



Committee on Legal Affairs
The Chair

2.2.2023

Mr Cristian-Silviu Buşoi
Chair
Committee on Industry, Research and Energy
BRUSSELS

Subject: Opinion on a 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)0804 – C9-0470/2021 – 2021/0424(COD))

Dear Mr Chair,

The Committee on Legal Affairs has examined the proposal referred to above pursuant to Rule 110 on recasting of Parliament's Rules of Procedure.

Paragraph 3 of that Rule reads as follows:

“If the committee responsible for legal affairs considers that the proposal does not entail any substantive changes other than those identified as such in the proposal, it shall inform the committee responsible for the subject matter thereof.

In such a case, over and above the conditions laid down in Rules 180 and 181, amendments shall be admissible within the committee responsible for the subject-matter only if they concern those parts of the proposal which contain changes.

However, amendments to parts of the proposal which remain unchanged may, by way of exception and on a case-by-case basis, be accepted by the Chair of the committee responsible for the subject matter if he or she considers that this is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments. Such reasons must be stated in a written justification to the amendments.”

Following the here attached opinion of the Consultative Working Party of the Legal Services of the Parliament, the Council and the Commission, which has examined the recast proposal, and in keeping with the recommendations of the Rapporteur, the Committee on Legal Affairs considers that the proposal in question does not include any substantive changes other than

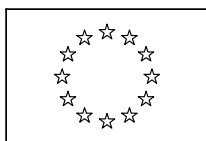
those identified as such and that, as regards the codification of the unchanged provisions of the earlier act with those substantive amendments, the proposal contains a straightforward codification of the existing text, without any change in its substance.

In conclusion, at its extraordinary meeting of 31 January 2023, the Committee on Legal Affairs unanimously¹ decided to recommend that the Committee on Industry, Research and Energy (ITRE), as the committee responsible, proceed to examine the above proposal in accordance with Rule 110.

Yours sincerely,

Adrián Vázquez Lázara

¹ The following were present for the final vote: Adrián Vázquez Lázara (Président), Sergey Lagodinsky (Vice-président), Marion Walsmann (Vice-présidente), Lara Wolters (Vice-présidente), Raffaele Stancanelli (Vice-président), Pascal Arimont, Manon Aubry, Alessandra Basso, Brando Benifei, Jérémy Decerle (for Pierre Karleskind, pursuant to Rule 209(7)), Angel Dzhambazki, Ibán García Del Blanco, Frances Fitzgerald (for Esteban González Pons, pursuant to Rule 209(7)), Virginie Joron, Andrzej Halicki, Heidi Hautala, Gilles Lebreton, Karen Melchior, Sabrina Pignedoli, Jiří Pospíšil, Franco Roberti, Axel Voss, Tiemo Wölken.



CONSULTATIVE WORKING PARTY
OF THE LEGAL SERVICES

Brussels, 6 December 2022

OPINION

**FOR THE ATTENTION OF THE EUROPEAN PARLIAMENT
THE COUNCIL
THE COMMISSION**

**Proposal for a regulation of the European Parliament and of the Council internal markets for renewable and natural gases and for hydrogen
COM(2021)804 of 15.12.2021 – 2021/0424(COD)**

Having regard to the Inter-institutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts, and in particular to point 9 thereof, the Consultative Working Party consisting of the respective legal services of the European Parliament, the Council and the Commission met on 7 and 30 September 2022 for the purpose of examining the aforementioned proposal submitted by the Commission.

At those meetings², an examination of the proposal for a Regulation of the European Parliament and of the Council recasting Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks resulted in the Consultative Working Party's establishing, by common accord, as follows.

1. The following should have been marked with the grey-shaded type generally used for identifying substantive amendments:
 - in the title of the act, the replacement of the words '*on conditions for access to*' with the words '*on the internal markets for*' and the adding of the words '*renewable and*' and '*and for hydrogen*';
 - in recital 15, the deletion of the word '*transmission*';
 - in recital 16, the replacement of the final word '*gas*' with '*gases*'-,
 - the entire text of Article 5(5);
 - in Article 9(3), second subparagraph, the replacement of the reference made to '*point (b) of the first subparagraph*' with a reference to '*the first subparagraph, point (a)*'-,
 - in Article 10(1), the word '*or*' preceding the words '*hydrogen storage*'-.
 - in Article 22(1), the replacement of the words '*the transmission system operators for gas*' with the words '*the ENTSO*';
 - in Article 22(2), the replacement of the word '*two*' with the word '*four*'.

² The Consultative Working Party worked on the basis of the English language version of the proposal, being the master-copy language version of the text under discussion.

- in Article 23(8), the adding of the words '*or 56*';
- in Article 25, first paragraph, the replacement of the reference made to 'Article 23' with a reference to 'Article 52 to 56';
- in Article 27, the replacement of the reference made to 'Articles 4 to 12' with a reference to 'Articles 21 to 23';
- in Article 29, second paragraph, point (b), the replacement of the reference made to '*Articles 14 and 22*' with a reference to '*Articles 56 and 52*';
- in Article 56(3), point (a), the replacement of the reference made to 'Articles 14 and 15' with a reference to 'Articles 5 to 7';
- in Article 56(3), point (d), the replacement of the reference made to 'Article 13' with a reference to 'Articles 15 and 16';
- in Article 58(1), the deletion of the final words 'Article 23';
- in Annex 1, the deletion of point 1.9 of Annex 1 of Regulation (EC) No 715/2009;
- in Annex 1, point 2.2.2.1, the replacement of the reference made to 'Article 16(1)' with a reference to 'Article 5'.

2. The following should have been marked with formal adaptation signs:

- in the title of the act, the replacement of the words '*the natural gas transmission networks*' with the words '*natural gases*' and the deletion of the words '*and repealing Regulation (EC) No 1775/2005*';

in Article 9(3), second subparagraph, the replacement of the words '*In regard to*' with the words '*As regards*'.

In consequence, examination of the proposal has enabled the Consultative Working Party to conclude, without dissent, that the proposal does not comprise any substantive amendments other than those identified as such. The Working Party also concluded, as regards the codification of the unchanged provisions of the earlier act with those substantive amendments, that the proposal contains a straightforward codification of the existing legal text, without any change in its substance.

F. DREXLER
Jurisconsult

J.B. LAIGNELOT
acting Director-General

D. CALLEJA CRESPO
Director-General