

PARLIAMENT OF THE CZECH REPUBLIC
Chamber of Deputies
Committee on Environment

Resolution No. 33

6th session on 30th March 2022

Proposal for a Directive of the European Parliament and of the Council on common rules for the internal markets in renewable and natural gases and in hydrogen, COM(2021) 803 final, 15111/21

Proposal for a Regulation of the European Parliament and of the Council on the internal markets for renewable and natural gases and for hydrogen (recast), COM(2021) 804, 15096/21

Conclusions of the Resolution:

Committee on Environment

1. **takes note of** the Proposal for a Directive of the European Parliament and of the Council on common rules for the internal markets in renewable and natural gases and in hydrogen, COM(2021) 803 final, 15111/21 and of the Proposal for a Regulation of the European Parliament and of the Council on the internal markets for renewable and natural gases and for hydrogen (recast), COM(2021) 804, 15096/21;
2. **supports** the position of the Government of the Czech Republic, which generally accepts the draft of the Directive, but has fundamental reservations to certain provisions;
3. **notes** that should appropriate conditions be put in place, total gas demand in the Czech Republic and the EU can be decarbonised by 2050;
4. **welcomes** the strengthening of the position of the final consumer and its protection in the energy markets;
5. **states** that the Proposal for a Directive of the European Parliament and of the Council on common rules for the internal markets in renewable and natural gases and in hydrogen and of the Proposal for a Regulation of the European Parliament and of the Council on the internal markets for renewable and natural gases and for hydrogen are based on existing principals of the market with natural gas, that a well functioning European internal gas market has proven that is built on well-chosen and efficient principles during its existence and can therefore be used as a best practice for the development of the hydrogen market;
6. **came to the conclusion** that some provisions of the Directive and of the Regulation will complicate the achievement of the objectives of the Directive, in particular the strict unbundling of hydrogen system operators (Articles No 62, 63 and 64 of the Directive) and

the abolition of the cross-border tariffs (Article No 6 of the Regulation). It will reduce motivation of existing natural gas transmission operators to build a hydrogen system.

7. **came to the conclusion** that the Proposal for a Directive of the European Parliament and of the Council on common rules for the internal markets in renewable and natural gases and in hydrogen and the Proposal for a Regulation of the European Parliament and of the Council on the internal markets for renewable and natural gases and for hydrogen do not comply with the principle of subsidiarity, pursuant Art. 5 Par. 3 of the Treaty on European Union, and therefore **adopts a reasoned opinion** pursuant to the Article 6 of the Protocol No 2 on the application of the principles of subsidiarity and proportionality annexed to the Treaties, for the following reasons:
 - European Commission did not present an impact assessment on individual Member States, that precludes considering all implications of both proposals by the national parliaments, especially those related to issues of subsidiarity;
 - the European Commission did not provide evidence that the measures referred to in Art. 62, 63 and 64 of the proposal for a Directive and Art. 6 of the proposal for a Regulation are achievable in adequate time and at adequate costs by the Member States, and did not prove the added value of the chosen measures at the European level;
 - the transfer of competences from the national level in the field of setting the cross-border transfer tariffs of future hydrogen infrastructure would restrain the Member State's rights to set down the tariffs in accordance with specific interests of final consumers in that Member State.
8. **authorises** the Chairperson of the Committee on Environment to inform about this resolution the Chairman of the Committee on European Affairs.