

If you are having trouble reading this email, or viewing through an IOS or Android device, [click here](#) to view in your browser.

ARTHUR COX



Alex McLean

Head of Sustainability
and ESG

+353 1 920 1195

alex.mclean@arthurcox.com

Welcome to our quarterly ESG newsletter. As 2023 begins, despite difficult economic headwinds ESG priorities will remain of high importance to organisations.

Recent months have seen some pushback against ESG in certain quarters, including what is perceived as “over-regulation” in relation to climate-change. Recently, we have seen the launch of an anti-ESG exchange traded fund on the NYSE. However, while a degree of ESG scepticism is likely to continue to cause some headwinds, the commitment to ESG appears to remain strong from investors, corporates and policy-makers in Europe.

In the past few months, EU regulatory developments include the adoption of the Corporate Sustainability Reporting Directive, which will require large and listed companies to make sustainability disclosures annually, a call for evidence on potential greenwashing practices, and the launch of a consultation on guidelines for the use of ESG or sustainability-related terms in funds’ names, while EU legislation to decarbonise sectors across the economy is in the process of being finalised. Key EU legislative polices for 2023/24 include the proposed EU Green Bonds Regulation (with further trilogue negotiations needed) and proposed Corporate Sustainability Due Diligence Directive and ESAs’ review of principal adverse impact (PAI) indicators and disclosure requirements under the SFDR RTS. We expect to see progress on EU proposals regarding both ESG ratings and the other four EU Taxonomy objectives in Q1 2023.

In the UK, commitment to ESG also remains strong, with the FCA consulting on new sustainability disclosures requirements intended to apply alongside existing TCFD-aligned disclosure rules, the newly established Transition Plan Taskforce consulting on its

proposed climate transition plan framework and proposed updates to the UK Corporate Governance Code to include revisions in relation to sustainability and ESG reporting.

At an international level, updated voting guidelines from proxy advisors such as ISS and Glass Lewis, published in advance of the 2023 AGM season, include policies on board climate accountability and board diversity, while the International Sustainability Standards Board (ISSB) is expected to publish its global sustainability and climate-related disclosure standards in 2023.

To discuss ESG considerations in more detail, please get in touch with a member of our multi-disciplinary ESG team via our dedicated [ESG Hub](#).



Arthur Cox contributes to Mondaq's ESG Guide

Of Counsel and Senior Professional Support Lawyers from across the firm have contributed to Mondaq's comparative guide for Ireland, which gives an overview of some of the key points of law and practice and allow readers to compare regulatory environments and laws across multiple jurisdictions.

[READ MORE](#)



Update on Fit for 55 and REPowerEU: Renewables, Gas Reform, and Emissions Trading

As significant EU legislation nears finalisation, we look at latest progress.

[READ MORE](#)



Green Loans: Commission calls for advice from EBA

The European Commission has written to the European Banking Authority, enclosing a Call for Advice on Green Loans.

[READ MORE](#)



Approach to Support for Offshore Renewable Energy in Ireland

The Timetable, Terms and Conditions and Qualification Information Pack for the first offshore wind renewable electricity support scheme ("**ORESS 1**") have been published.

[READ MORE](#)



Electricity Storage and System Services in Ireland

The Government is consulting on an Electricity Storage Policy Framework for Ireland, as envisaged under the Climate Action Plan. The closing date for responses is **27 January 2023**.

[READ MORE](#)



Pensions and ESG Podcast

In this audio briefing, Sarah McCague and Katie Lawless talk about pensions and Environmental, Social and Governance factors known as ESG, whether pension schemes trustees have to consider ESG when investing, the interaction between ESG and IORP II legislation, Trustees' fiduciary duties and ESG investment.



LISTEN



Arthur Cox sponsors Wind Energy Ireland Annual Conference 2023

We are pleased to once again sponsor the Wind Energy Ireland Conference taking place on 14 -15 February in Dublin. The focus of the conference will be on Ireland's energy revolution, transforming our power system and achieving net-zero.

Danielle Conaghan, Partner and Head of the Environment and Planning Group at Arthur Cox, will speak on day two of the conference.

Arthur Cox will also sponsor the conference dinner on the first day of the conference.

READ MORE



Finance: EU Legislative Priorities for 2023 and 2024

The European Commission, EU Council and European Parliament announced their joint legislative priorities for 2023 and 2024 on 15 December 2022, accompanied by a working document listing the various planned directives and regulations.

READ MORE



Corporate Sustainability Reporting Directive Adopted

The Council of the EU has approved the Corporate Sustainability Reporting Directive ("**CSRD**"). The CSRD was approved by the European Parliament on 10 November 2022. Following the Council's approval, the CSRD has now been adopted.

READ MORE



EFRAG Delivers draft ESRS to European Commission

On 23 November 2022, EFRAG delivered, as technical advice, the first set of draft European Sustainability Reporting Standards ("**ESRS**") to the European Commission. Once adopted by the Commission, the ESRS will be reported against by in-scope companies under the Corporate Sustainability Reporting Directive.

[READ MORE](#)



New Gender Balance Targets on Boards of EU Listed Companies

On 22 November, the European Parliament adopted the proposed "Women on Boards" directive, which will require large EU-listed companies to have at least 40% of non-executive director positions, or 33% of all director positions, occupied by members of the under-represented sex by 30 June 2026.

[READ MORE](#)



Subscribe to **AC Audio** -
The Arthur Cox Podcast

[SUBSCRIBE NOW](#)

AVAILABLE ON



[DUBLIN](#) • [BELFAST](#) • [LONDON](#) • [NEW YORK](#) • [SAN FRANCISCO](#) • www.arthurcox.com • [Follow us on LinkedIn](#)

[Unsubscribe](#) | [Forward to a colleague](#)

For further information on how we manage your data privacy please visit the privacy section of our website.

Published by Arthur Cox LLP

© 2023 Arthur Cox LLP. All rights reserved.

The material contained in this newsletter is for general information purposes only and does not constitute legal or other professional advice. Specific legal advice should be sought on any particular matter. Any and all information is subject to change without notice. No liability whatsoever is accepted by Arthur Cox LLP for any action taken in reliance on the information in this newsletter.

No links to this newsletter may be included in any other publication/website without our express written authorisation. Arthur Cox LLP is not responsible for the content of external Internet sites which link to this site or which are linked to from it.