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Oireachtais
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Oireachtas

An Comhchoiste um Chomhshaol agus Gníomhú ar son na hAeráide

An Cion Polaitiúil i ndáil leis an

TREOIR Ó PHARLAIMINT NA hEORPA AGUS ÓN gCOMHAIRLE lena leasaítear Treoir (AE) 2018/2001 maidir le húsáid fuinnimh ó fhoinsí inathnuaite a chur chun cinn, Treoir 2010/31/AE maidir le feidhmíocht fuinnimh foirgneamh, agus Treoir 2012/27/AE maidir le héifeachtúlacht fuinnimh

Eanáir 2023

Joint Committee on Environment and Climate Action

Political Contribution on

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources, Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency

January 2023

33/JCECA/11

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1. Introduction

1. The Oireachtas Joint Committee on Environment and Climate Action (“the Committee”) considers *DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources, Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency* to be significantly important to Ireland and the EU.

2. Scrutiny by the Committee

2. The Committee first considered the proposal at its meeting on 12 July 2022. The Committee further considered the proposal on 27 September 2022, 25 October, 09 November 2022 and 22 November 2022.

3. Decision of the Committee

3. On 22 November 2022, the Committee agreed to draft a political contribution and to forward a copy to Eamon Ryan T.D. Minister for Environment, Climate and Communications, Ursula von der Leyen, President of the European Commission, Roberta Metsola MEP, President of the European Parliament, and Charles Michel, President of the European Council.
4. The Committee further agreed that, in the interests of inter-parliamentary cooperation on EU matters, a copy of this report be forwarded to the appropriate Committee in the National Parliament of each EU Member State and to Ireland’s MEPs.

4. Opinion of the Joint Committee

5. Having considered the proposal in detail, the Committee makes the following observations:

Energy Efficiency Directive

1. The Committee supports the objective of the RePower Europe plan for energy independence from Russian fossil fuels by 2027. The committee notes the important co benefits to carbon reduction across Europe that will follow from this plan.
2. The Committee acknowledges the importance of Europe wide energy reduction targets of at least 13-14.5% in the Energy Efficiency Directive. The Committee further recommends that existing measures which encourage activities across Europe to locate where they are most carbon efficient or where more renewable energy is available should not be curtailed.
3. The Committee recommends that there should be no dilution or exemptions from the provisions or penalties under the Governance Regulation, and in particular no removal or suspension of binding targets.
4. The Committee supports the provisions that recognise the need to apply the energy efficiency first principle in all major investment and policy decisions.
5. The Committee welcomes the provisions that would prevent Member States from subsidising fossil fuel technologies in residential buildings as of 1st of January 2024 as part of their energy efficiency targets.
6. The Committee supports the provisions that recognise the need to address energy poverty.

Renewable Energy Directive

7. The Committee supports the ambition for a shift to 45% renewable energy by 2030 and recommends that this accelerated ambition be supported by greatly increased resourcing and investment, including public investment, targeted specifically towards renewable energy, particularly wind and solar.

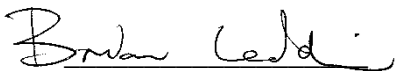
8. The Committee recommends that the sustainable Taxonomy be carefully reviewed in this context to ensure it is not diminishing investment available for renewables.
9. The Committee recommends that all measures to increase energy supply chain capacity for the EU be appropriately screened from an environmental and human rights perspective.
10. The Committee supports the accelerated deployment of wind and solar energy by speeding up the permitting procedures, and the increased ambition for offshore wind. The Committee also supports the references to the tool for maritime spatial planning and calls for involvement of local community.
11. The Committee supports the provisions for phasing out low temperature industrial heat applications by 2027, which is key to incentivise renewable electrification, industrial heat pumps or e-boilers in this sector, which consumes roughly 8% of the overall consumption of fossil gas.

Energy Performance of Buildings Directive

12. The Committee notes the early and significant impact of embodied energy emissions in respect of Fit for 55 and the 2030 targets and recommends that the review of the Energy Performance of Building Directive should reflect stronger measures and regulations in respect of such embodied emissions.
13. The Committee recommends that this includes accounting for Scope 3 emissions in respect of construction materials and supply chains. It should also include proper measurement and regulation in relation to the potential release of embodied emissions through demolition and in retrofit materials use during building refurbishment.
14. The Committee support the requirements for the lifecycle global warming potential of all new buildings to be calculated by 2030.
15. The Committee recommends that the methodologies and criteria associated with a building's Energy Performance Certificate, as currently outlined in Annex 1 of the Directive, reflect the embodied emissions associated with construction and construction materials, as well as site clearance and demolition of any building or buildings which previously occupied the site of the new building.
16. If it is not deemed practicable to incorporate embodied emissions within the Energy Performance Certificate then a separate measurement

should accompany that certificate, specifying the embodied energy emissions from the demolition, site clearance and construction associated with a building.

17. The proper measurement of embodied emissions both in terms of construction and demolition, would likely serve to encourage a greater focus on renovation and could therefore prove highly complementary to the other incentives around renovation currently being proposed. For example, accounting for embodied emissions may lead to some renovated, adapted or extended buildings receiving better energy performance ratings than entirely new building. This in turn could encourage more renovation, reduce pressure on construction material supply chains and crucially, reduce emissions in both the immediate and longer term.



