

Procedure file

Basic information		
CNS - Consultation procedure Directive	2021/0213(CNS)	Awaiting committee decision
Energy Taxation Directive		
Subject		
2.70.02 Indirect taxation, VAT, excise duties		
3.60.01 Solid fuels, coal mining, mining industry		
3.60.02 Oil industry, motor fuels		
3.60.03 Gas, electricity, natural gas, biogas		
3.60.05 Alternative and renewable energies		
3.60.08 Energy efficiency		
3.70.02 Atmospheric pollution, motor vehicle pollution		
3.70.03 Climate policy, climate change, ozone layer		
3.70.15 Environmental taxation		
Legislative priorities		
Joint Declaration 2022		
Joint Declaration 2021		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Economic and Monetary Affairs		01/09/2021
		 VAN OVERTVELDT Johan	
		Shadow rapporteur	
		 MARTUSCIELLO Fulvio	
		 SCHUSTER Joachim	
		 KOVAŘÍK Ondřej	
		 GRUFFAT Claude	
		 BECK Gunnar	
		 GUSMÃO José	
	Committee for opinion	Rapporteur for opinion	Appointed
	 Fisheries		30/11/2021
		 MATO Gabriel	
	 Agriculture and Rural Development		15/02/2022
		 HLAVÁČEK Martin	
	 Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
	 Transport and Tourism		29/10/2021

[GRAPINI Maria](#)**ITRE** [Industry, Research and Energy](#)
(Associated committee)

28/09/2021

[HAJŠEL Robert](#)

Committee for opinion on the recast technique

Rapporteur for opinion

Appointed

JURI [Legal Affairs](#)

01/07/2021

[AUBRY Manon](#)Council of the European Union
European Commission

Commission DG

Commissioner

[Taxation and Customs Union](#)

GENTILONI Paolo

Key events

14/07/2021	Legislative proposal published	COM(2021)0563	Summary
07/10/2021	Committee referral announced in Parliament		
11/11/2021	Referral to associated committees announced in Parliament		

Forecasts

14/09/2022	Vote in plenary scheduled
26/09/2022	Vote scheduled in committee

Technical information

Procedure reference	2021/0213(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Recast
Legislative instrument	Directive
Legal basis	Treaty on the Functioning of the EU TFEU 192-p2-a2; Rules of Procedure EP 57; Rules of Procedure EP 110
Stage reached in procedure	Awaiting committee decision
Committee dossier	ECON/9/06932

Documentation gateway

Legislative proposal		COM(2021)0563	14/07/2021	EC	Summary
Document attached to the procedure		SEC(2021)0663	15/07/2021	EC	
Document attached to the procedure		SWD(2021)0640	15/07/2021	EC	
Document attached to the procedure		SWD(2021)0641	15/07/2021	EC	
Document attached to the procedure		SWD(2021)0642	15/07/2021	EC	
Reasoned opinion	CZ_SENATE	PE700.487	02/12/2021	NP	
Committee draft report		PE719.624	28/02/2022	EP	

Specific opinion	JURI	PE729.819	02/03/2022	EP	
Committee opinion	PECH	PE700.684	22/03/2022	EP	
Amendments tabled in committee		PE731.499	07/04/2022	EP	
Amendments tabled in committee		PE729.998	08/04/2022	EP	
Committee of the Regions: opinion		CDR4801/2021	28/04/2022	CofR	
Committee opinion	TRAN	PE704.637	18/05/2022	EP	
Committee opinion	AGRI	PE719.785	18/05/2022	EP	
Committee opinion	ITRE	PE719.575	03/06/2022	EP	

Energy Taxation Directive

PURPOSE: to restructure the EU framework for the taxation of energy products and electricity (recast).

PROPOSED ACT: Council Directive.

ROLE OF THE EUROPEAN PARLIAMENT: the Council adopts the act after consulting the European Parliament but without being obliged to follow its opinion.

BACKGROUND: the taxation of energy products and electricity plays an important role in the area of climate and energy policy. The harmonised rules set under the Directive 2003/96/EC restructuring the Community framework for the taxation of energy products and electricity (Energy Taxation Directive or ETD) aim to ensure the proper functioning of the internal market. However, since the adoption of the ETD, the underlying climate and energy policy framework has changed radically and the Directive is no longer aligned with current EU policies.

The European Green Deal launched a new growth strategy for the EU that aims to transform the EU into a fair and prosperous society, with a modern, resource-efficient and competitive economy. The [European Climate Law](#) has made the EU's climate neutrality target by 2050 legally binding.

The Commission has presented a complementary and interconnected set of proposals as part of the 2030 Climate and Energy Fit for 55 package to achieve the greenhouse gas emission reduction target of at least 55% compared to 1990. This Fit for 55 legislative package is the most comprehensive building block in the efforts to implement the ambitious new 2030 climate target, and all economic sectors and policies will need to make their contribution.

The proposal for recasting is part of this package as it focuses on environmental and climate issues to support the Commissions commitment to tackling environmental-related challenges and achieve the EUs domestic greenhouse gas emissions reductions objectives and air pollution reduction.

CONTENT: this proposal for a Council Directive aims to align the taxation of energy products with EU energy and climate policies, promote clean technologies and remove outdated exemptions and reduced rates that currently encourage the use of fossil fuels. The new rules aim at reducing the harmful effects of energy tax competition, helping secure revenues for Member States from green taxes, which are less detrimental to growth than taxes on labour.

It proposes with effect from first of January 2023:

- the introduction of a new structure of tax rates based on the energy content and environmental performance of the fuels and electricity: taxation based on energy content provides a better benchmark for comparing different energy products and electricity and removes the current disadvantageous tax treatment of certain products, such as biofuels. Minimum rates would be set on the basis of the energy content (calculated in EUR/gigajoule) of each product;
- the grouping of energy products and electricity into general categories by type, according to a classification that takes into account energy content and environmental performance so that the most polluting fuels are the most taxed. Member States should replicate this ranking at national level. Electricity should always be included among the least taxed energy sources in order to encourage its use, particularly in the transport sector;
- broadening the taxable base defined in the Directive by including more products in the scope and removing some of the existing exemptions and reductions. It would still be possible to apply certain reduced rates, such as those applicable to electricity or advanced energy products produced from renewable energy sources and to primary sector industries such as farming;
- different minimum levels of taxation for motor fuels, heating fuels and electricity. Over a ten-year period, the minimum rates for these fuels would gradually increase, while low-carbon fuels for these sectors would have a zero minimum rate to encourage their use;
- taxation of energy products and electricity used by aircraft and ships. Energy products and electricity supplied for intra-EU air navigation (with the exception of those supplied for cargo-only flights) and for intra-EU inland waterway navigation, including fishing, should be taxed;
- the possibility of tax exemptions for certain products or for electricity from certain sources such as renewable electricity, non-biological renewable fuels, etc.

Transparency

NAGTEGAAL Caroline	Shadow rapporteur	TRAN	07/12/2021	EBU
NAGTEGAAL Caroline	Shadow rapporteur	TRAN	07/12/2021	EUROGAS aisbl
VAN OVERTVELDT Johan	Rapporteur	ECON	11/01/2022	Koninklijke Belgische Redersvereniging
VAN OVERTVELDT Johan	Rapporteur	ECON	18/03/2022	BUSINESSEUROPE