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Answer given by Executive Vice-President Séjourné
on behalf of the European Commission
(14.3.2025)

The Net-Zero Industry Act (NZIA)¹ and the Critical Raw Materials Act (CRMA)² Regulations entered into force on 28 June and 3 May 2024, respectively, aiming to strengthen the EU's manufacturing capacity for net-zero technologies, such as solar photovoltaic panels, wind turbines, batteries, and heat pumps, while ensuring access to critical raw materials essential for their production. To provide additional clarity on its scope of application, the NZIA includes an Annex that lists final products and specific components considered to be primarily used for the production of net-zero technologies. This Annex will be finalised through a Delegated Act, for which the work is ongoing and for which assessments are being carried out to also determine which materials fall within the scope of the NZIA or CRMA. This includes considerations with regards to polysilicon, which has been included under NZIA in the draft Delegated Act that has been published on 23 January 2025 on Have Your Say³ portal for a four-week public feedback period.

Value chains for critical raw materials are often highly complex. As provided for by the NZIA, critical raw materials falling under the scope of the CRMA are excluded from the scope of the NZIA. Components (including potentially some processed raw materials) primarily used to produce net-zero technologies fall under the scope of the NZIA. Relevant value chains have been analysed in accordance with these provisions. This has resulted, for example, in the differentiation between precursor battery active materials (pCAM) that are covered under CRMA and battery active materials (CAM) that have been included in the draft Delegated Act of NZIA.

¹ OJ L, 2024/1735, 28.6.2024 (<https://eur-lex.europa.eu/eli/reg/2024/1735/oj/eng>).

² OJ L, 2024/1252, 3.5.2024 (<https://eur-lex.europa.eu/eli/reg/2024/1252/oj/eng>).

³ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14409-Delegated-act-on-primarily-used-components-under-the-Net-Zero-Industry-Act_en