



General objective of NZIA

“ Establishing a regulatory framework to ensure the Union’s access to a secure and sustainable supply of net-zero technologies including by scaling up the manufacturing capacity of net-zero technologies and their supply chains.



Finding your way through the Act



Chap 1: Subject matter, scope & definitions

Chap 2: Enabling conditions for net-zero tech manufacturing

Chap 3: CO2 injection capacity

Chap 4: Access to Markets

Chap 5: Enhancing skills for quality job creation

Chap 6: Innovation

Chap 7: Governance

Chap 8: Monitoring

Chap 9: Final provisions



Access to Markets chapter covers 3 areas

1 Public procurement

New mandatory rules on Public procurement to change how authorities procure goods, works and services related to net-zero technologies.

More details on next slides

2 Auctions

Auctions for the deployment of renewable energy technologies need to non-price pre-qualification and award criteria (inter alia on cybersecurity, environmental sustainability, and resilience). These criteria will have to apply to at least 30% of the volume auctioned every year or 6 GW per MS.

3 Other support schemes

Support schemes to incentivise the purchase of net-zero technology final products have to promote the purchase of net-zero technology final products with a high sustainability and resilience contribution.

New criteria for public procurement



Minimum mandatory requirement on **environmental sustainability** (in the form of technical specifications or requirements or contract performance clauses)



Additional criterion – one among the following:

- Special condition relating to **social or employment-related considerations**
- Requirement to demonstrate compliance with **cybersecurity** requirements
- Specific contractual obligation to **deliver on time**



Resilience contribution

Technologies covered by procurement article

1. Solar technologies, including: solar photovoltaic, solar thermal electric and solar thermal technologies;
2. Onshore wind and offshore renewable technologies;
3. Battery and energy storage technologies;
4. Renewable energy technologies, not covered under the previous categories;
5. Heat pumps and geothermal energy technologies;
6. Hydrogen technologies, including electrolysers and fuel cells;
7. Sustainable biogas and biomethane technologies;
8. Carbon capture and storage technologies;
9. Electricity grid technologies, including electric charging technologies for transportation and technologies to digitalise the grid;
10. Nuclear fission energy technologies, including nuclear fuel cycle technologies;
11. Sustainable alternative fuels technologies;
12. Hydropower technologies;



Minimum requirement on environmental sustainability



Legal text

- 25(1): apply minimum mandatory requirement
- 25(2): shall not preclude using other minimum mandatory requirements
- 25(5): requires implementing act
- 25(9): Exceptions
 - Only one supplier
 - No suitable tenders in similar previous procedure
 - Disproportionate costs
- 25(10): Estimated cost differences above 20% can be considered disproportionate

Implementing act

1. Might present general principles for criteria like carbon footprint, circularity criteria (recycled content, recyclability), biodiversity
2. Might present specific recommendations for technologies like e.g. solar or wind



The resilience criterion (1/2)



Trigger: dependency

- Commission determines dependency of EU supply from a single source of supply of **over 50%** or
- Dependency of **over 40% of supply**, having **increased by >10 percentage points** on average in the **past two years**

Consequence: diversification

1. No more than 50% of the overall technology may come from that single source of supply
2. Poss.: No more than 50% of the “dependent” component may come from that source of supply

Implementation:

- Provide evidence upon request
- Pay charge of >10% of the value of the technology in the contract



The resilience criterion (2/2)

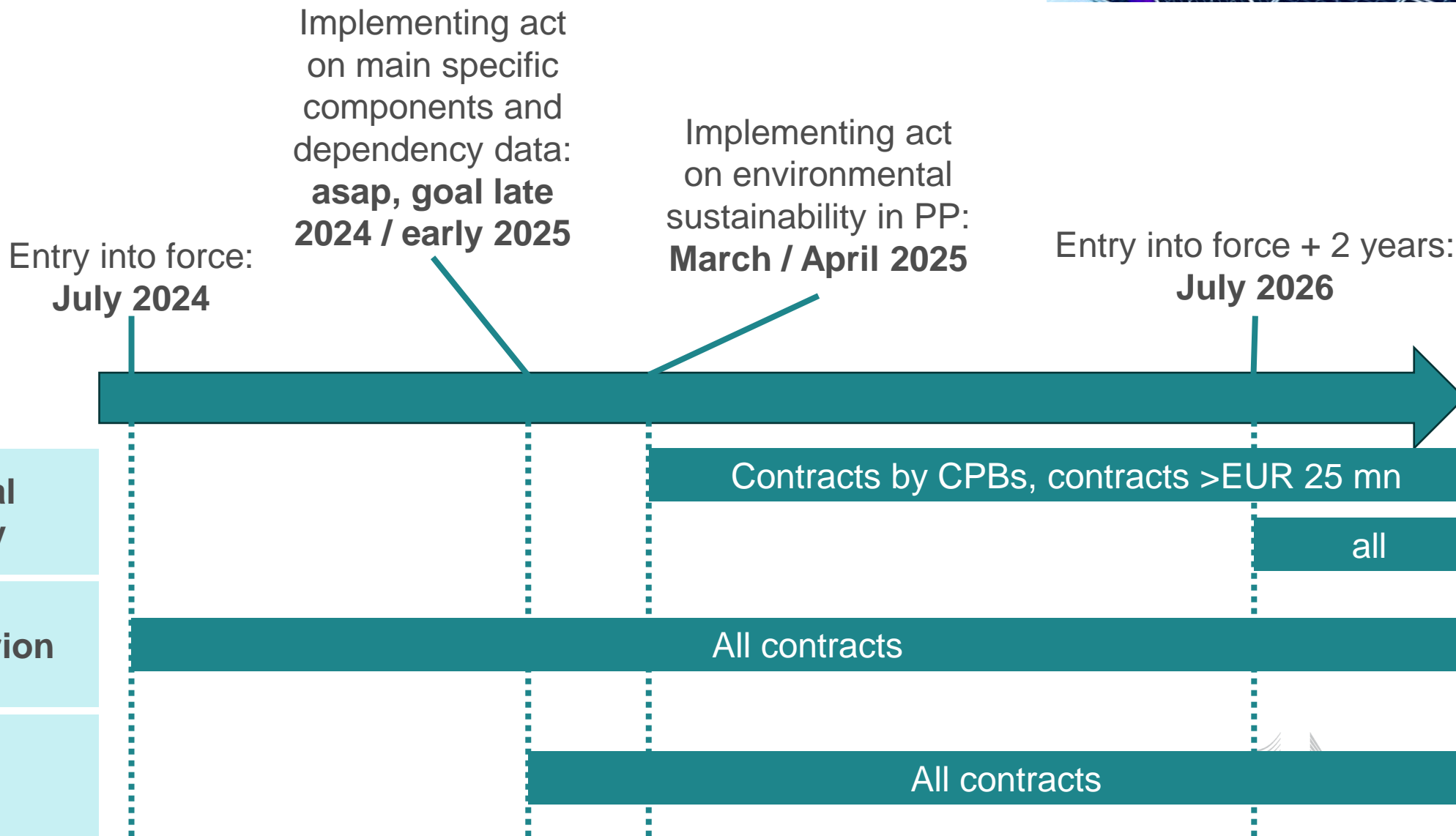


Exceptions

If application of 25(7) / resilience criterion leads to no suitable tenders:

- a) Use negotiated procedure without prior publication, using same conditions **or**
- b) Do not apply resilience conditions in a new subsequent public procurement procedure

Public procurement – timeline



Thank you

[Net Zero Industry Act - Website](#)