



**An Bille um Rialáil Leictreachais (Gníomhú Aeráide
agus Cur i gCeangal le Córais Dáilte agus Tarchurtha),
2025**

**Electricity Regulation (Climate Action and Connection
to Distribution and Transmission Systems) Bill 2025**

Meabhrán Míniúcháin
Explanatory Memorandum



**AN BILLE UM RIALÁIL LEICTREACHAIS (GNÍOMHÚ
AERÁIDE AGUS CUR I GCEANGAL LE CÓRAIS DÁILTE
AGUS TARCHURTHA), 2025**

**ELECTRICITY REGULATION (CLIMATE ACTION AND
CONNECTION TO DISTRIBUTION AND TRANSMISSION
SYSTEMS) BILL 2025**

EXPLANATORY MEMORANDUM

Purpose of Bill

Under s. 15 of the Climate Action and Low Carbon Development Act 2015 as amended, every public body must so far as practicable perform its functions in a manner consistent with –

- the climate action plan, national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans,
- the furtherance of the ‘national climate objective’, and
- the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.

The ‘national climate objective’ is set out in s. 3 of the 2015 Act as substituted by the Climate Action and Low Carbon Development (Amendment) Act 2021, as follows: ‘The State shall, so as to reduce the extent of further global warming, pursue and achieve, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy’.

The Commission for the Regulation of Utilities (CRU) is a public body to which these requirements apply, and it acknowledges a statutory obligation to perform its functions consistently with the furtherance of the national climate objective.

The CRU published a Proposed Decision paper on 18 February 2025, on a new connection policy for large energy users, which includes data centres. Section 1.2 of that document sets out the legal framework within which the CRU operates. In relation to the national climate objective, the paper says: ‘The CRU considers that the current provisions under the Climate Action Act *do not provide a sufficient legal basis to allow the CRU to explicitly mandate specific emissions reduction and offsetting measures* (e.g. to require that connection applicants put in place arrangements to ensure that emissions associated with a demand connection are fully abated from the time of connection or on a set trajectory)’ (emphasis added).

In essence, it appears that the Climate Action Acts frame the national climate objective in general terms that do not confer sufficient legal

competence on the CRU to require that specified steps must be taken by a new data centre applying for a connection such as, for example, a requirement that renewable energy must be used. The purpose of this Bill is to fill a gap in the current legislation by enabling the CRU to give more specific directions in terms of mandatory emissions reduction and offsetting measures.

Provisions of Bill

The Bill is by its long title an Act ‘to enable the Commission for the Regulation of Utilities to direct that offers for connection to the electricity transmission and distribution systems be made subject to terms and conditions requiring that specified measures be taken for the purpose of avoiding, preventing, reducing, offsetting or abating greenhouse gas emissions or otherwise in furtherance of the national climate objective; for that purpose to amend the Electricity Regulation Act 1999; and to provide for related matters’.

Section 1 is headed ‘Terms for electricity connection: emissions and national climate objective’. The section amends s. 34 of the Electricity Regulation Act 1999 by inserting a new subsection after subsection (2A). Under the new subsection (2B), the CRU may make provision in directions to be given under the section that the terms and conditions subject to which offers for connection to or use of the transmission or distribution system are made shall include a requirement that an applicant for such connection or use must agree to take ‘specified measures’. These specified measures are defined as meaning such measures as are specified by the CRU, whether to be taken at once or on a time-tabled or graduated basis, which it considers necessary or appropriate –

- for avoiding, preventing, reducing, offsetting or abating emissions, or
- otherwise in furtherance of the national climate objective.

It is stated that different measures may be specified by the CRU in respect of different classes of applicant, and that the subsection does not apply to offers for connection to or use of the transmission or distribution system where the connection concerned has a maximum import capacity of less than 150kVA.

Section 2 provides in standard form for the short title and collective citation and construction of the Bill when passed.

Ciarán Ahern TD,

Samhain, 2025

