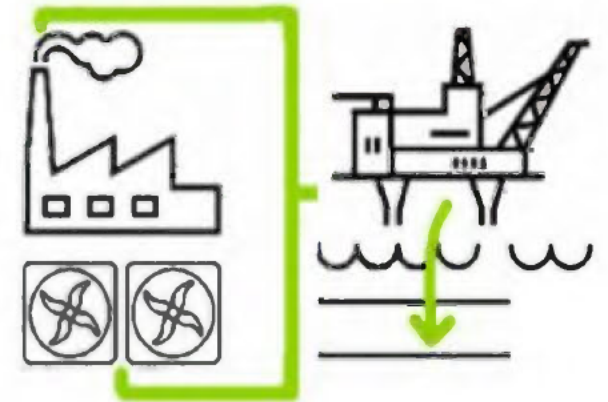
Monitoring (Art. 31)

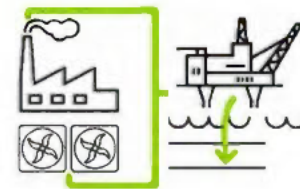
(h) the amount of CO₂ stored permanently underground in accordance with Directive 2009/31/EC.

3. 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.
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.
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 Council⁷⁶. Member States shall designate the national authority responsible for transmitting the data to national statistical offices and Eurostat.

Oil and Gas transition to net-zero

- **Contribution:** Oil and gas producers have to provide an individual contribution for reaching the Union-wide CO₂ injection target.
- Individual companies needs to **contribute in accordance with their share in overall EU oil and gas production**
- Flexibility: Oil and gas producers can **use their own assets, cooperate with each other or third parties** to provide new CO₂ storage and injection capacity commissioned by 2030.
- Monitoring based **storage needs in Member States (NECP)** with bi-annual **progress reports from industry**



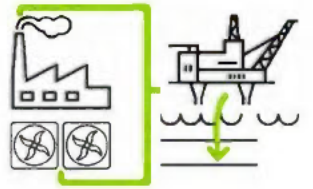


Industry contributions (Art. 18)

Article 18

Contribution of authorised oil and gas producers

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 CO₂ 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 31 December 2023 and shall consist of CO₂ 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.
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 1 and their volumes in crude oil and natural gas production from 1 January 2020 to 31 December 2023.



Industry contributions (Art. 18)

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 2030 from entities referred to in paragraph 1.
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:
 - (a) confirm the entity's contribution, expressed in terms of targeted volume of new CO₂ storage and injection capacity commissioned by 2030;
 - (b) specify the means and the milestones for reaching the targeted volume.

THANK YOU

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Directorate C - Climate Strategy, Governance and Emissions from non-trading sectors

CLIMA.C.2 – Low Carbon Solutions (II): Research & Low Carbon Technology Deployment

[REDACTED]