Brian Leddin, T.D.
Cathaoirleach
24 January 2023

APPENDIX 1 - Membership

Membership of the Joint Committee on Environment and Climate Action



Richard Bruton TD
Fine Gael



Réada Cronin
Sinn Féin



Cormac Devlin TD
Fianna Fáil



Alan Farrell TD
Fine Gael



Brian Leddin TD (Cathaoirleach)
Green Party



Darren O'Rourke TD
Sinn Féin



Christopher O'Sullivan TD



Bríd Smith TD



Jennifer Whitmore TD

Fianna Fáil

Solidarity-People Before Profit

Social Democrats



Senator Lynn Boylan
Sinn Féin



Senator Timmy Dooley
Fianna Fáil



Senator Alice-Mary Higgins
Independent



Senator John McGahon
Fine Gael



Senator Pauline O'Reilly
Green Party

APPENDIX 2 – Terms of Reference of the Committee

Functions of the Committee – derived from Standing Orders [DSO 95; SSO 71]

- (1) The Select Committee shall consider and, unless otherwise provided for in these Standing Orders or by order, to report to the Dáil on any matter relating to—
 - (a) legislation, policy, governance, expenditure and administration of—
 - (i) a Government Department, and
 - (ii) State bodies within the responsibility of such Department, and
 - (b) the performance of a non-State body in relation to an agreement for the provision of services that it has entered into with any such Government Department or State body.
- (2) The Select Committee appointed pursuant to this Standing Order shall also consider such other matters which—
 - (a) stand referred to the Committee by virtue of these Standing Orders or statute law, or
 - (b) shall be referred to the Committee by order of the Dáil.
- (3) The principal purpose of Committee consideration of matters of policy, governance, expenditure and administration under paragraph (1) shall be—
 - (a) for the accountability of the relevant Minister or Minister of State, and
 - (b) to assess the performance of the relevant Government Department or of a State body within the responsibility of the relevant Department, in delivering public services while achieving intended outcomes, including value for money.
- (4) The Select Committee appointed pursuant to this Standing Order shall not consider any matter relating to accounts audited by, or reports of, the Comptroller and Auditor General unless the Committee of Public Accounts—
 - (a) consents to such consideration, or
 - (b) has reported on such accounts or reports.
- (5) The Select Committee appointed pursuant to this Standing Order may be joined with a Select Committee appointed by Seanad Éireann to be and act as a Joint Committee for the purposes of paragraph (1) and such other purposes as may be specified in these Standing Orders or by order of the Dáil: provided that the Joint Committee shall not consider—
 - (a) the Committee Stage of a Bill,
 - (b) Estimates for Public Services, or

- (c) a proposal contained in a motion for the approval of an international agreement involving a charge upon public funds referred to the Committee by order of the Dáil.
- (6) Any report that the Joint Committee proposes to make shall, on adoption by the Joint Committee, be made to both Houses of the Oireachtas.
- (7) The Chairman of the Select Committee appointed pursuant to this Standing Order shall also be Chairman of the Joint Committee.
- (8) Where the Select Committee proposes to consider—
 - (a) EU draft legislative acts standing referred to the Select Committee under Standing Order 133, including the compliance of such acts with the principle of subsidiarity,
 - (b) other proposals for EU legislation and related policy issues, including programmes and guidelines prepared by the European Commission as a basis of possible legislative action,
 - (c) non-legislative documents published by any EU institution in relation to EU policy matters, or
 - (d) matters listed for consideration on the agenda for meetings of the relevant Council (of Ministers) of the European Union and the outcome of such meetings,

the following may be notified accordingly and shall have the right to attend and take part in such consideration without having a right to move motions or amendments or the right to vote:

- (i) members of the European Parliament elected from constituencies in Ireland,
 - (ii) members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and
 - (iii) at the invitation of the Committee, other members of the European Parliament.
- (9) The Select Committee appointed pursuant to this Standing Order may, in respect of any Ombudsman charged with oversight of public services within the policy remit of the relevant Department consider—
 - (a) such motions relating to the appointment of an Ombudsman as may be referred to the Committee, and
 - (b) such Ombudsman reports laid before either or both Houses of the Oireachtas as the Committee may select: Provided that the provisions of Standing Order 130 apply where the Select Committee has not considered the Ombudsman

report, or a portion or portions thereof, within two months (excluding Christmas, Easter or summer recess periods) of the report being laid before either or both Houses of the Oireachtas.

b. Scope and Context of Activities of Committees (as derived from Standing Orders) [DSO 94; SSO 70]

- (1) It shall be an instruction to each Select Committee that—
- (a) it may only consider such matters, engage in such activities, exercise such powers and discharge such functions as are specifically authorised under its orders of reference and under Standing Orders;
 - (b) such matters, activities, powers and functions shall be relevant to, and shall arise only in the context of, the preparation of a report to the Dáil;
 - (c) it shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Joint Committee on Public Petitions in the exercise of its functions under Standing Order 125(1)1; and
 - (d) it shall refrain from inquiring into in public session or publishing confidential information regarding any matter if so requested, for stated reasons given in writing, by—
 - (i) a member of the Government or a Minister of State, or
 - (ii) the principal office-holder of a State body within the responsibility of a Government Department or
 - (iii) the principal office-holder of a non-State body which is partly funded by the State,

Provided that the Committee may appeal any such request made to the Ceann Comhairle, whose decision shall be final.

- (2) It shall be an instruction to all Select Committees to which Bills are referred that they shall ensure that not more than two Select Committees shall meet to consider a Bill on any given day, unless the Dáil, after due notice to the Business Committee by a Chairman of one of the Select Committees concerned, waives this instruction.