# European regulation

# Sustainable Taxonomy

# Key takeaways

### > Objectives

- Classify the sustainable activities
- Common Language, based on alignment % with the EU Taxonomy
- Transparency
- Reorienting capital flows towards a more sustainable economy

### > Who?



Companies subject to the



Financial market participants

Within the EU Member States

### > When?

1<sup>st</sup> application as from 2022:



### Founding concepts and sustainable activity

**Identification of** eligible activities

**Substantial** contribution

**DNSH** Do not significant harm

Respect of minimum safeguards

Listed in the delegated

mainly under the european NACE classification

of the six environmental harm to any of the 5 objectives

Contribute to at least one Do not cause significant other environmental objectives

**Human Rights** & fundamental principles and rights at work



Compliance with technical criteria Alignment with EU **Taxonomy** 



# > Annual publication of KPIs

# In the non-financial reporting

(DPEF for France)



undertakings(\*)

□ Share of "sustainable" activities



- % of CAPEX
- % of OPEX

under the definition of the EU Taxonomy (restrictive list)



□ Specific KPIs defined for the financial undertakings (notably green asset ratio)

(\*) Certain large undertakings required to publish non financial information in compliance with article 19 bis or article 29 bis of the 2013/34/UE directive

### (scope NFRD, French definition of EIP) Contact us

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# 6 environmental objectives

### Climate change mitigation



Climate change adaptation



January 1st, 2022 based on 2021 reporting

Sustainable use and protection of water and marine resources



(eligibility focus) simplified

Transition to circular economy



Pollution prevention and control



Protection and restoration of biodiversity and



ecosystems



2024 based on 2023 reporting (TBC)

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# **Article 8 in practice**

for non-financial undertakings

September 202

The delegated act Article 8 — published on July 6, 2021 by the European Commission — complements the regulation and the Climate delegated  $\operatorname{act}^{(1)}$ . It defines the content and presentation of the reporting on Taxonomy and clarifies the simplification measures for the 2021 reporting.

### What obligations for the future reportings?

**3** KPIs

% Turnover, Capex, Opex



### qualitative information

- Applied policies and practices
- Comments on the published indicators



Presentation: Template provided in the Annex II of the Article 8 delegated act

(i) Not required for the 1st year

## > What key principles for the required KPIs?

### **Turnover**

Sustainable activities turnover<sup>(2)</sup>

**Total Turnover** 

# 

**IFRS** consolidated turnover, in accordance with:

**IFRS 15** | IFRS 16

(Other if applicable)



For the activities listed in the Annex 2 "adaptation", Turnover included only for enabling activities

( i.e. activities that contribute to the adaptation of other activities)

### Capex

### Sustainable Capex

Total Capex

### (v) includes acquisitions:

- of tangible and intangible assets before any remeasurement, depreciation, amortisation or impairment and excluding any changes in fair value
- related to business combinations

Opex

Sustainable Opex(3)

Total Opex(3)

limited to specific non-capitalised indirects costs, such as: R&D costs, repairs and maintenance, etc.



Difficulties raised by the current definition — Ongoing discussions and expected clarification

In accordance with:

IAS 16 / IAS 38 / IFRS 16 / IAS 40 / IAS 41

3 categories of Capex et Opex(3) to be considered:

- 1. Directly related to sustainable activities(2), or
- 2. included in **a plan** to expand or render an activity sustainable<sup>(2)</sup>, or
- 3. "individually sustainable"



Option to disclose additional KPIs (optional), notably including the equity affiliates

For instance: Turnover, Capex and Opex after joint-ventures or other "non-GAAP" indicators

(1) The European Taxonomy Regulation, released on 18 June 2020, provides the regulatory framework and the Climate delegated act, released on 21 april 2021, details the full list of retained technical criteria and DNSH, for the 2 "climate" objectives, in its annexes 1 and 2.

- (2) Substantially contribute to one or several environmental objectives and comply with the DNSH criteria and minimum safeguards.
- <sup>(3)</sup> Under the Taxonomy definition, i.e. restrictive list disclosed in the annexe I of the Article 8 delegated act.

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